

FEDERAL WAY SCHOOL DISTRICT NO. 210
KING COUNTY, WASHINGTON

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

RESOLUTION NO. 2021-28

- A RESOLUTION of the Board of Directors of Federal Way School District No. 210, King County, Washington, providing for the submission to the qualified electors of the District at a special election to be held on February 8, 2022, a ballot proposition to determine whether excess taxes should be levied to pay part of the costs of educational programs and operations support of the District.

RESOLUTION NO. 2021-28

A RESOLUTION of the Board of Directors of Federal Way School District No. 210, King County, Washington, providing for the submission to the qualified electors of the District at a special election to be held on February 8, 2022, a ballot proposition to determine whether excess taxes should be levied to pay part of the costs of educational programs and operations support of the District.

WHEREAS, Federal Way School District No. 210, King County, Washington (the “District”), for the past four years has had in effect an educational programs and operations levy in order to enable the District to pay for educational programs and school operations, including classroom support, technology and security staff, athletics and activities, maintenance, and transportation; and

WHEREAS, the current educational programs and operations levies expire this year; and

WHEREAS, the Board of Directors of Federal Way School District has determined that the money in and to be paid into the General Fund of the District during the 2022-2023, 2023-2024, 2024-2025, 2025-2026 and 2026-2027 school years will be insufficient to enable the District to pay for necessary educational programs and operations and to properly meet the educational needs of the students attending District schools; and

WHEREAS, the existing authority for the imposition of local tax levies and use of local revenues (including the proceeds of tax levies) has been modified most recently by Chapter 410, Laws of 2019 (66th Legislature, 2019 Regular Session) and may be modified in the future by the State Legislature; and

WHEREAS, in order to properly provide for such educational programs and operations and such educational needs, the Board of Directors of the District deems it necessary to levy pursuant to RCW 84.52.053 the following taxes upon all of the taxable property within the District in excess of the maximum annual tax levy permitted by law to be levied within the District without a vote of the electors:

- A. A tax of approximately \$1.78 per thousand dollars of assessed valuation to provide \$39,000,000, said levy to be made in 2022 for collection in 2023;
- B. A tax of approximately \$1.82 per thousand dollars of assessed valuation to provide \$42,000,000, said levy to be made in 2023 for collection in 2024;
- C. A tax of approximately \$1.86 per thousand dollars of assessed valuation to provide \$45,000,000, said levy to be made in 2024 for collection in 2025; and
- D. A tax of approximately \$1.89 per thousand dollars of assessed valuation to provide \$48,000,000, said levy to be made in 2025 for collection in 2026; and

WHEREAS, prior to the time the ballot proposition authorized in this resolution is submitted to the voters, the District will have received approval of its educational programs and operations/enrichment tax levy expenditure plan from the Office of the Superintendent of Public Instruction as required under RCW 84.52.053(4); and

WHEREAS, the Constitution and laws of the State of Washington require that the question of whether or not such excess taxes may be levied must be submitted to the qualified electors of the District for their ratification or rejection;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF FEDERAL WAY SCHOOL DISTRICT NO. 210, KING COUNTY, WASHINGTON, as follows:

Section 1. It is hereby found and declared by the Board of Directors that the welfare of the students and other residents of the District require the District to carry out the plans hereinafter provided. The Board establishes the following proposed levies based on an expectation that the Washington State Legislature will fulfill its constitutional obligation to fund basic education as outlined in EHSB 2242 (Chapter 13, Laws of 2017) and maintain a commitment to local effort levy equalization assistance (“LEA”). This Board also recognizes that State funding for public education may change based on regionalization factors, changes to LEA or other legislative actions. Based upon such considerations, the Board determines that the following taxes for the District’s General

Fund should be levied upon all of the taxable property within the District in excess of the maximum annual tax levy permitted by law to be levied within the District without a vote of the electors:

- A. \$39,000,000, said levy to be made in 2022 for collection in 2023;
- B. \$42,000,000, said levy to be made in 2023 for collection in 2024;
- C. \$45,000,000, said levy to be made in 2024 for collection in 2025; and
- D. \$48,000,000, said levy to be made in 2025 for collection in 2026.

