



## Legislation Text

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**File #:** 2023-0357, **Version:** 3

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AN ORDINANCE amending Ordinance 19530, adopted by the council on November 15, 2022, which authorized the issuance of limited tax general obligation bonds of the county; and amending Ordinance 19530, Sections 1, 2, 4, 13, 17, and 19.

### PREAMBLE:

Pursuant to county authority including RCW 39.46.110, the county may issue limited tax general obligation bonds that are payable from tax revenues of the county and such other money lawfully available and pledged or provided by the governing body of the county.

The county council has either previously reviewed and approved or expects to review and approve the public defense management system upgrade projects, the civil case management system upgrade projects, the conservation futures land acquisition projects, the affordable housing and homeless housing projects, the community facilities bond projects, the 911 call center project, the energize home appliance upgrade project, the energize program, the equitable wastewater futures project, the community safety through lighting projects, the farmland infrastructure project, the electric vehicle charging infrastructure projects, the county facilities capital improvement projects, the solid waste division capital improvement plan projects, the road projects, the Skyway community center, and participatory budgeting projects.

Pursuant to Ordinance 19530 ("the Original Ordinance"), the county authorized the issuance and sale from time to time one or more series of its limited tax general obligation bonds in an aggregate principal amount not to exceed \$664,000,000 to provide financing for these projects

as identified in the Original Ordinance, and to pay the costs of issuing the bonds.

In addition to the projects identified in the Original Ordinance, the county council has either previously reviewed and approved or expects to review and approve the Cedar Hills Regional Landfill Facilities relocation project, the Ames Lake Trestle Bridge replacement project, the Fall City septic system construction project, and the Ray Baum Act information technology compliance project.

Pursuant to Ordinance 19624, the county amended the Original Ordinance to identify these additional projects as projects for which the county may provide financing from the sale of limited tax general obligation bonds authorized by the Original Ordinance (as amended by Ordinance 19624, "the Amended Ordinance"), and to increase the aggregate principal amount of these bonds to an aggregate principal amount not to exceed \$687,000,000 to reflect inclusion of these projects.

In addition to the projects identified in the Amended Ordinance, the county council has either previously reviewed and approved or expects to review and approve projects for information technology improvements to the property tax accounting system and jail management system of the county, the acquisition of a hotel for conversion into affordable housing and/or housing for the homeless, and the purchase of a helicopter for the King County sheriff's office.

The council desires to identify these additional projects as projects for which the county may provide financing from the sale of limited tax general obligation bonds authorized by the Amended Ordinance. Further, the council desires to increase the aggregate principal amount of these bonds to an aggregate principal amount not to exceed \$770,000,000 to reflect inclusion of those projects.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Definitions. Capitalized terms used in this ordinance have the meaning given those

terms in Ordinance 19530, as amended.

SECTION 2. Findings. The council finds that it is in the best interest of the county to amend Ordinance 19530, as amended, to identify additional projects for which the county may provide financing from the sale of limited tax general obligation bonds authorized by the Amended Ordinance, and to increase the aggregate principal amount of these bonds accordingly to an aggregate principal amount not to exceed \$[722,000,000].

SECTION 3. Ordinance 19530, Section 1, as amended, is hereby amended to read as follows:

Definitions. The following capitalized words and terms as used in Ordinance 19530, as amended by ((~~this ordinance (Proposed Ordinance 2023-0155))~~) Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357) have the following meanings for all purposes of Ordinance 19530, as amended by ((~~this ordinance (Proposed Ordinance 2023-0155))~~) Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357), unless some other meaning is plainly intended:

"911 Call Center Project" means one or more projects to acquire, improve or both the King County department of public safety's 911 Call Center equipment.

"Affordable Housing and Homeless Housing Projects" means one or more projects to finance affordable housing including without limitation housing for the homeless within the county, transit-oriented affordable housing and related transit-oriented development, a grant program to install green building elements in affordable housing projects, the White Center Community Hub (an affordable housing and community center project incorporating green energy systems), the acquisition of motels/hotels for conversion into affordable housing and/or housing for the homeless, and the following projects for which the tax revenues received by the county under RCW 36.100.040(15) shall be used to pay the principal and interest on Bonds sold to finance: one or more affordable housing projects in the unincorporated area of Skyway-West Hill; the Equitably Community Driven Affordable Housing Development; and the Affordable Housing for People with Disabilities Development.

"Affordable Housing for People with Disabilities Development" means one or more affordable housing projects to serve households that include an individual or individuals with disabilities.

"Beneficial Owner" means, with respect to a Bond, the owner of the beneficial interest in that Bond.

