



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 24, 2015

Ordinance 18180

Proposed No. 2015-0470.1

Sponsors Upthegrove, Phillips and Hague

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 aggregate original principal
4 amount not to exceed \$29,000,000 to provide financing for
5 the Building for Culture Program and to pay costs of
6 issuing the bonds; providing for the disposition of the
7 proceeds of sale of the bonds; establishing funds for the
8 receipt and expenditure of bond proceeds and for the
9 payment of the bonds; and providing for the annual levy of
10 taxes to pay the principal thereof and interest thereon.

11 PREAMBLE:

12 Pursuant to Motion 14406, the county council previously reviewed and
13 approved the Building for Culture Program.

14 It is deemed necessary and advisable that the county now authorize the
15 issuance and sale of one or more series of its limited tax general obligation
16 bonds in an aggregate original principal amount not to exceed \$29,000,000
17 to provide financing for the Building for Culture Program and to pay costs
18 of issuing the bonds.

19 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

23 "Bond Account" means, with respect to each Series of Bonds, the bond
24 redemption account established therefor pursuant to section 14 of this ordinance.

25 "Bonds" means the limited tax general obligation bonds of the county in an
26 aggregate original principal amount not to exceed \$29,000,000, authorized to be issued in
27 one or more Series by this ordinance to provide financing for the Building for Culture
28 Program and to pay costs of issuing the Bonds. Each Series of Bonds may be issued as
29 Tax-Exempt Bonds or Taxable Bonds, as provided in section 10 of this ordinance.

30 "Building for Culture Program" means the partnership between the county and
31 4Culture to provide capital grant funding to arts, cultural, heritage and preservation
32 nonprofit organizations, local public agencies and owners of designated historic
33 structures within the county.

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

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

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

42 "Government Obligations" means "government obligations," as defined in chapter
43 39.53 RCW, as now in existence or amended from time to time.

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

46 "Official Notice of Bond Sale" means, with respect to each Series of Bonds sold
47 by competitive bid, the official notice of sale therefor prepared pursuant to section 10 of
48 this ordinance.

49 "Record Date" for an interest or principal payment date or for a maturity date
50 means the 15th day of the calendar month next preceding that date.

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

53 "Registrar" means the fiscal agent of the State appointed from time to time by the
54 Washington State Finance Committee pursuant to chapter 43.80 RCW, serving as the
55 registrar, authenticating agent, paying agent and transfer agent for the Bonds.

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

58 "Sale Motion" means a motion of the county council adopted at the time of sale of
59 each Series of Bonds that ratifies and establishes the terms for that Series of Bonds.

60 "Series" or "Series of Bonds" means a series of Bonds issued pursuant to this
61 ordinance.

62 "State" means the State of Washington.

63 "Taxable Bonds" means the Bonds of any Series determined to be issued on a
64 taxable basis pursuant to section 10 of this ordinance.

65 "Tax-Exempt Bonds" means the Bonds of any Series determined to be issued on a
66 tax-exempt basis pursuant to section 10 of this ordinance.

67 SECTION 2. Findings. The county council hereby makes the following
68 findings:

69 A. The Building for Culture Program will contribute to the health, safety and
70 welfare of the citizens of the county.

71 B. The issuance of limited tax general obligation bonds of the county,
72 payable from regular property taxes or other revenues and money of the county legally
73 available for such purposes, to provide financing for the Building for Culture Program
74 and to pay costs of issuing the bonds will reduce the overall costs of borrowing such
75 funds and is in the best interests of the county and its citizens.

76 SECTION 3. Authorization of Building for Culture Program. The county
77 council has previously reviewed and approved the Building for Culture Program.

78 The Building for Culture Program may be modified where deemed advisable or
79 necessary in the judgment of the county council, and implementation or completion of
80 any component thereof will not be required if the county council determines that it has
81 become inadvisable or impractical. If all components of the Building for Culture
82 Program have been completed, or their completion has been duly provided for, or
83 completion of all or any of them is found to be inadvisable or impractical, the county may
84 pay, redeem or defease Bonds, or apply any remaining proceeds of the Bonds, or any
85 portion thereof, to the acquisition or improvement of other tourism promotion, including
86 arts and culture, capital projects as the county council may determine. In the event that
87 the proceeds of the sale of the Bonds, plus any other money of the county legally

88 available therefor, are insufficient to accomplish all components of the Building for
89 Culture Program, the county shall use the available funds to finance those components of
90 the Building for Culture Program deemed by the county council to be most necessary and
91 in the best interest of the county.

