

Ordinance No. 7.02

STATE OF COLORADO)
)
COUNTY OF DOUGLAS) ss.
)
TOWN OF LARKSPUR)

The Board of Trustees of the Town of Larkspur, Douglas County, Colorado, met in regular session, at the Larkspur Volunteer Firehouse, in Larkspur, Colorado, in full conformity with Law and the ordinances and rules of the Town, on Wednesday, the 16th day of April, 1980, at 7:30 P.M.

Upon roll call the following were present, constituting a quorum:

Mayor:	Anna Trueblood
Trustees:	Lester Ashley
	Lewis Been
	Ernest Bryant
	John Henson, Jr.
	Larry Starr
	Stanley Trueblood

Also present:

Town Clerk and	
Treasurer:	Marsha Bryant
Town Attorney:	James Folkestad

Absent: NONE

Thereupon Trustee John Henson Jr introduced and moved the adoption of the following Ordinance:

ORDINANCE NO. 7.02

AN ORDINANCE ADOPTING A PLAN FOR THE ACQUISITION OF A MUNICIPAL SANITARY SEWER SYSTEM AND DESCRIBING THE PROPERTY AND FACILITIES TO BE ACQUIRED, THE ESTIMATED COST OF THE SYSTEM, THE METHOD OF PAYMENT, THE TOTAL OBLIGATIONS TO BE INCURRED; AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Trustees of the Town of Larkspur, Colorado, deems its advisable and in the best interest of the Town and its inhabitants to acquire by construction and installation a municipal sanitary sewer system to be owned and operated by the Town; and

WHEREAS, such public utility may not be acquired until a plan for such acquisition has been adopted by ordinance pursuant to the provisions of Section 31-32-201(1), Colorado Revised Statutes 1973, as amended;

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LARKSPUR, COLORADO:

1. That the plan hereby adopted is for the Town of Larkspur to acquire by construction and installation, a municipal sanitary sewer system for the Town of Larkspur, Colorado.

2. The property and facilities to be acquired shall include, but not necessarily be limited to the following: A complete sanitary sewage collection, transmission, treatment and disposal system, which may include, but shall not be limited to, collection mains and laterals, transmission lines, land, easements and treatment and disposal facilities, as required, and all necessary, incidental and appurtenant facilities, together with extensions of and improvements to said system.

3. The estimated cost to be paid by the Town for construction and installation of the municipal sanitary sewer system is \$340,000.00.

The method of payment for such cost is through the issuance of sewer revenue bonds, a FMHA grant and a grant from the State of Colorado. Such bonds shall be authorized by an ordinance which will provide for the payment of the interest on and the principal of said bonds from the net revenues to be derived from the operation of the municipal sanitary sewer system. Nothing

herein contained shall prevent the Town from issuing either general obligation or revenue bonds at a later date for the extension or improvement of said system, as may be determined by the Board of Trustees at that time and in accordance with the provisions of law relating to the issuance of said bonds.

Said revenue bonds shall be issued in the total principal amount of \$77,000, shall bear interest at a rate of 5.00% per annum, payable annually on August 1, and mature serially on August 1, as follows:

<u>Amount</u>	<u>Maturity</u>
\$ 700	1982 to 1984, incl.
800	1985 and 1986
900	1987 to 1989, incl.
1,000	1990 and 1991
1,100	1992 and 1993
1,200	1994
\$1,300	1995 and 1996
1,400	1997
1,500	1998 and 1999
1,600	2000
1,700	2001
1,800	2002
1,900	2003
2,000	2004
2,100	2005
2,200	2006
2,300	2007
2,400	2008
2,500	2009
2,600	2010
2,800	2011
2,900	2012
3,100	2013
3,200	2014
3,400	2015
3,500	2016
3,700	2017
3,900	2018
4,100	2019
4,500	2020

Bonds may be redeemable at such time and in such manner, at the option of the Town, upon payment of such premium or premiums, if any, as may later be determined by ordinance.