"Bond Account" means, with respect to each Series of Bonds, the bond redemption account established therefor pursuant to Ordinance 19530, Section 16.

"Bond Purchase Agreement" means any bond purchase agreement for the sale of a Series of Bonds approved by the Finance Director pursuant to Ordinance 19530, Section 13.B, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

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

"Bonds" means the county's Project Bonds, Refunding Bonds or both authorized to be issued under Ordinance 19530, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"Capital Improvement Project" means project that can be capitalized such as, for example, a project with a scope that includes one or more of the following elements: acquisition of either a site or existing structure, or both; program or site master planning; design and environmental analysis; information technology investment, construction; major equipment acquisition; reconstruction; demolition; or alteration or renovation.

"Certificate of Award" means any certificate of award for the sale of a Series of Bonds approved by the Finance Director pursuant to Ordinance 19530, Section 13.A, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"Civil Case Management System Upgrade Projects" means one or more projects to upgrade the case management software system for the prosecuting attorney's office.

"Code" means the Internal Revenue Code of 1986, as in effect on the date of issuance of the Tax-Advantaged Bonds or Tax-Exempt Bonds or (except as otherwise referenced herein) as it may be amended to

apply to obligations issued on the date of issuance of the Tax-Advantaged Bonds or Tax-Exempt Bonds, together with applicable proposed, temporary, and final regulations promulgated, and applicable official public guidance published, under the Code.

"Community Facilities Bond Projects" means the following Capital Improvement Projects to support community facilities: the Progressive Animal Welfare Society Project that consists of construction and improvements at an animal welfare society wildlife center; the AiPACE Project that is senior care facility located in King County; the Energize Program that is a rebate program for homeowners to install energy-efficient heat pumps and solar panels; the King County Search and Rescue Project that is acquisition of a site for its new headquarters; development of the Rainier Valley Early Learning Campus; and various neighborhood improvement projects including the African Community Housing and Development African Diaspora ((Project )) Cultural Village, African Business Innovation Center, Associated Students of the University of Washington Shell House, Auburn Manor, Auburn Theater Rehabilitation, ((~~Black Suffrage Network Project~~)) Center of Success Project, Central District Community Preservation and Development Authority McKinney Center for Community and Economic Development, Children's Home Society North Seattle Resource Hub, Ching Garden, City of Algona City Park Project, Comunidad de Vashon Community Center, Elevator Project for Pike Place Market, Fall City Community Center, Family First Community Center, Friends of Little Saigon Landmark Project, Friends of Youth Project, Hanwoori Garden in Federal Way, Highline Heritage Museum, Hope Academy Building Repairs, LifeWire Project, Muslim American Youth Foundation Community Center, Northshore Parks and Recreation Service Area Project, Open Doors for Multicultural Families Community Center, Pullman Car Northwest Railway Museum Project, Sail Sandpoint Project, Skyway Community Center, South County Ball Fields, United Indians of All Tribes Foundation Canoe House and White Center Food Bank.

"Community Safety through Lighting Projects" means one or more projects to install solar lights in county parks along walking paths, in parking areas, at major trail intersections, and at picnic shelters.

"Conservation Futures Land Acquisition Projects" means the acquisition of open spaces for

conservation purposes.

"County Facilities Capital Improvement Projects" means one or more projects to install upgrades and capital improvements to the Harborview Medical Center and the Norm Maleng Regional Justice Center, and to acquire a site adjacent to the King County International Airport.

"Debt Service Fund" means the "King County Limited Tax General Obligation Bond Redemption Fund," as set forth in Ordinance 19530, Section 16.

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

"Electric Vehicle Charging Infrastructure Projects" means one or more projects to install electric vehicle charging infrastructure for use by the county's electric vehicle fleet.

"Energize Home Appliance Upgrade Project" means a program to install high-efficiency heat pumps in homes occupied by county residents with low or moderate incomes.

"Equitable Wastewater Futures Project" means a program to provide on-site septic replacements or sewer connections to low-income property owners.

"Equitably Community Driven Affordable Housing Development" means affordable housing projects to benefit communities with high risk of displacement.

"Fair Market Value" means the price at which a willing buyer would purchase an investment from a willing seller in a bona fide, arm's-length transaction, except for specified investments as described in Treasury Regulations § 1.148-5(d)(6), including United States Treasury obligations, certificates of deposit, guaranteed investment contracts, and investments for yield-restricted defeasance escrows. Fair Market Value is generally determined on the date on which a contract to purchase or sell an investment becomes binding, and, to the extent required by the applicable regulations under the Code, the term "investment" will include a hedge.