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

93 A. Purpose and Authorization of Bonds. The county authorizes the issuance
94 of the Bonds to provide financing for the Building for Culture Program and to pay costs
95 of issuing the Bonds.

96 B. Description of Bonds. The Bonds may be issued in one or more Series so
97 long as the aggregate original principal amount of all Series of Bonds does not exceed
98 \$29,000,000. Each Series of Bonds will be designated "King County, Washington,
99 Limited Tax General Obligation Bonds," with the year and any applicable series
100 designation, all as established by the related Sale Motion. Each Series of Bonds will be
101 dated as of such date, will mature on the date or dates in each of the years and in the
102 principal amounts, will bear interest (computed on the basis of a 360-day year of twelve
103 30-day months) from their date or the most recent interest payment date to which interest
104 has been paid or duly provided for, whichever is later, at the rates and payable on such
105 dates, will be subject to redemption and/or purchase prior to maturity in the amounts, in
106 the manner and at the prices, and will be subject to such other terms and provisions as the
107 county council will establish by the related Sale Motion. Each Series of Bonds will be
108 fully registered as to both principal and interest, will be in the denomination of \$5,000
109 each or any integral multiple thereof (but no Bond shall represent more than one maturity

110 within a Series), and will be numbered separately in such manner and with any additional
111 designation as the Registrar deems necessary for purposes of identification.

112 C. Initial Immobilization of Bonds; Depository Provisions. The Bonds of
113 each Series will initially be held in fully immobilized form by DTC acting as depository
114 pursuant to the terms and conditions set forth in the Letter of Representations. Neither
115 the county nor the Registrar will have any responsibility or obligation to DTC
116 participants or the persons for whom they act as nominees with respect to such Bonds
117 with respect to the accuracy of any records maintained by DTC or any DTC participant,
118 the payment by DTC or any DTC participant of any principal or redemption price of or
119 interest on such Bonds, any notice that is permitted or required to be given to registered
120 owners under this ordinance (except such notice as is required to be given by the county
121 to the Registrar or to DTC), the selection by DTC or any DTC participant of any person
122 to receive payment in the event of a partial redemption of such Bonds or any consent
123 given or other action taken by DTC as registered owner of such Bonds.

124 The Bonds of each Series will initially be issued in denominations equal to the
125 aggregate principal amount of each maturity and will initially be registered in the name of
126 Cede & Co., as the nominee of DTC. Such Bonds so registered will be held in fully
127 immobilized form by DTC as depository. For so long as any such Bonds are held in fully
128 immobilized form, DTC, its successor or any substitute depository appointed by the
129 county, as applicable, will be deemed to be the registered owner for all purposes
130 hereunder and all references to registered owners, bondowners, bondholders or owners
131 will mean DTC or its nominees and will not mean the owners of any beneficial interests

132 in the Bonds. Registered ownership of such Bonds, or any portions thereof, may not
133 thereafter be transferred except:

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

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

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

140 Upon the resignation of DTC or its successor (or any substitute depository or its
141 successor) from its functions as depository, or a determination by the county that it is no
142 longer in the best interests of beneficial owners of such Bonds to continue the system of
143 book entry transfers through DTC or its successor (or any substitute depository or its
144 successor), the county may appoint a substitute depository. Any such substitute
145 depository will be qualified under any applicable laws to provide the services proposed to
146 be provided by it.

147 In the case of any transfer pursuant to clause (1) or (2) of the second paragraph of
148 this subsection, the Registrar, upon receipt of all outstanding Bonds of such Series
149 together with a written request on behalf of the county, will issue a single new Bond
150 certificate for each maturity of Bonds of such Series then outstanding, registered in the
151 name of such successor or such substitute depository, or its nominees, as the case may be,
152 all as specified in such written request of the county.

