

CITY OF PULLMAN, WASHINGTON

RESOLUTION NO. R-59-17

A RESOLUTION of the City of Pullman, Washington, providing for the form of the ballot proposition and specifying certain other details concerning submission to the qualified electors of the city at a special election to be held therein on November 7, 2017, of a proposition for the issuance of its unlimited tax general obligation bonds in the aggregate principal amount of not to exceed \$2,400,000, or so much thereof as may be issued under the laws governing the indebtedness of the City for the purpose of providing funds to finance improvements, repairs and upgrades to certain city parks, and improvements to and creation of certain city paths.

ADOPTED July 18th, 2017

PREPARED BY:

WITHERSPOON BRAJCICH MCPHEE, PLLC
Spokane, Washington

RECEIVED
JUL 21 2017
AUDITOR
WHITMAN COUNTY

CITY OF PULLMAN, WASHINGTON
UNLIMITED TAX GENERAL OBLIGATION BONDS
RESOLUTION NO. R-59-17

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* This Table of Contents and the cover page are not a part of the following Resolution and are included only for the convenience of the reader.

RESOLUTION NO. R-59-17

A RESOLUTION of the City of Pullman, Washington, providing for the form of the ballot proposition and specifying certain other details concerning submission to the qualified electors of the city at a special election to be held therein on November 7, 2017, of a proposition for the issuance of its unlimited tax general obligation bonds in the aggregate principal amount of not to exceed \$2,400,000, or so much thereof as may be issued under the laws governing the indebtedness of the City for the purpose of providing funds to finance improvements, repairs and upgrades to certain city parks, and improvements to and creation of certain city paths.

WHEREAS, the City of Pullman, Washington (the "City") is a municipal corporation duly organized and existing under and by virtue of the Constitution and the laws of the state of Washington; and

WHEREAS, the City Council has determined that it is necessary and advisable for the preservation of the health and safety of the residents and inhabitants of the City to undertake certain parks and paths improvement projects to make necessary capital improvements to the City's recreational facilities, all as more particularly described in Section 2 of this resolution (the "Projects"), all through the issuance of unlimited tax general obligation bonds; and

WHEREAS, future citizens of the City will reap the benefits of such repairs and improvements to the City's parks and paths made with funding authorized by today's voters, making it appropriate to pay for those improvements over a period of time.

WHEREAS, subject to voter approval, in order to provide financing for the Projects, it is deemed necessary and advisable that the City issue and sell its unlimited tax general obligation bonds in the principal amount of not to exceed \$2,400,000 (the "Bonds"); and

WHEREAS, the constitution and laws of the State of Washington provide that the question of whether or not the City may issue the Bonds be submitted to the qualified electors of the City for their ratification or rejection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pullman, that:

Section 1. Findings . The City Council hereby finds and declares that it is in the best interests of the inhabitants of the City to carry out the plans hereinafter provided at the time or times and in the order deemed most necessary and advisable by the City Council.

Section 2. Capital Improvements. The City Council approves the Projects, including, but not limited to:

- (a) the acquisition, construction, equipping and installation of certain repairs and improvements to Reaney Park restrooms, pool liner and shower buildings;
- (b) the acquisition, construction, equipping and installation of renovations to the Kruegel Park picnic shelter;
- (c) the acquisition, construction, equipping and installation of new dugout structures and adult fitness components along the pedestrian paths; replacement and/or upgrades to existing storage/scorekeeper boxes; replacement of backstops and fencing and replacement of the roof on the shower building and other upgrades and additions to Wiley, Bowman and Thatuna playfields;
- (d) ADA improvements, including the acquisition, construction, equipping and installation of an ADA compliant path, to Sunnyside Park;
- (e) the acquisition, construction, equipping and installation of an ADA compliant playground, paved parking lot, restroom/shelter, wetland mitigation

interpretive area, children's garden, demonstration gardens, and demolition of the existing house and barns at Mary's Park;

(f) the acquisition, construction, equipping and installation of playground components, a restroom/shelter facility and paved parking at Emerald Pointe Park;

(g) the acquisition and equipping of a multi-functional mobile platform for events and concerts at City parks;

(h) the paving of the Itani linear path from Center Street to Sunnyside Park, to the shelter and the Cedar Street parking lot; and

(i) the acquisition, construction and installation of a path through Conservation Park from Copper Basin to Darrow Street, to Harrison Street along the utility corridors; and

(j) the development, acquisition, construction and installation of paths and sidewalk connections to provide for safe recreational opportunities and safe routes to the new Kamiak Elementary school.

