

**CITY OF PACIFIC
WASHINGTON
ORDINANCE NO. 1815**

**AUTHORIZATION FOR THE ACQUISITION OF PERSONAL PROPERTY AND
EXECUTION OF A FINANCING CONTRACT AND RELATED DOCUMENTATION
RELATING TO THE ACQUISITION OF SAID PERSONAL PROPERTY.**

WHEREAS, the City of Pacific (the "Local Agency") has executed a Notice of Intent to the Office of State Treasurer, in the form attached hereto as Annex 1 (the "NOI"), in relation to the acquisition of and the financing of the acquisition of the Property, as defined below, under the provisions of RCW Ch. 39.94; and

WHEREAS, it is deemed necessary and advisable by the City Council of the Local Agency that the Local Agency acquire the equipment and/or personal property identified on Annex 1 attached hereto ("Property"); and

WHEREAS, it is deemed necessary and advisable by the City Council of the Local Agency that the Local Agency enter into a Local Agency Financing Contract with the Office of the State Treasurer, in the form attached hereto as Annex 2 (the "Local Agency Financing Contract"), in an amount not to exceed \$212,600, plus related financing costs, in order to acquire the Property and finance the acquisition of the Property;

WHEREAS, the Local Agency will undertake to acquire the Property on behalf of and as agent of the Washington Finance Officers Association (the "Corporation") pursuant to the terms of the Local Agency Financing Contract, and in accordance with all applicable purchasing statutes and regulations applicable to the Local Agency; and

WHEREAS, the Local Agency desires to appoint the individuals set forth in Annex 3 as the representatives of the Local Agency in connection with the acquisition of the Property and execution of the Local Agency Financing Contract (each an "Authorized Agency Representative");

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF PACIFIC AS FOLLOWS:

Section 1. The individuals holding the offices or positions set forth in Annex 3 are each hereby appointed as a representative of the Local Agency in connection with the acquisition of the Property and execution of the Local Agency Financing Contract and all other related documents. A minimum of 2 Authorized Agency Representatives shall be required to execute any one document in order for it to be considered duly executed on behalf of the Local Agency.

Section 2. The form of the Local Agency Financing Contract attached hereto as Annex 2 is hereby approved and the Authorized Agency Representatives are hereby authorized and directed to execute and deliver the Local Agency Financing Contract, in an amount not to exceed \$212,600, plus related financing costs, and in substantially the form attached hereto with such changes as may be approved by the Authorized Representatives for the acquisition of the Property and financing of the acquisition of the Property.

Section 3. The Local Agency hereby authorizes the acquisition of the property as agent of the Corporation in accordance with the terms and provisions of the Local Agency Financing Contract.

Section 4. The Authorized Representatives are hereby authorized to execute and deliver to the Office of State Treasurer all other documents, agreements and certificates, and to take all other action, which they deem necessary or appropriate in connection with the financing of the Property, including, but not limited to, any amendment to the NOI and agreements relating to initial and ongoing disclosure in connection with the offering of securities related to the financing.

Section 5. This ordinance shall become effective and be enforced five days from and after its passage, approval, and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PACIFIC, AT A REGULAR MEETING THEREOF HELD THIS 9TH DAY OF JANUARY, 2012.

CITY OF PACIFIC



CY SUN, MAYOR

ATTEST/AUTHENTICATED:



CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Notice of Intent

State of Washington LOCAL(Local Option Capital Asset Lending)

Local Government Information

County: King

Legal Name: City of Pacific

MCAG No.: 0423

Contact Person: Maria Pierce

Title: Finance Director

Address: 100 3rd Avenue S.E., Pacific

Zip: 98047

Phone: 253-929-1117

Fax: 253-939-6026

E-mail: mpierce@ci.pacific.wa.us

Would you prefer to receive financing documents (check one):

Already have financing documents

MS Word 6.0 by e-mail

3.5" disk – Word 97 by U.S. mail

Hard copy by U.S. mail

Property (Real Estate or Equipment)

Property description (include quantity, if applicable): Five 2012 Police Dodge Chargers each installed with Systems for Public Safety and a Panasonic Tough Book Laptop Computer

Total cost: \$218,200.00 Maximum amount to finance: \$ 218,200.00

Finance term: 5 yrs Useful life: 5 yrs Desired financing date: February 1, 2012

Purpose of property (Please be specific and include dept. of use): Five new police cars equipped with laptops and safety systems to be used for emergency response, the Citizen's safety, and crime prevention.

If **real estate**, the Real Estate Worksheet: Is attached

Will be provided by (date) _ _

If **equipment**, will the property purchase price be paid with: program proceeds or general funds to be reimbursed from program proceeds? If general funds are to be used, include a copy of the local agency's reimbursement resolution with the financing documents.

Security Pledge

Voted **general obligation** of local government.. **Non-voted general obligation** of local government

Other Information

Approximate population: _ _ (not required for cities and counties).

If any of the following apply, please provide a complete discussion on a separate page:

Yes No Does the local government use registered warrants, interfund loans or other cash flow borrowing?

Yes No Is the local government a party to significant litigation?

Yes No Is this a reimbursement? If yes, date funds spent _ _

We are not required to submit the Credit Form because _ _

Does local government have a bond rating? Yes No

Bond rating(s): N/A
(attach rating agency letter)

By executing this Notice of Intent, the local agency acknowledges, agrees to and accepts its designation and appointment as the agent of the nominal lessor in connection with the acquisition of the project. By executing this Notice of Intent, the local agency further acknowledges and agrees that certificate counsel and any other special counsel to the state in connection with the authorization, issuance and delivery of the certificates and the related financing documents shall not be acting, and shall not be deemed to act, as counsel to the local agency, nor shall any attorney-client relationship exist or be deemed to exist between such counsel and any participating local agency in connection with such matters.

Submitted by: Richard Wilder

Title: Mayor

Signature: [Signature]

Date: 12/01/11

The City of Pacific has utilized interfund loans as a financing source, for reasons verifiable by City ordinances, a number of times over the prior years. Our interfund loan situations are listed below.

In May of 2003, the City Council approved an interfund loan by ordinance number 1547, in the amount of \$80,000.00, for the purpose of financing the purchase of two police cruisers. This particular interfund loan was provided by our Stormwater Fund and given to the General Fund. The General Fund repaid the Stormwater Fund in four equal annual installments with the applicable interest included. The interest rate was a variable one, based on the last twelve month average from the Local Government Investment Pool. In May of 2005, our Ordinance 1547 was amended by Ordinance 1608. The amendment stipulated that the final two payments of the \$80,000.00 to the Stormwater Fund be made directly from the newly established Criminal Justice Fund.

