

C-LINE #62033  
CLEAR TOPPER

ORDINANCE NO. 526

AN ORDINANCE APPROVING THE ISSUANCE OF REVENUE BONDS BY THE ARKANSAS RIVER POWER AUTHORITY FOR THE CONSTRUCTION OF AN ELECTRIC TRANSMISSION LINE INTERCONNECTION BETWEEN THE CITIES OF TRINIDAD, COLORADO AND RATON, NEW MEXICO.

WHEREAS, the City of Las Animas, Colorado (the "City") is a member of the Arkansas River Power Authority (the "Authority"), having heretofore executed and delivered an Organic Contract Creating and Establishing the Arkansas River Power Authority as a Separate Governmental Entity and the First Amendment thereto (collectively, the "Organic Contract"); and

WHEREAS, the City has received written notice (the "Notice") from the Authority pursuant to Section 2.4.2 of the Organic Contract that the Authority intends to issue revenue bonds (the "Bonds") to provide funds for the construction of a transmission line interconnection between the Cities of Trinidad, Colorado and Raton, New Mexico (the "Reliability Project"); and

WHEREAS, Section 2.4.3 of the Organic Contract provides that each member of the authority shall give the Authority written notice of its approval or disapproval of the Reliability Project and the issuance of the Bonds within the time period specified in Section 2.4.3 of the Organic Contract; and

WHEREAS, the City Municipal Light and Power Board has considered and recommended the approval of the Reliability Project and the issuance of the Bonds and has recommended that the City Council of the City approve the Reliability Project and the Bonds.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO:

Section 1. Contingent only upon similar authorizing action being taken by each of the other members of the Authority, the City hereby approves the Reliability Project and the issuance of the Bonds by the Authority to finance the construction of the Reliability Project; provided, however, the principal amount of the bonds shall not exceed \$3,400,000, the Bonds shall mature no later than thirty years from the date of their issuance and the net effective interest rate on the Bonds shall not exceed ten percent (10%) per annum. This ordinance shall constitute the City's written notice of its approval of such matters pursuant to Section 2.4.3 of the Organic Contract.

Section 2. The City Clerk is hereby authorized and directed to deliver a certified copy of this Ordinance to the Authority.

Section 3. All actions heretofore taken by the City and its officers in connection with the Reliability Project and the Bonds are hereby ratified, approved and confirmed. The Council hereby acknowledges and agrees that the Notice is sufficient for the purposes of the City and satisfies the requirements of the Organic Contract.

Section 4. If any section, paragraph, clause or provision of this ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other provision of this Ordinance.

Section 5. All ordinances, resolutions, bylaws and regulations of the City in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or regulation, or part thereof, heretofore repealed.

Section 6. This Ordinance shall be in full force and effect 30 days after publication following final passage and adoption.

INTRODUCED, READ IN FULL, PASSED ON FIRST READING AND ORDERED PUBLISHED THIS 5th DAY OF January, 1988.

*James H. ...*  
Mayor

(SEAL)

ATTEST:

*Lila M. Maupin*  
City Clerk

**VIKING**  
OFFICE PRODUCTS