153 In the event that DTC or its successor (or substitute depository or its successor)
154 resigns from its functions as depository, and no substitute depository can be obtained; or

155 the county determines that it is in the best interests of the beneficial owners of the Bonds
156 of any Series that they be able to obtain Bond certificates, the ownership of such Bonds
157 may be transferred to any person as herein provided, and such Bonds will no longer be
158 held in fully immobilized form. The county will deliver a written request to the
159 Registrar, together with a supply of physical Bonds of such Series, to issue Bonds of such
160 Series as herein provided in any authorized denomination. Upon receipt of all then
161 outstanding Bonds of any Series by the Registrar, together with a written request on
162 behalf of the county to the Registrar, new Bonds of such Series will be issued in such
163 denominations and registered in the names of such persons as are requested in such a
164 written request.

165 D. Registration, Transfer and Exchange. The county hereby adopts for the
166 Bonds the system of registration specified and approved by the Washington State Finance
167 Committee. The Registrar will keep, or cause to be kept, at its principal corporate trust
168 office, the Register, which will at all times be open to inspection by the county. The
169 Register will contain the name and mailing address of the owner (or nominee thereof) of
170 each Bond, and the principal amount and number of Bonds held by each owner or
171 nominee. The Registrar is authorized, on behalf of the county, to authenticate and deliver
172 Bonds transferred or exchanged for other Bonds in accordance with the provisions
173 thereof and this ordinance, and to carry out all of the Registrar's powers and duties under
174 this ordinance.

175 The Registrar will be responsible for its representations contained in the
176 Certificate of Authentication on the Bonds. The Registrar may become the owner of
177 Bonds with the same rights it would have if it were not the Registrar, and to the extent

178 permitted by law may act as depository for and permit any of its officers or directors to
179 act as a member of, or in any other capacity with respect to, any committee formed to
180 protect the rights of Bond owners.

181 Upon surrender thereof to the Registrar, the Bonds of each Series are
182 exchangeable for other Bonds of the same Series, maturity and interest rate and in the
183 same aggregate principal amount, in any authorized denomination. Bonds may be
184 transferred only if endorsed in the manner provided thereon and surrendered to the
185 Registrar. Upon such surrender, the Registrar will cancel the surrendered Bond and will
186 authenticate and deliver, without charge to the owner or transferee therefor (other than
187 taxes, if any, payable on account of such transfer), one or more (at the option of the new
188 registered owner) new Bonds of the same Series, maturity and interest rate and in the
189 same aggregate principal amount, in any authorized denomination, naming as registered
190 owner the person or persons listed as the assignee on the assignment form appearing on
191 the canceled and surrendered Bond, in exchange therefor. The Registrar will not be
192 obligated to transfer or exchange any Bond during the period beginning at the opening of
193 business on the Record Date for a maturity date and ending at the close of business on
194 such maturity date.

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

198 E. Place, Manner and Medium of Payment. Both principal of and interest on
199 the Bonds will be payable in lawful money of the United States of America. For so long
200 as any outstanding Bonds are registered in the name of Cede & Co., or its registered

201 assigns, as nominee of DTC, payments of principal of and interest on such Bonds will be
202 made in immediately available funds on the date such payment is due and payable at the
203 place and in the manner provided in the operational arrangements of DTC referenced in
204 the Letter of Representations.

205 In the event that the Bonds of any Series are no longer held in fully immobilized
206 form by DTC or its successor (or substitute depository or its successor), interest on such
207 Bonds will be paid by check or draft mailed, or by wire transfer, to the registered owners
208 of such Bonds at the addresses for such registered owners appearing on the Register on
209 the Record Date for that interest payment date, or by electronic transfer on the interest
210 payment date to an account within the United States designated by a registered owner of
211 at least \$1,000,000 in principal amount of such Bonds. The county shall not be required
212 to make electronic transfers except to a registered owner of Bonds pursuant to a request
213 in writing received on or prior to the Record Date for that interest payment date, and any
214 such electronic transfer shall be at the sole expense of that registered owner. Principal of
215 the Bonds will be payable at maturity or on such dates as may be fixed for prior
216 redemption upon presentation and surrender of such Bonds by the owners to the
217 Registrar.

218 F. Form, Execution and Authentication of Bonds. The Bonds will be
219 prepared in a form consistent with the provisions of this ordinance and State law. The
220 Bonds will be executed on behalf of the county with the manual or facsimile signatures of
221 the county executive and the clerk of the county council, and will have the seal of the
222 county or a facsimile reproduction thereof impressed or printed thereon.