Also in May of 2003, the City Council approved an interfund loan by ordinance number 1544 for \$225,000.00. This loan was utilized to balance the General Fund budget and was also provided by our Stormwater Fund. The loan was repaid in three annual installments, bearing a variable interest rate, based on the previous twelve month average with the Local Government Investment Pool.

In July of 2005 the City of Pacific's Council approved a small interfund loan in the amount of \$2,000.00 for balancing the 2004 budgets related to the two funds; the General Fund and the Community Services Senior Fund. The General Fund received \$1,700.00 and the Community Services Senior Fund received \$300.00. The loans were repaid within thirty days of December 31, 2004 at an interest rate of 2.074%.

The City of Pacific passed an Ordinance, number 1628, which approved a \$21,000.00 interfund loan between the Water Fund and the Community Services Senior Fund. The loan was set up to be repaid in four equal annual payments bearing an interest rate of 4.17%. This loan was due to the Community Services Senior Fund given financial constraints due to unplanned expenditures.

At the end of the 2005 fiscal year, both the City of Pacific's General Fund and the Garbage Fund had a deficit balance. The City's Ordinance 1629 allowed for an interfund loan originated from the Water Fund. The General Fund received \$13,500.00 of the loan, and the Garbage Fund received \$30,000.00. Repayment of the loan was set up as follows:

General Fund: two bi-annual installments for 2006 and 2007, or as funds became available, whichever ever was first. The General Fund made two annual payments of \$6750.00 each and paid an annual interest amount of \$93.80. The Garbage Fund repaid

in one annual installment, in September of 2006. The due date was actual December 31, 2006 and the interest was based on 4.17%.

In December of 2010, the City of Pacific's Council passed an ordinance, number 1793, that updates Ordinances 1751, which approved a \$165,000.00 interfund loan from the Water Capital Improvement Fund to the Municipal Capital Improvement Fund. The loan was approved and used for the acquisition of property at 130 3rd Avenue SE, Pacific. The loan is setup to be paid over ten years, in equal installments, bearing an interest rate of 1%.

Office of the State Treasurer

State of Washington

LOCAL Program

Credit Form

Please provide the following information so the Office of the State Treasurer (OST) can review the agency's application to borrow the funds requested in the Notice of Intent. Remember, it is important that all information be provided. When appropriate, feel free to provide explanatory information.

When OST receives the completed form, you will be notified in writing of acceptance or non-acceptance to borrow through the LOCAL Program.

1) General Information – Please modify as necessary

The City of Pacific is located in the incorporated community of King County, with a small area in incorporated Pierce County. The Pierce County area was annexed in 1995 and is mostly industrial and commercial properties. This Pierce County portion of the City of Pacific is about fifteen percent of our total area. The applicant provides garbage, water, sewer, and storm services to approximately 6600 residents living in approximately 2.4796 square miles.

The City of Pacific was incorporated in 1909, and operates under the Mayor-Council form of government

Please provide a brief background on the agency, when it was formed, what changes have occurred in service area and tax base (annexations, mergers, etc.) or changes that have been proposed. Also indicate the form of governance.

2) Assessed valuation of the agency

Year of tax Collection (include last 5 years)	Total assessed value for regular levy	Reduced assessed value for excess or bond levy
Current year	\$584,257,736.00	\$579,619,137.00
2010	\$669,939,847.00	
2009	\$600,066,465.00	
2008	\$517,051,566.00	
2007	\$441,587,942.00	
2006	\$397,038,603.00	

3) Tax Levy and Rate

Provide the levy rate per \$1,000 assessed to taxpayers, and the dollar amount of regular levy

Year of Tax Collection	Regular Levy Rate per \$1,000	Regular Levy Total \$\$ Levied		Other Levy Rate per \$1,000	Bond Levy Rate per \$1,000
Current Year	1.441	\$842,125.00			
2010	1.385	\$927,866.00			
2009	1.100	\$660,073.00			
2008	.993	\$513,432.00			
2007	1.579	\$697,267.00			
2006	1.769	\$702,361.00			

4) **Outstanding debt**

Include the following information on all outstanding debt, including bonds, loans or leases, and any short-term obligations including registered warrants, interfund loans or loans from the County Treasurer, if applicable. Also, include any outstanding state loans.

	Debt No. 1	Debt No. 2	Debt No. 3
Description of debt	Special Ass. Bonds LID 3	Water Reservoir	Stormwater Plan
First payment date	9/1/2000	2006	7/15/2002
Last payment date	8/22/2011	9/9/2011	6/7/2011
Voted or non-voted	Non-voted	Non-voted	Non-voted
Amount originally borrowed	\$5,801,355.11	\$2,203,199.99	\$129,783.03
Amount currently outstanding	\$300,000.00	\$1,641,452.92	\$79,845.79
Annual payments due	\$300,000.00	\$161,409.56	\$6,343.97
Cash in bond fund, if any	\$592,740.34	\$283,577.57	\$96,911.79
Fund responsible for repayment	206/207	401	409

Provide information on additional obligations on an attached page.

- 5) Does the applicant have future, additional financing plans? Please discuss anticipated borrowing plans over the next 18 to 24 months. Be sure to discuss any borrowing that is in process, either here or above.
No
- 6) **Special Purpose Districts only:** List facilities and equipment operated by the district, and services provided. If you are a port, PUD or hospital district, briefly discuss the district's service area and competition.
N/A
- 7) Briefly discuss any **service contracts**, including contracts with cities, counties or special purpose districts within the applicant's boundaries, if any.
The City of Pacific has a new contract with the City of Auburn for IT services.
- 8) Discuss the applicant's levy rate history. Has the levy rate been reduced because of other taxing district levies? Are you aware of any potential problems with the municipality's levy rates?
The City of Pacific's levy rate has not been reduced due to other taxing districts. Our rate appears to remain consistent.
- 9) Discuss any **significant employers or taxpayers** in the area. Are you aware of pending closures or changes in employment or tax base?
United Parcel Service is the City of Pacific's most significant employer. At this time we are unaware of any changes in the employment or tax base.
- 10) **If a special purpose district or county**, does the district or county know of any intentions by cities to annex portions of the district or county? Are there any intentions by residents to de-annex from the district, or dissolve the district? **If a city**, are there any annexations plans that will significantly impact the size and operations of the city?
N/A
- 11) Insurance – Please modify as appropriate, the following:

The City of Pacific will insure the financed property in a minimum amount equal to the amount outstanding under the financing contract by means of [commercial insurance/insurance pool/other]. If other, please specify method of insuring the financed property.

