

1 KING COUNTY, WASHINGTON

2 ORDINANCE NO. 3046

3 AN ORDINANCE of the County Council of King  
4 County, Washington, relating to the King  
5 County Stadium; providing for the issuance  
6 of \$13,400,000.00 par value of "Limited Tax  
7 General Obligation Stadium Bonds, 1977," of  
8 the County for the purpose of providing the  
9 funds with which to redeem outstanding war-  
10 rants issued against the "King County Stadium  
11 Supplemental Construction Fund" pursuant to  
12 Ordinances Nos. 2317 and 2729; providing for  
13 annual tax levies to be made to meet the  
14 principal and interest payments accruing on  
15 those bonds; specifying the maturities and  
16 fixing the date, form, maximum interest rate  
17 and terms of the bonds; and providing for the  
18 sale of the Bonds.

12 PREAMBLE:

13 Pursuant to Ordinance No. 2317, passed by the King  
14 County Council on March 17, 1975, and approved by the County  
15 Executive on March 18, 1975, the County approved and adopted an  
16 appropriation in addition to the amount appropriated in the 1975  
17 budget in the amount of \$13,584,647.00 resulting from the issuance  
18 of warrants to be issued against the "King County Stadium Supple-  
19 mental Construction Fund" created by that ordinance in the Office  
20 of the King County Comptroller and authorized, approved, ratified  
21 and confirmed the execution of an agreement between the County and  
22 a consortium of banks relating to the issuance, purchase, payment  
23 and redemption of such warrants to be so issued which agreement  
24 has been executed by the parties thereto and which agreement was  
25 amended by an Amendment to the Warrant Purchase Agreement pur-  
26 suant to Ordinance No. 2729, passed by the King County Council  
27 on May 24, 1976, and approved by the County Executive on May 26,  
28 1976, and warrants upon such fund have been issued for the  
29 authorized purposes and such warrants must be redeemed in full,  
30 both principal and interest, no later than March 31, 1977, and

31 It is determined that to provide funds necessary to  
32 accomplish such redemption of such warrants King County now  
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1 issue \$13,400,000.00 par value of Limited Tax General Obligation  
2 Stadium Bonds of the County, and such bonds be sold in such manner  
3 and at such time as required by law.

4 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY,  
5 WASHINGTON:

6 SECTION 1. King County, Washington, for strictly County  
7 purposes, shall borrow money on the credit of the County and issue  
8 negotiable general obligation bonds in the amount of \$13,400,000.00  
9 par value for the purpose of providing the funds with which to  
10 redeem outstanding warrants issued against the "King County  
11 Stadium Supplemental Construction Fund" pursuant to Ordinances  
12 Nos. 2317 and 2729.

13 SECTION 2. The bonds shall be designated "Limited Tax  
14 General Obligation Stadium Bonds, 1977," of King County,  
15 Washington; shall be serial in form; shall be in denominations of  
16 \$5,000.00 each; shall be numbered from 1 to 2680, inclusive;  
17 shall be dated March 1, 1977, and shall bear interest at a maxi-  
18 mum effective rate of not to exceed 8% per annum, payable on  
19 September 1, 1977, and semiannually thereafter on the first days  
20 of each succeeding March and September, the interest to maturity  
21 to be evidenced by coupons to be attached to the bonds with full  
22 obligation on the part of the County to pay interest at the bond  
23 rate from and after the maturity dates until the bonds with in-  
24 terest are paid in full or funds are available in the "King  
25 County Limited General Obligation Bond Fund" (hereinafter re-  
26 ferred to as the bond redemption fund) of the County heretofore  
27 created in the office of the King County Comptroller for payment  
28 in full. Both principal of and interest on the bonds shall be  
29 payable in lawful money of the United States of America out of the  
30 bond redemption fund of the County at the office of the Comptroller  
31 of King County, Washington, or, at the option of the holders  
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1 thereof, at either of the fiscal agencies of the State of  
 2 Washington in the cities of Seattle, Washington, or New York,  
 3 New York. The bonds shall be payable serially, annually, over a  
 4 period of from two to fifteen years from the date of issuance  
 5 (which period, as near as practicable, does not exceed the life  
 6 of the improvements acquired through the issuance of the warrants  
 7 to be funded with the proceeds of the bonds) and shall mature in  
 8 order of their numbers as follows computed on an anticipated ef-  
 9 fective rate of 5.1% per annum:

