

94
3990

PASSED B. OF A.
OCT 25 1893

AMENDMENT
IN SECTION 3, P. 6, 7
OF THE CONSTITUTION No. 57

PASSED H. OF D.
OCT 25 1893

AMENDMENT
No. 57

H. of S.

H. of D.

483

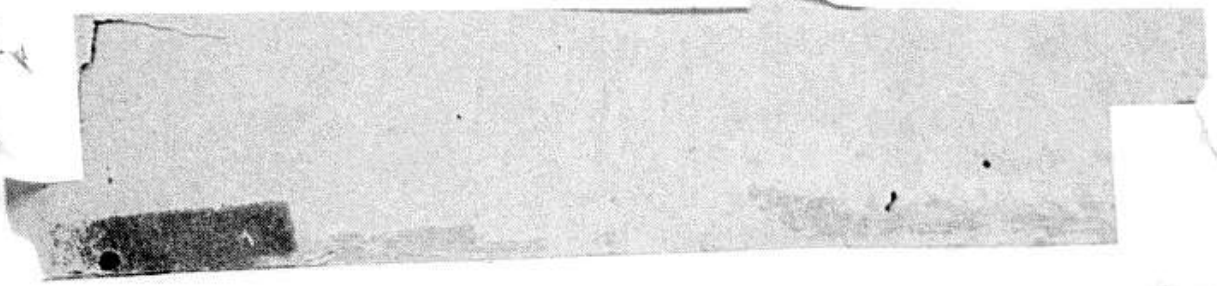
J. W. Lee

Ord. 89314 - Transfers certain Water Dept prop in Sec. 234 24
Tap 22 N. R. 6 E. d.M. to Light Dept. & making
approp from Light fund therein

See Ord. 89388

Ord 93078 - Re. to & disclaiming all interest in that part of B.1, Motor Line
add. to Renton

CITY OF SEATTLE	
CONTRACT	
FOR THE IMPROVEMENT OF	
Under Ordinance No.	
Contract	
Number	
Name of Contractor:	8



68945 County road charge for
19472 date added for NW 1/4 of Sec 10
over SW 1/4 Sec 11 of T. 20 N.
and 5128 Ratifies Award of contract

(See Book Cover)

AMENDED
IN SECTIONS 56 & 7 BY
ORDINANCE No. 5258

AMENDED
IN SECTION 7 BY
ORDINANCE No. 3990

ORDINANCE NO. 3990

AN ORDINANCE proposing to the voters in the City of Seattle that the City of Seattle make certain additions to the existing water-works owned and controlled by said City, specifying and adopting the proposed plan and details of said additions and declaring the estimated cost thereof as near as may be and providing for the holding of an election at which said voters may vote for or against said proposition; also providing for the construction of said additions to the water-works in case a majority of the voters in said City voting at such election shall thereby assent to said proposition and providing for the payment therefor and establishing a fund for such payment by setting aside therefor, from and after the completion and acceptance of said additions, seventy-five (75%) per centum of the gross revenues derived from the water-works owned and controlled by said City (exclusive of revenues for water used for municipal purposes), until the payment therefor shall be completed.

WHEREAS, The City of Seattle owns and controls ~~the~~ water-works system supplied at large expense by pumping from Lake Washington supplemented by auxiliary pumping stations for the higher districts; and

WHEREAS, It is evident for sanitary as well as economical reasons that Lake Washington ought to be abandoned as a source of supply for said City water-works; and

WHEREAS, By a series of surveys, plans and estimates made for said City during 1889, 1890 and 1891, by and under the direction of Benezette Williams then Chief Engineer of said City water-works, it was determined that an adequate, suitable and permanent water supply for said City was available from Cedar River and that a gravity delivery system via Swan Lake as an ~~important~~ ^{impounding} reservoir, with a capacity of twenty-five (25,000,000) million gallons per day, could be constructed and added to the City water-works at a cost of about twelve hundred thousand (\$1,200,000.) dollars; and

WHEREAS, The economy of operation and maintenance and the capacity for increasing consumption justifies the construction of the Cedar River gravity system as an addition to the existing water-works owned and controlled by said City; and