Insurance Pool – CIAW

	Debt No. 4	Debt No. 5	Debt No. 6	Debt No. 7
Description of debt	Water Corr Control	Baguio Storm Property	Sweeper	CIAW Claim**
First payment date	2003	1/1/2005	6/25/2008	11/8/2011
Last payment date	9/9/2011	1/18/2011	5/17/2011	11/8/2011
Voted or non-voted	Non-voted	Non-voted	Non-voted	Non-voted
Amount originally borrowed	\$341,700.00	\$365,000.00	\$202,060.40	\$30,599.70
Amount currently outstanding	\$187,997.82	\$163,349.65	\$66,489.84	\$24,479.76
Annual payments due	\$21,901.73	\$45,001.19	\$12,928.37	\$6,119.94
Cash in bond fund, if any	\$283,577.57	\$96,911.79	\$36,875.50	\$457,837.99
Fund responsible for repayment	401	409	101	100

****Note**** Debt No. 7 is not a debt that the City of Pacific acquired through the purchase of any asset. This 'debt' is an amount owing to the Cities Insurance due to a large number of claims that Cities Insurance received in the calendar years of 2003 through 2007 that created a 'shortfall'. All the Cities in this insurance pool are paying amounts to cover the 'shortfall' through the years of 2010 through 2014.

12) Litigation – Please accept or modify as appropriate, the following:

There [is/is not] now pending or, to the best of knowledge, threatened, any litigation restraining or enjoining the execution of the Local Agency Financing Agreement or the levy and collection of taxes to pay the payments thereunder. [The city/county/district is party to routine legal proceedings and claims, and the collective impact of these legal proceedings and claims [is/is not] likely to have a material impact on revenues of the entity.]

There is not now pending or, to the best of knowledge, threatened, any litigation restraining or enjoining the execution of the Local Agency Financing Agreement or the levy and collection of taxes to pay the payments thereunder. The City of Pacific is party to routine legal proceedings and claims, and the collective impact of these legal proceedings and claims is not likely to have a material impact on revenues of the City.

3)List number of employees for past three years. Are employees represented by unions or bargaining groups? If yes, are all contracts in place and are labor relations good or poor?

Year 2008-58 employees, year 2009-55 employees, year 2010-47 employees. The employee counts include those of full time, part time, and seasonal.

Our employees are part of the Teamsters Local Union Number 117. The City of Pacific has two labor contracts with Teamsters 117; one for Uniformed Employees and the second for Public Works and Clerical Employees.

The City of Pacific’s labor relations are good.

14) **Financial Operations** (include as attachment to credit form)

Please attach copies of the Statement of Revenues and Expenditures and Fund Balance Report for the General or Operating Fund, for the past five years. Clearly indicate whether or not each year has been audited. If financial statements are not available for the most recent year, please provide preliminary numbers (and indicate that they are in process of completion). If there was unusual activity in any year (one-time expenditures or revenues), please provide details.

The C4 schedule has been attached for the years 2006-2010. Each year was audited by the Washington State Auditors Office.

15) **Basis of Accounting:** *Cash*__

16) **Budget – General/Operating Fund (2 years) (INCLUDE AS ATTACHMENT TO CREDIT FORM)**

Please attach the budget summary for the General or Operating fund for the current and past year. Be sure it includes summary information on revenues and expenditures – do not send the entire budget.

Attached

Provide additional information that you think would be helpful in reviewing the applicant’s credit for purposes of LOCAL Program qualification.

The information provided above is complete and accurate to the best of my knowledge. I am not aware of any additional information that would affect the Office of the State Treasurer’s review of the municipality.

Signed: 

Title: *Mayor*

Date: *12/01/10*

CITY OF PACIFIC
FUND RESOURCES AND USES ARISING FROM CASH TRANSACTIONS

For the Year Ended December 31, 2006

BARS CODE	FUND TYPE: GENERAL	Fund 100 General Fund		Fund 101 City Street	
		Budget	Actual	Budget	Actual
Beginning Net Cash and Investments		\$1,000	\$14,005	\$45,896	\$45,896
Revenues and Other Sources					
310	Taxes	2,337,870	2,495,218		
320	Licenses and Permits	284,050	319,969	17,500	24,605
330	Intergovernmental	72,430	69,281	136,500	134,107
340	Charges for Goods and Services	135,130	159,491		
350	Fines and Forfeits	193,710	209,181		
360	Miscellaneous	23,205	42,204		3,960
370	Capital Contributions	0			
390	Other Financing Sources	6,000	8,347	120,000	120,000
Total Revenues and Other Sources		3,052,395	3,303,691	274,000	282,672
Total Resources		3,053,395	3,317,696	319,896	328,568
Operating Expenditures:					
510	General Government	573,480	560,216		
520	Public Safety	2,039,420	2,000,985		
530	Physical Environment	2,500	2,349		
540	Transportation	0	0	289,575	240,105
550	Economic Environment	129,785	99,864		
560	Mental and Physical Health	1,900	1,233		
570	Culture and Recreation	32,744	27,695		
Total Operating Expenditures		2,779,829	2,692,342	289,575	240,105
591-593	Debt Service	3,778	3,224		4,774
594-595	Capital Outlay	1,450	1,433	26,396	24,170
Total Expenditures		2,785,057	2,696,999	315,971	269,049
597-599	Other Financing Uses	170,790	169,590		
Total Expenditures and Other Uses		2,955,847	2,866,589	315,971	269,049
Excess (Deficit) of Resources Over Uses		97,548	451,107	3,925	59,519
380	Nonrevenues (Except 384 and 388.80)	0	363,254		
580	Nonexpenditures (Except 584 and 588.80)	88,500	462,930		
Ending Net Cash and Investments		\$9,048	\$351,431	\$3,925	\$59,519

The Accompanying Notes Are An Integral Part Of This Statement.

