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**AUBURN SCHOOL DISTRICT NO. 408
KING AND PIERCE COUNTIES, WASHINGTON**

SCHOOL DISTRICT TECHNOLOGY REPLACEMENT LEVY

RESOLUTION NO. 1296

A RESOLUTION of the Board of Directors of Auburn School District No. 408, King and Pierce Counties, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 11, 2020, of a proposition to authorize the district to levy an additional tax of \$5,833,000 in 2020 for collection in 2021, \$5,833,000 in 2021 for collection in 2022, \$5,833,000 in 2022 for collection in 2023, \$5,833,000 in 2023 for collection in 2024, \$5,833,000 in 2024 for collection in 2025 and \$5,833,000 in 2025 for collection in 2026, to provide a total of \$34,998,000 for the District's Capital Projects Fund for technology improvements and equipment, such levies to be made for six years commencing in 2020 for collection in the calendar years from 2021 through 2026.

ADOPTED NOVEMBER 12, 2019

Prepared by:

**K&L GATES LLP
Seattle, Washington**

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WHEREAS, the educational facilities of Auburn School District No. 408, King and Pierce Counties, Washington (the "District"), including technology resources are in need of replacement, modernization and expansion to meet the current and future educational needs for its students; and

WHEREAS, the authorization for the collection of current technology levies expires in 2020;

WHEREAS, funds available to the District will not be sufficient 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 2020 for collection in the calendar years from 2021 through 2026, 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 AUBURN SCHOOL DISTRICT NO. 408, KING AND PIERCE 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 requires the District to carry out the improvements hereinafter provided.

Section 2. Authorization of Improvements. The District shall maintain and modernize its educational facilities through the acquisition and installation of technology systems, including infrastructure, computers, security surveillance, other technology devices, and implementation support, and shall make other Capital Projects Fund expenditures as found necessary by the Board of Directors; 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 resources 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 resources 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 11, 2020. 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, Washington, is hereby requested to call and conduct such special election to be held within the District in King and Pierce Counties 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 2020, 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. \$5,833,000, said levy to be made in 2020 for collection in 2021;
- B. \$5,833,000, said levy to be made in 2021 for collection in 2022;
- C. \$5,833,000, said levy to be made in 2022 for collection in 2023;
- D. \$5,833,000, said levy to be made in 2023 for collection in 2024;
- E. \$5,833,000, said levy to be made in 2024 for collection in 2025; and
- F. \$5,833,000, said levy to be made in 2025 for collection in 2026.

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 and Pierce County Assessor's office, the estimated levy rate for the 2020 levy is \$0.42 per thousand dollars of assessed valuation, the estimated levy rate for the 2021 levy is \$0.41 per thousand dollars of assessed valuation, the estimated levy rate for the 2022 levy is \$0.40 per thousand dollars of assessed valuation, the estimated levy rate for the 2023 levy is \$0.39 per thousand dollars of assessed valuation, the estimated levy rate for the 2024 levy is \$0.38 per thousand dollars of assessed valuation, and the estimated levy rate for the 2025 levy is \$0.36 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 District requests King County Elections, as *ex officio* supervisor of elections, to call and conduct the special election to be held by all mail-in ballot within the District in King and Pierce Counties and to submit to the voters of the District the proposition set forth below. The Secretary of the Board is hereby authorized and directed to certify the proposition to said officials in substantially the following form:

PROPOSITION NO. 2

AUBURN SCHOOL DISTRICT NO. 408
TECHNOLOGY REPLACEMENT CAPITAL PROJECTS LEVY

The Board of Directors of Auburn School District No. 408 adopted Resolution #1296 concerning technology replacement levies. This proposition authorizes acquisition of technology, equipment and infrastructure supporting classrooms and educational programs, including computer science and career/technical education and security systems; provides related staff and training; and authorizes the following replacement excess levies on all taxable property within the District:

| <u>Collection Years</u> | <u>Approximate Levy Rate/\$1,000 Assessed Value</u> | <u>Levy Amount</u> |
|-----------------------------|---|------------------------|
| 2021 | \$0.42 | \$5,833,000 |
| 2022 | \$0.41 | \$5,833,000 |
| 2023 | \$0.40 | \$5,833,000 |
| 2024 | \$0.39 | \$5,833,000 |
| 2025 | \$0.38 | \$5,833,000 |
| 2026 | \$0.36 | \$5,833,000 |

as provided in Resolution #1296. 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 King County Elections and a courtesy copy to the Pierce 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 Associate Superintendent, Business and Operations (Cindi Blansfield), telephone: 253.931.4930; email: cblansfield@auburn.wednet.edu; and (b) special counsel, K&L Gates LLP (Cynthia Weed) telephone: 206.370.7801; email: cynthia.weed@klgates.com, as the individuals to whom King County Elections shall provide such notice. The Associate

Superintendent, Business and Operations is authorized to approve changes to the ballot title, if any, deemed necessary by King County Elections or the Office of the King County Prosecuting Attorney.

Section 6. Voters' Pamphlet. Pursuant to authority granted by RCW 29A.32.220, the Board of Directors hereby authorizes the District's participation in the local voters' pamphlet for the February 11, 2020 election and requests that King County Elections and Pierce County Elections prepare and publish a voters' pamphlet for this proposition. 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 Auburn School District No. 408, King and Pierce Counties, Washington, at a regular meeting thereof, held this 12th day of November, 2019.

AUBURN SCHOOL DISTRICT NO. 408, KING AND PIERCE COUNTIES, WASHINGTON

President and Director



Director



Director



Director

Director

ATTEST:



Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Auburn School District No. 408, King and Pierce 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. 1296 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 12th day of November, 2019.

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 12th day of November, 2019.

A handwritten signature in black ink, appearing to be 'C. Smith', is written over a horizontal line. The signature is cursive and somewhat stylized.

Secretary, Board of Directors

OFFICIAL BALLOT
AUBURN SCHOOL DISTRICT NO. 408
KING AND PIERCE COUNTIES, WASHINGTON
February 11, 2020

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."

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| 2025 | \$0.38 | \$5,833,000 |
| 2026 | \$0.36 | \$5,833,000 |

as provided in Resolution #1296. Should this proposition be approved?

YES

NO

NOTICE
AUBURN SCHOOL DISTRICT NO. 408
KING AND PIERCE COUNTIES, WASHINGTON
February 11, 2020

NOTICE IS HEREBY GIVEN that on February 11, 2020, a special election will be held by mail ballot 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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| 2025 | \$0.38 | \$5,833,000 |
| 2026 | \$0.36 | \$5,833,000 |

as provided in Resolution #1296. Should this proposition be approved?

YES

NO

King County Elections