



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

July 28, 2015

Ordinance 18090

Proposed No. 2015-0253.1

Sponsors McDermott

1 AN ORDINANCE authorizing the issuance and public sale  
2 of one or more series of limited tax general obligation  
3 bonds of the county in an outstanding aggregate principal  
4 amount not to exceed \$31,500,000 to provide long-term  
5 financing for all or part of the capital costs of the 420  
6 Fourth Avenue Acquisition Project, the Archives Records  
7 Warehouse Lighting Project, the Eastside Rail Corridor  
8 Acquisition Project, the District Court Case Management  
9 System Project, the DJA Case Management System  
10 Project, the Election Management System Project, the  
11 Records and Licensing Software Application Replacement  
12 Project, the Jail Toilet Controls Retrofit Project, the KCCF  
13 Lighting Retrofit Project, the MRJC Solar Project, the  
14 Orcas Fleet Management Facility Project, the RSD LED  
15 Conversion Project and the Solid Waste Lighting Project;  
16 providing for the disposition of the proceeds of sale of the  
17 bonds; establishing funds for the receipt and expenditure of  
18 bond proceeds and for the payment of the bonds; and

19 providing for the annual levy of taxes to pay the principal  
20 thereof and interest thereon.

21 PREAMBLE:

22 The county council has previously reviewed and approved expenditures  
23 for the 420 Fourth Avenue Acquisition Project, the Archives Records  
24 Warehouse Lighting Project, the Eastside Rail Corridor Acquisition  
25 Project, the District Court Case Management System Project, the DJA  
26 Case Management System Project, the Election Management System  
27 Project, the Records and Licensing Software Application Replacement  
28 Project, the Jail Toilet Controls Retrofit Project, the KCCF Lighting  
29 Retrofit Project, the MRJC Solar Project, the Orcas Fleet Management  
30 Facility Project, the RSD LED Conversion Project and the Solid Waste  
31 Lighting Project.

32 It is deemed necessary and advisable that the county now authorize the  
33 issuance and sale of one or more series of its limited tax general obligation  
34 bonds in an outstanding aggregate principal amount not to exceed  
35 \$31,500,000 to provide long-term financing for all or part of the capital  
36 costs of the 420 Fourth Avenue Acquisition Project, the Archives Records  
37 Warehouse Lighting Project, the Eastside Rail Corridor Acquisition  
38 Project, the District Court Case Management System Project, the DJA  
39 Case Management System Project, the Election Management System  
40 Project, the Records and Licensing Software Application Replacement  
41 Project, the Jail Toilet Controls Retrofit Project, the KCCF Lighting

42 Retrofit Project, the MRJC Solar Project, the Orcas Fleet Management  
43 Facility Project, the RSD LED Conversion Project and the Solid Waste  
44 Lighting Project.

45 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

46 SECTION 1. Definitions. The following words and terms as used in this  
47 ordinance shall have the following meanings for all purposes of this ordinance, unless  
48 some other meaning is plainly intended:

49 "420 Fourth Avenue Acquisition Project" means the project to acquire the land  
50 and improvements located at 420 4<sup>th</sup> Avenue in Seattle for County purposes.

51 "Archives Records Warehouse Lighting Project" means the FRED Program  
52 project to retrofit existing fluorescent luminaires at the Archives Records Warehouse  
53 with LED lamps.

54 "Bond Fund" means, with respect to each series of the Bonds, the bond  
55 redemption account established therefor pursuant to section 11 of this ordinance.

56 "Bond Sale Motion" means a motion of the county council adopted at the time of  
57 sale of each series of the Bonds that establishes, with respect thereto, the following,  
58 among other things: the year and, if applicable, a series designation, dates, principal  
59 amounts and maturity dates, the interest rates and interest payment dates, and the  
60 redemption provisions therefor.

61 "Bonds" means the limited tax general obligation bonds of the county in an  
62 outstanding aggregate principal amount not to exceed \$31,500,000, authorized to be  
63 issued in one or more series by this ordinance to provide long-term financing for all or  
64 part of the capital costs of the 420 Fourth Avenue Acquisition Project, the Archives



65 Records Warehouse Lighting Project, the Eastside Rail Corridor Acquisition Project, the  
66 IT Projects, the Jail Toilet Controls Retrofit Project, the KCCF Lighting Retrofit Project,  
67 the MRJC Solar Project, the Orcas Fleet Management Facility Project, the RSD LED  
68 Conversion Project and the Solid Waste Lighting Project. Each series of Bonds may be  
69 issued as Tax-Exempt Obligations or Taxable Obligations, as provided in section 4.E. of  
70 this ordinance.

71 "Code" means the federal Internal Revenue Code of 1986, as amended, together  
72 with corresponding and applicable final, temporary or proposed regulations and revenue  
73 rulings issued or amended with respect thereto by the United States Treasury Department  
74 or the Internal Revenue Service.

75 "District Court Case Management System Project" means the IT project to  
76 procure and implement a new case management system for the King County District  
77 Courts.

78 "DJA Case Management System Project" means the IT project to procure and  
79 implement a new case management system for the King County Superior Court.

80 "DTC" means The Depository Trust Company, New York, New York.

81 "Eastside Rail Corridor Acquisition Project" means the project to acquire property  
82 interests in the Eastside Rail Corridor from Woodinville to Redmond.

83 "Election Management System Project" means the IT project to procure and  
84 implement a new county election management system.

85 "Federal Tax Certification" means, with respect to each series of Bonds, the  
86 certificate executed by the Finance Director pertaining to the county's expectations in  
87 connection with the federal tax treatment of interest on such series of Bonds.

88 "Finance Director" means the director of the finance and business operations  
89 division of the department of executive services of the county or any other county officer  
90 who succeeds to the duties now delegated to that office or the designee of such officer.

91 "FRED Program" means the county's Fund to Reduce Energy Demand Program  
92 established to finance projects that reduce energy or other resource use and cost to help  
93 meet long-term energy reduction and climate goals.

