

ORDINANCE NO. 515

AN ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD FEBRUARY 6, 1934, AND PROVIDING FOR THE SUBMISSION TO THE VOTE OF THE QUALIFIED TAXPAYING ELECTORS OF THE CITY OF GRAND JUNCTION, COLORADO, AT SAID ELECTION, THE QUESTION OF AUTHORIZING THE CITY COUNCIL OF SAID CITY TO ISSUE THE NEGOTIABLE COUPON BONDS OF THE CITY FOR THE PURPOSE OF CONSTRUCTING AND ERECTING A CONCRETE STRUCTURE TO BE USED AS SETTLING BASIN AND RESERVOIR IN CONNECTION WITH THE WATER WORKS SYSTEM NOW OWNED AND OPERATED BY THE CITY. PROVIDING FOR THE ISSUANCE OF SUCH BONDS, IF AUTHORIZED; PROVIDING FOR THE PAYMENT OF SAID BONDS AND THE INTEREST THEREON, AND DECLARING AN EMERGENCY.

WHEREAS, there is an urgent necessity for the construction and erection of a concrete structure to be used as Settling Basin and Reservoir in the waterworks system now owned and operated by the City, in order to meet the increasing needs of the inhabitants of said City and in order to furnish a good and sufficient supply of water to said inhabitants; and

WHEREAS, in order to construct and erect the concrete structure to be used as a Settling Basin and Reservoir in said waterworks system, it will be necessary to issue the negotiable coupon bonds of the City; first submitting the question of authorizing the issuance of said bonds to the taxpaying electors of said City as required by the provisions of the city charter:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

SECTION 1. That a special election of the qualified taxpaying electors of the City of Grand Junction, Colorado, be called and said election is hereby called for Tuesday, the sixth day of February, A. D. 1934.

SECTION 2. That at said special election the following question shall be and it is hereby submitted to the vote of the qualified taxpaying electors of the City, to-wit:

Question Submitted:

Shall the City Council of the City of Grand Junction contract an indebtedness on behalf of the City and upon the credit thereof, by issuing the negotiable coupon bonds of the City in the aggregate amount of Sixty Thousand Dollars, for the purpose of constructing and erecting a concrete structure to be used as a Settling Basin and Reservoir in the waterworks system now owned and operated by the City?

SECTION 3. That only qualified registered taxpaying electors of the City shall be permitted to vote upon the question hereby submitted, and such election shall in all respects, as

nearly as may be, be held and conducted in the manner prescribed by law in cases of elections for municipal officers.

SECTION 4. That the question so submitted shall be voted on at said special election by voters qualified as aforesaid, at the several election precincts in the City of Grand Junction, in the State of Colorado, designated as follows:

Ward	1	Prect.	9	Polling	Place	City Hall
Ward	2	Prect.	10	Polling	Place	West Slope Garage
Ward	East 3rd	Prect.	16	Polling	Place	Christian Church
Ward	West 3rd	Prect.	11	Polling	Place	Y. M. C. A.
Ward	4	Prect.	12	Polling	Place	Richard Warren Garage.

SECTION 5. That the ballots to be used in voting upon the question above submitted shall be prepared and furnished by the City Clerk to the judges of election, to be by them furnished to the voters and shall contain a statement of the question submitted and the words "For the Water Bonds," and the words "Against the Water Bonds." Each voter shall place a cross (X) opposite the words which express his choice and shall deposit his ballot in the ballot box.

SECTION 6. That the City Council shall, by resolution appoint the judges and clerks for said special election.

SECTION 7. That the vote cast at said election on the question aforesaid shall be canvassed and returned and the return made and the result declared in the same manner, as nearly as may be, as provided by law for canvass, return and declaring the result of votes cast at an election of municipal officers.

SECTION 8. That a notice of the time and place of said special election shall be published in The Daily Sentinel, a newspaper of general circulation printed in the City of Grand Junction, in the County of Mesa and State of Colorado, at least fifteen days before such election, and also a copy of such notice shall be posted at the place of voting in each ward

or voting precinct at least fifteen days before such election, announcing the time, place and object of the election, and the Clerk of the City of Grand Junction is hereby charged with the duty of effectuating this provision.

The form of said notice to be published and posted as aforesaid shall be as prescribed by resolution.