"Farmland Infrastructure Project" means a county-owned farmland program to implement improvements to irrigation infrastructure, wash/pack stations, farm equipment, and other investments needed to help qualifying farmers produce high-value crops, access markets, and develop viable businesses.

"Federal Tax Certificate" means the certificate executed by the Finance Director setting forth the requirements of the Code for maintaining the tax status of the applicable Tax-Advantaged Bonds or Tax-Exempt Bonds, and attachments thereto.

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

"Government Obligations" means "government obligations," as defined in chapter 39.53 RCW, as such chapter may be hereafter amended or restated, except as such definition is further limited in the Sale Document.

"Letter of Representations" means the Blanket Issuer Letter of Representations, dated May 1, 1995, from the county to DTC, as it may be amended from time to time.

"Loan Agreement" means any loan agreement or direct purchase agreement for the sale of a Series of Bonds approved by the Finance Director pursuant to Ordinance 19530, Section 13.C, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"MSRB" means the Municipal Securities Rulemaking Board or any successor to its functions.

"Official Notice of Bond Sale" means, with respect to each Series of Bonds sold by competitive bid, the official notice of sale therefor prepared pursuant to Ordinance 19530, Section 13, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"Owner" means, with respect to a Bond, without distinction, the Beneficial Owner or the Registered Owner.

"Participatory Budgeting Projects" means Capital Improvement Projects in unincorporated portions of the county identified through the county participatory budgeting program.

"Project Bonds" means the limited tax general obligation bonds of the county authorized by Ordinance

19530, as amended by (~~(Proposed Ordinance 2023-0155)~~) Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357), to be issued in one or more series in an aggregate principal amount not to exceed \$((~~687,000,000~~)) 770,000,000 to provide financing for one or more Projects, and any bond anticipation notes issued in advance thereof to be repaid from the proceeds of such bonds, as provided in Ordinance 19530, as amended by (~~(this ordinance (Proposed Ordinance 2023-0155))~~) Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"Projects" means Capital Improvement Projects that, collectively, include the Public Defense Management System Upgrade Projects, the Civil Case Management System Upgrade Projects, the Conservation Futures Land Acquisition Projects, the Affordable Housing and Homeless Housing Projects, the Community Facilities Bond Projects, the 911 Call Center Project, the Energize Home Appliance Upgrade Project, the Energize Program, the Equitable Wastewater Futures Project, the Community Safety through Lighting Projects, the Farmland Infrastructure Project, the Electric Vehicle Charging Infrastructure Projects, the County Facilities Capital Improvement Projects, the Solid Waste Division Capital Improvement Plan Projects, Road Projects, the Skyway Community Center, Participatory Budgeting Projects and each of the projects set forth in Attachment B to (~~(this ordinance (Proposed Ordinance 2023-0155))~~) Ordinance 19624, as amended by this ordinance (Proposed Ordinance 2023-0357), as generally described therein.

"Public Defense Management System Upgrade Projects" means one or more projects to upgrade the case management software system for the department of public defense.

"RCW" means the Revised Code of Washington.

"Record Date" means, except as otherwise set forth in the applicable Sale Document, for an interest or principal payment date or for a maturity date, the 15th day of the calendar month next preceding that date.

"Refunded Bonds" means, for each Series of Refunding Bonds, the Refunding Candidates that will be refunded from proceeds of that Series of Bonds, as determined by the Finance Director pursuant to Ordinance 19530, Sections 13 and 18, as amended by (~~(this ordinance (Proposed Ordinance 2023-0155))~~) Ordinance



19624 and this ordinance (Proposed Ordinance 2023-0357) and set forth in a closing certificate or a Refunding Agreement in accordance with Ordinance 19530, Section 18.

"Refunding Account" means any account authorized to be created pursuant to Ordinance 19530, Section 18 to provide for the refunding of any Refunded Bonds.

"Refunding Agreement" means a refunding trust agreement entered into between the county and a Refunding Trustee in connection with the refunding of Refunded Bonds.

"Refunding Bonds" means the limited tax general obligation bonds of the county authorized by Ordinance 19530, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357) to be issued in one or more series to refund the Refunded Bonds, as provided in Ordinance 19530, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"Refunding Candidates" means any limited tax general obligation bonds of the county and any bond anticipation notes issued in advance thereof to be repaid from the proceeds of such bonds, whether currently outstanding or issued after December 9, 2022, including any Series of Bonds issued under Ordinance 19530, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"Refunding Trustee" means each corporate trustee chosen pursuant to the provisions of Ordinance 19530, Section 18 to serve as refunding trustee or escrow agent in connection with the refunding of Refunded Bonds upon the issuances of any Series of Bonds.

"Registered Owner" means, with respect to a Bond, the person in whose name that Bond is registered on the Bond Register.

