

BELLEVUE SCHOOL DISTRICT NO. 405
KING COUNTY, WASHINGTON

REPLACEMENT FOR TECHNOLOGY AND CAPITAL PROJECTS LEVY

RESOLUTION NO. 2021-29

A RESOLUTION of the Board of Directors of Bellevue School District No. 405, King County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 8, 2022 of a proposition to authorize the district to levy an additional tax of \$54,000,000 for collection in 2023, \$56,000,000 for collection in 2024, \$58,000,000 for collection in 2025 and \$60,000,000 for collection in 2026 for the District's Capital Projects Fund for developing, acquiring and installing computer technology, related technology infrastructure, providing initial training in the application and implementation of said technology and administrative expenses, necessary equipment purchases and facility improvements, such levies to be made for four years commencing in 2018 for collection in the school years from 2022-2023 through 2026-2027, inclusive.

ADOPTED OCTOBER 21, 2022

PREPARED BY:

K&L GATES LLP
Seattle, Washington

BELLEVUE SCHOOL DISTRICT NO. 405
KING COUNTY, WASHINGTON

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A RESOLUTION of the Board of Directors of Bellevue School District No. 405, King County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 8, 2022 of a proposition to authorize the district to levy an additional tax of \$54,000,000 for collection in 2023, \$56,000,000 for collection in 2024, \$58,000,000 for collection in 2025 and \$60,000,000 for collection in 2026 for the District's Capital Projects Fund for developing, acquiring and installing computer technology, related technology infrastructure, providing initial training in the application and implementation of said technology and administrative expenses, necessary equipment purchases and facility improvements, such levies to be made for four years commencing in 2018 for collection in the school years from 2022-2023 through 2026-2027, inclusive.

WHEREAS, the technology equipment, related technology infrastructure, equipment and facilities of Bellevue School District No. 405, King County, Washington (the "District"), are in need of improvements, expansion, renovation, and construction to meet the current and future educational programs for its students; and

WHEREAS, the District is currently collecting a technology and capital projects levy pursuant to Resolution No. 17-17 and approved by the District's electors on February 13, 2018 (the "2018 Levy Authorization"); and

WHEREAS, funds available to the District from the 2018 Levy Authorization and other sources 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 impose and extend a tax levy 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 four years commencing in 2022 for collection in the school years from 2022-2023 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 BELLEVUE SCHOOL DISTRICT NO. 405, KING COUNTY, WASHINGTON as follows:

Section 1. Finding. 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 continue to modernize District facilities through the acquisition, development, installation, and implementation of computer technology and technology systems, facilities and projects, including but not limited to enhancing infrastructure, acquiring hardware, licensing software, and implementing online applications and training related to the installation of the foregoing as an integral part of the District's technology systems, facilities, or projects; and the application and modernization of technology systems for operations and instruction and capital administrative expenses to support the instructional program of the District, including, but 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 or services, and shall make other capital project expenditures as found necessary by the Board of Directors. In addition, the District shall make other necessary capital equipment purchases and facility improvements to modernize District facilities.

The District may repay any obligations hereafter incurred for the foregoing purposes.

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.

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 on the District require the submission to the qualified electors of the District of the proposition whether the District shall make the Capital Projects Fund levies for their ratification or rejection at a special election to be held on February 8, 2022. For the purpose of providing funds necessary for the needs described in Section 2 above, King County Elections, as *ex officio* supervisor of elections in King County, is hereby requested to call and conduct such special election to be held within the District on such day and to submit to the qualified electors of the District for their approval or rejection, a proposition providing for tax levies for the Capital Projects Fund for four years, commencing in 2022, 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. \$54,000,000, said levy to be made in 2022 for collection in 2023;
- B. \$56,000,000, said levy to be made in 2023 for collection in 2024;
- C. \$58,000,000, said levy to be made in 2024 for collection in 2025; and
- D. \$60,000,000, said levy to be made in 2025 for collection in 2026.

The estimated levy rate depends upon the final dollar amount of assessed value of the property within the District. At this time, based upon information provided by the County Assessor's office, the estimated levy rate for the 2022 levy is \$0.58 per thousand dollars of assessed valuation, the estimated levy rate for the 2023 levy is \$0.56 per thousand dollars of assessed valuation, the estimated levy rate for the 2024 levy is \$0.55 per thousand dollars of assessed valuation, and the estimated levy rate for the 2025 levy is \$0.54 per thousand dollars of assessed valuation. The exact levy rate shall be adjusted based upon the actual assessed value of the property within the District at the time of the levy.

