

Mercer Island School District No. 400

King County, Washington

RESOLUTION NO. 707

Amendment of Resolution 704

WHEREAS, the Board of Directors of the Mercer Island School District 400 School District has passed Resolution No 704 authorizing the District to place a ballot measure on the February 2022 ballot; and

WHEREAS, the Resolution No 704 established the Title of the Ballot Measure as Proposition 2 Mercer Island School District NO. 400 Capital Projects Levy; and

WHEREAS, The Board of Directors wishes to identify Proposition 2 as a replacement for an existing and expiring Capital Projects Levy;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Directors of the Mercer Island School District 400, King County Washington, hereby amends Resolution No 704 to modify the Ballot Title to read as follows:

Proposition 2

Mercer Island School District NO. 400

Replacement Capital Projects Levy.

GENERAL AUTHORIZATION AND RATIFICATION. The Secretary to the Board, President of the Board, the District's Executive Director of Finance and other appropriate officers of the District are authorized to take all other actions and execute all other documents necessary to effectuate the provisions of this resolution, and all prior actions taken in furtherance of and not inconsistent with the provisions of this resolution are ratified and confirmed in all respects.

EFFECTIVE DATE. This resolution takes effect from and after its adoption. **ADOPTED** by the Board of Directors of Mercer Island School District No. 400, King County, Washington, at a regular open public meeting thereof, of which due notice was given as required by law, held this 9th day of December 2021, the following Directors being present and voting in favor of the resolution.

Mercer Island School District No. 400

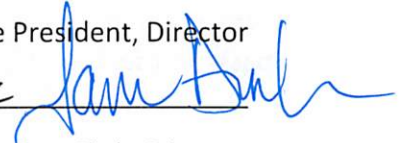
King County, Washington



Maggie Tai Tucker, President, Director



David D'Souza, Vice President, Director



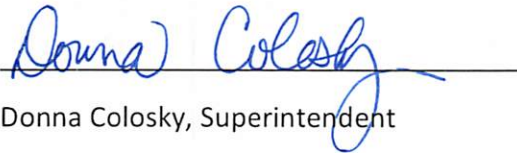
Tam Dinh, Director



Deborah Lurie, Director



Dan Glowitz, Director



Donna Colosky, Superintendent

Secretary to the Board of Directors

MERCER ISLAND SCHOOL DISTRICT NO. 400
KING COUNTY, WASHINGTON

REPLACEMENT CAPITAL PROJECTS LEVY

RESOLUTION NO. 704

A RESOLUTION of the Board of Directors of Mercer Island School District No. 400, 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 to provide a total of \$48,554,871 for the District's Capital Projects Fund for acquiring and installing computer technology, related technology infrastructure, administrative expenses, and other necessary equipment purchases and facility improvements, such levies to be made for six years commencing in 2022 for collection in the calendar years from 2023 through 2028, inclusive.

ADOPTED OCTOBER 28, 2021

RESOLUTION NO. 704

A RESOLUTION of the Board of Directors of Mercer Island School District No. 400, 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 to provide a total of \$48,554,871 for the District's Capital Projects Fund for acquiring and installing computer technology, related technology infrastructure, administrative expenses, and other necessary equipment purchases and facility improvements, such levies to be made for six years commencing in 2022 for collection in the calendar years from 2023 through 2028, inclusive.

WHEREAS, the educational facilities of Mercer Island School District No. 400, King County, Washington (the "District"), including technology facilities are in need of modernization, improvements and expansion to meet the current and future educational needs 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 levy in order to enable the District to pay for the modernization of its facilities and the implementation of its technologies plan; and

WHEREAS, the current capital project levies expire following the 2022 collections; 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 MERCER ISLAND SCHOOL DISTRICT NO. 400, 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 require the District to carry out the improvements hereinafter provided.

Section 2. Authorization of Improvements. The District shall modernize its school facilities through construction, renovation, improvement of existing facilities including structural, safety and energy repairs at West Mercer Elementary, Mercer Island High School and other facilities, classroom improvements within the District, and inclusive playground renovations and athletic facility improvements, to meet the needs of current and future educational programs.

