

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3386

AN ORDINANCE relating to Local Improvement District No. 260; authorizing the issuance and sale of local improvement district bond anticipation notes in Local Improvement District No. 260 pending the receipt of the proceeds of the local improvement bonds authorized to be issued by Ordinance No. 3240, as amended by Ordinance No. 3287; amending Section 4 of Ordinance No. 3240; and providing for the sale of such bond anticipation notes to Peoples National Bank of Washington, Seattle, Washington.

WHEREAS, by Ordinance No. 3240 passed by the City Council and approved by the Mayor on March 7, 1983, as amended by Ordinance No. 3287 passed by the City Council and approved by the Mayor on September 6, 1983, the City ordered the construction and installation of certain street improvements and other services and appurtenances necessary thereto, to 102nd Street S.E. between S.E. 1st Street and S.E. 6th Street, established Local Improvement District No. 260, 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 bond anticipation notes redeemable by cash and/or by local improvement district bonds or bond anticipation notes; and

WHEREAS, pursuant to Ordinance No. 3240, as last amended by Ordinance No. 3297, the City issued Local Improvement Bond Anticipation Notes of Local Improvement District No. 260 dated September 15, 1983, in the amount of \$425,000 (the "Outstanding Notes"), to mature on June 30, 1984, which notes, because of delays in constructing the improvements and closing the final assessment roll of the district, must be funded by the issuance of additional bond anticipation notes and other funds of the City legally available therefor; 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 part of the funds with which to pay, both principal and interest, and redeem the Outstanding Notes; now, therefore,

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

Section 1. For the purpose of providing the funds with which to pay, both principal and interest, and redeem the Outstanding Notes, local improvement district bond anticipation notes (the "Notes") of Local Improvement District No. 260 (the "District") shall be issued in the aggregate principal amount of \$450,000. The Notes shall be numbered separately; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be dated as of their date of delivery to the purchaser thereof; shall mature on March 31, 1985; and shall bear interest at the rate of 9% 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. 260," created by Ordinance No. 3240, as amended, and the Notes have been duly called for redemption by the City Finance Director's giving written notice to Peoples National Bank of Washington, 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 "Local Improvement Fund, District No. 260," from the proceeds of local improvement district bonds authorized to be issued by Ordinance No. 3240, as amended, or other short-term obligations 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 the City's Finance Director in Bellevue, Washington, or at either fiscal agency 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 or lithographed on good bond paper or may be in typewritten or multicopied form in a form consistent with this ordinance and state law. The Notes shall be signed by the City Finance Director and shall have the seal of the City affixed thereto.

Section 3. The City covenants that it will spend the proceeds of the Notes with due diligence to completion of the purpose specified herein and will make no use of the proceeds of the Notes or other funds of the City at any time during the term of the Notes which will cause the Notes to be arbitrage obligations within the meaning of Section 103(c) of the United States

Internal Revenue Code of 1954, as amended, and the applicable regulations promulgated thereunder.

Section 4. Section 4 of Ordinance No. 3240 is amended to read as follows:

Section 4. Estimated Costs. The total estimated costs and expenses of the improvements herein ordered is hereby declared to be \$450,000 plus interest on bond anticipation obligations and the cost of issuance thereof; and the work hereby ordered constitutes one continuous unit of improvement.

Section 5. Peoples National Bank of Washington, Seattle, Washington, has submitted an offer to purchase the Notes at a price of par, 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 shall, therefore, immediately upon their execution, be delivered to Peoples National Bank of Washington, Seattle, Washington, 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. 260," and used to pay part of the cost of redeeming the Outstanding Notes.

Section 6. This ordinance shall be published by posting it in the three official posting places of the City, and shall take effect and be in force five days after the date of posting.

PASSED by the City Council this 18th day of June, 1984, and signed in authentication of its passage this 18th day of June, 1984.

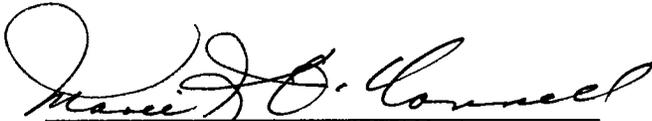
(SEAL)


Cary E. Bozeman, Mayor

Approved as to form:


Richard L. Andrews
Acting City Attorney

Attest:


Marie K. O'Connell
City Clerk

Published June 20, 1984

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