94 "Government Obligations" means "government obligations," as defined in chapter  
95 39.53 RCW, as now in existence or hereafter amended.

96 "IT Projects" means, collectively, the District Court Case Management System  
97 Project, the DJA Case Management System Project, the Election Management System  
98 Project and the Records and Licensing Software Application Replacement Project.

99 "Jail Toilet Controls Retrofit Project" means the FRED Program project to retrofit  
100 manual plumbing valves at the county's Downtown Correctional Facility and Maleng  
101 Regional Justice Center with new valve and control devices that disable repeated  
102 flushing.

103 "KCCF Lighting Retrofit Project" means the FRED Program project to replace all  
104 remaining inefficient T12 fluorescent luminaires at the King County Correctional Facility  
105 with high efficiency, low wattage T8 luminaires.

106 "Letter of Representations" means the Blanket Issuer Letter of Representations,  
107 dated May 1, 1995, from the county to DTC.

108 "MRJC Solar Project" means the FRED Program project to install a 100 kW solar  
109 photovoltaic array at the Maleng Regional Justice Center.

110 "Official Notice of Bond Sale" means, with respect to each series of the Bonds  
111 that is sold by competitive bid, the official notice of sale therefor prepared pursuant to  
112 section 4.E. of this ordinance.

113 "Orcas Fleet Management Facility Project" means the FRED Program project to  
114 replace all remaining inefficient 300 watt metal halide high-bay lamps at the Orcas Fleet  
115 Maintenance Facility Shop with 140 watt high efficiency LED lamps.

116 "Projects" means, collectively, the 420 Fourth Avenue Acquisition Project, the  
117 Archives Records Warehouse Lighting Project, the Eastside Rail Corridor Acquisition  
118 Project, the IT Projects, the Jail Toilet Controls Retrofit Project, the KCCF Lighting  
119 Retrofit Project, the MRJC Solar Project, the Orcas Fleet Management Facility Project,  
120 the RSD LED Conversion Project and the Solid Waste Lighting Project.

121 "Rebate Amount" means the amount, if any, determined to be payable by the  
122 county to the United States of America with respect to a specified series of Bonds in  
123 accordance with Section 148(f) of the Code.

124 "Records and Licensing Software Application Replacement Project" means the IT  
125 project to replace county records and licensing software applications.

126 "Register" means the registration books maintained by the Registrar for purposes  
127 of identifying ownership of the Bonds.

128 "Registrar" means the fiscal agency of the State of Washington appointed from  
129 time to time by the Washington State Finance Committee pursuant to chapter 43.80  
130 RCW.

131 "RSD LED Conversion Project" means the FRED Program project to replace  
132 county-owned and maintained high-pressure sodium roadway lights with LED fixtures.



133 "Rule" means Securities and Exchange Commission Rule 15c2-12 under the  
134 Securities and Exchange Act of 1934, as the same may be amended from time to time.

135 "Solid Waste Lighting Project" means the FRED Program project to replace the  
136 indoor and outdoor lighting at the Enumclaw, Houghton, Renton and Vashon Transfer  
137 Stations with high efficiency lighting.

138 "Taxable Obligations" means the Bonds of any series determined to be issued on  
139 a taxable basis pursuant to section 4.E. of this ordinance.

140 "Tax-Exempt Obligations" means the Bonds of any series determined to be issued  
141 on a tax-exempt basis pursuant to section 4.E. of this ordinance.

142 SECTION 2. Findings. The county council hereby makes the following  
143 findings:

144 A. The Projects will contribute to the health, safety and welfare of the  
145 citizens of the county.

146 B. The issuance of limited tax general obligation bonds of the county to  
147 provide long-term financing for all or part of the capital costs of the Projects, payable  
148 from regular property taxes or other revenues, taxes and money of the county legally  
149 available for such purposes, will reduce the overall costs of borrowing such funds and is  
150 in the best interests of the county and its citizens.

151 SECTION 3. Authorization of Projects. The county council has previously  
152 authorized the undertaking of the Projects. The Projects shall also include (a) capitalized  
153 interest, interest on interim financing for such projects pending receipt of Bond proceeds,  
154 and costs and expenses incurred in issuing the Bonds; (b) the capitalizable costs of sales  
155 tax, acquisition and contingency allowances, financing, and any and all surveys,

156 explorations, engineering and architectural studies, drawings, designs and specifications  
157 incidental, necessary or convenient to the implementation of the Projects; and (c) the  
158 purchase of all materials, supplies, appliances, equipment and facilities, and the permits,  
159 franchises, property and property rights and capitalizable administrative costs, necessary,  
160 incidental or convenient to the implementation of the Projects.

161 Any of the Projects may be modified where deemed advisable or necessary in the  
162 judgment of the county council, and implementation or completion of any authorized  
163 component thereof shall not be required if the county council determines that it has  
164 become inadvisable or impractical. If the Projects have all been completed, or their  
165 completion has been duly provided for, or the completion of all or any of them is found to  
166 be inadvisable or impractical, the county may apply any remaining proceeds of the  
167 Bonds, or any portion thereof, to the acquisition or improvement of other county capital  
168 projects as the county council may determine. In the event that the proceeds of the sale  
169 of the Bonds, plus any other money of the county legally available therefor, are  
170 insufficient to accomplish all of the Projects, the county shall use the available funds for  
171 paying the cost of those components of the Projects deemed by the county council to be  
172 most necessary and in the best interest of the county.

173 SECTION 4. Purpose, Authorization and Description of Bonds.

174 A. Purpose and Authorization of Bonds. The county authorizes the issuance  
175 of the Bonds to provide long-term financing for all or part of the capital costs of the  
176 Projects.