WHEREAS, The cash revenues derived from said City water-works at current rates charged therefor are sufficient to pay all expenses of operation and maintenance including said gravity supply additions thereto and to further allow of the setting aside of seventy-five (75) per centum thereof into a special fund for the payment of the cost of said additions; and

WHEREAS, It is necessary for the public interest that said additions, commonly known as the Cedar River gravity supply system, be forthwith made to the water-works owned and controlled by the City of Seattle; and

WHEREAS, It is desired by the Mayor and City Council that the general plan and details of said additions be ratified by a majority vote of the voters of the City prior to the expenditure necessary therefor; now, therefore,

Be it ordained by the City of Seattle as follows:

Section 1. That the Mayor and City Council of the City of Seattle hereby propose to the voters of the said City for their assent thereto by majority vote to be cast at the election in Section 3 of this ordinance provided to be held for that purpose, that the City of Seattle make certain additions as set forth and detailed in Section 2 of this ordinance to the existing water-works owned and controlled by said city.

Section 2. The plan and details of said proposed additions to said water-works of said City are hereby specified and adopted and the estimated cost thereof, as near as may be, is hereby declared as follows to-wit:-

It is proposed that said City purchase or appropriate as provided by law all necessary lands, rights and privileges and construct a gravity water supply system from Cedar River by way of Swan Lake as an impounding reservoir to a connection with the high and low service distribution mains of said City water-works; including as details of said supply system the head works on Cedar River, conduit to Swan Lake, dam at outlet and clearing around Swan Lake, discharge from Swan Lake, ^{pressure} ~~main~~ conduit to ~~city~~ reservoirs, low service reservoir, high service reservoir, auxiliary high service tank stand pipes, together with such connections, gates and other appurtenances requisite for the full use and service of said supply system as an addition to the existing City water-works; the conduit from Cedar River to Swan Lake

to have a capacity of not less than fifty million (50,000,000) gallons per day and the pressure conduit to said reservoir to be forty-two (42) inches inside diameter and connected for alternate or proportionate discharges into the high and low service reservoirs. The estimated cost of said additions including the acquirement of the lands, rights and privileges necessary therefor, as near as may be, is the sum of twelve hundred and fifty thousand (\$1,250,000.) dollars.

Section 3. An election shall be held on Tuesday
December 10th 1888, in the City of Seattle and in the several election precincts into which the several wards of said City are divided, for the purpose of voting thereat by the voters in said City upon the proposition submitted to them in and by Section 1 of this ordinance; provided that in case there be any ^{persons to be elected for any purpose required by law, or} other proposition or propositions ~~or the choice and election of members of a charter commission~~ requiring to be presented to said voters at a special election, the same may be submitted to the voters in said City at the election herein authorized, in pursuance of any other ordinance or ordinances of said City that may so provide. Said election shall be held at such voting places in said several precincts and shall be conducted by such inspectors and judges of election as may respectively be designated and appointed for the holding and conducting of said election as to all matters that may be submitted thereat as aforesaid, in and by such ordinances as the City of Seattle may ordain for the purpose of such designation and appointment; and said election shall be held and conducted in accordance with the provisions of the charter of said City and the general laws of this State. The City Clerk shall give at least thirty (30) days notice of the time, place and purpose of said election and of the propositions to be submitted to the voters in said City thereat and the forms of the ballots to be cast for and against each such proposition, as prescribed in Section 4 of this ordinance, by posting notices of all thereof at each of said voting places for at least thirty (30) days immediately preceding the day of said election, and ^{by} publishing a like notice in the City official news-paper for at least thirty (30) days next preceding said election; provided that such notice may be so framed as to ^{the election of persons for any purpose required by law, or} include notice of any other proposition or propositions, ~~or the election of members of the charter commission,~~ that may be submitted at said election as hereinabove in this Section permitted and of the forms of the ballots to be cast for and against each such other proposition.

Section 4. The proposition submitted to said voters in and by Section 1, of this ordinance, shall be voted upon in the manner following, to-wit:-

Every voter electing to vote in favor of said proposition that the City of Seattle make said additions as set forth and detailed in Section 2 of this ordinance, to the existing water-works owned and controlled by said City, shall vote a ballot containing the words, "In favor of the proposition as set forth and detailed in Section 2 of Ordinance No. 3210 of said City, that the City of Seattle make certain additions to the existing water-works owned and controlled by said City, at a total estimated cost, as set forth in said Section of said ordinance, of Twelve hundred and fifty thousand (\$1,250,000) ~~dollars~~."