	<u>Bond Numbers</u> <u>(Inclusive)</u>	<u>Amounts</u>	<u>Maturities</u>
10	1 to 134	\$ 670,000	March 1, 1979
11	135 to 276	710,000	March 1, 1980
12	277 to 425	745,000	March 1, 1981
13	426 to 582	785,000	March 1, 1982
14	583 to 747	825,000	March 1, 1983
15	748 to 921	870,000	March 1, 1984
16	922 to 1104	915,000	March 1, 1985
17	1105 to 1296	960,000	March 1, 1986
18	1297 to 1498	1,010,000	March 1, 1987
19	1499 to 1711	1,065,000	March 1, 1988
20	1712 to 1935	1,120,000	March 1, 1989
21	1936 to 2171	1,180,000	March 1, 1990
22	2172 to 2419	1,240,000	March 1, 1991
23	2420 to 2680	1,305,000	March 1, 1992

19 Bonds numbered 1 to 921, inclusive, maturing March 1,  
 20 1979, to March 1, 1984, inclusive, are issued without the right  
 21 of the County to redeem them prior to their stated maturity dates.

22 The County reserves the right to redeem bonds numbered  
 23 922 to 2680, inclusive, prior to their stated maturity dates in  
 24 whole, or in part in inverse numerical order, on March 1, 1984,  
 25 or on any semiannual interest payment date thereafter, at par plus  
 26 accrued interest to the date of redemption.

27 Notice of any such intended redemption shall be given  
 28 by one publication thereof in the official King County newspaper  
 29 not more than forty-five nor less than thirty days prior to such  
 30 redemption date and by mailing a like notice at the same time to  
 31 the principal underwriter or manager of the account of the suc-  
 32 cessful bidder, or its successor, at its principal place of  
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1 business. In addition, such redemption notices shall also be  
 2 sent to Moody's Investors Service, Inc., and Standard & Poors'  
 3 Corporation, at their offices in New York, New York, but the  
 4 mailing of such notices to such corporations shall not be a  
 5 condition precedent to the redemption of such bonds. Interest  
 6 on any bonds so called for redemption shall cease on the date  
 7 fixed for such redemption upon payment of the redemption price  
 8 into the bond redemption fund.

9 The County reserves the right to purchase any of the  
 10 bonds on the open market at a price not in excess of par plus  
 11 accrued interest to the date of purchase.

12 SECTION 3. The bonds shall be in substantially the  
 13 following form:

14 No. \_\_\_\_\_ \$5,000.00

15 UNITED STATES OF AMERICA

16 STATE OF WASHINGTON

17 KING COUNTY

18 LIMITED TAX GENERAL OBLIGATION  
 19 STADIUM BOND, 1977

20 \_\_\_\_\_%

21 King County, State of Washington, a municipal  
 22 corporation, is justly indebted to and for value  
 23 received hereby promises to pay to the bearer on  
 24 the FIRST DAY OF MARCH, 19\_\_, the sum of

25 FIVE THOUSAND DOLLARS

26 with interest thereon at the rate of \_\_\_\_\_% per  
 27 annum, payable on September 1, 1977, and semi-  
 28 annually thereafter on the first days of each  
 29 succeeding March and September, upon the presenta-  
 30 tion and surrender of the attached interest coupons  
 31 as they severally mature up to the bond maturity  
 32 date and with full obligation on the part of the  
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1 County to pay interest at the same rate from and  
2 after the bond maturity date until this bond with  
3 interest is paid in full. Both principal of and  
4 interest on this bond are payable in lawful money  
5 of the United States of America at the office of  
6 the Comptroller of King County in Seattle,  
7 Washington, or, at the option of the holder hereof,  
8 at either of the fiscal agencies of the State of  
9 Washington in the cities of Seattle, Washington,  
10 or New York, New York.