**Fund Resources and Uses Arising from Cash Transactions
For the Year Ending December 31, 2007**

BARS CODE	Description	General Fund #100		Street Fund #101	
		Budget	Actual	Budget	Actual
	Beginning Cash & Investments	351,430.00	351,429.97	59,520.00	59,519.92
	Revenues & Other Sources				
	310 Taxes	2,502,919.00	2,694,984.97	0.00	0.00
	320 License & Permits	349,900.00	346,611.17	18,500.00	31,315.00
	330 Intergovernmental	84,136.00	103,128.04	143,000.00	143,928.99
	340 Charges for Services	123,122.00	183,747.53	0.00	0.00
	350 Fines & Forfeits	195,604.00	183,359.67	0.00	0.00
	360 Miscellaneous	30,050.00	83,720.42	4,000.00	4,812.56
	370 Capital Contributions	0.00	0.00	0.00	0.00
	390 Other Financing	12,300.00	12,409.00	130,570.00	130,570.00
	Total Revenues&Other	3,298,031.00	3,607,960.80	296,070.00	310,626.55
	Total Resources	3,649,461.00	3,959,390.77	355,590.00	370,146.47
	Operating Expenditures:				
	510 General Govn't	710,126.00	657,617.07	0.00	0.00
	520 Public Safety	1,710,953.00	1,697,174.21	0.00	0.00
	530 Physical Enviroment	6,415.00	2,900.41	240.00	238.36
	540 Transportation	0.00	0.00	269,040.00	262,527.38
	550 Economic Enviroment	121,670.00	125,641.86	0.00	0.00
	560 Mental & Phy Health	0.00	1,396.17	0.00	0.00
	570 Culture & Recreational	33,969.00	33,961.80	0.00	0.00
	Total Operating	2,583,133.00	2,518,691.52	269,280.00	262,765.74
	591-93 Debt Service	0.00	0.00	2,400.00	4,773.66
	594-595 Capital Outlay	0.00	0.00	81,290.00	0.00
	Total Expenditures	2,583,133.00	2,518,691.52	352,970.00	267,539.40
	597-599 Other Financing Uses	763,440.00	763,340.00	0.00	0.00
	Total Expend & Other Uses	3,346,573.00	3,282,031.52	352,970.00	267,539.40
	Excess(Deficit) of Resources Over Uses	302,888.00	677,359.25	2,620.00	102,607.07
	380 Non Revenues(Except 384 and 388.80)	0.00	330,570.91	0.00	0.00
	580 Non Expenditures (Except 584 and 588.80)	0.00	370,696.45	0.00	0.00
	Ending Net Cash & Investments	302,888.00	637,233.71	2,620.00	102,607.07

CITY OF PACIFIC
FUND RESOURCES AND USES ARISING FROM CASH TRANSACTIONS

For the Year Ended December 31, 2008

BARS CODE		Fund Number and Name		Fund Number and Name	
		001 Current Expense		101 Street	
		Budget	Actual	Budget	Actual
Beginning Net Cash and Investments		\$637,234	637,233.71	\$102,607	102,607.07
Revenues and Other Sources					
310	Taxes	2,328,000	2,449,427.83	0	0.00
320	Licenses and Permits	274,875	289,731.93	19,000	20,195.00
330	Intergovernmental	71,407	89,186.83	135,000	138,636.49
340	Charges for Goods and Services	106,305	130,503.39	0	0.00
350	Fines and Penalties	147,400	188,828.66	0	0.00
360	Miscellaneous	64,050	72,472.56	4,000	3,072.60
370	Capital Contributions	0	0.00		
390	Other Financing Sources	0	7,693.27	130,570	130,570.00
Total Revenues and Other Sources		2,992,037	3,227,844.47	288,570	292,474.09
Total Resources		3,629,271	3,865,078.18	391,177	395,081.16
Operating Expenditures:					
510	General Government	758,910	719,664.07		
520	Public Safety	2,027,285	1,971,054.66		
530	Physical Environment	3,000	2,013.94		24.19
540	Transportation	0	0.00	302,635	266,789.55
550	Economic Environment	159,885	146,422.55		
560	Mental and Physical Health		1,400.51		
570	Culture and Recreational	42,700	39,660.18		
Total Operating Expenditures		2,991,780	2,880,215.91	302,635	266,813.74
591-593	Debt Service			22,400	24,773.65
594-595	Capital Outlay				
Total Expenditures		2,991,780	2,880,215.91	325,035	291,587.39
597-599	Other Financing Uses	277,740	277,740.00	7,000	7,000.00
Total Expenditures and Other Uses		3,269,520	3,157,955.91	332,035	298,587.39
Excess (Deficit) of Resources Over Uses		359,751	707,122.27	59,142	96,493.77
380	Nonrevenues (Except 384 and 388.80)	20,105	406,166.01		
580	Nonexpenditures (Except 584 and 588.80)		323,175.46		
Ending Net Cash and Investments		\$379,856	790,112.82	\$59,142	96,493.77

The Accompanying Notes Are An Integral Part Of This Statement.

**CITY OF PACIFIC
FUND RESOURCES AND USES ARISING FROM CASH TRANSACTIONS**

For the Year Ended December 31, 2009

BARS CODE		Fund Number and Name 001 Current Expense		Fund Number and Name 101 Street	
		Budget	Actual	Budget	Actual
Beginning Net Cash and Investments		799,742	800,211.64	96,494	96,493.77
Revenues and Other Sources					
310	Taxes	2,119,755	2,172,919.50	0	0.00
320	Licenses and Permits	162,125	164,105.69	16,000	15,795.00
330	Intergovernmental	198,225	275,911.07	193,800	138,133.20
340	Charges for Goods and Services	112,215	118,543.69	0	62.50
350	Fines and Penalties	190,525	245,379.07	0	0.00
360	Miscellaneous	68,020	54,946.71	3,250	482.50
370	Capital Contributions	0	0.00		
390	Other Financing Sources	7,000	14,838.49	129,335	130,820.19
Total Revenues and Other Sources		2,857,865	3,046,644.22	342,385	285,293.39
Total Resources		3,657,607	3,846,855.86	438,879	381,787.16
Operating Expenditures:					
510	General Government	810,897	793,357.44		
520	Public Safety	2,108,033	2,027,558.55		
530	Physical Environment	3,100	52.20		30.60
540	Transportation	0	0.00	386,975	358,097.32
550	Economic Environment	215,526	164,780.36		
560	Mental and Physical Health	0	1,486.92		
570	Culture and Recreational	70,890	61,574.38		
Total Operating Expenditures		3,208,446	3,048,809.85	386,975	358,127.92
591-593	Debt Service			44,846	16,283.53
594-595	Capital Outlay				
Total Expenditures		3,208,446	3,048,809.85	431,821	374,411.45
597-599	Other Financing Uses	292,350	289,350.00	7,000	7,000.00
Total Expenditures and Other Uses		3,500,796	3,338,159.85	438,821	381,411.45
Excess (Deficit) of Resources Over Uses		156,811	508,696.01	58	375.71
380	Nonrevenues (Except 384 and 388.80)	20,105	306,382.81		
580	Nonexpenditures (Except 584 and 588.80)		317,182.03		
Ending Net Cash and Investments		176,916	497,896.79	58	375.71

The Accompanying Notes Are An Integral Part Of This Statement.

