

RESOLUTION NO. 1490

A RESOLUTION OF THE BOARD OF DIRECTORS OF KENT SCHOOL DISTRICT NO. 415, KING COUNTY, WASHINGTON, DESCRIBING CERTAIN CAPITAL IMPROVEMENTS TO BE MADE TO ITS EDUCATION FACILITIES; DECLARING THE ESTIMATED COST OF SUCH IMPROVEMENTS; PROVIDING FOR THE ISSUANCE OF \$252,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS PAYABLE FROM AD VALOREM TAXES LEVIED AGAINST ALL OF THE TAXABLE PROPERTY WITHIN THE DISTRICT; PROVIDING FOR THE SUBMISSION OF THE PROPOSITION OF INCURRING SUCH INDEBTEDNESS TO THE QUALIFIED ELECTORS AT A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016; PROVIDING FOR THE NOTICE OF SUCH ELECTION; AUTHORIZING THE SUPERINTENDENT TO SUBMIT A REQUEST FOR ELIGIBILITY FOR THE STATE OF WASHINGTON'S SCHOOL BOND GUARANTEE PROGRAM; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

**KENT SCHOOL DISTRICT NO. 415
King County, Washington**

**UNLIMITED TAX GENERAL OBLIGATION BONDS
PRINCIPAL AMOUNT OF \$252,000,000**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF KENT SCHOOL DISTRICT NO. 415, KING COUNTY, WASHINGTON, as follows:

WHEREAS, Kent School District No. 415, King County, Washington (the "District"), is a first-class school district duly organized and existing under and by virtue of the Constitution and the laws of the state of Washington (the "State") now in effect;

WHEREAS, the Board of Directors of the District (the "Board") has determined that certain capital improvements to the facilities of the District are required to better serve the needs of the students of the District;

WHEREAS, in order to provide funds to plan, acquire, design, construct, equip and install such capital improvements, the Board hereby deems it necessary and advisable that the District issue and sell in one or more series its unlimited tax general obligation bonds in the principal amount of \$252,000,000 (the "Bonds") to pay the costs of the Project (as defined in Section 2 below), all pursuant to the provisions of chapters 28A.530 and 39.46 RCW;

WHEREAS, RCW 28A.530.020 requires that a special election be called for the submission of a proposition to the qualified electors within the District for their approval or rejection prior to incurring such bonded indebtedness and levying such taxes;

WHEREAS, the District will notify the King County Manager of Records and Elections, as ex officio Supervisor of Elections for the District, in compliance with chapters 29A.04 and 29A.40 RCW, of its intention to hold a special election on Tuesday, November 8, 2016, to submit the proposition of the issuance of the Bonds to the qualified electors of the District for their approval or rejection and to levy such taxes;

WHEREAS, chapter 39.98 RCW was enacted for the purpose of establishing a credit enhancement program (the "Program") for voter-approved school district general obligation bonds;

WHEREAS, RCW 39.98.040 authorizes the State Treasurer to make a determination that a school district is eligible for participating in the Program under rules adopted by the State Finance Committee; and

WHEREAS, to the extent the Program demonstrates savings to the taxpayers of the District, the District wishes to participate in the Program;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED, as follows:

Section 1: The Board hereby determines that the best interest of the residents and students of the District requires the planning, acquisition, design, construction and installation of certain capital improvements and betterments to its facilities, together with all necessary appurtenances, fixtures and furnishings therefor, including technology improvements.

Section 2: The proposed capital improvements (the "Project") to be paid for with the Bond proceeds are as follows:

- (a) the construction of two new elementary schools;
- (b) the construction of 20 new classrooms;
- (c) renovation of multi-purpose rooms at various schools;
- (d) renovation of fields, tracks and courts at various schools;
- (e) acquire new smartboards;
- (f) capital improvements to the roofs at various schools;
- (g) the acquisition and installation of all necessary appurtenances, equipment, fixtures and furnishings of the foregoing, including technology improvements, as deemed necessary by the Board;

(h) the acquisition, construction and installation of all such other capital improvements deemed necessary by the Board; and

(i) ancillary costs of planning, engineering, architectural, construction management, attorney's fees, costs of bond issuance, permits, accounting costs, easements and any other expenses or consultant fees incidental thereto, together with all necessary appurtenances, fixtures and furnishings thereto.

