

Resolution Cover Sheet

Note
Thurston County, WA

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.

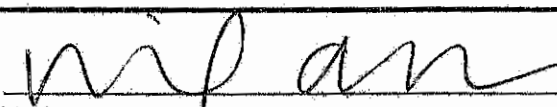
Name of District: Thurston County Fire Protection District No. 12, Washington
District Address: 187 Hodgden Street South, Tenino, Washington 98589
Date of Election: November 2, 2021
Contact Person: Andrew Schaffran Title: Fire Chief
Contact Phone: 360.264.4116 Fax: 360.264.5155
Contact Email: andrewschaffran@tcf12.org
2nd Contact Person: Jack Baumel Title: Captain
2nd Contact Phone: (360) 264-4116
2nd 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: 8/2/21
of person filling this form

This online fillable form is available on ThurstonVotes.org

This form may be filled out and printed. This mandatory resolution cover sheet must be original or certified copy of the resolution.

RECEIVED
THURSTON COUNTY AUDITOR

AUG 03 2021

AT _____ AM/PM
BY: _____ DEPUTY

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

BONDS TO CONSTRUCT NEW FIRE STATION

RESOLUTION NO. 2021-006

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 November 2, 2021, in conjunction with the State General 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: July 30, 2021

RECEIVED
THURSTON COUNTY AUDITOR

AUG 03 2021

AT _____ AM/PM
BY: _____ DEPUTY

This document prepared by:

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

RECEIVED
THURSTON COUNTY AUDITOR

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

AUG 03 2021

BONDS TO CONSTRUCT NEW FIRE STATION

AT _____ AM/PM
BY: _____ DEPUT

RESOLUTION NO. 2021-006

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 November 2, 2021, in conjunction with the State General 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 November 2, 2021 (the "Special Election"), in conjunction with the State General 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. 2021-006, 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. 2021-006. 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 August 3, 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 August 3, 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@tcf12.org; and (b) bond counsel, Foster Garvey P.C. (Lee Marchisio), telephone: 206.447.6264; email: 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.

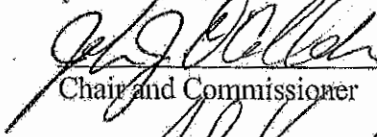
Section 12. Withdraw Authority. On April 8, 2021, the Board adopted Resolution No. 2021-03, which authorized the submission to the qualified voters within the District at a special election to be held on August 3, 2021, of a proposition authorizing the District to issue general obligation bonds in the principal amount of no more than \$5,775,000 to pay costs of the Projects and to levy annual excess property taxes to repay such bonds. In the event the proposition authorized by Resolution No. 2021-03 is approved by the qualified voters within the District on August 3, 2021, and the results of such special election are duly certified by the Canvassing Board of Thurston County, Washington, then this Resolution No. 2021-006 shall be repealed and have no further force or effect and the Fire Chief or his designee shall be authorized to withdraw the proposition authorized by this Resolution No. 2021-006 from the Special Election and notify the Auditor of such withdrawal and that the proposition shall not be submitted to the qualified voters within the District at the Special Election.

Section 13. 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.

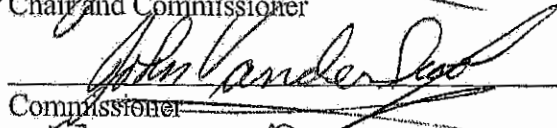
Section 14. Effective Date. This resolution takes effect from and after its adoption.

ADOPTED by the Board of Fire Commissioners of Thurston County Fire Protection District No. 12, Washington (South Thurston Fire & EMS), at a special open public meeting held this 30th day of July, 2021.

