

**REVISED FINAL 12/9/2021**

**Franklin Pierce School District No. 402  
Special Election - Proposition No. 1  
Replacement Educational Programs and Operations Levy**

**Official Ballot Title:** The Board of Directors of Franklin Pierce School District No. 402 adopted Resolution No. 21-R-14 concerning a proposition to replace an expiring levy for education. If approved, Proposition No. 1 will authorize the District to levy the following excess taxes, replacing an expiring levy, on all taxable property within the District, for educational programs and operations expenses not funded by the State’s statutory program:

<u>Collection Years</u>	<u>Estimated Levy Rate per \$1,000 of Assessed Value</u>	<u>Levy Amount</u>
2023	\$2.50	\$18,939,414
2024	\$2.50	\$20,833,356
2025	\$2.50	\$22,916,691
2026	\$2.50	\$25,208,361

all as provided in Resolution No. 21-R-14. Should Proposition No. 1 be approved?

Yes...[ ]

No ...[ ]

FRANKLIN PIERCE SCHOOL DISTRICT NO. 402  
PIERCE COUNTY, WASHINGTON

PROPOSITION NO. 1 - REPLACEMENT EDUCATIONAL PROGRAMS AND  
OPERATIONS LEVY

RESOLUTION NO. 21-R-14

A RESOLUTION of the Board of Directors of Franklin Pierce School District No. 402, Pierce County, Washington, providing for the submission to the voters of the District at a special election to be held on February 8, 2022, of a proposition authorizing an excess tax levy to be made annually for four years commencing in 2022 for collection in 2023 of \$18,939,414, in 2023 for collection in 2024 of \$20,833,356, in 2024 for collection in 2025 of \$22,916,691, and in 2025 for collection in 2026 of \$25,208,361, for the District's General Fund to pay expenses of educational programs and operations; designating the Secretary to the Board and special counsel to receive notice of the ballot title from the Auditor of Pierce County, Washington; and providing for related matters.

ADOPTED: NOVEMBER 9, 2021

*This document prepared by:*

*FOSTER GARVEY P.C.  
1111 Third Avenue, Suite 3000  
Seattle, Washington 98101  
(206) 447-5339*

FRANKLIN PIERCE SCHOOL DISTRICT NO. 402  
PIERCE COUNTY, WASHINGTON

RESOLUTION NO. 21-R-14

A RESOLUTION of the Board of Directors of Franklin Pierce School District No. 402, Pierce County, Washington, providing for the submission to the voters of the District at a special election to be held on February 8, 2022, of a proposition authorizing an excess tax levy to be made annually for four years commencing in 2022 for collection in 2023 of \$18,939,414, in 2023 for collection in 2024 of \$20,833,356, in 2024 for collection in 2025 of \$22,916,691, and in 2025 for collection in 2026 of \$25,208,361, for the District's General Fund to pay expenses of educational programs and operations; designating the Secretary to the Board and special counsel to receive notice of the ballot title from the Auditor of Pierce County, Washington; and providing for related matters.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF FRANKLIN PIERCE SCHOOL DISTRICT NO. 402, PIERCE COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Franklin Pierce School District No. 402, Pierce County, Washington (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) Calendar year 2022 is the last year of collection of the District's current four-year General Fund educational programs and operations tax levy, which was authorized pursuant to Resolution No. 17-R-10, adopted by the Board on November 14, 2017, and approved by the voters at a special election held and conducted within the District on February 13, 2018.

(b) With the expiration of the District's current four-year General Fund educational programs and operations tax levy, it appears certain that the money in the District's General Fund for the school years 2022-2023, 2023-2024, 2024-2025, 2025-2026 and 2026-2027 will be insufficient to permit the District to meet the educational needs of its students and fund educational programs and operations not funded by the State of Washington (the "State"), all as more particularly set forth in Section 3 of this resolution, during such school years, and that it is necessary that a replacement excess tax levy of \$18,939,414 be made in 2022 for collection in 2023, \$20,833,356 be made in 2023 for collection in 2024, \$22,916,691 be made in 2024 for collection in 2025, and \$25,208,361 be made in 2025 for collection in 2026 for the District's General Fund to provide the money required to meet those expenses.

(c) The District's proposed four-year General Fund educational programs and operations tax levy authorized in this resolution provides for approximately the same educational programs and operations purposes as the District's expiring four-year General Fund educational programs and operations tax levy.