"Registrar" means, except as may be set forth in the Sale Document, the fiscal agent of the State appointed from time to time by the Washington State Finance Committee pursuant to chapter 43.80 RCW, serving as the registrar, authenticating agent, paying agent and transfer agent for the Bonds.

"Roads Projects" means and one or more projects making safety improvements to residential roads in the unincorporated area.

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

"Sale Document" means the Bond Purchase Agreement, Certificate of Award or Loan Agreement, as applicable, for a Series of Bonds.

"Securities Depository" means DTC, any successor thereto, any substitute securities depository selected by the county that is qualified under applicable laws and regulations to provide the services proposed to be provided by it, or the nominee of any of the foregoing.

"Series" or "Series of Bonds" means a series of Bonds issued pursuant to Ordinance 19530, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"Skyway Community Center" means the development of the Skyway Community Center.

"Solid Waste Division Capital Improvement Plan Projects" means capital projects included in the Solid Waste Division's Six-Year Capital Improvement Plan.

"State" means the state of Washington.

"Taxable Bonds" means the Bonds of any Series determined to be issued on a taxable basis pursuant to Ordinance 19530, Section 13, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"Tax-Advantaged Bonds" means the Bonds of any Series determined to be issued on a tax-advantaged basis pursuant to Ordinance 19530, Section 13, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"Tax-Exempt Bonds" means the Bonds of any Series determined to be issued on a tax-exempt basis pursuant to Ordinance 19530, Section 13, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~

Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

"Term Bonds" means those Bonds identified as such in the Sale Document, the principal of which is amortized by a schedule of mandatory redemptions.

SECTION 4. Ordinance 19530, Section 2, as amended, is hereby amended to read as follows:

Findings. The county council hereby makes the following findings:

A. The issuance of limited tax general obligation bonds by the county, payable from property taxes or other revenues and money of the county legally available for such purposes, to provide financing for the Projects and to pay the costs of issuing the Project Bonds, will reduce the overall costs of borrowing such funds and is in the best interests of the county and its residents.

B. Because conditions in the capital markets vary and provide opportunities for debt service savings from time to time, it is in the best interests of the county that the county retain the flexibility to refund all or a portion of the Refunding Candidates by issuing the Refunding Bonds in order to effect a savings to the county or, when necessary or in the best interest of the county, to modify debt service requirements, sources of payment, covenants or other terms of the Refunded Bonds.

C. It is necessary and advisable that the county now issue and sell from time to time one or more series of its limited tax general obligation bonds in an aggregate principal amount not to exceed \$~~((687,000,000))~~ 770,000,000 to provide financing for the Projects, and to pay the costs of issuing the Project Bonds.

D. The county may have opportunities to refund all or portions of its currently outstanding limited tax general obligations, any limited tax general obligation bonds or both issued in the future, in each case to effect a savings to the county or when necessary or in the best interest of the county to modify debt service requirements, sources of payment, covenants, or other terms of the bonds to be refunded.

E. It necessary and advisable for the county to issue and sell from time to time one or more series of its limited tax general obligation refunding bonds for such refunding opportunities, and to pay the costs of issuing the Refunding Bonds, as provided in Ordinance 19530, as amended by ~~((this ordinance (Proposed Ordinance~~

~~2023-0155~~)) Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

F. In accordance with RCW 36.46.040, the Finance Director is authorized to serve as the county's designated representative to accept offers to purchase the Bonds on behalf of the county. This authorization includes the Finance Director's authority to sell the Bonds in one or more Series, by competitive bid or negotiated sale, or to the federal government or other purchaser, and to identify any Refunding Candidates to be refunded, in consultation with the county's financial advisors, and consistent with terms and parameters established by Ordinance 19530, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624, this ordinance (Proposed Ordinance 2023-0357), and county debt policy.

G. Climate change is an existential threat to the livelihoods, health, and well-being of all residents of the county. The county's residents, environment, and economy have already experienced and will continue to experience significant impacts caused by climate change.

H. Delay in taking definitive action to reduce greenhouse gas emissions will result in greater threats posed by climate change to current and future generations and greater cost to protect and maintain communities against the impacts of climate change.

I. The county can and must act now to reduce community greenhouse gas emissions and to prepare for, and adapt to, the impacts of climate change on the county's environment, economy and the health and safety of its residents.

J. The use of \$15,000,000 from the tax revenues received from the Washington state convention and trade center to pay the principal and interest on Bonds issued to finance the Equitably Community Driven Affordable Housing Development is an authorized use under RCW 36.100.040(15) to support affordable housing programs.

