

ORDINANCE NO. 4118

**AN ORDINANCE** of the City Council of the City of Kent, Washington, providing for the submission to the qualified electors of the City at an election to be held on November 4, 2014, of a proposition authorizing the City to issue its general obligation bonds in the aggregate principal amount of not to exceed \$34,000,000 to construct and equip new public safety and officer training facilities, and levy excess property taxes to pay the bonds.

**RECITALS**

A. The City of Kent, Washington (the "City") currently owns and operates a former library, which was remodeled over 20 years ago to serve as a short-term location for the City's police headquarters.

B. At the time the City's police department moved its headquarters to this location, the department included approximately 85 officers.

C. When the City remodeled the library for this public safety building in 1991, the City planned to accommodate approximately 85 officers. Now, the City's current police force includes 144 commissioned officers with planned growth to approximately 160 officers by 2017. These commissioned officer numbers do not include any of the staff that

operates the Kent City Jail, nor do they include administrative staff, police records technicians, or evidence custodians and technicians.

D. Because of limited space availability, police officers, detectives, and support staff are scattered among four different buildings. In the current police station, police officers do not have enough locker space; there is insufficient room to store gear, including life-protecting equipment such as bullet-proof vests; the "ready room" space for SWAT and special forces mobilization is too small to adequately prepare for safety missions; training rooms are undersized; the briefing room for oncoming police shifts is too small to accommodate the staffing and briefing for special operations; officers and support staff are stacked two or three persons per cubicle; and even broom closets have been converted to office space.

E. This overflow of staffing and separation of police department personnel among four different locations significantly impedes good communication. This particularly affects one of the department's most important public safety initiatives, "Intelligence Led Policing," which is a key strategy to effectively address crime and quality of life issues in Kent. Intelligence Led Policing is an innovative, best practices model that utilizes intelligence and data from citizens, informants, police reports, and calls for service to deploy police resources to high crime areas and to focus on high impact offenders. Crime trends, community concerns and quality of life issues can be quickly identified and resources mobilized when this information is known. This model provides for a safer community when officers, detectives and crime prevention staff can effectively communicate. A single location where police staff can work together and meet on a frequent basis leads to more effective communication and an improved ability to solve crimes.

F. The Kent City Jail is an older facility that houses offenders that pose a risk to our community. An estimated 50% of the inmates

have diagnosed mental health issues. The current jail does not have the mental health crisis cell capacity to effectively and safely secure the mentally ill and those in personal crisis. Passage of the bond would enable the city to construct additional crisis cells. Also, the city would replace wiring and plumbing within the jail facility, extending its life for about 30 more years.

G. The city needs to double the size of its twenty-five year old firearms training facility to provide realistic training scenarios using current best practices for critical incidents, including situations involving active shooters.

H. The City desires to address the insufficient capacity, crowding, impediments to effective communication, inefficiencies and other short-comings of the short-term location through the construction of new police headquarters on the site of the temporary location, together with related training facilities and other improvements (the "Public Safety and Training Facilities").

I. To finance costs of the Public Safety and Training Facilities it is deemed necessary and advisable that the City issue and sell its unlimited tax general obligation bonds in the aggregate principal amount of not to exceed \$34,000,000 (the "Bonds").

J. The Constitution and laws of the State of Washington provide that the question of whether such Bonds may be issued and sold for such purposes and taxes levied to pay such Bonds must be submitted to the qualified electors of the City for their ratification or rejection.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

**ORDINANCE**

**SECTION 1. - FINDINGS.** The City Council hereby finds that the best interests of the residents of the City require the City to design, construct, improve, furnish, and equip the Public Safety and Training Facilities as identified in Exhibit A, which is incorporated herein by this reference, at the time, in the order and in the manner deemed most necessary and advisable by the City Council. The total cost of the Public Safety and Training Facilities is expected to not exceed \$34,000,000.

The cost of all necessary appraisals, negotiation, closing, architectural, engineering, financial, legal and other consulting services, inspection and testing, demolition, administrative and relocation expenses and other costs incurred in connection with the foregoing capital improvements shall be deemed a part of the capital costs of such improvements. Such improvements shall be complete with all necessary equipment and appurtenances.

The City Council shall determine the exact specifications for the Public Safety and Training Facilities, and the components thereof, as well as the timing, order and manner of completing the components of the Public Safety and Training Facilities. The City Council may alter, make substitutions to, and amend such components as it determines are in the best interests of the City and consistent with the general descriptions provided herein. The City Council shall determine the application of moneys available for the various Public Safety and Training Facilities so as to accomplish, as nearly as may be, all of the Public Safety and Training Facilities.

If the City Council shall determine that it has become impractical to design, construct, improve, renovate, acquire, or equip all or any component of the Public Safety and Training Facilities by reason of changed conditions, incompatible development, costs substantially in

excess of the amount of Bond proceeds or tax levies estimated to be available, or acquisition by a superior governmental authority, the City shall not be required to provide such component or components. If all of the Public Safety and Training Facilities have been constructed or acquired or duly provided for, or found to be impractical, the City may apply the Bond (as defined in Section 2) proceeds (including earnings thereon) or any portion thereof to other public safety capital purposes or to the redemption of the Bonds as the City Council, in its discretion, shall determine.

In the event that the proceeds from the sale of the Bonds, plus any other money of the City legally available therefor, are insufficient to accomplish all of the Public Safety and Training Facilities, the City shall use the available funds for paying the cost of those portions of the Public Safety and Training Facilities deemed by the City Council most necessary and in the best interest of the City.

