



## Public Finance & Municipal Government

Foster Garvey Public Finance & Municipal Government attorneys are proud to be nationally recognized for their work. In the area of public finance, 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 law firms in the nation for “*Top Bond Counsel – Competitive*” by Thomson Reuters. In 2020, the *U.S. News/Best Lawyers*® “Best Law Firms” survey listed the firm’s public finance group as a Seattle and Spokane Tier 1 practice. We are active participants in both the National Association of Bond Lawyers and the American College of Bond Counsel. Our Public Finance attorneys 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.

Since the 1920s, Foster Garvey Municipal Government attorneys have focused on this particular area of law. We regularly provide special counsel services to the State of Washington, as well as counties, cities, school districts, housing authorities, public hospital districts and other municipal entities throughout the Pacific Northwest. Our Municipal Government team is actively engaged in virtually all aspects of the laws pertaining to governments in Washington state and provide a wide range of legal services, including counsel on energy issues, planning, permitting, land acquisition, procurement, construction claims

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### Areas Of Focus

Public Records & Open  
Government  
School Districts  
Senior & Affordable  
Housing

and contracts, taxation, employment and labor matters, litigation, environmental and regulatory proceedings, and state and federal grants. We regularly work with municipal clients on open public meetings, public records policy and disclosure and election law issues.

### **Cities, Towns and Counties**

Foster Garvey Public Finance lawyers represent 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 Garvey 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 (including public works bidding, construction, real estate, land use and environmental law), insurance coverage, litigation and administrative proceedings, and employment.

### **Construction**

Foster Garvey has an extensive history of working with government agencies on construction and design issues. Our experience ranges from the preparation of simple construction contracts and foreclosure of liens to the litigation and arbitration of multi-million dollar claims. We are familiar with all types of construction projects, having participated in the resolution of construction disputes involving public administration buildings, multifamily and single-family residences, schools, hospitals, assisted living facilities, waste water treatment systems, industrial facilities, power plants, high-rise office towers, warehouses, roads, bridges and docks. Learn more about our [Construction practice](#).

### **Contracts and Procurement of Goods and Services**

Foster Garvey develops and defends procurement programs for Washington municipal governments. We are very experienced in public bidding requirements, payment and performance bonds, prevailing wage rules, and the other rules and regulations unique to public construction contracting.

### **Related Services**

- Commercial & Real Estate Finance
- Construction
- Health Care
- Labor, Employment & Immigration
- Litigation
- Native American Law
- Ports
- Real Estate
- Real Estate, Land Use & Environmental
- Transportation & Logistics

### **Eminent Domain & Inverse Condemnation**

Our Municipal Government attorneys have represented municipal clients in acquisition projects, such as arterial street development and expansion, utility (including pipeline) corridor development, golf courses, transit stations and rail corridors, convention centers, and municipal purchase and condemnation of private utility systems. We have both prosecuted and defended inverse condemnation cases, including actions relating to property taking through regulation or failure to issue land use permits, as well as noise and odor complaints. Learn more about our [Eminent Domain & Inverse Condemnation practice](#).

### **Fire & Public Safety**

Foster Garvey's 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.

### **Labor & Employment**

Foster Garvey has extensive experience representing municipalities and government agencies, many with union-represented workers. We currently provide services as labor and employment counsel for numerous housing authorities, cities, public hospital districts, fire protection districts, water/sewer districts and other governmental units. Learn more about Foster Garvey's [Labor & Employment practice](#).

### **Public-Private Partnerships**

Foster Garvey attorneys have been instrumental in pulling together some of the most complex projects in the Pacific Northwest 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 Hospitals**

Foster Garvey 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.

### **Public Power & Utilities**

The Foster Garvey team represents more publicly-owned electric utilities than any other firm in the Pacific Northwest region with respect to securing public financing for generation, transmission and distribution of public power throughout the region. Foster Garvey'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. Foster Garvey lawyers regularly counsel our municipal clients on establishing municipal utilities, developing rate ordinances, acquiring right-of way, and siting and permitting treatment facilities, among other things. We also bring our clients considerable resources in environmental, land use and construction law to provide efficient representation for each matter.

### **Public Records & Open Government**

Foster Garvey's Public Records & Open Government team has direct experience working with the public records and disclosure obligations of nearly every type of public entity, including cities, counties, school districts, public utility districts, port districts, public hospital districts and housing authorities. Our experience includes assisting with drafting or responding to public records updating entities' policies and procedures, providing training to help assure an entity's compliance with current legal requirements, including one-on-one training for its public records officer or a half-day session for the entity's staff, and offering litigation services to defend public records request responses or prosecute requests in the applicable regulatory or court proceedings; and, litigation support for private interests to protect from disclosure confidential or proprietary information. Stay informed by visiting Foster Pepper's public records blog [Local Open Government](#) for regular legislative and legal updates in this fast-evolving area. Learn more about our [Public Records & Open Government experience](#).

### **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 (including bonds, levies and state funding), capital facilities development (including construction, real estate, land use and environmental law), insurance coverage, litigation and administrative proceedings, and employment. Currently, Foster Garvey serves as bond counsel for more than 130 school districts. Learn more about our [School District work](#).

### **Senior & Affordable Housing**

Foster Garvey 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. Members of our team 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. Learn

more about [Senior & Affordable Housing experience](#).

### **Solid Waste Management**

Foster Garvey attorneys have extensive experience assisting our municipal clients in the environmental, land use and procurement aspects of their solid waste management systems.

### **Transportation and Infrastructure**

Foster Garvey represents some of the largest public transportation systems in the Pacific Northwest region in connection with 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 and other transit services. We have extensive experience in eminent domain and condemnation for major transit improvements. Learn more about our [Eminent Domain & Inverse Condemnation](#) and [Transportation & Logistics](#) practices.

### **Tribal Finance**

Foster Garvey has a long history of representing Native American and Alaska Native peoples and organizations. We have assisted Tribes in financing administrative buildings, museums, assisted living facilities, casinos, convention centers, restaurants and hotels. We have represented Pacific Northwest Native American 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 of Washington state, 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.

### **Blog Posts**

MRSC Webinar: Avoiding Common Pitfalls Under Washington's OPMA  
*Local Open Government*, 1.31.20