(d) Pursuant to Article VII, Section 2(a) of the Washington Constitution and Revised Code of Washington ("RCW") 84.52.053, the District may submit to its voters at a special election,

for their approval or rejection, a proposition authorizing the District to levy annual excess property taxes for support of the District's educational programs and operations expenses.

(e) The District has received or, 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 tax levy expenditure plan from the Office of the Superintendent of Public Instruction under RCW 28A.505.240 as required by RCW 84.52.053(4), a copy of which is or will be on file with the District.

Section 2. Calling of Election. The Auditor of Pierce County, Washington, as *ex officio* Supervisor of Elections (the "Auditor"), is requested to call and conduct a special election in the manner provided by law to be held in the District on February 8, 2022, for the purpose of submitting to the District's voters, for their approval or rejection, a proposition authorizing a replacement General Fund educational programs and operations tax levy on all of the taxable property within the District (the assessed value of such representing 100% of true and fair value unless specifically provided otherwise by law) to be made annually for four years commencing in 2022 for collection in 2023 of \$18,939,414, the estimated dollar rate of tax levy required to produce such an amount being \$2.50 per \$1,000 of assessed value, in 2023 for collection in 2024 of \$20,833,356, the estimated dollar rate of tax levy required to produce such an amount being \$2.50 per \$1,000 of assessed value, in 2024 for collection in 2025 of \$22,916,691, the estimated dollar rate of tax levy required to produce such an amount being \$2.50 per \$1,000 of assessed value, and in 2025 for collection in 2026 of \$25,208,361, the estimated dollar rate of tax levy required to produce such an amount being \$2.50 per \$1,000 of assessed value, all in excess of the maximum tax levy allowed by law for school districts without voter approval. The exact tax levy rate and amount to be collected may be adjusted based upon the actual assessed value of the taxable property within the District and the limitations imposed by law at the time of the tax levy.

Section 3. Use of Taxes. If the proposition authorized by this resolution is approved by the requisite number of voters, the District will be authorized to levy the excess property taxes up to the amounts provided in this resolution to meet the educational needs of its students and fund educational programs and operations not funded by the State during the school years 2022-2023, 2023-2024, 2024-2025, 2025-2026 and 2026-2027, all as may be authorized by law and determined necessary by the Board. Pending the receipt of those taxes, the District may issue short-term obligations pursuant to chapter 39.50 RCW or contract indebtedness pursuant to RCW 28A.530.080. Upon receipt, the District may use those taxes to repay such short-term obligations or indebtedness, all as may be authorized by law and determined necessary and advisable by the Board.

Section 4. Form of Ballot Title. Pursuant to RCW 29A.36.071, the Pierce County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION NO. 1

FRANKLIN PIERCE SCHOOL DISTRICT NO. 402

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

The Board of Directors of Franklin Pierce School District No. 402 adopted Resolution No. 21-R-14 concerning a proposition to replace an expiring levy for education. If approved, Proposition No. 1 will authorize the District to levy the following excess taxes, replacing an expiring levy, on all taxable property within the District for educational programs and operations expenses not funded by the State:

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2023	\$2.50	\$18,939,414
2024	\$2.50	\$20,833,356
2025	\$2.50	\$22,916,691
2026	\$2.50	\$25,208,361

all as provided in Resolution No. 21-R-14 and subject to legal limits on levy rates and amounts at the time of levy. Should Proposition No. 1 be approved?

LEVY . . . YES

LEVY . . . NO

Section 5. Authorization to Deliver Resolution to Auditor and Perform Other Necessary Duties. The Secretary to the Board (the “Secretary”) or the Secretary’s designee is authorized and directed to: (a) present a certified copy of this resolution to the Auditor no later than December 10, 2021; and (b) 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 authorizing the District to levy excess property taxes for support of the District’s educational programs and operations expenses.

Section 6. 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 Secretary (Dr. Lance Goodpaster), telephone: 253.298.3010; email: [lgoodpaster@fpschools.org](mailto:lgoodpaster@fpschools.org); and (b) special counsel, Foster Garvey P.C. (Jim McNeill), telephone: 206.447.5339; email: [jim.mcneill@foster.com](mailto:jim.mcneill@foster.com), as the individuals to whom the Auditor shall provide such notice. The Secretary is authorized to approve changes to the ballot title, if any, determined necessary by the Auditor or the Pierce County Prosecuting Attorney.

