

Introduced by:

THOMAS AL FORSYTHE

To. 74 - 378

KING COUNTY, WASHINGTON

ORDINANCE NO. 1994

AN ORDINANCE of the County Council of King County, Washington, providing for the issuance and sale of unlimited tax levy general obligation bonds of the County in the principal amount of \$3,400,000 for the purpose of providing funds to pay part of the cost of carrying out the public arterial highway capital purposes provided in Resolution No. 34569 of the County adopted December 18, 1967, and as authorized by the qualified electors of the County at a special election held therein on February 13, 1968; providing the date, form, terms, maturities and covenants of said bonds; and providing for the annual levy of taxes without limitation as to rate or amount to pay the principal of and interest on the bonds.

WHEREAS, at an election held in King County, Washington (hereinafter called the "County"), on the 13th day of February, 1968, the number and proportion of the qualified electors of the County required by law for the adoption thereof voted in favor of a proposition authorizing the issuance of general obligation bonds of the County in the total principal amount of \$81,600,000 for the purpose of providing part of the funds necessary to carry out the public arterial highway capital purposes set forth in Resolution No. 34569 of the County adopted December 18, 1967; and

WHEREAS, under the following dates and in the following principal amounts the County has heretofore issued its general obligation bonds as authorized by Resolution No. 34569 for public arterial highway capital purposes:

<u>Date</u>	<u>Principal Amount</u>
October 1, 1968	\$ 7,000,000
July 1, 1969	9,000,000
September 1, 1970	4,100,000
June 1, 1971	5,100,000
May 1, 1972	7,400,000
April 1, 1973	16,850,000

WHEREAS, it is for the best interests of the County that an additional \$3,400,000 par value of the bonds authorized by Resolution No. 34569 be now issued to provide part of the money

necessary to carry out the plan for acquisition, development and improvement of public arterial highway facilities set forth in said resolution; NOW, THEREFORE,

BE IT ORDAINED by the County Council of King County, Washington, as follows:

Section 1. For the purpose of providing part of the money to carry out the plan for acquisition, development and improvement of public arterial highway facilities set forth in Resolution No. 34569 of the Board of County Commissioners, the County shall now issue and sell \$3,400,000 par value of the unlimited tax levy general obligation bonds authorized by Resolution No. 34569 and duly approved by the qualified electors of the County on February 13, 1968 (hereinafter called the "Bonds").

The Bonds shall be dated June 1, 1974, shall be designated "General Obligation Arterial Highway Improvement Bonds, 1974"; shall be serial in form; shall be in denominations of \$5,000 each and shall bear interest at an effective interest rate of not to exceed eight percent per annum, payable semiannually on the first days of June and December of each year as evidenced by coupons to be attached thereto. The County shall be obligated to pay interest at the same coupon rate for each Bond from and after the maturity date thereof until such Bond shall have been paid or until funds shall have been duly provided in the "King County General Obligation Bond Redemption Fund" for such payment in full. Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America out of the "King County General Obligation Bond Redemption Fund" at the office of the Comptroller of King County in Seattle, Washington, or at the option of the holder, at either of the fiscal agencies of the State of Washington in the cities of New York, New York, and Seattle, Washington. The life of the capital improvements to be made from the proceeds of the Bonds is not less than forty years and the Bonds shall be payable serially over a period of from two to forty years, be numbered and mature in order of their numbers as follows:

<u>Bond Numbers</u> <u>(Inclusive)</u>	<u>Amounts</u>	<u>Maturities</u>
1 to 4	\$ 20,000	June 1, 1976
5 to 9	25,000	June 1, 1977
10 to 14	25,000	June 1, 1978
15 to 19	25,000	June 1, 1979
20 to 25	30,000	June 1, 1980
26 to 31	30,000	June 1, 1981
32 to 37	30,000	June 1, 1982
38 to 44	35,000	June 1, 1983
45 to 51	35,000	June 1, 1984
52 to 59	40,000	June 1, 1985
60 to 67	40,000	June 1, 1986
68 to 76	45,000	June 1, 1987
77 to 85	45,000	June 1, 1988
86 to 95	50,000	June 1, 1989
96 to 105	50,000	June 1, 1990
106 to 116	55,000	June 1, 1991
117 to 128	60,000	June 1, 1992
129 to 140	60,000	June 1, 1993
141 to 153	65,000	June 1, 1994
154 to 167	70,000	June 1, 1995
168 to 182	75,000	June 1, 1996
183 to 198	80,000	June 1, 1997
199 to 215	85,000	June 1, 1998
216 to 233	90,000	June 1, 1999
234 to 252	95,000	June 1, 2000
253 to 272	100,000	June 1, 2001
273 to 293	105,000	June 1, 2002
294 to 316	115,000	June 1, 2003
317 to 340	120,000	June 1, 2004
341 to 366	130,000	June 1, 2005
367 to 393	135,000	June 1, 2006
394 to 422	145,000	June 1, 2007
423 to 453	155,000	June 1, 2008
454 to 485	160,000	June 1, 2009
486 to 519	170,000	June 1, 2010
520 to 556	185,000	June 1, 2011
557 to 595	195,000	June 1, 2012
596 to 636	205,000	June 1, 2013
637 to 680	220,000	June 1, 2014

(Interest computed at an assumed rate of 6% per annum.)

Section 2. The County hereby reserves the right to redeem the outstanding Bonds of this issue in whole, or in part in inverse numerical order, at the following times and prices expressed as percentages of the principal amount plus accrued interest to the date of such redemption:

On June 1, 1989, and December 1, 1989	104	%
On June 1, 1990, and December 1, 1990	103-1/2	%
On June 1, 1991, and December 1, 1991	103	%
On June 1, 1992, and December 1, 1992	102-1/2	%
On June 1, 1993, and December 1, 1993	102	%
On June 1, 1994, and December 1, 1994	101-1/2	%
On June 1, 1995, and December 1, 1995	101	%
On June 1, 1996, and December 1, 1996	100-1/2	%
On June 1, 1997, and any interest payment date thereafter	100	% (Par)

Notice of any such intended redemption shall be published at least once in the official newspaper of the County not less than thirty days nor more than forty days prior to redemption date and a copy of such notice shall be mailed within the same period to the main office of the purchaser or account manager of the purchasers of the Bonds at their sale by the County, or to the business successor, if any, of said purchaser or account manager at its main office. In addition, such redemption notice shall also be mailed to Moody's Investors Service, Inc., and Standard & Poor's Corporation at their main offices in New York, New York, or to the business successors, if any, of said firms, but the mailing of such notice to such corporations shall not be a condition precedent to the redemption of the Bonds. Interest on any Bonds so called for redemption shall cease on such redemption date unless the same shall not be redeemed upon presentation made pursuant to such call.

Section 3. The Bonds shall be in substantially the following form:

No. _____ \$5,000

UNITED STATES OF AMERICA

STATE OF WASHINGTON

KING COUNTY

GENERAL OBLIGATION ARTERIAL HIGHWAY IMPROVEMENT BOND, 1974

_____ %

King County, State of Washington, a municipal corporation, is justly indebted and for value received hereby promises to pay to bearer on the FIRST DAY OF JUNE, _____, the principal sum of

FIVE THOUSAND DOLLARS

with interest thereon at the rate of _____ % per annum, payable semiannually on the first days of June and December of each year, upon presentation and surrender of the attached interest coupons as they severally become due, or until such principal sum shall have been paid or funds are duly provided in the "King County General Obligation Bond Redemption Fund" for such payment in full.

Both principal of and interest on this bond are payable in lawful money of the United States of America at the office of the Comptroller of King County in Seattle, Washington, or at the option of the holder, at either of the fiscal agencies of the State of Washington in the Cities of Seattle, Washington, or New York, New York.

King County reserves the right to redeem the outstanding bonds of this issue in whole, or in part in inverse numerical order, at the following times and prices expressed as percentages of the principal amount plus accrued interest to the date of such redemption:

On June 1, 1989, and December 1, 1989	104	%
On June 1, 1990, and December 1, 1990	103-1/2	%
On June 1, 1991, and December 1, 1991	103	%
On June 1, 1992, and December 1, 1992	102-1/2	%
On June 1, 1993, and December 1, 1993	102	%
On June 1, 1994, and December 1, 1994	101-1/2	%
On June 1, 1995, and December 1, 1995	101	%
On June 1, 1996, and December 1, 1996	100-1/2	%
On June 1, 1997, and any interest payment date thereafter	100	% (Par)

