

RESOLUTION NO. 501

A RESOLUTION of the Board of Fire Commissioners of King County Fire Protection District No. 39 (South King Fire & Rescue), King County, Washington, providing for the form of the ballot proposition and specifying certain other details concerning submission to the qualified electors of the District at a special election to be held therein on April 28, 2015, of a proposition for the issuance of its general obligation bonds in the aggregate principal amount of not to exceed \$53,700,000, or so much thereof as may be issued under the laws governing the indebtedness of fire protection districts for the purpose of providing funds to construct, acquire, equip, renovate and make certain capital improvements to the facilities of the District and to refund and restructure outstanding debt of the District.

WHEREAS, King County Fire Protection District No. 39 (South King Fire & Rescue), King County, Washington (the "District") provides residents of the District with fire prevention, fire protection and emergency medical services; and

WHEREAS, the area comprising the District is one of the fastest growing areas in the region and the number of emergency response calls has more than doubled since the District last sought voter approval for a bond measure more than 20 years ago; and

WHEREAS, District fire stations and facilities were built in the 1960's on and are in need of structural rehabilitation and improvement, including to meet earthquake safety standards to ensure that the District's fire stations are prepared in the event of a major emergency; and

WHEREAS, a new fire station in the south end of Federal Way is necessary to help serve a growing community in that region and to maintain 911 emergency response times for fire and basic life support; and

WHEREAS, the Board of Fire Commissioners of the District (the "Board") finds that to keep up with the growth in the community and to provide critical fire prevention, fire protection,

and emergency medical services, it is essential and necessary for the protection of the health and life of the residents of the District that the District construct, acquire, equip, renovate and make certain capital improvements to its facilities as further described herein; and

WHEREAS, such improvements will modernize fire station exhaust extraction systems, infectious disease decontamination areas, and firefighting protective clothing storage and washing areas to current local and federal standards designed to prevent the transmission of disease and cancer causing agents in the stations, and will upgrade technology infrastructure across the District to maintain and improve 911 emergency response times; and

WHEREAS, the acquisitions and improvements will also ensure that firefighters and emergency workers have up-to-date safety equipment, including cardiac response equipment, safety breathing equipment and infrared cameras which are critical in fighting fires; and

WHEREAS, the District issued its Limited Tax General Obligation Refunding Bonds, 2012 pursuant to Resolution No. 483 adopted by the Board on May 3, 2012 (the “2012 Bond Resolution”), which remain outstanding in the aggregate principal amount of \$6,280,000 (the “2012 Bonds”); and

WHEREAS, the 2012 Bonds are limited tax general obligations of the District, payable from regular property tax levies permitted to fire protection districts without a vote of the electorate; and

WHEREAS, the 2012 Bond Resolution provides that the District may call the 2012 Bonds maturing on or after December 1, 2023, for redemption on or after December 1, 2022, in whole or in part on any date, at a price of par plus accrued interest, if any, to the date of redemption; and

WHEREAS, due to the debt service obligation on the 2012 Bonds and the increasing costs of operations and maintenance, costs related to specialized equipment, personnel training, and supplies, and costs related to providing fire protection, fire prevention, and emergency medical services, the District will not be able to maintain current staffing and services levels within the limitations of the District's regular property tax levy; and

WHEREAS, after due consideration it appears to the Board that the 2012 Bonds may be defeased and refunded by the proceeds of unlimited tax general obligation bonds payable from voter-approved excess property tax levies; and

WHEREAS, the Board finds that refunding and restructuring the 2012 Bonds through the issuance of such unlimited tax general obligation bonds payable from voter approved excess levies will make its regular property taxes available for fire prevention, fire protection, emergency medical services, and other District purposes; and

WHEREAS, in order to provide part of the funds to enable the District to construct, acquire, equip, renovate and make such necessary capital improvements to its facilities, and to refund and restructure the 2012 Bonds, it is deemed necessary and advisable that the District issue and sell its unlimited tax levy general obligation bonds in the principal amount of not to exceed \$53,700,000 (the "Bonds"); and

WHEREAS, the Constitution and laws of the State of Washington (including RCW 52.16.080 and RCW 84.52.056) provide that the question of whether or not 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 District for their ratification or rejection;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF KING COUNTY FIRE PROTECTION DISTRICT NO. 39 (SOUTH

KING FIRE & RESCUE), KING COUNTY, WASHINGTON, as follows:

Section 1. Findings. The Board hereby finds and declares that the best interest of the inhabitants of the District require the District to carry out the plans hereinafter provided at the time or times and in the order deemed most necessary and advisable by the Board.