177 B. Description of Bonds. The Bonds may be issued in one or more series so  
178 long as the aggregate principal amount of the Bonds to be outstanding on the date of



179 issuance of each series of the Bonds does not exceed \$31,500,000. Each series of the  
180 Bonds shall be designated "King County, Washington, Limited Tax General Obligation  
181 Bonds," with the year and any applicable series designation and with the additional  
182 designations of "(Federally Tax-Exempt)" for any series of Bonds issued as Tax-Exempt  
183 Obligations or "(Federally Taxable)" for any series of Bonds issued as Taxable  
184 Obligations, as applicable, all as established by the related Bond Sale Motion. Each  
185 series of the Bonds shall be dated as of such date, shall mature on the date or dates in  
186 each of the years and in the principal amounts, shall bear interest (computed on the basis  
187 of a 360-day year of twelve 30-day months) from their date or the most recent interest  
188 payment date to which interest has been paid or duly provided for, whichever is later, at  
189 the rates and payable on such dates, shall be subject to redemption prior to maturity in the  
190 amounts, in the manner and at the prices, shall provide long-term financing for all or such  
191 part of the capital costs of the Projects, and shall be subject to such other terms and  
192 provisions as the county council shall establish by the related Bond Sale Motion. Each  
193 series of the Bonds shall be fully registered as to both principal and interest, shall be in  
194 the denomination of \$5,000 each or any integral multiple thereof (but no Bond shall  
195 represent more than one maturity), and shall be numbered separately in such manner and  
196 with any additional designation as the Registrar deems necessary for purposes of  
197 identification.

198 C. Initial Immobilization of Bonds; Depository Provisions. The Bonds of  
199 each series shall initially be held in fully immobilized form by DTC acting as depository  
200 pursuant to the terms and conditions set forth in the Letter of Representations. Neither  
201 the county nor the Registrar shall have any responsibility or obligation to DTC

202 participants or the persons for whom they act as nominees with respect to such Bonds  
203 with respect to the accuracy of any records maintained by DTC or any DTC participant,  
204 the payment by DTC or any DTC participant of any amount in respect of principal or  
205 redemption price or interest on such Bonds, any notice that is permitted or required to be  
206 given to registered owners under this ordinance (except such notice as is required to be  
207 given by the county to the Registrar or to DTC), the selection by DTC or any DTC  
208 participant of any person to receive payment in the event of a partial redemption of such  
209 Bonds or any consent given or other action taken by DTC as owner of such Bonds.

210           The Bonds of each series shall initially be issued in denominations equal to the  
211 aggregate principal amount of each maturity and shall initially be registered in the name  
212 of Cede & Co., as the nominee of DTC. Such Bonds so registered shall be held in fully  
213 immobilized form by DTC as depository. For so long as any such Bonds are held in fully  
214 immobilized form, DTC, its successor or any substitute depository appointed by the  
215 county, as applicable, shall be deemed to be the registered owner for all purposes  
216 hereunder and all references to registered owners, bondowners, bondholders, owners or  
217 the like shall mean DTC or its nominees and shall not mean the owners of any beneficial  
218 interests in the Bonds. Registered ownership of such Bonds, or any portions thereof, may  
219 not thereafter be transferred except:

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

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

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

226                   Upon the resignation of DTC or its successor (or any substitute depository or its  
227 successor) from its functions as depository, or a determination by the county that it is no  
228 longer in the best interests of beneficial owners of such Bonds to continue the system of  
229 book entry transfers through DTC or its successor (or any substitute depository or its  
230 successor), the county may appoint a substitute depository. Any such substitute  
231 depository shall be qualified under any applicable laws to provide the services proposed  
232 to be provided by it.

233                   In the case of any transfer pursuant to clause (1) or (2) of the second paragraph of  
234 this subsection, the Registrar, upon receipt of all outstanding Bonds of such series  
235 together with a written request on behalf of the county, shall issue a single new Bond  
236 certificate for each maturity of Bonds of such series then outstanding, registered in the  
237 name of such successor or such substitute depository, or their nominees, as the case may  
238 be, all as specified in such written request of the county.

239                   In the event that DTC or its successor (or substitute depository or its successor)  
240 resigns from its functions as depository, and no substitute depository can be obtained; or  
241 the county determines that it is in the best interests of the beneficial owners of the Bonds  
242 of any series that they be able to obtain Bond certificates, the ownership of such Bonds  
243 may be transferred to any person as herein provided, and such Bonds shall no longer be  
244 held in fully immobilized form. The county shall deliver a written request to the  
245 Registrar, together with a supply of definitive Bonds of such series, to issue Bonds of  
246 such series as herein provided in any authorized denomination. Upon receipt of all then



247 outstanding Bonds of any series by the Registrar, together with a written request on  
248 behalf of the county to the Registrar, new Bonds of such series shall be issued in such  
249 denominations and registered in the names of such persons as are requested in such a  
250 written request.

251 D. Place, Manner and Medium of Payment. Both principal of and interest on  
252 the Bonds shall be payable in lawful money of the United States of America. For so long  
253 as any outstanding Bonds are registered in the name of Cede & Co., or its registered  
254 assigns, as nominee of DTC, payments of principal of and interest on such Bonds shall be  
255 made in immediately available funds on the date such payment is due and payable at the  
256 place and in the manner provided in the Letter of Representations.

257 In the event that the Bonds of any series are no longer held in fully immobilized  
258 form by DTC or its successor (or substitute depository or its successor), interest on such  
259 Bonds shall be paid by checks or drafts mailed, or by wire transfer, to the owners of such  
260 Bonds at the addresses for such owners appearing on the Register on the 15th day of the  
261 calendar month preceding the interest payment date. Wire transfer will be made only if  
262 so requested in writing and if the owner owns at least \$1,000,000 par value of such  
263 Bonds. Principal of the Bonds shall be payable at maturity or on such dates as may be  
264 fixed for prior redemption upon presentation and surrender of such Bonds by the owners  
265 to the Registrar.

