



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 25, 2003

Ordinance 14745

Proposed No. 2003-0332.2

Sponsors Phillips

1 AN ORDINANCE relating to the limited tax general
2 obligation bonds of the county previously authorized to be
3 issued in one or more series in an outstanding aggregate
4 principal amount not to exceed \$125,000,000 to provide
5 long-term financing for the Courthouse Seismic Project, the
6 Courthouse Earthquake Repairs, the North Rehabilitation
7 Facility Project and the Kent Pullen Regional
8 Communications and Emergency Control Center Project,
9 and the limited tax general obligation bond anticipation
10 notes of the county previously authorized to be issued in
11 one or more series in an outstanding aggregate principal
12 amount not to exceed \$125,000,000, pending the sale of
13 such bonds, to provide interim financing for such projects;
14 changing the name of the Regional Communications and
15 Emergency Control Center Project to the Kent Pullen
16 Regional Communications and Emergency Coordination
17 Center Project; augmenting the projects that are authorized

18 to be financed and increasing the maximum outstanding
19 aggregate principal amount of such bonds and bond
20 anticipation notes to \$145,000,000 as a result; amending
21 Ordinance 14167, Sections 1, 2, 3, 4, 5, 7 and 12, as
22 previously amended by Ordinance 14463, Sections 1, 2, 3,
23 4, 5, 6 and 7; and amending Ordinance 14167, Sections 13,
24 14 and 18.

25

26

27 PREAMBLE:

28 Pursuant to Ordinance 14167, the county authorized the issuance of one or
29 more series of its limited tax general obligation bonds in an outstanding
30 aggregate principal amount not to exceed \$125,000,000 to provide long-
31 term financing for the Courthouse Seismic Project, the North
32 Rehabilitation Facility Project and the Regional Communications and
33 Emergency Control Center Project, each defined and described in
34 Ordinance 14167, and further authorized the issuance and public sale of
35 one or more series of its limited tax general obligation bond anticipation
36 notes in an outstanding aggregate principal amount not to exceed
37 \$125,000,000 to provide interim financing for such projects pending the
38 issuance of the bonds.

39

40 Pursuant to Ordinance 14463, the county amended Ordinance 14167 to
41 revise the description of the North Rehabilitation Facility Project and to
42 augment the projects authorized to be financed, on a long-term basis, by
43 such bonds, and pending the sale of such bonds, on an interim basis, by
44 such bond anticipation notes by the addition of the Courthouse Earthquake
45 Repairs, all as defined and described in Ordinance 14463.

46
47 The county council has heretofore received and reviewed plans for the
48 Integrated Security and Jail Health Remodel Project and has determined
49 that the Regional Communications and Emergency Control Center Project
50 is more properly referred to as the Kent Pullen Regional Communications
51 and Emergency Coordination Center Project.

52
53 It is deemed necessary and advisable that the county now change the name
54 of the Regional Communications and Emergency Control Center Project
55 to the Kent Pullen Regional Communications and Emergency
56 Coordination Center Project; add the Integrated Security and Jail Health
57 Remodel Project to the list of projects that are authorized to be financed,
58 on a long-term basis, by such bonds, and pending the sale of such bonds,
59 on an interim basis, by such bond anticipation notes, and that the
60 maximum outstanding aggregate principal amount of such bonds and bond
61 anticipation notes be increased to \$145,000,000 as a result; and amend

62 certain provisions of Ordinance 14167, as previously amended by
63 Ordinance 14463, pertaining to such bonds and bond anticipation notes.

64

65 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

66 SECTION 1. Ordinance 14167, Section 1, as previously amended by Ordinance
67 14463, Section 1, is hereby amended to read as follows:

68 The following words and terms as used in this ordinance shall have the following meanings
69 for all purposes of this ordinance, unless some other meaning is plainly intended.

70 “Arbitrage and Tax Certification” means the certificate executed by the Finance
71 ~~((Director))~~ Manager pertaining to the county’s expectations with respect to the use,
72 investment and rebate, if any, of Bond proceeds for purposes of Sections 141 and 148 of the
73 Code.

74 “Bond Register” means the registration books maintained by the Bond Registrar
75 for purposes of identifying ownership of the Bonds.

76 “Bond Registrar” means the fiscal agency of the State of Washington in either
77 Seattle, Washington, or New York, New York, for the purposes of registering and
78 authenticating the Bonds, maintaining the Bond Register, effecting the transfer of
79 ownership of the Bonds and paying interest on and principal of the Bonds.

80 “Bond Sale Motion” means a motion of the council adopted at the time of sale of
81 each series of the Bonds that establishes, with respect thereto, the following, among other
82 things: the year and series designation, dates, principal amounts and maturity dates, the
83 interest rates and interest payment dates, ~~((and))~~ the redemption provisions and delivery date
84 therefor.

85 “Bonds” means the limited tax general obligation bonds of the county in an
86 outstanding aggregate principal amount not to exceed ~~(((\$125,000,000))~~\$145,000,000,
87 authorized to be issued by this ordinance to provide long-term financing for the Courthouse
88 Seismic Project, the Courthouse Earthquake Repairs, the North Rehabilitation Project, the
89 Integrated Security and Jail Health Remodel Project and the Kent Pullen Regional
90 Communications and Emergency ((Control))Coordination Center Project.

91 “Code” means the federal Internal Revenue Code of 1986, as amended, together
92 with corresponding and applicable final, temporary or proposed regulations and revenue
93 rulings issued or amended with respect thereto by the United States Treasury Department or
94 the Internal Revenue Service.

95 “Courthouse Earthquake Repairs” means the planning and construction to facilitate
96 repairs in the King County Courthouse as a result of the Nisqually earthquake of February
97 28, 2001.

98 “Courthouse Seismic Project” means the seismic retrofit of the King County
99 Courthouse building through the installation of a seismic braceframe system inside the
100 building behind the elevators and “core” improvements for HVAC, fire and life/safety
101 systems.

102 “DTC” means The Depository Trust Company, New York, New York.

103 “Finance Director” or “Finance Manager” means the manager of the finance and
104 business operations division of the department of executive services of the county (formerly
105 known as the finance director of the county) or any other county officer who succeeds to the
106 duties now delegated to that office, or the designee of ~~((the finance director))~~such officer.

107 “Government Obligations” means “government obligations,” as defined in
108 Chapter 39.53 RCW, as now in existence or hereafter amended.

109 “Integrated Security and Jail Health Remodel Project” means the planning and
110 construction within the King County Correctional Facility for the replacement and
111 upgrading of existing security electronics, remodeling of existing Jail Health Services floors,
112 and integrating security electronics with the King County Courthouse and site CCTV
113 improvements.

114 “Kent Pullen Regional Communications and Emergency ((Control))Coordination
115 Center Project” means the planning and construction of a multi-function building that will
116 provide 24 hour emergency call taking and dispatch for police response/assistance, as well
117 as serve as the planning/coordination and communications hub for emergency operations
118 during disaster response.

119 “MSRB” means the Municipal Securities Rulemaking Board or any successor to its
120 functions.

121 “North Rehabilitation Facility Project” means the planning and demolition of the
122 1940’s era buildings housing the county’s North Rehabilitation Facility located in the City
123 of Shoreline on the State of Washington campus.

124 “Note Fund” means the note redemption account established for the Notes pursuant
125 to Section 14 hereof.

126 “Note Register” means the registration books maintained by the Note Registrar for
127 purposes of identifying ownership of the Notes.