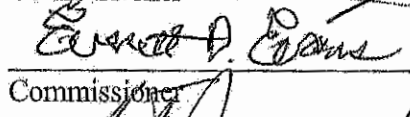
THURSTON COUNTY FIRE PROTECTION
DISTRICT NO. 12, WASHINGTON
(SOUTH THURSTON FIRE & EMS)



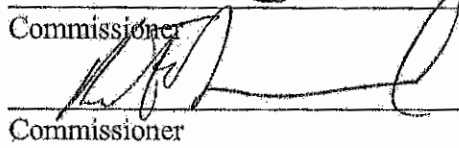
Chair and Commissioner



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. 2021-006 (the "Resolution") is a full, true and correct copy of the Resolution duly adopted at a special meeting of the District Board of Fire Commissioners (the "Board") held on July 30, 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. Written notice specifying the time and access options of the Meeting and noting the business to be transacted (the "Notice") was given to all Directors of the Board by mail, fax, electronic mail or by personal delivery at least 24 hours prior to the Meeting, a true and complete copy of the Notice is attached hereto as Appendix 1.

4. At least 24 hours prior to the Meeting, notice was also posted on the District's web site and prominently displayed at the main entrance of the District's Station 41 - Headquarters at least 24 hours prior to the Meeting, which was the site of the Meeting.

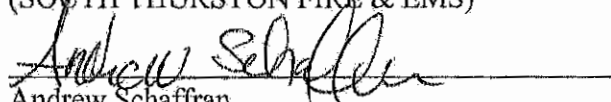
5. The Notice was also given by mail, fax, electronic mail or by personal delivery at least 24 hours prior to the Meeting to each local radio or television station and to each newspaper of general circulation that has on file with the District a written request to be notified of special meetings and to any others to which such notices are customarily given by the District.

6. 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.

7. 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 July 30, 2021.

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



Andrew Schaffran
Secretary of the District

APPENDIX 1

COPY OF NOTICE OF SPECIAL MEETING

For/Against Committee Member Appointment Form

Vote
Thurston County Elections

Name of District: Thurston County Fire District 12
 District Contact Name: Nijah Ahmed
 Email Address: nijaha@tcf12.org Phone: 360-264-4116

Jurisdiction's responsibility:

1. Email completed form to pamphlet@co.thurston.wa.us by the resolution submittal deadline.
2. Provide committee members with statement submission requirements and deadlines. Committees are solely responsible for submitting voters' pamphlet statements to the Elections Division.

Deadlines are on page **13** of these administrative rules. Questions? Contact the Elections Division at: Pamphlet@co.thurston.wa.us or call 360.786.5408.

Information for inclusion in voters' pamphlet:

"For" Committee (1-3 members):

Committee Name: Committee In Support For South Thurston Fire
 Phone: 360-736-5639 Email: _____ Web: _____
 Committee Member #1: Gene Coakley Email: tigerace@thurston.com
 Committee Member #2: Tom Sexton Email: thomas.e.sexton@hotmail.com
 Committee Member #3: _____ Email: _____

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"Against" Committee (1-3 members):

Committee Name: _____
 Phone: _____ Email: _____ Web: _____
 Committee Member #1: _____ Email: _____
 Committee Member #2: _____ Email: _____
 Committee Member #3: _____ Email: _____

Committee in Support For South Thurston Fire

Residents for Proposition 1 are asking voters to pass the proposition, not just for First Responders safety but to also improve emergency response for all residents of South Thurston Fire & EMS. South Thurston Fire has never asked for a bond.

Funding will allow the District to update or replace deteriorating and ineffective fire stations. Updating and replacing stations will not only increase operations reliability, but also improve response coverage to address our community's rapid population growth. The district also hopes to upgrade aging response fleet and apparatus. These things are necessary to become aligned with current NFPA standards.

Currently, existing fire stations are not designed to be staffed 24/7. They lack the appropriate space to accommodate additional firefighters/EMTS. Due to the age of the stations, they are not seismically resistant in the event of earthquake. The current stations are also lacking in safety standards, such as indoor sprinkler systems.

The bond will replace stations originally built for volunteer use only. The bond will make it possible to replace aging infrastructure and equipment critical in every aspect to Emergency Response and Natural Disasters. It is crucial to maintain current levels of service that we all expect. The cost to each of us is minimal; about \$7.29 a month (or less than 25¢/day) per home (\$250k value). The bond is necessary to maintain and improve emergency facilities and vehicles over the next 20 years for everyone's wellbeing.

Submitted by: Gene Coakley & Tom Sexton