

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2207

AN ORDINANCE of the City of Bellevue, Washington, specifying and adopting a system or plan of additions to and betterments and extensions of the waterworks utility of the City, including the sanitary sewerage system as a part thereof; declaring the estimated cost thereof as nearly as may be; authorizing the issuance and sale of water and sewer revenue bonds in the principal sum of approximately \$1,925,000.00 par value to obtain a part of the funds with which to pay the cost of such system or plan; creating a special construction fund; authorizing and directing the City officials to proceed with the improvement; and authorizing the issuance and sale of interest-bearing warrants drawn upon such special construction fund pending the sale of such revenue bonds and other moneys available to pay the cost of such system or plan.

WHEREAS, pursuant to Ordinance No. 2169 passed January 20, 1975, the sanitary sewerage system of the City was combined with and became a part of the waterworks utility of the City, and such combined systems are maintained and operated jointly, and the words "Waterworks Utility of the City" shall hereinafter mean the combined water distribution system and sanitary sewerage system of the City, together with all additions thereto and betterments and extensions thereof hereafter made; and

WHEREAS, the City Council has determined it to be in the best interests of the City that certain improvements be made to the Waterworks Utility of the City consisting of the construction and installation of water storage, water mains, pump stations and pressure reducer stations; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN, AS FOLLOWS:

Section 1. The City of Bellevue hereby specifies and adopts a system or plan for making additions to and betterments and extensions of the Waterworks Utility of the City consisting of the construction and installation of water storage, water mains, pump stations and pressure reducer stations as more particularly set forth in the "5" Year Capital Program for Water," given Clerk's Receiving No. 3250.

There shall be included the acquisition and installation of all valves, fittings and other necessary appurtenances, and there shall also be included the performance of all work as may be incidental and necessary to the foregoing construction, installation and purchase.

The City may modify the details of the foregoing system or plan where, in its judgment, it appears advisable; provided, such modifications do not substantially alter the purpose herein set forth.

The gross revenues and benefits to be derived from the operation and maintenance of the Waterworks Utility of the City at the rates to be charged for water and for sanitary sewage disposal service on the entire utility will, in the judgment of the City Council, be more than sufficient to meet all expenses of operation and maintenance thereof and to permit the setting aside into a special fund out of the Revenue of the Waterworks Utility of the City and Utility Local Improvement District Assessments (as the same are defined in Ordinance No. 2169) of sufficient amounts to pay the interest on the bonds herein authorized to be issued and all presently outstanding "Water and Sewer Revenue Refunding Bonds, 1975," of the City as such interest becomes due and payable, and to pay and redeem all of such bonds at maturity.

Section 2. The life of the foregoing additions to and betterments and extensions of the Waterworks Utility of the City is hereby declared to be at least thirty-five (35) years.

Section 3. The estimated cost, as near as may be, of the aforesaid system or plan of additions, extensions and betterments to the Waterworks Utility of the City is hereby declared to be \$2,787,440.00.

Section 4. The cost of acquiring, constructing and making the foregoing additions to and betterments and extensions of the Waterworks Utility of the City shall be paid from the following sources:

(a) The proceeds received from the issuance and sale of water and sewer revenue bonds in the amount of approximately \$1,925,000.00;

(b) From a grant anticipated to be received from the State of Washington, Department of Health and Social Services, under Referendum No. 27 in the amount of approximately \$260,000.00; and

(c) From other funds available to the City for capital improvements in the amount of approximately \$602,440.00.

The water and sewer revenue bonds herein authorized to be issued shall be entitled "Water and Sewer Revenue Bonds, 1975," with series designation following, if issued in series. The bonds shall

bear interest payable semiannually; shall be numbered from "1" upward, consecutively, within each series as issued; and shall be payable out of the "Water and Sewer Revenue Bond Redemption Fund, 1975," created by Ordinance No. 2169, in the event the water and sewer revenue bonds herein authorized are issued on a parity of lien with the presently outstanding "Water and Sewer Revenue Refunding Bonds, 1975," dated January 1, 1975, pursuant to the provisions of Section 13 of said Ordinance No. 2169; otherwise, the water and sewer revenue bonds herein authorized to be issued shall be payable out of such special fund as may be hereafter created. The bonds shall be issued in such series; shall be in such denominations and form; shall bear such date or dates and interest rate or rates; shall be payable at such place or places; shall mature serially in accordance with such schedule, beginning not earlier than one year after date of issuance and ending not later than thirty-five (35) years thereafter or shall be term bonds; shall have such option of payment prior to maturity; shall guarantee such coverage and collection of rates; shall provide for such additional funds and accounts; and shall contain and be subject to such provisions or covenants as shall be hereafter provided by ordinance.

