

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT**  
**KITSAP COUNTY, WASHINGTON**  
**RESOLUTION 2024-04**

A RESOLUTION of the Board of Commissioners of the Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, providing for the submission to the voters of the District at a special election to be held therein on August 6, 2024, in conjunction with the State primary election to be held on the same date, of a proposition authorizing the District to issue its general obligation bonds, for the purpose of renovating, rehabilitating, reconstructing, refurbishing, expanding, and undertaking other improvements to the existing Aquatic Center, including the 54-year old Ray Williamson Pool and related capital facilities, in the principal amount of no more than \$10,000,000, payable by annual property tax levies to be made in excess of regular property tax levies, and to levy those excess property taxes.

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BE IT RESOLVED BY the Board of Commissioners (the “Board”) of Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington (the “District”), as follows:

**Section 1. Findings and Determinations.** The Board hereby makes the following findings and determinations:.

1.1 **Background.** Built in 1970, the Ray Williamson Pool has been in continual operation for 54 years. Recent years have seen increased maintenance requirements at the pool. The electrical and heating/cooling systems have reached the end of their lives and pose real threats of failure and permanent pool closure. In spring 2024, a new building code goes into effect that will require upgrades that will compromise the benefits of using the existing building.

1.2 **Project Description.** The proposed 2-phase improvement project would make needed improvements to the Aquatic Center building, HVAC, heating systems, and roof structure, while preserving the existing wooden building structure and roof. To streamline permitting, the project would work within the existing footprint created by agreement with the School District, who owns the land. It would improve, and potentially expand, the pool itself to better accommodate community and programming needs, including greater accessibility to high-demand uses, such as swim lessons. The District expects to begin Phase 1 of the project in 2024, while it continues to develop and refine the scope and plans for Phase 2 of the Project, which would begin in 2025. The scope of Phase 2 would be adjusted to reflect community input and availability of additional funding from grants, private fundraising and similar sources. In addition to its capital reserves, the District expects to pay the costs of the Project from grants, private fundraising, and the issuance of general obligation bonds, as described in this resolution.

1.3 **Project and Purpose.** The District is in need of funds to finance all or a portion of the cost of renovating, rehabilitating, reconstructing, refurbishing, expanding, and undertaking other improvements to the existing Aquatic Center, including the 54-year old Ray Williamson Pool and related capital facilities

(the “Ray Williamson Pool Renovation Project” or the “Project”) all as described in Section 3, and to pay incidental costs incurred in connection with carrying out such Project, the estimated cost of which is expected to be approximately \$10,000,000.

1.4 Submission to Voters. The Board has determined that it is in the best interests of the District and its taxpayers to submit to the voters this ballot proposition approving the issuance of bonds or other evidences of indebtedness issued or entered into to finance all or a portion of the Project (the “Bonds”) to be repaid by a special excess levy for this purpose.

**Section 2. Description of Proposed Bonds.**

2.1 The Bonds may be issued in a maximum aggregate principal amount of not more than \$10.0 million, and may be issued in one or more series, as a single bond or multiple bonds, as a part of a combined issue with other authorized bonds, all as deemed advisable by the District and as permitted by law.

2.2 Each series of the Bonds shall be issued as fully registered bonds, bearing interest payable as permitted by law, and shall mature within 20 years from its date of issue, or within any shorter period fixed by the District. The Bonds shall be issued and sold in such manner, at such times and in such amounts as shall be required for the purpose for which such bonds are to be issued. The specific date(s), form, terms, option of prior redemption, price, interest rate or rates and maturities of the Bonds (or parameters with respect to the same) shall be hereafter fixed by Resolution of the District.

2.3 The Bonds shall be paid by annual property tax levies sufficient in amount to pay both principal and interest when due, which annual property tax levies shall be made in excess of regular property tax levies without limitation as to rate or amount but only in amounts sufficient to meet such payments of principal and interest as they come due.

