

MAR 14 1947

RESOLUTION NO. 303

PROVIDING FOR THE ISSUANCE AND SALE OF \$300,000 PRINCIPAL AMOUNT OF "CITY OF SACRAMENTO MUNICIPAL IMPROVEMENT BONDS OF 1945, SERIES B", (BEING THE UNISSUED PART OF AN ISSUE OF \$2,980,000 PRINCIPAL AMOUNT AUTHORIZED AT AN ELECTION HELD IN SAID CITY ON NOVEMBER 6, 1945); PRESCRIBING THE DATE AND FORM OF SAID BONDS AND OF THE COUPONS TO BE ATTACHED THERETO; FIXING THE MAXIMUM RATE OF INTEREST ON SAID BONDS AND PRESCRIBING THE MATURITIES THEREOF; AUTHORIZING THE EXECUTION OF SAID BONDS AND DESIGNATING SAID \$300,000 PRINCIPAL AMOUNT OF BONDS AS SERIES B OF SAID AUTHORIZED ISSUE.

WHEREAS, the City Council of the City of Sacramento heretofore, to wit, on the 1st day of February, 1946, duly passed and adopted its resolution providing for the issuance of \$2,680,000 principal amount of "City of Sacramento Municipal Improvement Bonds of 1945, Series A"; and

WHEREAS, in and by said resolution the authorized issue of City of Sacramento Municipal Improvement Bonds of 1945 was divided into series, whereof \$2,680,000 principal amount were designated "Series A" and the issuance and sale thereof authorized and directed; and

WHEREAS, said Series A bonds in the amount of \$2,680,000 have heretofore been issued and sold; and

WHEREAS, said resolution above mentioned provided that the remaining \$300,000 principal amount of City of Sacramento Municipal Improvement Bonds of 1945 might be

issued from time to time, as a separate series, as and when directed by the City Council; and

WHEREAS, this City Council has determined, and does hereby declare, that it is necessary and desirable that the remaining \$300,000 principal amount of said City of Sacramento Municipal Improvement Bonds of 1945 be issued and sold for the purposes for which they were authorized by the electors,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sacramento, as follows:

Section 1. Said resolution for the issuance of City of Sacramento Municipal Improvement Bonds of 1945, Series A, adopted by this Council on February 1, 1946, is incorporated herein by reference and all of the provisions thereof are made a part hereof and shall be applicable to said remaining bonds of said authorized issue, to be designated Series B thereof, except only as herein otherwise expressly provided. The bonds of said Series B, herein provided for, shall be executed in the manner set forth in said resolution providing for the issuance of said bonds of Series A, and provision is hereby made for the levy and collection of taxes sufficient for the payment of the bonds of said Series B in time, form and manner as provided in said resolution authorizing the issuance of said bonds of Series A.

Section 2. The remaining \$300,000 principal amount of City of Sacramento Municipal Improvement Bonds of 1945 shall be and constitute one series of said issue, to be designated "Series B". Bonds of said Series B shall be negotiable in form, and of the character known as serial, and shall be 300 in number, numbered consecutively from 1 to 300, both inclusive,

of the denomination of \$1,000 each. All of said bonds shall bear interest from their date until paid at the rate or rates designated by the City Council at the time of the sale of said bonds, but not to exceed five (5) per cent. per annum, payable semi-annually. Such interest shall be evidenced by coupons attached to each bond and each of said coupons shall represent six months' interest on the bond to which it is attached. Both the principal of and interest on said bonds shall be payable either at the office of the Treasurer of the City of Sacramento, in Sacramento, California, or, at holder's option, at the office of the fiscal agency of the City of Sacramento in the City and State of New York, in lawful money of the United States of America. Said Series B bonds shall be dated January 1, 1947 (which is hereby fixed as and determined to be the date of the issue of such Series B bonds), and shall mature and become payable in consecutive numerical order, from lower to higher, as follows:

\$15,000 principal amount of bonds shall mature and be payable on January 1 in each of the years 1948 to 1967, both inclusive.

Said interest coupons shall be payable on the 1st day of July and the 1st day of January in each year until and at the respective date of maturity of said bonds, the first coupon on each bond representing interest from January 1, 1947, to July 1, 1947.

