

RECEIVED

ORDINANCE NO. 487

JUL 31 1986

RICHARD A. GRECO

PIERCE COUNTY AUDITOR

AN ORDINANCE of the City of Gig Harbor, Washington, specifying and adopting a plan for the expansion of the city's sewerage treatment plant and the estimated cost for construction thereof; providing for the holding of a special election on September 16, 1986, for the submission to the qualified electors of the city the proposition of whether or not this plan shall be ratified and whether or not the city shall issue its general obligation bonds in the principal sum not to exceed \$1,300,000 to pay part of the cost of carrying out this plan; and declaring an emergency.

WHEREAS, the City of Gig Harbor, Washington, presently operates a sewerage treatment plant (the "System"); and

WHEREAS, the city has operated the treatment plant at performance levels that have not been in compliance with the State Department of Ecology; and

WHEREAS, the Department of Ecology has issued an order to the city requiring additions, betterments and extensions of the System in order to bring the treatment plant back into compliance and operational no later than April 1, 1988; and

WHEREAS, this Council has determined part of the money necessary to expand and improve the sewerage treatment plant be provided by the issuance and sale of general obligation bonds of the city in the principal sum not to exceed \$1,300,000; and

WHEREAS, the Constitution and Laws of the State of Washington require that the question of whether or not such general obligation bonds may be issued for such purposes must be submitted to the qualified electors of the city for their ratification or rejection;

NOW, THEREFORE, the City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1. It is hereby found and declared that the public health, welfare and safety of the people of the City of Gig Harbor, Washington, would be positively improved by the additions, betterments, or alterations to the System or extensions thereof specified in Section 2 hereof.

Section 2. The City shall purchase, acquire, or construct the following described plan of additions, betterments or alterations to the System or extensions thereof: Engineering and pre-design plans have been developed to bring the sewerage treatment plant back into compliance with the Department of Ecology standards. These plans include the

acquisition of all materials, equipment and facilities as may be necessary and incidental to the construction and installation for the facility expansion and enhancement. The foregoing are hereinafter referred to as the "Project".

Engineering and pre-design plans for the Project are on file in the office of the City Administrator or Public Works Director and are available for inspection. The City Council hereby reserves the right to amend and substitute the particular portions of the Project in its discretion.

In carrying out the Project, the city shall construct and install all equipment and appurtenances necessary to the proper operation of the System and shall acquire by purchase or condemnation, gift or grant, or lease, all property, both real and personal, or any interest therein, and all rights-of-way, franchises and easements which may be found necessary to acquire, construct and install the Project, which are all as more particularly set forth in engineering and pre-design plans prepared by URS Company, consulting engineers for the city.

It is hereby further provided that the Project shall be subject to such changes as to details of pipe size and location, or any other details of the Project which do not affect the service to be provided and compliance with applicable statutes and regulations promulgated by the Department of Ecology, as shall be authorized by the City Council either prior to or during the course of construction.

Section 3. The engineering and pre-design plans for the purchase, acquisition and construction of the Project prepared by URS Company, are hereby approved and adopted. The estimated cost of constructing the expansion and improvement set forth in the above referenced pre-design report is hereby declared to be as near as may be the sum of \$2,250,000. The city estimates that approximately 33% of the total cost (\$730,000) will be provided from state grants and 12% of the total cost (\$270,000) will be provided from other moneys of the city. The balance of said costs, (55% of the total cost) not provided from other sources, will be provided from the proceeds of sale of the hereinafter described bonds.

Section 4. The city does hereby propose and adopt as an integral part of the plan for the Project that for the purpose of providing part of the funds necessary to carry out this plan, the city shall issue and sell its general obligation bonds in the principal sum not to exceed \$1,300,000.

These bonds shall mature within twenty years from the date of issue as authorized by law, and shall be issued insofar as possible within the additional limitation of indebtedness permitted cities for sewer improvements by the Constitution and Laws of the State of Washington. Both the principal and interest shall be payable out of annual levies of taxes to be made without limitation as to rate or amount. The exact date, form, terms and maturities of the bonds shall be hereafter fixed by the ordinance of the city.

The general obligation bonds shall be sold in such amounts and at such time(s) as deemed necessary and advisable by the City Council. The exact date, form, terms, maturities and conditions of sale of the bonds shall be as hereafter fixed by the City Council.

Section 5. It is hereby found and declared that an emergency exists requiring the submission to the qualified electors of the city at a special election to be held in the city on the 16th day of September, 1986, of the proposition of whether or not general obligation bonds should be issued. Such proposition to be submitted to the qualified electors shall be as follows:

PROPOSITION

**Sewerage Treatment Plant
General Obligation Bonds**

Shall the city issue and sell its general obligation bonds to pay part of the costs for expanding and improving the sewerage treatment plant in the principal sum not to exceed \$1,300,000, such bonds to mature within twenty years from the date of issue payable both principal and interest out of annual tax levies to be made upon all the taxable property within the city without limitation as to rate or amount?

Bonds, YES

Bonds, NO

The Pierce County Auditor is hereby requested to also find the existence of an emergency and to call and conduct a special election on the prescribed date and to submit to the qualified electors of the city the above-stated proposition.

Section 6. Because the statutes of the State of Washington require that this ordinance be certified to the Pierce County Auditor not less than 45 days prior to the election date, it

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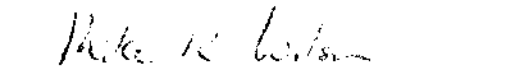
is hereby found and declared that an emergency exists and that this ordinance shall be in full force and effect immediately upon its passage, approval and publication as required by law.

Section 7. The Project to be purchased, acquired, and constructed from the proceeds of the bonds is hereby estimated to have a useful life of not less than twenty years.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this 28th day of July, 1986.


Don McCarty, Mayor

ATTEST:


Michael R. Wilson
City Administrator/Clerk

Filed with city clerk: 7/7/86
Passed by city council: 7/28/86
Date published: 8/6/86
Date effective: 8/13/86

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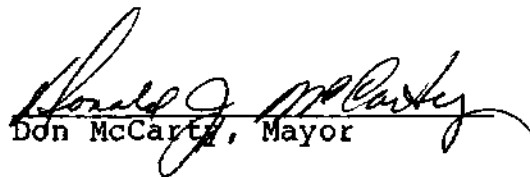
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