

CITY OF NORMANDY PARK, WASHINGTON
GENERAL OBLIGATION BONDS

ORDINANCE NUMBER 1039

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMANDY PARK, 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 AUGUST 2, 2022, OF A PROPOSITION FOR THE ISSUANCE OF ITS GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$15,000,000, OR SO MUCH THEREOF AS MAY BE ISSUED UNDER THE LAWS GOVERNING THE INDEBTEDNESS OF CITIES, FOR THE PURPOSE OF FINANCING THE CONSTRUCTION AND EQUIPPING OF A CIVIC CENTER.

PASSED ON MAY 10, 2022

PREPARED BY:

**K&L GATES LLP
Seattle, Washington**

CITY OF NORMANDY PARK, WASHINGTON
ORDINANCE NO. 1039

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* This table of contents and the cover page are not a part of this ordinance; they are included for convenience of the reader only.

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WHEREAS, the City Council (the "Council") of the City of Normandy Park, Washington (the "City") has determined that the City would benefit from the construction of an approximate 23,000 square foot civic center to provide sport, fitness, recreation, and performance spaces, meeting and event rooms, an early childhood education program, the City Hall and Police Department and environmentally friendly outdoor and green spaces for use by the City and its residents (hereinafter defined as the "Improvements"); and

WHEREAS, in order to provide all or a part of the funds to enable the City to provide financing for the Improvements, it is deemed necessary and advisable that the City issue and sell its unlimited tax general obligation bonds to provide funds for such purposes; and

WHEREAS, the Constitution and laws of the State of Washington provide that the question of whether or not such bonds may be issued and sold for such purposes must be submitted to the qualified electors of the City for their ratification or rejection;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORMANDY PARK, WASHINGTON, DO ORDAIN, AS FOLLOWS:

Section 1. Findings: Capital Improvements This Council hereby finds and declares that the best interest of the residents of the City require the City to make the following capital improvements:

- Design, construct and equip a new civic center to include:
 - (a) City Hall and the Police Department;

- (b) Meeting and event rooms;
- (c) Indoor and outdoor community recreation spaces, including a gymnasium, dance studio, an outdoor playfield, playground, basketball courts and parking spaces; and
- (d) Early childhood education program.

(collectively, the "Improvements").

The Improvements shall be undertaken at the time or times and in the order deemed most necessary and advisable by the City Council. The cost of all necessary consulting services, inspection and testing, administrative expenses, related improvements and other costs incurred in connection with the making of the Improvements shall be deemed a part of the costs of the Improvements. The Council also may cause plans, design, and engineering to be revised in order to accomplish as much as possible of the Improvements.

If the Board determines 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 City shall not be required to accomplish such Improvements and shall either (1) not issue Bonds or (2) apply the Bond proceeds to the payment of principal of or interest on the Bonds, thereby reducing tax levies for debt service.

If available funds are in excess of the amount required to complete the Improvements, the balance of such funds shall be used to pay the principal of or interest on the Bonds, thereby reducing the tax levies for debt service.

Section 2. Authorization of Bonds. For the purpose of providing all or a part of the funds necessary to pay the costs of the Improvements, together with incidental costs and costs related to the sale and issuance of the bonds, the City shall issue and sell its unlimited tax general obligation bonds in the principal amount of not to exceed \$15,000,000. The balance of the costs of the Improvements may be paid out of any money that the City now has or may later have on hand which are legally available for such purposes. None of said bond proceeds shall be used for the replacement of equipment or for any other than a capital purpose. Such bonds shall be issued in an amount not exceeding the amount approved by the qualified electors of the City 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 3. Details of Bonds. The bonds provided for in Section 2 hereof shall be sold in such amounts and at such time or times as deemed necessary and advisable by this Council 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 not to exceed twenty-five (25) years from date of issue, but may mature at an earlier date, as authorized by this

Council and as provided by law. Said bonds shall be general obligations of the City and, unless paid from other sources, both principal thereof and interest thereon (including original issue discount) 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 and maturities of said bonds shall be as hereafter fixed by ordinance of the 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 and provided by Chapter 39.50 RCW.

Section 4. Bond Election. The City shall submit to the qualified electors of the City the proposition of whether the City shall issue the bonds at a special election to be held on August 2, 2022.

King County Elections as *ex officio* supervisor of elections in King County is hereby requested to call and conduct said special election to be held within the City on said date and to submit to the qualified electors of the City the proposition set forth below. The Clerk of the City is hereby authorized and directed to certify said proposition to said official in the following form:

**PROPOSITION NO. 1
CITY OF NORMANDY PARK, WASHINGTON
CIVIC CENTER CAPITAL IMPROVEMENTS
GENERAL OBLIGATION BONDS - \$15,000,000**

The City Council of the City of Normandy Park adopted Ordinance No. 1039 concerning this proposition for bonds. This proposition authorizes the construction of a new civic center to include indoor and outdoor recreation spaces, an early childhood education program, city and police administrative offices, council chambers, meeting and event rooms, and parking; to issue up to \$15,000,000 of general obligation bonds maturing within a maximum term of 25 years to finance such improvements; and levy property taxes annually in excess of regular property tax levies to repay such bonds, as provided in Ordinance No. 1039. Should this proposition be:

APPROVED ?