K. The use of \$5,000,000 from the tax revenues received from the Washington state convention and trade center to pay the principal and interest on Bonds issued to finance one or more of the Affordable Housing and Homeless Housing Projects located in the unincorporated area of Skyway-West Hill is an authorized use

under RCW 36.100.040(15) to support affordable housing programs.

L. The use of \$5,000,000 from the tax revenues received from the Washington state convention and trade center to pay the principal and interest on Bonds issued to finance the Affordable Housing for People with Disabilities Projects is an authorized use under RCW 36.100.040(15) to support affordable housing programs.

M. Responding to climate change through adaptation, mitigation and reduction in greenhouse gas emissions is a fundamental governmental purpose of the county.

N. The Projects will serve a county purpose for which the county and its residents will receive benefits, including contributing to the health, safety and welfare of county residents.

SECTION 5. Ordinance 19530, Section 4, as amended, is hereby amended to read as follows:

Purpose, Authorization and Description of Bonds.

A. Purpose and Authorization of Bonds.

1. To provide funds to finance the Projects, the county is authorized to issue one or more Series of Project Bonds in an aggregate principal amount not to exceed \$~~((687,000,000))~~ 770,000,000.

2. To provide funds to refund the Refunded Bonds, the county is authorized to issue one or more Series of Refunding Bonds in principal amounts to be established as provided in Ordinance 19530, Sections 13 and 18, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

B. Description of Bonds. The Bonds may be issued in one or more Series, in principal amounts to be established within the parameters provided in Ordinance 19530, Section 13.D, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357). Each Series of Bonds will be designated "King County, Washington, Limited Tax General Obligation ~~[[and] Refunding] Bonds[Bond Anticipation Notes],~~" with an applicable year and Series designation, all as established by the related Sale Document.

The Bonds shall be fully registered as to both principal and interest; shall be in the denomination of

\$5,000 each or any integral multiple thereof within a Series and maturity (except as provided in the Sale Document), provided that no Bond shall represent more than one maturity within a Series; shall be numbered separately in such manner and with any additional designation as the Registrar deems necessary for purposes of identification; and shall be dated the date and mature on the dates in the years and in the amounts approved by the Finance Director, subject to the parameters set forth in Ordinance 19530, Section 13.D, as amended by ((~~this ordinance (Proposed Ordinance 2023-0155))~~) Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

Each Series of Bonds shall bear interest (computed, unless otherwise provided in the Sale Document, on the basis of a 360-day year of twelve 30-day months) from their dated date, payable on interest payment dates and at the rate or rates approved by the Finance Director, subject to the parameters set forth in Ordinance 19530, Section 13.D., as amended by ((~~this ordinance (Proposed Ordinance 2023-0155))~~) Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357) and set forth in the Sale Document.

SECTION 6. Ordinance 19530, Section 13, as amended, is hereby amended to read as follows:

Sale of Bonds. The county hereby authorizes the sale of the Bonds. The Finance Director is authorized to proceed with the sale of the Bonds pursuant to subsections A., B. or C. of this section to refund the Refunded Bonds and finance the costs of any Project that has been approved by the county council or will have been approved by the county council prior to the sale date for such Bonds. The Finance Director is further authorized to proceed under Ordinance 19530, as amended by ((~~this ordinance (Proposed Ordinance 2023-0155))~~) Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357), with the sale of the Project Bonds for any Project(s) and with the sale of the Refunding Bonds to refund any Refunding Candidate(s) pursuant to the sale provisions set forth in this section and without regard to the requirements of any prior bond ordinance that authorized the financing of the Project(s) or the refunding of the Refunding Candidate(s).

The Bonds will be sold in one or more Series, any of which may be sold in a combined offering with other bonds or notes of the county, at the option of the Finance Director. The Finance Director will determine,

in consultation with the county's financial advisors, the principal amount of each Series of the Project Bonds, which of the Refunding Candidates will be refunded, whether any Series of Project Bonds or Refunding Bonds will be sold separately or in one or more combined Series, whether each Series of Bonds will be sold by competitive bid, negotiated sale or otherwise and for current or future delivery, whether such Series of Bonds will be issued and sold as Tax-Advantaged Bonds, Tax-Exempt Bonds or Taxable Bonds, and whether any Series will be designated as "green bonds" or social impact bonds.

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

Upon the date and time established for the receipt of bids for a Series of the Bonds, the Finance Director or the Finance Director's designee will review the bids received, cause the bids to be mathematically verified, and accept the winning bid by executing the Certificate of Award, which shall designate any Term Bonds, subject to the parameters set forth in subsection D. of this section. The county, acting through the Finance Director, reserves the right to reject any and all bids for such Bonds.