266 E. Sale of Bonds. The county hereby authorizes the public sale of the Bonds.  
267 The Bonds shall be sold in one or more series, any of which may be sold in a combined  
268 offering with other bonds and/or notes of the county, at the option of the Finance  
269 Director. The Finance Director shall determine, in consultation with the county's

270 financial advisors, whether each series of the Bonds shall be sold by negotiated sale or  
271 competitive bid, and whether such series of Bonds shall be issued and sold as Tax-  
272 Exempt Obligations or Taxable Obligations.

273         If the Finance Director determines that any series of the Bonds shall be sold by  
274 negotiated sale, the Finance Director shall, in accordance with applicable county  
275 procurement procedures, solicit one or more underwriting firms with which to negotiate  
276 the sale of such Bonds. The bond purchase contract for each series of the Bonds shall  
277 identify which projects will be financed in whole or in part from such series of the Bonds  
278 and shall specify whether the Bonds of such series are being issued and sold as Tax-  
279 Exempt Obligations or Taxable Obligations. The bond purchase contract for each series  
280 of the Bonds shall also establish the year and any applicable series designation, date,  
281 principal amounts and maturity dates, interest rates and interest payment dates,  
282 redemption provisions and delivery date for such series of the Bonds, so long as the  
283 aggregate principal amount of all Bonds to be outstanding on the date of issuance of such  
284 series of the Bonds does not exceed \$31,500,000. The county council, by Bond Sale  
285 Motion, shall approve the bond purchase contract and ratify whether the Bonds of such  
286 series are being issued and sold as Tax-Exempt Obligations or Taxable Obligations, and  
287 the other terms for the series of the Bonds established thereby.

288         If the Finance Director determines that any series of the Bonds shall be sold by  
289 competitive bid, bids for the purchase of each series of the Bonds shall be received at  
290 such time and place and by such means as the Finance Director shall direct.

291         Upon the date and time established for the receipt of bids for each series of the  
292 Bonds, the Finance Director or his/her designee shall open the bids for such series of the

293 Bonds, shall cause the bids to be mathematically verified and shall report to the county  
294 council regarding the bids received. Such bids shall then be considered and acted upon  
295 by the county council in an open public meeting. The county council reserves the right to  
296 reject any and all bids for any series of the Bonds. Alternatively, the county council  
297 shall, by Bond Sale Motion, accept the bid for the purchase of such series of the Bonds,  
298 shall ratify and confirm the projects to be financed in whole or in part from such series of  
299 the Bonds and whether the Bonds of such series are being issued and sold as Tax-Exempt  
300 Obligations or Taxable Obligations, and shall also ratify and confirm the year and any  
301 applicable series designation, date, principal amounts and maturity dates, interest rates  
302 and interest payment dates, redemption provisions and delivery date for such series of the  
303 Bonds.

304         The Finance Director is hereby authorized and directed to prepare an Official  
305 Notice of Bond Sale for each series of the Bonds to be sold pursuant to competitive bid,  
306 which notice shall be filed with the clerk of the county council and shall be ratified and  
307 confirmed by the Bond Sale Motion therefor. The Finance Director is hereby authorized  
308 to identify which projects will be financed in whole or in part from such series of the  
309 Bonds and to specify whether the Bonds of such series are being issued and sold as Tax-  
310 Exempt Obligations or Taxable Obligations. The Finance Director is also hereby  
311 authorized to establish the year and any applicable series designation, date, principal  
312 amounts and maturity dates, interest payment dates, redemption provisions and delivery  
313 date for such series of the Bonds in such Official Notice of Bond Sale so long as the  
314 aggregate principal amount of all Bonds to be outstanding on the date of issuance of such  
315 series of the Bonds does not exceed \$31,500,000.



316 F. Form of Bonds. The Bonds shall be in substantially the following form:

317 NO. \$ \_\_\_\_\_

318 UNITED STATES OF AMERICA

319 STATE OF WASHINGTON

320 KING COUNTY

321 LIMITED TAX GENERAL OBLIGATION BOND,

322 [Year][, SERIES \_\_]

323 [(FEDERALLY TAX-EXEMPT)]

324 [(FEDERALLY TAXABLE)]

325 INTEREST RATE: MATURITY DATE: CUSIP NO. :

326 REGISTERED OWNER:

327 PRINCIPAL AMOUNT:

328 KING COUNTY, WASHINGTON (the "County"), hereby acknowledges itself to  
329 owe and for value received promises to pay to the registered owner identified above, or  
330 registered assigns, on the Maturity Date specified above, the Principal Amount specified  
331 above and to pay interest thereon (computed on the basis of a 360-day year of twelve 30-  
332 day months) from \_\_\_\_\_, or the most recent date to which interest has been  
333 paid or duly provided for until payment of this Bond at the Interest Rate set forth above,  
334 payable on \_\_\_\_\_, and semiannually thereafter on the \_\_\_\_ day of each succeeding  
335 \_\_\_\_\_ and \_\_\_\_\_ to the maturity or prior redemption of this Bond.

336 Both principal of and interest on this Bond are payable in lawful money of the  
337 United States of America. While Bonds are held on immobilized "book entry" system of  
338 registration, the principal of this Bond is payable to the order of the registered owner in

339 immediately available funds received by the registered owner on the maturity date of this  
340 Bond, and the interest on this Bond is payable to the order of the registered owner in  
341 immediately available funds received by the registered owner on each interest payment  
342 date. When Bonds are no longer held in an immobilized "book entry" registration  
343 system, the principal shall be paid to the registered owner or nominee of such owner upon  
344 presentation and surrender of this Bond to the fiscal agency of the State of Washington  
345 (the "Registrar"), and the interest shall be paid by mailing a check or draft (on the date  
346 such interest is due) to the registered owner or nominee of such owner at the address  
347 shown on the registration books maintained by the Registrar (the "Register") as of the  
348 15th day of the month prior to the interest payment date; provided, however, that if so  
349 requested in writing by the registered owner of at least \$1,000,000 par value of the  
350 Bonds, interest will be paid by wire transfer.

