

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

REPLACEMENT CAPITAL PROJECTS TECHNOLOGY LEVY

RESOLUTION NO. 21-21

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 a proposition to authorize the district to levy an additional tax to provide a total of \$14,000,000 for the District's Capital Projects Fund for technology improvements and equipment and training to meet the current and future educational programs for its students, such levies to be made for six years commencing in 2022 for collection in the calendar years from 2023 through 2028.

ADOPTED NOVEMBER 29, 2021

PREPARED BY:

K&L GATES LLP
Seattle, Washington

RESOLUTION NO. 21-21

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 a proposition to authorize the district to levy an additional tax to provide a total of \$14,000,000 for the District's Capital Projects Fund for technology improvements and equipment and training to meet the current and future educational programs for its students, such levies to be made for six years commencing in 2022 for collection in the calendar years from 2023 through 2028.

WHEREAS, the educational facilities of Fife School District No. 417, Pierce and King Counties, Washington (the "District"), including technology facilities, are in need of 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, the District, for the past six years has had in effect a Capital Projects Fund (technology) levy in order to enable the District to pay for the modernization of its facilities and the implementation of its technology facilities plan; and

WHEREAS, the collection of current Capital Projects Fund (Technology) levies expires in 2022; 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 in 2022 for collection in the calendar years

from 2023 through 2028, 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 require the holding of a special election in the District;

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. Finding. It is hereby found and declared that the welfare of the students and other residents of the District require the District to carry out the improvements hereinafter provided.

Section 2. Authorization of Improvements. The District shall modernize its educational facilities through the acquisition and installation, implementation and management of computer technology and technology systems, facilities and projects, including but not limited to expanded student and teacher access through one-to-one computer devices, updated and expanded learning software with more interactive technologies, staff training and implementation support, technology infrastructure improvements districtwide including replacement of outdated computers, and districtwide technology improvements for more effective teaching and learning.

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; 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 best interests of 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, the Pierce County Auditor, as *ex officio* supervisor of elections in Pierce 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 six 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. \$2,000,000, said levy to be made in 2022 for collection in 2023;
- B. \$2,100,000, said levy to be made in 2023 for collection in 2024;
- C. \$2,250,000, said levy to be made in 2024 for collection in 2025;
- D. \$2,400,000, said levy to be made in 2025 for collection in 2026;
- E. \$2,550,000, said levy to be made in 2026 for collection in 2027; and
- F. \$2,700,000, said levy to be made in 2027 for collection in 2028.

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 \$0.34 per thousand dollars of assessed valuation, the estimated levy rate for the 2023 levy is \$0.34 per thousand dollars of assessed valuation, the estimated levy rate for the 2024 levy is \$0.34 per thousand dollars of assessed valuation, the estimated levy rate for the 2025 levy is \$0.34 per thousand dollars of assessed valuation, the estimated levy rate for the 2026 levy is \$0.34 per thousand dollars of assessed valuation, and the estimated levy rate for the 2027 levy is \$0.34 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 the Pierce County Auditor, as *ex officio* supervisor of elections in Pierce County, substantially in the following form:

PROPOSITION NO. 2

FIFE SCHOOL DISTRICT

REPLACEMENT CAPITAL PROJECTS TECHNOLOGY LEVY

The Board of Directors of Fife School District No. 417 adopted Resolution No. 21-21 concerning a replacement levy for capital technology levies. This proposition authorizes acquiring educational technology, equipment and training, including classroom computers; and authorizes the following excess levies for such purposes on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2023	\$0.34	\$ 2,000,000
2024	\$0.34	\$ 2,100,000
2025	\$0.34	\$ 2,250,000
2026	\$0.34	\$ 2,400,000
2027	\$0.34	\$ 2,550,000
2028	\$0.34	\$ 2,700,000

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 directed to deliver a certified copy of this resolution to the Pierce County Auditor and a courtesy copy 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 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.

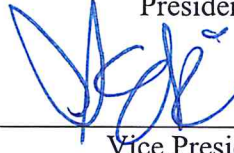
Section 6. Voters' Pamphlet. Pursuant to RCW 29A.32, the Board of Directors hereby confirms the District's participation in the local voters' pamphlet for the February 8, 2022, election, which shall be prepared and published by the Pierce County Auditor and King County Elections, including, but not limited 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 this 29th day of November, 2021.

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

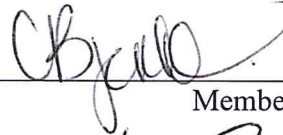


President




Vice President

Member



Member



Member

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. 21-21 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 words "YES"; to vote against the following proposition, place a cross (X) in the square opposite the words "NO."

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2027	\$0.34	\$ 2,550,000
2028	\$0.34	\$ 2,700,000

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

YES

NO

NOTICE
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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2027	\$0.34	\$ 2,550,000
2028	\$0.34	\$ 2,700,000

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

Pierce County Auditor