

KENT SCHOOL DISTRICT NO. 415
KING COUNTY, WASHINGTON

CAPITAL PROJECTS AND TECHNOLOGY LEVY

RESOLUTION NO. 1649

A RESOLUTION of the Board of Directors of Kent School District No. 415, King County, Washington, providing for the submission to the qualified electors of the District at a special election to be held therein on November 7, 2023, of the proposition of whether excess taxes should be levied of \$29,200,000 in 2023 for collection in 2024, \$60,900,000 in 2024 for collection in 2025, \$63,400,000 in 2025 for collection in 2026, and \$65,900,000 in 2026 for collection in 2027, said excess taxes to support the renovation, expansion and improvement of school facilities, and for safety and technology improvements to meet the current and future needs of District students; and providing for other matters relating thereto.

ADOPTED: JULY 26, 2023

PREPARED BY:

PACIFICA LAW GROUP LLP
Seattle, Washington

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WHEREAS, Kent School District No. 415, King County, Washington (the “District”), is a first-class school district duly organized and existing under and by virtue of the Constitution and the laws of the State of Washington (the “State”) now in effect; and

WHEREAS, pursuant to RCW 84.52.053, the qualified electors of the District may by a simple majority vote authorize capital projects and technology levies of up to six years to support the construction, modernization, and remodeling of District facilities; and

WHEREAS, calendar year 2024 is the last year of collection for the District’s current capital projects and technology levy, which provides funding for District facility and educational needs, including deferred maintenance and necessary capital improvements and repairs, as well as technology equipment, software, and associated staff supports; and

WHEREAS, the District’s educational facilities require repair, modernization, improvement and expansion to meet current and future safety, security, instruction, classroom and support services and technology needs of its students (as further defined herein, the “Projects”); and

WHEREAS, with the expiration of the District’s current capital projects and technology levy, funds available to the District will be insufficient to enable the District to implement such

Projects; and

WHEREAS, to provide adequately for student safety, security, instruction, classroom and support services, and technology needs, the Board of Directors of the District (the “Board”) deems it necessary to levy 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, such levy to be made for four years commencing in 2023 for collection in the school years 2023-2024 through 2027–2028, inclusive, as authorized by Article VII, Section 2 of the State Constitution and RCW 84.52.053, with such excess taxes to be deposited into the District’s Capital Projects Fund, or a sub-fund thereof, and used to pay for a portion of the Projects; and

WHEREAS, the Constitution and laws of the State require that the question of whether the District may levy such excess taxes be submitted to the qualified electors of the District for their ratification or rejection; and

WHEREAS, the Board deems it necessary and advisable to place the proposition for such excess tax levies before the District’s voters at an election to be held within the District on November 7, 2023;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF KENT SCHOOL DISTRICT NO. 415, KING COUNTY, WASHINGTON, as follows:

Section 1. The Board hereby finds and declares that the best interests of the District’s students and other residents require the District to carry out the Projects as hereinafter provided, at the time or times and in the order deemed most necessary and advisable by the Board.

Section 2. Upon approval by the voters of the proposition in substantially the form set forth below, the Projects the District will finance with proceeds from the excess property tax levies will include:

- Districtwide student safety, security and health improvements, including upgrades to building access control and alarm systems; Children’s Internet Protection Act (CIPA) improvements; and purchase and installation of updated HVAC systems and boilers;
- Districtwide school and support facility improvements, including updates at elementary school facilities to accommodate pre-K education; installation of synthetic athletic fields at four high schools; ADA upgrades to playground equipment; installation of new flooring, roof repairs; and replacement of a transportation fueling station;
- Districtwide technology improvements, including continuation of the District’s program to furnish students with laptops for use at school and home; upgrades to instructional technology, including in-class presentation, audio, and learning management system capacity; modernization and expansion of school technology infrastructure to support device access and bandwidth requirements; upgrades to data security and disaster recovery infrastructure; and modernization and expansion of District communication services and support operations technology; and costs associated with implementing technology systems, facilities, and projects, including acquiring hardware, licensing software, and online applications and training related to the installation of the foregoing.

The District shall make other capital project expenditures as found necessary 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 or technology improvements to the District, all as the Board 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 program.

Incidental costs incurred in connection with carrying out and accomplishing the foregoing shall be deemed part of the Projects. Such costs shall include, but are not limited to: payments for fiscal and legal expenses; establishing and funding accounts; necessary and related engineering, architectural, planning, consulting, permitting, inspection and testing costs; administrative and relocation expenses; site improvement and demolition costs; and costs for other similar activities or purposes, all as deemed necessary and advisable by the Board and permitted by law.

The Projects, or any portion or portions thereof, shall be acquired or made insofar as is practicable with available money and in such order of time as shall be deemed necessary and advisable by the Board. The Board shall determine the application of available money between the various parts of the Projects so as to accomplish, as near as may be, all of the Projects. The Board shall determine the exact order, extent and specifications for the Projects. The Projects are to be more fully described in the plans and specifications to be prepared by the District's architects and engineers and to be filed with the District.

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 program.

