



## RESOLUTION NO. 40142

1 A RESOLUTION of the City of Tacoma, Washington, authorizing the defeasance  
2 and redemption of certain sewer revenue bonds of the City and certain  
3 matters related thereto.

4 WHEREAS the City of Tacoma, Washington (“City”), now owns, operates,  
5 and maintains a municipal sewer system, comprising Wastewater Management  
6 and Surface Water Management (“System”), and

7 WHEREAS the City has issued and has outstanding the following sewer  
8 revenue bonds and obligations:

9	10	11	12	13
	Designation	Authorizing Documents	Date of Ordinance	Principal Amount Outstanding as of September 1, 2018
13	Sewer Revenue and Refunding Bonds, 2006 (the “2006 Bonds”)	Ordinance No. 27490 and Substitute Resolution No. 36895	5/16/2006 and 6/20/2006, respectively	\$ 5,000
16	Sewer Revenue Refunding Bonds, 2011 (the “2011 Bonds”)	Ordinance No. 28015 and Substitute Resolution No. 38334	9/20/2011 and 9/27/2011, respectively	\$ 34,315,000

19  
20 and

21 WHEREAS, based on the recommendation of City staff, the City Council  
22 has determined that effecting the defeasance to maturity and/or the redemption of  
23 the 2006 Bonds and the 2011 Bonds in the manner described herein is in the best  
24 interest of the City; Now, Therefore,

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. That the City Council hereby authorizes the use of revenues of the System for the purpose of refunding and defeasing the outstanding 2006 Bonds and paying costs associated with such refunding and defeasance.

The City Council hereby further authorizes the use of revenues of the System for the purpose of effecting the defeasance to maturity and/or the first optional redemption date of the outstanding 2011 Bonds and paying costs associated with such defeasance and refunding.

Section 2. That the City Finance Director and Treasurer, or his or her designee (each, a "Designated Representative") are each hereby directed to cause the 2006 Bonds and the 2011 Bonds (together, the "Defeased Bonds") to be defeased to maturity and/or redeemed prior to their scheduled maturities. The Designated Representatives are each hereby directed to determine the date(s) the Defeased Bonds are to be defeased and/or redeemed, provided, that the date(s) fixed for defeasance shall occur no more than 90 days from the date this resolution is adopted. Notice of the defeasance and redemption of the Defeased Bonds shall be provided by the City or by U.S. Bank National Association, as bond registrar for the Defeased Bonds and escrow agent ("Escrow Agent"), in the manner provided in the applicable ordinances authorizing the issuance of the Defeased Bonds.

The revenues of the System authorized herein shall be deposited with the Escrow Agent pursuant to an escrow deposit agreement ("Escrow Agreement") to be used immediately upon receipt thereof to defease the Defeased Bonds as authorized by the ordinances authorizing the issuance of the Defeased Bonds and



1 to pay costs of such defeasance and refunding. The revenues deposited with the  
2 Escrow Agent shall be used to defease the Defeased Bonds and discharge the  
3 obligations thereon by holding such funds and cash and/or through the purchase of  
4 certain government obligations (as defined in chapter 39.53 RCW) as described in  
5 the Escrow Agreement (“Acquired Obligations”) bearing such interest and maturing  
6 as to principal and interest in such amounts and at such times which, together with  
7 any necessary beginning cash balance, provide for the payment of the principal of  
8 and interest on the Defeased Bonds on each maturity date and/or redemption date.  
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10 Said defeasance and call for redemption of the Defeased Bonds shall be  
11 irrevocable after delivery of the Acquired Obligations and any necessary cash  
12 balance to the Escrow Agent.

13 In order to carry out the purposes of this Section 2, each Designated  
14 Representative is authorized and directed to execute and deliver to the Escrow  
15 Agent. The signature of one Designated Representative shall be sufficient to bind  
16 the City.  
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18 Section 3. That, if any provision in this resolution is declared by any court of  
19 competent jurisdiction to be contrary to law, then such provision shall be null and  
20 void and shall be deemed separable from the remaining provisions of this resolution  
21 and shall in no way affect the validity of the other provisions of this resolution.  
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23 Section 4. That the Designated Representatives, each acting singly, and the  
24 other officers, agents, and employees of the City shall be and each of them is  
25 hereby authorized, empowered, and directed to execute and deliver such other  
26 documents and agreements, and to take such other actions as in their judgment



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may be necessary or desirable in order to carry out the terms of, and complete the transactions contemplated by, this resolution. All actions taken by the Designated Representatives and the other officers, agents, and employees of the City pursuant to or in anticipation of the authority of this resolution but prior to its effective date are hereby ratified, confirmed, and approved.

Section 5. That this resolution shall take effect immediately after its adoption.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

Pacifica Law Group LLP  
Bond Counsel to the City of Tacoma

By \_\_\_\_\_