

Introduced by: Mayor  
Date: April 15, 1975  
Hearing: May 20, 1975  
Action: Enacted Unanimously  
(127.5)

KENAI PENINSULA BOROUGH

ORDINANCE NO. 75- 23

AN ORDINANCE OF THE KENAI PENINSULA BOROUGH, CONFIRMING THE RESULTS OF THE SPECIAL ELECTION HELD THEREIN ON FEBRUARY 25, 1975, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,500,000 OF GENERAL OBLIGATION BONDS OF THE BOROUGH TO BE USED FOR CONSTRUCTING AND EQUIPPING AN ADDITION TO THE KENAI CENTRAL HIGH SCHOOL CONSISTING OF A SWIMMING POOL, AN ADDITIONAL ATHLETIC AREA, AN ADDITION OF EIGHT CLASSROOMS TO THE EDUCATIONAL COMPLEX, A MUSIC ROOM, AND SOME RENOVATION OF THE PRESENT BUILDING AND NOT TO EXCEED \$1,974,000 OF GENERAL OBLIGATION BONDS OF THE BOROUGH TO BE USED FOR CONSTRUCTING AND EQUIPPING ADDITIONS TO THE EAST HOMER ELEMENTARY SCHOOL AND SOLDOTNA ELEMENTARY SCHOOL AND CONSTRUCTING AND EQUIPPING BOB BARTLETT SCHOOL (TYONEK); PROVIDING FOR THE ISSUANCE AND SALE OF \$5,474,000 OF SUCH BONDS AS A COMBINED ISSUE; FIXING THE DATE, FORM, TERM AND MATURITIES AND COVENANTS OF SUCH BONDS; PLEDGING THE ANNUAL LEVY OF AD VALOREM TAXES WITHOUT LIMITATION AND IN AMOUNTS SUFFICIENT WITH OTHER REVENUE OF THE BOROUGH AVAILABLE FOR SUCH PURPOSES TO PAY THE PRINCIPAL THEREOF AND THE INTEREST THEREON AND PLEDGING THE FULL FAITH AND CREDIT OF THE BOROUGH TO THE PAYMENT OF ANY INDEBTEDNESS SO INCURRED; AND PROVIDING FOR THE SALE AND DELIVERY THEREOF TO SEATTLE-NORTHWEST SECURITIES CORPORATION OF SEATTLE, WASHINGTON.

WHEREAS, at a special election held in the Kenai Peninsula Borough, Alaska (hereinafter designated "Borough"), on the 25th day of February, 1975, pursuant to Resolutions Nos. 75-1 and 75-2 of the Borough, adopted January 7, 1975, and January 21, 1975, respectively, placing the propositions on the ballot, the qualified electors of the Borough authorized the issuance of general obligation bonds in an amount not to exceed \$3,500,000 to be used for constructing and equipping an addition to the Kenai Central High School consisting of a swimming pool, an additional athletic area, an addition of eight classrooms to the educational complex, a music room, and some renovation of the present building and in an amount not to exceed \$1,974,000 to be used for constructing and equipping additions to the East Homer Elementary School and Soldotna Elementary School and constructing and equipping Bob Bartlett School (Tyonek); and

WHEREAS, the Borough has not heretofore issued or sold any of such bonds; and

WHEREAS, it is deemed necessary and advisable that the \$3,500,000 of such bonds and \$1,974,000 of such bonds so authorized be now issued and sold as a combined issue of \$5,474,000 to provide moneys for accomplishing said purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH, ALASKA:

Section 1. The results of the special Borough election held on February 25, 1975, pursuant to Resolutions Nos. 75-1 and 75-2 of the Borough, adopted January 7, 1975, and January 21, 1975, respectively, and the Statutes of the State of Alaska and the Ordinances of the Borough, at which special election the qualified electors of the Borough authorized the issuance of general obligation bonds in the principal sum of not to exceed \$3,500,000 to be used for constructing and equipping an addition to the Kenai Central High School consisting of a swimming pool, an additional athletic area, an addition of eight classrooms to the educational complex, a music room, and some renovation of the present building and in the principal sum of not to exceed \$1,974,000 to be used for constructing and equipping additions to the East Homer Elementary School and Soldotna Elementary School and constructing and equipping Bob Bartlett School (Tyonek), are hereby in all respects ratified and confirmed.

Section 2. For the purpose of providing moneys necessary to carry out the improvements referred to in Section 1, the Borough shall issue and sell its "General Obligation School Bonds, 1975," in the principal sum of \$5,474,000, which bonds were authorized by Resolutions Nos. 75-1 and 75-2 of the Borough, and approved by the qualified electors of the Borough at the special election held on February 25, 1975.