The costs of all necessary architectural, engineering, and other consulting services, inspection and testing, administrative and relocation expenses, on and off-site utilities, site acquisition, related improvements, equipment and other costs incurred in connection with the making of the foregoing Projects shall be deemed a part of the costs of such Projects. Such Projects shall be complete with all necessary furniture, and equipment and appurtenances.

Upon issuance of the Bonds, the City Council shall determine the application of available moneys so as to accomplish, as nearly as may be, all of the Projects described or provided for in this section. The City Council shall determine the exact extent and specifications for construction of structures or other improvements.

If the City Council determines that it has become impractical to accomplish any of such Projects or portions thereof by reason of state or local circumstances, including changed conditions, incompatible development, lack of additional state funding, or costs substantially in excess of those estimated, the City Council shall not be required to accomplish such Projects and may apply the Bond proceeds or any portion thereof to other portions of the Projects, or to other capital improvements of the City, as the City Council may determine is necessary. Alternatively, the City Council to apply the unspent Bond proceeds or any portion thereof to payment of principal of or interest on the Bonds, as it may determine is necessary.

In the event that the proceeds of sale of the Bonds, plus any other moneys of the City Council legally available, are insufficient to accomplish all of the Projects provided by this section, the City Council shall use the available funds for paying the cost of those Projects for which the Bonds were approved deemed by the City Council most necessary and in the best interest of the City.

If available funds are sufficient from the proceeds of Bonds to accomplish all of the Projects authorized above and proceeds of Bonds remain available, and state or local circumstances require, the City shall use such funds to pay the principal of or interest on the Bonds or acquire, construct, equip, modernize and make other capital improvements to the City, all as the City Council may determine is necessary.

Section 3. Authorization of Bonds. For the purpose of providing the funds necessary to pay the costs of financing the Projects, together with incidental costs of acquisition and outfitting, and costs related to the issuance and sale of the Bonds, the City shall issue and sell its unlimited tax general obligation bonds in the aggregate principal amount of not to exceed \$2,400,000. The Bonds shall be issued in an amount not exceeding the amount approved by the

electors of the City and not exceeding the amount permitted by the constitution and laws of the State of Washington. The balance, if any, of the cost of the Projects shall be paid out of any other legally available funds. The Bond proceeds shall not be used for anything other than a capital purpose.

Section 4. Details of Bonds. The Bonds shall be issued in such amounts and at such time or times as found necessary and advisable by the City Council and as permitted by law. The Bonds may be issued in one or more series and shall bear interest payable at a rate or rates authorized by the City Council. The Bonds shall mature in such amounts and at such times within a maximum term of 10 years from date of issue, all as authorized by the City Council and as provided by law. The Bonds shall be general obligations of the City and, unless paid from other sources, both principal of and interest on the Bonds shall be payable out of annual tax levies to be made upon all the taxable property within the City without limitation as to rate or amount and in excess of any constitutional or statutory tax limitation. The exact date, form, terms, options of redemption, maturities, covenants and manner of sale of the Bonds shall be as hereafter fixed by ordinance or ordinances of the City Council. After voter approval of the Bond proposition and in anticipation of the issuance of such Bonds, the City may issue short-term obligations as authorized by Chapter 39.50 RCW.

Section 5. Election. It is hereby found and declared that the best interests of the inhabitants of the City require the submission to the qualified electors of the City of the proposition of whether the City shall issue the Bonds at a special election to be held on November 7, 2017. The Whitman County Auditor, as *ex officio* supervisor of elections in Whitman County, Washington is hereby requested to call and conduct the special election to be held within the City and to submit to the qualified electors of the City the proposition set forth

below. The Finance Director is hereby authorized and directed to certify the proposition to said officials in the following form:

CITY OF PULLMAN
PROPOSITION NO. ____

UNLIMITED TAX GENERAL OBLIGATION BONDS - \$2,400,000

The City Council of the City of Pullman passed Resolution No. R-59-17 approving a plan to finance certain parks, paths and recreational facility improvements in the City. Unlimited tax general obligation bonds would be issued in a maximum principal amount of \$2,400,000, maturing within 10 years from date of issue, and repaid from an annual excess levy on real property, all as provided in the Resolution. Should this proposition be:

APPROVED?