2.4 Pending the issuance of the Bonds, the District may issue short-term obligations pursuant to chapter 39.50 RCW or such other obligations as are permitted by law to pay for the costs of the Project. Such obligations and their costs may be paid or refunded with proceeds of the Bonds when issued.

**Section 3. Purpose and Description; Use of Proceeds of the Bonds.**

3.1 Description of the Project. The Ray Williamson Pool Renovation Project includes renovating, rehabilitating, reconstructing, refurbishing, expanding, and undertaking other improvements to the Aquatic Center, including the existing 54-year old Ray Williamson Pool and related capital facilities. The economic life of the Project is expected to exceed the life of the Bonds.

The cost of all necessary architectural, engineering, legal and other consulting services; site acquisition or improvement (e.g., clearing and demolition); on and off-site utilities and related improvements; payments for fiscal and legal expenses; printing, advertising, establishing and funding accounts; necessary and related planning, consulting, inspection and testing costs; administrative expenses; and other similar activities or purposes incurred in connection with the Project shall be deemed a part of the costs of such capital improvements. The District may modify details of the Project as it may find necessary or advisable. The Project, or any portion or portions thereof, shall be undertaken insofar as is practicable with available money and in such order of time as shall be deemed necessary or advisable by the District.

3.2 Use of Proceeds of the Bonds. The proceeds of the Bonds shall be used for capital purposes only (which shall not include the replacement of equipment) to pay the costs of the Project and to pay costs related to the sale, issuance and delivery of the Bonds. The District shall determine the application of

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available money between the various portions of the Project so as to accomplish, as near as may be, all of the Project. If available money from the proceeds of the Bonds is more than sufficient to pay the costs of the Project, or if state or local circumstances require any alteration in the Project, the District may acquire, construct, equip and make other capital improvements to the District's facilities or may retire and/or defease a portion of the Bonds, all as the District may determine and as permitted by law. If the proceeds of the sale of the Bonds and other available money are insufficient to make all of the capital improvements herein provided for, or if it has become impractical to accomplish the Project or portions of the Project, the District may use the proceeds of the Bonds and other available money for paying the costs of those portions of the Project deemed by the District to be most necessary and in the best interest of the District.

**Section 4. Calling of Election.** The District requests that the Kitsap County Auditor (the "Elections Officer") call and conduct a special election in the District, in the manner provided by law, to be held therein on August 6, 2024, in conjunction with the State primary election to be held on the same date, for the purpose of submitting to the voters of the District, for their approval or rejection, the question of whether or not general obligation bonds of the District shall be issued in the principal amount of not more than \$10,000,000 (or such lesser maximum amount as the District may determine and as may be legally issued under the laws governing the limitation of indebtedness), the proceeds of which shall be expended to pay the costs of the Project, and annual excess property taxes shall be levied to pay and retire the Bonds, all as described in this Resolution.

If such proposition is approved by the requisite number of voters, the District shall be authorized to issue the Bonds in the manner described in this Resolution, to spend the proceeds thereof to pay the costs of the Project and the costs of issuance and sale of such Bonds, and to levy excess property taxes to pay and retire such Bonds.

**Section 5. Ballot Proposition.** The Executive Director and other proper District officials are authorized and directed to certify, no later than May 3, 2024, to the Elections Officer, as *ex officio* supervisor of elections in the District, a copy of this Resolution and the proposition to be submitted at that election in the form of ballot title as set forth in Exhibit A, which is attached and incorporated by this reference. For purposes of receiving notice of any matters related to the ballot title, as provided in RCW 29A.36.080, the District hereby designates its Assistant Executive Director (Amy Swenson, 206-842-5661 ext. 123, [amy@biparks.org](mailto:amy@biparks.org)) and its Bond Counsel, Stradling Yocca Carlson & Rauth LLP (Alice Ostdiek, 206-829-3002, [aostdiek@stradlinglaw.com](mailto:aostdiek@stradlinglaw.com)), as the persons to whom such notice shall be provided.