351         This Bond is one of an authorized issue of Bonds of like date and tenor, except as  
352 to number, amount, rate of interest and date of maturity[, and redemption provisions], in  
353 the aggregate principal amount of \$\_\_\_\_\_, and is issued to provide long-term  
354 financing for all or part of the capital costs of [the 420 Fourth Avenue Acquisition  
355 Project][the Archives Records Warehouse Lighting Project][the Eastside Rail Corridor  
356 Acquisition Project][the IT Projects][the Jail Toilet Controls Retrofit Project][the KCCF  
357 Lighting Retrofit Project][the MRJC Solar Project][the Orcas Fleet Management Facility  
358 Project][the RSD LED Conversion Project][ and ][the Solid Waste Lighting Project]  
359 defined and described in King County Ordinance \_\_\_\_\_ (the "Bond Ordinance").  
360 Capitalized words and phrases used but not defined herein shall have the meanings set  
361 forth in the Bond Ordinance.

362           The Bonds of this issue are issued under and in accordance with the provisions of  
363 the Constitution and applicable statutes of the State of Washington, the County Charter  
364 and applicable ordinances duly adopted by the County.

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

367           The County has irrevocably covenanted in the Bond Ordinance that, for as long as  
368 any of the Bonds are outstanding and unpaid, each year it will include in its budget and  
369 levy an *ad valorem* tax within the constitutional and statutory tax limitations provided by  
370 law without a vote of the people upon all the property within the County subject to  
371 taxation in an amount that will be sufficient, together with all other revenues, taxes and  
372 money of the County legally available for such purposes, to pay the principal of and  
373 interest on the Bonds as the same shall become due. The County has irrevocably pledged  
374 its full faith, credit and resources for the annual levy and collection of such taxes and for  
375 the prompt payment of the principal of and interest on the Bonds as the same shall  
376 become due.

377           The pledge of tax levies for repayment of principal of and interest on the Bonds  
378 may be discharged prior to maturity of the Bonds by making provisions for the payment  
379 thereof on the terms and conditions set forth in the Bond Ordinance.

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

383           It is hereby certified that all acts, conditions and things required by the  
384 Constitution and statutes of the State of Washington and the Charter and ordinances of



385 the County to exist, to have happened, been done and performed precedent to and in the  
386 issuance of this Bond have happened, been done and performed and that the issuance of  
387 this Bond and the Bonds of this series does not violate any constitutional, statutory or  
388 other limitation upon the amount of bonded indebtedness that the County may incur.

389 [Add so long as Bonds are held in fully immobilized form by DTC: Unless this  
390 certificate is presented by an authorized representative of The Depository Trust  
391 Company, a New York corporation ("DTC"), to the Registrar for registration of transfer,  
392 exchange or payment, and any certificate issued is registered in the name of Cede & Co.  
393 or in such other name as is requested by an authorized representative of DTC (and any  
394 payment is made to Cede & Co. or to such other entity as is requested by an authorized  
395 representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR  
396 VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL, inasmuch as  
397 the registered owner hereof, Cede & Co., has an interest herein.]

398 IN WITNESS WHEREOF, the County has caused this Bond to be executed by  
399 the manual or facsimile signatures of the County Executive and the Clerk of the County  
400 Council, and the seal of the County to be impressed or imprinted hereon, as of this  
401 [ ] day of [ ].

402 KING COUNTY, WASHINGTON

403 By \_\_\_\_\_

404 County Executive

405 ATTEST:

406 \_\_\_\_\_

407 Clerk of the Council

408 The Registrar's Certificate of Authentication on the Bonds shall be in substantially  
409 the following form:

410 CERTIFICATE OF AUTHENTICATION

411 This Bond is one of the King County, Washington, Limited Tax General  
412 Obligation Bonds, [Year][, Series \_\_][[(Federally Tax-Exempt)][[(Federally Taxable)],  
413 described in the within mentioned Bond Ordinance.

414 WASHINGTON STATE FISCAL  
415 AGENCY, as Registrar

416 By \_\_\_\_\_

417 Authorized Officer

418 ASSIGNMENT

419 FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers  
420 unto

421 \_\_\_\_\_  
422 PLEASE INSERT SOCIAL SECURITY OR TAXPAYER IDENTIFICATION  
423 NUMBER OF TRANSFEREE

424 [ ]

425 \_\_\_\_\_  
426 (Please print or typewrite name and address, including zip code of Transferee)

427 \_\_\_\_\_  
428 the within Bond and does hereby irrevocably constitute and appoint \_\_\_\_\_

429 DATED: \_\_\_\_\_, \_\_\_\_\_.

431 NOTE: The signature on this  
432 Assignment must correspond with  
433 the name of the registered owner as  
434 it appears upon the face of the within  
435 bond in every particular, without  
436 alteration or enlargement or any  
437 change whatever.

438 SIGNATURE GUARANTEED:

439 \_\_\_\_\_

440 NOTE: Signature must be guaranteed by an eligible guarantor.

441 G. Delivery of Bonds. Following the sale of each series of the Bonds, the  
442 county shall cause definitive Bonds of such series to be prepared, executed and delivered,  
443 which Bonds may be wordprocessed, typewritten, lithographed or printed.

444 If definitive Bonds of any series are not ready for delivery by the date established  
445 for their delivery to the initial purchasers thereof, then the Finance Director, upon the  
446 approval of the purchasers, may cause to be issued and delivered to the purchasers one or  
447 more temporary Bonds of the same series with appropriate omissions, changes and  
448 additions. Any such temporary Bond or Bonds shall be entitled and subject to the same  
449 benefits and provisions of this ordinance with respect to the payment, security and  
450 obligation thereof as definitive Bonds authorized thereby. Such temporary Bond or  
451 Bonds shall be exchangeable without cost to the owners thereof for definitive Bonds of  
452 the same series when the latter are ready for delivery.



453 H. Execution of Bonds. The Bonds shall be executed on behalf of the county  
454 with the manual or facsimile signatures of the county executive and the clerk of the  
455 county council, and shall have the seal of the county impressed or imprinted thereon.