CITY OF PACIFIC

FUND RESOURCES AND USES ARISING FROM CASH TRANSACTIONS

For the Year Ended December 31, 2010

BARS CODE		Total for All Funds	001,098,099	101
			General Fund	Streets
		Total Amount	Actual Amount	Actual Amount
Beginning Cash and Investments		\$5,433,986.57	\$497,896.79	\$375.71
	Prior Period Adjustments (388.80)	\$2,683.21	-\$358.79	\$3,042.00
Revenues and Other Sources				
310	Taxes	\$2,467,826.05	\$2,252,681.95	\$0.00
320	Licenses and Permits	\$170,874.89	\$157,724.89	\$12,900.00
330	Intergovernmental	\$1,272,920.97	\$203,949.07	\$200,629.66
340	Charges for Goods and Services	\$3,822,712.82	\$133,227.97	\$0.00
350	Fines and Penalties	\$289,072.01	\$289,072.01	\$0.00
360	Miscellaneous	\$448,756.24	\$52,669.11	\$562.18
370	Capital Contributions	\$88,510.87	\$0.00	\$0.00
390	Other Financing Sources	\$637,740.28	\$177,140.28	\$109,335.00
Total Revenues and Other Financing Sources		\$9,198,414.13	\$3,266,465.28	\$323,426.84
Total Resources		\$14,635,083.91	\$3,764,003.28	\$326,844.55
Operating Expenditures:				
510	General Government	\$681,715.99	\$675,766.76	\$0.00
520	Public Safety	\$1,935,214.17	\$1,915,227.63	\$0.00
530	Physical Environment	\$3,209,270.64	\$1,916.23	\$217.81
540	Transportation	\$519,510.59	\$0.00	\$244,145.82
550	Economic Environment	\$152,856.65	\$142,210.20	\$0.00
560	Mental and Physical Health	\$1,569.97	\$1,569.97	\$0.00
570	Culture and Recreational	\$229,361.64	\$19,475.34	\$0.00
Total Operating Expenditures		\$6,729,499.65	\$2,756,166.13	\$244,363.63
591-593	Debt Service	\$520,943.99		\$14,134.31
594-595	Capital Outlay	\$1,215,736.13		\$0.00
Total Expenditures		\$8,466,179.77	\$2,756,166.13	\$258,497.94
597-599	Other Financing Uses	\$630,600.00	\$419,350.00	\$0.00
Total Expenditures and Other Financing		\$9,096,779.77	\$3,175,516.13	\$258,497.94
Excess (Deficit) of Resources Over Use		\$5,538,304.14	\$588,487.15	\$68,346.61
380	Nonrevenues (Except 384)	\$627,268.61	\$303,854.26	\$0.00
580	Nonexpenditures (Except 584)	\$860,395.86	\$387,841.74	\$0.00
Ending Cash and Investments:		\$5,305,176.89	\$504,499.67	\$68,346.61
508.10	Reserved	\$712,409.66	\$134,122.66	
508.80	Unreserved	\$4,592,767.23	\$370,377.01	\$68,346.61

The Accompanying Notes Are An Integral Part Of This Statement.

Form of Reimbursement Resolution

Resolution No. 1109

Section 1. *The City of Pacific* reasonably expects to reimburse the expenditures described herein with the proceeds of a financing contract to be entered into by the *City of Pacific*. (the“Reimbursement Obligation”).

Section 2. The expenditures with respect to which the Local Agency reasonably expects to be reimbursed from the proceeds of Reimbursement Obligations are for *five 2012 Dodge Chargers, police cars, for \$144,100.00 that will be equipped with emergency vehicle equipment for a cost of \$61,100.00, and five Panasonic Tough book laptop computers for an estimated \$13,000.00.*

Section 3. The expenditures with respect to which the Local Agency reasonably expects to be reimbursed from the proceeds of Reimbursement Obligations will be made from *the Criminal Justice Fund – the Vehicle Replacement Plan.*

Section 4. The maximum principal amount of Reimbursement Obligations expected to be issued for the property described in Section 2 is *\$218,200.00.*

Adopted this ___ day of _____, 20__.

Approved:



Richard Willett Mayor

Incumbency Certificate

I, Jane Montgomery, City Clerk for the City of Pacific, Washington, do hereby certify that the following is a true and correct listing of the City Council Members of the City of Pacific and their terms of office:

Gary Hulse	01/01/12 – 12/31/15
John Jones	01/01/10 – 12/31/13
Clint Steiger	01/01/12 – 12/31/15
Leanne Guier	01/01/10 – 12/31/13
James McMahan	01/01/10 – 12/31/13
Joshua Putnam	01/01/12 – 12/31/15
Tren Walker	01/01/10 – 12/31/13

Dated this January 30th 2012

Jane Montgomery
Jane Montgomery, City Clerk

**CITY OF PACIFIC
WASHINGTON
RESOLUTION NO. 1109**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON AUTHORIZING THE MAYOR TO SECURE FINANCING AND APPROVING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF; FIVE 2012 POLICE DODGE CHARGERS, NINE IN CAR VIDEO SYSTEMS, FIVE PANASONIC LAPTOP COMPUTERS, AND THE INSTALLATION OF THE ELECTRONICS IN THE 2012 POLICE DODGE CHARGERS.