Such capital improvements and betterments described in Section 2 above, which do not include the replacement of equipment, are to be more fully described in the plans and specifications to be prepared by the District's architects and engineers and to be filed with the District.

The District anticipates the receipt of financing assistance from the State under chapter 28A.525 RCW in the estimated amount of \$5,000,000. The proposed capital improvements to be paid for with the financing assistance are unrelated to the Project and may include, but are not limited to, additional work on projects proposed to be paid for with Bond proceeds, modernizing and equipping the District's existing educational and administrative support facilities, constructing and equipping new District educational and administrative support facilities, purchasing property for future schools or other District facilities, technology improvements and other capital improvements deemed necessary and desirable by the Board, all in order of priority and in the amount as determined necessary and desirable by the Board.

Section 3: If, in the opinion of the Board, the needs of the District change in a manner that results in a circumstance wherein any portion of the above-referenced capital improvements is not required or in the best interests of the District, the Board retains the right not to acquire, construct and install such capital improvements and to reallocate the money originally contemplated therefor to other capital improvements to the District's facilities deemed more necessary by the Board, or to deposit such money into the District's Debt Service Fund to make debt service payments on the Bonds outstanding or to call and redeem a portion of the Bonds prior to maturity; provided, any change in use of Bond proceeds shall be in the form and manner required by law.

Section 4: The total estimated cost of the capital improvements program adopted by the Board is hereby declared to be approximately \$257,000,000; \$252,000,000 of which shall be paid, if authorized and empowered by the three-fifths (3/5) majority approving vote of the qualified electors of the District, by the issuance and sale of the Bonds.

Section 5: In the event the District has other legally available money or there are Bond proceeds (or interest earnings thereon) remaining after the capital improvements set forth in Section 2 above have been completed or duly provided for, the Board retains the right to make additional capital improvements to the facilities of the District as are deemed necessary and desirable by the Board, or to deposit such money into the District's Debt Service Fund to make debt service payments on the Bonds outstanding or to call and redeem a portion of the Bonds prior to maturity.

Section 6: In the event the Bond proceeds are insufficient to make all of the capital improvements set forth in Section 2 above, the District shall use the available money to pay the

cost of such improvements set forth in Section 2 above deemed most necessary and to be in the best interest of the District by the Board.

Section 7: The Bonds, if approved, shall be sold and issued in such amounts and at such time or times as deemed necessary and advisable by the Board all as permitted by law. The Bonds shall bear interest at such rate or rates not to exceed the maximum provided by law at the time they are sold. The Bonds shall mature in such amounts and at such time or times within a maximum term of 20 years from their date of issue but may mature at an earlier date or dates, as authorized by the Board and provided by law. The Bonds shall be unlimited tax general obligations of the District; and, unless paid from other sources, both principal thereof and interest thereon shall be payable out of annual property tax levies to be made upon all taxable property within the District without limitation as to rate or amount. The designation of the Bonds may be changed to reflect the actual date of issuance. The exact date, form, terms and maturities of the Bonds shall be hereafter fixed by resolution of the Board.

Section 8: A special election is hereby requested to be called, conducted and held within the District on Tuesday, November 8, 2016, for the purpose of submitting to the qualified electors of the District, for their approval or rejection, the District's proposal to make the capital improvements specified in Section 2 above; to incur indebtedness; to issue the Bonds to finance such capital improvements; and to levy taxes in excess of the regular property tax levies to pay the principal of and interest on the Bonds.

Section 9: The King County Manager of Records and Elections is hereby authorized and directed to call and conduct the November 8, 2016, special election.

Such election will be conducted by mail ballot. The procedures and forms to conduct such election by mail ballot shall be prescribed by the King County Manager of Records and Elections in accordance with chapter 29A.40 RCW and chapter 434-250 WAC.

