

ORIGINAL

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 1340

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO LOCAL IMPROVEMENT DISTRICT NO. 85-ST-48; AUTHORIZING THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT DISTRICT BOND ANTICIPATION NOTES IN LOCAL IMPROVEMENT DISTRICT NO. 85-ST-48 PENDING THE RECEIPT OF THE PROCEEDS OF THE LOCAL IMPROVEMENT DISTRICT BONDS AUTHORIZED TO BE ISSUED BY ORDINANCE NO. 1253; AND PROVIDING FOR THE SALE OF SUCH BOND ANTICIPATION NOTES TO BOETTCHER & COMPANY INC., SEATTLE, WASHINGTON.

WHEREAS, by Ordinance No. 1253 passed by the City Council on June 4, 1985, and approved by the Mayor on June 5, 1985, the City ordered the improvement of certain properties within the City by the construction and installation of street improvements along a portion of 180th Avenue N.E. and 178th Place N.E., all pursuant to property owners' petition therefor, and, after a public hearing thereon, established Local Improvement District No. 85-ST-48, provided that payment for the improvement be made by special assessments upon the property in the District payable by the mode of "payment by bonds" and provided for the issuance and sale of local improvement district warrants or other short-term obligations pursuant to Chapter 216, Laws of 1982, redeemable by cash and/or by local improvement district bonds; and

WHEREAS, the City Council deems it to be in the best interest of the City that the City borrow money and issue its short-term obligation or obligations in the form of one or more local improvement district bond anticipation notes for the purpose of providing the funds with which to pay a part of the cost of carrying out the improvements ordered in Local Improvement District No. 85-ST-48; and

WHEREAS, Boettcher & Company Inc., Seattle, Washington, has submitted an offer to purchase such short-term bond anticipation notes on the terms and conditions hereinafter set forth; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN as follows:

Section 1. For the purpose of paying a part of the cost of carrying out the improvements ordered in Local Improvement District No. 85-ST-48, local improvement district bond anticipation notes of the District (the "Notes") shall be issued in the aggregate principal amount of \$1,395,000. The notes shall be numbered from 1 upward; shall be in the denomination of \$5,000 each or any integral multiple thereof; shall be dated October 21, 1986; shall mature on October 21, 1987; and shall bear interest at the rate of 5.00% per annum, payable at maturity, with full obligation on the part of the City to pay interest at the same rate from and after maturity until the Notes with interest are paid in full or until sufficient money for such payment in full is on deposit in the Local Improvement Fund, District No. 85-ST-48 (the "Note Fund") created by Ordinance No. 1253, and the Notes have been duly called for redemption by the City Finance Director's giving written notice to Boettcher & Company Inc., Seattle, Washington, of such call at least ten days prior to the call date. The Notes shall not be subject to redemption prior to their maturity date. Both principal of and interest on the Notes shall be payable solely out of the Note Fund from the proceeds of local improvement district bonds authorized to be issued by Ordinance No. 1253 or other short-term obligations, which the City covenants to use its best efforts to issue, to be deposited in such fund and/or prepaid special benefit assessments deposited in such fund, and from the Local Improvement Guaranty Fund of the City, and shall

be payable in lawful money of the United States of America at the office of either of the fiscal agencies of the State of Washington in Seattle, Washington, or New York, New York. The City Council declares and finds that the fixing of the above interest rate is in the best interests of the City.

Section 2. The Notes shall be printed on lithographed or good bond paper or may be typewritten or multicopied in a form consistent with this ordinance and state law. The Notes shall be signed by the facsimile or manual signature of the Mayor and the manual signature of the City Clerk and shall have a facsimile reproduction of the seal of the City printed thereon or the seal of the City impressed thereon.

Section 3. The City covenants that it will neither make nor permit any use of proceeds of the Bonds or other funds of the City at any time during the term of the Bonds which will cause the Bonds to be arbitrage bonds within the meaning of Section 103(c) of the United States Internal Revenue Code of 1954, as amended, replaced and redesignated, and applicable regulations promulgated thereunder. Further, the City covenants that if all proceeds of the Bonds have not been spent within six months from the date of issuance of the Bonds, the City will calculate, or cause to be calculated, and rebate to the United States all earnings from the investment of Bond proceeds that are in excess of the amount that would have been earned had the yield on such investments been equal to the yield on the Bonds, plus all income derived from such excess earnings, to the extent and in the manner required by Section 103(c) of such Code as amended, replaced and redesignated and such applicable regulations.

The City further covenants that it has not been notified of any listing or proposed listing by the Internal Revenue Service

to the effect that it is a bond issuer whose arbitrage certifications may not be relied upon.

Section 4. Boettcher & Company Inc., Seattle, Washington, has submitted an offer to purchase the Notes at the price set forth in the purchase offer, the City to furnish the printed, typewritten or multicopied Notes and the approving legal opinion of Roberts & Shefelman, municipal bond counsel of Seattle, Washington, at the City's expense. 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 Notes, and bond counsel's opinion shall so state. The City Council, deeming that it is in the best interest of the City that such offer be accepted, accepts the same. The Notes, therefore, shall be delivered to Boettcher & Company Inc., Seattle, Washington, immediately upon their execution upon payment therefor in accordance with such offer.

The principal proceeds received from the sale of the Notes shall be paid into the Local Improvement Fund, District No. 85-ST-48, and used to pay a part of the cost of constructing the improvements.

Section 5. This ordinance shall take effect from and after its passage and five days following its publication or posting as required by law.

CITY OF REDMOND, WASHINGTON

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible
CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY Jana Awe

FILED WITH THE CITY CLERK:	October 3, 1986
PASSED BY THE CITY COUNCIL:	October 7, 1986
SIGNED BY THE MAYOR:	October 7, 1986
PUBLISHED:	October 12, 1986
EFFECTIVE DATE:	October 17, 1986
ORDINANCE NO.:	1340

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