Section 3. The bonds shall be dated June 1, 1975, shall be in denominations of \$5,000 each, except for Bond No. 1 which shall be in the denomination of \$4,000, shall bear interest at the rates hereinafter set forth payable on December 1, 1975, and semiannually thereafter on the first days of June and December of each year from date of issue as evidenced by coupons to be attached thereto, and shall be numbered, shall bear interest and shall mature in order of their number as follows:

<u>Bond Numbers (Inclusive)</u>	<u>Amounts</u>	<u>Interest Rates</u>	<u>Maturities</u>
1 to 68	\$339,000	6.50%	June 1, 1976
69 to 142	370,000	6.50%	June 1, 1977
143 to 222	400,000	6.60%	June 1, 1978
223 to 307	425,000	6.60%	June 1, 1979
308 to 397	450,000	6.60%	June 1, 1980
398 to 496	495,000	6.60%	June 1, 1981
497 to 586	450,000	6.60%	June 1, 1982
587 to 686	500,000	6.60%	June 1, 1983
687 to 808	610,000	6.75%	June 1, 1984
809 to 945	685,000	6.75%	June 1, 1985
946 to 1095	750,000	6.75%	June 1, 1986

Both principal of and interest on said bonds shall be payable in lawful money of the United States of America at the main office of the Seattle Trust and Savings Bank, Seattle, Washington.

Section 4. The bonds shall be subject to redemption by or on behalf of the Borough prior to maturity, as a whole or in part, in inverse numerical order, on any interest payment date on or after June 1, 1984, at a redemption price equal to the principal amount of each bond to be redeemed, together with interest accrued thereon to the redemption date.

Notice of any such intended redemption shall be given by one publication thereof in a financial journal of general circulation in the City of New York, New York, not more than 40 nor less than 30 days prior to such redemption date and by mailing a like notice at the same time to Seattle-Northwest Securities Corporation at its main office in Seattle, Washington, or to the successor in business of such corporation, if any, at its main office. Interest on any bond or bonds so called for redemption shall cease on such redemption date unless the same are not redeemed upon presentation made pursuant to such call.

In addition to such publication and mailing, the Borough shall also mail notice of any such intended redemption to Standard & Poor's Corporation and Moody's Investors Service, Inc., New York, New York, or to their business successors, if any. The mailing of such notice shall not, however, be a condition precedent to the call of any of the bonds for redemption, and failure to give such notice shall not affect the right of the Borough to redeem the bonds called for redemption in the manner set forth in the preceding paragraph.

Section 5. The bonds shall be in substantially the following form:

No. \_\_\_\_\_ \$5,000.00  
(\$4,000.00 on Bond No. 1)

UNITED STATES OF AMERICA

STATE OF ALASKA

KENAI PENINSULA BOROUGH

GENERAL OBLIGATION SCHOOL BOND, 1975

\_\_\_\_\_ §

KNOW ALL MEN BY THESE PRESENTS: That the Kenai Peninsula Borough, a municipal corporation of the State of Alaska, for value received, hereby promises to pay to bearer on the FIRST DAY OF JUNE, 19\_\_, the principal sum of

FIVE THOUSAND DOLLARS  
(\$4,000.00 on Bond No. 1)

together with interest thereon at the rate of \_\_\_\_\_% per annum, payable on December 1, 1975, and semiannually thereafter on the first days of June and December of each year as evidenced by and upon presentation and surrender of the attached interest coupons as they severally become due or until such principal sum shall have been paid or duly provided for. Both principal and interest are payable in lawful money of the United States of America at the main office of the Seattle Trust and Savings Bank, Seattle, Washington.

The bonds shall be subject to redemption by or on behalf of the Borough prior to maturity, as a whole or in part, in inverse numerical order, on any interest payment date on or after June 1, 1984, at a redemption price equal to the principal amount of each bond to be redeemed, together with interest accrued thereon to the redemption date.

Notice of any such intended redemption shall be given by one publication thereof in a financial journal of general circulation in the City of New York, New York, not more than 40 nor less than 30 days prior to such redemption date and by mailing a like notice at the same time to Seattle-Northwest Securities Corporation at its main office in Seattle, Washington, or to the successor in business of such corporation, if any, at its main office. In addition, the Borough shall also mail notice of such intended redemption to Standard & Poor's Corporation and Moody's Investors Service, Inc., New York, New York, or to their successors, if any, but the mailing of such notice to such corporations shall not be a condition precedent to the redemption of such bonds. Interest on any bonds so called for redemption shall cease on such redemption date unless the same are not redeemed upon presentation made pursuant to such call.

This bond is one of an issue of 1,095 bonds of like amount, date and tenor, except as to number, denomination, interest rates and maturity dates, aggregating the principal sum of \$5,474,000 and is issued pursuant to a special election held on February 25, 1975, authorizing the same under and in accordance with the laws of the State of Alaska and duly adopted ordinances and resolutions of the Kenai Peninsula Borough Assembly, for the purpose of providing funds to be used for constructing

and equipping an addition to the Kenai Central High School consisting of a swimming pool, an additional athletic area, an addition of eight classrooms to the educational complex, a music room, and some renovation of the present building, constructing and equipping additions to the East Homer Elementary School and Soldotna Elementary School, and constructing and equipping Bob Bartlett School (Tyonek).