Notice of such intended redemption shall be published in the official newspaper of King County, Washington, at least once not less than thirty days nor more than forty days prior to the redemption date and a copy of such notice shall be mailed within the same period to _____

In addition, such redemption notices shall also be mailed to Moody's Investors Service, Inc., and Standard & Poor's Corporation at their main offices in the City of New York, New York, or at the business successors, if any, of said firms at their main offices, but the mailing of such notice to such corporations shall not be a condition precedent to the redemption of the bonds. Interest on any bonds called for redemption shall cease on such redemption date unless the same shall not be redeemed upon presentation made pursuant to such call.

This bond is one of a total issue of 680 bonds of like date and tenor, except as to number, rate of interest and date of maturity, in the aggregate principal amount of \$3,400,000 issued for certain public arterial highway county capital purposes other than the replacement of equipment, pursuant to an election authorizing the same, in accordance and in strict compliance with all statutes of the State of Washington applicable thereto, with the Constitution of the State of Washington and pursuant to Resolution No. 34569 adopted December 18, 1967, Ordinance No. 1974 adopted May 13, 1974, and all other duly adopted ordinances and resolutions of King County.

King County hereby irrevocably covenants that it will levy taxes annually, without limitation as to rate or amount, upon all the taxable property within the County in amounts sufficient to pay the principal of and interest on the bonds of this issue as the same shall become due. The full faith, credit and resources of King County are hereby irrevocably pledged for the annual levy and collection of such taxes and for the prompt payment of such principal and interest.

It is hereby certified that all acts, conditions and things required to be done precedent to and in the issuance of this bond have been done, have happened and have been performed as required by law, and that the total indebtedness of King County, including this bond and the bonds of this issue, does not exceed any constitutional or statutory limitations.

IN WITNESS WHEREOF, King County, State of Washington, has caused this bond to be signed by the facsimile signature of its County Executive, to be attested by the Clerk of its County Council, the seal of the County to be imprinted hereon, and the interest coupons attached hereto to be signed with the facsimile signatures of those officials, this first day of June, 1974.

KING COUNTY, WASHINGTON

By (facsimile signature)
County Executive

ATTEST:

Donna J. Quinn
Clerk of the County Council

King County Comptroller's Reference No. _____

The interest coupons attached to the Bonds shall be in substantially the following form:

Coupon No. _____

\$ _____

On the FIRST DAY OF (JUNE) (DECEMBER), 19 __, KING COUNTY, WASHINGTON, will pay to bearer at the office of the Comptroller of King County in Seattle, Washington, or, at the option of the holder, at either of the fiscal agencies of the State of Washington in the Cities of Seattle, Washington, or New York, New York, the amount shown hereon in lawful money of the United States of America, that amount being the semiannual interest due on that date on its "General Obligation Arterial Highway Improvement Bond, 1974," dated June 1, 1974, and numbered _____.

KING COUNTY, WASHINGTON

By (facsimile signature)
County Executive

ATTEST:

(facsimile signature)
Clerk of the County Council

King County Comptroller's Reference No. _____

Section 4. The Bonds shall be signed on behalf of the County by the facsimile signature of the County Executive, shall be attested by the Clerk of the County Council, and shall have the seal of the County affixed thereto by imprinting same thereon. Each of the interest coupons attached thereto shall be signed with the facsimile signatures of said officials.

1994

Section 5. A special fund of the County was created in the office of the Treasurer of King County, Washington, on April 16, 1968, pursuant to Resolution No. 34569 of the Board of County Commissioners known as the "King County Arterial Highway Development Fund." The principal proceeds received from the sale of the \$3,400,000 par value of Bonds and any other moneys received by the County which will be used to pay the cost of carrying out the plan of public arterial highway facilities set forth in Resolution No. 34569 shall be paid into said fund. The moneys received from the sale of such Bonds shall be expended solely for County arterial highway capital purposes in the manner and pursuant to the conditions provided in Resolution No. 34569 and this ordinance and none of such moneys shall be used for the replacement of equipment. Interest or profit received from the interim investment of such moneys pursuant to Resolution No. 36165 of the Board of County Commissioners adopted October 21, 1968, shall not exceed the applicable limits provided by federal statutes and regulations respecting arbitrage.

