

Adopted: 11/01/2017  
Effective: 11/17/2017

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

ORDINANCE NO. 17-067

AMENDING SECTION 1 OF AND EXHIBIT A TO ORDINANCE NO. 13-018 TO ADD CERTAIN FACILITIES PROJECTS TO THOSE TO BE FINANCED WITH PROCEEDS OF THE COUNTY'S LIMITED TAX GENERAL OBLIGATION BONDS, 2013

WHEREAS, pursuant to Ordinance No. 13-018, the County authorized the issuance and sale of its limited tax general obligation bonds in an original aggregate principal amount not to exceed \$120,000,000 to provide long-term financing for the Courthouse Projects, the Sheriff's Precinct Station Project, the Sheriff's Laptop Computer Project, the Conservation Futures Projects, the Parks Projects and the Roads Projects, and such bonds were issued as the County's Limited Tax General Obligation Bonds, 2013 (the "Bonds") in the original aggregate principal amount of \$107,885,000 on April 23, 2013; and

WHEREAS, Section 1 of Ordinance 13-018 provides the definitions of certain terms used therein; and

WHEREAS, Section 3 of Ordinance No. 13-018 permits the modification of any of the Projects defined and described therein where deemed advisable or necessary in the judgment of the County Council and further permits the County to apply any remaining proceeds of the Bonds, or any portion thereof, to the acquisition or improvement of other County capital projects as the County Council in its discretion may determine, if the completion of all or any of the Projects is found to be inadvisable or impractical; and

WHEREAS, Exhibit A to Ordinance No. 13-018 contains descriptions of the Courthouse Projects, the Sheriff's Laptop Computer Project and the Sheriff's Precinct Station Project to be financed with the proceeds of the Bonds; and

WHEREAS, the County Executive recommended that, due to the lack of anticipated funding from sources other than Bond proceeds, the County Council determine that completion of the Sheriff's Precinct Station Project at this time impractical, and reallocate a portion of the Bond proceeds originally intended for the Sheriff's Precinct Station Project to finance the acquisition or improvement of other County capital facilities projects previously approved for bond funding but not yet funded;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Definitions. Capitalized words and terms used in this ordinance shall have the same meanings set forth in in Section 1 of Ordinance No. 13-018, as amended by this ordinance, unless some other meaning is plainly intended.

Section 2. Findings. The County Council hereby finds that completion of the Sheriff's Precinct Station Project is impractical at this time due to the lack of anticipated funding from sources other than Bond proceeds. As a result, the County Council finds it necessary and advisable to add a definition of "Facilities Projects" to Section 1 of Ordinance No. 13-018 and a description of the "Facilities Projects" to Exhibit A to Ordinance 13-018.

Section 3. Amendment to Section 1 of Ordinance No. 13-018. Section 1 of Ordinance No. 13-018, adopted on March 20, 2013, is amended to read:

Section 1. Definitions. The following words and terms as used in this ordinance shall have the following meanings for all purposes of this ordinance, unless some other meaning is plainly intended.

"Bond Fund" means the bond redemption account established for the payment of the Bonds pursuant to Section 13 of this ordinance.

"Bonds" means the limited tax general obligation bonds of the County in an aggregate original principal amount not to exceed \$120,000,000, authorized to be issued by this ordinance to provide long-term financing for the Courthouse Projects, the Sheriff's Precinct Station Project, the Sheriff's Laptop Computer Project, the Conservation Futures Projects, the Parks Projects, the Facilities Projects and the Roads Projects.

"Code" means the federal Internal Revenue Code of 1986, as amended, together with corresponding and applicable final, temporary or proposed regulations and revenue rulings issued or amended with respect thereto by the United States Treasury Department or the Internal Revenue Service.

"Conservation Futures Projects" means those capital projects for the acquisition of real property, easements, development rights, covenants or other contractual rights necessary to protect, preserve, maintain, improve, restore, limit the future use of or otherwise conserve, selected open space land, farm and agricultural land and timber land for public use and enjoyment, which projects are identified by the County Council by motion (as an administrative act) that meet one or more of the following criteria:

1. The project will serve a significant regional, multi-jurisdictional or community benefit area;

2. The project will enhance or complement an adopted open space, conservation or resource preservation program;
3. The project will conserve opportunities which are otherwise threatened;
4. The project comprises an entire project or a continuum of projects which collectively implement a complete project or objective;
5. The project will preserve wetland resources or wildlife habitat;
6. The project will address the preservation of a State of Washington priority habitat species, federal threatened or endangered species, or will qualify as an early action project with respect to a potential listing as a threatened or endangered species;
7. The project will establish a trail corridor and/or a natural area linkage; and/or
8. The project site will involve contributions from groups or agencies that will reduce the need to utilize conservation futures program funds.

“County” means Snohomish County, Washington.

“County Council” means the Snohomish County Council.

“Courthouse Projects” means those capital projects identified as the “Courthouse Projects” in Exhibit A attached hereto.

“Date of Issue” means the date on which the Bonds are issued and delivered to the purchaser in return for payment of the purchase price therefor.

“DTC” means The Depository Trust Company, New York, New York.

“Facilities Projects” means those capital projects identified as the “Facilities Projects” in Exhibit A attached hereto.

“Federal Tax Certification” means the certificate executed by the Finance Director pertaining to the County’s expectations in connection with the federal tax treatment of interest on the Bonds.

“Finance Director” means the director of the County Finance Department or any other County officer who succeeds to the duties now delegated to that office.

