CITY OF KENT, WASHINGTON
ORDINANCE NO. 1021

AN ORDINANCE specifying and adopting a system or plan of additions to and betterments and extensions of the water supply and distribution system of the City of Kent, Washington; declaring the estimated cost thereof, as near as may be, providing for the issuance and sale of not to exceed $350,000.00 par value of water revenue bonds in one or more series to obtain funds with which to pay the cost of said system or plan; creating a special fund to provide for the payment of said bonds; authorizing and directing the City officials to proceed with the improvement; and declaring an emergency.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. The existing water supply and distribution system of the City of Kent, Washington, is in part in such condition that the public health, welfare, safety and convenience require and it is advisable that the additions to and betterments and extensions of the water supply and distribution system of the City hereinafter provided for be made.

Section 2. The gross revenues and benefits to be derived from the operation and maintenance of the water supply and distribution system of the City, and the additions, extensions and betterments thereto herein provided for, at the rates to be charged for water service on the entire system 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 gross revenues of the water supply and distribution system of sufficient amounts to pay the interest
on the bonds herein authorized to be issued and on all outstanding
"Water Revenue Bonds, 1948" dated November 1, 1948, "Water Revenue
Bonds, 1957" dated July 1, 1957, and "Water Revenue Bonds, 1958"
dated June 1, 1958, as such interest becomes due and payable and
to pay and redeem all of said bonds at maturity.

Section 3. The City of Kent, Washington, hereby specifies
and adopts a system or plan for making additions to and betterments
and extensions of the existing water supply and distribution system
of the City which shall consist of the following:

(1) There shall be constructed and installed the following
water lines at the following locations:

<table>
<thead>
<tr>
<th>Approximate Pipe Size</th>
<th>Along</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>12&quot;</td>
<td>SSH 5-A</td>
<td>Washington Ave.(SSH 5-M)</td>
<td>J.L. Reith Rd.</td>
</tr>
<tr>
<td>12&quot;</td>
<td>J.L. Reith Rd. SSH 5-A</td>
<td></td>
<td>South In. Sec. 22, T. 22 N, R 4 E, W.M.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>J.L. Reith Rd. 40th Ave. S</td>
<td>J. L. Reith Rd.</td>
<td>40th Ave. S.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>S. 262nd St. 33rd Ave. So.</td>
<td>40th Ave. So.</td>
<td>33rd Ave. S.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>S. 264th St. 33rd Ave. S</td>
<td>S. 262nd St.</td>
<td>S. 264th St.</td>
</tr>
</tbody>
</table>

(2) There shall be constructed and installed a pipe line
crossing on the Green River bridge.

(3) There shall be constructed and installed a pipe line
crossing of Overflow Channel on piles.

(4) There shall be constructed and installed two booster
pump stations, one to be located in the northeast quarter (NE 1/4)
of the southeast quarter (SE 1/4) of section 22, township 22 north,
range 4, East W. M., and one to be located in the southwest quarter
(SW 1/4) of the southeast quarter (SE 1/4) of section 22, township
22 north, range 4, East W. M.
(5) There shall be constructed and installed a 300,000 gallon capacity elevated steel tank in the northwest quarter (NW 1/4) of the northwest quarter (NW 1/4) of the southwest quarter (SW 1/4) of section 27, township 22 north, Range 4 East W. M.

(6) There shall be constructed and installed a 1,000,000 gallon capacity ground level steel tank in the southwest quarter (SW 1/4) of the southeast quarter (SE 1/4) of section 22, township 22 north, range 4, E. W. M.

(7) The following electrical control system shall be acquired and installed:

a. Control panel at City Utilities Building in Kent.
b. Transmitters at 300,000 gallon elevated tank and 1,000,000 gallon ground level tank.
c. Receivers at booster pump stations.
d. Leased telephone circuits.

There shall be included in the foregoing the acquisition and installation of all necessary valves, fittings, couplings, connections, hydrants or future hydrant connections, equipment and appurtenances and the acquisition of any easements, rights of way, water rights, and land that may be required; and there shall be included the performance of such work as may be incidental and necessary to the foregoing construction and installation.

The above-described additions to and extensions of the water supply and distribution system of the City shall be connected to the existing water supply and distribution system of the City, wherever necessary, with the installation of all necessary appurtenances therefor.

The City Council 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 purposes hereinbefore set forth.

Section 4. The life of the foregoing additions, betterments and extensions is hereby declared to be at least thirty years.
Section 5. The estimated cost of the acquisition, construction and installation of the above-described additions and betterments to the water supply and distribution system of the City is hereby fixed, as nearly as may be, at the sum of $350,000.00.

Section 6. The cost of acquiring, constructing and making the foregoing additions to and betterments and extensions of said water supply and distribution system shall be paid from the proceeds received from the issuance and sale of water revenue bonds in an amount of not to exceed $350,000.00 par value. It is the intention of the City to acquire and construct and complete such portions of the foregoing system or plan of additions to and betterments and extensions of the water supply and distribution system of the City as from time to time the City Council shall deem advisable. The bonds shall be issued in one or more series at such times as the City Council shall deem advisable. The bonds shall be entitled "Water Revenue Bonds, 1959," with series designations following, if issued in series. The bonds shall bear interest at a rate or rates not to exceed 6% per annum, payable semiannually, and shall be numbered from "one" upward, consecutively, within each series as issued. 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 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 7. If the conditions required to be met for the issuance of parity bonds as set forth in Section 10 of Ordinance No. 982, passed May 19, 1958 shall be met at the time of issuance of the bonds herein authorized and said bonds shall be issued as parity bonds with the outstanding "Water Revenue Bonds, 1958" dated June 1, 1958, the bonds herein authorized shall be payable solely out of the special fund of the City created by said Ordinance No. 982, and known as the "Kent, 1958, Water Revenue Bond Redemption Fund."

