

**CITY OF WEST RICHLAND
RESOLUTION NO. 48-18**

A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE CITY AT A SPECIAL ELECTION TO BE HELD ON APRIL 23, 2019, OF A PROPOSITION AUTHORIZING THE CITY TO ISSUE ITS GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING LAND, CONSTRUCTING AND EQUIPPING A NEW POLICE FACILITY, IN THE PRINCIPAL AMOUNT OF NO MORE THAN \$12,465,000 PAYABLE BY ANNUAL PROPERTY TAX LEVIES TO BE MADE IN EXCESS OF REGULAR PROPERTY TAX LEVIES, AND TO LEVY THOSE EXCESS PROPERTY TAXES

WHEREAS, the City Council of the City of West Richland, Washington (the "City"), has determined that it is in the best interest of the City to acquire land, construct, and equip a new police facility (the "Project"); and

WHEREAS, the City Council wishes to seek voter approval for the issuance and sale of not to exceed \$12,465,000 of general obligation bonds of the City to pay the costs of the Project, including the costs of issuing and selling such bonds, to be repaid by an annual excess property tax levy; and

WHEREAS, the constitution and laws of the State of Washington provide that the question of whether or not the City may issue such bonds be submitted to the qualified electors of the City for their ratification or rejection at a general election;

NOW, THEREFORE, the City Council of the City of West Richland, Washington, does hereby resolve as follows:

Section 1. Description of Project. The City Council finds that it is in the best interest of the City to acquire land, construct, and equip a new police facility. The Project will also provide for police facility safety and technology improvements. The estimated cost of the Project, including the costs of issuing and selling the bonds authorized by this resolution (the "Bonds"), is declared to be approximately \$12,465,000.

Section 2. Description of Bonds. The Bonds may be issued as a single issue, as part of a combined issue with other authorized bonds, or in more than one series, as deemed advisable by the City Council and as permitted by law. The Bonds shall be fully registered bonds; shall bear interest payable as permitted by law; shall mature within 30 years from the date of issue, or within any shorter period fixed by the City Council; shall be paid by annual property tax levies sufficient in amount to pay both principal and interest when due, which annual property tax levies shall be made in excess of regular property tax levies without limitation as to rate or amount but only in

amounts sufficient to meet such payments of principal and interest as they come due; and shall be issued and sold in such manner, at such times, and in such amounts as shall be required for the purpose for which the Bonds are to be issued. The exact date, number of series, form, terms, option of redemption prior to maturity, price, interest rate or rates, and maturities of the Bonds shall be hereafter fixed by ordinance of the City Council. Pending the issuance of the Bonds, the City may issue short-term obligations pursuant to chapter 39.50 RCW or such other obligations as are permitted by law to pay for the costs of the Project. Such obligations and their costs may be paid or refunded with proceeds of the Bonds when issued.

Section 3. Proceeds of the Bonds. If available money from the proceeds of the Bonds is more than sufficient to pay the costs of the Project, or if state or local circumstances require any alteration in the Project, the City may acquire land, construct, equip, and make other capital improvements to the City's facilities, or retire and/or defease a portion of the Bonds, all as the City Council may determine and as permitted by law. If the proceeds of the sale of the Bonds and other available money are insufficient to make all of the capital improvements herein provided for, or if it has become impractical to accomplish the Project or portions of the Project, the City may use the proceeds of the Bonds and other available money for paying the costs of those portions of the Project deemed by the City Council to be most necessary and in the best interest of the City.

