

Appendix A

Planning Context

1. Legacy Site Bond Covenants for 2000 Debt Issuance
2. Charge to the Citizens Advisory Committee for the Development of a Site Master Plan for City Land

Legacy Site Bond Covenants for 2000 Debt Issuance

Email dated April 8, 2005 from Nancy Neraas of Preston Gates, Attorneys at Law:

-----Original Message-----

From: Neraas, Nancy (SEA) [mailto:nancyn@prestongates.com]

Sent: Friday, April 08, 2005 12:45 PM

To: Tony Mccarthy

Subject: FW: 2000 Bonds

In 2000, the City of Maple Valley issued \$6,710,000 of general obligations bonds to finance various purposes, including a portion of the costs of acquiring a 50-acre tract in the City. Apparently, bond proceeds financed approximately half the purchase price of the property and general City revenues financed the remaining purchase price.

The City is studying various options for the 50-acre tract, including the sale of a portion of the tract. The bonds were issued as tax-exempt bonds and, consequently, there are various on-going restrictions on the use of the property and facilities that were financed with bond proceeds. There are no federal tax or other bond-related restrictions on the use or disposition of the portion of the property that was not financed with bond proceeds. If the City ever sold the portion of the property that was financed with bond proceeds to a private party, the City would need to either pay off the portion of the bonds that financed the acquisition of the property or use the proceeds from the sale of the property for other governmental, capital purposes.

Excerpt from City of Maple Valley Ordinance C-00-125 adopted by the City Council on June 5, 2000:

SECTION 2. Findings and Authorization of Project. The City Council hereby finds that it is in the public interest for the City to (1) purchase a 50-acre parcel of land located at 25805 Maple Valley-Black Diamond Road S.E. in the City, (2) acquire a 14-acre parcel of undeveloped land at approximately 28601 Maple Valley-Black Diamond Road S.E. in the City and (3) to construct street improvements throughout the City (the "Projects"). A portion of the cost of these Projects will be financed from the proceeds of sale of the Bonds. If the City Council shall determine that it has become impractical to acquire any portion of the Projects by reason of changed conditions, the City shall not be required to acquire such portions of the Projects. If all of the Projects have been acquired or constructed or duly provided for, or found to be impractical, the Council may apply the Bond proceeds or any portion thereof to the redemption of the Bonds or to other capital purposes as the Council, in its discretion, shall determine.

*Charge to the
Citizens Advisory Committee for the
Development of a Site Master Plan for City Land
February 26, 2001*



GOAL

The goal of the Citizens' Advisory Committee ("CAC") is to recommend one preferred master site plan for the future use of the City's 50-acre parcel of land on Maple Valley Highway.

PROCESS AND RESPONSIBILITIES

The CAC shall:

- Work with the City's selected site planning consultant and City staff to become properly acquainted with the site and the factors that influence it
- Keep an open mind and objectively evaluate all reasonable options
- Receive, help facilitate, and evaluate public involvement
- Assist in keeping the City Council informed about the progress of the CAC's work through occasional formal presentations to the Council
- Be entitled to request reasonable additional information to facilitate the creation of a quality recommendation
- Regularly attend CAC meetings and participate proactively
- Make a final recommendation that the CAC believes to be in the long-term best interest of the City

SITE

The site within the CAC's purview is the 50-acre parcel of City-owned land located at 25805 Maple Valley Highway.

USES

Of the fifty acres, at least twenty-five acres (or at least 50 percent) shall be used for public purposes. A "public purpose" may include active and passive park uses, open space, municipal or other governmental agency buildings or uses, or other public uses that are consistent with the bond covenants placed on the site.

Of the fifty acres, up to twenty-five acres (or up to 50 percent) may be used for any legally qualifying purposes, whether private, for-profit, or public.

DISTRIBUTION OF USES

There are no restrictions or predisposition as to how the uses are to be distributed throughout the site, other than adopted City development requirements.

SIGNIFICANT TREES

The CAC shall place a high value on the retention of significant trees on the site. The CAC shall endeavor to meet the requirements of the City's significant tree ordinance by *retaining* significant trees, rather than through *replacement*.

WILDERNESS THEME

In recognition of the statements in the *Comprehensive Plan*, the CAC shall endeavor to develop a master plan that honors Maple Valley's rural setting. The Planning Commission is currently assisting with a definition of the term "Wilderness Theme."