Section 3. Said bonds of Series B shall each be substantially in the following form, the blanks in said form and in the form of coupon given below to be filled with appropriate words or figures, namely:

UNITED STATES OF AMERICA
STATE OF CALIFORNIA
Sacramento County

CITY OF SACRAMENTO MUNICIPAL IMPROVEMENT BOND - 1945
SERIES B

No. B _____

\$1,000

The CITY OF SACRAMENTO, a municipal corporation, organized and existing under the Constitution and laws of the State of California, hereby acknowledges itself indebted and for value received, promises to pay to the bearer (or if this bond be registered, to the registered holder hereof) on the first day of January, 19____, ONE THOUSAND (1,000) DOLLARS, together with interest thereon at the rate of _____ (_____) per cent. per annum until payment of said principal sum in full, payable semi-annually on the 1st day of January and the 1st day of July of each year. Unless this bond is registered such interest, prior to maturity, shall be payable only on presentation and surrender of the proper interest coupons hereto attached as they respectively become due. Both the principal of and interest on this bond are payable in lawful money of the United States of America either at the office of the Treasurer of the City of Sacramento, in Sacramento, California, or, at holder's option, at the office of the fiscal agency of the City of Sacramento in the City and State of New York.

This bond is one of a duly authorized issue of bonds of said City aggregating Two million nine hundred eighty thousand (2,980,000) dollars in principal amount, all of like tenor and date (except for such variations, if any, as may be required to designate varying series, numbers, maturities or interest rates) and is issued under and pursuant to the Constitution and statutes of the State of California, and under and pursuant to the ordinances and proceedings of said City duly adopted and taken and a vote and assent of more than two-thirds of all the qualified electors of said City voting at a special election duly called and held for that purpose.

It is hereby certified, recited and declared that all acts, conditions and things required by law to exist, happen and to be performed precedent to and in the issuance of this bond have existed, happened and been performed in due time, form and manner as required by law, and that the amount of this bond, together with all other indebtedness of said City, does not exceed any limit prescribed by the Constitution or statutes of said State, and that provision has been made as required by the Constitution and statutes of said State for the collection of an annual tax sufficient to pay the principal of, and interest on, this bond as the same become due. The full faith and credit of said City are hereby pledged for the punctual payment of the principal and interest of this bond.

This bond may be registered in the manner provided by law and thereafter the principal hereof and interest hereon shall be payable only to such registered owner.

IN WITNESS WHEREOF, the City of Sacramento has caused this bond to be executed under its corporate seal, signed by its Mayor and its Treasurer, and countersigned by its Clerk, and has caused the interest coupons hereto attached to be signed by its Treasurer, and this bond to be dated the first day of January, 1947.

Countersigned:

Mayor of the City of Sacramento

City Clerk of the City of Sacramento

Treasurer of the City of Sacramento

The interest coupons shall be signed by the Treasurer of said City by his engraved or lithographed signature, and shall be substantially in the following form:

Coupon No. _____

On the first day of _____, 19____
the City of Sacramento will (unless the within
mentioned bond be registered) pay to bearer at
the office of the Treasurer of said City, in
Sacramento, California, or, at holder's option,
at the office of the fiscal agency of said
City in the City and State of New York,
Dollars _____
in lawful money of the United States of America,
being six months' interest then due on its
Municipal Improvement Bond - 1945, Series B, No.B _____
dated January 1, 1947.

Treasurer of the City of Sacramento

Section 4. Said resolution for the issuance of City of Sacramento Municipal Improvement Bonds - 1945, Series A, adopted February 1, 1946, provided for the creation of "Water Supply (1945) Construction Fund". The proceeds of the sale of City of Sacramento Municipal Improvement Bonds - 1945, Series B, shall be deposited in said fund, as set forth in Section 7 of said Resolution adopted February 1, 1946, as follows:

"(b) 'Water Supply (1945) Construction Fund,' by which a record shall be kept of the disbursement of the proceeds of the sale of \$200,000 principal amount of said Municipal Improvement Bonds - 1945, Series A, and also of the remaining \$300,000 principal amount of said authorized issue when sold (other than accrued interest received on the sale of said bonds) and such proceeds shall be applied solely to the purpose and objects specified in Proposition No. 2 (Water Supply) set forth in Section 2 of this resolution;"

Any premium received upon the sale of said Series B bonds of said issue shall be deposited in said fund described above.