223 In case any officer who has executed the Bonds ceases to be an officer of the
224 county authorized to sign the Bonds before the Bonds bearing his or her signature are
225 authenticated or delivered by the Registrar, or issued by the county, those Bonds may
226 nevertheless be authenticated, issued and delivered and, when authenticated, issued and
227 delivered, will be as binding upon the county as though that person had continued to be
228 an officer of the county authorized to sign the Bonds. Any Bond also may be signed on
229 behalf of the county by any person who, on the actual date of signing of the Bond, is an
230 officer of the county authorized to sign the Bonds, although he or she did not hold the
231 required office on the date of issuance of the Bonds.

232 Only such Bonds as shall bear thereon a Certificate of Authentication
233 substantially in the following form, manually executed by an authorized representative of
234 the Registrar, will be valid or obligatory for any purpose or entitled to the benefits of this
235 ordinance: "CERTIFICATE OF AUTHENTICATION. This Bond is one of the King
236 County, Washington, Limited Tax General Obligation Bonds, [Year][, Series __],
237 described in the Bond Ordinance." Such Certificate of Authentication will be conclusive
238 evidence that the Bonds so authenticated have been duly executed, authenticated and
239 delivered hereunder and are entitled to the benefits of this ordinance.

240 SECTION 5. Mutilated, Lost, Stolen or Destroyed Bonds. If any Bond becomes
241 mutilated, the Registrar will authenticate and deliver one or more (at the option of the
242 new registered owner) new Bonds of the same Series, maturity and interest rate and for
243 the same aggregate principal amount, in any authorized denomination, in exchange and
244 substitution therefor, upon the owner's paying the expenses and charges of the county and
245 the Registrar in connection therewith and upon surrender to the Registrar of the mutilated

246 Bond. Every mutilated Bond so surrendered will be canceled and destroyed by the
247 Registrar.

248 If any Bond is lost, stolen or destroyed, the Registrar may authenticate and deliver
249 one or more (at the option of the new registered owner) new Bonds of the same Series,
250 maturity and interest rate and for the same aggregate principal amount, in any authorized
251 denomination, to the registered owner thereof upon the owner's paying the expenses and
252 charges of the county and the Registrar in connection therewith and upon his/her filing
253 with the Registrar evidence satisfactory to the Registrar that such Bond was actually lost,
254 stolen or destroyed and of his or her ownership thereof, and upon furnishing the county
255 and the Registrar with indemnity satisfactory to the Finance Director and the Registrar.

256 SECTION 6. Pledge of Taxation and Credit. The county hereby irrevocably
257 covenants and agrees that, for as long as any of the Bonds are outstanding and unpaid,
258 each year it will include in its budget and levy an *ad valorem* tax upon all the property
259 within the county subject to taxation in an amount that will be sufficient, together with all
260 other revenues and money of the county legally available for such purposes, to pay the
261 principal of and interest on the Bonds as the same shall become due.

262 The county hereby irrevocably pledges that the annual tax provided for herein to
263 be levied for the payment of such principal and interest will be within and as a part of the
264 tax levy permitted to counties without a vote of the people, and that a sufficient portion of
265 the taxes to be levied and collected annually by the county prior to the full payment of the
266 principal of and interest on the Bonds will be and is hereby irrevocably set aside, pledged
267 and appropriated for the payment of the principal of and interest on the Bonds.

268 The full faith, credit and resources of the county are hereby irrevocably pledged
269 for the annual levy and collection of said taxes and for the prompt payment of the
270 principal of and interest on the Bonds as the same will become due.

271 SECTION 7. General Covenants and Warranties. The county makes the
272 following covenants with and warranties to the owners of the Bonds:

273 A. The county has full legal right, power and authority to adopt this
274 ordinance, to sell, issue and deliver each Series of Bonds as provided herein, and to carry
275 out and consummate all other transactions contemplated by this ordinance.

276 B. By all necessary official action prior to or concurrently herewith, the
277 county has duly authorized and approved the execution and delivery of, and the
278 performance by the county of its obligations contained in, the Bonds and this ordinance
279 and the consummation by it of all other transactions necessary to effectuate this
280 ordinance in connection with the issuance of each Series of Bonds, and such
281 authorizations and approvals are in full force and effect and have not been amended,
282 modified or supplemented in any material respect.

283 C. This ordinance constitutes a legal, valid and binding obligation of the
284 county.

285 D. When issued, sold, authenticated and delivered, each Series of Bonds will
286 constitute legal, valid and binding general obligations of the county.

