

ORDINANCE NO. 4017

AN ORDINANCE to amend and reordain Ordinance No. 3943, enacted on June 24, 1997, (1) which authorized and empowered the issuance, sale and delivery by the City of Alexandria, pursuant to Chapter 5.1, Title 15.1 (now Chapter 26, Title 15.2) of the Code of Virginia (1950), as amended (the "Public Finance Act of 1991"), of bonds the proceeds of which are to be disbursed for the public purpose of providing funds to finance various capital improvement projects described in the City's capital improvement budget, including: the construction, renovation and equipping of public buildings and school buildings; the acquisition, installation, replacement and upgrade of traffic signal equipment; contributions to the Washington Metropolitan Area Transit Authority for bus and rail capital improvement costs; the construction of other public improvements; and the acquisition of necessary or desirable equipment and interests in land; (2) which showed compliance with the limitations on the power of the City to incur indebtedness; (3) which contained the City's election to issue such bonds pursuant to the Public Finance Act of 1991; (4) which determined the method for the sale and provided for the form of such bonds; (5) which authorized the City Manager to determine certain details with respect to the sale of the bonds; (6) which provided for the levy and collection of all taxes, charges and assessments necessary for the payment of the principal and interest on the bonds when due, and pledged the full faith and credit of the City to the payment of said principal and interest; (7) which covenanted that the proceeds of the bonds would not be used in a manner to cause the bonds to be arbitrage bonds; and (8) which provided generally for various other matters relating to the authorization, issuance, sale and delivery of the bonds; said amendment (a) to increase the amount of the bonds authorized to be issued, sold and delivered by the City from an aggregate principal amount not to exceed Forty-Five Million Dollars (\$45,000,000) to an aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000), (b) to delete as an appropriate use of the bond proceeds contributions to the Washington Metropolitan Area Transit Authority for bus and rail capital improvement costs, and the installation, replacement and upgrade of traffic signal equipment, mass transit buses and equipment, and (c) to revise the estimated allocations of the bond proceeds among various capital projects.

WHEREAS, on June 24, 1997, City Council enacted Ordinance No. 3943 which authorized the issuance, sale and delivery by the City of general obligation bonds in the aggregate principal amount not to exceed \$45,000,000, the proceeds of which are to be disbursed for various capital improvement projects; and

WHEREAS, Ordinance No. 3943 also showed compliance with the limitations on the power of the City to incur indebtedness, contained the City's election to issue the bonds pursuant to the Public Finance Act of 1991, determined the method for the sale and provided for the form of the bonds, authorized the City Manager to determine certain details with respect to the sale of the bonds, provided for the levy and collection of all taxes, charges and assessments necessary for the payment of the principal of and interest on the bonds, pledge the full faith and credit of the City to the payment of said principal and interest, covenanted that the

proceeds of the bonds would not be used in a manner to cause the bonds to be arbitrage bonds, and provided generally for various other matters relating to the authorization, issuance, sale and delivery of the bonds; and

WHEREAS, City Council now wishes to amend Ordinance No. 3943 by increasing the amount of bonds which may be issued, sold and delivered by the City from the principal amount not to exceed \$45,000,000 to a principal amount not to exceed \$60,000,000, to delete contributions to the Washington Metropolitan Area Transit Authority for bus and rail capital improvement costs as a project to be funded with bond proceeds, to revise the allocation made by Ordinance No. 3943 of bond proceeds among various identified capital projects, and otherwise to ratify and confirm the provisions of and all attachments to Ordinance No. 3943; now therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 1 of Ordinance No. 3943 be, and hereby is, amended and reordained to read in its entirety as follows:

Section 1. Chapter 26 of Title 15.2 of the Code of Virginia (the "Public Finance Act of 1991") provides that a governing body may elect to issue bonds under the Public Finance Act of 1991 or under its local charter. The City Council of Alexandria hereby elects to issue its Bonds (defined herein) under the Public Finance Act of 1991. The Bonds issued hereunder are hereby specifically issued under the provisions of the Public Finance Act of 1991 without regard to the requirements, restrictions or provisions contained in any charter or local or special act, except any referendum and debt limitations, applicable to the City of Alexandria.

The City Council hereby further finds and determines that it is necessary for the City to issue the Bonds in order to use a portion of the bond proceeds to finance all or a portion of the cost of the capital improvement projects, generally described in this section.

The following is a general description of the capital improvement projects to be financed with a portion of the proceeds of the Bonds and the estimated maximum costs thereof. Bond proceeds will fund only a portion of the total maximum costs.

<u>General Project Description</u>	<u>Estimated Maximum Cost</u>
<u>Schools</u> Construction of a new school facility and acquisition of necessary land and equipment; remodeling and repairing of existing school buildings and acquisition of necessary equipment (this project includes projects contained in the capital budget under "Schools").	\$16,400,000

Libraries \$13,000,000
Construction of a new library and acquisition of necessary equipment, renovation of existing libraries and acquisition of necessary equipment (this project includes projects contained in the capital budget under "Libraries").

City Parks and Buildings \$11,500,000
Renovation and improvement of existing City buildings and park facilities and acquisition of necessary equipment (this project includes projects contained in the capital budget under "Recreation and Parks" and "Public Buildings").

Infrastructure \$ 6,900,000
Construction and renovation of the City's streets, bridges, storm and sanitary sewers and acquisition of the necessary equipment (this project includes projects contained in the capital budget under "Streets and Bridges" and "Sewers").

Technology \$12,200,000
Replacement of information technology infrastructure and development of information technology infrastructure improvements and acquisition of necessary equipment (this project includes projects contained in the capital budget under "Information Technology Plan").

Total \$60,000,000

Section 2. That Section 2 of Ordinance No. 3943 be, and hereby is, amended in its entirety to read as follows:

Section 2. Acting pursuant to the authority of the Public Finance Act of 1991 and this Ordinance, the Bonds may be issued in an aggregate principal amount not to exceed \$60,000,000 to pay a portion of the capital improvement projects described in Section 1 (the "Projects"). The issuance and sale of the "Consolidated Public Improvement General

Obligation Bonds" of the City of Alexandria, Virginia, is hereby authorized in an aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000) (the "Bonds"). The Bonds are issued for the purpose of financing the cost of a portion of the Projects.

The proceeds of the Bonds may be used (a) to pay all or any part of the cost of acquiring, constructing, reconstructing, improving, extending, enlarging and equipping any of the Projects, and (b) to pay any and all other costs permitted to be paid from the proceeds of such bonds under the Public Finance Act of 1991, including (with-out limitation) the costs of issuance of the Bonds.

Section 3. That Ordinance No. 3943, as amended by Sections 1 and 2 of this ordinance, be, and the same hereby, is confirmed, ratified and reordained.

Section 4. That this ordinance shall become effective upon the date and at the time of its final passage and shall not be subject to referendum.

KERRY J. DONLEY
Mayor

Introduction: 06/09/98
First Reading: 06/09/98
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