128 “Note Registrar” means the fiscal agency of the State of Washington in either
129 Seattle, Washington, or New York, New York, for the purposes of registering and

130 authenticating the Notes, maintaining the Note Register, effecting the transfer of ownership
131 of the Notes, and paying interest on and principal of the Notes.

132 “Note Sale Motion” means the motion of the council ratifying and confirming the
133 year and series designation, date, principal amounts and maturity dates, interest rates and
134 interest payment dates, ~~((and))~~ redemption provisions and delivery date of the Notes, and
135 accepting a bid for the purchase thereof.

136 “Notes” means the limited tax general obligation bond anticipation notes of the
137 county in an outstanding aggregate principal amount not to exceed ~~(((\$125,000,000))~~
138 \$145,000,000, authorized to be issued by this ordinance to provide interim financing for the
139 Courthouse Seismic Project, the Courthouse Earthquake Repairs, the North Rehabilitation
140 Project, the Integrated Security and Jail Health Remodel Project and the Kent Pullen
141 Regional Communications and Emergency ~~((Control))~~ Coordination Center Project.

142 “Official Notice of Bond Sale” means, with respect to each series of Bonds that is
143 sold by competitive bid, the official notice of sale therefor prepared pursuant to Section
144 4.~~((C))~~E hereof.

145 “Official Notice of Note Sale” means, with respect to each series of Notes, the
146 official notice of sale therefor prepared pursuant to Section 18 hereof.

147 “Rebate Amount” means the amount, if any, determined to be payable with respect
148 to the Notes or the Bonds, as applicable, by the county to the United States of America in
149 accordance with Section 148(f) of the Code.

150 “Rule” means Securities and Exchange Commission Rule 15c2-12 under the
151 Securities and Exchange Act of 1934, as the same may be amended from time to time.

152 SECTION 2. Ordinance 14167, Section 2, as previously amended by Ordinance
153 14463, Section 2, is hereby amended to read as follows:

154 The county council hereby makes the following findings:

155 A. The Courthouse Seismic Project, the Courthouse Earthquake Repairs, the
156 North Rehabilitation Facility Project, the Integrated Security and Jail Health Remodel
157 Project and the Kent Pullen Regional Communications and Emergency
158 ~~((Control))~~Coordination Center Project will contribute to the health, safety and welfare of
159 the citizens of the county.

160 B. The issuance of limited tax general obligation bonds of the county to provide
161 long-term financing for such projects, payable from regular property taxes, and the issuance
162 and sale of limited tax general obligation bond anticipation notes of the county to provide
163 interim financing therefor, payable from the proceeds of the sale of such bonds or other
164 revenues, taxes and money of the county legally available for such purposes, will reduce the
165 overall costs of borrowing such funds and is in the best interests of the county and its
166 citizens.

167 SECTION 3. Ordinance 14167, Section 3, as previously amended by Ordinance
168 14463, Section 3, is hereby amended to read as follows:

169 The county is hereby authorized to undertake the Courthouse Seismic Project, the
170 Courthouse Earthquake Repairs, the North Rehabilitation Facility Project, the Integrated
171 Security and Jail Health Remodel Project and the Kent Pullen Regional Communications
172 and Emergency ~~((Control))~~Coordination Center Project. The costs of such projects shall
173 also include capitalized interest, interest on the Notes or other interim financing for such

174 projects pending receipt of Bond proceeds, and costs and expenses incurred in issuing the
175 Notes and Bonds.

176 The projects authorized herein shall include the costs of sales tax, acquisition and
177 contingency allowances, financing, and any and all surveys, explorations, engineering and
178 architectural studies, drawings, designs and specifications incidental, necessary or
179 convenient to the improvements herein specified. Such projects shall also include the
180 purchase of all materials, supplies, appliances, equipment and facilities, and the permits,
181 franchises, property and property rights and administrative costs, necessary, incidental or
182 convenient to effect the improvements.

183 The projects authorized herein may be modified where deemed advisable or
184 necessary in the judgment of the county council, and implementation or completion of any
185 authorized project shall not be required if the county council determines that it has become
186 inadvisable or impractical. If all of the projects either have been completed, or their
187 completion duly provided for, or their completion found to be inadvisable or impractical, the
188 county may apply any remaining proceeds of the Bonds or Notes, or any portion thereof, to
189 the acquisition or improvement of other county facilities as the county council in its
190 discretion may determine. In the event that the proceeds of the sale of the Bonds and Notes,
191 plus any other money of the county legally available therefor, are insufficient to accomplish
192 all of the projects authorized in this section, the county shall use the available funds for
193 paying the cost of those projects for which the Bonds and Notes were authorized deemed by
194 the county council most necessary and in the best interest of the county.

195 SECTION 4. Ordinance 14167, Section 4, as previously amended by Ordinance
196 14463, Section 4, is hereby amended to read as follows:

197 A. Purpose and Authorization of Bonds. The county authorizes the issuance of
198 the Bonds to provide long-term financing the Courthouse Seismic Project, the Courthouse
199 Earthquake Repairs, the North Rehabilitation Facility Project, the Integrated Security and
200 Jail Health Remodel Project and the Kent Pullen Regional Communications and Emergency
201 ((Control))Coordination Center Project, including capitalized interest, interest on the Notes
202 or other interim financing for such projects pending receipt of Bond proceeds, and costs and
203 expenses incurred in issuing the Bonds. The long-term financing provided by the Bonds
204 may be in the form of new money financing for the Courthouse Seismic Project, the
205 Courthouse Earthquake Repairs, the North Rehabilitation Facility Project, the Integrated
206 Security and Jail Health Remodel Project and the Kent Pullen Regional Communications
207 and Emergency Coordination Center Project, or in the form of a current refunding of
208 outstanding Notes, or any combination thereof.

209 B. Description of Bonds. The Bonds may be issued in one or more series so
210 long as the ((in an outstanding)) aggregate principal amount of the Bonds to be outstanding
211 on the date of issuance of each series of the Bonds does not to exceed the remainder of
212 \$145,000,000 less the aggregate principal amount of any Notes to be outstanding on the date
213 of issuance of such series of Bonds. Each series of the Bonds shall be designated “King
214 County, Washington, Limited Tax General Obligation Bonds” with an applicable year and
215 series designation established by a Bond Sale Motion. Each series of Bonds shall be dated
216 as of such date, shall mature on the date or dates in each of the years and in the principal
217 amounts, shall bear interest (computed on the basis of a 360-day year of twelve 30-day
218 months) from their date or the most recent interest payment date to which interest has been
219 paid or duly provided for, whichever is later, at the rates and payable on such dates, and

220 shall be subject to redemption prior to maturity in the amounts, in the manner and at the
221 prices, and shall be subject to such other terms and provisions as the county shall establish
222 by a Bond Sale Motion. Each series of Bonds shall be fully registered as to both principal
223 and interest, shall be in the denomination of \$5,000 each or any integral multiple thereof
224 (but no Bond shall represent more than one maturity), shall be numbered separately in such
225 manner and with any additional designation as the Bond Registrar deems necessary for
226 purposes of identification.

