

ENUMCLAW SCHOOL DISTRICT NO. 216  
KING COUNTY, WASHINGTON

REPLACEMENT CAPITAL LEVY FOR INSTRUCTIONAL  
TECHNOLOGY IMPROVEMENTS

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RESOLUTION NO. 1084

A RESOLUTION of the Board of Directors of Enumclaw School District No. 216, King County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 11, 2020, of a proposition to authorize the district to levy an additional tax of \$1,723,687 in 2020 for collection in 2021, \$1,844,345 in 2021 for collection in 2022, \$1,973,449 in 2022 for collection in 2023, \$2,091,856 in 2023 for collection in 2024, \$2,217,368 in 2024 for collection in 2025, and \$2,350,410 in 2025 for collection in 2026 for the District's Capital Projects Fund to pay for technology improvements and equipment.

ADOPTED September 16, 2019

PREPARED BY:  
PACIFICA LAW GROUP LLP  
Seattle, Washington

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WHEREAS, the educational facilities of Enumclaw School District No. 216, King County, Washington (the "District"), including technology facilities, are in need of modernization, improvements and expansion to meet the current and future educational programs for its students; and

WHEREAS, funds available to the District will be insufficient to enable the District to implement such projects; and

WHEREAS, in order to support the cost of these projects as found necessary by the Board of Directors, it is deemed advisable that the District levy a tax upon all the taxable property within the District in excess of the annual tax the District is permitted by law to levy without a vote of the people, such levy to be made for six years commencing with a levy in 2020 for collection in the school years from 2020-2021 through 2026-2027, inclusive, as authorized by Article VII, Section 2 of the State Constitution and RCW 84.52.053; and

WHEREAS, the question of whether or not such excess tax may be levied must be submitted to the qualified electors of the District for their ratification or rejection; and

WHEREAS, the conditions here and above set forth requires the holding of a special election in the District;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF ENUMCLAW SCHOOL DISTRICT NO. 216, KING COUNTY, WASHINGTON as follows:

Section 1. Findings. It is hereby found and declared that the welfare of the students and other residents of the District requires the District to carry out the improvements hereinafter provided.

Section 2. Authorization of Improvements. The District shall use the excess property tax levies to:

(a) Acquire and install instructional technology equipment and infrastructure, replace and upgrade computers, personal computing devices, hardware, software and telecommunication systems, provide related staff training and support to implement such technology improvements and make other improvements and upgrades to the District's technology systems and facilities, all to enhance student learning, and all as deemed necessary and advisable by the Board. The foregoing instructional technology equipment, infrastructure, improvements and upgrades shall be part of the District's integrated technology systems and facilities for instruction and research.

(b) Pay costs associated with implementing the foregoing, including but not limited to, acquiring, constructing and installing hardware and licensing software, online applications and training related to the installation of the foregoing, furniture, equipment, fixtures, accessories and appurtenances, all as deemed necessary and advisable by the Board. Such costs shall be deemed part of the improvements and shall also include, but are not limited to, the ongoing fees

for online applications, subscriptions, or software licenses, including upgrades and incidental services, and ongoing training related to the installation and integration of these products and services, all as deemed necessary or advisable by the Board. The hardware, software or applications shall be an integral part of the District's technology systems and facilities for instruction and research.

(c) Pay incidental costs incurred in connection with carrying out and accomplishing the foregoing. Such costs shall be deemed part of the projects and shall include, but are not limited to: (1) payments for fiscal and legal expenses; (2) costs of establishing and funding accounts; (3) necessary and related engineering, architectural, planning, consulting, permitting, inspection and testing costs; (4) administrative and relocation expenses; (5) site improvement costs; (6) demolition costs; (7) costs related to demolition and/or deconstruction of existing school facilities to recycle, reclaim and repurpose all or a portion of such facilities and/or building materials; (8) costs of on and off-site utilities and road improvements; and (9) costs of other similar activities or purposes, all as deemed necessary and advisable by the Board.

The projects, or any portion or portions thereof, shall be acquired or made insofar as is practicable with available money and in such order of time as shall be deemed necessary and advisable by the Board. The Board shall determine the application of available money between the various parts of the projects so as to accomplish, as near as may be, all of the projects. The Board shall determine the exact order, extent and specifications for the projects. The projects are to be more fully described in the plans and specifications to be filed with the District.

If available funds are sufficient, the District shall acquire, construct, equip and make other capital improvements to the facilities of the District, all as the Board of Directors finds necessary; provided that such funds may be used only to support the construction,

modernization, replacement, and remodeling of school facilities or implementation of the District's technology facilities plan.

If the District shall determine that it has become impracticable to accomplish any of such improvements or portions thereof by reason of changed conditions or needs, incompatible development, costs substantially in excess of those estimated, or acquisition by a superior governmental authority, the District shall not be required to accomplish such improvement and may apply levy proceeds as set forth in this section. If any or all of the improvements have been completed, or their completion duly provided for, or their completion found to be impractical, the District may apply the levy proceeds or any portion thereof to other portions of the improvements or to other capital purposes of the District, as the District in its discretion shall determine. Notwithstanding any provision of this resolution to the contrary, levy proceeds may only be used to support the construction, modernization or remodeling of school facilities or implementation of the District's technology facilities plan.