456 In case either or both of the officers who shall have executed the Bonds shall  
457 cease to be an officer or officers of the county before the Bonds so signed shall have been  
458 authenticated or delivered by the Registrar, or issued by the county, such Bonds may  
459 nevertheless be authenticated, delivered and issued and upon such authentication,  
460 delivery and issuance, shall be as binding upon the county as though those who signed  
461 the same had continued to be such officers of the county. Any Bond also may be signed  
462 and attested on behalf of the county by such persons as at the actual date of execution of  
463 such Bond shall be the proper officers of the county although at the original date of such  
464 Bond any such person shall not have been such officer of the county.

465 Only such Bonds as shall bear thereon a Certificate of Authentication in the form  
466 hereinbefore recited, manually executed by the Registrar, shall be valid or obligatory for  
467 any purpose or entitled to the benefits of this ordinance. Such Certificate of  
468 Authentication shall be conclusive evidence that the Bonds so authenticated have been  
469 duly executed, authenticated and delivered hereunder and are entitled to the benefits of  
470 this ordinance.

471 SECTION 5. Open Market Purchase. The county reserves the right to purchase  
472 any or all of the Bonds of any series on the open market at any time and at any price.

473 SECTION 6. Registration, Transfer and Exchange. The county hereby adopts  
474 for the Bonds the system of registration specified and approved by the Washington State  
475 Finance Committee. The Registrar shall keep, or cause to be kept, at its principal

476 corporate trust office, sufficient books for the registration and transfer of the Bonds,  
477 which shall at all times be open to inspection by the county. Such Register shall contain  
478 the name and mailing address of the owner (or nominee thereof) of each Bond, and the  
479 principal amount and number of Bonds held by each owner or nominee. The Registrar is  
480 authorized, on behalf of the county, to authenticate and deliver Bonds transferred or  
481 exchanged for other Bonds in accordance with the provisions thereof and this ordinance,  
482 and to carry out all of the Registrar's powers and duties under this ordinance.

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

489         Upon surrender thereof to the Registrar, the Bonds of each series are  
490 exchangeable for other Bonds of the same series, maturity and interest rate and for the  
491 same aggregate principal amount, in any authorized denomination. Bonds may be  
492 transferred only if endorsed in the manner provided thereon and surrendered to the  
493 Registrar. Upon such surrender, the Registrar shall cancel the surrendered Bond and  
494 shall authenticate and deliver, without charge to the owner or transferee therefor (other  
495 than taxes, if any, payable on account of such transfer), one or more (at the option of the  
496 new registered owner) new Bonds of the same series, maturity and interest rate and for  
497 the same aggregate principal amount, in any authorized denomination, naming as  
498 registered owner the person or persons listed as the assignee on the assignment form

499 appearing on the canceled and surrendered Bond, in exchange therefor. The Registrar  
500 shall not be obligated to transfer or exchange any Bond during the period beginning at the  
501 opening of business on the 15th day of the month next preceding the maturity date  
502 thereof and ending at the close of business on such maturity date.

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

506         SECTION 7. Mutilated, Lost, Stolen or Destroyed Bonds. If any Bond shall  
507 become mutilated, the Registrar shall authenticate and deliver one or more (at the option  
508 of the new registered owner) new Bonds of the same series, maturity and interest rate and  
509 for the same aggregate principal amount, in any authorized denomination, in exchange  
510 and substitution therefor, upon the owner's paying the expenses and charges of the county  
511 and the Registrar in connection therewith and upon surrender to the Registrar of the  
512 mutilated Bond. Every mutilated Bond so surrendered shall be canceled and destroyed  
513 by the Registrar.

514         If any Bond shall be lost, stolen or destroyed, the Registrar may authenticate and  
515 deliver one or more (at the option of the new registered owner) new Bonds of the same  
516 series, maturity and interest rate and for the same aggregate principal amount, in any  
517 authorized denomination, to the registered owner thereof upon the owner's paying the  
518 expenses and charges of the county and the Registrar in connection therewith and upon  
519 his/her filing with the Registrar evidence satisfactory to the Registrar that such Bond was  
520 actually lost, stolen or destroyed and of his/her ownership thereof, and upon furnishing



521 the county and the Registrar with indemnity satisfactory to the Finance Director and the  
522 Registrar.

523         SECTION 8. Pledge of Taxation and Credit. The county hereby irrevocably  
524 covenants and agrees that, for as long as any of the Bonds are outstanding and unpaid,  
525 each year it will include in its budget and levy an *ad valorem* tax within the constitutional  
526 and statutory tax limitations provided by law without a vote of the people upon all the  
527 property within the county subject to taxation in an amount that will be sufficient,  
528 together with all other revenues, taxes and money of the county legally available for such  
529 purposes, to pay the principal of and interest on the Bonds as the same shall become due.

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

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

539         SECTION 9. Federal Tax Law Covenants. The county shall comply with the  
540 provisions of this section with respect to each series of the Bonds that are issued as Tax-  
541 Exempt Obligations unless, in the written opinion of nationally-recognized bond counsel  
542 to the county, such compliance is not required.

543           The county hereby covenants that it will not make any use of the proceeds from  
544 the sale of such series of the Bonds that are issued as Tax-Exempt Obligations (or of any  
545 other funds of the county that may be deemed to be proceeds of such series of the Bonds  
546 pursuant to Section 148 of the Code and the applicable regulations thereunder) that will  
547 cause such series of the Bonds to be "arbitrage bonds" within the meaning of said Section  
548 148 of the Code and said regulations. The county will comply with the applicable  
549 requirements of Section 148 of the Code (or any successor provision thereof applicable to  
550 such series of the Bonds) and the applicable regulations thereunder throughout the term  
551 of such series of the Bonds. In particular, the county will compute, if necessary, and pay  
552 the Rebate Amount, if any, to the United States of America at the times and in the  
553 amounts necessary to meet the requirements of the Code, as set forth in the related  
554 Federal Tax Certification for such series of the Bonds.