227 C. Initial Immobilization of Bonds; Depository Provisions. The Bonds of
228 each series initially shall be held in fully immobilized form by DTC acting as depository
229 pursuant to the terms and conditions set forth in the Blanket Issuer Letter of
230 Representations heretofore executed on behalf of the county. Neither the county nor the
231 Bond Registrar shall have any responsibility or obligation to DTC participants or the
232 persons for whom they act as nominees with respect to such Bonds with respect to the
233 accuracy of any records maintained by DTC or any DTC participant, the payment by
234 DTC or any DTC participant of any amount in respect of principal or redemption price or
235 interest on such Bonds, any notice that is permitted or required to be given to Registered
236 Owners under this ordinance (except such notice as is required to be given by the county
237 to the Bond Registrar or to DTC), the selection by DTC or any DTC participant of any
238 person to receive payment in the event of a partial redemption of such Bonds or any
239 consent given or other action taken by DTC as owner of such Bonds.

240 The Bonds of each series initially shall be issued in denominations equal to the
241 aggregate principal amount of each maturity and initially shall be registered in the name
242 of CEDE & Co., as the nominee of DTC. The Bonds so registered shall be held in fully

243 immobilized form by DTC as depository. For so long as any such Bonds are held in fully
244 immobilized form, DTC, its successor or any substitute depository appointed by the
245 county, as applicable, shall be deemed to be the Registered Owner for all purposes
246 hereunder and all references to Registered Owners, bondowners, bondholders, owners or
247 the like shall mean DTC or its nominees and shall not mean the owners of any beneficial
248 interests in the Bonds. Registered ownership of such Bonds, or any portions thereof, may
249 not thereafter be transferred except:

250 (1) To any successor of DTC or its nominee, if that successor shall be
251 qualified under any applicable laws to provide the services proposed to be provided by it;

252 (2) To any substitute depository appointed by the county pursuant to
253 this subsection or such substitute depository's successor; or

254 (3) To any person as herein provided if such Bonds are no longer held
255 in immobilized form.

256 Upon the resignation of DTC or its successor (or any substitute depository or its
257 successor) from its functions as depository, or a determination by the county that it is no
258 longer in the best interests of beneficial owners of such Bonds to continue the system of
259 book entry transfers through DTC or its successor (or any substitute depository or its
260 successor), the county may appoint a substitute depository. Any such substitute
261 depository shall be qualified under any applicable laws to provide the services proposed
262 to be provided by it.

263 In the case of any transfer pursuant to clause (1) or (2) of the second paragraph of
264 this subsection, the Bond Registrar, upon receipt of all outstanding Bonds of such series
265 together with a written request on behalf of the county, shall issue a single new Bond

266 certificate for each maturity of Bonds of such series then outstanding, registered in the
267 name of such successor or such substitute depository, or their nominees, as the case may
268 be, all as specified in such written request of the county.

269 In the event that DTC or its successor (or substitute depository or its successor)
270 resigns from its functions as depository, and no substitute depository can be obtained; or
271 the county determines that it is in the best interests of the beneficial owners of the Bonds
272 of any series that they be able to obtain Bond certificates, the ownership of such Bonds
273 may be transferred to any person as herein provided, and such Bonds shall no longer be
274 held in fully immobilized form. The county shall deliver a written request to the Bond
275 Registrar, together with a supply of definitive Bonds of such series, to issue Bonds of
276 such series as herein provided in any authorized denomination. Upon receipt of all then
277 outstanding Bonds by the Bond Registrar, together with a written request on behalf of the
278 county to the Bond Registrar, new Bonds of such series shall be issued in such
279 denominations and registered in the names of such persons as are requested in such a
280 written request.

281 D. Place, Manner and Medium of Payment. Both principal of and interest on
282 the Bonds shall be payable in lawful money of the United States of America. For so long
283 as outstanding Bonds are registered in the name of CEDE & Co., or its registered assigns,
284 as nominee of DTC, payments of principal of and interest on such Bonds shall be made in
285 next day funds on the date such payment is due and payable at the place and in the
286 manner provided in the Letter of Representations.

287 In the event that the Bonds of any series are no longer held in fully immobilized
288 form by DTC or its successor (or substitute depository or its successor), interest on such

289 Bonds shall be paid by checks or drafts mailed, or by wire transfer, to the owners of such
290 Bonds at the addresses for such owners appearing on the Bond Register on the 15th day of
291 the calendar month preceding the interest payment date. Wire transfer will be made only if
292 so requested in writing and if the owner owns at least \$1,000,000 par value of such Bonds.
293 Principal of the Bonds shall be payable at maturity or on such dates as may be fixed for prior
294 redemption upon presentation and surrender of such Bonds by the owners at either principal
295 office of the Bond Registrar in Seattle, Washington, or New York, New York, at the option
296 of such owners.

297 ~~((C))~~E. Sale of Bonds. The county hereby authorizes the public sale of the Bonds
298 ~~((by competitive bid))~~. The Bonds shall be sold in one or more series, any of which may be
299 sold in a combined offering of other bonds of the county, at the option of the Finance
300 ~~((Director))~~ Manager. The Finance Manager shall determine, in consultation with the
301 county's financial advisors, whether each series of the Bonds shall be sold by negotiated
302 sale or competitive bid.

303 If the Finance Manager determines that any series of the Bonds shall be sold by
304 negotiated sale, the Finance Manager shall, in accordance with applicable county
305 procurement procedures, solicit one or more underwriting firms with which to negotiate
306 the sale of the Bonds. The purchase contract for each series of the Bonds shall establish
307 the year and series designation, date, principal amounts and maturity dates, interest rates
308 and interest payment dates, redemption provisions and delivery date for such series of the
309 Bonds, so long as the aggregate principal amount of the Bonds to be outstanding on the
310 date of issuance of such series of Bonds does not exceed the remainder of \$145,000,000
311 less the aggregate principal amount of any Notes to be outstanding on the date of

312 issuance of such series of Bonds. The county council, by Bond Sale Motion, shall
313 approve the bond purchase contract and ratify the terms for the series of Bonds
314 established thereby.

315 If the Finance Manager determines that any series of the Bonds shall be sold by
316 competitive bid, ((B))bids for the purchase of each series of the Bonds shall be received ((at
317 the treasury division of the county's finance department, Room 610, King County
318 Administration Building, 500 Fourth Avenue, Seattle, Washington, at 9:00 a.m., or)) at such
319 ((other)) time and place and by such means as the Finance ((Director)) Manager shall
320 direct((, on such date as the Finance Director shall direct; provided, that at the option of the
321 Finance Director, such bids may be received by facsimile transmission and/or by internet or
322 other electronic bidding process, at such time and on such date as the Finance Director shall
323 direct)).

324 Upon the date and time established for the receipt of bids for each series of the
325 Bonds, the Finance ((Director)) Manager or his designee shall open the bids for the Bonds,
326 shall cause the bids to be mathematically verified and shall report to the county council
327 regarding the bids received. Such bids shall then be considered and acted upon by the
328 county council in an open public meeting. The county council reserves the right to reject
329 any and all bids for any series of the Bonds. ~~((Bids for each series of the Bonds must be on~~
330 ~~an all or none basis or on a maturity by maturity basis as specified within the Official Notice~~
331 ~~of Bond Sale therefor.)) The county council shall, by Bond Sale Motion, ratify and confirm
332 the year and series designation, date, principal amounts and maturity dates, interest rates and
333 interest payment dates, ~~((and))~~ redemption provisions and delivery date ((of each)) for such
334 series of the Bonds, and accept the bid for the purchase of such series of the Bonds.~~

335 The Finance ((Director)) Manager is hereby authorized and directed to prepare an
336 Official Notice of Bond Sale for each series of the Bonds to be sold pursuant to competitive
337 bid, which notice shall be filed with the clerk of the council and shall be ratified and
338 confirmed by the Bond Sale Motion therefor. The Finance ((Director)) Manager is hereby
339 authorized to establish the year and series designation, date, principal amounts and maturity
340 dates, interest payment dates, ((and)) redemption provisions and delivery date for such series
341 of ((the)) Bonds in such Official Notice of Bond Sale so long as the aggregate principal
342 amount of the Bonds to be outstanding ((following)) on the date of issuance of such series of
343 Bonds does not exceed the remainder of (((\$125,000,000)) \$145,000,000 less the aggregate
344 principal amount of any Notes to be outstanding ((following)) on the date of issuance of
345 such series of Bonds. The Official Notice of Bond Sale or an abridged form thereof shall be
346 published once prior to such sale date in The Bond Buyer and may be published in such
347 other papers or financial journals as may be deemed desirable or appropriate by the financial
348 advisors to the county.

