

MAY 03 2021

AT 4:03 AM/PM  
BY UN DEPUTY

# Resolution Cover Sheet

This form must accompany each resolution filed with Thurston County Elections. The contact person or persons should have the authority to do so and be available to answer questions.

Name of District: Thurston County Fire Protection District No. 12, Washington

District Address: 187 Hodgden Street South, Tenino, Washington 98589

Date of Election: August 3, 2021

Contact Person: Andrew Schaffran Title: Fire Chief

Contact Phone: 360.264.4116 Fax: 360.264.5155

Contact Email: andrewschaffran@tcf12.org

2<sup>nd</sup> Contact Person: Jack Baumel Title: Captain

2<sup>nd</sup> Contact Phone: (360) 264-4116

2<sup>nd</sup> Contact Email: jbaumel@tcf12.org

Attorney for District: Lee Marchisio, Foster Garvey PC

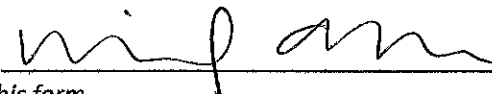
Attorney Phone: 206.447.6264 Attorney Fax: 206.447.9700

Attorney Email Address: lee.marchisio@foster.com

Type of Election (levy, bond, lid lift, etc.): Bonds to Construct New Fire Station

Please state the pass/fail requirement for this measure (i.e. simple majority, 60%, etc.) as determined by your legal counsel, together with applicable statutory references: Bonds must be approved by 60% of the qualified voters of the District voting on the proposition at the election. In addition, the total number of voters casting ballots at the election cannot be less than 40% of the number of votes cast within the District at the last state general election. Applicable statutory references include, among others, RCW 39.36.050, RCW 52.16.080 and RCW 84.52.056.

For February and April elections only:  
Does the district wish to publish a Voters' Pamphlet?  Yes  No

Signature:  Date: 5-3-21  
of person filing this form

This online fillable form is available on [ThurstonVotes.org](http://ThurstonVotes.org).  
This form may be filled out and printed. This mandatory resolution cover sheet must accompany the original or certified copy of the resolution.

THURSTON COUNTY FIRE PROTECTION DISTRICT NO. 12  
WASHINGTON  
(SOUTH THURSTON FIRE & EMS)

**BONDS TO CONSTRUCT NEW FIRE STATION**

RESOLUTION NO. 2021-03

A RESOLUTION of the Board of Fire Commissioners of Thurston County Fire Protection District No. 12, Washington (South Thurston Fire & EMS), providing for the submission to the voters of the District at a special election to be held on August 3, 2021, in conjunction with the State Primary election to be held on the same date, of a proposition authorizing the District to issue general obligation bonds in the aggregate principal amount of no more than \$5,775,000 for the purpose of paying costs of constructing and equipping a new fire station, the principal of and interest on such bonds to be payable from annual excess property tax levies; designating the Fire Chief and bond counsel to receive notice of ballot title from the Auditor; and providing for related matters.

Adopted: April 8, 2021

**RECEIVED**  
THURSTON COUNTY AUDITOR

MAY 03 2021

AT 4:03 AM/PM  
BY: LM DEPUTY

*This document prepared by:*

*FOSTER GARVEY P.C.  
1111 Third Avenue, Suite 3000  
Seattle, Washington 98101  
(206) 447-6264*

THURSTON COUNTY FIRE PROTECTION DISTRICT NO. 12  
WASHINGTON  
(SOUTH THURSTON FIRE & EMS)

**BONDS TO CONSTRUCT NEW FIRE STATION**

RESOLUTION NO. 2021-03

A RESOLUTION of the Board of Fire Commissioners of Thurston County Fire Protection District No. 12, Washington (South Thurston Fire & EMS), providing for the submission to the voters of the District at a special election to be held on August 3, 2021, in conjunction with the State Primary election to be held on the same date, of a proposition authorizing the District to issue general obligation bonds in the aggregate principal amount of no more than \$5,775,000 for the purpose of paying costs of constructing and equipping a new fire station, the principal of and interest on such bonds to be payable from annual excess property tax levies; designating the Fire Chief and bond counsel to receive notice of ballot title from the Auditor; and providing for related matters.