Section 5. The Revenue of the Waterworks Utility of the City and Utility Local Improvement District Assessments (as the same are defined in Ordinance No. 2169) are hereby pledged to the payment of the principal and interest on bonds herein authorized to be issued, and such bonds shall constitute a charge or lien upon such Revenue of the Waterworks Utility of the City and Utility Local Improvement District Assessments prior and superior to any other charges whatsoever, excluding charges for operation and maintenance of the utility; provided, however, that if the conditions required to be met for the issuance of parity bonds as set forth in Section 13 of Ordinance No. 2169 shall be met at the time of the issuance of the bonds herein authorized, the charge or lien upon such Revenue of the Waterworks Utility of the City and Utility Local Improvement District Assessments shall be on a parity with the charge or lien thereon for the outstanding "Water and Sewer Revenue Refunding Bonds, 1975," of the City issued under date of January 1, 1975, and any additional parity water and sewer revenue bonds that may be hereafter issued pursuant to the provisions of Section 13 of Ordinance No. 2169.

Section 6. The proceeds from the sale of the foregoing bonds shall be used for the sole purpose of making the additions to and betterments and extensions of the Waterworks Utility of the City as herein authorized and of paying a part of the cost and expense connected therewith, and the City of Bellevue, through its proper officials and agents, shall proceed with the making of said improvements.

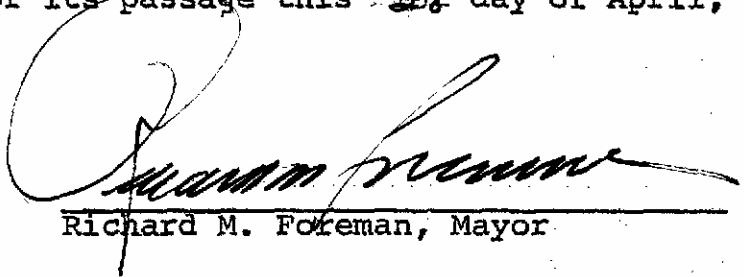
Section 7. There is hereby created and established in the office of the Director of Finance of the City a special fund of the City to be known as the "1975 Utility Construction Fund," which shall be used for the sole purpose of making the additions to and betterments and extensions of the Waterworks Utility of the City as specified in Section 1 hereof and of paying the costs and expenses

connected therewith, into which fund shall be deposited the proceeds from the sale of the water and sewer revenue bonds herein authorized to be issued, the grant moneys anticipated to be received and the City moneys allocated toward payment of the costs of carrying out such additions and betterments. Pending the issuance and delivery of the water and sewer revenue bonds herein authorized, the City may acquire interim financing for the purposes authorized herein by issuing warrants drawn upon the "1975 Utility Construction Fund." Such warrants may be issued to such bank or banks or investment banking firms as the Director of Finance of the City shall determine by negotiation at a rate of interest not to exceed 8% per annum. Such warrants shall be paid in full within one year from the date hereof (unless such time period shall be extended by mutual agreement with the holders of such warrants) out of the proceeds from the issuance and sale of the water and sewer revenue bonds herein authorized or from any other funds available therefor and deposited in the "1975 Utility Construction Fund."

Section 8. This ordinance shall take effect and be in force five days after its passage, approval and legal publication.

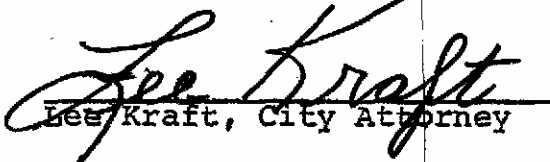
PASSED by the City Council this ~~28~~ day of April, 1975, and signed in authentication of its passage this ~~28~~ day of April, 1975.

(SEAL)



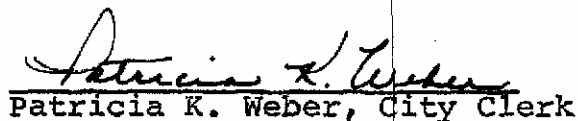
Richard M. Foreman, Mayor

APPROVED AS TO FORM:



Lee Kraft, City Attorney

ATTEST:



Patricia K. Weber, City Clerk

Published May 3, 1975