WHEREAS, the Pacific Police Department has a Vehicle Replacement Plan that was implemented in 2004, and;

WHEREAS, the cost to maintain the Vehicle Replacement Plan is funded through the Criminal Justice Funds and not the General Fund, and;

WHEREAS, the vehicles currently being operated on patrol are six years old and in immediate need of replacement, and;

WHEREAS, Systems for Public Safety has been our vendor since 2008, due to their near proximity and excellent service, and;

WHEREAS, the current in car video system is no longer in business and the current system can no longer be supported, and;

WHEREAS, financing will be set up according to the lowest rates and most efficient financing available, as determined by the Finance Department;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON

Section 1. The Pacific City Council hereby authorizes the Mayor to solicit financing and execute documents for the purchase of five 2012 Police Dodge Chargers, in an estimated amount of \$218,200 (excluding applicable finance charge), itemized as follows;

A. KarMart - for the purchase of five 2012 Police Dodge Chargers at an estimated cost of \$144,100. (Attached as Exhibit A of this Resolution)

B. Systems for Public Safety- (installation of emergency vehicle equipment on five 2012 Dodge Chargers, at an estimated cost of \$61,100). (Attached as Exhibit B of this Resolution)

C. Datec for (purchase of 5 Panasonic Tough book Laptop Computers) at an estimated cost of \$13,000. (Attached as exhibit C of the Resolution)

Section 2. The Pacific City Council hereby authorizes the Mayor to expend funds with Watch Guard for the purchase of nine in car video recording systems, at an estimated cost of \$67,000. (Attached as exhibit D)

Section 3. Payment of all expenditures in this and subsequent fiscal years for payments of the above purchases shall be made from the Criminal Justice Fund.

Section 4. This Resolution shall take effect and be in full force upon passage and signatures hereon.

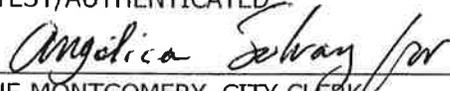
**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
11TH DAY OF OCTOBER, 2011.**

CITY OF PACIFIC



RICHARD HILDRETH, MAYOR

ATTEST/AUTHENTICATED:



JANE MONTGOMERY, CITY CLERK

APPROVED AS TO FORM:



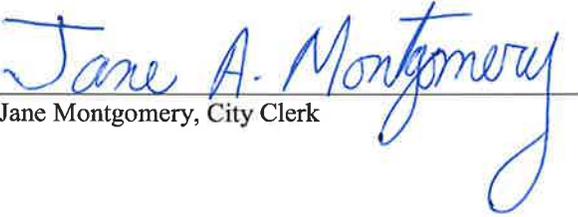
ALBERT A. ABUAN, CITY ATTORNEY

Certificate of Authorizing Resolution/Ordinance

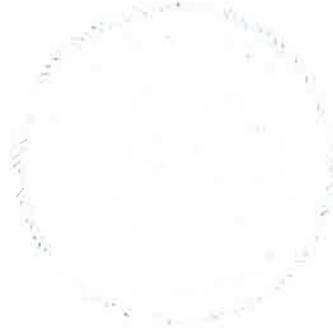
I, the undersigned, Clerk/Secretary of the City of Pacific (the "Local Agency"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. 1815 (herein called the "Resolution/Ordinance") is a true and correct copy of a Resolution/Ordinance of the Local Agency adopted/passed at a regular meeting of the City Council held on the 9th day of January, 2012, and duly recorded in my office;
2. That said meeting was duly convened and held in all respects in accordance with law; and to the extent required by law, due and proper notice of such meeting was given; that a quorum of the City Council was present throughout the meeting and a legally sufficient number of members of the City Council voted in the proper manner for the adoption/passage of the Resolution/Ordinance;
3. That all other requirements and proceedings incident to the proper adoption/passage of the Resolution/Ordinance have been duly fulfilled, carried out and otherwise observed;
4. That the Resolution/Ordinance remains in full force and effect and has not been amended, repealed or superseded; and
5. That I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand as of this 9th day of January, 2012.


Jane Montgomery, City Clerk

[S E A L]



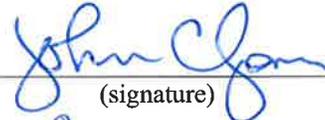
Certificate Designating Authorized Agency Representatives

I, Maria Pierce, Finance Director of the City of Pacific (the "Local Agency"), hereby certify that, as of the date hereof, pursuant to Ordinance No. 1815, the following individuals are each an "Authorized Agency Representative," as indicated by the title appended to each signature, that the following individuals are duly authorized to execute and deliver the Local Agency Financing Agreement to which this Certificate is attached as Exhibit C, and all documentation in connection therewith, including but not limited to the Personal Property Certificate(s) attached thereto as Exhibit B, that the signatures set forth below are the true and genuine signatures of said Authorized Agency Representatives and that pursuant to such resolution/ordinance, two (2) of the three (3) following signature(s) are required on each of the aforementioned documents in order to consider such documents executed on behalf of the Local Agency:



(signature)

Cy Sun, Mayor



(signature)

John Jones, Mayor Pro-Tem



(signature)

Maria Pierce, Finance Director

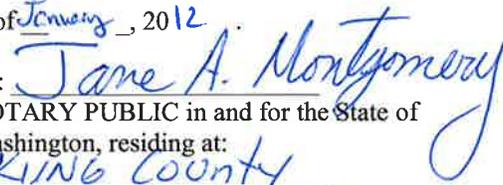
Dated this 9th day of January, 2012.



Maria Pierce, Finance Director
City of Pacific

SUBSCRIBED AND SWORN TO before me this 10th day of January, 2012.



By: 
NOTARY PUBLIC in and for the State of
Washington, residing at:
KING COUNTY
Printed Name: Jane A. Montgomery
My Commission Expires: 8-17-2014

**LOCAL AGENCY FINANCING CONTRACT, SERIES 2012A
(Equipment)**

This Local Agency Financing Contract, Series 2011D (the "Agency Financing Contract") is entered into by and between the state of Washington (the "State"), acting by and through the State Treasurer (the "State Treasurer"), and **City of Pacific, a Municipal Government** of the State (the "Local Agency").

RECITALS

WHEREAS, certain State agencies (as defined in Appendix I hereto, "State Agencies") are authorized to acquire real and personal property used or needed by such State Agencies through Agency Financing Contracts entered into pursuant to Chapter 356, Laws of Washington, 1989, codified as Chapter 39.94 of the Revised Code of Washington (the "RCW"), as supplemented and amended (the "Act"); and

WHEREAS, Chapter 291, Laws of Washington, 1998 supplemented and amended the Act to authorize the State to enter into Agency Financing Contracts on behalf of certain local agencies (as described therein, "Local Agencies"), including the Local Agency, to finance the acquisition of real and personal property by such Local Agencies; and

WHEREAS, the State Treasurer has established a consolidated program providing for the execution and delivery of certificates of participation in such Agency Financing Contracts, or in Master Financing Contracts with respect thereto, in series from time to time in order to provide financing or refinancing for the costs of acquisition of real and personal property by State Agencies and Local Agencies; and