349 F. Form of Bonds. The Bonds shall be in substantially the following form:
350 NO. \$ _____

351
352 UNITED STATES OF AMERICA

353
354 STATE OF WASHINGTON

355
356 KING COUNTY

357 LIMITED TAX GENERAL OBLIGATION BOND,

358 [Year, Series]

359

360 INTEREST RATE: _____ MATURITY DATE: _____ CUSIP

361 NO. :

362

363 REGISTERED OWNER:

364

365 PRINCIPAL AMOUNT:

366

367 KING COUNTY, WASHINGTON (the "County"), hereby acknowledges itself to
368 owe and for value received promises to pay to the Registered Owner identified above, or
369 registered assigns, on the Maturity Date specified above, the Principal Amount specified
370 above and to pay interest thereon (computed on the basis of a 360-day year of twelve 30-
371 day months) from _____, or the most recent date to which interest has been
372 paid or duly provided for until payment of this bond at the Interest Rate set forth above,
373 payable on _____, and semiannually thereafter on the _____ days of each
374 succeeding _____ and _____.

375 Both principal of and interest on this bond are payable in lawful money of the
376 United States of America. While bonds are held on immobilized "book entry" system of
377 registration, the principal of this bond is payable to the order of the Registered Owner in
378 same day funds received by the Registered Owner on the maturity date of this bond, and
379 the interest on this bond is payable to the order of the Registered Owner in same day
380 funds received by the Registered Owner on each interest payment date. When bonds are

381 no longer held in an immobilized “book entry” registration system, the principal shall be
382 paid to the Registered Owner or nominee of such owner upon presentation and surrender
383 of this bond at either of the principal offices of the fiscal agency of the State of
384 Washington in either Seattle, Washington or New York, New York (collectively the
385 “Bond Registrar”), and the interest shall be paid by mailing a check or draft (on the date
386 such interest is due) to the Registered Owner or nominee of such owner at the address
387 shown on the registration books maintained by the Bond Registrar (the “Bond Register”)
388 as of the 15th day of the month prior to the interest payment date; provided, however that
389 if so requested in writing by the Registered Owner of at least \$1,000,000 par value of the
390 bonds, interest will be paid by wire transfer.

391 This bond is one of an authorized issue of bonds of like date and tenor, except as
392 to number, amount, rate of interest and date of maturity, in the aggregate principal
393 amount of \$ _____, and is issued to provide long-term financing for the
394 Courthouse Seismic Project, the Courthouse Earthquake Repairs, the North
395 Rehabilitation Facility Project, the Integrated Security and Jail Health Remodel Project
396 and the Kent Pullen Regional Communications and Emergency Coordination Center
397 Project, including capitalized interest and costs and expenses incurred in issuing the
398 bonds.

399 The bonds of this issue are issued under and in accordance with the provisions of
400 the Constitution and applicable statutes of the State of Washington, the County Charter
401 and applicable ordinances duly adopted by the County.

402 [The bonds of this issue are subject to redemption prior to maturity as follows:
403 (information to come from related Bond Sale Motion)].

404 The County has irrevocably covenanted in King County Ordinance 14167, as
405 amended by King County Ordinance _____ (collectively, the “Bond Ordinance”), that
406 each year it will include in its budget and levy an *ad valorem* tax within the constitutional
407 and statutory tax limitations provided by law without a vote of the people upon all the
408 property within the County subject to taxation in an amount that will be sufficient,
409 together with all other revenues, taxes and money of the County legally available for such
410 purposes, to pay the principal of and interest on the bonds as the same shall become due.
411 The County has irrevocably pledged its full faith, credit and resources for the annual levy
412 and collection of such taxes and for the prompt payment of the principal of and interest
413 on the bonds as the same shall become due.

414 The pledge of tax levies for repayment of principal of and interest on the bonds
415 may be discharged prior to maturity of the bonds by making provisions for the payment
416 thereof on the terms and conditions set forth in the Bond Ordinance.

417 This bond shall not be valid or become obligatory for any purpose or be entitled
418 to any security or benefit under the Bond Ordinance until the Certificate of
419 Authentication hereon shall have been manually signed by the Bond Registrar.

420 It is hereby certified that all acts, conditions and things required by the
421 Constitution and statutes of the State of Washington and the Charter and ordinances of
422 the County to exist, to have happened, been done and performed precedent to and in the
423 issuance of this bond have happened, been done and performed and that the issuance of
424 this bond and the bonds of this series does not violate any constitutional, statutory or
425 other limitation upon the amount of bonded indebtedness that the County may incur.

469

470

471 the within bond and does hereby irrevocably constitute and appoint

472 _____, or its successor, as Bond Registrar to transfer said bond on

473 the books kept for registration thereof with full power of substitution in the premises.

474 DATED: _____.

475

476

477

NOTE: The signature on this

478

Assignment must correspond with

479

the name of the registered owner as

480

it appears upon the face of the within

481

bond in every particular, without

482

alteration or enlargement or any

483

change whatever.

484

485 SIGNATURE GUARANTEED:

486

487

488

489

490 G. Execution of Bonds. The Bonds shall be executed on behalf of the county
491 with the manual or facsimile signatures of the county executive and the clerk of the
492 council, and shall have the seal of the county impressed or imprinted thereon.

493 In case either or both of the officers who shall have executed the Bonds shall
494 cease to be an officer or officers of the county before the Bonds so signed shall have been
495 authenticated or delivered by the Bond Registrar, or issued by the county, such Bonds
496 may nevertheless be authenticated, delivered and issued and upon such authentication,
497 delivery and issuance, shall be as binding upon the county as though those who signed
498 the same had continued to be such officers of the county. Any Bond also may be signed
499 and attested on behalf of the county by such persons as at the actual date of execution of
500 such Bond shall be the proper officers of the county although at the original date of such
501 Bond any such person shall not have been such officer of the county.

502 Only such Bonds as shall bear thereon a Certificate of Authentication in the form
503 hereinbefore recited, manually executed by the Bond Registrar, shall be valid or
504 obligatory for any purpose or entitled to the benefits of this ordinance. Such Certificate
505 of Authentication shall be conclusive evidence that the Bonds so authenticated have been
506 duly executed, authenticated and delivered hereunder and are entitled to the benefits of
507 this ordinance.

