

**ORDINANCE NO. 3235**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PUYALLUP, 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 2, 2021, OF A PROPOSITION FOR THE ISSUANCE OF ITS GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$82,000,000, OR SO MUCH THEREOF AS MAY BE ISSUED UNDER THE LAWS GOVERNING THE INDEBTEDNESS OF CITIES FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE THE DESIGN, CONSTRUCTION, AND EQUIPPING OF A NEW PUBLIC SAFETY FACILITY AND TO IMPROVE EXISTING PUBLIC SAFETY FACILITIES, AND LEVY EXCESS PROPERTY TAXES TO PAY THE BONDS.**

**WHEREAS**, the City of Puyallup, Washington (the “City”) police station and jail were built in the 1960’s and the City currently leases space for its municipal court; and

**WHEREAS**, these facilities are not effective at meeting the City’s law enforcement needs in the modern policing era, and are not ideal for operations of a municipal court; and

**WHEREAS**, as a result, the City has identified a need for updated facilities in its criminal justice system, which include a new police station, jail, and municipal court (the “Public Safety Facility”); and

**WHEREAS**, the City has acquired approximately 3.5 acres of land located in the City for the possible siting of a new Public Safety Facility; and

**WHEREAS**, the City has also identified a need for a downtown police substation to continue a visible police presence in the downtown core; and

**WHEREAS**, to finance capital costs associated with the design, construction and equipping of a new Public Safety Facility and the improvement of City facilities to serve as a downtown police substation, it is deemed necessary and advisable by the Council that the City issue and sell one or more series of unlimited tax general obligation bonds in the principal amount of not to exceed \$82,000,000 (the “Bonds”); and

**WHEREAS**, 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 Puyallup does ordain as follows:

Section 1. Findings. The Council hereby finds that the best interests of the residents of the City require the City to construct, develop, equip, acquire, and improve its public safety facilities, including but not limited to the following (together, the “Projects”):

- Construction of a new Public Safety Facility to be located on South Hill to house City public safety functions, such as police, jail and municipal court, among others; and
- Improvements to existing City facilities to create a downtown Puyallup police station.

The Projects shall include the acquisition of real property as necessary to locate such facilities. The City shall complete the Projects at the time, in the order and in the manner deemed most necessary and advisable by the Council. Costs of the Projects, which are estimated to be more than \$82,000,000, will be paid from proceeds of the Bonds authorized herein and other available funds of the City.

The cost of all necessary appraisals, negotiation, property acquisition, closing, architectural, engineering, project management, financial, legal and other consulting services, inspection and testing, demolition, relocation, administrative and relocation expenses, permitting, mitigation, construction, and other costs incurred in connection with the foregoing capital improvements shall be deemed a part of the capital costs of such Projects. Such Projects shall be complete with all necessary design, renovation, real property, equipment and appurtenances.

The Council shall determine the exact specifications for the Projects, and the components thereof, as well as the timing, order and manner of completing the components of the Projects. The 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 Council shall determine the application of moneys available for the various Projects so as to accomplish, as nearly as may be, all of the Projects.

If the Council shall determine that it has become impractical to design, construct, improve, obtain permits, renovate, acquire, develop, or equip all or any component of the Projects 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 or dependence on a superior governmental authority, the City shall not be required to provide such component or components. If all of the Projects have been constructed or acquired or duly provided for, or are found to be impractical, the City may apply remaining proceeds of the Bonds authorized herein (including earnings thereon) or any portion thereof to other public safety capital purposes or to the redemption of the Bonds as the 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 for such purpose, are insufficient to accomplish all of the Projects, the City shall use the available funds for paying the cost of those portions of the Projects deemed by the Council most necessary and in the best interest of the City.

**Section 2. Authorization of Bonds.** For the purpose of providing all or a portion of the funds necessary to finance the costs of the Projects, 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 \$82,000,000 (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 Projects shall be paid out of any other legally available funds. The Bond proceeds (and earnings thereon) shall be used to finance the costs of the Projects, 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 the 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 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 Council. The Bonds shall mature in such amounts and at such times within a maximum term of 25 years from date of issue of a series, all as authorized by the 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 Council.

In anticipation of the issuance of the Bonds, the City may issue short-term obligations as otherwise authorized by chapter 39.50 RCW. Such obligations may be paid or refunded with proceeds of the Bonds. The proceeds of the Bonds may also be used to reimburse the City for expenditures previously made for such Projects.