WHEREAS, simultaneously with the execution and delivery hereof, the State is entering into a Master Financing Contract, Series 2012A, dated as of the Dated Date (the "Master Financing Contract") with the Washington Finance Officers Association, a nonprofit corporation duly organized and existing under and by virtue of the laws of the state of Washington (the "Corporation"), to provide financing for the costs of acquisition of certain items of personal property by certain State Agencies and Local Agencies, including the Local Agency, under the terms set forth therein; and

WHEREAS, the State Treasurer and the Local Agency have determined that it is necessary and desirable to enter into this Agency Financing Contract to provide financing or refinancing for the costs of acquisition of certain items of personal property, described in Exhibit B hereto (the "Property"), by the Local Agency; and

WHEREAS, the State Finance Committee has authorized the execution and delivery of this Agency Financing Contract pursuant to Resolution No. 987 adopted on October 7, 2003; and

WHEREAS, all acts, conditions and things required by law to exist, to have happened and to have been performed precedent to and in connection with the execution and delivery of this Agency Financing Contract do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the Parties hereto are now duly authorized to execute, deliver and perform their respective obligations under this Agency Financing Contract;

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other valuable consideration, the Parties hereto mutually agree as follows:

Section 1.1 Defined Terms. Capitalized terms used but not otherwise defined in this Agency Financing Contract shall have the respective meanings given such terms in Appendix I hereto.

Section 1.2 Notice of Intent; Personal Property Certificate; Certificate Designating Authorized Local Agency Representative. The Local Agency has delivered a Notice of Intent to the State Treasurer in the form of Exhibit A attached hereto and incorporated herein by this reference. In order to evidence its acceptance of the Property financed and acquired pursuant hereto, the Local Agency has executed and delivered herewith, or will execute and deliver within 60 days from the Dated Date to the State Treasurer, a Personal Property Certificate in the form of Exhibit B attached hereto and incorporated herein by this reference. The Local Agency has delivered a Certificate Designating Authorized Agency Representatives to the State Treasurer in the form of Exhibit C attached hereto and incorporated herein by this reference. Said Certificate is currently in force and has not been amended, withdrawn or superseded, and the signatures shown thereon are true and correct originals of the signatures of the persons who hold the titles shown opposite their names. The signature of any one of the individuals shown on said Certificate is sufficient to bind the Local Agency under this Agency Financing Contract with respect to any of the undertakings contemplated herein. The terms and provisions set forth in Appendix II hereto are incorporated herein and made a part hereof by this reference.

Section 1.3 Installment Sale and Purchase of Property. The State hereby agrees to sell, assign and convey, and does hereby sell, assign and convey to the Local Agency, and the Local Agency hereby agrees to purchase, acquire and assume, and does hereby purchase, acquire and assume, from the State, all of the State's right, title and interest in and to the Property and all proceeds and profits thereof and therefrom, subject to the security interest created pursuant to Section 2.5 of Appendix II hereof, and the Local Agency agrees to pay in consideration thereof the Purchase Price therefor and interest thereon and the Additional Costs in accordance with Section 1.4 hereof, and all other amounts required to be paid by the Local Agency hereunder, all in accordance with the provisions of this Agency Financing Contract.

Section 1.4 Agency Installment Payments. In consideration of the sale of the Property and the covenants and agreements of the State in this Agency Financing Contract, the Local Agency hereby promises to pay to the State the following amounts at the following times: (a) On each Agency Installment Payment Date, the Agency Installment Payment set forth in Exhibit D hereto, consisting of a Principal Component and/or an Interest Component as set forth in such Exhibit; and (b) All Additional Costs incurred by the State in connection with the sale of the Property to the Local Agency, the execution and delivery of the Certificates, and the observance and performance of the Series 2012A Agreements, within thirty (30) days following receipt of an invoice from the State with respect thereto which includes (i) a brief description of each such Additional Cost, (ii) the party to whom payment is due, (iii) the amount thereof, and (iv) such additional information as the Local Agency may reasonably request.

Section 1.5 Term. The term of this Local Agency Financing Contract shall commence on the Dated Date and shall terminate on the date on which all amounts due hereunder shall have been paid or the payment thereof duly provided for pursuant to Section 4.3 of Appendix II hereof.

STATE OF WASHINGTON
OFFICE OF THE STATE TREASURER

By _____
Designated Treasurer Representative

City of Pacific
as Local Agency

By 
Authorized Agency Representative

By 
Authorized Agency Representative

Local Agency Tax Certificate (Equipment)

This Local Agency Tax Certificate is executed and delivered by the City of Pacific (the “Local Agency”) in connection with the Local Agency Financing Contract between the Local Agency and the State of Washington (the “State”), dated as of March 29, 2012, (the “Local Agency Financing Contract”), under which the Local Agency is obligated to make Agency Installment Payments, including principal components thereof in the aggregate amount of \$212,600, plus issuance costs allocable to the Local Agency (the “Obligations”). Capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Local Agency Financing Contract. The Local Agency certifies, covenants, warrants and represents as follows:

ARTICLE I. IN GENERAL

1.1 **The Local Agency.** The Local Agency is a political subdivision duly organized and existing under and by virtue of the laws of the State of Washington. The Local Agency has the general authority to exercise the power of eminent domain in furtherance of its governmental purposes.

1.2 **Purpose of Local Agency Tax Certificate.** In the future, the State intends to cause the execution and delivery of certificates of participation (the “Certificates”) evidencing undivided and proportionate interests in Installment Payments of the State payable under a Master Financing Contract. A portion of the principal components of such Installment Payments are payable from the Obligations. The Local Agency is delivering this Local Agency Tax Certificate to the State with the understanding that the State will rely in part upon this Local Agency Tax Certificate in obtaining an opinion from bond counsel that the interest component of the Certificates is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986.

1.3 **Purpose of Financing.** The Obligations are being issued to finance the costs of the acquisition, construction, improvement and/or renovation of police cars (the “Project”), as described in more detail in the Local Agency Financing Contract.

1.4 **Definitions.** Unless the context otherwise requires, the following capitalized terms have the following meanings:

“*Code*” means the Internal Revenue Code of 1986 (including amendments thereto).

“*Current Revenues.*” See Section 2.7 hereof.

“*Governmental Unit*” means any state, or political subdivision of a state, but excludes the United States and its agencies or instrumentalities.

“*Investment Property*” means any security or obligation, any annuity contract, or any other investment-type property, but does not include any Tax-Exempt Bond unless such obligation is a “specified private activity bond” within the meaning of Section 57(a)(5)(C) of the Code.