B. Negotiated Sale. If the Finance Director determines that any Series of Bonds will be sold by negotiated sale, the Finance Director will, in accordance with applicable county procurement procedures, solicit one or more underwriting firms or other financial institutions with which to negotiate the sale of such Bonds. Subject to the parameters set forth in subsection D. of this section, the Bond Purchase Agreement for such Series of Bonds will specify whether the Bonds of such Series are being issued and sold as Tax-Advantaged

Bonds, Tax-Exempt Bonds or Taxable Bonds, and whether any Series of Bonds are designated as "green bonds" or social impact bonds, and will also identify any Term Bonds and the year and any applicable Series designation, date, principal amounts and maturity dates, interest rates and interest payment dates, redemption and purchase provisions and delivery date for such Series of Bonds.

C. Other Sales. If the Finance Director determines that any Series of Bonds will be sold to the federal government or other purchaser to evidence a loan from that purchaser, the Finance Director will negotiate the sale of such Bonds and the terms of the Loan Agreement with the purchaser. The Loan Agreement for such Series of Bonds will specify whether the Bonds of such Series are being issued and sold as Tax-Advantaged Bonds, Tax-Exempt Bonds or Taxable Bonds, and whether any Series of Bonds are designated as "green bonds" or social impact bonds, and will also identify any Term Bonds and the year and any applicable Series designation, date, principal amounts and maturity dates, interest rates and interest payment dates, redemption and/or purchase provisions and delivery date for such Series of Bonds.

D. Sale Parameters. Subject to the terms and conditions set forth in this subsection, the Finance Director is hereby authorized to approve the issuance and sale of any Series of the Bonds upon the Finance Director's approval of the final interest rates, maturity dates, aggregate principal amount, principal maturities and redemption rights for each Series of the Bonds in accordance with the authority granted by this section so long as:

1. The aggregate principal amount for the Series of Project Bonds does not cause the aggregate principal amount of all Project Bonds issued under Ordinance 19530, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624, to exceed ~~\$((687,000,000))~~ 770,000,000;

2. The aggregate principal amount of the Series of Refunding Bonds to be issued does not exceed the aggregate principal amount of the Refunded Bonds to be refunded with such Series of Refunding Bonds, plus the amount deemed by the Finance Director as reasonably required to effect such refunding as described in RCW 39.53.050, including amounts reasonably required to pay the redemption price of the



Refunded Bonds and costs of issuance and the refunding;

3. The final maturity date for the Series of the Project Bonds to be issued is not later than 31 years after its date of issuance;

4. The final maturity date for the Series of the Refunding Bonds to be issued is not later than the end of the fiscal year that includes the final maturity date for the series of the Refunded Bonds to be refunded with such Series of Refunding Bonds; provided that the final maturity date for any Series of the Refunding Bonds to be issued to refund Project Bonds issued as bond anticipation notes is not later than 31 years after the date of issuance of the notes;

5. The Series of the Bonds to be issued are sold (in the aggregate) at a price not less than 95 percent;

6. The true interest cost for the Series of Bonds does not exceed 5.5% if the Series of Bonds are issued as Tax-Exempt Bonds;

7. The true interest cost for the Series of Bonds does not exceed 7.5% if the Series of Bonds are issued as Taxable or Tax-Advantaged Bonds; and

8. The Series of Bonds conforms to all other terms of Ordinance 19530, as amended by ((~~this ordinance (Proposed Ordinance 2023-0155))~~) Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357).

Subject to the terms and conditions set forth in this section, the Finance Director is hereby authorized to execute each Sale Document to be dated the date of sale of the applicable Series of Bonds. The signature of the Finance Director shall be sufficient to bind the county.

The Finance Director shall provide an annual report to the Executive Finance Committee and county council describing the sale of any series of Bonds approved pursuant to the authority delegated in this section. The report must be transmitted by March 31 of each year. The annual report shall be electronically filed with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all

councilmembers. The requirement for an annual report provided by this subsection expires December 9, 2025.

The authority granted to the Finance Director by this subsection D. to execute Sale Documents shall expire December 9, 2024; provided that an amendment to a Sale Document may be executed, and performance pursuant to any Sale Document may be completed, at any time. If a Sale Document for a Series of the Bonds has not been executed by December 9, 2024, the authorization for the issuance of the Bonds shall be rescinded and the Bonds shall not be issued nor their sale approved unless such Bonds shall have been reauthorized by ordinance of the council. The ordinance reauthorizing the issuance and sale of such Bonds may be in the form of a new ordinance repealing Ordinance 19530, as amended by ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357), in whole or in part or may be in the form of an amendatory ordinance approving a bond purchase contract, certificate of award or loan agreement or establishing terms and conditions for the authority delegated under this section.