4. The total obligations to be incurred in making such acquisition is \$77,000, which includes part of the cost of construction and installation, engineering, legal expenses, interest during construction, publication costs, contingencies and other services and incidentals in connection with the acquisition of such utility and the issuance of such bonds.

5. There shall be paid by the Town into the fund out of which said obligations are payable, reasonable amounts for services to be rendered for municipal purposes, at rates not exceeding those charged other consumers.

6. All ordinances, or parts thereof, in conflict with this Ordinance are hereby repealed.

7. That if any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining provisions hereof, the intention being that the various provisions hereof are severable.

8. By reason of the fact that the Town is not supplied with adequate sanitary sewer facilities, and it is necessary to construct and install a municipal sanitary sewer system and issue revenue bonds to pay part of the cost of constructing the municipal sanitary sewer system, which costs have become due and will hereafter become due and payable, it is hereby declared that an emergency exists, that this Ordinance is necessary for the preservation of the public peace, health and safety, and that it shall take effect upon adoption and compliance with the provisions of Section 31-16-104, Colorado Revised Statutes 1973, as amended.

9. This Ordinance shall be recorded in a book kept for that purpose, shall be authenticated by the signatures of the Mayor and Town Clerk, and shall be published in accordance with law.

ADOPTED AND APPROVED This 16th day of April, 1980.

(S E A L)



Mayor

ATTEST:



Town Clerk

It was then moved by Trustee John Henson, Jr. and seconded by Trustee Lester Ashley that all rules of this Board which, unless suspended, might prevent the final passage and adoption of this Ordinance as an emergency measure at this meeting be and the same are hereby suspended.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those voting AYE:

Trustees:	Lester Ashley
	Lewis Been
	Ernest Bryant
	John Henson, Jr.
	Larry Starr
	Stanley Trueblood

Those voting NAY: _____

5/18 Trustees having voted in favor of said motion, the presiding officer declared the motion carried and the rules suspended.

Trustee John Henson, Jr. then moved that said Ordinance be finally passed and adopted as read. Trustee Lester Ashley seconded the motion.

The question being upon the final passage and adoption of said Ordinance, the roll was called with the following result:

Those voting AYE:

Trustees:	Lester Ashley
	Lewis Been
	Ernest Bryant
	John Henson, Jr.
	Larry Starr
	Stanley Trueblood

Those voting NAY: _____

The presiding officer thereupon declared that at least three-fourths of all the members of the Board of Trustees having voted in favor thereof, the motion was carried and the Ordinance

is finally passed and adopted as an emergency ordinance.

On motion duly adopted, it was ordered that said Ordinance, after its approval by the Mayor and attestation by the Town Clerk, be published in the New-Press, Castle Rock, Colorado, a newspaper of general circulation in the Town, and be recorded in a book kept for that purpose.

After consideration of other business to come before the Board, the meeting was adjourned.

(S E A L)



Mayor

ATTEST:



Town Clerk

STATE OF COLORADO)
)
COUNTY OF DOUGLAS) ss.
)
TOWN OF LARKSPUR)

I, Marsha Bryant, Town Clerk of the Town of Larkspur, Colorado, do hereby certify that the foregoing pages numbered 1 to 6, inclusive, constitute a full and correct copy of the record of the proceedings of the Board of Trustees of the Town, taken at a regular meeting thereof, held on Wednesday, the 16th day of April, 1980, at the Larkspur Volunteer Firehouse in Larkspur, Colorado, so far as said minutes relate to an Ordinance concerning the acquisition by construction and installation of a municipal sanitary sewer system for the Town; that said Ordinance has been duly authenticated by the signatures of the presiding officer of the Board of Trustees and myself, as Town Clerk of the Town, sealed with the corporate seal of the Town and the Ordinance recorded in the Book of Ordinances kept for that purpose in my office; that said Ordinance was, on the 30 day of April, 1980, published in full in the News-Press, a newspaper of general circulation in the Town of Larkspur.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the Town, this 30 day of April, 1980.

(S E A L)

Marsha Bryant
Town Clerk