And every voter voting against said proposition last above specified shall vote a ballot containing the words, "Against the proposition as set forth and detailed in Section 2 of ordinance No. 3210 of said City, that the City of Seattle make certain additions to the existing water-works owned and controlled by said City, at a total estimated cost, as set forth in said Section of said ordinance, of Twelve hundred and fifty thousand (\$1,250,000) ~~dollars~~."

Section 5. If at said election to be held as provided for in this ordinance a majority of the voters in said City voting at said election shall vote in favor of said proposition set forth in Section 1 of this ordinance, thereupon and thereby said proposition of additions to the City water-works of said City shall be and become adopted by said City. And upon such adoption the Board of Public Works shall and is hereby ordered and authorized to proceed forthwith to advertise for bids for the construction and completion of the said additions to the water-works owned and controlled by said City. Said advertisement for bids shall stipulate that the contract to be entered into for said work shall provide for payment therefor only by warrants upon the "Cedar River Water Supply Fund of Seattle" as hereinafter ~~created~~ ^{created} and established by this ordinance, and that the contractor shall have no claim against the City except as therein provided; also that said contract will further provide that the contractor shall purchase at par any and all warrants which shall be drawn on said Fund by the City in such amounts as shall be required to pay for any Real Estate, rights, easements or privileges necessary for the prosecution of the work of construction and the perpetual control by said City of the additions to the

water-works herein specified, whether obtained by purchase, agreement or condemnation proceedings and also such warrants as shall be drawn upon said Fund by the City in payment of engineering and other expenses necessarily incurred in connection with said additions, provided that the amount of the warrants thus required to be purchased by the contractor shall in no case exceed a fixed estimate to be stipulated in the bid and contract. At the time fixed in said advertisement for bids, for the opening of same the Board of Public Works shall proceed to open said bids and shall present the same with a tabulated comparative statement of the amounts thereof and their recommendation as to the award of said contract to the City Council.

The City Council shall consider said bids in joint session and by proper ordinance ~~formed~~^{ratified} after ~~the~~^{ratify} the award of said contract to the lowest and best bidder therefor, provided that the right to reject any or all bids, shall at all times be reserved to said City. In case the contract be awarded as herein ordered the Board of Public Works shall forthwith enter into a contract in the name of the City of Seattle for the construction and completion of the said additions to the water-works, including in said contract all the stipulations and provisions of which notice was given in the advertisement for bids as hereinabove ordered. The Board of Public Works is further authorized to secure by purchase or agreement such Real Estate, rights, easements and privileges as are necessary for the construction and perpetual control by the City of Seattle of the said additions to the water-works and in case purchase or agreement cannot be made upon satisfactory terms of any such necessary Real Estate, rights, easements or privileges, the Corporation Counsel or such special Counsel as may be employed by the City as his assistant for this purpose, is hereby authorized to proceed in the name of the City to secure the same by condemnation proceedings. Payment for all such Real Estate, rights, easements or privileges shall be made from sums obtained by the sale of warrants to the contractor as hereinbefore provided by this Section, or from such other funds as the City Council may authorize.

Section 6. That there be and hereby is created and established a fund to be called "Cedar River Water Supply Fund of Seattle", which fund is created and to be drawn upon for the sole purpose of defraying the cost and expense of the additions to the water-works owned and controlled by said city, as specified and adopted by Section 2 of this ordinance and ratified by majority vote at the election provided for by this ordinance,