SECTION 9. That if a majority of the votes cast at said election are marked "For the Water Bonds", the City shall without further authority issue the negotiable coupon bonds therefor in the aggregate amount of Sixty Thousand Dollars (\$60,000.00), consisting of sixty (60) bonds in the denomination of \$1,000.00 each, payable in legal tender for debts due the United States of America and bearing interest from and after the first day of April A. D. 1934, at the rate of 4 percentum per annum, payable in like money semi-annually on the first day of April and the first day of October in each year, and evidenced by coupons attached to said bonds. Said bonds shall be numbered in regular and consecutive order, commencing with number one, and shall be absolutely due and payable as follows:

<u>Year</u>		<u>Amount</u>
April 1,	1935	\$3,000.00
April 1,	1936	3,000.00
April 1,	1937	3,000.00
April 1,	1938	3,000.00
April 1,	1939	3,000.00
April 1,	1940	3,000.00
April 1,	1941	3,000.00
April 1,	1942	3,000.00
April 1,	1943	3,000.00
April 1,	1944	3,000.00

April 1,	1945	\$3,000.00
April 1,	1946	3,000.00
April 1,	1947	3,000.00
April 1,	1948	3,000.00
April 1,	1949	3,000.00
April 1,	1950	3,000.00
April 1,	1951	3,000.00
April 1,	1952	3,000.00
April 1,	1953	3,000.00
April 1,	1954	3,000.00

Said bonds shall bear date the first day of April A. D. 1934, and shall be signed by the President of the City Council, attested by the City Clerk under the official seal of said City, countersigned by the City Treasurer, and shall be recorded in a book to be kept by the said City Clerk for that purpose; all coupons shall bear the original or facsimile signature of the treasurer of said City.

SECTION 10. Said bonds and the coupons thereto attached shall be in substantially the following form:

UNITED STATES OF AMERICA

State of Colorado

COUNTY OF MESA

CITY OF GRAND JUNCTION

No. _____

\$_____

GRAND JUNCTION WATER WORKS RESERVOIR BOND

The City of Grand Junction, in the County of Mesa and State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to bearer on the first day of April 19_____ Dollars, in legal tender for debts due the United States of America with interest thereon at the rate of four percentum per annum, payable in like money semiannually on the first day of April and on the first day of October in each year, upon presentation and surrender of the annexed coupons as they severally become due, both principal and interest being payable at the office of the City Treasurer, or at The Guaranty Trust Company in Borough of Manhattan, City of New York, United States of America.

This bond is issued by the City of Grand Junction for the purpose of constructing and erecting a concrete structure to be used as a Settling Basin and Reservoir in the waterworks system now owned and operated by the City, under the authority of and in full conformity with the Constitution and laws of the State of Colorado, the provisions of the city charter, and an ordinance of said City duly adopted, published and made a law of said City prior to the issuance of this bond.

It is hereby certified and recited that the issuance of this bond has been authorized at an election of the qualified taxpaying electors of said City, lawfully called and duly held in said City prior to the issuance hereof, that all the requirements of law have been fully complied with by the proper officers in the issue of this bond, that the total debt of the City including that of this bond, does not exceed any limit of indebtedness prescribed by the Constitution or laws of the State of Colorado, or the charter of said City, and that provision has been made for the levy and collection of an annual tax sufficient to pay the interest on this bond and also discharge the principal thereof when the same becomes due.

The faith and credit of the City of Grand Junction are hereby pledged for the punctual payment of the principal of and the interest on this bond. The City of Grand Junction has caused this bond to be signed by the President of the City Council of said City, attested by the clerk thereof under the seal of the City, countersigned by its treasurer, and the coupons to be signed with the facsimile signature of the City Treasurer this first day of April A. D. 1934.

/s/

President, City Council

ATTEST:

City Clerk.

COUNTERSIGNED:

City Treasurer

(Form of Coupon)

No. _____

\$ _____

October

On the first day of April, A. D. 19_____, The City of Grand Junction in the County of Mesa and State of Colorado, will pay to the bearer _____ dollars in legal tender for debts due the United States of America at the office of the City Treasurer, City Hall, Grand Junction, Colorado, or at The Guaranty Trust Company in Borough of Manhattan, City of New York, United States of America, being six months' interest on Grand Junction Waterworks Reservoir Bond, dated April 1st, 1934.

No. _____

/s/ (Facsimile Signature)

Treasurer

SECTION 11. That if said bonds are authorized as aforesaid, they shall, when executed be delivered to the purchaser thereof, and said bonds and the funds raised thereby shall be applied solely and exclusively for the purpose aforesaid, the construction and erection of a concrete structure to be used as Settling Basin and Reservoir in the waterworks system for fire and domestic purposes within and for said City, and for no other purpose whatsoever, but the purchaser of said bonds shall in no manner be responsible for the application or disposal by said City or any of its officers of any of the funds derived from the sale thereof.