555           The county further covenants that it will not take any action or permit any action  
556 to be taken that would cause any series of the Bonds that are issued as Tax-Exempt  
557 Obligations to constitute "private activity bonds" under Section 141 of the Code.

558           SECTION 10. Other Covenants and Warranties. The county makes the  
559 following additional covenants and warranties:

560           A.     The county has full legal right, power and authority to adopt this  
561 ordinance, to sell, issue and deliver each series of the Bonds as provided herein, and to  
562 carry out and consummate all other transactions contemplated by this ordinance.

563           B.     By all necessary official action prior to or concurrently herewith, the  
564 county has duly authorized and approved the execution and delivery of, and the  
565 performance by the county of its obligations contained in, the Bonds and this ordinance

566 and the consummation by it of all other transactions necessary to effectuate this  
567 ordinance in connection with the issuance of each series of the Bonds, and such  
568 authorizations and approvals are in full force and effect and have not been amended,  
569 modified or supplemented in any material respect.

570 C. This ordinance constitutes a legal, valid and binding obligation of the  
571 county.

572 D. When issued, sold, authenticated and delivered, each series of the Bonds  
573 will constitute legal, valid and binding general obligations of the county.

574 E. The county will maintain or cause to be maintained a system of  
575 registration of the Bonds of each such series of Bonds that are issued as Tax-Exempt  
576 Obligations that complies with the applicable provisions of the Code until all of the  
577 Bonds of each series of Bonds that are issued as Tax-Exempt Obligations shall have been  
578 surrendered and canceled.

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

585 G. The county finds and covenants that the Bonds of each series are issued  
586 within all statutory and constitutional debt limitations applicable to the county.

587 SECTION 11. Bond Funds. There has heretofore been created in the office of  
588 the Finance Director a special fund known as the "King County Limited Tax General



589 Obligation Bond Redemption Fund" to be drawn upon for the purpose of paying the  
590 principal of and interest on the limited tax general obligation bonds of the county. There  
591 is hereby authorized to be created within said fund a special account for each series of the  
592 Bonds to be known as the "Limited Tax General Obligation Bond Redemption Account,  
593 [Year][, Series \_\_]" (each, a "Bond Fund").

594 Any accrued interest on any series of the Bonds shall be deposited in the related  
595 Bond Fund at the time of delivery of such series of the Bonds and shall be applied to the  
596 payment of interest thereon.

597 The taxes hereafter levied for the purpose of paying principal of and interest on  
598 each series of the Bonds and other funds to be used to pay such series of the Bonds shall  
599 be deposited in the related Bond Fund no later than the date such funds are required for  
600 the payment of principal of and interest on such series of the Bonds; provided, however,  
601 that if the payment of principal of and interest on any series of the Bonds is required prior  
602 to the receipt of such levied taxes, the county may make an interfund loan to the related  
603 Bond Fund pending actual receipt of such taxes. Each Bond Fund shall be drawn upon  
604 for the purpose of paying the principal of and interest on the related series of the Bonds.  
605 Money in each Bond Fund not needed to pay the interest or principal next coming due  
606 may temporarily be deposited in such institutions or invested in such obligations as may  
607 be lawful for the investment of county funds. Each Bond Fund shall be a second tier fund  
608 in accordance with Ordinance 7112 and K.C.C. chapter 4.10.

609 SECTION 12. Deposit of Bond Proceeds.

610 A. There is hereby created the "2015 G.O. Bonds Building Repair and  
611 Replacement Subfund" within the Building Repair and Replacement Fund. This subfund

612 shall be a first tier fund managed by the director of the facilities management division of  
613 the department of executive services of the county. The exact amount of proceeds from  
614 the sale of any series of the Bonds to be deposited into the 2015 G.O. Bonds Building  
615 Repair and Replacement Subfund to provide long-term financing for all or part of the  
616 capital costs of the 420 Fourth Avenue Acquisition Project, the Archives Records  
617 Warehouse Lighting Project, the Jail Toilet Controls Retrofit Project, the KCCF Lighting  
618 Retrofit Project, the MRJC Solar Project and the Orcas Fleet Management Facility  
619 Project shall be determined by the Finance Director upon the sale of such series of the  
620 Bonds.

621       B.       There is hereby created the "2015 G.O. Bonds Parks Subfund" within the  
622 Parks CIP Fund. This subfund shall be a first tier fund managed by the parks division of  
623 the department of natural resources and parks of the county. The exact amount of  
624 proceeds from the sale of any series of the Bonds to be deposited into the 2015 G.O.  
625 Bonds Parks Subfund to provide long-term financing for all or part of the capital costs of  
626 the Eastside Corridor Rail Acquisition Project shall be determined by the Finance  
627 Director upon the sale of such series of the Bonds.

628       C.       There is hereby created the "2015 G.O. Bonds KCIT Subfund" within the  
629 KCIT Capital Projects Fund. This subfund shall be a first tier fund managed by the  
630 director of the department of information technology of the county. The exact amount of  
631 proceeds from the sale of any series of the Bonds to be deposited into the 2015 G.O.  
632 Bonds KCIT Subfund to provide long-term financing for all or part of the capital costs of  
633 the IT Projects shall be determined by the Finance Director upon the sale of such series of  
634 the Bonds.

635           D.       There is hereby created the "2015 G.O. Bonds Roads Subfund" within the  
636 Roads Construction Fund. This subfund shall be a first tier fund managed by the director  
637 of the road services division of the department of transportation of the county. The exact  
638 amount of proceeds from the sale of any series of the Bonds to be deposited into the 2015  
639 G.O. Bonds Roads Subfund to provide long-term financing for all or part of the capital  
640 costs of the RSD LED Conversion Project shall be determined by the Finance Director  
641 upon the sale of such series of the Bonds.

