

RESOLUTION NO. 94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WENDELL, GOODING COUNTY, IDAHO, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL REVENUE BOND ELECTION HELD ON NOVEMBER 7, 2006, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY THE QUESTION OF THE ISSUANCE OF SEWER REVENUE BONDS OF THE CITY IN AN AMOUNT NOT TO EXCEED \$11,200,000; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, a special revenue bond election was duly held on November 7, 2006, for the purpose of submitting to the qualified electors of the City of Wendell (the "City") the question of whether or not the City should be authorized to issue its sewer revenue bonds in a principal amount not to exceed \$11,200,000 for certain capital improvements to the sanitary sewer system of the City, together with costs incident thereto, as set forth in Ordinance No. 462 of the City, adopted on September 19, 2006; and

WHEREAS, the judges and clerks of the election have conducted the election and made their return in the manner provided by law; and

WHEREAS, the City Council now desires to canvass the votes and to declare the results of the election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WENDELL, IDAHO, as follows:

Section 1: ELECTION

The special bond election of November 7, 2006, was duly and regularly called, noticed, held, and conducted, the votes cast thereat received and canvassed, and the returns thereof made in the time, form, and manner required by law and by the ordinances, resolutions, and proceedings taken by the City.

Section 2: NOTICE OF ELECTION

Notice of the special bond election was duly and legally given prior to said election by the publication of an appropriate notice in the official newspaper of the City prior to the election, the first publication being not less than twelve (12) days prior to the special bond election, and the second publication being at least five (5) days prior to the date of the election.

Section 3: POLLS

The polls of the special bond election were opened at 12:00 o'clock noon on November 7, 2006, and remained open continuously until closed at the hour of 8:00 o'clock P.M., at the voting place duly provided by Ordinance No. 462.

Section 4: QUALIFIED ELECTORS

Only persons who were, on November 7, 2006, qualified electors of the City, within the meaning of Article 6, Section 2, Idaho Constitution, and Section 50-413, Idaho Code, eighteen (18) years of age or older, citizens of the United States and of the State of Idaho and who had been bona fide residents of the City for at least thirty (30) days next preceding the special bond election, duly registered to vote therein, were permitted to vote at the special bond election, and no person qualified to vote at said election was refused the right to vote.

Section 5: BALLOTS

The ballots used at the special bond election were in the form prescribed by law. A sample ballot, in the form prescribed by law, was published in the manner provided by law.

Section 6: CANVASS

The City Council has examined the returns of the special bond election and hereby canvasses the returns and declares the results of the election on the proposition of whether or not the City of Wendell, Idaho, should issue its sewer revenue bonds in an amount not to exceed \$11,200,000, for the purposes stated in Ordinance No. 462, adopted on September 19, 2006.

The total number of votes cast at said election for and against the proposition was as follows: Total votes cast, 477; votes for, 243; votes against, 234.

Section 7: AUTHORIZATION TO PROCEED

Upon canvass, it is found that the requisite majority of the votes so cast at the special bond election were cast in the affirmative; that the proposition on the issuance of sewer revenue bonds in a principal amount not to exceed \$11,200,000 duly passed; that the special bond election was held and conducted in compliance with the law; and that the City is authorized to proceed with the authorization and issuance of the bonds as specified in the proposition.

Section 8: RATIFICATION

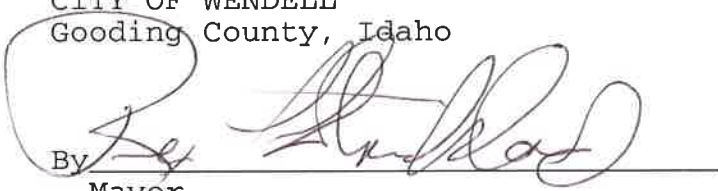
All actions taken by the City in connection with the special bond election, the publication of notice thereof, the preparation and printing of ballots and sample ballots used at the election, and all other matters connected therewith, are hereby in all respects ratified, approved, and confirmed.

Section 9: EFFECTIVE DATE

This Resolution shall take effect and be in force immediately upon its passage and approval.

DATED this 9th day of November, 2006.

CITY OF WENDELL
Gooding County, Idaho

By 

Mayor

ATTEST:



City Clerk