Section 5. The City Clerk is directed to cause a sufficient number of blank bonds and coupons of suitable quality to be lithographed, printed or engraved, and to cause the blank spaces thereof to be filled in to comply with the provisions hereof, and to procure their execution by the proper officers, and to deliver them, when so executed, to the Treasurer of said City who shall safely keep the same until they shall be sold by the said Council; whereupon he shall deliver them to the purchaser or purchasers thereof, on receipt of the purchase price. Said Mayor, Treasurer and City Clerk are further authorized and directed to make, execute and deliver to the purchaser of said bonds a signature and no-litigation certificate in the form usually required by purchasers of municipal bonds generally, certifying to the genuineness and due execution of said bonds and further certifying to all facts within their knowledge relative to any litigation which may or might affect said City, said officers or said bonds, and said Treasurer is further authorized and directed to make, execute and deliver to the purchaser of said bonds a Treasurer's Receipt in the form usually required by purchasers of municipal bonds, evidencing the payment of the purchase price of said bonds, which receipt shall be conclusive evidence that said purchase price has been paid and has been received by said City. Any purchaser or subsequent taker or holder of said bonds is hereby authorized to rely upon and shall be justified in relying upon any such signature and no-litigation certificate and Treasurer's Receipt with respect to said bonds executed pursuant to the authority of this resolution.

Section 6. All of said Series B bonds shall be offered for public sale by the Council of the City of Sacramento on the 25th day of March, 1947, and the City Clerk is hereby authorized and directed to cause notice of the sale of said bonds to be published once in the SACRAMENTO UNION, the official newspaper of said City, and such notice shall be substantially in the following form, to wit:

OFFICIAL NOTICE OF SALE

CITY OF SACRAMENTO MUNICIPAL IMPROVEMENT BONDS - 1945,
SERIES B

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Council of the City of Sacramento, State of California, at the office of the City Clerk thereof, City Hall, 915 Eye Street, Sacramento, California, on

TUESDAY, MARCH 25, 1947

at the hour of 11:00 A. M. (P.S.T.) for the purchase of \$300,000 principal amount of bonds of said City designated "City of Sacramento Municipal Improvement Bonds - 1945, Series B", more particularly described below. Said Series B bonds are part of an issue of \$2,980,000 aggregate principal amount authorized at an election held in said City of Sacramento on November 6, 1945, \$2,680,000 principal amount of said bonds having heretofore been issued and sold.

ISSUE: \$300,000 consisting of 300 bonds of the denomination of \$1,000 each, numbered 1 to 300 inclusive, all dated January 1, 1947, and designated "Series B".

INTEREST RATE: Maximum five (5) per cent. per annum, payable semi-annually on January 1st and July 1st in each year. Bidders must specify the rate of interest which the bonds hereby offered for sale shall bear. Bidders will be permitted to bid different rates of interest and to split rates irrespective of the maturities of said bonds. The interest rate stated in the bid must be in a multiple of one-quarter of one per cent. per annum, payable semi-annually.

MATURITIES: Said bonds mature serially in consecutive numerical order, from lower to higher, \$15,000 on January 1st in each of the years 1948 to 1967, both inclusive.

PAYMENT: Both principal and interest payable in lawful money of the United States of America, either at the office of the Treasurer of the City in Sacramento, California, or, at holder's option, at the office of the fiscal agency of said City in The City and State of New York.

REGISTRATION: Coupon bonds will be issued by the City. Such bonds are registerable only as to both principal and interest.

PURPOSE OF ISSUE: Said Series B bonds are authorized for the purpose of improving the water supply of the City of Sacramento, as set forth in the water supply proposition submitted at said election.

SECURITY: Said bonds are general obligations of the City of Sacramento, and the Council thereof has power and is obligated to levy ad valorem taxes for the payment of said bonds and the interest thereon upon all property within the City of Sacramento subject to taxation by said City (except certain intangible personal property, which is taxable at limited rates) without limitation of rate or amount.

TAX EXEMPT STATUS: In the event that prior to the delivery of the bonds the income received by private holders from bonds of the same type and character shall be declared to be taxable under any Federal Income Tax Laws, either by the terms of such laws or by ruling of a Federal Income Tax authority or official which is followed by the Bureau of Internal Revenue, or by decision of any Federal Court, the successful bidder may, at his option, prior to the tender of said bonds by the City, be relieved of his obligation under the contract to purchase the bonds and in such case the deposit accompanying his bid will be returned.

LEGAL OPINION: The legal opinion of Messrs. Orrick, Dahlquist, Neff, Brown & Herrington, of San Francisco, California, approving the validity of said bonds, will be furnished to the successful bidder without charge, together with a certified copy of the transcript of proceedings.

The bonds will be awarded to the highest and best bidder considering the interest rate or rates specified and the premium offered, if any. The highest bid will be determined by deducting the amount of the premium bid (if any) from the total amount of interest which the City would be required to pay from April 1, 1947 to the respective maturity dates at

the coupon rate or rates specified in the bid, and the award will be made on the basis of the lowest net interest cost to the City. The lowest net interest cost shall be computed between the dates aforesaid according to standard bond interest tables. The purchaser must pay accrued interest from the date of the bonds to the date of delivery. The City of Sacramento reserves the right, in its discretion, to reject any and all bids and to waive any irregularity or informality in any bid.

