

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2197

AN ORDINANCE of the City of Bellevue, Washington, amending Ordinance No. 2140, passed October 7, 1974 and relating to the Bellevue Cultural and Civic Center/Convention Center/Governmental Center and for the repayment of obligations in connection with the acquisition of land therefor; providing for the issuance of \$3,000,000.00 par value of "Limited General Obligation Bonds, 1975," of the City to provide the funds with which to pay for the capital improvements authorized by Ordinance No. 2140 and for various capital improvements herein authorized; specifying the maturities and fixing the form and maximum effective interest rate of such bonds; establishing a "1975 Capital Improvements Bond Construction Fund"; providing for the issuance and sale of interest-bearing warrants pending the sale of such bonds; and providing for the sale of such bonds.

WHEREAS, by Ordinance No. 2140 passed by the City Council and signed in authentication of its passage on October 7, 1974, the City provided for the acquisition and construction of a Bellevue Cultural and Civic Center/Convention Center/ Governmental Center and for the repayment of obligations in connection with the acquisition of land therefor and provided for the borrowing of a total of \$1,700,000.00 and issuing and selling negotiable general obligation bonds to pay the cost of such acquisition and improvements, such bonds to be payable by annual property tax levies to be made within the constitutional and statutory tax limitations provided by law; and

WHEREAS, the City is in urgent need of issuing the general obligation bonds authorized by Ordinance No. 2140 for the purposes set forth therein, as herein amended, and the City is in urgent need of carrying out various additional capital improvements, including the purchase of certain land in the Mercer Slough area, constructing and equipping a fire station in the vicinity of 104th Avenue S.E. and S.E. 8th Street, and carrying out the 148th Street project, and the City does not have available sufficient funds to pay the costs of carrying out such additional capital improvements, the estimated cost of which is \$1,300,000.00; and

WHEREAS, the actual valuation of the taxable property of the City, as ascertained by the last preceding assessment for said purposes for the calendar year 1975 is \$1,011,601,300.00, and the City has outstanding general indebtedness consisting of general obligation bonds and other

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evidences of indebtedness of \$7,007,683.00, which includes the amount of indebtedness for which bonds are herein authorized, within the limit up to 3/4 of 1% of the value of the taxable property within the City permitted for general municipal purposes without a vote of the qualified voters therein, and the City also has outstanding \$5,531,954.00 of general indebtedness represented by general obligation bonds issued pursuant to a vote of the qualified voters therein within the limit from 3/4 of 1% to 2-1/2% of the value of the taxable property within the City.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON DOES ORDAIN, AS FOLLOWS:

Section 1. Section 1 of Ordinance No. 2140, passed October 7, 1974, is amended to read as follows:

Section 1. The City shall acquire land for the future construction of a Bellevue Cultural and Civic Center/Convention Center/Governmental Center and shall make a contribution to the "Land Acquisition Revolving Fund" of the City to pay the outstanding obligations of such fund, the estimated cost of all of which is hereby declared to be, as nearly as can be, the sum of \$1,700,000.00. Any monies not required for the above purposes may be used toward payment of necessary expenses incurred in the construction, equipping and incidental expenses for such Bellevue Cultural and Civic Center/Convention Center/Governmental Center.

Section 2. The City of Bellevue shall borrow money on the credit of the City and issue negotiable general obligation bonds evidencing such indebtedness in the amount of \$3,000,000.00 to provide the funds for the following purposes:

(a) To carry out the provisions of Ordinance No. 2140, as herein amended;

(b) Contributing to the City's Mercer Slough Fund to be used to acquire land in the Mercer Slough area and for the stated purposes of such Fund as defined by Ordinance No. 2112;

(c) Contributing to the Fire Department Construction Fund of the City for the purpose of constructing and equipping a fire station at 104th Avenue S.E. and S.E. 8th Street and otherwise carrying out the purposes set forth in Ordinance No. 1520 for which the Fire Department Construction Fund was established; and

(d) Contributing to the Urban Arterial Trust Fund of the City to pay a portion of the cost of widening 148th Street under Project No. A14 from two to four lanes between S.E. 28th Street and S.E. 8th

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Street; to provide relocation assistance for persons displaced by the project and to underground power and telephone lines along the subject route.

Such general indebtedness to be incurred shall be within the limit up to 3/4 of 1% of the value of the taxable property within the City permitted for general municipal purposes without a vote of the qualified voters therein.