508 H. Bond Registrar. The county hereby adopts for the Bonds the system of
509 registration specified and approved by the Washington State Finance Committee. The
510 Bond Registrar shall keep, or cause to be kept, at its principal corporate trust office,
511 sufficient books for the registration and transfer of the Bonds, which shall at all times be
512 open to inspection by the county. Such Bond Register shall contain the name and mailing

513 address of the owner of each Bond or nominee of such owner and the principal amount
514 and number of Bonds held by each owner or nominee. The Bond Registrar is authorized,
515 on behalf of the county, to authenticate and deliver the Bonds transferred or exchanged in
516 accordance with the provisions of such Bonds and this ordinance and to carry out all of
517 the Bond Registrar's powers and duties under this ordinance.

518 The Bond Registrar shall be responsible for its representations contained in the
519 Certificate of Authentication on the Bonds. The Bond Registrar may become the owner
520 of Bonds with the same rights it would have if it were not the Bond Registrar, and to the
521 extent permitted by law may act as depository for and permit any of its officers or
522 directors to act as a member of, or in any other capacity with respect to, any committee
523 formed to protect the rights of Bond owners.

524 Upon surrender thereof to the Bond Registrar; the Bonds are interchangeable for
525 Bonds in any authorized denomination of an equal aggregate principal amount and of the
526 same series, interest rate and maturity. Bonds may be transferred only if endorsed in the
527 manner provided thereon and surrendered to the Bond Registrar. Upon such surrender,
528 the Bond Registrar shall cancel the surrendered Bond and shall authenticate and deliver,
529 without charge to the owner or transferee therefor (other than taxes, if any, payable on
530 account of such transfer), a new Bond (or Bonds, at the option of the new registered
531 owner) of the same series, maturity and interest rate and for the same aggregate principal
532 amount, in any authorized denomination, naming as registered owner the person or
533 persons listed as the assignee on the assignment form appearing on the surrendered Bond,
534 in exchange for such surrendered and canceled Bond. The Bond Registrar shall not be
535 obligated to transfer or exchange any Bond during a period beginning at the opening of

536 business on the 15th day of the month next preceding any interest payment or principal
537 payment date and ending at the close of business on such payment date.

538 The county and the Bond Registrar, each in its discretion, may deem and treat the
539 registered owner of each Bond as the absolute owner thereof for all purposes, and neither
540 the county nor the Bond Registrar shall be affected by any notice to the contrary.

541 I. Mutilated, Lost, or Destroyed Bonds. If any Bond shall become mutilated,
542 the Bond Registrar shall authenticate and deliver a new Bond of like amount, date, series,
543 interest rate and tenor in exchange and substitution for the Bond so mutilated, upon the
544 owner's paying the expenses and charges of the county and the Bond Registrar in
545 connection therewith and upon surrender to the Bond Registrar of the Bond so mutilated.
546 Every mutilated Bond so surrendered shall be canceled and destroyed by the Bond
547 Registrar.

548 In case the Bonds or any of them shall be lost, stolen or destroyed, the Bond
549 Registrar may authenticate and deliver a new Bond or Bonds of like amount, date, series and
550 tenor to the registered owner thereof upon the owner's paying the expenses and charges of
551 the county and the Bond Registrar in connection therewith and upon his/her filing with the
552 Bond Registrar evidence satisfactory to the Bond Registrar that such Bond or Bonds were
553 actually lost, stolen or destroyed and of his/her ownership thereof, and upon furnishing the
554 county and Bond Registrar with indemnity satisfactory to the Finance Manager and the
555 Bond Registrar.

556 SECTION 5. Ordinance 14167, Section 5, as previously amended by Ordinance
557 14463, Section 5, is hereby amended to read as follows:

558 A. Purpose and Authorization of Notes. The county authorizes the issuance of
559 the Notes to provide interim financing for the Courthouse Seismic Project, the Courthouse
560 Earthquake Repairs, the North Rehabilitation Facility Project, the Integrated Security and
561 Jail Health Remodel Project and the Kent Pullen Regional Communications and Emergency
562 ((Control))Coordination Center Project, including capitalized interest and costs and
563 expenses incurred in issuing the Notes. The interim financing provided by the Notes may be
564 in the form of new money financing for the Courthouse Seismic Project, the Courthouse
565 Earthquake Repairs, the North Rehabilitation Facility Project, the Integrated Security and
566 Jail Health Remodel Project and the Kent Pullen Regional Communications and Emergency
567 Coordination Center Project, or in the form of a current refunding (a “rollover”) of
568 outstanding Notes pending the issuance of Bonds and the receipt of Bond proceeds to
569 provide long-term financing therefor, or any combination thereof.

570 B. Description of Notes. The Notes may be issued in one or more series so long
571 as the ((in an outstanding)) aggregate principal amount of the Notes to be outstanding on the
572 date of issuance of each series of the Notes does not to exceed the remainder of
573 \$145,000,000 less the aggregate principal amount of any Bonds to be outstanding on the
574 date of issuance of such series of Notes. Each series of Notes shall be designated “King
575 County, Washington, Limited Tax General Obligation Bond Anticipation Notes” with an
576 applicable year and series designation established as provided in Section 18 hereof. Each
577 series of Notes shall be dated as of such date, shall mature on the date or dates in each of the
578 years and in the principal amounts, shall bear interest (computed on the basis of a 360-day
579 year of twelve 30-day months) from their date or the most recent interest payment date to
580 which interest has been paid or duly provided for, whichever is later, at the rates and payable

581 on such dates, and shall be subject to redemption prior to maturity in the amounts, in the
582 manner and at the prices, and shall be subject to such other terms and provisions, all to be
583 established as provided in Section 18 hereof. The Notes shall be fully registered as to both
584 principal and interest, shall be in the denomination of \$5,000 each or any integral multiple
585 thereof (but no Note shall represent more than one maturity), shall be numbered separately
586 in such manner and with any additional designation as the Note Registrar deems necessary
587 for purposes of identification.

588 C. Initial Immobilization of Notes; Depository Provisions. The Notes initially
589 shall be held in fully immobilized form by DTC acting as depository pursuant to the terms
590 and conditions set forth in the Blanket Issuer Letter of Representations heretofore executed
591 on behalf of the county. Neither the county nor the Note Registrar shall have any
592 responsibility or obligation to DTC participants or the persons for whom they act as
593 nominees with respect to the Notes with respect to the accuracy of any records maintained
594 by DTC or any DTC participant, the payment by DTC or any DTC participant of any
595 amount in respect of principal or redemption price or interest on the Notes, any notice that is
596 permitted or required to be given to Registered Owners under this ordinance (except such
597 notice as is required to be given by the county to the Note Registrar or to DTC), the
598 selection by DTC or any DTC participant of any person to receive payment in the event of a
599 partial redemption of the Notes or any consent given or other action taken by DTC as owner
600 of the Notes.

601 The Notes initially shall be issued in denominations equal to the aggregate principal
602 amount of each maturity and initially shall be registered in the name of CEDE & Co., as the
603 nominee of DTC. The Notes so registered shall be held in fully immobilized form by DTC

604 as depository. For so long as any Notes are held in fully immobilized form, DTC, its
605 successor or any substitute depository appointed by the county, as applicable, shall be
606 deemed to be the Registered Owner for all purposes hereunder and all references to
607 Registered Owners, Noteowners, Noteholders, owners or the like shall mean DTC or its
608 nominees and shall not mean the owners of any beneficial interests in the Notes. Registered
609 ownership of such Notes, or any portions thereof, may not thereafter be transferred except:

- 610 1. To any successor of DTC or its nominee, if that successor shall be
611 qualified under any applicable laws to provide the services proposed to be provided by it;
- 612 2. To any substitute depository appointed by the county pursuant to this
613 subsection or such substitute depository's successor; or
- 614 3. To any person as herein provided if the Notes are no longer held in
615 immobilized form.