Section 10: Pursuant to RCW 29A.36.071, as amended, the King County Prosecuting Attorney is requested to prepare the concise description of the proposition for the ballot title substantially in the following form:

PROPOSITION NO. 1

KENT SCHOOL DISTRICT NO. 415

CAPITAL IMPROVEMENT AND SCHOOL CONSTRUCTION GENERAL
OBLIGATION BONDS - \$252,000,000

The Board of Directors of Kent School District No. 415 adopted Resolution No. 1490 concerning a proposition to finance capital improvements to its facilities. This proposition would authorize the District to construct two new elementary schools and 20 new classrooms, make capital improvements to roofs at numerous schools, improve multipurpose rooms and fields, tracks and courts at numerous schools and; to issue \$252,000,000 of general obligation bonds maturing with a maximum term of 20 years and to levy annual excess property tax levies to pay and retire such bonds, all as provided in Resolution No. 1490. Should this proposition be:

APPROVED:

REJECTED:

Section 11: In the event the proposition set forth in Section 10 above is approved pursuant to RCW 39.36.020 and Article VII, Section 2(b) of the State Constitution, there shall be levied and collected annual tax levies in an amount sufficient to each year during the life of the Bonds, and until the full payment of both principal thereof and interest thereon, as will provide levy proceeds sufficient in amount to fully pay currently maturing installments of principal and interest on the Bonds as such becomes due. Such tax levies will be in excess of the regular annual tax levies permitted by law.

Section 12: The King County Auditor shall prepare the notice of special election which shall be published at least once, which publication shall take place not more than 15 days nor less than five days prior to the deadline for mail-in registration. Such publication shall be in a newspaper of general circulation within the District and in accordance with RCW 29A.52.355.

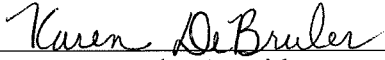
Section 13: The Secretary to the Board is hereby directed to deliver a certified copy of this Resolution to the King County Manager of Records and Elections, as ex officio Supervisor of Elections for the District, no later than August 2, 2016.

Section 14: The Board hereby requests that the State Treasurer issue a certificate of eligibility in favor of the District for participation by the District in the Program with respect to the Bonds. The Superintendent of the District is hereby authorized and directed to submit such applications, resolutions and certifications as shall be required by the State Treasurer in reviewing the District's request for participation.

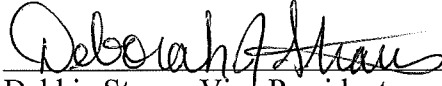
Section 14: This Resolution shall take effect immediately upon adoption.

ADOPTED by the Board of Directors of Kent School District No. 415, King County, Washington, at a regular meeting thereof, held on June 8, 2016.

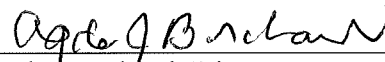
KENT SCHOOL DISTRICT NO. 415
King County, Washington



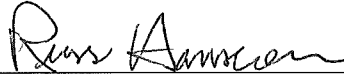
Karen DeBruler, President



Debbie Straus, Vice President




Agda Burchard, Director



Russ Hanscom, Director



Maya Wengadasalam, Director

ATTEST: 

Dr. Calvin J. Watts
Secretary to the Board of Directors

(S E A L)

CERTIFICATE

I, Dr. Calvin J. Watts, Secretary to the Board of Directors of Kent School District No. 415, King County, Washington, hereby certify that the foregoing Resolution is a full, true and correct copy of a Resolution duly passed and adopted at a regular meeting of the Board of Directors of such District, duly held at the regular meeting place thereof on June 8, 2016, of which meeting all members of such Board had due notice, and at which a majority thereof was present; and that at such meeting such resolution was adopted by the following vote:

AYES, and in favor thereof, Directors: *Agla Burckhard, Karen De Bruler, Russ Hanson, Debbie Straus, Maya Kengada Sula m*

NAYS, Directors: *Ø*

ABSENT, Directors: *Ø*

ABSTAIN, Directors: *Ø*

I further certify that I have carefully compared the same with the original Resolution on file and of record in my office; that such Resolution is a full, true and correct copy of the original Resolution adopted at such meeting; and that such Resolution has not been amended, modified or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of June, 2016.

KENT SCHOOL DISTRICT NO. 415
King County, Washington

Calvin J. Watts

Dr. Calvin J. Watts
Secretary to the Board of Directors

(SEAL)