642           E.       There is hereby created the "2015 G.O. Bonds Solid Waste Subfund"  
643 within the Solid Waste Fund. This subfund shall be a first tier fund managed by the  
644 director of the solid waste division of the department of natural resources and parks of the  
645 county. The exact amount of proceeds from the sale of any series of the Bonds to be  
646 deposited into the 2015 G.O. Bonds Solid Waste Subfund to provide long-term financing  
647 for all or part of the capital costs of the Solid Waste Lighting Project shall be determined  
648 by the Finance Director upon the sale of such series of the Bonds.

649           SECTION 13. Application of Bond Proceeds. Funds deposited in the funds and  
650 accounts described in sections 11 and 12 of this ordinance shall be invested as permitted  
651 by law for the sole benefit of such funds and accounts. Irrespective of the general  
652 provisions of Ordinance 7112 and K.C.C. chapter 4.10, the county current expense fund  
653 shall not receive any earnings attributable to such funds and accounts. Money other than  
654 proceeds of the Bonds may be deposited in the funds and accounts described in sections  
655 11 and 12 of this ordinance; provided, however, that proceeds of each series of the Bonds  
656 that are issued as Tax-Exempt Obligations and the earnings thereon, shall be accounted  
657 for separately for purposes of the arbitrage rebate computations required to be made



658 under the Code. For purposes of such computations, Bond proceeds shall be deemed to  
659 have been expended first, and then any other funds.

660 SECTION 14. Preliminary Official Statements and Final Official Statements.

661 The county hereby authorizes and directs the Finance Director: (i) to review and approve  
662 the information contained in the preliminary official statement (each, a "Preliminary  
663 Official Statement") prepared in connection with the sale of each series of the Bonds; and  
664 (ii) for the sole purpose of compliance by the purchasers of such series of the Bonds with  
665 subsection (b)(1) of the Rule, to "deem final" the related Preliminary Official Statement  
666 as of its date, except for the omission of information on offering prices, interest rates,  
667 selling compensation, delivery dates, any other terms or provisions required by the  
668 county to be specified in a competitive bid, ratings, other terms of such series of the  
669 Bonds dependent on such matters and the identity of the purchasers. After each  
670 Preliminary Official Statement has been reviewed and approved in accordance with the  
671 provisions of this section, the county hereby authorizes the distribution of such  
672 Preliminary Official Statement to prospective purchasers of such related series of the  
673 Bonds.

674 Following the sale of each series of the Bonds, the Finance Director is hereby  
675 authorized to review and approve on behalf of the county a final official statement with  
676 respect to such series of the Bonds. The county agrees to cooperate with the successful  
677 bidder for each series of the Bonds to deliver or cause to be delivered, within seven  
678 business days from the date of the Bond Sale Motion, and in sufficient time to  
679 accompany any confirmation that requests payment from any customer of such successful  
680 bidder, copies of a final official statement pertaining to such Bonds in sufficient quantity

681 to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities  
682 Rulemaking Board.

683         SECTION 15. Undertaking to Provide Ongoing Disclosure. The county council  
684 will set forth an undertaking for ongoing disclosure with respect to each series of the  
685 Bonds, as required by subsection (b)(5) of the Rule, in the Bond Sale Motion therefor.

686         SECTION 16. General Authorization. The appropriate county officials, agents  
687 and representatives are hereby authorized and directed to do everything necessary for the  
688 prompt sale, issuance, execution and delivery of each series of the Bonds, and for the  
689 proper use and application of the proceeds of the sale thereof.

690         SECTION 17. Refunding or Defeasance of Bonds. The county may issue  
691 refunding obligations pursuant to the laws of the State of Washington or use money  
692 available from any other lawful source to pay when due the principal of and interest on  
693 any series of the Bonds, or any portion thereof included in a refunding or defeasance  
694 plan, and to redeem and retire, refund or defease all such then-outstanding Bonds, and to  
695 pay the costs of the refunding or defeasance.

696         In the event that money and/or noncallable Government Obligations maturing at  
697 such time or times and bearing interest to be earned thereon in amounts (together with  
698 such money, if necessary) sufficient to redeem and retire, refund or defease part or all of  
699 the Bonds in accordance with their terms, are set aside in a special account of the county  
700 to effect such redemption and retirement, refunding or defeasance, and such money and  
701 the principal of and interest on such Government Obligations are irrevocably set aside  
702 and pledged for such purpose, then no further payments need be made into the related  
703 Bond Fund for the payment of the principal of and interest on the Bonds so provided for,

704 and such Bonds shall cease to be entitled to any lien, benefit or security of this ordinance  
705 except the right to receive the money so set aside and pledged, and such Bonds shall be  
706 deemed not to be outstanding hereunder.

707         Within 30 days of the defeasance of any of the Bonds, the county shall provide or  
708 cause to be provided notice of defeasance of such Bonds to the registered owners thereof  
709 and to the Municipal Securities Rulemaking Board, in accordance with the undertaking  
710 for ongoing disclosure to be adopted pursuant to section 15 of this ordinance.

711         SECTION 18. Contract; Severability. The covenants applicable to the Bonds  
712 contained in this ordinance shall constitute a contract between the county and the owners  
713 of each and every Bond. If any one or more of the covenants or agreements provided in  
714 this ordinance to be performed on the part of the county shall be declared by any court of  
715 competent jurisdiction to be contrary to law, then such covenant or covenants, agreement  
716 or agreements, shall be null and void and shall be deemed separable from the remaining



717 covenants and agreements of this ordinance and shall in no way affect the validity of the  
718 other provisions of this ordinance or the Bonds.  
719

Ordinance 18090 was introduced on 7/13/2015 and passed by the Metropolitan King  
County Council on 7/27/2015, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,  
Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski and Mr.  
Upthegrove  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON


  
Larry Phillips, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 30<sup>th</sup> day of July, 2015.

  
Dow Constantine, County Executive

RECEIVED  
2015 JUL 30 PM 3:50  
KING COUNTY CLERK  
KING COUNTY COUNCIL

Attachments: None