

Jim McNeill

MEMBER



## SEATTLE

T 800.995.5902

F 206.749.2075

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## SERVICES

Municipal Government  
Public Finance  
Infrastructure  
School Districts

## PRACTICE OVERVIEW

Jim's practice is focused on municipal law and finance with emphasis on serving as bond counsel to Washington school districts and other Washington municipalities. In addition, he has substantial experience in the practice of defending municipalities against challenges to the exercise of municipal authority.

Jim has more than 28 years of experience as a bond attorney for Washington school districts. Since 2007, Jim has acted as bond attorney to Washington school districts on 363 issues with more than \$5.93 billion in bonds. He has served as a bond attorney on a variety of financings for Washington school districts, including voted and non-voted bonds (both tax-exempt and taxable), short-term notes, lines of credit, certificates of participation, leases and conditional sales contracts. Additionally, Jim has served as special counsel in the preparation of levy election resolutions. He also has drafted legislation enacted by the Washington Legislature affecting school districts and frequently speaks at WASA, WASBO and WSSDA conferences on school finance related subjects.

He currently serves as bond attorney for more than 160 school districts, including, among many others, Arlington, Battle Ground, Camas, Cashmere, Cheney, Clover Park, Davenport, Deer Park, Dieringer, Eastmont, East Valley (Spokane), East Valley (Yakima), Ellensburg, Ephrata, Franklin Pierce, Freeman, Granite Falls, Highline, Hockinson, Hoquiam, Kalama, Kelso, Kennewick, La Center, Lake Stevens, Medical Lake, Methow Valley, Moses Lake, Nine Mile Falls, North Franklin, Omak, Othello, Pasco, Port Angeles, Port Townsend, Prosser, Quillayute Valley, Quincy, Renton, Richland, Selah, Sequim, Shelton, Shoreline, Snohomish, Snoqualmie Valley, Spokane, Sumner, Tukwila, Wapato, Washougal, Wenatchee, White Pass, Yelm and Zillah.

## REPRESENTATIVE WORK – Bond Counsel Transactions

- Represented numerous school districts in Unlimited Tax General Obligation Bonds in 2017 and 2018, including:
  - + Bridgeport School District No. 75 for \$4,400,000 (2017)
  - + Camas School District No. 117 for \$50,585,000 (2017)

- + Cashmere School District No. 222 for \$3,720,000 (2018)
- + Cheney School District No. 360 for \$48,550,000 (2017)
- + Colfax School District No. 300 for \$17,100,000 (2018)
- + Columbia School District No. 400 for \$4,500,000 (2017)
- + Dieringer School District No. 343 for \$8,585,000 (2017)
- + East Valley School District No. 90 for \$9,080,000 (2017)
- + Finley School District No. 53 for \$9,000,000 (tax-exempt)/\$95,000 (taxable) (2017)
- + Franklin Pierce School District No. 402 for \$69,235,000 (2017)
- + Granite Falls School District No. 332 for \$8,825,000 (tax-exempt)/\$3,645,000 (taxable) (2017)
- + Highline School District No. 401 for \$212,685,000 (2017) and \$59,375,000 (2018)
- + Hoquiam School District No. 28 for \$6,355,000 (2018)
- + Kalama School District No. 402 for \$56,840,000 (2018)
- + Kelso School District No. 458 for \$60,125,000 (2018)
- + La Center School District No. 101 for \$42,340,000 (2018)
- + Lake Stevens School District No. 4 for \$37,265,000 (2017)
- + Moses Lake School District No. 161 for \$44,585,000 (2018)
- + Pasco School District No. 1 for \$88,650,000 (2018)
- + Prosser Consolidated School District No. 116 for \$60,485,000 (2017)
- + Richland School District No. 400 for \$65,685,000 (2017) and \$25,285,000 (2017)
- + Ritzville School District No. 160 for \$8,875,000 (tax-exempt)/\$1,065,000 (taxable) (2017)
- + Selah School District No. 119 for \$40,955,000 (2018)
- + Shoreline School District No. 412 for \$208,390,000 (2018)
- + South Bend School District No. 118 for \$4,760,000 (2018)
- + Tukwila School District No. 406 for \$31,190,000 (2018)
- + Zillah School District No. 205 for \$8,985,000 (tax-exempt)/\$5,065,000 (taxable)(2017)
- Represented numerous school districts in Limited General Obligation Bonds in 2017 and 2018, including:
  - + Arlington School District No. 16 for \$1,212,250 (2018)
  - + Cle Elum-Roslyn School District No. 404 for \$1,597,000 (2017)
  - + Darrington School District No. 330 for \$500,000 (2017)
  - + East Valley School District No. 361 for \$5,500,000 (2018)
  - + Eastmont School District No. 206 for \$2,286,280 (2018)
  - + Endicott School District No. 308 for \$350,000 (2017)
  - + Freeman School District No. 358 for \$1,000,000 (2018)
  - + Kelso School District No. 458 for \$1,500,000 (2017)
  - + Kittitas School District No. 403 for \$200,000 (2018)
  - + La Center School District No. 101 for \$1,400,000 (2017)
  - + Manson School District No. 19 for \$595,000 (2017)
  - + Mary M. Knight School District No. 311 for \$600,000 (2017)
  - + Nine Mile Falls School District No. 325 for \$140,000 (2017) and \$3,445,000 (2018)
  - + Ocosta School District No. 172 for \$2,495,000 (2017)
  - + Paterson School District No. 50 for \$142,595 (2018)
  - + Prosser Consolidated School District No. 116 for \$266,600 (2018) and \$387,000 (2018)
  - + Sequim School District No. 323 for \$3,500,000 (2017) and \$2,295,000 (2018)
  - + St. John School District No. 322 for \$200,000 (2017)