In the event that the bonds herein authorized shall not be issued as parity bonds, the bonds shall be payable solely out of the special fund hereinafter created and shall be a valid claim of the holder thereof only as against such special fund and the amount of the revenues of the water supply and distribution system pledged to such special fund, and shall not be a general obligation of the City of Kent, Washington.

Section 8. In the event that the bonds herein authorized shall not be issued as parity bonds as referred to in Section 7 above, there shall be and hereby is created and established in the office of the Treasurer of the City of Kent a special fund to be known as "Water Revenue Bond Fund, 1959" which fund is to be drawn upon for the sole purpose of paying the principal of and interest on the bonds. From and after the date of issuance of said bonds and so long thereafter as bonds are outstanding against said "Kent, 1958, Water Revenue Bond Redemption Fund" or said "Water Revenue Bond Fund, 1959", as the case may be, the City Treasurer shall set aside and pay into the appropriate fund out of the gross revenues of the water supply and distribution system now belonging to or which may hereafter belong to the City, including all additions, extensions and betterments thereof at any time made, a fixed amount without regard to any fixed proportion, namely,
an amount sufficient to pay the principal of and interest on all
bonds payable out of said special appropriate fund as they respec-
tively become due and to create such surplus and reserve, if any,
that may hereafter be prescribed by ordinance. The gross revenues
from the said system are hereby pledged to such payment and the
bonds herein authorized shall constitute a charge or lien upon
such revenues prior and superior to any other charges whatsoever,
excluding charges for maintenance and operation. Provided, however,
that if the conditions required to be met for issuance of parity
bonds as set forth in Section 10 of Ordinance No. 982, passed
May 19, 1958 shall be met at the time of the issuance of the bonds
herein authorized, the charge or lien upon such gross revenues for
the bonds herein authorized shall be on a parity with the charge or
lien upon such gross revenues for the outstanding "Water Revenue
Bonds, 1958" dated June 1, 1958, but shall be junior and inferior
to the prior charge or lien upon such gross revenues for the out-
standing "Water Revenue Bonds, 1948" dated November 1, 1948 and
the outstanding "Water Revenue Bonds, 1957" dated July 1, 1957.
If said parity conditions shall not be met the charge or lien
upon such gross revenues for the bonds herein authorized shall
be subordinate and inferior to the prior charge or lien upon such
gross revenues for the presently outstanding "Water Revenue Bonds,

Section 9. The City Council and corporate authorities of
the City of Kent hereby declare that in fixing the amounts to be
paid into said "Kent, 1958, Water Revenue Bond Redemption Fund"
or said "Water Revenue Bond Fund, 1959" as the case may be, as
set forth herein they have exercised due regard to the cost of
operation and maintenance of the water supply and distribution
system of the City and the debt service requirements of the
outstanding "Water Revenue Bonds, 1948" dated November 1, 1948, "Water Revenue Bonds, 1957" dated July 1, 1957, and "Water Revenue Bonds, 1958" dated June 1, 1958, and the City of Kent has not bound and obligated itself and will not bind and obligate itself to set aside and pay into such special funds a greater amount or proportion of the revenues of the water supply and distribution system than in the judgment of the City Council will be available over and above such costs of maintenance and operation and debt service requirements of the outstanding "Water Revenue Bonds, 1948" dated November 1, 1948, "Water Revenue Bonds, 1957" dated July 1, 1957, and "Water Revenue Bonds, 1958" dated June 1, 1958, and that no portion of the revenues of the water supply and distribution system has been previously pledged for any indebtedness other than the said outstanding "Water Revenue Bonds, 1948" dated November 1, 1948, "Water Revenue Bonds, 1957" dated July 1, 1957, and "Water Revenue Bonds, 1958" dated June 1, 1958.

Section 10. The proceeds of the sale of the foregoing bonds shall be used for the sole purpose of making additions to and betterments and extensions of the water supply and distribution system as herein authorized and of paying the cost and expense connected therewith, and the City of Kent, through its proper officers and agents, shall proceed with the making of said improvements and the calling of bids therefor in the manner provided by law.

Section 11. This ordinance is declared to be one necessary for the immediate preservation of the public peace, property, health and safety of the people of the City of Kent, Washington. An emergency is hereby declared to exist, and this ordinance is hereby declared to be in full force and effect from and after its
passage, approval and publication as provided by law.

PASSED by the City Council of the City of Kent, Washington, and approved by its Mayor at a regular meeting held on the 20th day of April, 1959.

\[\text{Alex Thornton} \]
MAYOR

ATTEST:

\[\text{Siegfried} \]
CITY CLERK

APPROVED AS TO FORM:

\[\text{Robert Werle} \]
CITY ATTORNEY