This bond and bonds of the issue of which this bond is one are payable out of the fund created by Ordinance No. 75-23 of the Borough entitled "Kenai Peninsula Borough, 1975, General Obligation School Bond Redemption Fund." The Borough has irrevocably covenanted that it will levy and collect taxes annually upon all the taxable property within the Borough without limitation as to rate or amount and in amounts, which with other moneys available therefor, will be sufficient to pay the principal of and interest on the bonds of this issue as the same shall become due. The Borough has irrevocably pledged to make prompt payment of such principal and interest from the proceeds of such property taxes.

It is hereby certified that all acts, conditions and things required by the Constitution and laws of the State of Alaska, and the ordinances and resolutions of the Borough have happened, been done and performed, and that the total indebtedness of the Borough, including this bond and the bonds of this issue, does not exceed any debt limitation prescribed by such Constitution, laws, ordinances or resolutions.

IN WITNESS WHEREOF, the Kenai Peninsula Borough, Alaska, has caused this bond to be signed by the manual or facsimile signature of the Borough Mayor and attested by the manual or facsimile signature of its Clerk and its official seal or a facsimile thereof to be impressed or otherwise reproduced hereon, this first day of June, 1975.

KENAI PENINSULA BOROUGH, ALASKA

By: \_\_\_\_\_  
Borough Mayor

ATTEST:

(facsimile signature)  
\_\_\_\_\_  
Borough Clerk

The interest coupons shall be in substantially the following form:

No. \_\_\_\_\_

\$ \_\_\_\_\_

On the FIRST DAY OF (JUNE) (DECEMBER), 19\_\_\_\_, the Kenai Peninsula Borough, Alaska, will pay to bearer at the main office of the Seattle Trust and Savings Bank, Seattle, Washington, the sum shown hereon in lawful money of the United States of America, said sum being the semiannual interest due that date on its "General Obligation School Bond, 1975," dated June 1, 1975, and numbered \_\_\_\_\_.

KENAI PENINSULA BOROUGH, ALASKA

By: (facsimile signature)  
Borough Mayor

ATTEST:

(facsimile signature)  
Borough Clerk

Section 6. The bonds shall be signed by the manual or facsimile signature of the Borough Mayor, shall be attested by the manual or facsimile signature of the Borough Clerk, and shall have the official seal or facsimile thereof of the Borough impressed thereon. Each of the interest coupons attached thereto shall be signed with the facsimile signatures of said officials.

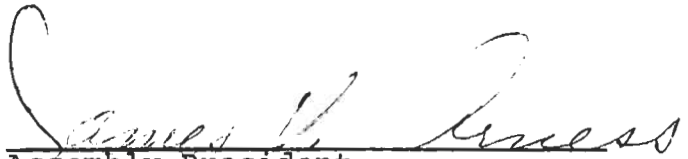
Section 7. There is hereby created a special fund of the Borough to be known as "Kenai Peninsula Borough, 1975, General Obligation School Bond Redemption Fund," which fund shall be drawn upon for the sole purpose of paying the principal of and interest on and redemption of the bonds authorized herein. The Borough hereby irrevocably covenants that it will levy and collect taxes annually upon all the taxable property within the Borough without limitation as to rate or amount and in amounts, which with other moneys available therefor, will be sufficient to pay such principal and interest as the same shall become due. The full faith, credit and resources of the Borough are hereby irrevocably pledged for the annual levy and collection of such taxes and for the prompt payment of such principal and interest.

All of such taxes so collected shall be paid into said 1975 Bond Redemption Fund on or before the dates upon which any installment of interest or principal and interest shall become due and payable, in amounts sufficient with any fund balance previously paid into said fund, to pay such installments as the same shall become due and payable. The money so paid into the said 1975 Bond Redemption Fund shall not be used for any other purpose than the payment of the principal of and interest on and redemption of the bonds authorized herein.

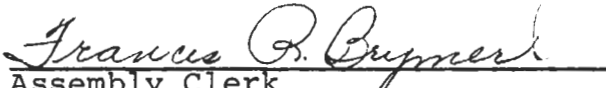
Section 8. Seattle-Northwest Securities Corporation of Seattle, Washington, has submitted an offer to purchase the bonds authorized herein at a price of par plus accrued interest, the Borough to furnish the printed bonds and the unqualified approving legal opinion of Roberts, Shefelman, Lawrence, Gay & Moch, municipal bond counsel of Seattle, Washington, at the Borough's expense. The Borough Assembly, being of the opinion that it is in the best interests of the Borough and its taxpayers that such offer be accepted, hereby accepts the same. The bonds authorized herein shall, therefore, immediately upon their execution be delivered to such purchaser upon payment therefor in accordance with such offer.

Section 9. This ordinance shall become effective upon enactment.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH  
this 20th day of May, 1975.

  
Assembly President

ATTEST:

  
Assembly Clerk