Section 3. The bonds shall be called "Limited General Obligation Bonds, 1975," of the City of Bellevue, Washington; shall be dated May 1, 1975; shall be in denominations of \$5,000.00 each; shall be numbered from 1 to 600, inclusive, and shall bear interest at an effective rate not to exceed 7% per annum, payable on December 1, 1975, and semiannually thereafter on June 1 and December 1 of each year, as evidenced by coupons to be attached to the bonds representing interest to maturity with full obligation on the part of the City to pay interest at the bond rate, from and after maturity, until the bonds, both principal and interest, are paid in full. Both principal and interest are to be paid in lawful money of the United States of America at either of the fiscal agencies of the State of Washington in the Cities of Seattle, Washington, or New York, New York. The bonds shall mature serially in order of their numbers on June 1 in the years and amounts as follows:

Years	Amounts
1977	\$ 85,000
1978	90,000
1979	95,000
1980	100,000
1981	110,000
1982	115,000
1983	125,000
1984	130,000
1985	140,000
1986	150,000
1987	160,000
1988	170,000
1989	180,000
1990	190,000
1991	205,000
1992	215,000
1993	230,000
1994	245,000
1995	265,000

Section 4. The City reserves the right to redeem any or all of the outstanding bonds at par, plus accrued interest, on any semiannual

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interest payment date, on or after June 1, 1987, in inverse numerical order, highest numbers first, by publishing notice of such intended redemption in the official newspaper of the City at least once not less than thirty nor more than forty-five days prior to the call date. Notice of such intended redemption shall also be mailed to the principal underwriter or manager of the account of the successful bidder at its principal place of business not more than forty-five nor less than thirty days prior to the call date. In addition, such redemption notices shall also be sent to Moody's Investors Service, Inc., and Standard & Poor's Corporation, at their offices in New York, New York. The mailing of such notices to such purchaser and corporations shall not be a condition precedent to the redemption of such bonds. Interest on any bonds so called for redemption shall cease on the date fixed for such redemption upon payment of the redemption price into the bond redemption fund.

Section 5. The City of Bellevue hereby irrevocably pledges itself to levy taxes annually, within the constitutional and statutory tax limitations provided by law, upon all property in the City subject to taxation in an amount sufficient to pay the principal of and interest on the bonds as the same shall accrue, and the full faith, credit and resources of the City are hereby irrevocably pledged for the payment of the principal of and interest on such bonds.

Section 6. The bonds shall be substantially in the following form:

No. _____ \$5,000.00

UNITED STATES OF AMERICA

STATE OF WASHINGTON

CITY OF BELLEVUE

LIMITED GENERAL OBLIGATION BOND, 1975

_____%

KNOW ALL MEN BY THESE PRESENTS: That the City of Bellevue, Washington, is justly indebted to and for value received hereby promises to pay to bearer on the FIRST DAY OF JUNE, 19__, the sum of

FIVE THOUSAND DOLLARS

together with interest thereon at the rate of _____% per annum, payable on December 1, 1975, and semi-annually thereafter on June 1 and December 1 of each year, interest to maturity being evidenced by and payable upon the presentation and surrender of the attached interest

coupons as they severally become due, with full obligation on the part of the City to pay interest at the same rate from and after the maturity date, in the absence of coupons, until this bond with interest is paid in full. This bond is payable, both principal and interest, in lawful money of the United States of America at either of the fiscal agencies of the State of Washington in the Cities of Seattle, Washington, or New York, New York.

This bond is one of a total issue of \$3,000,000.00 par value of bonds, all of like date, tenor and effect, except as to maturities [and interest rates if more than one interest rate is bid], issued by the City of Bellevue for general municipal purposes, to-wit, for the purpose of providing the funds to pay the cost of carrying out various capital improvement projects as set forth in Ordinance No. 2140, as amended by Ordinance No 2197, and in Ordinance No. 2197, and is issued in full compliance with the ordinances of the City of Bellevue and the laws and constitution of the State of Washington.

The City of Bellevue reserves the right to redeem any or all of the outstanding bonds at par, plus accrued interest, on any semiannual interest payment date, on or after June 1, 1987, in inverse numerical order, highest numbers first, by publishing notice of such intended redemption in the official newspaper of the City at least once not less than thirty nor more than forty-five days prior to the call date. Notice of such intended redemption shall also be mailed to [the principal underwriter or manager of the account of the successful bidder at its principal place of business] not more than forty-five nor less than thirty days prior to the call date.

