

FIFE SCHOOL DISTRICT NO. 417
PIERCE AND KING COUNTIES, WASHINGTON

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

RESOLUTION NO. 21-20

- A RESOLUTION of the Board of Directors of Fife School District No. 417, Pierce and King Counties, 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 the proposition of whether excess taxes should be levied of \$10,593,000 in 2022 for collection in 2023, \$11,017,000 in 2023 for collection in 2024, \$11,458,000 in 2024 for collection in 2025, and \$12,145,000 in 2025 for collection in 2026, said excess taxes to pay part of the cost of educational programs and operations support of the District.

ADOPTED NOVEMBER 29, 2021

PREPARED BY:

K&L GATES LLP
Seattle, Washington

RESOLUTION NO. 21-20

A RESOLUTION of the Board of Directors of Fife School District No. 417, Pierce and King Counties, 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 the proposition of whether excess taxes should be levied of \$10,593,000 in 2022 for collection in 2023, \$11,017,000 in 2023 for collection in 2024, \$11,458,000 in 2024 for collection in 2025, and \$12,145,000 in 2025 for collection in 2026, said excess taxes to pay part of the cost of educational programs and operations support of the District.

WHEREAS, Fife School District No. 417, Pierce and King Counties, 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 its educational programs and services, including employee costs (such as salaries), instructional materials, special programs, activities and sports, transportation costs, maintenance of facilities and other non-capital expenses of operating the District schools; and

WHEREAS, the current school programs and operations levies expire in 2022; and

WHEREAS, 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 expenses of educational programs and operation that are not fully funded by the State of Washington, including, but not limited to, employee costs (such as salaries), instructional materials, special programs, activities and sports, transportation costs, maintenance of facilities, and other non-capital expenses necessary in the operation of the District; 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 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 levy in the amount of up to \$10,593,000, said levy to be made in 2022 for collection in 2023;
- B. A levy in the amount of up to \$11,017,000, said levy to be made in 2023 for collection in 2024;
- C. A levy in the amount of up to \$11,458,000, said levy to be made in 2024 for collection in 2025;
- D. A levy in the amount of up to \$12,145,000, 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 FIFE SCHOOL DISTRICT NO. 417, PIERCE AND KING COUNTIES, WASHINGTON, as follows:

Section 1. 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. A levy in the amount of up to \$10,593,000, said levy to be made in 2022 for collection in 2023;
- B. A levy in the amount of up to \$11,017,000, said levy to be made in 2023 for collection in 2024;
- C. A levy in the amount of up to \$11,458,000, said levy to be made in 2024 for collection in 2025; and
- D. A levy in the amount of up to \$12,145,000, said levy to be made in 2025 for collection in 2026.

The estimated levy rate depends on the limitations of state law and information. At this time, based on state law, the estimated levy rate for the 2022 levy is \$1.81 per thousand dollars of assessed valuation, the estimated levy rate for the 2023 levy is \$1.77 per thousand dollars of assessed valuation, the estimated levy rate for the 2024 levy is \$1.74 per thousand dollars of assessed valuation, and the estimated levy rate for the 2025 levy is \$1.74 per thousand dollars of assessed valuation. The exact levy rate and amount shall be adjusted based upon the legal levy limits and the actual assessed value of the property within the District at the time of the levy. 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 local levy funds.

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.

The Pierce County Auditor, as *ex officio* supervisor of elections in Pierce 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 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 to the Pierce County Auditor substantially in the following form:

PROPOSITION NO. 1

FIFE SCHOOL DISTRICT

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

The Board of Directors of Fife School District No. 417 adopted Resolution No. 21-20 concerning a replacement levy for education. This replacement levy funds district education programs and school operations, which are not funded or not fully funded by the State, and authorizes the following excess levies to replace an expiring levy on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2023	\$1.81	\$ 10,593,000
2024	\$1.77	\$ 11,017,000
2025	\$1.74	\$ 11,458,000
2026	\$1.74	\$ 12,145,000

Should this proposition be approved?

YES ☐

NO ☐

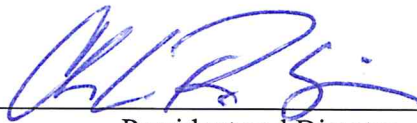
The Secretary of the Board of Directors of the District is hereby directed to deliver a certified copy of this resolution to the Pierce County Auditor and a courtesy copy to King County Elections.

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 Assistant Superintendent of Business Services (Kari Harris), telephone: 253.517.1000 x 29121; email: kharris@fifeschools.com; 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 Assistant Superintendent of Business Services is authorized to approve changes to the ballot title, if any, deemed necessary by the Auditor or the Pierce County Prosecuting Attorney.

Section 4. Pursuant to RCW 29A.32, 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 the Pierce County Auditor and 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.

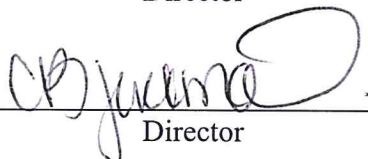
ADOPTED by the Board of Directors of Fife School District No. 417, Pierce and King
Counties, Washington, at a regular meeting thereof, held on the 29th day of November, 2021.

FIFE SCHOOL DISTRICT NO. 417, PIERCE
AND KING COUNTIES, WASHINGTON

By 
President and Director


Director

Director


Director


Director

ATTEST:


Secretary, Board of Directors


CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Fife School District No. 417, Pierce and King Counties, 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. 21-20 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 29th 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 29th day of November, 2021.


Secretary, Board of Directors

OFFICIAL BALLOT

FIFE SCHOOL DISTRICT NO. 417
PIERCE AND KING COUNTIES, 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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2026	\$1.74	\$ 12,145,000

Should this proposition be approved?

YES ☐

NO ☐

NOTICE OF SPECIAL ELECTION
FIFE SCHOOL DISTRICT NO. 417
PIERCE AND KING COUNTIES, 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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YES ☐

NO ☐

Pierce County Auditor