

FINAL

**Peninsula School District No. 401
Special Election - Proposition No. 2
Safety, Security and Technology Levy**

Official Ballot Title: The Board of Directors of Peninsula School District No. 401 adopted Resolution No. 22-06 concerning safety, security and technology levies. If approved, Proposition No. 2 will authorize the District to levy the following excess taxes on all taxable property within the District to fund capital projects for safety/security improvements and modernization of technology facilities, including infrastructure, hardware, software, applications, and training:

<u>Collection Year</u>	<u>Approximate Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2024	\$0.25	\$6,000,000
2025	\$0.25	\$6,223,000
2026	\$0.25	\$6,514,000
2027	\$0.25	\$6,720,000
2028	\$0.25	\$6,884,000
2029	\$0.25	\$6,998,000

as provided in Resolution No. 22-06. Should Proposition No. 2 be approved?

Yes...[]

No ...[]

PENINSULA SCHOOL DISTRICT NO. 401
PIERCE COUNTY, WASHINGTON

SCHOOL DISTRICT SAFETY SECURITY AND TECHNOLOGY LEVY

RESOLUTION NO. 22-06

A RESOLUTION of the Board of Directors of Peninsula School District No. 401, Pierce County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 14, 2023, of a proposition to authorize the district to levy an additional tax to provide a total of \$39,339,000 for the District's Capital Projects Fund for safety, security, and technology improvements and equipment, such levies to be made for six years commencing in 2023 for collection in the school years from 2023-2024 through 2029-2030.

ADOPTED NOVEMBER 9, 2022

PREPARED BY:

K&L GATES LLP
Seattle, Washington

RESOLUTION NO. 22-06

A RESOLUTION of the Board of Directors of Peninsula School District No. 401, Pierce County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 14, 2023, of a proposition to authorize the district to levy an additional tax to provide a total of \$39,339,000 for the District's Capital Projects Fund for safety, security, and technology improvements and equipment, such levies to be made for six years commencing in 2023 for collection in the school years from 2023-2024 through 2029-2030.

WHEREAS, the safety and security of educational facilities of Peninsula School District No. 401, Pierce County, Washington (the "District"), including technology programs are in need of improvements, enhancements, safety and security upgrades 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, 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 2023 for collection in the school years from 2023-2024 through 2029-2030, 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 which requires the holding of a special election in the District; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF PENINSULA SCHOOL DISTRICT NO. 401, PIERCE 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 requires 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 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 safety and security capital project expenditures as found necessary by the Board of Directors. In addition, the District shall make other necessary capital equipment purchases and facility improvements to enhance safety and security of District facilities and safety systems.

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 safety and security 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 modernization, replacement, safety and security upgrades 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 safety and security modernization or enhancements 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 14, 2023. For the purpose of providing funds necessary for the needs described in Section 2 above, 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 2023, 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. \$6,000,000, said levy to be made in 2023 for collection in 2024;

- B. \$6,223,000, said levy to be made in 2024 for collection in 2025;
- C. \$6,514,000, said levy to be made in 2025 for collection in 2026;
- D. \$6,720,000, said levy to be made in 2026 for collection in 2027.
- E. \$6,884,000, said levy to be made in 2027 for collection in 2028; and
- F. \$6,998,000, said levy to be made in 2028 for collection in 2029.

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 2024 through 2029 levy is \$0.25 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 Pierce County Auditor, as *ex officio* supervisor of elections in Pierce County, substantially in the following form:

PROPOSITION NO. 2

PENINSULA SCHOOL DISTRICT NO. 401

SAFETY SECURITY AND TECHNOLOGY LEVY

The Board of Directors of Peninsula School District No. 401 adopted Resolution No. 22-06 concerning safety, security and technology levies. This proposition would authorize the acquisition, installation, and management of computer technology systems, projects and programs, including enhancing infrastructure, acquiring hardware, licensing software, implementing applications and training; other authorized capital projects for safety and security improvements and enhancements; and 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
2024	\$0.25	\$6,000,000
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2029	\$0.25	\$6,998,000

Should this proposition be approved?

YES

NO

The Secretary of the Board of Directors of the District is hereby authorized and directed to deliver certified copies of this resolution to Pierce County Auditor.