In addition, such redemption notices shall also be sent to Moody's Investors Service, Inc., and Standard & Poor's Corporation, at their offices in New York, New York. The mailing of such notices to such purchaser and corporations shall not be a condition precedent to the redemption of such bonds. Interest on any bonds so called for redemption shall cease on the date fixed for such redemption upon payment of the redemption price into the bond redemption fund.

The City of Bellevue hereby irrevocably pledges itself to levy taxes annually, within the constitutional and statutory tax limitations provided by law, upon all property in the City subject to taxation in an amount sufficient to pay the principal of and interest on the

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bonds of this issue as the same shall accrue, and the full faith, credit and resources of the City are hereby irrevocably pledged for the payment of the principal of and interest on said bonds.

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 the City, including this bond issue, does not exceed any constitutional or statutory limitations.

IN WITNESS WHEREOF, the City of Bellevue, Washington, has caused this bond to be signed by the facsimile signature of its Mayor and attested by the manual signature of its City Clerk and its corporate seal to be hereto affixed and the interest coupons attached to be signed with the facsimile signatures of those officials this first day of June, 1975.

CITY OF BELLEVUE, WASHINGTON

By (facsimile signature)
Mayor

ATTEST:

City Clerk

The form of the interest coupons shall be substantially as follows:

Coupon No. _____

\$ _____ \$ _____

on Coupon No. 1

On the FIRST DAY OF (JUNE) (DECEMBER), 19__, the CITY OF BELLEVUE, WASHINGTON, upon presentation and surrender of this coupon, will pay to the bearer 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 in lawful money of the United States of America, said sum being the interest due that

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date upon its "Limited General Obligation Bond,
1975," dated June 1, 1975, and numbered _____.

CITY OF BELLEVUE, WASHINGTON

By (facsimile signature)
Mayor

ATTEST:

(facsimile signature)
City Clerk

Section 7. The bonds shall be printed or lithographed on good bond paper and shall be signed by the facsimile signature of the Mayor and attested by the manual signature of the City Clerk of the City of Bellevue, Washington, under the seal of the City and the coupons shall bear the facsimile signatures of the Mayor and the City Clerk.

Section 8. There is hereby created and established in the office of the Director of Finance a special fund to be known and designated as the "1975 Capital Improvements Bond Construction Fund" of the City. The accrued interest received, if any, shall be paid into the "Interest and Debt Redemption Fund, Regular Levy," heretofore created and established in the office of the Director of Finance by Ordinance No. 1932 and the principal proceeds received from the sale of the bonds shall be paid into the "1975 Capital Improvements Bond Construction Fund" of the City. All taxes collected for and allocated to the payment of the principal of and interest on the bonds shall hereafter be deposited in the "Interest and Debt Redemption Fund, Regular Levy." Moneys in said "1975 Capital Improvements Bond Construction Fund" shall be expended for the purposes set forth in this ordinance either directly from such fund or shall be transferred to such other appropriate City fund for such expenditure as the City Council shall direct. Pending the issuance and sale of the bonds herein authorized to be issued, the City may acquire interim financing for the purposes authorized herein by issuing warrants drawn upon the "1975 Capital Improvements Bond Construction Fund." Such warrants may be issued to such bank or banks or investment banking firms as the Director of Finance of the City shall determine by negotiations at a rate of interest not to exceed 8% per annum. Such warrants shall be paid in full out of the proceeds from the issuance and sale of the bonds herein authorized or from any other funds available therefor and deposited in the "1975 Capital Improvements Bond Construction Fund." Moneys on deposit in the "1975 Capital Improvements Bond Construction Fund" pending the expenditure of the bond proceeds may be invested in any legal investment and the interest earned therefrom may be retained in such fund and used to carry out the various capital improvements herein authorized and in the event moneys remain in such

fund after the completion of the various capital improvements herein authorized, such moneys may be used for such other municipal purposes as the City Council shall hereafter authorize by Resolution or shall be deposited in the "Interest and Debt Redemption Fund, Regular Levy."

Section 9. The bonds shall be sold for cash at public sale for not less than par, plus accrued interest, upon sealed bids to be received at the office of the City Clerk up to the day and hour stated in the Notice of Bond Sale hereinafter directed to be given.