The authority of the county to sell bonds (e.g., enter into a bond purchase agreement, accept a bid to sell any bonds or enter into a loan or other agreement for the sale of the bonds), as defined in and pursuant to Ordinance 19279, as amended by Ordinance 19376, was terminated on December 9, 2022, but all other provisions of Ordinance 19279, as amended by Ordinance 19376, remain in full force and effect.

SECTION 7. Ordinance 19530, Section 17, as amended, is hereby amended to read as follows:

Deposit of Project Bond Proceeds.

A. There is hereby created one or more "G.O. Bonds Public Defense Management System Upgrade Subfunds" with appropriate year and series designations within the Office of Information and Resource Management Fund (3771). Each subfund will be a first tier fund managed by the department of information technology, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Bonds to be deposited into each G.O. Bonds Public Defense Management System Upgrade Subfund to provide long-term financing for all or part of the capital costs of the Public Defense Management System Upgrade Projects shall be determined by the Finance Director upon the sale of such Series of Bonds.

B. There is hereby created one or more "G.O. Bonds Conservation Subfunds" with appropriate year and series designations within the Conservation Futures Fund (3151). Each subfund will be a first tier fund managed by the water and land division of the department of natural resources and parks of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Conservation Subfund to provide long-term financing for all or part of the capital costs of the Conservation Futures Land Acquisition Projects shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

C. There is hereby created one or more "G.O. Bonds Housing Subfunds" with appropriate year and series designations within the Housing Community Development Fund (2460). Each subfund will be a first tier fund managed by the department of community and housing services of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Housing Subfund to provide long-term financing for all or part of the capital costs of the Affordable Housing and Homeless Housing Projects shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

D. There is hereby created one or more "G.O. Bonds Roads Project Subfunds" with appropriate year and series designations within the County Road Major Maintenance Fund (3855). The subfund will be a first tier fund managed by the roads division of the department of local services of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into the G.O. Bonds Roads Project Subfund to provide long-term financing for all or part of the capital costs of the Roads Projects shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

E. There is hereby created one or more "G.O. Bonds Equitable Wastewater Futures Subfunds" with appropriate year and series designations within the Environmental Health Services Fund (1850). Each subfund will be a first tier fund managed by the environmental health services division of public health - Seattle & King

County, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Equitable Wastewater Futures Subfund to provide long-term financing for all or part of the capital costs of the Equitable Wastewater Futures Project shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

F. There is hereby created one or more "G.O. Bonds Community Safety through Lighting Subfunds" with appropriate year and series designations within the Facilities Management Division - Parks and Recreation Open Space Fund (3160). Each subfund will be a first tier fund managed by the parks and recreation division of the department of natural resources and parks of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Community Safety through Lighting Subfund to provide long-term financing for all or part of the capital costs of the Community Safety through Lighting Projects shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

G. There is hereby created one or more "G.O. Bonds Farmland Infrastructure Subfunds" with appropriate year and series designations within the Open Space Non-Bond Fund (3522). Each subfund will be a first tier fund managed by the water and land resources division of the department of natural resources and parks of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Farmland Infrastructure Subfund to provide long-term financing for all or part of the capital costs of the Farmland Infrastructure Project shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

H. There is hereby created one or more "G.O. Bonds 911 Call Center Project Subfunds" with appropriate year and series designations within the General Fund (0010). Each subfund will be a first tier fund managed by the King County Sheriff's Office, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds 911 Call Center Project Subfund to provide long-term financing for all or part of the capital costs of the 911 Call Center Project

shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

I. There is hereby created one or more "G.O. Bonds Community Facilities Projects Subfunds" with appropriate year and series designations within the General Fund (0010). Each subfund will be a first tier fund managed by the office of performance, strategy and budget of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Community Facilities Projects Subfund to provide long-term financing for all or part of the capital costs of the Community Facilities Bond Projects shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

J. There is hereby created one or more "G.O. Bonds Electric Vehicle Charging Infrastructure Subfunds" with appropriate year and series designations within the Building Repair and Replacement Fund (3951). Each subfund will be a first tier fund managed by the facilities management division of the department of executive services of the county of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Electric Vehicle Charging Infrastructure Subfund to provide long-term financing for all or part of the capital costs of the Electric Vehicle Charging Infrastructure Projects shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

K. There is hereby created one or more "G.O. Bonds County Facilities Subfunds" with appropriate year and series designations within the Major Maintenance Fund (3421). Each subfund will be a first tier fund managed by the facilities management division of the department of executive services of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds County Facilities Subfund to provide long-term financing for all or part of the costs of the County Facilities Capital Improvement Projects shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