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 the (a) Chief Financial Officer (Ashley Murphy), telephone: 253.530.1004; email: murphya@psd401.net, and (b) bond counsel, K&L Gates LLP (Cynthia Weed), telephone: 206.370.7801; email: cynthia.weed@klgates.com, as the individuals to whom the Pierce County Auditor shall provide

such notice. The Chief Financial Officer is authorized to approve changes to the ballot title, if any, deemed necessary by the Pierce County Auditor or the Pierce County Prosecuting Attorney.

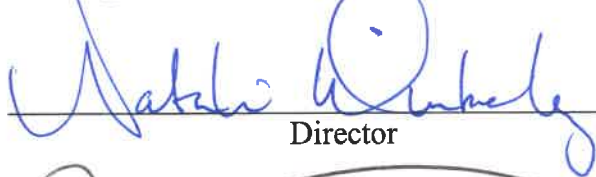
Section 6. Voters' Pamphlet. Pursuant to RCW 29A.32, the Board of Directors hereby confirms the District's participation in the local voters' pamphlet for the February 14, 2023, election, which shall be prepared and published by the Pierce County Auditor, including, but not limited to, an explanatory 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 Peninsula School District No. 401, Pierce County, Washington, at a regular meeting thereof, held this 9th day of November, 2022.

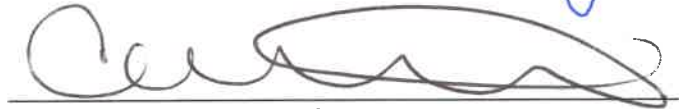
PENINSULA SCHOOL DISTRICT NO. 401
PIERCE COUNTY, WASHINGTON



President and Director



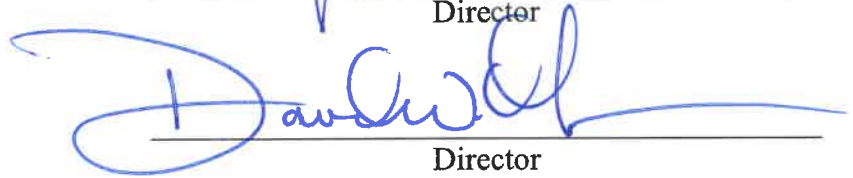
Director



Director



Director



Director

ATTEST:



Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Peninsula School District No. 401, Pierce 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. 22-06 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 9th day of November, 2022.

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 9th day of November, 2022.


Secretary, Board of Directors

OFFICIAL BALLOT
PENINSULA SCHOOL DISTRICT NO. 401
PIERCE COUNTY, WASHINGTON
February 14, 2023

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."

PROPOSITION NO. 2

PENINSULA SCHOOL DISTRICT NO. 401

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Should this proposition be approved?

YES

NO

NOTICE OF SPECIAL ELECTION
PENINSULA SCHOOL DISTRICT NO. 401
PIERCE COUNTY, WASHINGTON
February 14, 2023

NOTICE IS HEREBY GIVEN that on February 14, 2023, 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

PENINSULA SCHOOL DISTRICT NO. 401

SAFETY SECURITY AND TECHNOLOGY LEVY

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Should this proposition be approved?

YES

NO

Pierce County Auditor

EXPLANATORY STATEMENT - PROPOSITION NO. 2

Passage of Proposition No. 2 would allow the levy of \$6,000,000 in property taxes within Peninsula School District for collection in 2024, the levy of \$6,223,000 for collection in 2025, the levy of \$6,514,000 for collection in 2026, the levy of \$6,720,000 for collection in 2027, the levy of \$6,884,000 for collection in 2028 and the levy of \$6,998,000 for collection in 2029 to fund the acquisition and installation, implementation and management of computer technology systems, safety and security systems, facilities and projects, including but not limited to enhancing infrastructure, acquiring hardware, licensing software, and implementing applications and training related to the foregoing. In accordance with Resolution No. 22-06 approving this proposition, these taxes would be deposited in the District's Capital Projects Fund for such improvements. If authorized by the voters, such property taxes would be collected at a rate estimated to be \$0.25 per \$1,000 of assessed valuation in 2024, 2025, 2026, 2027, 2028 and 2029. 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.

Exemptions from taxes may be available to certain homeowners. To determine if you qualify, call your county assessor.