616 Upon the resignation of DTC or its successor (or any substitute depository or its
617 successor) from its functions as depository, or a determination by the county that it is no
618 longer in the best interests of beneficial owners of the Notes to continue the system of book
619 entry transfers through DTC or its successor (or any substitute depository or its successor),
620 the county may appoint a substitute depository. Any such substitute depository shall be
621 qualified under any applicable laws to provide the services proposed to be provided by it.

622 In the case of any transfer pursuant to clause (1) or (2) of the second paragraph of
623 this subsection, the Note Registrar, upon receipt of all outstanding Notes together with a
624 written request on behalf of the county, shall issue a single new Note for each maturity of
625 Notes then outstanding, registered in the name of such successor or such substitute

626 depository, or their nominees, as the case may be, all as specified in such written request of
627 the county.

628 In the event that DTC or its successor (or substitute depository or its successor)
629 resigns from its functions as depository, and no substitute depository can be obtained; or the
630 county determines that it is in the best interests of the beneficial owners of the Notes that
631 they be able to obtain Note certificates, the ownership of Notes may be transferred to any
632 person as herein provided, and the Notes shall no longer be held in fully immobilized form.
633 The county shall deliver a written request to the Note Registrar, together with a supply of
634 definitive Notes, to issue Notes as herein provided in any authorized denomination. Upon
635 receipt of all then outstanding Notes by the Note Registrar, together with a written request
636 on behalf of the county to the Note Registrar, new Notes shall be issued in such
637 denominations and registered in the names of such persons as are requested in such a written
638 request.

639 D. Place, Manner and Medium of Payment. Both principal of and interest on
640 the Notes shall be payable in lawful money of the United States of America. For so long as
641 outstanding Notes are registered in the name of CEDE & Co., or its registered assigns, as
642 nominee of DTC, payments of principal of and interest on the Notes shall be made in next
643 day funds on the date such payment is due and payable at the place and in the manner
644 provided in the Letter of Representations.

645 In the event that Notes are no longer held in fully immobilized form by DTC or its
646 successor (or substitute depository or its successor); interest on the Notes shall be paid by
647 checks or drafts mailed, or by wire transfer, to owners of Notes at the addresses for such
648 owners appearing on the Note Register on the 15th day of the calendar month preceding the

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649 interest payment date. Wire transfer will be made only if so requested in writing and if the
650 owner owns at least one million dollars (\$1,000,000) par value of the Notes. Principal of the
651 Notes shall be payable at maturity or on such dates as may be fixed for prior redemption
652 upon presentation and surrender of the Notes by the owners at either principal office of the
653 Note Registrar in Seattle, Washington, or New York, New York, at the option of such
654 owners.

655 SECTION 6. Ordinance 14167, Section 7, as previously amended by Ordinance
656 14463, Section 6, is hereby amended to read as follows:

679 day months) from [_____], at the Interest Rate set forth above, payable on
680 _____.

681 Both principal of and interest on this Note are payable in lawful money of the
682 United States of America. While Notes are held on immobilized “book entry” system of
683 registration, the principal of this Note is payable to the order of the Registered Owner in
684 same day funds received by the Registered Owner on the maturity date of this Note, and
685 the interest on this Note is payable to the order of the Registered Owner in same day
686 funds received by the Registered Owner on each interest payment date. When Notes are
687 no longer held in an immobilized “book entry” registration system, the principal shall be
688 paid to the Registered Owner or nominee of such owner upon presentation and surrender
689 of this Note at either of the principal offices of the fiscal agency of the State of
690 Washington in either Seattle, Washington or New York, New York (collectively the
691 “Note Registrar”), and the interest shall be paid by mailing a check or draft (on the date
692 such interest is due) to the Registered Owner or nominee of such owner at the address
693 shown on the registration books maintained by the Note Registrar (the “Note Register”)
694 as of the 15th day of the month prior to the interest payment date; provided, however that
695 if so requested in writing by the Registered Owner of at least \$1,000,000 par value of the
696 Notes, interest will be paid by wire transfer.

697 This Note is one of an authorized issue of Notes of like date and tenor, except as
698 to number and amount, in the aggregate principal amount of \$_____, and is
699 issued to provide interim financing for the Courthouse Seismic Project, the Courthouse
700 Earthquake Repairs, the North Rehabilitation Facility Project, the Integrated Security and
701 Jail Health Remodel Project and the Kent Pullen Regional Communications and

702 Emergency (~~Control~~)Coordination Center Project, including capitalized interest and
703 costs and expenses incurred in issuing the Notes.

704 The Notes of this issue are issued under and in accordance with the provisions of
705 the Constitution and applicable statutes of the State of Washington, the County Charter
706 and applicable ordinances duly adopted by the County.

707 [The Notes are subject to redemption prior to their maturity as follows:
708 (information to come related (~~Official Notice of~~)Note Sale Motion)].

709 The County has irrevocably covenanted in King County Ordinance
710 No. _____ (the “Note Ordinance”) that it will annually include in its budget and
711 levy an *ad valorem* tax within the constitutional and statutory tax limitations provided by
712 law without a vote of the people upon all the property within the County subject to
713 taxation in an amount that will be sufficient, together with bond proceeds and all other
714 revenue, taxes and money of the County legally available for such purposes, to pay the
715 principal of and interest on the Bonds as the same shall become due. The County has
716 irrevocably pledged its full faith, credit and resources for the annual levy and collection
717 of such taxes and the prompt payment of the principal of and interest on the Bonds as the
718 same shall become due.

719 The pledge of tax levies for repayment of principal of and interest on the Notes
720 may be discharged prior to maturity of the Notes by making provisions for the payment
721 thereof on the terms and conditions set forth in the Note Ordinance.

722 This Note shall not be valid or become obligatory for any purpose or be entitled to
723 any security or benefit under the Note Ordinance until the Certificate of Authentication
724 hereon shall have been manually signed by the Note Registrar.

725 It is hereby certified that all acts, conditions and things required by the
726 Constitution and statutes of the State of Washington and the Charter and ordinances of
727 the County to exist, to have happened, been done and performed precedent to and in the
728 issuance of this Note have happened, been done and performed and that the issuance of
729 this Note and the Notes of this series does not violate any constitutional, statutory or
730 other limitation upon the amount of bonded indebtedness that the County may incur.

731 IN WITNESS WHEREOF, the County has caused this Note to be executed by the
732 manual or facsimile signatures of the County Executive and the Clerk of the County
733 Council, and the seal of the County to be impressed or imprinted hereon, as of this
734 [_____] day of [_____].

735 KING COUNTY, WASHINGTON

736
737
738 By _____

739 _____
740 County Executive

741
742 ATTEST:

743
744
745 _____
746 Clerk of the Council

748

749

The Note Registrar's Certificate of Authentication on the Notes shall be in substantially the following form:

750

751

CERTIFICATE OF AUTHENTICATION

752

753

This Note is one of the Notes described in the within mentioned Note Ordinance and is of the Limited Tax General Obligation Bond Anticipation Notes, [Year, Series], of King County, Washington, dated [_____].

