



Legislation Text

File #: 2005-0372, Version: 1

Clerk 08/25/2005

AN ORDINANCE approving the issuance of bonds in an aggregate amount not to exceed \$15,000,000.00 by the Colorado Educational and Cultural Facilities Authority for the Bear Creek School Project.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings.

A. The Bear Creek School, a Washington nonprofit corporation located at 8905 208th Avenue NE, Redmond, WA 98053 (the "Corporation") has requested the Colorado Educational and Cultural Facilities Authority (the "Issuer") to issue its Adjustable Rate Demand Revenue Bonds, Series 2005 (The Bear Creek School Project), in the aggregate principal amount of approximately \$15,000,000 (the "Bonds"); and

B. The proceeds of the Bonds will be used for the purposes of:

1. financing the cost of acquiring, constructing and equipping various educational facilities, including a lower school building of approximately 45,000 square feet, a residence of approximately 3000 square feet, athletic facilities, and two parking lots of approximately 200 parking stalls for the Corporation, a K-12 independent school located at 8905 208th Ave NE, Redmond, WA 98053, (together with adjacent parcels owned or under contract by the Corporation, including 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 Street, Redmond, WA 98052 including (the "Facilities");
2. refinancing certain existing indebtedness of the Corporation, the proceeds of which were used to finance the cost of acquiring, constructing and equipping the Facilities;

3. funding capitalized interest on a portion of the Bonds; and

4. funding a debt service reserve fund, if required; and (e) paying certain costs of issuance of the Bonds, including initial costs of any credit enhancement (collectively, the "Project").

C. In order to achieve interest savings, the Corporation 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

D. 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 are located approve the Bonds and the Metropolitan King County Council of the State of Washington (the "Council") constitutes such an authorized governmental unit; and

E. Official notice was duly advertised for the public hearing on this ordinance, which was held on September ___ 2005; and

F. The council deems it necessary and advisable that this ordinance be enacted.

SECTION 2. A. The issuance of the Bonds by the Issuer in an aggregate amount not to exceed \$15,000,000.00 is hereby approved; and

B. This approval is solely for the purposes of Section 147 (f) of the Internal Revenue Code of 1986, 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.

14 days prior

area paper

Newspaper: King County Journal

Publish: Wednesday, August 31, 2005

Hearing: 9/19/05