BE IT RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF THURSTON COUNTY FIRE PROTECTION DISTRICT NO. 12, WASHINGTON (SOUTH THURSTON FIRE & EMS), as follows:

Section 1. Findings and Determinations. The Board of Fire Commissioners (the "Board") of Thurston County Fire Protection District No. 12, Washington (South Thurston Fire & EMS) (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) The need to improve community and firefighter safety and reduce emergency response times for the protection of public health, life and property, and the inadequate size, outdated facilities and seismic insufficiency of the District's existing Station 41 (Tenino/Headquarters) and Station 43 (Violet Prairie), require the District to construct and equip a new fire station, all as more particularly defined and described in Section 2 (the "Project").

(b) The District lacks sufficient money to pay costs of the Project.

(c) To pay costs of the Project, it is a necessary and advisable that the District issue and sell unlimited tax general obligation bonds in the aggregate principal amount of no more than \$5,775,000 (the "Bonds"), or such lesser maximum amount as may be issued under the laws governing the limitation of indebtedness or required to carry out and accomplish the Project.

(d) Under Article VII, Section 2(b) and Article VIII, Section 6 of the Washington Constitution and the laws of the State of Washington, including Revised Code of Washington ("RCW") 39.36.050, RCW 52.16.080 and RCW 84.52.056, the District may submit to its voters at a special election, for their approval or rejection, a proposition authorizing the District to issue the Bonds to pay costs of the Project and levy annual excess property taxes in amounts sufficient to pay principal of and interest on the Bonds when due (*i.e.*, repay the Bonds).

(e) The best interests of the District and its residents require the District to carry out and accomplish the Project.

Section 2. Description of the Project. The Project to be paid for with proceeds of the Bonds, including interest earnings thereon (“Bond Proceeds”), is more particularly defined and described as follows:

(a) Construct and equip a new fire station, which may replace the existing Station 41 (Tenino/Headquarters) and Station 43 (Violet Prairie), including without limitation: 24-hour shift capable facilities sized to meet the South Thurston community’s current and future emergency response needs; an emergency services space that may also serve as a training and public meeting facility; a new fire engine, aid unit and pumper tender; and the acquisition of land for the new station, all as determined necessary and advisable by the Board. The term “land” includes all real property and improvements and other structures thereon and all interests therein.

(b) Make other capital improvements for emergency services purposes, all as determined necessary and advisable by the Board.

(c) Acquire, construct and install all necessary furniture, equipment, apparatus, accessories, fixtures and appurtenances in or for the foregoing, all as determined necessary and advisable by the Board.

(d) Pay incidental costs incurred in connection with carrying out and accomplishing the Project described above under RCW 52.16.080 and RCW 39.46.070. Incidental costs constitute a part of the Project and include without limitation: (1) costs related to the issuance, sale and delivery of the Bonds; (2) payments for fiscal and legal costs; (3) costs of obtaining ratings and bond insurance; (4) costs of printing, advertising, establishing and funding accounts; (5) payment of interest due on the Bonds for up to six months after completion of construction; (6) necessary and related engineering, architectural, planning, consulting, inspection, permitting and testing costs; (7) administrative and relocation costs; (8) site assessment, acquisition and improvement costs; (9) demolition costs; (10) costs related to demolition and/or deconstruction of existing facilities to recycle, reclaim and repurpose such facilities and/or building materials; (11) costs of on-site and off-site utilities and road improvements; and (12) costs of other similar activities or purposes, all as determined necessary and advisable by the Board.

The District is authorized to accomplish the Project, or any parts, insofar as is practicable with available Bond Proceeds, and allocate the Bond Proceeds, together with any other money of the District legally available, between the various parts of the Project so as to accomplish, as near as may be, all of the Project. The Board will determine the time, order, extent and specifications for the Project. The Project is to be more fully described in the plans and specifications to be filed with the District.