The Council of the City of Sacramento will take action awarding the bonds or rejecting all bids not later than March 26, 1947. Delivery of said bonds will be made to the successful bidder at the office of the City Treasurer in Sacramento, California, as soon as the bonds can be prepared, which it is estimated, will be about June 1, 1947. The successful bidder shall have the right, at his option, to cancel the contract of purchase if the City shall fail to tender the bonds for delivery on or before June 15, 1947, and in such event the successful bidder shall be entitled to the return of the deposit accompanying his bid. The cost of printing the bonds will be borne by the City.

All bids must be unconditional and together with bidder's check must be enclosed in a sealed envelope addressed to the Council of the City of Sacramento and endorsed "Proposal for City of Sacramento Municipal Improvement Bonds - 1945, Series B". With each bid must be submitted a certified check or cashier's check for \$5,000, drawn on a bank or trust company authorized to transact and transacting business in the State of California, payable to the order of the City Treasurer of the City of Sacramento, to secure the City from any loss resulting from the failure of the bidder to comply with the terms of his bid. In addition bidders are requested (but not

required) to supply an estimate of the total net interest cost to the City on the basis of their respective bids, which shall be considered as informative only and not binding on either the bidder or the City. Checks of the unsuccessful bidders will be returned upon the award of the bonds. No interest will be paid upon the deposit made by any successful bidder.

The City of Sacramento was incorporated in 1863. The population (Census of 1940) was 105,958; estimated population as of this date 130,000. The assessed valuation of all taxable property in said City is \$141,008,200 and the total bonded indebtedness (not including this issue) is \$7,671,210. The tax collection record of said City is as follows:

Fiscal Year	Total amount of city taxes levied for each fiscal year	Amount of city taxes uncollected at the end of each fiscal year	Amount of all city taxes uncollected as of July 1, 1946
1940-1941	\$2,188,110.21	\$35,436.16	\$1,641.10
1941-1942	2,285,026.71	29,701.81	3,095.43
1942-1943	2,362,080.71	24,573.98	4,251.52
1943-1944	2,576,647.60	21,406.25	8,127.54
1944-1945	2,600,243.14	21,835.07	21,835.07
1945-1946	2,621,222.37	26,789.17	45,489.47

Further information relative to the financial condition of the City of Sacramento will be furnished to any bidder upon request.

There is no controversy or litigation pending or threatened concerning the validity of the above issue, the corporate existence of the City, or the title of the officers to their respective offices.

Dated: March 15, 1947.

H. G. DENTON

City Clerk of the City of Sacramento,
State of California.

Section 7. The City Clerk is further authorized and directed to mail Notice of Sale of said bonds to the State Treasurer and to the Department of Finance of the State of California, at Sacramento, California. The City Manager is also authorized, in his discretion, to cause Notice of Sale to be published in "The Bond Buyer", but no defect or error in such publication shall affect the sale of said bonds.


Section 8. This resolution shall take effect from and after its passage and approval.

PASSED AND ADOPTED this 14th day of March, 1947,
by the following vote:


AYES: Councilmen Arnold, Klumpp, Mitchell, Monk, Nielsen,
Taylor, Watrous, Welsh.

NOES: None


ABSENT: Councilman Flint


GEORGE L. KLUMPP
Mayor of the City of Sacramento,
California.

Attest:


H. G. DENTON
City Clerk

Presented to and approved by me this 14th day of
March, 1947.


GEORGE L. KLUMPP
Mayor of the City of Sacramento,
California.

RESOLUTION No. 303

MAR 14 1947

CLERK'S CERTIFICATE

I, H. G. DENTON, City Clerk of the City of Sacramento, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by a vote of not less than two-thirds of all of the members of the Council of the City of Sacramento, at a regular meeting of said Council duly and regularly held at the regular meeting place thereof on the 14th day of March, 1947, of which meeting all of the members of said Council had due notice; that at said meeting said resolution was ~~introduced~~ ^{presented} by ~~Councilman~~ ^{City Manager} Bartley W. Cavanaugh and read in full and was thereupon, upon motion of Councilman Arnold, seconded by Councilman Monk, adopted by the following vote:

AYES: Councilmen Arnold, Klumpp, Mitchell, Monk, Nielsen, Taylor, Watrous, Welsh.

NOES: None

ABSENT: Councilman Flint.

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is duly entered of record in Book 51 of Records, at pages 103 to 106, inclusive, and said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes. That said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand and the seal of the City of Sacramento this 14th day of March, 1947.



H. G. DENTON
City Clerk of the City of Sacramento,
California.