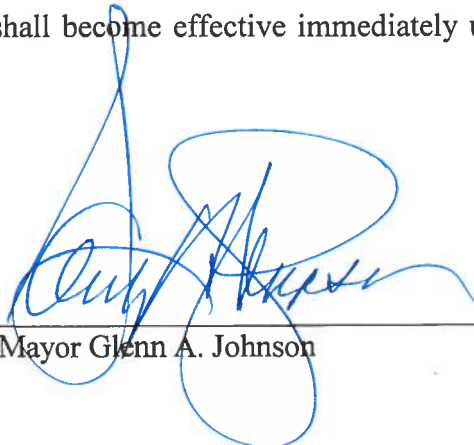
REJECTED?.....

Certification of this proposition by the Finance Director to the Whitman County Auditor, in accordance with law, prior to the date of the election, and any other acts consistent with the authority, and prior to the effective date, of this resolution, are hereby ratified.

Section 6. Severability. In the event that any provision of this resolution shall be held to be invalid, such invalidity shall not affect or invalidate any other provision of this resolution or the Bonds, but they shall be construed and enforced as if such invalid provision had not been contained herein; provided, however, that any provision which shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 7. Effective Date This resolution shall become effective immediately upon its passage and publication, as required by law.

Adopted this 18th day of July, 2017.



Mayor Glenn A. Johnson

ATTEST:



Leann L. Hubbard
Finance Director

Approved as to Form:



Laura D. McAloon, City Attorney

CITY OF PULLMAN

OFFICIAL BALLOT

UNLIMITED TAX GENERAL OBLIGATION BONDS

November 7, 2017

INSTRUCTION TO VOTERS: To vote in favor of the following proposition, place a cross (X) in the square opposite the word "APPROVED"; to vote against the following proposition, place a cross (X) in the square opposite the word "REJECTED."

CITY OF PULLMAN

PROPOSITION NO. ____

UNLIMITED TAX GENERAL OBLIGATION BONDS - \$2,400,000

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APPROVED?

REJECTED?.....

NOTICE OF SPECIAL ELECTION

CITY OF PULLMAN
UNLIMITED TAX GENERAL OBLIGATION BONDS

November 7, 2017

NOTICE IS HEREBY GIVEN that on Tuesday, November 7, 2017, a special election will be held in the above-named city for the submission to the qualified electors of the city of the following proposition:

CITY OF PULLMAN

PROPOSITION NO. ____

UNLIMITED TAX GENERAL OBLIGATION BONDS - \$2,400,000

The City Council of the City of Pullman passed Resolution No. R-59-17 approving a plan to finance certain parks, paths and recreational facility improvements in the City. Unlimited tax general obligation bonds would be issued in a maximum principal amount of \$2,400,000, maturing within 10 years from date of issue, and repaid from an annual excess levy on real property, all as provided in the Resolution. Should this proposition be:

APPROVED?

REJECTED?.....

Whitman County Auditor

CERTIFICATE

I, the undersigned, Finance Director of the City of Pullman, Washington (the "City"), DO HEREBY CERTIFY:

1. That the attached Resolution No. R-59-17 (the "Resolution") is a true and correct copy of a Resolution of the Council as passed at a regular meeting of the Council held on July 18th, 2017, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of the Resolution; that all other requirements and proceedings incident to the proper passage of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of July, 2017.



Leann L. Hubbard
Finance Director

OFFICE OF THE COUNTY AUDITOR
OF
WHITMAN COUNTY, WASHINGTON

WHEREAS, the undersigned as the duly elected, qualified and acting Auditor of Whitman County, Washington, has jurisdiction of and is required by law to conduct all elections for cities within the County; and

WHEREAS, the City of Pullman lies entirely within the boundaries of Whitman County; and

WHEREAS, the City Council by a Resolution adopted on July 18th, 2017, a certified copy of which has been delivered to the undersigned, has authorized and directed the undersigned to assume jurisdiction of and conduct a special election on November 7, 2017.

NOW, THEREFORE, it is authorized and ordered as follows:

The undersigned hereby assumes jurisdiction of the above-mentioned special election of the City of Pullman, Washington, authorized and ordered by a Resolution of its City Council adopted July 18th, 2017, and will conduct the special election on November 7, 2017.

DATED at Pullman, Washington, this ____ day of _____, 2017.

Whitman County Auditor