Section 3. Calling of Election.

(a) The Auditor of Thurston County, Washington, as *ex officio* Supervisor of Elections (the "Auditor"), is requested to call and conduct a special election, in the manner provided by law, to be held in the District on August 3, 2021 (the "Special Election"), in conjunction with the State Primary election to be held on the same date, for the purpose of submitting to the District's voters, for their approval or rejection, the proposition authorizing the District to issue the Bonds to pay costs of the Project and levy annual excess property taxes to repay the Bonds.

(b) If the proposition is approved by the requisite number of voters, the District will be authorized to issue, sell and deliver the Bonds in the manner described in this resolution, spend the Bond Proceeds to pay costs of the Project and levy annual excess property taxes to repay the Bonds. The Bond Proceeds may be used, either with or without additional money now or at any time available to the District, for capital purposes only, as permitted by law, excluding the replacement of equipment.

Section 4. Authorization to Issue the Bonds.

(a) The District may issue the Bonds as a single bond, as a single issue, as a part of a combined issue with other authorized bonds or in more than one series, all as determined necessary and advisable by the Board and as permitted by law. The District may issue the Bonds, as determined necessary and advisable by the Board, as taxable bonds, tax-exempt bonds or any other type of bonds that are now or in the future may be authorized under applicable state and federal law.

(b) The Bonds will be issued as fully registered bonds; bear interest payable as permitted by law; mature within 20 years from the date of issuance (but may mature at an earlier date or dates as fixed by the Board); be paid by annual property tax levies sufficient in amount to pay both principal and interest when due, which annual property tax levies will be made in excess of regular property tax levies without limitation as to rate or amount; and be issued and sold in the manner, times and amounts required for the purpose for which the Bonds are to be issued, all as determined necessary and advisable by the Board and as permitted by law. The life of the Project to be financed with Bond Proceeds will as near as practicable or as otherwise required by law exceed the term of the respective Bonds that finance the Project. The amount, date, denominations, interest rates, payment dates, final maturity, redemption rights, price and other parameters, terms and conditions of the Bonds will be fixed by one or more resolutions of the Board authorizing the issuance, sale and delivery of the Bonds, which resolutions may delegate to a District officer or employee the authority to fix any of the foregoing, all as determined necessary and advisable by the Board and as permitted by law.

(c) Pending the issuance of any series of the Bonds, the District may levy excess property taxes to repay those Bonds and may issue short-term obligations pursuant to chapter 39.50 RCW to pay for any portion of the costs of the Project. The short-term obligations may be paid or refunded with Bond Proceeds.

Section 5. Intent to Reimburse. To the extent the District makes capital expenditures for the Project prior to the date the District issues the Bonds (or other bonds or obligations issued as tax-exempt or tax credit obligations) to finance the Project from funds that are not (and are not

reasonably expected to be) reserved, allocated on a long-term basis or otherwise set aside by the District under its existing and reasonably foreseeable budgetary and financial circumstances to pay costs of the Project, the Board declares those capital expenditures are intended to be reimbursed out of Bond Proceeds, or proceeds of other bonds or obligations, issued in an amount not to exceed the principal amount of the Bonds provided by this resolution.

Section 6. Sufficiency of Bond Proceeds. If Bond Proceeds are more than sufficient to carry out and accomplish the Project, the District may use those excess Bond Proceeds to: (a) acquire, construct, remodel, renovate, install, equip, furnish and make other capital improvements to District facilities for emergency services purposes; or (b) retire and/or defease a portion of the Bonds or other outstanding bonds of the District, all as the Board may determine necessary or advisable and as permitted by law. In the event the Bond Proceeds, together with any other money of the District legally available, are insufficient to carry out and accomplish all of the Project, the District may use the Bond Proceeds and other available money for paying the cost of any parts of the Project the Board determines most necessary and in the best interests of the District.