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

PROPOSITION NO. 2

BELLEVUE SCHOOL DISTRICT NO. 405

REPLACEMENT FOR TECHNOLOGY AND CAPITAL PROJECTS LEVY

The Board of Directors of Bellevue School District passed Resolution No. 2021-29 concerning this proposition for capital levies. This proposition authorizes the District to modernize facilities by acquiring, developing and implementing computer technology systems, facilities and projects for operations and instruction and other capital and administrative expenditures, and authorizes excess levies for such purposes on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2023	\$0.58	\$54,000,000
2024	\$0.56	\$56,000,000
2025	\$0.55	\$58,000,000
2026	\$0.54	\$60,000,000

all as provided in the Resolution. Should this proposition be approved?

YES

NO

The Secretary of the Board of Directors of the District is hereby authorized and directed to deliver certified copies of this resolution to King County Elections.

Section 5. Notices of 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 (a) the District's Deputy Superintendent, Finance and Operations (Melissa deVita), telephone: 425.456.4025; email: devitam@bsd405.org; and (b) special counsel, K&L Gates LLP (Cynthia Weed), telephone: 206.370.7801; email: cynthia.weed@klgates.com, as the individuals to whom the Auditor shall provide such notice. The Deputy Superintendent is authorized to approve changes to the ballot title, if any, deemed necessary by the Auditor or the King County Prosecuting Attorney.

Section 6. Voters' Pamphlet. Pursuant to RCW 29A.32.220, the Board of Directors hereby confirms the District's participation in the local voters' pamphlet for the February 8, 2022 election, which shall be prepared and published by King County Elections, including, but not limited to, an explanatory statement reviewed and approved by the District's attorney, and, if available, a Statement For and a Statement Against. The District understands and agrees that it will be required to pay its proportionate share of the expenses of the voters' pamphlet.

ADOPTED by the Board of Directors of Bellevue School District No. 405, King County, Washington, at a regular meeting thereof, held this 21st day of October, 2021.

BELLEVUE SCHOOL DISTRICT NO. 405
KING COUNTY, WASHINGTON

DocuSigned by:

Francine Wiest

A92619380AFC4F5...

President

DocuSigned by:

Carl Wiese

B161A15D12BB41B...

Vice President

DocuSigned by:

Christine Chew

1555F8B14FBC4EF...

Director

DocuSigned by:

Dr. Erica Melief

A4B5C6501A4B4FD...

Director

DocuSigned by:

[Signature]

B08CA49E436C4CE...

Director

ATTEST:

DocuSigned by:

Dr. Art Jarvis

ACFA98B23CE9452...

Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Bellevue School District No. 405, King County, Washington (the "District"), and keeper of the records of the Board of Directors (the "Board"), DO HEREBY CERTIFY:

1. That the attached resolution is a true and correct copy of Resolution No. 2021-29 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 21st day of October, 2021.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Board voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of October, 2021.

DocuSigned by
Dr. Art Jarvis

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Secretary, Board of Directors

OFFICIAL BALLOT
BELLEVUE SCHOOL DISTRICT NO. 405
KING COUNTY, WASHINGTON
FEBRUARY 8, 2022

INSTRUCTIONS TO VOTERS: To vote in favor of the following proposition, place a cross (X) in the square opposite the word “YES”; to vote against the following proposition, place a cross (X) in the square opposite the word “NO.”

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all as provided in the Resolution. Should this proposition be approved?

YES

NO

NOTICE OF SPECIAL ELECTION
BELLEVUE SCHOOL DISTRICT NO. 405
KING COUNTY, WASHINGTON
FEBRUARY 8, 2022

NOTICE IS HEREBY GIVEN that on February 8, 2022, a special election will be held in the above-named school district for the submission to the qualified electors of said school district of the following proposition:

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2025	\$0.55	\$58,000,000
2026	\$0.54	\$60,000,000

all as provided in the Resolution. Should this proposition be approved?

YES

NO

King County Elections