SECTION 12. That if said bonds are authorized and issued the interest falling due on October 1st, 1934, and the principal and interest falling due on April 1st, 1935, shall be paid out of the General Revenue Fund of the City; for the purpose of reimbursing said General Revenue Fund for said installment of principal and interest and to meet the interest accruing on said bonds after April 1st, 1935, and for the purpose of raising funds for the ultimate redemption of said bonds, there shall be levied on all taxable property in said City, in addition to all other taxes, direct annual taxes as follows:

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
1934		\$1,200.00	\$1,200.00
1935	3,000.00	2,400.00	5,400.00
1936	3,000.00	2,280.00	5,280.00
1937	3,000.00	2,160.00	5,160.00

1938	3,000.00	2,040.00	5,040.00
1939	3,000.00	1,920.00	4,920.00
1940	3,000.00	1,800.00	4,800.00
1941	3,000.00	1,680.00	4,680.00
1942	3,000.00	1,560.00	4,560.00
1943	3,000.00	1,440.00	4,440.00
1944	3,000.00	1,320.00	4,320.00
1945	3,000.00	1,200.00	4,200.00
1946	3,000.00	1,080.00	4,080.00
1947	3,000.00	960.00	3,960.00
1948	3,000.00	840.00	3,840.00
1949	3,000.00	720.00	3,720.00
1950	3,000.00	600.00	3,600.00
1951	3,000.00	480.00	3,480.00
1952	3,000.00	360.00	3,360.00
1953	3,000.00	240.00	3,240.00
1954	3,000.00	120.00	3,120.00

Said taxes, when collected, shall be applied solely to the purpose of the payment of the said interest and the principal of said bonds, respectively, and for no other purpose whatever, until the indebtedness so contracted, under this ordinance, both principal and interest, shall have been fully paid, satisfied and discharged, but nothing herein contained shall be so construed as to prevent said City from applying any other funds that may be in the city treasury and available for that purpose to the payment of said interest or principal, as the same respectively mature, and the levy or levies herein provided for may thereupon to that extent be diminished.

And the sums hereinbefore provided for to meet the interest on said bonds and to discharge the principal thereof when due, are hereby appropriated for that purpose, and said amount for each year shall also be included in the annual appropriation bills passed by the City Council of said City in each year respectively.

SECTION 13. That it shall be the duty of the City Council of said City, annually, at the time and in the manner provided by law for levying other town taxes, if such action shall be necessary to effectuate the provisions of this ordinance, to ratify and carry out the provisions hereof with reference to the levying and collection of taxes; and shall require the officers of and for said city to levy, extend and collect such taxes in the manner provided by law for the purpose of creating a fund for the payment of the principal of said bonds, and interest thereon, and such taxes, when collected, shall be kept for and applied only to the payment of the interest and principal of said bonds as hereinbefore specified.

SECTION 14. That all ordinances resolutions, by-laws and regulations of the City of Grand Junction in conflict with this ordinance are hereby repealed.

SECTION 15. That if said bonds are issued as aforesaid this ordinance shall be and remain irrevocable until said bonds and the interest thereon shall have been fully paid, satisfied and discharged, as herein provided.

SECTION 16. That by reason of the fact that the City and its inhabitants are not properly or adequately supplied with water for fire and domestic purposes, a special emergency is declared to exist, and the City Council finds and determines that this ordinance is immediately necessary for the preservation of the public peace, health, and safety and that it shall take effect upon passage.

Adopted and approved, this 3rd day of January A. D. 1934.

/s/ Allen L. Holcombe
President, City Council

ATTEST:

/s/ Helen C. Tomlinson
City Clerk

I HEREBY CERTIFY, that the foregoing ordinance entitled, "AN ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD FEBRUARY 6, 1934, AND PROVIDING FOR THE SUBMISSION TO THE VOTE OF THE QUALIFIED TAXPAYING ELECTORS OF THE CITY OF GRAND JUNCTION, COLORADO, AT SAID ELECTION, THE QUESTION OF AUTHORIZING THE CITY COUNCIL OF SAID CITY TO ISSUE THE NEGOTIABLE COUPON BONDS OF THE CITY FOR THE PURPOSE OF CONSTRUCTING AND ERECTING A CONCRETE STRUCTURE TO BE USED AS SETTLING BASIN AND RESERVOIR IN CONNECTION WITH THE WATER WORKS SYSTEM NOW OWNED AND OPERATED BY THE CITY. PROVIDING FOR THE ISSUANCE OF SUCH BONDS, IF AUTHORIZED: PROVIDING FOR THE PAYMENT OF SAID BONDS AND THE INTEREST THEREON, AND DECLARING AN EMERGENCY", was introduced, read, passed and adopted as an emergency ordinance, numbered 515 and ordered published in The Daily Sentinel, the official newspaper of the City of Grand Junction, at a regular meeting of the City Council of the City of Grand Junction, held on the 3rd day of January, A. D. 1934.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 3rd day of January, A. D. 1934.

/s/ Helen C. Tomlinson
City Clerk

Published January 4th 1934