



## Public Finance

Foster Pepper is proud to be nationally recognized for our public finance work. We have maintained a nationally recognized bond counsel practice for more than 70 years and are well-known by issuers, underwriters, rating agencies and bond issuers for our extensive knowledge.

We are the largest and most experienced group of public finance lawyers in the Pacific Northwest. Our team is consistently ranked among the top ten in the nation for “Top Bond Counsel – Competitive” by Thomson Reuters. In 2019, *U.S. News/Best Lawyers* survey listed the firm’s public finance group as a Seattle Tier 1 practice and a National Tier 2 practice. We are active participants in both the National Association of Bond Lawyers and the American College of Bond Counsel.

We regularly serve as bond counsel to more than 450 governmental agencies in Washington, Oregon, Alaska, Idaho and Montana, including the State of Washington, counties, cities and towns, port districts, public utility districts, housing authorities, school districts, public hospital districts, water and sewer districts, irrigation and reclamation districts, fire protection districts and other municipal and quasi-municipal corporations. We also participate in financings as disclosure counsel, underwriters’ counsel, nonprofit borrowers counsel, and other similar roles.

### AREAS OF FOCUS

#### Cities, Towns and Counties

Our team of public finance lawyers represents more cities, towns and counties in Washington state than any other firm. We have a deep understanding of the challenges facing our general governmental clients and are active partners in finding creative solutions to building better communities. In addition to public finance, Foster Pepper offers a full range of services to general governmental clients on matters ranging from tax levy issues, ballot measures, public records, open public meetings, capital facilities development (public works bidding, construction, real estate, land use and environmental law), insurance coverage, litigation and administrative proceedings, and employment.

#### Public-Private Partnerships

Foster Pepper has been instrumental in pulling together some of the most complex projects in the region through successful partnerships between public and private sector interests. Our team is experienced in structuring and negotiating public-private financing arrangements, bringing together a breadth of experience including our public finance, construction, real estate, land use and environmental practices. Where necessary, our litigation team has successfully defended major public and public-private projects. We have repeatedly been successful in obtaining regulatory approvals for major regional facilities and in defeating challenges before administrative tribunals and in the courts.

## Public Finance

### School Districts

Our firm has served as general counsel, special counsel and bond counsel to school districts for more than 70 years. We offer a full range of legal services to assist school districts on matters involving school finance (bonds, levies and state funding), capital facilities development (construction, real estate, land use and environmental law), insurance coverage, litigation and administrative proceedings, and employment. Currently, we serve as bond counsel for more than 130 school districts.

### Senior & Affordable Housing

Foster Pepper is a leader in affordable housing finance in Washington state and has been recognized as a preeminent bond counsel firm for Washington housing authority bond issues. We represent approximately 20 housing authorities and several other Washington and Oregon-based organizations that are devoted to low- and moderate-income housing, including public development authorities and 501(c)(3) organizations. We have served as underwriters counsel for more than \$1 billion of bonds issued by the Washington State Housing Finance Commission and were involved in virtually every aspect of structuring that entity's single-family and multifamily housing finance programs. We also serve as general or special counsel in the areas of real estate, construction, employment, prevailing wage, public bidding and land use/hazardous waste law for more than a dozen Oregon and Washington state housing authorities and developers of low- and moderate-income housing projects.

### Tribal Finance

Foster Pepper has a long history of representing Indian tribes and Alaska Native entities. We have assisted tribes in financing administrative buildings, museums, assisted living facilities, casinos, convention centers, restaurants, and hotels. We have represented Northwest Indian tribes as bond counsel since 1965 in connection with their financing needs. Also, we have represented various lenders in connection with the lending activities

in Indian Country, and have assisted various tribes in their efforts to develop the legal structure necessary to facilitate real estate secured lending on fee simple and trust property located on their reservations.

### Water, Wastewater and Stormwater Management

We understand the importance of water in the Pacific Northwest. From the dry east side, where irrigation is paramount to the wet west side where stormwater management and control is key, we actively work with our public clients on establishing and expanding water, wastewater and stormwater utilities; financing utility infrastructure; developing systems of rates, fees and charges, developing utility infrastructure (including acquiring right-of way, siting and permitting of major treatment facilities and distribution systems). In addition to our public finance experience, we offer to clients our considerable resources in environmental, land use, and construction law.

### Public Power

Our team represents more publicly-owned electric utilities than any other firm in the region in securing public financing for generation, transmission and distribution of public power throughout the Pacific Northwest. Foster Pepper's public power clients include many public utility districts and electricity generators throughout Washington, Oregon and Alaska. We also provide advice to general purpose governmental entities on encouraging development of emerging renewable technologies, distributed generation, and energy efficiency.

### Transportation and Infrastructure

We represent the largest public transportation systems in the region in financing the infrastructure necessary to keep our region moving. We have served as bond counsel on the financings of billions of dollars of transit and transportation improvements for our general governmental clients, including the State of Washington, cities, towns and counties, and assisted dozens of transportation benefit districts and other special purpose districts in financings for airport, bus, light rail, streetcar

## Public Finance

and other transit services. We have extensive experience in condemnation and eminent domain for major transit improvements.

### Public Hospitals

Foster Pepper has extensive experience assisting our region's public hospital districts, with a broad range of services from public finance for capital facilities to drafting portions of the Association of Washington Public Hospital Districts' legal manual. We are experienced in the law specific to operating a public hospital district and we routinely advise clients in areas such as public meetings and public records, conflicts of interest, and tax levies and voter approval.

### Fire and Public Safety

Our team regularly works on financings of public safety facilities, counsels fire districts and general purpose governments on issues relating to labor and employment, and assists with ballot measures and related issues.