

Legislation Text

File #: 2014-0181, Version: 2

AN ORDINANCE approving the issuance of one or more series of bonds in an aggregate principal amount not to exceed \$23,000,000 by the Public Finance Authority for The Bear Creek School.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. The Bear Creek School, a Washington nonprofit corporation located in unincorporated King County at 8905 208th Avenue NE, Redmond, WA 98053, with campuses also located in unincorporated King County at 8537 208th Ave. NE, Redmond, WA 98053; 20628 NE 85th St., Redmond, WA 98053; portions of 20602 NE 90th St., Redmond, WA 98053; 20626 NE 90th St., Redmond, WA 98053 and 19315 NE 95th St., Redmond, WA ("the Borrower"), has requested the Public Finance Authority ("the Issuer") to issue one or more series of its Revenue Bonds, Series 2014 (The Bear Creek School), in an aggregate principal amount not to exceed \$23,000,000 ("the Bonds"); and

B. In order to achieve interest savings, the Borrower desires that the Bonds be issued in compliance with the requirement of the Internal Revenue Code of 1986, as amended ("the Code") so that interest on the Bonds will be excludable from the gross income of the holders; and

C. Section 147 (f) of the Code requires, as a condition to receiving tax-exempt treatment of the interest on the Bonds, that a governmental unit having jurisdiction over the area in which the Facilities that are being financed or refinanced by the Bonds are located and the metropolitan King County council ("the Council") constitutes such an authorized governmental unit; and

D. Official notice was duly advertised for the public hearing on this ordinance, which was held on May

27, 2014; and

SECTION 2. A. The issuance of the Bonds by the Issuer in an aggregate principal amount not to exceed \$23,000,000 is hereby approved; and

B. This approval is solely for the purposes of satisfying of Section 147(f), the Public Approval Requirement, of the Code, and King County shall have no liabilities for the issuance or payment of the Bonds nor shall any of its assets be pledged to the payment of the Bonds.

C. The Bonds shall not constitute an obligation of the state of Washington or of King County, and no tax funds or revenues of the state of Washington or of King County shall be used to pay the principal or interest on the Bonds. Neither the faith and credit nor any taxing power of the state of Washington or of King County shall be pledged to pay the principal or interest on the Bonds; and

D. King County's approval of the bond issuance shall not constitute county approval or disapproval of any other permits, certifications or actions or waive any of the permitting, environmental review, financial obligations or legal requirements applicable to the project.