Section 3. Authorization of Levies. It is hereby found and declared that the best interests of the District require the submission to the qualified electors of the District of the proposition whether the District shall make such capital project fund levies for their ratification or rejection at a special election to be held on February 11, 2020.

The King County Auditor, as *ex-officio* supervisor of elections in King County, is hereby requested to call and conduct such special election to be held by all mail-in ballot within the District on said date and to submit to the qualified electors of the District the proposition providing for excess tax levies for the Capital Projects Fund for six years, commencing in 2020, producing dollar amounts at estimated tax rates per thousand dollars of assessed value to produce such amounts, in excess of the maximum amount tax levy permitted by law to be levied within

the District without a vote of the electors, all as follows:

- A. \$1,723,687, said levy to be made in 2020 for collection in 2021;
- B. \$1,844,345, said levy to be made in 2021 for collection in 2022;
- C. \$1,973,449, said levy to be made in 2022 for collection in 2023;
- D. \$2,091,856, said levy to be made in 2023 for collection in 2024;
- E. \$2,217,368, said levy to be made in 2024 for collection in 2025; and
- F. \$2,350,410, said levy to be made in 2025 for collection in 2026.

The exact levy rate and the actual amounts to be collected shall be adjusted based upon (1) the actual assessed value of the property within the District at the time of the levy and (2) the legal limit on the levy rate and levy amount applicable at the time of the levy. At this time, based upon information provided by the King County Assessor's office, the estimated levy rate for the 2020 levy is \$0.35 per thousand dollars of assessed valuation, the estimated levy rate for the 2021 levy is \$0.35 per thousand dollars of assessed valuation, the estimated levy rate for the 2022 levy is \$0.35 per thousand dollars of assessed valuation, the estimated levy rate for the 2023 levy is \$0.35 per thousand dollars of assessed valuation, the estimated levy rate for the 2024 levy is \$0.35 per thousand dollars of assessed valuation and the estimated levy rate for the 2025 levy is \$0.35 per thousand dollars of assessed valuation.

Section 4. Approval of Form of Ballot. The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition to the King County Auditor, as ex-officio supervisor of elections in King County, substantially in the following form:

PROPOSITION NO. 1

ENUMCLAW SCHOOL DISTRICT

REPLACEMENT CAPITAL LEVY FOR INSTRUCTIONAL TECHNOLOGY  
IMPROVEMENTS

The Board of Directors of Enumclaw School District No. 216 adopted Resolution No. #1084 concerning an instructional technology levy. This proposition would authorize the District to acquire and install instructional technology equipment and infrastructure, provide related staff training, and make other technology improvements and upgrades, all to enhance student learning; and to levy the following excess taxes for such purposes on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1000 Assessed Value	Levy Amount
2021	\$0.35	\$1,723,687
2022	\$0.35	\$1,844,345
2023	\$0.35	\$1,973,449
2024	\$0.35	\$2,091,856
2025	\$0.35	\$2,217,368
2026	\$0.35	\$2,350,410

Should this proposition be approved?

YES

NO

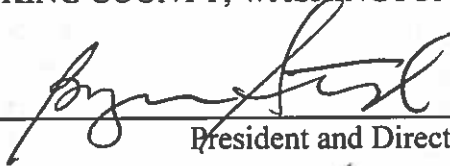
The Secretary of the Board of Directors of the District is hereby authorized and directed to: (a) present a certified copy of this resolution to the King County Auditor, (b) approve changes to the ballot title, if any, deemed necessary by the King County Auditor or the King County Prosecuting Attorney, and (c) perform such other duties as are necessary or required by law to submit the proposition to the voters. All actions of the District or its staff or officers taken prior to the effective date of this resolution and consistent with the objectives and terms of this resolution are ratified and confirmed.

Section 5. Notices Related to Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates the (a) Director, Business and Operations, (William Hatzenbeler), telephone: [(360) 802-7107]; email: ed\_hatzenbeler@enumclaw.wednet.edu and (b) bond counsel, Pacifica Law Group LLP

(Faith Pettis), telephone: (206) 245-1700; email: [faith.pettis@pacificlawgroup.com](mailto:faith.pettis@pacificlawgroup.com), as individuals to whom the King County Auditor shall provide any such notice.


ADOPTED by the Board of Directors of Enumclaw School District No. 216, King County, Washington, at a regular meeting thereof, held this 16<sup>th</sup> day of September, 2019.

ENUMCLAW SCHOOL DISTRICT NO. 216  
KING COUNTY, WASHINGTON

  
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President and Director

  
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Director

  
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Director

  
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Director

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Director

ATTEST:

  
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Secretary, Board of Directors