REJECTED ?

The Mayor or City Clerk of the City is hereby authorized to deliver a certified copy of this ordinance to King County Elections.

Section 5. Notices Relating to Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Council hereby designates (a) the City Manager (Amy Arrington), telephone: 206.248.7603; email: aarrington@normandyparkwa.gov; and (b) special counsel, K&L Gates LLP (Cynthia Weed), telephone: 206.370.7801; email: cynthia.weed@kigates.com, as the individuals to whom King County Elections shall provide such notice. The City Manager is authorized to approve changes to the ballot title, if any, deemed necessary by King County Elections or the King County Prosecuting Attorney.

Section 6. Voters' Pamphlet. Pursuant to RCW 29A.32.220, the Council hereby confirms the City's participation in the local voters' pamphlet for the August 2, 2022 election, which shall be prepared and published by King County Elections, including, but not limited to, an explanatory statement reviewed and approved by the City's attorney, and, if available, a Statement For and a Statement Against. The City understands and agrees that it will be required to pay its proportionate share of the expenses of the voters' pamphlet.

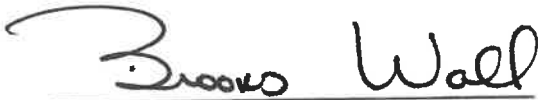
Section 7. Severability. In the event that any provision of this ordinance shall be held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance or the bonds, but they shall be construed and enforced as if such invalid provision had not been contained herein; 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 ordinance shall be in full force and effect five days after passage and publication as provided by law.


PASSED BY THE CITY COUNCIL OF THE CITY OF NORMANDY PARK, WASHINGTON, AT A REGULAR OPEN PUBLIC MEETING THEREOF THIS 10TH DAY OF MAY, 2022; AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 10TH DAY OF MAY, 2022.

CITY OF NORMANDY PARK

ATTEST/AUTHENTICATED:


Brooks Wall, City Clerk

APPROVED AS TO FORM:


Kari L. Sand (May 11, 2022 15:19 PDT)

Kari Sand, City Attorney
Ogden Murphy Wallace, P.L.L.C.

<u>Vote</u>	Thompson	Zimmerman	Hohimer	Sipes-Marvin	West	McEvoy	Bishoff
Ayes:		X	X	X	X	X	X
Nays:	X						
Abstentions:							
Absent:							

PUBLISHED: 5/13, 2022
EFFECTIVE: 5/18, 2022

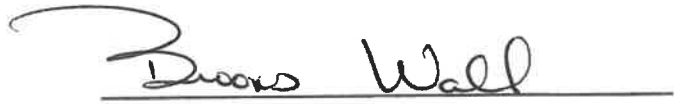
CERTIFICATE

I, the undersigned, City Clerk of the City of Normandy Park, Washington (the "City") and keeper of the records of the City Council (the "Council"), DO HEREBY CERTIFY:

1. That the attached ordinance is a true and correct copy of Ordinance No. 1039 of the Council (the "Ordinance"), duly passed at a regular meeting thereof held on the 10th day of May, 2022.

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 Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance 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 10th day of May, 2022.



City Clerk



CITY OF NORMANDY PARK, WASHINGTON

GENERAL OBLIGATION BONDS

Summary of Ordinance No.1039, adopted on May 10, 2022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMANDY PARK, 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 AUGUST 2, 2022, OF A PROPOSITION FOR THE ISSUANCE OF ITS GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$15,000,000, OR SO MUCH THEREOF AS MAY BE ISSUED UNDER THE LAWS GOVERNING THE INDEBTEDNESS OF CITIES, FOR THE PURPOSE OF FINANCING THE CONSTRUCTION AND EQUIPPING OF A CIVIC CENTER.

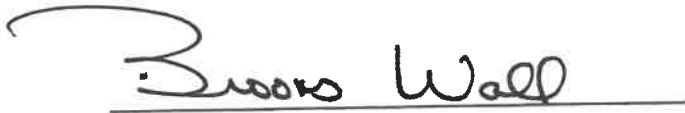
Approved this 10th day of May, 2022.

CITY OF NORMANDY PARK



Mayor

ATTEST:



City Clerk

[SEAL]

OFFICIAL BALLOT
CITY OF NORMANDY PARK, WASHINGTON
August 2, 2022

INSTRUCTIONS 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."

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APPROVED ?

REJECTED ?

NOTICE
CITY OF NORMANDY PARK, WASHINGTON

August 2, 2022

NOTICE IS HEREBY GIVEN that on August 2, 2022, a special election will be held in the above-named city for the submission to the qualified electors of said city of the following proposition:

PROPOSITION NO. 1

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APPROVED ?

REJECTED ?

Director of Elections
King County Elections