11 This bond is one of a total issue of \$13,400,000.00  
12 par value of bonds issued for strictly County pur-  
13 poses, to provide the funds required to redeem out-  
14 standing warrants issued against the "King County  
15 Stadium Supplemental Construction Fund" pursuant  
16 to Ordinances Nos. 2317 and 2729, all as provided  
17 in Ordinance No. 3046, adopted January 18, 1977, of  
18 the County Council of King County, Washington, and  
19 is issued in full compliance with the ordinances  
20 of the County Council of the County and the Laws and  
21 Constitution of the State of Washington.

22 Bonds numbered 1 to 921, inclusive, maturing  
23 March 1, 1979, to March 1, 1984, inclusive, are is-  
24 sued without the right of the County to redeem them  
25 prior to their stated maturity dates.

26 The County reserves the right to redeem bonds  
27 numbered 922 to 2680, inclusive, prior to their  
28 stated maturity dates in whole, or in part in inverse  
29 numerical order, on March 1, 1984, or on any semi-  
30 annual interest payment date thereafter at par  
31 plus accrued interest to the date of redemption.  
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1           Notice of any such intended redemption shall be  
2 given by one publication thereof in the official King  
3 County newspaper not more than forty-five nor less  
4 than thirty days prior to such redemption date and  
5 by mailing a like notice at the same time to the  
6 principal underwriter or manager of the account of  
7 the successful bidder, or its successor, at its  
8 principal place of business. In addition, such  
9 redemption notices shall also be sent to Moody's  
10 Investors Service, Inc., and Standard & Poors'  
11 Corporation, at their offices in New York, New York,  
12 but the mailing of such notices to such corporations  
13 shall not be a condition precedent to the redemption  
14 of such bonds. Interest on any bonds so called for  
15 redemption shall cease on the date fixed for  
16 such redemption upon payment of the redemption  
17 price into the bond redemption fund.

18           The County reserves the right to purchase any  
19 of the bonds on the open market at a price not  
20 in excess of par plus accrued interest to the date  
21 of purchase.

22           The County hereby irrevocably pledges itself  
23 to include in its budget and to levy taxes annually  
24 within and as a part of the tax levy permitted to  
25 counties without a vote of the people, upon all of  
26 the property in the County subject to taxation, in  
27 an amount sufficient, together with other money  
28 legally available and to be used therefor, to meet  
29 the annual and semiannual payments of principal and  
30 interest due on the bonds as the same shall become  
31 due, and the full faith, credit and resources of  
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1 the County are hereby irrevocably pledged for the  
 2 annual levy and collection of such tax and the  
 3 prompt payment of the principal of and interest  
 4 on the bonds as the same shall become due.

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

12 IN WITNESS WHEREOF, King County, State of  
 13 Washington, has caused this bond to be signed by  
 14 the facsimile signature of its County Executive  
 15 and attested by the Administrator-Clerk of its  
 16 Council (or his Deputy Clerk on his behalf), the  
 17 seal of the County Council to be printed in fac-  
 18 simile hereon, and the interest coupons attached  
 19 hereto to be signed with the facsimile signa-  
 20 tures of those officials this first day of  
 21 March, 1976.

22 KING COUNTY, WASHINGTON

23 By (facsimile signature)  
 24 County Executive

25 ATTEST:

26 JOHN L. CHAMBERS, Administrator-  
 27 Clerk of the Council

28 By \_\_\_\_\_  
 29 Deputy Clerk

30 King County Comptroller's Reference No. \_\_\_\_\_

31 The interest coupons to be attached to the bonds shall  
 32 be in substantially the following form:  
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King County Comptroller's Reference No. \_\_\_\_\_

Coupon No. \_\_\_\_\_

\$ \_\_\_\_\_

(Unless the bond described below shall have been previously redeemed) On the FIRST DAY OF (MARCH) (SEPTEMBER), 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 hereof, at either of the fiscal agencies of the State of Washington in the cities of Seattle, Washington, or New York, New York, the sum shown hereon, that sum being the semiannual interest due on that date on its "Limited Tax General Obligation Stadium Bond, 1977," dated March 1, 1977, and numbered \_\_\_\_\_.