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- + Sultan School District No. 311 for \$450,000 (2017)
- + Tenino School District No. 402 for \$900,000 (2017)
- + Trout Lake School District No. 400 for \$235,000 (2017)
- Represented numerous school districts in Unlimited Tax General Obligation Refunding Bonds in 2017 and 2018, including:
  - + Arlington School District No. 16 for \$6,640,000 (2017)
  - + Ellensburg School District No. 401 for \$12,985,000 (2017)
  - + Kelso School District No. 458 for \$6,075,000 (2017)
  - + Renton School District No. 403 for \$44,005,000 (2017)
- Represented numerous school districts in Unlimited Tax General Obligation Improvement and Refunding Bonds in 2017 and 2018, including:
  - + Shelton School District No. 309 for \$65,885,000 (2017)
  - + Shoreline School District No. 412 for \$60,675,000 (2017)
  - + Snoqualmie Valley School District No. 410 for \$112,860,000 (2017)
  - + Sumner School District No. 320 for \$92,775,000 (2017)

## REPRESENTATIVE WORK – Significant Cases and Matters

- *Fell v. STA*, 128 Wn.2d 618 (1996) (defended STA in a class action lawsuit challenging STA's determination of paratransit services)
- *Marquis v. City of Spokane*, 130 Wn.2d 97 (1996) (defended City of Spokane in sex discrimination lawsuit brought by former golf professional)
- *Smith v. Spokane County*, 89 Wn. App. 340 (1998) (defended Spokane County against a claim that aquifer protection fees were an unconstitutional tax)
- *Mt. Spokane Skiing Corporation v. Mt. Spokane Public Development Authority*, 86 Wn. App. 165 (1997) (defended Mt. Spokane PDA in a lawsuit by private operator against Spokane County formation of PDA to acquire state concession)
- *Inland Foundry v. SCAPCA*, 82 Wn.App. 67 (1996) (defended SCAPCA in a challenge to SCAPCA's classification of air contaminant sources)
- *SRDF v. STA*, \_\_\_ Wn.App. \_\_\_ (1992) (unpublished) (defended STA's acquisition of real property for a downtown transit center)
- *IBS v. IBM* (U.S. Dist. Ct. for E.D. Wash.) (1995) (unpublished) (defended IBM in a claim for damages arising from a personal services contract)
- *Spokane Transit Authority* (advice to STA regarding litigation, general counsel matters and labor; drafted Rules of Conduct for The Plaza pertaining to free speech)
- *The Baseball Club of Seattle* (advice to Seattle Mariners regarding stadium legislation, financing and litigation)

## RECOGNITION

- *The Best Lawyers in America*® Education Law, 2013-2019
- Spokane Top Lawyers, *Spokane/Coeur d'Alene Living* magazine, 2008-2009
- Granite Falls School District, Partnership of the Year Award, 2008