The District also 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 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 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, to the full extent permitted by law, as determined by the Board of Directors.

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 District to submit 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 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. \$7,755,871, said levy to be made in 2022 for collection in 2023;
- B. \$7,885,223, said levy to be made in 2023 for collection in 2024;
- C. \$8,018,454, said levy to be made in 2024 for collection in 2025;
- D. \$8,155,683, said levy to be made in 2025 for collection in 2026;
- E. \$8,297,028, said levy to be made in 2026 for collection in 2027; and
- F. \$8,442,614, 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 King County Assessor's office, the estimated levy rate for the 2022 levy is \$0.75 per thousand dollars of assessed valuation, the estimated levy rate for the 2023 levy is \$0.75 per thousand dollars of assessed valuation, the estimated levy rate for the 2024 levy is \$0.75 per thousand dollars of assessed valuation, the estimated levy rate for the 2025 levy is \$0.75, the estimated levy rate for the 2026 levy is \$0.75 per thousand dollars of assessed, and the estimated levy rate for the 2027 levy is \$0.75 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 King County Records and Elections Division, as *ex officio* supervisor of elections in King County, substantially in the following form:

PROPOSITION NO. 2

MERCER ISLAND SCHOOL DISTRICT NO. 400
REPLACEMENT CAPITAL PROJECTS LEVY

The Board of Directors of Mercer Island School District No. 400 adopted Resolution No. 704 concerning capital projects and technology. This proposition funds construction, modernization and remodeling of existing facilities, and technology improvements including equipment, infrastructure and the implementation of new technology systems for operations and instruction; 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	\$0.75	\$7,755,871
2024	\$0.75	\$7,885,223
2025	\$0.75	\$8,018,454
2026	\$0.75	\$8,155,683
2027	\$0.75	\$8,297,028
2028	\$0.75	\$8,442,614

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

YES

NO

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

Section 5. Notices Relating 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 (a) the District’s Executive Director of Finance and Operations (Tyrell Bergstrom), telephone: 206.236.3295; email: tyrell.bergstrom@mercerislandschools.org; and (b) special counsel,

K&L Gates LLP, telephone: 206.370.7801; email: cynthia.weed@klgates.com, as the individuals to whom the Auditor shall provide such notice. The Executive Director of Finance and Operations 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 Mercer Island School District No. 400, King County, Washington, at a regular meeting thereof, held this 28th day of October, 2021.

MERCER ISLAND SCHOOL DISTRICT NO. 400,
KING COUNTY, WASHINGTON

President and Director

Director

Director

Director

Director

ATTEST:

Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Mercer Island School District No. 400, 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. 704 of the Board (the “Resolution”), duly adopted at a regular meeting thereof held on the 28th 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 28th day of October, 2021.

Secretary, Board of Directors

OFFICIAL BALLOT
MERCER ISLAND SCHOOL DISTRICT NO. 400
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 words "YES"; to vote against the following proposition, place a cross (X) in the square opposite the words "NO."

PROPOSITION NO. 2

MERCER ISLAND SCHOOL DISTRICT NO. 400
REPLACEMENT CAPITAL PROJECTS LEVY

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2026	\$0.75	\$8,155,683
2027	\$0.75	\$8,297,028
2028	\$0.75	\$8,442,614

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

YES

NO

NOTICE
MERCER ISLAND SCHOOL DISTRICT NO. 400
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:

PROPOSITION NO. 2

MERCER ISLAND SCHOOL DISTRICT NO. 400
REPLACEMENT CAPITAL PROJECTS LEVY

The Board of Directors of Mercer Island School District No. 400 adopted Resolution No. 704 concerning capital projects and technology. This proposition funds construction, modernization and remodeling of existing facilities, and technology improvements including equipment, infrastructure and the implementation of new technology systems for operations and instruction; and authorizes the following excess levies for such purposes on all taxable property within the District:

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2026	\$0.75	\$8,155,683
2027	\$0.75	\$8,297,028
2028	\$0.75	\$8,442,614

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

YES

NO

Director
King County Elections