KING COUNTY, WASHINGTON

By \_\_\_\_\_ (facsimile signature)  
County Executive

ATTEST:

JOHN L. CHAMBERS, Administrator-  
Clerk of the Council

By \_\_\_\_\_ (facsimile signature)  
Deputy Clerk

SECTION 4. The bonds shall be printed or lithographed on lithographed or engraved forms and shall be signed by the facsimile signature of the County Executive of King County and attested by the Administrator-Clerk of the County Council (or his Deputy Clerk on his behalf) and each of the interest coupons shall be signed with the facsimile signatures of those officials. The seal of the King County Council shall be printed in facsimile on each bond pursuant to state law.

SECTION 5. King County hereby irrevocably covenants to include in its budget and to make an annual levy of taxes,



1 within and as a part of the tax levy permitted to counties without  
2 a vote of the people, upon all of the property in the County  
3 subject to taxation, in an amount sufficient, together with other  
4 money legally available and to be used for such purposes, to pay  
5 the principal of and interest on the bonds as the same shall ac-  
6 crue, and the full faith, credit and resources of the County are  
7 hereby irrevocably pledged for the annual levy and collection of  
8 those taxes and the prompt payment of such principal and interest.

9           SECTION 6. The County hereby covenants that it will  
10 not make any use of the proceeds of the sale of the bonds or any  
11 other funds of the County which may be deemed to be proceeds of  
12 such bonds pursuant to Section 103(d)(2) of the Internal Revenue  
13 Code and the applicable Regulations thereunder which, if such  
14 use had been reasonably expected on the date of delivery of the  
15 bonds to the initial purchaser thereof, would have caused such  
16 bonds to be "arbitrage bonds" within the meaning of that section  
17 and those regulations. The County will comply with the require-  
18 ments of subsection (d) of Section 103 of the Internal Revenue  
19 Code and the applicable Regulations thereunder throughout the  
20 term of the bonds.

21           SECTION 7. The accrued interest received from the sale  
22 of the bonds shall be paid into the bond redemption fund, and  
23 the principal proceeds received from the sale of the bonds shall  
24 be deposited in the "King County Stadium Supplemental Construction  
25 Fund" and thereafter the King County Comptroller shall forthwith  
26 call and redeem the outstanding warrants issued against such  
27 Fund and pay the costs of the issuance and sale of the bonds from  
28 such proceeds. All taxes and other moneys collected and allocated  
29 for the payment of the principal of and interest on the bonds shall  
30 be deposited in the bond redemption fund.

31           SECTION 8. The bonds shall be sold for cash (repre-  
32 sented by federal funds) at public sale for not less than par and  
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1 accrued interest upon sealed bids to be received at the office of  
2 the Administrator-Clerk of the County Council, up to the date and  
3 hour stated in the Notice of Sale hereinafter described to be  
4 given.

5 The Administrator-Clerk of the County Council is hereby  
6 authorized and directed to advertise the bonds for sale pursuant  
7 to law as hereinafter directed.

8 Notice calling for bids for the purchase of the bonds  
9 shall be given by publication thereof once a week for four con-  
10 secutive weeks in the official newspaper of King County and a  
11 short form of such notice shall also be published at least once  
12 not less than ten days prior to the sale date in The Bond Buyer,  
13 New York, New York, and in the Daily Journal of Commerce, Seattle,  
14 Washington.

15 Sealed bids for the purchase of the bonds shall be  
16 received in the office of the Administrator-Clerk of the County  
17 Council of King County, in Room 402 of the King County Courthouse,  
18 Seattle, Washington, on February 22, 1977, up to 10:00 o'clock a.m.  
19 (PST), and immediately thereafter all bids received will be pub-  
20 licly opened and considered at a meeting of the County Council  
21 then to be held in Room 402 of the King County Courthouse, and  
22 the Notice shall specify such place and time of opening such bids.

23 A copy of the Notice shall, at least three weeks prior  
24 to the date fixed for such sale, be mailed to the State Finance  
25 Committee in Olympia, Washington.

26 Bids shall be invited for the purchase of the bonds with  
27 fixed maturities according to the schedule specified in Section 3  
28 above.