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## ACTIVITIES

- Washington Council of School Attorneys, Member, 1995-Present
- Washington State Bar Association
  - + Judicial Recommendation Committee, Co-chair, 1991-1995
- Spokane County Bar Association, Member
  - + Former Member: Judicial Evaluation Committee. Professionalism Committee, CLE Committee, Pro Bono Panel
- National Association of Bond Lawyers, Member, 1991-Present
- Washington Council of School Attorneys, Member, 1995-Present
- Christian Legal Society, Member, 1990-Present

## PUBLICATIONS

- “EHB 2242 & School District Levy Propositions,” Contributor, Foster Pepper PLLC White Paper, October, 2017
- [“Facilities Funding,”](#) Author, *CSG Works* Newsletter, Spring 2015
- “Ballot Title Changes for School District Bonds and Levies,” Author, Foster Pepper PLLC, Revised 2015
- “Washington School Bond Manual, Chapters 2, 4 and 8,” Revised Second Edition, Washington State School Directors Association (WSSDA), 2009
- “School Law News,” Editor, Published Annually by Foster Pepper PLLC, 2000-2014
- “School Facilities Manual, Chapter 4 – Financing,” Contributor, Revised Fourth Edition, Superintendent of Public Instruction, 2000
- “Washington Municipal Financing Deskbook,” Contributor, Lawyers Cooperative Publishing, 1993

## PRESENTATIONS

- Washington Association of School Business Officials 75<sup>th</sup> Annual Conference, May 2019
  - + “Alternative Funding Source: Capital Levies,” Speaker
  - + “Building Schools: Financing and Property Acquisition,” Speaker
  - + “Election Season Dos and Don’ts,” Speaker
  - + “School District Resolution Writing,” Speaker
- “Keeping up with Property Taxes: How McCleary has Impacted Your Taxpayers and School District,” Speaker, Washington State School Directors Association(WSSDA) Annual Conference, November, 2018
- [“What You Need to Know...About What You Can and Cannot Do During a Ballot Measure Election,”](#) Speaker, Tri-Cities Municipal Government & Public Finance Seminar, July 2018
- Washington Association of School Business Officials (WASBO) Annual Conference, Speaker, May 2018
  - + “Post Bond Issuance Compliance – Maintaining Bond Covenants”
  - + “Property Taxes, Levy Certification and the Impacts of Current Legislation”
- “EHB 2242 & School District Levy Ballot Propositions,” Northeast Washington ESD 101 Superintendent Meeting, November, 2017
- WASBO Annual Conference, Speaker, May 2017
  - + “Post Bond Issuance Compliance – Maintaining Bond Covenants”
  - + “The Confusing World of Property Taxes”
- “Post Bond Issuance Compliance For School Districts: Basic Training on Tax and Securities Responsibilities,” Speaker, WASBO, 2017 Facilities Committee Webinar
- “Post Bond Issuance Compliance – Maintaining Bond Covenants,” Speaker, WASBO Annual Conference, May 2016
- “Bonds and Bond Management,” Speaker, WASBO Annual Conference, May 2016

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- "[What Do You Need to Know...About What You Can and Cannot Do During a Campaign](#)," Speaker, 2015 School Election Conference, September 2015
- "Risk - The Game of Reduction of Professional Exposure, Loss Prevention and Bond Counsel Liability," Speaker, National Association of Bond Lawyers, 39th Bond Attorney's Workshop, September 2014
- "Writing Ballot Titles," Speaker, Washington Association of Prosecuting Attorneys (WAPA) Summer Program, June 2014

## EXPERIENCE

- Foster Pepper PLLC
  - + Member, 2005-Present
  - + Of Counsel, 1998-2004
- Perkins Coie LLP
  - + Of Counsel, 1998
  - + Associate, 1990-1997
- Preston Thorgrimson Shidler Gates & Ellis, Associate, 1988-1990
- U.S. Bankruptcy Court, Western District of Washington, Law Clerk, 1987-1988
- Washington State Supreme Court, Law Clerk, 1986

## BAR ADMISSIONS

- Washington, 1986
- U.S. Supreme Court, 1992
- U.S. Court of Appeals, Ninth Circuit, 1988
- U.S. District Court,
  - + Eastern District of Washington, 1988
  - + Western District of Washington, 1987

## EDUCATION

- J.D., Gonzaga University School of Law, 1985
- B.A., Washington State University, 1982