Section 7. Alteration of Expenditures. If the Board subsequently determines circumstances (including without limitation changed conditions or needs, regulatory considerations or incompatible development) require alterations to the Project, the District will not be required to accomplish all of the Project and may apply the Bond Proceeds (or any portion) to: (a) the acquisition, construction, installation, equipping and making of other capital improvements to other District facilities for emergency services purposes; or (b) the retirement and/or defeasance of all or a portion of the Bonds or other outstanding bonds of the District, all as determined necessary or advisable by the Board and as permitted by law.

Section 8. Form of Ballot Title. Pursuant to RCW 29A.36.071, the Thurston County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION NO. 1

THURSTON COUNTY FIRE PROTECTION DISTRICT NO. 12  
(SOUTH THURSTON FIRE & EMS)

BONDS TO CONSTRUCT NEW FIRE STATION

The Board of Fire Commissioners of Thurston County Fire Protection District No. 12 (South Thurston Fire & EMS) adopted Resolution No. 2021-03, concerning bonds to finance a new fire station, vehicles and equipment. This proposition would authorize the District to: construct and equip a new 24-hour shift capable fire station to meet the South Thurston community's current and future emergency response needs; acquire a new fire engine, aid unit, pumper tender and land for the new station; issue no more than \$5,775,000 of general obligation bonds maturing within 20 years; and levy annual excess property taxes to repay the bonds, all as provided in Resolution No. 2021-03. Should this proposition be:

Approved .....

Rejected .....

Section 9. Authorization to Deliver Resolution to Auditor and Perform Other Necessary Duties. The Fire Chief of the District (the "Fire Chief") or his designee is authorized and directed to: (a) present a certified copy of this resolution to the Auditor no later than May 14, 2021; and (b) perform such other duties as are necessary or required by law to submit to the District's voters at the Special Election, for their approval or rejection, the proposition authorizing the District to issue the Bonds to pay costs of the Project and levy annual excess property taxes to repay the Bonds. If after submitting this resolution to the Auditor by the May 14, 2021 deadline, the Fire Chief, in consultation with the Chair of the Board and the Auditor, determines it is not in the District's best interests to submit the proposition authorized in this resolution to the District's voters at the Special Election due to circumstances regarding the coronavirus disease 2019 (COVID-19), the Fire Chief is authorized to request and direct the Auditor to remove the proposition from the Special Election ballot without further Board action.

Section 10. 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 Board hereby designates (a) the Fire Chief (Andrew Schaffran), telephone: 360.264.4116; email: [andrewschaffran@tcfd12.org](mailto:andrewschaffran@tcfd12.org); and (b) bond counsel, Foster Garvey P.C. (Lee Marchisio), telephone: 206.447.6264; email: [lee.marchisio@foster.com](mailto:lee.marchisio@foster.com), as the individuals to receive such notice from the Auditor. The Fire Chief is authorized to approve changes to the ballot title, if any, determined necessary by the Auditor or the Thurston County Prosecuting Attorney.

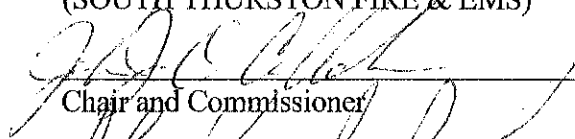
Section 11. General Authorization and Ratification of Prior Acts. This resolution may be executed by the Fire Commissioners being present and voting in favor of the resolution, or only the Chair, in tangible medium, manual, facsimile or electronic form under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure (“electronic form”), or in any other manner evidencing its adoption. The Fire Chief, the Secretary, the Chair of the Board, other appropriate officers of the District and bond counsel, Foster Garvey P.C., are each individually authorized to take such actions and to create, accept, execute, send, use and rely upon such documents, records and signatures (including in electronic form) as in their judgment may be necessary or desirable to effectuate the provisions of this resolution. All actions taken prior to the effective date of this resolution in furtherance of and not inconsistent with the provisions of this resolution are ratified and confirmed in all respects.