together with such interest as shall accrue upon the obligations issued in payment therefor. Upon the completion and acceptance of said additions, and thereafter so long as any obligations are outstanding against said fund, the City Treasurer shall set aside into said "Cedar River Water Supply Fund of Seattle", from the revenues derived from the water-works now belonging or which may hereafter belong to said City, seventy-five (75) per cent thereof, provided that this percentage shall not apply upon the receipts or credits for water used by the City for municipal purposes. The City Council may by ordinance transfer to said fund such additional income from the water-works or from such general funds as may be available therefor. All moneys so set aside and placed in said "Cedar River Water Supply Fund of Seattle" shall be applied solely to the payments of the warrants or obligations issued against said fund in payment for said additions to said water-works. In case of the execution and performance of a contract for said additions, as authorized by Section 5 of this ordinance, the City hereby irrevocably binds itself not to sell, lease or dispose of in any manner its water-works system until the obligations issued therefor shall have been paid in full, or in case it should ever sell or dispose of the same before such payment, to pay out of any moneys derived from the sale thereof all of said obligations that

shall then remain unpaid, and that it will not in any event sell said system for a sum less than enough to pay all of said outstanding obligations with all interest due thereon. And the City further irrevocably binds itself not to reduce the rates or charges for water so that seventy-five (75) per centum of the gross revenues thereof shall amount to less than at present, until such obligations shall have been fully liquidated and discharged.

Section 7. That in case the contract authorized by Section 5 of this ordinance be duly entered into and executed, warrants shall be drawn upon the fund created by this ordinance, to-wit:- the "Cedar River Water Supply Fund of Seattle", in such amounts and at such times as may be required for the payments for Real Estate rights, easements, privileges and construction necessary for the completion of the said additions to the City water-works system as authorized by this ordinance and the majority vote at the election herein provided for, and in accordance with said contract. Such warrants shall be issued and delivered to the contractor only upon properly approved estimates and claims and to an

amount not exceeding the total cost and expense of said additions, (including all expenses incidental thereto), but in no case shall said total cost and expense exceed the sum of Twelve hundred and Fifty thousand (\$1,250,000) dollars. Said warrants shall be issued and signed by the proper officials of the City of Seattle, and shall be of the following form, to-wit:

*No. _____ \$ _____
Seattle, Washington, _____ 189__

The Treasurer of the City of Seattle will pay to _____
_____ or order, _____ 00.

Dollars, with interest thereon at the rate of ~~five (5%)~~ ^{five (5%)} per centum per annum from the date of completion of the contract and acceptance of the additions to the water-works system of said City, authorized by Ordinance No. _____, until paid. Interest and principal payable at the Fiscal Agency of the State of Washington in the City of New York, N. Y. Interest payable semi-annually on the first day of January and July of each year. This warrant is issued under authority of Ordinance No. _____ of said City, and is payable out of the 'CEDAR RIVER WATER SUPPLY FUND OF SEATTLE' created by said ordinance.

Mayor.

SEAL

Countersigned,

City Comptroller.

Attest

City Clerk.

Said warrants shall bear interest at the rate of ~~six (6%)~~ ^{five (5%)} per cent per annum, from the date of completion of the contract and acceptance of the said additions ~~to~~ the City water-works, until paid; the interest thereof shall be paid semi-annually on the first days of January and July of each year after said completion and acceptance; interest and principal payable in New York City at the Fiscal Agency of the State of Washington therein. Said warrants to be, as nearly as possible, of denominations of One Thousand (\$1,000) Dollars, and numbered consecutively in the order of their issuance from one (1) up, and shall be called for payment by the City

Treasurer strictly in the order of their numbering. All moneys in said 'Cedar River Water Supply Fund of Seattle' shall be applied first to the payment of the interest due upon said warrants, and the remainder, when there is One Thousand (\$1,000) Dollars or more in the Treasury which shall not be needed for the payment of the interest next falling due, shall be applied to the payment of the principal thereof.

Section 8. That the City shall not be subject to any further or other liability for the payment for the additions to the City water-works herein authorized, than is expressed and provided by this ordinance.

Section 9. This Ordinance shall take effect and be in force from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the City Charter.

Passed the Board of Aldermen the 28" day of October
1895, and signed by me in open session in authentication of its passage this 28" day of October 1895

[Signature]
President of Board of Aldermen.

Passed the House of Delegates the 23" day of October
1895, and signed by me in open session in authentication of its passage this 28" day of October 1895

Acting [Signature]
President of House of Delegates.

Approved by me this 29" day of October 1895

[Signature]
Mayor.

Filed by me this 29" day of October 1895.

[Signature]
City Clerk.

Published October 30 1895

[Signature]
City Clerk