Section 4. Calling of Election. The City Council requests that the Auditor of Benton County, Washington (the "Auditor"), call and conduct a special election in the City, in the manner provided by law, to be held therein on April 23, 2019, for the purpose of submitting to the voters of the City, for their approval or rejection, the question of whether or not general obligation bonds of the City shall be issued in the principal amount of not more than \$12,465,000 (or such lesser maximum amount as may be legally issued under the laws governing the limitation of indebtedness), the proceeds of which shall be expended to pay the costs of the Project, and annual excess property taxes shall be levied to pay and retire the Bonds. If such proposition is approved by the requisite number of voters, the City shall be authorized to issue the Bonds in the manner described in this resolution, to spend the proceeds thereof to pay the costs of the Project, and to levy excess property taxes to pay and retire such Bonds. The proceeds of the Bonds shall be used for capital purposes only and not for the replacement of equipment.

Section 5. Ballot Proposition. The City Clerk is authorized and directed to certify, no later than February 22, 2019 (by 5:00 p.m.) to the Auditor, as *ex officio* supervisor of elections in the City, a copy of this resolution and the proposition to be submitted at that election in the form of a ballot title prepared by the City Attorney pursuant to RCW 29A.36.071, as follows:

PROPOSITION NO. 1
CITY OF WEST RICHLAND

BONDS FOR LAND, POLICE FACILITY AND EQUIPMENT

The City Council of the City of West Richland has adopted Resolution No. __ concerning a proposition to finance construction of a police facility.

This proposition would authorize the City to acquire land, construct, and equip a larger police facility and provide for safety and technology improvements; issue no more than \$12,465,000 of general obligation bonds maturing within 30 years; and levy annual excess property taxes to repay the bonds, all as provided in Resolution No. __. Should this proposition be:

Approved.....

Rejected.....

For purposes of receiving notice of any matters related to the ballot title, as provided in RCW 29A.36.080, the City Council hereby designates its bond counsel, Foster Pepper PLLC (Marc Greenough, 206-447-7888, marc.greenough@foster.com), as the person to whom such notice shall be provided.

Section 6. Authorization of Local Voters' Pamphlet. To the extent a local voters' pamphlet and/or online voters' guide (the "Pamphlet") will be produced for the April 23, 2019 special election, the preparation and distribution of information on the ballot title for inclusion in the Pamphlet is hereby authorized; provided that, the City reserves the right not to participate in the preparation and distribution of the Pamphlet if such participation would create undue financial hardship for the City or not be in the best interests of the City. The Mayor is authorized to exercise the City's right to appoint a committee to prepare arguments advocating voters' approval of the measure ("Pro Committee") and a committee to prepare arguments advocating voters' rejection of the measure ("Con Committee"); and, to not participate in the preparation and distribution of the Pamphlet. The Pamphlet shall include, if applicable, an explanatory statement and statements in favor of and in opposition to the ballot title. The preparation of the explanatory statement, the appointment of pro/con committees, the preparation of statements in favor of and in opposition to the ballot title, and the payment of the costs of the Pamphlet shall be in accordance with Chapter 29A.32 RCW and the rules and guidelines of the Auditor, as applicable.

Section 7. General Authorization. The proper City officials are authorized to perform such duties as are necessary or required by law to the end that

the question of whether or not Bonds shall be issued and excess taxes necessary to pay and retire the Bonds be levied, all as provided in this resolution, shall be submitted to the voters of the City at the April 23, 2019 special election.

Section 8. Intent to Reimburse. The City Council declares that to the extent that the City makes capital expenditures for the Project prior to the date the Bonds or other short-term obligations are issued to finance the Project, those capital expenditures are intended to be reimbursed out of proceeds of the Bonds or other short-term obligations issued in an amount not to exceed the principal amount of the Bonds provided by this resolution.

Section 9. Severability. If any provision of this resolution is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be severable from the remaining provisions of this resolution, and shall in no way affect the validity of the other provisions of this resolution or of any other ordinance or resolution or of the Bonds.


Section 10. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED by the City Council of the City of West Richland, Washington, at a regular open public meeting thereof this 18th day of December, 2018.




Brent Gerry, Mayor

ATTEST:



Julie Richardson, City Clerk

APPROVED AS TO FORM:



Bronson Brown, City Attorney