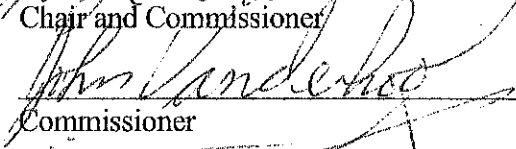
Section 12. Severability. If a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having run, holds any provision of this resolution invalid or unenforceable, then the offending provision is null and void, is separate and severable from the remaining provisions of this resolution and in no way affects the validity of the other provisions of this resolution, the Bonds or of the levy or collection of the taxes pledged to repay the Bonds.

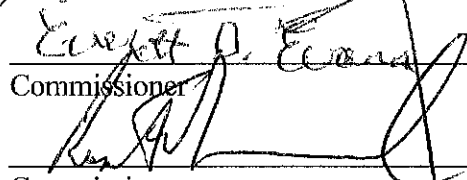
Section 13. Effective Date. This resolution takes effect from and after its adoption.

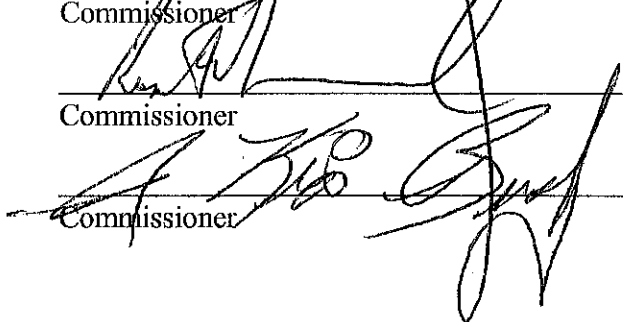
ADOPTED by the Board of Fire Commissioners of Thurston County Fire Protection District No. 12, Washington (South Thurston Fire & EMS), at a regular open public meeting held this 8<sup>th</sup> day of April, 2021.

THURSTON COUNTY FIRE PROTECTION  
DISTRICT NO. 12, WASHINGTON  
(SOUTH THURSTON FIRE & EMS)

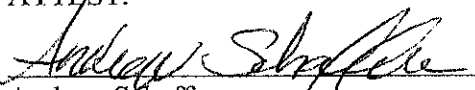
  
\_\_\_\_\_  
Chair and Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

ATTEST:

  
\_\_\_\_\_  
Andrew Schaffran  
Secretary of the District



CERTIFICATION

I, Andrew Schaffran, Secretary of Thurston County Fire Protection District No. 12, Washington (South Thurston Fire & EMS) (the "District"), certify as follows:

1. The foregoing Resolution No. 2021-03 (the "Resolution") is a full, true and correct copy of the Resolution duly adopted at a regular meeting of the District Board of Fire Commissioners (the "Board") held on April 8, 2021 (the "Meeting"), as that Resolution appears on the minute book of the District.

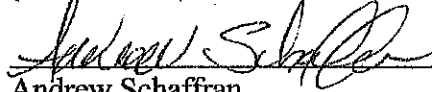
2. The Resolution is now in full force and effect.

3. Pursuant to various proclamations and orders issued by the Governor of the State of Washington, options were provided for the public to attend the Meeting remotely, including by telephonic access and, as available, internet access, which options provided the ability for all persons attending the Meeting remotely to hear each other at the same time.

4. The Meeting was duly convened and held in all respects in accordance with law, the public was notified of the access options for remote attendance via the District's website, a quorum was present throughout the meeting, and a sufficient number of Fire Commissioners of the Board so present voted in the proper manner for the adoption of the Resolution.

Dated as of April 8, 2021.

THURSTON COUNTY FIRE PROTECTION  
DISTRICT NO. 12, WASHINGTON  
(SOUTH THURSTON FIRE & EMS)



\_\_\_\_\_  
Andrew Schaffran  
Secretary of the District