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12/02/86

RESOLUTION NO. 201

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, GRANTING ITS APPROVAL TO THE ECONOMIC DEVELOPMENT CORPORATION OF PIERCE COUNTY FOR THE ISSUANCE OF NONRECOURSE INDUSTRIAL DEVELOPMENT REVENUE BONDS IN AN AMOUNT NOT TO EXCEED 7.5 MILLION DOLLARS TO THE PENINSULA LIGHT COMPANY FOR THE FINANCING OF THE CONSTRUCTION, ACQUISITION AND INSTALLATION OF ELECTRICITY DISTRIBUTION FACILITIES, A PORTION OF WHICH FACILITIES LIE WITHIN THE CITY LIMITS OF THE CITY OF GIG HARBOR, PURSUANT TO RCW 39.84.060

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WHEREAS, the Legislature of the State of Washington has provided from the creation of public corporations by municipalities, including counties, pursuant to Chapter 300, Laws of Washington, 1981 (Regular Session) codified as Chapter 39.84 RCW, as amended (the "Act"), for the purpose of facilitating economic development and employment opportunities in the State of Washington; and

WHEREAS, pursuant to the Act, the County Council of Pierce County has, by Resolution No. 82-57 created and approved the charter of a public corporation, designated as "Economic Development Corporation of Pierce County" (herein the "Development Corporation") in order to carry out the purpose of the Act; and

WHEREAS, the Development Corporation has received an application from Peninsula Light Company (the "Company") for the financing of the construction, acquisition and installation of electricity distribution facilities within the Pierce County

portion of its service area, which service area includes the City of Gig Harbor (the "Project"); and

WHEREAS, the Development Corporation has reviewed the application of the Company, has determined that the Project qualifies as an "industrial development facility" within the meaning of the Act and has stated its intention to approve the issuance of its nonrecourse revenue bonds to finance all or a portion of the costs of the Project by its Resolution No. 86-10 adopted on November 14, 1986; and

WHEREAS, the Act provides that each county, city or town within whose planning jurisdiction the project is to be located must approve the issuance of revenue bonds by the Development Corporation for such Project; and

WHEREAS, the Development Corporation, as the issuer of the nonrecourse revenue bonds for the Project, has requested the approval of the City of Gig Harbor pursuant to the Act; and

WHEREAS, the City Council has been assured that there will be no financial liability accruing to the City of Gig Harbor as a result of such approval and that this approval shall constitute approval solely for the purpose of permitting the Development Corporation to proceed with the issuance of such revenue bonds;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AS FOLLOWS:

Section 1. The City Council of the City of Gig Harbor, Washington (the "City"), as a city within whose planning jurisdiction at least a portion of the proposed industrial

facility lies, pursuant to RCW Chapter 39.84, does hereby grant its approval to the Development Corporation of Pierce County so that said development corporation may issue revenue bonds (the "Bonds") for the purposes of financing the Project described herein under the Act.

The Bonds and Project are described as follows:

The Bonds are to be issued by the Development Corporation in the aggregate principal amount of not to exceed Seven Million Five Hundred Thousand and No/100 Dollars (\$7,500,000) pursuant to a resolution of the Board of Directors of the Development Corporation, to be approved by the County Council of Pierce County. The proceeds of the Bonds are to be lent to the Company, pursuant to a loan agreement and used for the purposes of paying all or part of the costs of construction, acquisition and installation of electricity distribution facilities, all of which shall be located within the boundaries of Pierce County and a portion of which shall be located within the boundaries of the City. The Bonds shall be payable solely from the Company's repayments of the loan under the Loan Agreement and/or any additional security provided in the financing documents. The Bonds shall not constitute an obligation of the City, and no tax funds or other revenues of the City shall be used to pay the principal of, the premium, if any, upon redemption of, or interest on the Bonds. Neither the faith and credit nor any taxing power or revenues of the City shall ever be pledged to pay the principal of, premium, if any, upon redemption of, or the interest on the Bonds.

Section 2. This resolution is intended solely to constitute approval of the issuance of revenue bonds within the meaning of RCW 39.84.060 of the Act. This approval and authorization within the city limits of the City of Gig Harbor, shall not in any way be deemed to be a review of or a preliminary or final approval of any development permit for the Project which may be required, or may be in process, or may be submitted a future date.

Section 3. This resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, at a regular meeting thereof this 8th day of December, 1986.

*Donald M. Carte*  
DONALD MC CARTY, Mayor

ATTEST/AUTHENTICATE:

Michael R. Wilson,  
City Administrator

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: John D. Ulane

FILED WITH THE CITY CLERK: December 3, 1986  
ADOPTED BY THE CITY COUNCIL: December 8, 1986  
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