“Government Obligations” means “government obligations,” as defined in chapter 39.53 RCW, as now in existence or hereafter amended.

“Letter of Representations” means the Blanket Issuer Letter of Representations, dated May 20, 1998, from the County to DTC.

“Official Notice of Bond Sale” means, if the Bonds are sold by competitive bid, the official notice of sale therefor prepared pursuant to Section 11 of this ordinance.

“Parks Projects” means those capital projects for the acquisition, development, construction, renovation, improvement and/or maintenance of public outdoor recreation areas and facilities, public athletic facilities, neighborhood, community and regional parks, backcountry recreational areas, and/or recreational trails and facilities, which projects are identified by the County Council by motion (as an administrative act) that meet one or more of the following criteria:

1. The project will promote wellness and improve access to recreation;
2. The project will provide public access to water for recreational enjoyment;
3. The project will provide a positive impact on economic growth;
4. The project meets a recognized community need and is supported in existing planning documents; and/or
5. Funding for the project will be matched by local community dollars or volunteer efforts.

“Projects” means, collectively, the Courthouse Projects, the Sheriff’s Precinct Station Project, the Sheriff’s Laptop Computer Project, the Conservation Futures Projects, the Parks Projects, the Facilities Projects and the Roads Projects.

“Rebate Amount” means the amount, if any, determined to be payable by the County to the United States of America in accordance with Section 148(f) of the Code with respect to the Bonds.

“Register” means the registration books maintained by the Registrar for purposes of identifying ownership of the Bonds.

“Registrar” means the fiscal agency of the State of Washington appointed from time to time by the Washington State Finance Committee pursuant to chapter 43.80 RCW.

“Roads Projects” means those road facilities capital projects identified by the County Council by motion (as an administrative act) that meet one or more of the following criteria:

1. The project will improve pedestrian crossings and warning signs in school zones;
2. The project will connect missing links in pedestrian network – sidewalks, walkable shoulders, separated paths;
3. The project involves ADA upgrades for curb ramps and pedestrian signals;
4. The project is a signal and/or channelization project that will promote traffic congestion relief;
5. The project is supported by the local neighborhood and the local school district, transit agency and/or tribe, if any; and/or
6. The project is one that can be designed and constructed in three years.

“Rule” means Securities and Exchange Commission Rule 15c2-12 under the Securities and Exchange Act of 1934, as the same may be amended from time to time.

“Sale Instrument” means (a) if the Bonds are sold by negotiated sale, the purchase contract therefor; or (b) if the Bonds are sold by competitive bid, the notice of sale, the winning bid and a notice of acceptance of bid from the Finance Director, in each case establishing, among other things, the dated date, principal amounts and maturity dates, interest rates and interest payment dates, and the redemption provisions for the Bonds.

“Sheriff’s Laptop Computer Project” means those capital projects identified as the “Sheriff’s Laptop Computer Project” in Exhibit A attached hereto.

“Sheriff’s Precinct Station Project” means those capital projects identified as the “Sheriff’s Precinct Station Project” in Exhibit A attached hereto.

Section 4. Amendments to Exhibit A to Ordinance No. 13-018. Exhibit A to Ordinance No. 13-018, adopted on March 20, 2013, is amended to read:

## EXHIBIT A

### Projects

#### Courthouse Projects

Design and construction of an expanded courthouse and renovation and/or removal of existing courthouse facilities, including public space, courtrooms and offices serving the County's Justice system including the Superior Court, the District Court, the Clerk, the Sheriff, the Prosecuting Attorney and the Office of Public Defense.

#### Sheriff's Laptop Computer Project

Acquisition of 180 ruggedized laptops for the Sheriff's Office to update its existing aged fleet of laptops, equipping field personnel with hardware capable of handling the next generation of law enforcement software.

#### Sheriff's Precinct Station Project

Replacement of the existing leased Sheriff's South Precinct Station with a newly constructed Sheriff's South Snohomish County Precinct Station on County-owned property located off of Cathcart Way near the Public Works Operations Center and the Sheriff's shooting range and vehicle impound lot.

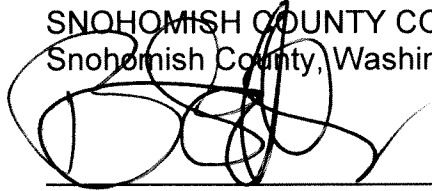
#### Facilities Projects

The following capital acquisition and facilities improvement projects appearing in the County's capital improvement plan:

<b>Project</b>	<b>Building</b>
Window replacement, brick repair & painting	Carnegie
Carnegie Grant Match	Carnegie
Chiller Piping Modifications	Jail-Oakes
Repave parking area	SD Court
Repave parking area	Evergreen Court
Expand and repave parking area	Cascade Court
DJJC Security System Upgrade	DJJC
Fencing (Corrections Budget Proposal)	Corrections
Fire Alarm Upgrade	SD Court
Module lighting and ceiling replacement & repairs	Jail-Wall St.
Retrofit fluorescent lighting	DJJC
Data Center Cooling Project	Admin W
Admin West Elevator Repairs	Admin W

PASSED this 1<sup>st</sup> day of November, 2017.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington



\_\_\_\_\_  
County Council Chair

ATTEST:



\_\_\_\_\_  
Clerk of the County Council, *Asst.*

- APPROVED
- EMERGENCY
- VETOED

DATE: \_\_\_\_\_

11/2/17

ATTEST:



\_\_\_\_\_  
County Executive

Approved as to form only:



\_\_\_\_\_  
Special Deputy Prosecuting Attorney