287 E. The enactment of this ordinance, and compliance on the county's part with
288 the provisions contained herein, will not conflict with, constitute a breach of, or constitute
289 a default under, any constitutional provisions, law, administrative regulation, judgment,
290 decree, loan agreement, indenture, bond, note, resolution, ordinance, motion, agreement

291 or other instrument to which the county is a party or to which the county or any of its
292 property or assets are otherwise subject.

293 F. Each Series of Bonds will be issued within all statutory and constitutional
294 debt limitations applicable to the county.

295 SECTION 8. Federal Tax Law Covenants. The county covenants that it will
296 take all actions necessary to prevent interest on any Tax-Exempt Bonds from being
297 included in gross income for federal income tax purposes, and it will neither take any
298 action nor make or permit any use of proceeds from the sale of such Tax-Exempt Bonds
299 (or of any other funds that may be deemed to be proceeds of such Tax-Exempt Bonds
300 pursuant to Section 148 of the Code), at any time during the term thereof, that will cause
301 interest on such Tax-Exempt Bonds to be included in gross income for federal income tax
302 purposes. The county also covenants that it will, to the extent the arbitrage rebate
303 requirement of Section 148 of the Code is applicable to any Tax-Exempt Bonds, take all
304 actions necessary to comply (or to be treated as having complied) with that requirement
305 in connection with such Tax-Exempt Bonds, including the calculation and payment of
306 any penalties that the county has elected to pay as an alternative to calculating rebatable
307 arbitrage, and the payment of any other penalties if required under Section 148 of the
308 Code to prevent interest on such Tax-Exempt Bonds from being included in gross income
309 for federal income tax purposes. The county will maintain or cause to be maintained a
310 system of registration of all Tax-Exempt Bonds issued under this ordinance that complies
311 with the applicable provisions of the Code until all of the Tax-Exempt Bonds shall have
312 been surrendered and canceled.

313 SECTION 9. Refunding or Defeasance of Bonds. The county may issue
314 refunding obligations pursuant to the laws of the State or use money available from any
315 other lawful source to pay when due the principal of, premium, if any, and interest on the
316 Bonds of any Series, or any portion thereof included in a refunding or defeasance plan,
317 and to redeem and retire, refund or defease all or a portion of such then-outstanding
318 Bonds of such Series (hereinafter collectively called the “defeased Bonds”), and to pay
319 the costs of the refunding or defeasance.

320 If money and/or noncallable Government Obligations maturing at such time or
321 times and bearing interest to be earned thereon in amounts (together with such money, if
322 necessary) sufficient to redeem and retire, refund or defease the defeased Bonds in
323 accordance with their terms, are set aside in a special trust or escrow fund or account
324 irrevocably pledged to that redemption, retirement or defeasance of defeased Bonds
325 (hereinafter called the “trust account”), then the defeased Bonds will be deemed not to be
326 outstanding hereunder, no further payments need be made into the related Bond Account
327 for the payment of the principal of and interest on the defeased Bonds, and the Owners of
328 the defeased Bonds will cease to be entitled to any covenant, pledge, benefit or security
329 of this ordinance. The owners of defeased Bonds will have the right to receive payment
330 of the principal of, premium, if any, and interest on the defeased Bonds from the trust
331 account.

332 The county will provide or cause to be provided notice of defeasance of such
333 Bonds to the Municipal Securities Rulemaking Board in accordance with the undertaking
334 for ongoing disclosure to be adopted pursuant to section 12 of this ordinance.

335 SECTION 10. Sale of Bonds. The county hereby authorizes the public sale of the
336 Bonds. The Bonds will be sold in one or more Series, any of which may be sold in a
337 combined offering with other bonds and/or notes of the county, at the option of the
338 Finance Director. The Finance Director will determine, in consultation with the county's
339 financial advisors, whether each Series of Bonds will be sold by competitive bid or
340 negotiated sale, and whether such Series of Bonds will be issued and sold as Tax-Exempt
341 Bonds or Taxable Bonds.