The estimated levy rate as established in ESHB 2242 (Chapter 13, Laws of 2017) must be the lesser of \$2.50 per \$1,000 of assessed valuation or \$2,500 plus the value of inflation per student. Upon approval by the voters of the proposition substantially in the form set forth below, the District may use the proceeds of said levies during the 2022-2023, 2023-2024, 2024-2025, 2025-2026 and 2026-2027 school years by incurring an indebtedness by the issuance of short term obligations against the General Fund of the District, as authorized by Chapter 39.50 RCW, and may expend the proceeds of said levies to pay such part of the general expenses of educational programs and operations of the District during such school years as may be authorized or allowed by law for the use of excess levy funds, including instructional programs beyond the state minimum instructional offerings, staffing ratios, program components, professional learning, student and program support, and school operations.

Section 2. 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 of whether or not the District shall levy such excess tax for their ratification or rejection at a special election to be held therein on February 8, 2022.

King County Elections, as *ex officio* supervisor of elections in King County, Washington, is hereby requested to call and conduct said special election to be held within the District on said date and to submit to the qualified electors of the District, under the authority of RCW 84.52.053, the

proposition substantially in the form hereinafter set forth. The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition substantially in the following form:

PROPOSITION NO. 2

FEDERAL WAY SCHOOL DISTRICT NO. 210
REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

The Board of Directors of Federal Way Public Schools adopted Resolution No. 2021-28 concerning a replacement levy for school funding. This levy would continue funding for educational expenses not fully funded by the State, including instructional programs above state minimums, enhanced staffing, program components, professional learning, scholar and program support, and operations and authorizes the following excess levies on all taxable property within the District as provided in Resolution No. 2021-28:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2023	\$1.78	\$ 39,000,000
2024	\$1.82	\$ 42,000,000
2025	\$1.86	\$ 45,000,000
2026	\$1.89	\$ 48,000,000

Should this proposition be approved?

YES.....

NO

The Secretary of the Board of Directors of the District is hereby directed to deliver a certified copy of this resolution to King County Elections.


Section 3. 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 Chief Financial and Operations Officer (Ashley Murphy), telephone: 253.397.0931; email: amurphy@fwps.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 King County Elections shall provide such notice. The Chief Financial and

Operations Officer is authorized to approve changes to the ballot title, if any, deemed necessary by King County Elections or the King County Prosecuting Attorney.

Section 4. 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 Federal Way School District No. 210, King County, Washington, at a regular meeting thereof, held on the 9th day of November, 2021.

FEDERAL WAY SCHOOL DISTRICT NO. 210,
KING COUNTY, WASHINGTON

DocuSigned by:

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President and Director

DocuSigned by:

7700608EF8834F1...

Director

DocuSigned by:

8591638C3AD0485...

Director

DocuSigned by:

7C4F36619ADC477...

Director

DocuSigned by:

B555679A31ED424...

Director

ATTEST:

DocuSigned by:

01600E12FE35438

Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Federal Way School District No. 210, 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. 2021-28 of the Board (the “Resolution”), duly adopted at a regular meeting thereof held on the 9th day of November, 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 9th day of November, 2021.

DocuSigned by:
Dr. Dani Pfeiffer
01600E42FF35439...
Secretary, Board of Directors

OFFICIAL BALLOT
FEDERAL WAY SCHOOL DISTRICT NO. 210
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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2025	\$1.86	\$ 45,000,000
2026	\$1.89	\$ 48,000,000

Should this proposition be approved?

YES.....

NO

NOTICE
FEDERAL WAY SCHOOL DISTRICT NO. 210
KING COUNTY, WASHINGTON
February 8, 2022

NOTICE IS HEREBY GIVEN that on February 8, 2022, a special election will be held by mail-in ballot 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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Should this proposition be approved?

YES.....

NO

King County Elections