**SECTION 2. - AUTHORIZATION OF BONDS.** For the purpose of providing all or a part of the funds necessary to pay the costs of the Public Safety and Training Facilities, together with incidental costs and costs of issuance of the Bonds, the City shall issue and sell its unlimited tax general obligation bonds in the aggregate principal amount of not to exceed \$34,000,000 (the "Bonds"). 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 Public Safety and Training Facilities shall be paid out of any other legally available funds. The Bond proceeds (and earnings thereon) shall be used to pay the costs of the Public Safety and Training Facilities, together with incidental costs and costs related to the sale and issuance of the Bonds, and shall not be used for the replacement of equipment or for a purpose other than a capital purpose.

**SECTION 3. - DETAILS OF BONDS.** The Bonds provided for in Section 2 hereof shall be issued in such amounts and at such time or times as deemed 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 20 years from date of issue of a series, all as authorized by the City Council and as provided by law. The Bonds shall be unlimited tax 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 limitations. The exact date, form, terms, 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 4. - BOND ELECTION.** It is hereby found that the best interests of the inhabitants of the City require the submission to the qualified electors of the City of a proposition authorizing the City to issue Bonds for the purposes of funding the Public Safety and Training Facilities, at an election to be held on November 4, 2014. King County Elections, as *ex officio* supervisor of elections in King County, Washington, is hereby requested to assume jurisdiction of and to call and conduct the election to be held within the City and to submit to the qualified electors of the City the proposition hereinafter set forth. Such election shall be conducted by mail.

The City Clerk is hereby authorized and directed, prior to August 5, 2014, to certify the proposition to the Director of King County Elections, Washington in substantially the following form:

CITY OF KENT PROPOSITION NO. A

GENERAL OBLIGATION  
PUBLIC SAFETY AND TRAINING FACILITIES  
BONDS

The City Council of the City of Kent adopted Ordinance No. 4118 concerning a proposition for public safety and officer training facilities. This proposition authorizes public safety improvements – constructing and equipping new police headquarters, improving the firearms training range, improving the city’s jail, and completing other training and public safety facilities – to be funded through the issuance of up to \$34,000,000 in city general obligation bonds, maturing within 20 years, and annual property tax levies in excess of regular property tax levies, as needed to repay the bonds (estimated average levy rate of about 19 cents per \$1,000 assessed value). Should this proposition be approved:

YES? .....

NO? .....

Certification of this proposition by the City Clerk to the Director of King County Elections, Washington, in accordance with law, prior to the date of such election, and any other acts consistent with the authority, and prior to the effective date, of this ordinance, are hereby ratified.

**SECTION 5. - RATIFICATION.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

**SECTION 6. - EFFECTIVE DATE.** This ordinance shall take effect five days after its publication as provided by law.

PASSED at a regular open public meeting by the City Council of the City of Kent, Washington this 1<sup>st</sup> day of July, 2014.

By   
Suzette Cooke, Mayor

ATTEST:

  
Ronald F. Moore, City Clerk

APPROVED AS TO FORM:

PACIFICA LAW GROUP LLP

  
Bond Counsel



## **Exhibit A**

### **Public Safety and Training Facilities Project**

- design, construct and equip new police headquarters (including removing the existing police headquarters);
- add cells at City jail, including for inmates with mental health issues, and replumb and rewire City jail;
- increase capacity of City firearms training range; and
- design, construct and equip related public safety and training facilities.

CERTIFICATE

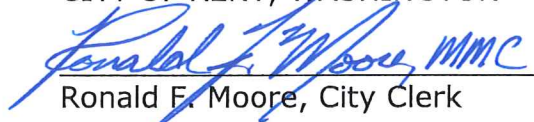
I, the undersigned, City Clerk of the City of Kent, Washington, and keeper of the records of the City Council, DO HEREBY CERTIFY:

1. That the attached Ordinance is a true and correct copy of Ordinance No. 4118 of the City (the "Ordinance"), as finally adopted at a regular meeting of the City Council held on July 1, 2014, 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 quorum of the City Council was present throughout the meeting and a legally sufficient number of members of the City Council voted in the proper manner for the adoption of said Ordinance; that all other requirements and proceedings incident to the proper adoption or passage of said Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

Dated this 2<sup>ND</sup> day of July, 2014.

CITY OF KENT, WASHINGTON

  
Ronald F. Moore, City Clerk

CITY OF KENT  
OFFICIAL BALLOT

November 4, 2014

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INSTRUCTION TO VOTERS: To vote in favor of the following proposition, place a cross (X) in the square opposite the word "YES?"; to vote against the following proposition, place a cross (X) in the square opposite the word "NO?"

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CITY OF KENT

PROPOSITION NO. A  
GENERAL OBLIGATION  
PUBLIC SAFETY AND TRAINING FACILITIES  
BONDS

The City Council of the City of Kent adopted Ordinance No. 4/18 concerning a proposition for public safety and officer training facilities. This proposition authorizes public safety improvements – constructing and equipping new police headquarters, improving the firearms training range, improving the city’s jail, and completing other training and public safety facilities – to be funded through the issuance of up to \$34,000,000 in city general obligation bonds, maturing within 20 years, and annual property tax levies in excess of regular property tax levies, as needed to repay the bonds (estimated average levy rate of about 19 cents per \$1,000 assessed value). Should this proposition be approved:

YES? .....

NO? .....

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