29 The Notice shall specify the maximum effective rate of  
30 interest the bonds shall bear, namely, 8% per annum, and shall  
31 require bidders to submit a bid specifying:  
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1           (a) The lowest rate of interest and premium, if  
2 any, above par at which the bidder will purchase the bonds; or

3           (b) The lowest rate of interest at which the bidder  
4 will purchase the bonds at par.

5           Coupon rates bid shall be in multiples of 1/8 or 1/10  
6 of 1%, or both. No more than one rate of interest may be fixed  
7 for any one maturity. The maximum differential between the lowest  
8 and highest coupon rates named in any bid shall not exceed 2%.  
9 Coupons specified for bonds maturing on March 1, 1989, and  
10 thereafter, shall not be less than the rate named for the pre-  
11 ceeding maturity year.

12           For the purpose of evaluating bids only, the coupon  
13 rates bid being controlling, each bid shall state the total in-  
14 terest cost over the life of the bonds and the net effective  
15 interest rate of such bid. Only one coupon will be attached to  
16 each bond for each installment of interest thereon, and bids  
17 providing for additional or supplemental coupons will be rejected.

18           The bonds shall be sold to the bidder making the best  
19 bid, subject to the right of the County Council of King County  
20 to reject any and all bids and to readvertise the bonds for sale  
21 in the manner provided by law, and no bid for less than the  
22 entire issue shall be considered. The County Council reserves  
23 the right to waive any irregularities that may appear in any bid  
24 or bidding process.

25           All bids shall be sealed, and except the bid of the  
26 State of Washington, if one is received, shall be accompanied by  
27 a deposit of \$670,000.00, either in cash or certified or cashier's  
28 check payable to the Comptroller of King County, Washington,  
29 which shall be returned promptly if the bid is not accepted. The  
30 bonds will be delivered to the successful purchaser within forty  
31 days after the sale date, and in the event the bonds are not  
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1 ready for delivery by such date, the successful bidder shall  
2 have an option to cancel his obligation and to receive prompt  
3 refund of his good-faith deposit check, or may agree to an ex-  
4 tension of such delivery date, and not less than seven days'  
5 advance notice of the time and date of delivery will be given to  
6 the successful bidder. If the bonds are ready for delivery and  
7 the successful bidder shall fail and neglect to complete the  
8 purchase of the bonds within forty days following the acceptance  
9 of his bid, the amount of his deposit shall be forfeited to  
10 King County, and in that event, the County Council of King County  
11 may accept the bid of the one making the next best bid. The  
12 bonds shall be delivered to the successful bidder at the office  
13 of the Comptroller of King County at Seattle, Washington, New  
14 York, New York, or Chicago, Illinois, at the County's expense,  
15 or at such other place as the successful bidder and the Comp-  
16 troller may mutually agree upon at the expense of the successful  
17 bidder.

18 Any bid not accompanied by the required bid deposit  
19 at the time of opening such bid will not be read or considered.

20 It is understood that if, prior to the delivery of the  
21 bonds, the income receivable by the holders thereof shall become  
22 taxable, directly or indirectly, by the terms of any federal  
23 income tax law, the successful bidder may at his option be re-  
24 lieved of his obligation to purchase the bonds, and in such case  
25 the deposit accompanying his bid will be returned, without in-  
26 terest.

27 The notice to be published by the Administrator-Clerk  
28 of the County Council shall provide that the County will cause  
29 the bonds to be printed or lithographed and signed without ex-  
30 pense to the successful bidder and that the County will furnish  
31 the approving legal opinion of Messrs. Roberts, Shefelman,  
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Lawrence, Gay & Moch of Seattle, Washington, relative to the issuance of the bonds, which legal opinion will be printed on each bond. Bond counsel shall not be required to review or express any opinion concerning the completeness or accuracy of any official statement, offering circular or other sales material issued or used in connection with the bonds. A no-litigation certificate in the usual form will be included in the closing papers.

INTRODUCED and read for the first time this 3rd day of January, 1977.

PASSED by the Council at a regular meeting thereof on the 18th day of January, 1977.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Mike Jourey  
Chairman

ATTEST:

[Signature]  
Administrator-Clerk of  
the Council

APPROVED this 19th day of January, 1977.

[Signature]  
King County Executive