Section 3. The Board hereby finds and declares that the best interests of the District's students and other residents require submission to the District's voters, for their approval or rejection, the proposition of whether the District shall levy excess property taxes upon all of the taxable property within the District in order to provide funding for the Projects. Upon approval by the voters of the proposition in substantially the form set forth below, the following taxes for the District's Capital Projects Fund will 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. \$29,200,000, said levy to be made in 2023 for collection in 2024;
- B. \$60,900,000, said levy to be made in 2024 for collection in 2025;
- C. \$63,400,000, said levy to be made in 2025 for collection in 2026; and
- D. \$65,900,000, said levy to be made in 2026 for collection in 2027.

The exact levy rate and the actual amounts collected shall be adjusted based upon the actual assessed value of the property within the District at the time of the levy. At this time, based upon information provided by the King County Assessor's Office, the estimated levy rate for the 2024 collection is \$0.66 per thousand dollars of assessed valuation, the estimated levy rate for the 2025 collection is \$1.32 per thousand dollars of assessed valuation, the estimated levy rate for the 2026 collection is \$1.32 per thousand dollars of assessed valuation, and the estimated levy rate for the 2027 collection is \$1.32 per thousand dollars of assessed valuation.

Section 4. The King County Director of Records and Elections (the "Director"), as *ex officio* supervisor of elections in King County, Washington, is hereby requested to assume jurisdiction of and to call and conduct the election to be held within the District and to submit to

the qualified electors of the District the proposition hereinafter set forth. Such election shall be conducted by mail or as otherwise required by the Director. The Secretary of the Board (the “Secretary”) is hereby authorized and directed to certify the proposition to said officials in the following form:

PROPOSITION NO. 2
 KENT SCHOOL DISTRICT NO. 415
 REPLACEMENT OF EXPIRING CAPITAL PROJECTS AND
 TECHNOLOGY LEVY

The Board of Directors of Kent School District No. 415 adopted Resolution No. 1649 concerning a proposition to replace the District’s expiring capital projects and technology levy. If approved, this proposition would authorize the District to levy the following excess taxes, replacing an expiring levy, on all taxable property within the District, to provide funding for capital projects for student safety, security, instruction, classroom and support services, and technology needs.

Collection Year	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2024	\$0.66	\$29,200,000
2025	\$1.32	\$60,900,000
2026	\$1.32	\$63,400,000
2027	\$1.32	\$65,900,000

Should this proposition be approved?

YES.....

NO.....

The Secretary is hereby directed to deliver a certified copy of this resolution to the Director no later than August 1, 2023, and to perform such other duties as are necessary or required by law to submit the proposition to voters.

Section 5. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates the following as the individuals to whom the

Director shall provide such notice: (a) the District's Associate Superintendent of Finance (Benjamin Rarick), telephone: (253) 373-7164; email: benjamin.rarick@kent.k12.wa.us, and (b) the District's Bond Counsel, Pacifica Law Group LLP (Faith Pettis), telephone: (206) 245-1700; email: faith.pettis@pacificallawgroup.com. The Associate Superintendent of Finance is authorized to approve changes to the ballot title, if any, deemed necessary by the Director or the King County Prosecuting Attorney.

Section 6. The Superintendent, the Associate Superintendent, the Chair of the Board, and the Secretary are severally authorized and directed to take such actions and to execute such documents as in their judgment may be necessary or desirable to effectuate the provisions of this resolution, and to perform such other duties as are necessary or required by law to submit to the District's voters at the aforesaid special election, for their approval or rejection, the proposition of whether the District shall levy annual excess property taxes to pay the costs of the Projects. All actions of the District or its staff or officers taken prior to the effective date of this resolution and consistent with the objectives and terms of this resolution are ratified and confirmed.

Section 7. In the event that any provision of this resolution shall be held to be invalid, such invalidity shall not affect or invalidate any other provision of this resolution, but shall be construed and enforced as if such invalid provision had not been contained herein; provided, however, that any provision which shall for any reason be held to be invalid shall be deemed to be in effect to the extent permitted by law.

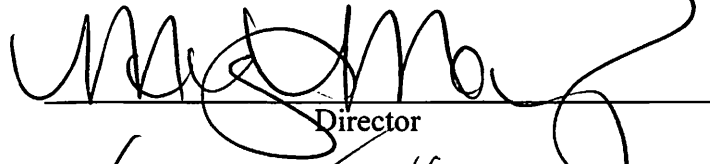
Section 8. This resolution shall become effective immediately upon its adoption.

ADOPTED by the Board of Directors of Kent School District No. 415, King County, Washington, at a special meeting thereof, held on the 26th day of July, 2023.

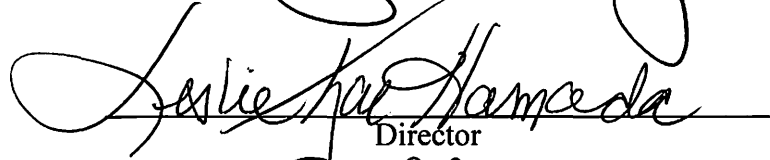
KENT SCHOOL DISTRICT NO. 415, KING COUNTY, WASHINGTON



President and Director



Director



Director



Director



Director

ATTEST:



Secretary, Board of Directors