Section 7. Execution; General Authorization and Ratification. This resolution may be executed by the Directors being present and voting in favor of the resolution, or only the President of the Board (the “President”), and attested by the Secretary, in tangible medium,

manual, facsimile or electronic form under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure, or in any other manner evidencing its adoption. The Secretary, the District’s Director of Business Services, the President, and the District’s special counsel, Foster Garvey P.C., are hereby further severally authorized and directed to take such actions and to create, accept, execute, send, use and rely upon such tangible medium, manual, facsimile or electronic documents, records and signatures under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure, as in their judgment may be necessary or desirable to effectuate the provisions of this resolution. All actions taken prior to the effective date of this resolution in furtherance of and not inconsistent with the provisions of this resolution are ratified and confirmed in all respects.

Section 8. Severability. If any provision of this resolution is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provisions of this resolution, or of the levy or collection of excess property taxes authorized herein.

Section 9. Effective Date. This resolution takes effect from and after its adoption.

ADOPTED by the Board of Directors of Franklin Pierce School District No. 402, Pierce County, Washington, at a regular open public meeting held this 9<sup>th</sup> day of November, 2021.

FRANKLIN PIERCE SCHOOL DISTRICT NO. 402  
PIERCE COUNTY, WASHINGTON

DocuSigned by:  
*Cole Roberts*  
E25B34DDA64841A...  
President and Director

DocuSigned by:  
*Gil Mendoza*  
0A1972310CD7449...  
Vice President and Director

DocuSigned by:  
*[Signature]*  
70ABF3E62AA644A...  
Director

DocuSigned by:  
*Rebecca Gallogly*  
20BFEE9DB0D34CA...  
Director

DocuSigned by:  
*Mary Sherman*  
AD706AF484DE478...  
Director

ATTEST:  
DocuSigned by:  
*Dr. Lance Goodpaster*  
385A151A17C94AA...  
DR. LANCE GOODPASTER  
Secretary to the Board of Directors

CERTIFICATION

I, DR. LANCE GOODPASTER, Secretary to the Board of Directors of Franklin Pierce School District No. 402, Pierce County, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. 21-R-14 (the "Resolution") is a full, true and correct copy of the Resolution duly adopted at a regular meeting of the Board of Directors of the District (the "Board") held on November 9, 2021 (the "Meeting"), as that Resolution appears on the minute book of the District, and the Resolution is now in full force and effect;

2. Pursuant to various proclamations and orders issued by the Governor of the State of Washington, options were provided for the public to attend the Meeting remotely, including by telephonic access and, as available, internet access, which options provided the ability for all persons attending the Meeting remotely to hear each other at the same time; and

3. The Meeting was duly convened and held in all respects in accordance with law, the public was notified of the access options for remote attendance, a quorum of the members of the Board was present throughout the meeting, and a sufficient number of members of the Board present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 9<sup>th</sup> day of November, 2021.

FRANKLIN PIERCE SCHOOL DISTRICT NO. 402  
PIERCE COUNTY, WASHINGTON

DocuSigned by:

*Dr. Lance Goodpaster*

385A151A17C94AA  
DR. LANCE GOODPASTER

Secretary to the Board of Directors

FRANKLIN PIERCE SCHOOL DISTRICT NO. 402  
PIERCE COUNTY, WASHINGTON

EXPLANATORY STATEMENT

PROPOSITION NO. 1 - REPLACEMENT EDUCATIONAL PROGRAMS AND  
OPERATIONS LEVY

Passage of Proposition No. 1 would help Franklin Pierce School District fund educational programs and operations not funded by the State, including, but not limited to: classroom teachers; safety personnel; health services, librarians and counselors; student transportation (staff and fuel costs); programs for special needs students, such as gifted, remedial and disabled; textbooks, classroom supplies and library materials; music; art and athletic programs; and other educational programs and operations expenses. Taxes collected by the proposed levy will provide approximately 10% of the District's General Fund budget. Further information is available at <https://www.fpschools.org/>. The proposed four-year levy will replace the District's current levy approved by the voters in 2018 that expires at the end of 2022.

The proposed replacement levy would authorize collection of taxes to provide up to \$18,939,414 in 2023, \$20,833,356 in 2024, \$22,916,691 in 2025 and \$25,208,361 in 2026. The tax levy rate required to produce these levy amounts is estimated to be \$2.50 per \$1,000 of assessed value. The exact tax levy rate and amounts to be collected may be adjusted based upon the limitations imposed by State law at the time of the levy. Exemptions from taxes may be available, call Pierce County Assessor at 253.798.2169.

(200 words – 200 allowed)