L. There is hereby created one or more "G.O. Bonds Solid Waste Capital Program Subfund" with

appropriate year and series designations within the Solid Waste Construction Fund (3901). Each subfund will be a first tier fund managed by the director of the solid waste division of the department of natural resources and parks of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Solid Waste Capital Program Subfund to provide long-term financing for all or part of the capital costs of the Solid Waste Division Capital Improvement Plan Projects shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

M. There is hereby created one or more "G.O. Bonds Participatory Budgeting Subfunds" with appropriate year and series designations within the Unincorporated King County Capital Fund (3760). Each subfund will be a first tier fund managed by the department of local services of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Participatory Budgeting Subfund to provide long-term financing for all or part of the capital costs of the Participatory Budgeting Projects shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

N. There is hereby created one or more "G.O. Bonds Civil Case Management System Upgrade Subfunds" with appropriate year and series designations within the PSB General Fund Technology Capital Fund (3280). Each subfund will be a first tier fund managed by the office of performance, strategy, and budget of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Civil Case Management System Upgrade Subfund to provide long-term financing for all or part of the capital costs of the Civil Case Management System Upgrade Projects shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

O. There is hereby created one or more "G.O. Bonds Energize Home Appliance Subfunds" with appropriate year and series designations within the Local Services Fund (1350). Each subfund will be a first tier fund managed by the director's office of the department of local services of the county, or any successor to

the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Energize Home Appliance Subfund to provide long-term financing for all or part of the capital costs of the Energize Home Appliance Upgrade Project shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

P. There is hereby created one or more "G.O. Bonds Skyway Community Center Subfunds" with appropriate year and series designations within the Parks Recreation Open Space fund (3160). Each subfund will be a first tier fund managed by the parks and recreation division of the department of natural resources and parks of the county, or any successor to the functions thereof. The exact amount of proceeds from the sale of any Series of Project Bonds to be deposited into each G.O. Bonds Skyway Community Center Subfund to provide long-term financing for all or part of the capital costs of the Skyway Community Center shall be determined by the Finance Director upon the sale of such Series of Project Bonds.

Q. There is hereby created a subfund, with appropriate year and series designations, for each Project identified in Attachment B, as amended by this ordinance (Proposed Ordinance 2023-0357), as set forth in Attachment B to ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624, as amended by this ordinance (Proposed Ordinance 2023-0357). Each subfund will be a first tier fund managed by the department for each Project identified in Attachment B to ~~((this ordinance (Proposed Ordinance 2023-0155)))~~ Ordinance 19624, as amended by this ordinance (Proposed Ordinance 2023-0357), or any successor to the functions of such department. The exact amount of proceeds from the sale of any Series of Bonds to be deposited into each subfund to provide long-term financing for all or part of the capital costs of the Project associated therewith shall be determined by the Finance Director upon the sale of such Series of Bonds.

R. Notwithstanding the creation of a subfund under this section as set forth herein or in Attachment B to this ordinance, pursuant to KCC 4A.200.020, the manager of the finance and business operations division may establish additional administrative subfunds as required to meet legal, administrative, and accounting requirements. If so required, the manager of the finance and business operations division may deposit or

transfer proceeds from the sale of any Series of Bonds under this ordinance to the newly established additional administrative subfund or funds to meet such requirements.

SECTION 8. Ordinance 19530, Section 19, as amended, is hereby amended to read as follows:

Investment of and Accounting for Bond Proceeds. Funds deposited in the funds and accounts described in sections 16, 17 and 18 of Ordinance 19530, as amended by Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357), and Attachment B to this ordinance, as amended by this ordinance (Proposed Ordinance 2023-0357), will be invested as permitted by law for the sole benefit of such funds and accounts. Irrespective of the general provisions of Ordinance 7112 and K.C.C. chapter 4.10, the county current expense fund will not receive any earnings attributable to such funds and accounts. Money other than proceeds of the Bonds may be deposited in the funds and accounts described in sections 16, 17 and 18 of Ordinance 19530, as amended by Ordinance 19624 and this ordinance (Proposed Ordinance 2023-0357), and Attachment B to ~~((this ordinance))~~ Ordinance 19624, as amended by this ordinance (Proposed Ordinance 2023-0357); provided, however, that proceeds of each Series of Bonds that are issued as Tax-Advantaged Bonds or Tax-Exempt Bonds and the earnings thereon will be accounted for separately for purposes of the arbitrage rebate computations required to be made under the Code and will be acquired, valued and disposed of at Fair Market Value. For purposes of such computations, Bond proceeds will be deemed to have been expended first, and then any other funds.