754

755

WASHINGTON STATE FISCAL

756

AGENCY, as Note Registrar

757

758

759

By _____

760

761

Authorized Officer

762 ASSIGNMENT

763 FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers

764 unto

765 _____

766 _____

767 PLEASE INSERT SOCIAL SECURITY OR TAXPAYER IDENTIFICATION

768 NUMBER OF TRANSFEREE

769 []

770 _____

771 _____

772 (Please print or typewrite name and address, including zip code of Transferee)

773 _____

774 _____

775 the within Note and does hereby irrevocably constitute and appoint _____

776 _____, or its successor, as Note Registrar to transfer said Note on

777 the books kept for registration thereof with full power of substitution in the premises.

778 DATED: _____, _____.

779 _____

780 _____

781 NOTE: The signature on this
782 Assignment must correspond with
783 the name of the registered owner as
784 it appears upon the face of the within
785 Note in every particular, without
786 alteration or enlargement or any
787 change whatever.

788
789 SIGNATURE GUARANTEED:

790
791
792 _____

793
794 SECTION 7. Ordinance 14167, Section 12, as previously amended by Ordinance

795 14463, Section 7, is hereby amended to read as follows:

796 The county hereby creates the "Building Construction Improvement Fund," and within
797 such fund the "Building Construction Improvement Project Subfund," the "Building
798 Construction Improvement 2001 BAN Subfund" and the "Building Construction
799 Improvement 2001 BAN Excess Earnings Subfund." This fund and each of these
800 subfunds shall be first tier funds managed by the director of the department of
801 construction and facilities management. ~~((All of the Note Proceeds shall))~~The exact
802 amount of proceeds from the sale of any series of Bonds or Notes to be deposited into the
803 Building Construction Improvement 2001 BAN Subfund ~~((at the time of delivery of the~~

804 Notes)) to provide ((interim)) new money financing for the Courthouse Seismic Project,
805 the Courthouse Earthquake Repairs, the North Rehabilitation Facility Project, the
806 Integrated Security and Jail Health Remodel Project and the Kent Pullen Regional
807 Communications and Emergency ((Control))Coordination Center Project shall be
808 determined by the Finance Manager upon the sale of such series of Bonds or Notes.

809 SECTION 8. Ordinance 14167, Section 13 is hereby amended to read as follows:

810 Funds deposited in the funds and accounts established in Section 12 hereof shall be
811 invested as permitted by law for the sole benefit of the respective funds. Irrespective of
812 the general provisions of Ordinance No. 7112 and K.C. 4.10, the county current expense
813 fund shall not receive any earnings attributable to such funds. Money other than
814 proceeds of the Notes and Bonds may be deposited in the funds and accounts established
815 under Section 12 hereof; provided, however, that proceeds of ((the)) each series of Notes
816 or Bonds, and the earnings thereon, shall be accounted for separately for purposes of the
817 arbitrage rebate computations required to be made under ((Section 17 hereof)) the Code.
818 For purposes of such computations, Note proceeds shall be deemed to have been
819 expended first, then Bond proceeds, and then any other funds.

820 SECTION 9. Ordinance 14167, Section 14 is hereby amended to read as follows:

821 There has heretofore been created in the office of the ((f))Finance ((director)) Manager a
822 special fund to be drawn upon for the purpose of paying the principal of and interest on
823 the limited tax general obligation bonds of the county. There is hereby authorized to be
824 created within said fund a special account of the county to be known as the "Limited Tax
825 General Obligation Bond Anticipation Note Redemption Account, 2001" (the "Note
826 Fund").

827 The accrued interest on the Notes and any proceeds that represent less than the
828 maximum discount permitted in the Official Notice of Note Sale shall be deposited in the
829 Note Fund at the time of delivery of the Notes and shall be applied to the payment of
830 interest on the Notes. Any premium received upon the sale of the Notes shall be
831 deposited into the Note Fund and applied to the payment of principal of or interest on the
832 Notes.

833 ~~((The))~~Such proceeds of the Bonds and Notes and ~~((the))~~such taxes hereafter
834 levied for the purpose of paying principal of and interest on the Notes and other funds to
835 be used to pay the Notes shall be deposited in the Note Fund no later than the date such
836 funds are required for the payment of principal of and interest on such Notes; provided,
837 however, that if the payment of principal of and interest on any Notes is required prior to
838 the receipt of such levied taxes, the county may make an interfund loan to the Note Fund
839 pending actual receipt of such taxes. The Note Fund shall be drawn upon for the purpose
840 of paying the principal of and interest on each series of the Notes. Money in the Note
841 Fund not needed to pay the interest or principal next coming due may temporarily be
842 deposited in such institutions or invested in such obligations as may be lawful for the
843 investment of county funds. The Note Fund shall be a second tier fund in accordance
844 with Ordinance No. 7112 and K.C. 4.10.

845 The exact amount of proceeds from the sale of any series of Bonds or Notes to be
846 deposited into the Note Fund shall be determined by the Finance Manager upon the sale of
847 such series of Bonds or Notes.

848 SECTION 10. Ordinance 14167, Section 18 is hereby amended to read as follows:

849 The county hereby authorizes the public sale of the Notes by competitive bid. The Notes
850 shall be sold in one or more series, at the option of the Finance ~~((Director))~~ Manager.
851 Bids for the purchase of each series of the Notes shall be received ~~((at the treasury
852 division of the county's finance department, Room 610, King County Administration
853 Building, 500 Fourth Avenue, Seattle, Washington, at 9:00 a.m., or))~~ at such ~~((other))~~
854 time and place and by such means as the Finance ~~((Director))~~ Manager shall direct~~((, on
855 such date as the Finance Director shall direct; provided, that at the option of the Finance
856 Director, such bids may be received by facsimile transmission and/or by internet or other
857 electronic bidding process, at such time and on such date as the Finance Director shall
858 direct))~~.

859 Upon the date and time established for the receipt of bids for each series of the
860 Notes, the Finance ~~((Director))~~ Manager or his designee shall open the bids for such
861 Notes, shall cause the bids to be mathematically verified and shall report to the county
862 council regarding the bids received. Such bids shall then be considered and acted upon
863 by the county council in an open public meeting. The county council reserves the right to
864 reject any and all bids for any series of the Notes. Bids for each series of the Notes must
865 be on an all or none basis or on a maturity by maturity basis as specified within the
866 Official Notice of Note Sale therefor. The county council shall, by Note Sale Motion,
867 ratify and confirm the year and series designation, date, principal amounts and maturity
868 dates, interest rates and interest payment dates, ~~((and))~~ redemption provisions and
869 delivery date ~~((of each))~~ for such series of the Notes, and accept the bid for the purchase
870 of such series of the Notes.

871 The Finance (~~Director~~) Manager is hereby authorized and directed to prepare an
872 Official Notice of Note Sale for each series of the Notes, which notice shall be filed with
873 the clerk of the council and shall be ratified and confirmed by the Note Sale Motion
874 therefor. The Finance (~~Director~~) Manager is hereby authorized to establish the year and
875 series designation, date, principal amounts and maturity dates, interest payment dates,
876 ~~((and))~~ redemption provisions and delivery date for such series of the Notes in such
877 Official Notice of Note Sale so long as the aggregate principal amount of the Notes to be
878 outstanding (~~following the~~) on the date of issuance of such series of Notes does not
879 exceed the remainder of \$145,000,000 less the aggregate principal amount of any Bonds
880 to be outstanding on the date of issuance of such series of Notes. The Official Notice of
881 Note Sale or an abridged form thereof shall be published once prior to such sale date in
882 The Bond Buyer and may be published in such other papers or financial journals as may
883 be deemed desirable or appropriate by the financial advisors to the county.