**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 Projects, at an election to be held on November 2, 2021. The Pierce County Auditor (the “Auditor”), as *ex officio* supervisor of elections in Pierce 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 to certify the proposition to the Auditor in substantially the following form:

CITY OF PUYALLUP PROPOSITION NO. 1  
PUBLIC SAFETY FACILITIES

The City Council of the City of Puyallup adopted Ordinance 3235 concerning a proposition for its public safety facilities. This proposition authorizes the City to construct, develop, equip, acquire, and improve City public safety facilities, including constructing a new Public Safety Facility to house police, jail and municipal court, and improve facilities to create a downtown police substation; issue up to \$82,000,000 of general obligation bonds maturing within a maximum of 25 years to finance such projects; and levy annual excess property taxes to repay the bonds, as provided in Ordinance 3235.

Should this proposition be approved:

YES? .....

NO? .....

For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the City Council hereby designates: (a) the City Clerk and (b) the City Attorney, as the individuals to whom such notice should be provided. The City Attorney and City Clerk are each authorized individually to approve changes to the ballot title, if any, deemed necessary by the Auditor.

The City Clerk is authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's or clerical errors, references, numbering, section/subsection numbers, and any reference thereto.

The proper City officials are authorized to perform such duties as are necessary or required by law to submit the question of whether the Bonds shall be issued, as provided in this ordinance, to the electors at the November 2, 2021 election.

**Section 5. Voters' Pamphlet.** The preparation and distribution of a local voters' pamphlet providing information on the foregoing ballot measure is hereby authorized. The pamphlet shall include arguments advocating approval and disapproval of the ballot measure. In accordance with RCW 29A.32.280, the arguments advocating approval and rejection of the ballot measure shall be prepared by committees appointed by the City Council by resolution not later than forty-five days before the publication of the pamphlet. Each committee shall be composed of not more than three persons; however, a committee may seek the advice of any person or persons. The committee


advocating approval shall be composed of persons known to favor the ballot measure, and the committee advocating rejection shall be composed of persons known to oppose the ballot measure.

**Section 6. Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

**Section 7. Effective Date.** This ordinance shall take effect and be in force five days after its passage and publication, as provided by law.

Passed by majority vote of the Puyallup City Council in an open meeting this 13<sup>th</sup> day of July, 2021.

Signed in authentication thereof this 13th day of July, 2021.



Julie L. B. Door, Mayor

Attest:



Brenda Fritsvold, City Clerk

Approved as to Form:

DocuSigned by:  
  
F0DA59B83714407...  
Pacifica Law Group LLP, Bond Counsel

CERTIFICATE

I, the undersigned, City Clerk of the City of Puyallup, 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. 3235 of the City (the "Ordinance"), as finally adopted at a regular meeting of the City Council held on July 13, 2021, 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, including but not limited to Washington State Governor Inslee's emergency proclamation No. 20-28 issued on March 24, 2020, as amended and supplemented, temporarily suspending portions of the Open Public Meetings Act (chapter 42.30 RCW); that 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 13th day of July, 2021.

CITY OF PUYALLUP, WASHINGTON



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Brenda Fritsvold, City Clerk

**Explanatory Statement:**

**CITY OF PUYALLUP PROPOSITION NO. 1  
PUBLIC SAFETY FACILITIES - \$82,000,000**

The City of Puyallup seeks voter approval for financing for its public safety facilities. The City's existing police station and jail were built in the 1960's and the City leases space for municipal court. Existing facilities are not effective at meeting law enforcement needs in the modern policing era, or for municipal court operations.

Proceeds of the bonds will be used to construct public safety facilities to house the City's police station, jail, and municipal court on 3.5 acres of City land located on South Hill. To continue a visible police presence downtown Puyallup, proceeds will also be used to improve existing City facilities to create a police substation. Without voter approval, the City does not have funding to pay for these projects.

The bonds would mature within 25 years and would be paid by annual excess property taxes. The average levy rate is estimated to be approximately \$0.636/\$1,000 of assessed property value or, for a home with an assessed value of \$350,000, approximately \$222/year (\$18.50/month). Homeowners who are 61 years or older, disabled, and who meet low-income requirements may qualify for a property tax exemption.