Section 6. A special fund of the County has been duly created known as the "King County General Obligation Bond Redemption Fund," which fund shall be drawn upon for the purpose of paying the principal of and interest on the Bonds and other unlimited tax levy general obligation bonds of the County. The accrued interest received from the sale of the Bonds shall be deposited in such fund. The County hereby irrevocably covenants that it will make annual levies of taxes without limitation as to rate or amount upon all the property in the County subject to taxation in an amount sufficient to pay the principal of and interest on the Bonds and any other unlimited tax levy general obligation bonds of the County payable out of such fund as such principal and interest shall become due. All of such taxes so collected shall be paid into such Bond Redemption Fund, and none of the moneys in such Fund shall be used for any other purpose than the payment of the principal of and interest on unlimited tax levy general obligation bonds of the County. The full faith, credit and

resources of the County are hereby irrevocably pledged for the annual levy and collection of such taxes and the prompt payment of such principal and interest.

An amount equal to the interest to become due on the Bonds on December 1, 1974, may be loaned by and transferred from the Arterial Highway Development Fund to such Bond Redemption Fund, and if so loaned and transferred, shall be used for the sole purpose of paying the interest on the Bonds due on such date and shall be repaid out of the first taxes collected that are levied to pay the principal of and interest on the Bonds.

Section 7. The Bonds shall be sold for cash at public sale upon sealed bids to be received at the office of the Clerk of the County Council, Room 402, King County Courthouse, Seattle, Washington, until the hour of 10:00 A.M. Pacific Daylight Time on June 10, 1974. The Clerk is hereby authorized and directed to advertise the Bonds for sale in the manner required by law and to give such additional notice as she shall deem to be in the best interests of the County.

The terms of such sale are set forth in the Notice of Bond Sale and the Bid Form contained in the Proposal for Bonds marked "Exhibit A" and attached hereto, the provisions thereof and form of which are hereby approved and made a part of this ordinance by this reference.

Section 8. It is hereby found and declared that the issuance of the Bonds will not impair the legal capacity of the County to issue any general obligation bonds of the County authorized at the February 13, 1968, election in accordance with the respective schedules of issuance set forth in the original authorizing resolutions. To the extent that the amount of bond proceeds hereinafter allocated to any agency pursuant to this Section 8 is greater than the amount allocated to such agency for the calendar year 1974 in such original schedule of issuance the amount of future

bond proceeds to be allocated to such agency under the respective authorizing resolution shall be reduced by like amount. Such reduction shall be first applied to the latest year or years of the appropriate column of such original schedule until the total allocation for such agency shall have been satisfied. The total amount allocated to any agency over the entire life of the original schedule shall not be changed by virtue of the issuance of a portion of the Bonds at a time earlier than originally scheduled.

The proceeds of the Bonds to be issued hereunder for the public arterial highway purposes authorized by Resolution No. 34569 shall be allocated as follows:

<u>Proceeds Allocated to County</u>	<u>Proceeds Allocated to Other Cities Under Columns (1) and (2) of Section 10 of Res. 34569</u>	
	(1)	(2)
\$2,500,000	\$700,000	\$200,000

Upon the sale of the Bonds, the proper County officials are hereby authorized and directed to do everything necessary for the prompt execution and delivery thereof and for the proper application and use of the proceeds of such sale.

Section 9. The actual value of the taxable property in the County as ascertained by the last preceding assessment for County purposes is in excess of \$14,000,000,000. The principal amount of outstanding voted general obligation bond indebtedness of the County, including the principal amount of the Bonds, is \$188,705,000. The principal amount of outstanding non-voted general obligation bond indebtedness of the County is \$28,565,000.

Section 10. Upon the sale of the Bonds, the proper County officials are hereby authorized and directed to do everything

1994

necessary for the prompt printing, execution and delivery thereof and the appropriate use and application of the proceeds of such sale.

Introduced and read for the first time the 6th day of May, 1974.

Finally passed the 13th day of May, 1974.

KING COUNTY, WASHINGTON

By *Thomas W. Fung*
Chairman of the County Council

ATTEST:

Jessie M. Dawson
Clerk of the County Council

APPROVED this 14th day of May, 1974.

John D. Spelman
King County Executive