884 SECTION 11. Bond Redemption Fund. There has heretofore been created in
885 the office of the Finance (~~Director~~) Manager a special fund to be drawn upon for the
886 purpose of paying the principal of and interest on the limited tax general obligation bonds
887 of the county. There is hereby authorized to be created within said fund for each series of
888 the Bonds a special account of the county to be known as the “Limited Tax General
889 Obligation Bond Redemption Account, [Year, Series]” (each, a “Bond Fund”).

890 The accrued interest on each series of the Bonds shall be deposited in the related
891 Bond Fund at the time of delivery of such series of the Bonds and shall be applied to the
892 payment of interest on the Bonds. Any premium received upon the sale of the Bonds

893 shall be deposited into the related Bond Fund and applied to the payment of principal of
894 or interest on such series of the Bonds.

895 The taxes hereafter levied for the purpose of paying principal of and interest on
896 each series of the Bonds and other funds to be used to pay such series of the Bonds shall
897 be deposited in the related Bond Fund no later than the date such funds are required for
898 the payment of principal of and interest on such series of the Bonds; provided, however,
899 that if the payment of principal of and interest on any series of the Bonds is required prior
900 to the receipt of such levied taxes, the county may make an interfund loan to the related
901 Bond Fund pending actual receipt of such taxes. The related Bond Fund shall be drawn
902 upon for the purpose of paying the principal of and interest on each series of the Bonds.
903 Money in each Bond Fund not needed to pay the interest or principal next coming due
904 may temporarily be deposited in such institutions or invested in such obligations as may
905 be lawful for the investment of county funds. Each Bond Fund shall be a second tier fund
906 in accordance with Ordinance No. 7112 and K.C. 4.10.

907 SECTION 12. Pledge of Taxation and Credit for Bonds. The county hereby
908 irrevocably covenants and agrees for as long as any of the Bonds are outstanding and
909 unpaid, that each year it will include in its budget and levy an *ad valorem* tax within the
910 constitutional and statutory tax limitations provided by law without a vote of the people
911 upon all the property within the county subject to taxation in an amount that will be
912 sufficient, together with all other revenues, taxes and money of the county legally
913 available for such purposes, to pay the principal of and interest on the Bonds as the same
914 shall become due. All such taxes so collected and any other money to be used for such

915 purposes shall be paid into the Bond Fund no later than the date such funds are required
916 for the payment of principal of and interest on each series of the Bonds.

917 The county hereby irrevocably pledges that the annual tax provided for herein to
918 be levied for the payment of such principal and interest shall be within and as a part of
919 the tax levy to counties without a vote of the people, and that a sufficient portion of each
920 annual levy to be levied and collected by the county prior to the full payment of the
921 principal of and interest on the Bonds will be and is hereby irrevocably set aside, pledged
922 and appropriated for the payment of the principal of and interest on the Bonds.

923 The full faith, credit and resources of the county are hereby irrevocably pledged
924 for the annual levy and collection of said taxes and for the prompt payment of the
925 principal of and interest on the Bonds as the same shall become due.

926 SECTION 13. Bond Tax Exemption and Arbitrage Rebate Covenants. The
927 county shall comply with the provisions of this section unless, in the written opinion of
928 nationally recognized bond counsel to the county, such compliance is not required to
929 maintain the exemption of the interest on the Bonds from federal income taxation.

930 The county hereby covenants that it will not make any use of the proceeds from
931 the sale of the Bonds or any other funds of the county that may be deemed to be proceeds
932 of such Bonds pursuant to Section 148 of the Code and the applicable regulations
933 thereunder that will cause the Bonds to be “arbitrage bonds” within the meaning of said
934 Section and said regulations. The county will comply with the applicable requirements of
935 Section 148 of the Code (or any successor provision thereof applicable to the Bonds) and
936 the applicable regulations thereunder throughout the term of the Bonds.

937 The county further covenants that it will not take any action or permit any action
938 to be taken that would cause the Bonds to constitute “private activity bonds” under
939 Section 141 of the Code.

940 The county will compute, if necessary, and pay the Rebate Amount, if any, to the
941 United States of America at the times and in the amounts necessary to meet the
942 requirements of the Code to maintain the federal income tax exemption for interest
943 payments on the Bonds, in accordance with the Arbitrage and Tax Certification.

944 SECTION 14. Bond Covenants and Warranties. The county makes the
945 following covenants and warranties with respect to the Bonds:

946 A. The county has full legal right, power and authority to adopt this
947 ordinance, to sell, issue and deliver the Bonds as provided herein, and to carry out and
948 consummate all other transactions contemplated by this ordinance.

949 B. By all necessary official action prior to or concurrently herewith, the
950 county has duly authorized and approved the execution and delivery of, and the
951 performance by the county of its obligations contained in the Bonds and in this ordinance
952 and the consummation by it of all other transactions necessary to effectuate this
953 ordinance in connection with the issuance of the Bonds.

954 C. This ordinance constitutes a legal, valid and binding obligation of the
955 county.

956 D. The Bonds, when issued, sold, authenticated and delivered, will constitute
957 the legal, valid and binding general obligations of the county.

958 E. Until all Bonds shall have been surrendered and canceled, the county will
959 maintain or cause to be maintained a system of registration of the Bonds that complies
960 with the applicable provisions of the Code.

961 F. The adoption of this ordinance, and compliance on the county's part with
962 the provisions contained herein, will not conflict with, constitute a breach of, or constitute
963 a default under, any constitutional provisions, law, administrative regulation, judgment,
964 decree, loan agreement, indenture, bond, note, resolution, ordinance, motion, agreement
965 or other instrument to which the county is a party or to which the county or any of its
966 property or assets are otherwise subject.

967 G. The county finds and covenants that the Bonds are issued within all
968 statutory and constitutional debt limitations applicable to the county.

969 SECTION 15. Delivery of Bonds. Following the sale of each series of the
970 Bonds, the county shall cause definitive Bonds of such series to be prepared, executed
971 and delivered, which Bonds shall be typewritten, lithographed or printed with engraved
972 or lithographed borders.

973 If definitive Bonds of any series are not ready for delivery by the date established
974 for their delivery to the initial purchasers thereof, then the Finance (~~Director~~) Manager,
975 upon the approval of the purchasers, may cause to be issued and delivered to the
976 purchasers one or more temporary Bonds of the same series with appropriate omissions,
977 changes and additions. Any such temporary Bond or Bonds shall be entitled and subject
978 to the same benefits and provisions of this ordinance with respect to the payment,
979 security and obligation thereof as definitive Bonds authorized thereby. Such temporary

980 Bond or Bonds shall be exchangeable without cost to the owners thereof for definitive
981 Bonds of the same series when the latter are ready for delivery.

982 SECTION 16. Open Market Purchase. The county reserves the right to
983 purchase any or all of the Notes or the Bonds on the open market at any time and at any
984 price.

985

986


Ordinance 14745 was introduced on 7/21/2003 and passed as amended by the
Metropolitan King County Council on 8/25/2003, by the following vote:

Yes: 12 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr.
Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Gossett, Ms. Hague,
Mr. Irons and Ms. Patterson
No: 0
Excused: 1 - Mr. Hammond

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Cynthia Sullivan, Chair

ATTEST:


Anne Noris, Clerk of the Council

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KING COUNTY COUNCIL
CLERK

APPROVED this 5 day of September 2003.


Ron Sims, County Executive

Attachments None