Section 2. Capital Improvements. The District shall undertake the following capital acquisitions and improvements to the District facilities (the “Improvements”):

- Acquire and upgrade equipment, including lifesaving and cardiac response equipment and firefighter safety and breathing equipment;
- Design, renovate, improve, furnish and equip existing fire stations (Fire Stations No. 61, 62, 63, 64, 65, 66, 67, and 68) and the District’s administrative campus, which may include but is not limited to site improvements, fencing, earthquake upgrades, roof replacements, above ground fuel tanks and stations and other capital improvements;
- Modernize fire station diesel exhaust systems, infectious disease decontamination areas, firefighter protective clothing storage and washing areas to current local and federal standards designed to prevent the transmission of disease and cancer causing agents in the stations;
- Design, construct, improve, furnish and equip a new fire station (Fire Station No. 60);
- Acquire fire engines, aid cars/ambulances, a fire boat and ladder truck, vehicles and other equipment;
- Modernize technology infrastructure and equipment for firefighting, 911 medical response, and basic life support;
- Purchase new firefighter breathing air safety equipment and heat sensing cameras; and
- Refinance and restructure outstanding limited tax general obligation debt of the District issued to acquire property, fire apparatus and for other capital purposes of the District.

The cost of all necessary design, architectural, engineering, and other consulting services, inspection and testing, administrative and relocation expenses, on and off-site utilities, site

acquisition, related improvements and other costs incurred in connection with the making of the foregoing capital improvements shall be deemed a part of the costs of such Improvements. Such Improvements shall be complete with all necessary furniture, equipment and appurtenances.

If available funds are sufficient from the proceeds of Bonds authorized for the above purposes, and state or local circumstances require, the District shall use such funds to pay the principal of or interest on the Bonds or acquire, construct, equip and make other capital improvements to the facilities of the District, all as the Board may determine.

The District shall determine the application of available moneys as between the various Improvements set forth above so as to accomplish, as nearly as may be, all of the Improvements described or provided for in this section. The District shall determine the exact extent and specifications for construction of structures or other improvements.

If the Board shall determine that it has become impractical to accomplish any of such Improvements or portions thereof by reason of state or local circumstances, including changed conditions, incompatible development or costs substantially in excess of those estimated, the District shall not be required to accomplish such Improvements and may apply the Bond proceeds or any portion thereof to other portions of the Improvements, to other capital improvements, or to payment of principal of or interest on the Bonds.

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

Section 3. Authorization of Bonds. For the purpose of providing part of the funds necessary to pay the cost of the Improvements described in Section 2 hereof and/or to reimburse the District for such costs to the extent that District funds have been used for such purposes, and refunding and restructuring the 2012 Bonds, together with incidental costs and costs related to the sale and issuance of the Bonds, the District shall issue and sell its unlimited tax general obligation bonds in one or more series in the aggregate principal amount of not to exceed \$53,700,000. The balance of the cost of such Improvements shall be paid out of any moneys which the District now has or may later have on hand which are legally available for such purposes. None of the Bond proceeds shall be used for the replacement of equipment or for other than a capital purpose or to defease and refund the 2012 Bonds. Such Bonds shall be issued in an amount not exceeding the amount approved by the qualified electors of the District as required by the Constitution and laws of the State of Washington or exceeding the amount permitted by the Constitution and laws of the State of Washington.

Section 4. Details of Bonds. The Bonds provided for in Section 3 hereof shall be sold in such amounts and at such time or times as deemed necessary and advisable by this Board and as permitted by law, shall bear interest at a rate or rates not to exceed the maximum rate permitted by law at the time the Bonds are sold, and shall mature in such amounts and at such times within a maximum term of twenty (20) years from date of issue, but may mature at an earlier date or dates, as authorized by this Board and as provided by law. Said Bonds shall be general obligations of the District and, unless paid from other sources, both principal thereof and interest thereon shall be payable out of annual tax levies to be made upon all the taxable property within the District without limitation as to rate or amount and in excess of any constitutional or statutory tax limitations. The exact date, form, terms, series, and maturities of said Bonds shall be as

hereafter fixed by resolution of the Board. After voter approval of the bond proposition and in anticipation of the issuance of such Bonds, the District may issue short term obligations as authorized and provided by chapter 39.50 RCW. The proceeds of the Bonds may be used to redeem and retire such short term obligations or to reimburse the District for expenditures previously made for such Improvements.

