

CITY OF MOUNTLAKE TERRACE

ORDINANCE NO. 2711

**AN ORDINANCE OF THE CITY OF MOUNTLAKE TERRACE,
WASHINGTON, PROVIDING FOR THE SUBMISSION TO THE VOTERS OF
THE CITY AT A GENERAL ELECTION TO BE HELD ON NOVEMBER 7,
2017, OF A PROPOSITION AUTHORIZING THE CITY TO ISSUE ITS
GENERAL OBLIGATION BONDS FOR THE PURPOSE OF CONSTRUCTING
A CITY HALL AND A POLICE STATION EXPANSION (CIVIC CAMPUS
IMPROVEMENTS), IN THE PRINCIPAL AMOUNT OF NO MORE THAN
\$12,500,000 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 Mountlake Terrace, Washington (the “City”), has determined that in order to protect and enhance the City’s financial health and stability while maintaining appropriate and essential public services in a cost effective manner, it is in the best interest of the City to undertake the construction of a new City Hall and expand the Police Station (the “Project”) to be located at 23204 58th Avenue W and 5906 232nd Street SW, Mountlake Terrace, Washington, the Civic Campus; and

WHEREAS, the City Council wishes to seek voter approval for the issuance and sale of not to exceed \$12,500,000 of general obligation bonds of the City to pay the costs of the Project and the costs of issuance of 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; and

WHEREAS, it is the City Council’s intent and desire that the Police Station be expanded to reasonably accommodate the needs of the Police Department in an approximate expansion of the Station of 3,000 square feet.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Project. The City Council finds that in order to provide community amenities and enhance government efficiency it is in the best interest of the City to undertake the construction of and improvements to the Civic Campus located at the intersection of 58th Avenue W and 232nd Street SW, including the following projects:

- City Hall, including City Council Chambers, lobby and other City offices (approximately 18,000 square feet) recognizing the City has not yet obtained construction bids.

- Police Station expansion (approximately 3,000 square feet) recognizing the City has not yet obtained construction bids.

The Project shall include all necessary equipment, supplies, and appurtenances. The cost of all necessary architectural, engineering, legal and other consulting services, inspection and testing, administrative expenses, site acquisition or improvement, demolition, on and off-site utilities, related improvements and other costs incurred in connection with the Project shall be deemed a part of the costs of such capital improvements.

The estimated cost of the Project, including the costs of issuing and selling the bonds authorized by this ordinance, is declared to be approximately \$12,500,000.

The City Council may modify the details of the foregoing Project where necessary or advisable in the judgment of the City Council.

Any Bond proceeds remaining after the Project is completed, shall be used for other capital projects approved by the City Council, or to repay the Bonds.

Section 2. Description of Proposed Bonds. The Bonds may be issued as a single issue, as a 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 such Bonds are to be issued. The exact date, number of series, form, terms, option of prior redemption, 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, 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 Snohomish County, Washington (the "Auditor") call and conduct a general election in the City, in the manner provided by law, to be held therein on November 7, 2017, 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 \$12,500,000 (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 ordinance, 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 August 1, 2017 (by 5 p.m.) to the Auditor, as *ex officio* supervisor of elections in the City, a copy of this ordinance 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 MOUNTLAKE TERRACE
CIVIC CAMPUS BONDS

The City Council of the City of Mountlake Terrace adopted Ordinance No. 2711 concerning a proposition for financing Civic Campus improvements. If approved, this proposition would authorize the City to issue bonds to construct a new City Hall and expand the Police Station. It would authorize the issuance of not more than \$12,500,000 of general obligation bonds maturing within 30 years, and authorize the annual levy of excess property taxes to pay such bonds, as provided in Ordinance No. 2711. Should this proposition be approved?

YES
NO

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 (Nancy Neraas, 206-447-6277, neran@foster.com), as the person to whom such notice shall be provided.

Section 6. 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 ordinance, shall be submitted to the voters of the City at the November 7, 2017 general election.

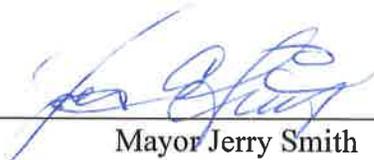
Section 7. Intent to Reimburse. The City Council declares that to the extent that the City makes capital expenditures for the Project, prior to the date the Bonds or other short-term obligations are issued to finance the Project, those capital expenditures are intended to be reimbursed out of proceeds of the Bonds or other short-term obligations issued in an amount not to exceed the principal amount of the Bonds provided by this ordinance.

Section 8. Severability. If any provision of this ordinance 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 ordinance, and shall in no way affect the validity of the other provisions of this ordinance or of any other ordinance or resolution or of the Bonds.

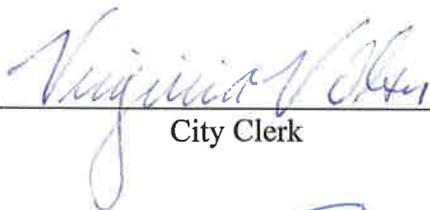
Section 9. Publication and Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five days after publication.

Section 10. Ratification of Prior Acts. Any action taken consistent with the authority of this ordinance, after its passage but prior to the effective date, is ratified, approved, and confirmed.

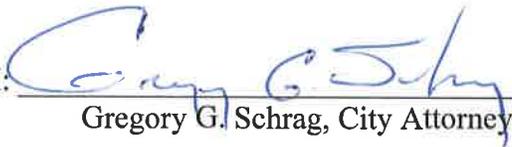
PASSED BY THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE this 20th day of July, 2017 and signed and authentication of its passage this 20th day of July, 2017.



Mayor Jerry Smith

ATTEST: 

City Clerk

APPROVED AS TO FORM: 

Gregory G. Schrag, City Attorney

CERTIFICATION

I, the undersigned, City Clerk of the City of Mountlake Terrace, Washington (the "City"), hereby certify as follows:

1. The attached copy of Ordinance No. 2711 (the "Ordinance") is a full, true and correct copy of an ordinance duly passed at a special meeting of the City Council of the City held at the regular meeting place thereof on July 20, 2017, as that ordinance appears on the minute book of the City; and the Ordinance will be in full force and effect five days after the publication of its summary in the City's official newspaper; and

2. At least 24 hours before the time of the special meeting, written notice specifying the time and place of the special meeting and the business to be transacted, a true and complete copy of which is attached as Appendix 1, was provided as follows:

a. Given to all members of the City Council by mail, fax, electronic mail or personal delivery.

b. Prominently displayed at the main entrance of City Hall City Council Chambers located at 6100 219th Street SW, Suite 220, Mountlake Terrace, Washington 98043.

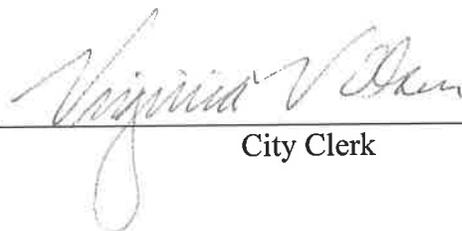
c. Posted on the City's website.

3. No local radio or television stations, or newspapers of general circulation, have on file with the City a written request to be notified of any special, adjourned or continued meetings.

4. A quorum of the members of the City Council was present throughout the meeting and a majority of those members present voted in the proper manner for the passage of the Ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of July, 2017.

CITY OF MOUNTLAKE TERRACE



City Clerk