Notice calling for bids to purchase such bonds shall be published once a week for four consecutive weeks in the official newspaper of the City of Bellevue and such notice shall also be published once in the Daily Journal of Commerce of Seattle, Washington, at least ten days before the bid opening date. Such notice shall specify that bids for the purchase of the bonds shall be received by the City Clerk of the City of Bellevue in the Council Chambers of the City Hall on April 14, 1975, up to 8:00 o'clock p.m. (PDT), at which time all bids will be publicly opened for the purchase of the bonds and considered by the City Council at a meeting thereof then to be held.

A copy of the notice shall, at least three weeks prior to the date fixed for the sale, be mailed to the State Finance Committee, Olympia, Washington.

Bids shall be invited for the purchase of the bonds with fixed maturities in accordance with the schedule specified in Section 2 hereof.

The notice shall specify the maximum effective rate of interest the bonds shall bear, to-wit, 7% per annum, and shall require bidders to submit a bid specifying:

(a) The lowest rate or rates of interest and premium, if any, above par at which the bidder will purchase the bonds; or

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

Coupon rates shall be in multiples of 1/8 or 1/20 of 1%, or both. No more than one rate of interest may be fixed for any one maturity. Only one coupon will be attached to each bond for each installment of interest thereon, and bids providing for additional or supplemental coupons will be rejected. The maximum differential between the lowest and highest coupon rates named in any bid shall not exceed 2 1/2%. The interest rate named for the bonds for one maturity shall not be less than the interest rate named for the bonds of any earlier maturity.

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For the purpose of comparing the bids only, the coupon rates bid being controlling, each bid shall state the total interest cost over the life of the bonds and the net effective interest rate of the bid.

The bonds shall be sold to the bidder making the best bid, subject to the right of the City Council of the City of Bellevue to reject any and all bids and to readvertise the bonds for sale in the manner provided by law, and no bid for less than all of the bonds shall be considered.

All bids shall be sealed and, except the bid of the State of Washington, if one is received, shall be accompanied by a deposit of \$150,000.00. The deposit shall be either cash or by certified or cashier's check made payable to the Director of Finance of the City of Bellevue and shall be promptly returned if the bid is not accepted. If the bonds are ready for delivery and the successful bidder shall fail and neglect to complete the purchase of the bonds within forty days following the acceptance of its bid, the amount of its deposit shall be forfeited to the City of Bellevue and in that event the City Council may accept the bid of the one making the next best bid. If there be two or more equal bids for not less than par plus accrued interest and such bids are the best bids received, the City Council shall determine by lot which bid will be accepted. The bonds will be delivered to the successful bidder at the office of the Director of Finance of the City of Bellevue, or in the City of Seattle at the City's expense, or at such other place as the Director of Finance and the successful bidder may mutually agree upon at the purchaser's expense. A no-litigation certificate in the usual form will be included in the closing papers.

Any bid presented after the hour specified for the receipt of bids will not be received and any bid not accompanied by the required bid deposit at the time of opening such bid will not be read or considered.

The City Clerk of the City of Bellevue shall be and is hereby authorized and directed to publish notice for the purchase of the bonds in the manner provided by law in accordance with the provisions of this section. Such notice shall provide that the City of Bellevue will cause the bonds to be printed or lithographed and signed and will furnish the approving legal opinion of Messrs. Roberts, Shefelman, Lawrence, Gay & Moch, municipal bond counsel of Seattle, Washington, covering the bonds without cost to the purchaser, said opinion also being printed or lithographed on each bond. Such notice shall also provide that further information regarding the details of such bonds may be received upon request made to the City Clerk or to the City's

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financial consultant, Seattle-First National Bank, Bank Investment Division, 1001 Fourth Avenue, Seattle, Washington 98101.

Section 10. This ordinance shall take effect and be in force five days after its passage, approval and legal publication.

PASSED by the City Council this 17 day of March, 1975, and signed in authentication of its passage this 17 day of March, 1975.

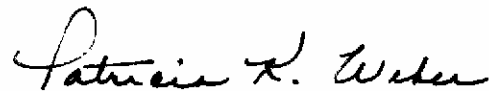
(SEAL)


Richard M. Foreman, Mayor

Approved as to form:


Lee Kraft, City Attorney

Attest:


Patricia K. Weber, City Clerk

Published March 20, 1975