Section 5. Bond Election. It is hereby found and declared that the best interests of the District requires the submission to the qualified electors of the District of the proposition of whether the District shall issue the Bonds at a special election to be held on April 28, 2015. King County Elections, as *ex officio* Supervisor of Elections, is hereby requested to call and conduct the special election to be held within the District and to submit to the qualified electors of the District the proposition set forth below.

The Secretary of the Board is hereby authorized and directed to certify the proposition to said officials in substantially the following form:

KING COUNTY FIRE PROTECTION DISTRICT NO. 39
(SOUTH KING FIRE & RESCUE)

PROPOSITION NO. 1

FIRE STATION, EMERGENCY RESPONSE, AND
FIREFIGHTER SAFETY EQUIPMENT IMPROVEMENTS
GENERAL OBLIGATION BONDS- \$53,700,000

The Board of Commissioners of King County Fire Protection District No. 39 (South King Fire & Rescue), King County, Washington, adopted Resolution No. 501 concerning bonds for fire station improvements and firefighter safety equipment upgrades. If approved, this proposition authorizes the District to improve and construct fire stations and facilities; upgrade and acquire fire trucks, ambulances, lifesaving and cardiac response equipment, and firefighter safety and other equipment; modernize technology infrastructure for emergency response and basic life support; refund and restructure outstanding District debt; issue \$53,700,000 of general obligation bonds maturing within a maximum of 20 years; levy annual excess property taxes to repay the bonds, as provided in Resolution No. 501.

Should Proposition No. 1 be:

APPROVED?.....

REJECTED?.....

The Secretary of the Board is hereby authorized to deliver a certified copy of this resolution to the Director of King County Elections.

Certification of this proposition by the Secretary to the Director of King County Elections, 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 resolution, are hereby ratified.

Section 6. Voter's Pamphlet. The Board hereby authorizes the District's participation in the local voters' pamphlet for the April 28, 2015 election and requests that King County Elections prepare and publish a voter's pamphlet for this proposition. 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 and the preparation of statements in favor of and in opposition to the ballot title shall be in accordance with chapter 29A.32 RCW and the rules and guidelines of King County, as applicable. The District understands and agrees that it will be required to pay its proportionate share of the expenses of the voters' pamphlet.

Section 7. 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 8. Effective Date. This resolution shall become effective immediately upon its adoption.

Adopted by the Board of Fire Commissioners of King County Fire Protection District No. 39 (South King Fire & Rescue), King County, Washington at a regular meeting held this 24th day of February, 2015.

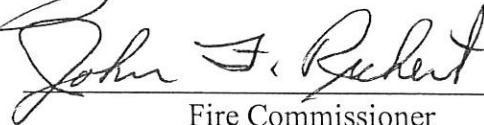
KING COUNTY FIRE PROTECTION
DISTRICT NO. 39, KING COUNTY,
WASHINGTON



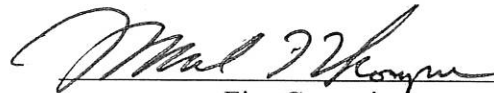
Chair and Fire Commissioner



Vice Chair and Fire Commissioner



Fire Commissioner

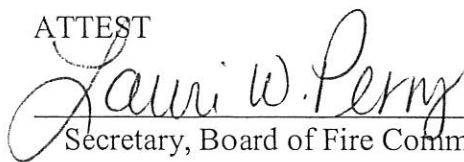


Fire Commissioner



Fire Commissioner

ATTEST



Secretary, Board of Fire Commissioners

CERTIFICATE

I, the undersigned, Secretary of the Board of Fire Commissioners (the "Board") of King County Fire Protection District No. 39 (South King Fire & Rescue), King County, Washington, (the "District") and keeper of the records of the Board, DO HEREBY CERTIFY:

1. That the attached resolution is a true and correct copy of Resolution No. 501 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 24th day of February, 2015.

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 Board voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption 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 24th day of February, 2015.


Secretary, Board of Fire Commissioners