“*Nongovernmental Person*” means any person or entity other than a Governmental Unit.

“*Preliminary Expenditures*” means architectural, engineering, surveying, soil testing, and similar costs paid with respect to the Project in an aggregate amount not exceeding 20% of the Obligations. However, Preliminary Expenditures do not include land acquisition, site preparation or similar costs incident to the commencement of construction.

“*Tax-Exempt Bond*” means any obligation the interest on which is excluded from gross income for federal income tax purposes pursuant to Section 103 of the Code or Section 103 of the Internal Revenue Code of 1954, as amended (the “1954 Code”), and Title XIII of the Tax Reform Act of 1986, as amended, as well as stock in a regulated investment company to the extent at least 95 percent of income to the stockholder is treated as interest that is excludable from gross income under Section 103 of the Code.

ARTICLE II. TAX LIMITATIONS

2.1 **Expenditure of Proceeds.** For purposes of this Local Agency Tax Certificate, proceeds of the Obligation will be treated as spent when they are used to pay for or reimburse disbursements by the Local Agency that paid for (i) capital expenditures, (ii) any interest component of the Agency Installment Payments through the later of three years after the date hereof or one year after the Project is placed in service, or (iii) initial operating expenses directly associated with the Project (in aggregate amount not exceeding 5% of the Obligations). The State has authorized the issuance of the Certificates to finance, among other things, the costs of the Project. Absent written agreement by the State, all expenditures of proceeds of the Obligation will be made in respect of (a) Preliminary Expenditures, (b) capital expenditures reimbursed in respect of payments made by the Local Agency on or after the date which is sixty days prior to the date on which said authorization was adopted, or (c) other payments made by the Local Agency on or after the date hereof. In connection with all expenditures described in (b), the reimbursement allocation will be made no later than the later of 18 months after the date hereof or the date on which the Project is placed in service, but in no event later than three years after the date of expenditure.

2.2 **Governmental Bond Status.** [Different text will be substituted for this section when the loan is made for airport or port facilities that are the subject of private use.] The Local Agency will not loan any of the proceeds of the Obligations to one or more Nongovernmental Persons. The Local Agency will not allow more than 10% of proceeds of the Obligations or more than 10% of the Project to be used directly or indirectly by any Nongovernmental Person, other than as a member of the general public. A Nongovernmental Person will be treated as “using” proceeds of the Obligations to the extent the Nongovernmental Person:

- (i) borrows proceeds of the Obligations, or
- (ii) uses the Project (e.g., as owner, lessee, service provider, operator or manager).

2.3 **Change in Use.** The Local Agency reasonably expects to use all proceeds of the Obligations and all of the Project as set forth in Section 2.2 of this Local Agency Tax Certificate for the entire stated term to maturity of the Obligations. Absent written agreement by the State, the Local Agency in fact will use all proceeds of the Obligations and all of the Project as set forth in Section 2.2 of this Tax Certificate.

2.4 **Federal Guarantee.** The Local Agency will not directly or indirectly use or permit the use of any proceeds of the Obligations or take or omit to take any action that would cause the Certificates to be obligations that are “federally guaranteed” within the meaning of Section 149(b) of the Code. In furtherance of this covenant, the Local Agency will not allow the payment of principal or interest with respect to the Obligations to be guaranteed (directly or indirectly) in whole or in part by the United States or any agency or instrumentality thereof. The Local Agency will not use 5% or more of the proceeds of the Obligations to make or finance loans the payment of principal or interest with respect to which is guaranteed in whole or in part by the United States or any agency or instrumentality thereof.

2.5 **No Refunding.** Proceeds of the Obligations will not be used directly or indirectly to make principal, interest or premium payments with respect to any obligation other than the Obligations.

2.6 **No Hedge Bonds.** The Local Agency reasonably expects that more than 85% of proceeds of the Obligations will be expended for the purposes of the Obligations within three years.

2.7 **Debt Service Funds.** Payments of debt service on the Obligations generally are expected to be derived from current revenues of the Local Agency in each year, and Current revenues are expected to equal or exceed debt service on the Obligations during each payment period. Revenues actually used in less than six months from the date first received to pay debt service on Obligations are referred to herein as “Current Revenues.” The account, or portion thereof, used by the Local Agency to pay debt service on the Obligations will be used primarily to achieve a proper matching of revenues and debt service within each year. To the extent of Current Revenues, such account in the aggregate will be depleted at least once a year except for a carryover amount not to exceed the greater of the earnings on such account for the immediately preceding year or 1/12 of the debt service in respect of the Obligations for the immediately preceding year. Current Revenues contributed to such account will be spent within thirteen months after the date of such contribution, and any amounts received from the investment or reinvestment of monies held in such funds will be expended within one year after the date

of accumulation thereof in any such fund. Current Revenues in such account shall be invested without regard to yield. Revenues other than Current Revenues will not be invested in Investment Property with a yield exceeding the yield on the Obligations.

2.8 **No Other Replacement Proceeds.** The Local Agency will not use any proceeds of the Obligations directly or indirectly to replace funds of the Local Agency which are or will be used directly or indirectly to acquire Investment Property reasonably expected to produce a yield that is materially higher than the yield on the Obligations. The weighted average maturity of the Obligations does not exceed 120% of the expected weighted average economic useful life of the Project.

2.9 **No Expected Sale.** It is not expected that the Project or any part thereof will be sold or otherwise disposed of before the maturity date of the Obligations.

ARTICLE III. OTHER MATTERS

3.1 **Expectations.** The undersigned is an authorized representative of the Local Agency acting for and on behalf of the Local Agency in executing this Local Agency Tax Certificate. To the best of the knowledge and belief of the undersigned, there are no other facts, estimates or circumstances that would materially change the expectations as set forth herein, and said expectations are reasonable.

3.2 **Amendments.** Notwithstanding any other provision of this Local Agency Tax Certificate, the Local Agency may amend this Local Agency Tax Certificate and thereby alter any actions allowed or required by this Local Agency Tax Certificate if such amendment is signed by an authorized officer and is supported by formal written agreement by the State.

3.3 **Survival of Defeasance.** Notwithstanding any provision in this Local Agency Tax Certificate to the contrary, the obligation to comply with all requirements contained in this Local Agency Tax Certificate shall survive defeasance or prepayment of the Obligations.

3.4 **Effective Date.** This Local Agency Tax Certificate is dated and effective as of the Dated Date.

Dated: March 29, 2012.

By 

By 