342 A. Competitive Bid. If the Finance Director determines that any Series of
343 Bonds will be sold by competitive bid, bids for the purchase of such Series of Bonds will
344 be received at such time and place and by such means as the Finance Director will direct.
345 The Finance Director is authorized to prepare an Official Notice of Bond Sale for each
346 Series of Bonds to be sold pursuant to competitive bid, which notice will be filed with the
347 clerk of the county council and will be ratified and confirmed by the Sale Motion
348 therefor. The Official Notice of Bond Sale will specify whether the Bonds of such Series
349 are being issued and sold as Tax-Exempt Bonds or Taxable Bonds and will identify the
350 year and any applicable Series designation, date, principal amounts and maturity dates,
351 interest payment dates, redemption and/or purchase provisions and delivery date for such
352 Series of Bonds.

353 Upon the date and time established for the receipt of bids for such Series of
354 Bonds, the Finance Director or his/her designee will open the bids, will cause the bids to
355 be mathematically verified and will report to the county council regarding the bids
356 received. Such bids will then be considered and acted upon by the county council in an
357 open public meeting. The county council reserves the right to reject any and all bids for

358 such Series of Bonds. Alternatively, the county council will, by Sale Motion, accept the
359 winning bid for the purchase of such Series of Bonds, and will also ratify and establish
360 the year and any applicable Series designation, date, principal amounts and maturity
361 dates, interest rates and interest payment dates, redemption and/or purchase provisions
362 and delivery date for such Series of Bonds.

363 B. Negotiated Sale. If the Finance Director determines that any Series of
364 Bonds will be sold by negotiated sale, the Finance Director will, in accordance with
365 applicable county procurement procedures, solicit one or more underwriting firms with
366 which to negotiate the sale of such Bonds. The bond purchase contract for such Series of
367 Bonds will specify whether the Bonds of such Series are being issued and sold as Tax-
368 Exempt Bonds or Taxable Bonds and will also identify the year and any applicable Series
369 designation, date, principal amounts and maturity dates, interest rates and interest
370 payment dates, redemption and/or purchase provisions and delivery date for such Series
371 of Bonds. The county council, by Sale Motion, will approve the bond purchase contract
372 and ratify and establish the terms for such Series of Bonds identified in such bond
373 purchase contract.

374 SECTION 11. Preliminary Official Statement and Final Official Statement. The
375 county hereby authorizes and directs the Finance Director: (i) to review and approve the
376 information contained in the preliminary official statement (each, a "Preliminary Official
377 Statement") prepared in connection with the sale of each Series of Bonds; and (ii) for the
378 sole purpose of compliance by the purchasers of such Series of Bonds with subsection
379 (b)(1) of the Rule, to "deem final" the related Preliminary Official Statement as of its
380 date, except for such omissions as are permitted under the Rule. After each Preliminary

381 Official Statement has been reviewed and approved in accordance with the provisions of
382 this section, the county hereby authorizes the distribution of such Preliminary Official
383 Statement to prospective purchasers of such related Series of Bonds.

384 Following the sale of each Series of Bonds, the Finance Director is hereby
385 authorized to review and approve on behalf of the county a final official statement with
386 respect to such Series of Bonds. The county agrees to cooperate with the successful
387 bidder for each Series of Bonds to deliver or cause to be delivered, within seven business
388 days from the date of the Sale Motion, and in sufficient time to accompany any
389 confirmation that requests payment from any customer of such successful bidder, copies
390 of a final official statement pertaining to such Bonds in sufficient quantity to comply with
391 paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

392 SECTION 12. Undertaking to Provide Ongoing Disclosure. The county council
393 will undertake to provide ongoing disclosure with respect to each Series of Bonds, as
394 required by subsection (b)(5) of the Rule, in the Sale Motion therefor.

395 SECTION 13. Delivery of Bonds. Following the sale of each Series of the Bonds,
396 the county shall cause definitive Bonds of such Series to be prepared, executed and
397 delivered to the purchaser thereof in accordance with the provisions of this ordinance.

398 If definitive Bonds of any Series are not ready for delivery by the date established
399 for their delivery to the initial purchaser, then the Finance Director, upon the approval of
400 the purchaser, may cause to be issued and delivered to the purchaser one or more
401 temporary Bonds of the same Series with appropriate omissions, changes and additions.
402 Any temporary Bond or Bonds shall be entitled and subject to the same benefits and
403 provisions of this ordinance with respect to the payment, security and obligation thereof a

404 definitive Bonds authorized thereby. Such temporary Bond or Bonds shall be
405 exchangeable without cost to the owners thereof for definitive Bonds of the same Series
406 when the latter are ready for delivery.