**Section 6. Authorization of Local Voters' Pamphlet.** The District authorizes preparation and distribution of a local voters' pamphlet, including an explanatory statement and statements in favor of and in opposition to the ballot measure, if any. The preparation of explanatory statement, the appointment of pro/con committees and the preparation of statements in favor or and in opposition to the ballot title shall be in accordance with chapter 29A.32 RCW and the rules and guidelines of the Elections Officer. The Executive Director is authorized to take all additional action necessary or convenient in connection with the voters' pamphlet.

**Section 7. General Authorization; Ratification.** The Executive Director and other proper District officials are authorized to perform such duties as are necessary or required by law to the end that the question of whether or not the Bonds shall be issued and excess taxes necessary to pay and retire the Bonds be levied, all as provided in this Resolution, shall be submitted to the voters of the District at the August 6, 2024 election. Any action taken consistent with the authority and prior to the effective date of this Resolution is hereby ratified, approved and confirmed.

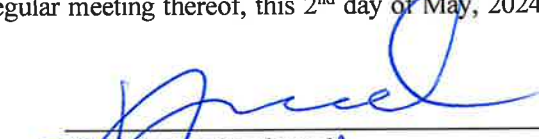
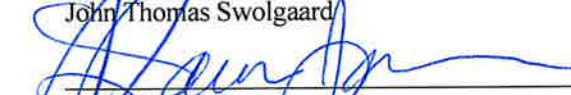
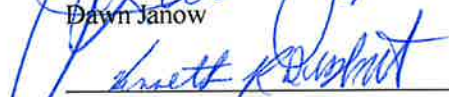
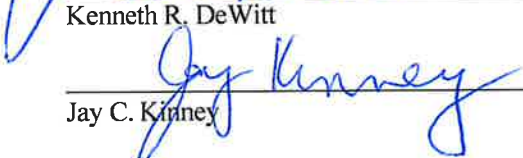
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**Section 8. Intent to Reimburse.** The Board declares that to the extent that the District makes capital expenditures for the Project, prior to the date the Bonds or other short-term obligations are issued to finance the Project, from funds that are 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 finance the Project, those capital expenditures are intended to be reimbursed out of proceeds of the Bonds or other short-term obligations issued in an amount not to exceed the principal amount of the Bonds provided by this Resolution.


**Section 9. Severability.** If any provision of this Resolution is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be severable from the remaining provisions of this Resolution, and shall in no way affect the validity of the other provisions of this Resolution, or of any other Resolution or resolution authorizing the Bonds described herein, or of the Bonds themselves.

**Section 10. Effective Date.** This resolution shall become effective immediately upon its adoption.

ADOPTED by the Board of Commissioners of Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, at a regular meeting thereof, this 2<sup>nd</sup> day of May, 2024, the following Commissioners being present:

  
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John Thomas Swolgaard  
  
\_\_\_\_\_  
Dawn Janow  
  
\_\_\_\_\_  
Kenneth R. DeWitt  
  
\_\_\_\_\_  
Jay C. Kinney

ATTEST:  
  
\_\_\_\_\_  
Tom Goodlin

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Alice Ostdiek, Stradling Yocca Carlson & Rauth LLP  
Bond Counsel

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**Exhibit A**

**Proposition 1**  
**Bainbridge Island Metropolitan Park & Recreation District**  
**Ray Williamson Pool Renovation Bonds**

The Board of Commissioners of the Bainbridge Island Metropolitan Park & Recreation District has adopted Resolution 2024-04, regarding financing the renovation of the Aquatic Center facilities.

If approved, this proposition would authorize the District to renovate, rehabilitate, reconstruct, refurbish, expand, and/or undertake other improvements to the existing Aquatic Center, including the 54-year old Ray Williamson Pool and related capital facilities. It would authorize issuance of not more than \$10,000,000 of general obligation bonds maturing within no more than 20 years and the annual levy of excess property taxes to pay and retire such bonds, all as provided in Resolution 2024-04.

Should this proposition be approved?

- YES.....
- NO .....