407 SECTION 14. Bond Accounts. There has heretofore been created in the office
408 of the Finance Director a special fund known as the "King County Limited Tax General
409 Obligation Bond Redemption Fund" to be drawn upon for the purpose of paying the
410 principal of and interest on the limited tax general obligation bonds of the county. There
411 is hereby authorized to be created within said fund a special account for each Series of
412 Bonds to be known as the "Limited Tax General Obligation Bond Redemption Account,
413 [Year][, Series ___]" (each, a "Bond Account").

414 Any accrued interest on any Series of Bonds will be deposited in the related Bond
415 Account at the time of delivery of such Series of Bonds and will be applied to the
416 payment of interest thereon.

417 The taxes hereafter levied for the purpose of paying principal of and interest on
418 each Series of Bonds and other funds to be used to pay such Series of Bonds will be
419 deposited in the related Bond Account no later than the date such funds are required for
420 the payment of principal of and interest on such Series of Bonds; provided, however, that
421 if the payment of principal of and interest on any Series of Bonds is required prior to the
422 receipt of such levied taxes, the county may make an interfund loan to the related Bond
423 Account pending actual receipt of such taxes. Each Bond Account will be drawn upon
424 for the purpose of paying the principal of and interest on the related Series of Bonds.
425 Each Bond Account will be a second tier fund in accordance with Ordinance 7112 and
426 K.C.C. chapter 4.10.

427 SECTION 15. Deposit of Bond Proceeds.

428 A. There is hereby created the "2016 Tax-Exempt G.O. Bonds Building for
429 Culture Subfund" within the Arts and Cultural Development Fund. This subfund will be
430 a first tier fund managed by the director of the department of executive services of the
431 county. All proceeds from the sale of any Tax-Exempt Bonds will be deposited into the
432 2016 Tax-Exempt G.O. Bonds Building for Culture Subfund.

433 B. There is hereby created the "2016 Taxable G.O. Bonds Building for
434 Culture Subfund" within the Arts and Cultural Development Fund. This subfund will be
435 a first tier fund managed by the director of the department of executive services of the
436 county. All proceeds from the sale of any Taxable Bonds will be deposited into the 2016
437 Taxable G.O. Bonds Building for Culture Subfund.

438 SECTION 16. Investment of and Accounting for Bond Proceeds. Funds
439 deposited in the funds and accounts described in sections 14 and 15 of this ordinance will
440 be invested as permitted by law for the sole benefit of such funds and accounts.
441 Irrespective of the general provisions of Ordinance 7112 and K.C.C. chapter 4.10, the
442 county current expense fund will not receive any earnings attributable to such funds and
443 accounts. Money other than proceeds of the Bonds may be deposited in the funds and
444 accounts described in sections 14 and 15 of this ordinance; provided, however, that
445 proceeds of each Series of Bonds that are issued as Tax-Exempt Bonds and the earnings
446 thereon, will be accounted for separately for purposes of the arbitrage rebate
447 computations required to be made under the Code. For purposes of such computations,
448 Bond proceeds will be deemed to have been expended first, and then any other funds.

449 SECTION 17. General Authorization. The appropriate county officials, agents
450 and representatives are hereby authorized and directed to do everything necessary for the
451 prompt sale, issuance, execution and delivery of each Series of Bonds, and for the proper
452 use and application of the proceeds of the sale thereof.

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

459 covenants and agreements of this ordinance and will in no way affect the validity of the
460 other provisions of this ordinance or the Bonds.

461

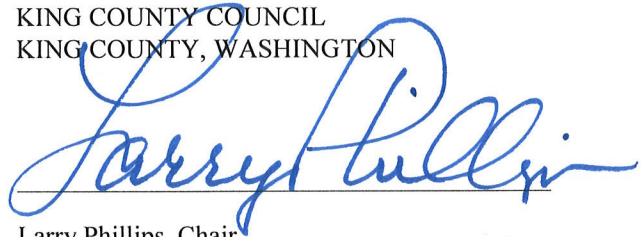
Ordinance 18180 was introduced on 11/2/2015 and passed by the Metropolitan King
County Council on 11/23/2015, by the following vote:

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 24 day of NOVEMBER, 2015.



Dow Constantine, County Executive

Attachments: None