



RESOLUTION NO. 1338

A RESOLUTION OF THE BOARD OF DIRECTORS OF SOUTH KITSAP SCHOOL DISTRICT NO. 402, KITSAP COUNTY, WASHINGTON, CALLING A SPECIAL ELECTION IN ORDER TO SUBMIT TO THE QUALIFIED ELECTORS OF THE DISTRICT THE PROPOSITION OF WHETHER EXCESS PROPERTY TAXES SHOULD BE LEVIED TO PROVIDE EDUCATIONAL PROGRAMS AND OPERATIONS; PROVIDING FOR THE SUBMISSION OF THE PROPOSITION OF AUTHORIZING SUCH LEVY TO THE QUALIFIED ELECTORS AT A SPECIAL ELECTION TO BE HELD ON TUESDAY, FEBRUARY 9, 2021; PROVIDING FOR THE NOTICE OF SUCH ELECTION; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

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

WHEREAS, South Kitsap School District No. 402, Kitsap 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;

WHEREAS, calendar year 2021 is the last year of collection for the District's current General Fund maintenance and operations levy;

WHEREAS, the Board of Directors of the District (the "Board") hereby determines that with the expiration of the District's current General Fund maintenance and operations levy, money which will be available for the District's General Fund during the 2021-2022, 2022-2023, 2023-2024 and 2024-2025 school years will be insufficient to provide continued funding for the District's educational programs and operations during those school years, and that it is therefore necessary that excess tax levies be made for the District's General Fund to provide funding for approximately the same educational programs and operations which were funded by the District's expiring General Fund maintenance and operations levy;

WHEREAS, pursuant to RCW 84.52.053, the District may authorize two-year through four-year educational programs and operations levies when authorized to do so by a simple majority of the qualified electors of the District;

WHEREAS, to provide properly for educational programs and operations funding, the Board hereby deems it necessary and advisable that: (1) an excess tax of approximately \$2.50 per \$1,000 of assessed valuation, to provide an aggregate amount of \$27,880,220 be levied in 2021 as part of the taxes to be collected in 2022; (2) an excess tax of approximately \$2.50 per \$1,000 of assessed valuation, to provide an aggregate amount of \$30,386,678 be levied in 2022 as part of the taxes to be collected in 2023; (3) an excess tax of approximately \$2.50 per \$1,000 of assessed valuation, to provide an aggregate amount of \$33,118,717 be levied in 2023 as part of the taxes to be collected in 2024, and (4) an excess tax of approximately \$2.50 per \$1,000 of assessed valuation, to provide an aggregate amount of \$36,096,640 be levied in 2024 as part of the taxes to be collected in 2025, with such excess taxes to be deposited into the District's General Fund and

used for continued funding for the District’s educational programs and operations. The exact tax levy rate and amount to be collected may be adjusted based on the actual assessed value of the taxable property within the District and the limitations imposed by law at the time of the levy;

WHEREAS, the Constitution and the laws of the State require that the proposition of whether or not such excess taxes may be levied must be submitted to the qualified electors of the District for their approval or rejection; and

WHEREAS, the Board deems it necessary and advisable to place the proposition for such excess tax levies before the qualified electors of the District at an election to be held within the District on February 9, 2021;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED, as follows:

Section 1. The Board hereby determines that the best interests of the students and other residents of the District require the District to place before the qualified electors of the District, for their approval or rejection, the issue of whether excess property taxes should be levied within the District to provide educational programs and operations funding for the District.

Section 2. To provide money for continued funding for the District’s educational programs and operations as described in Section 3 below, the following taxes for the District’s General Fund shall be levied upon all taxable property within the District in excess of the maximum annual tax levy permitted by law without voter approval.

Collection Year	Approximate Levy	
	Rate/\$1000	Assessed Value
2022	\$2.50	\$27,880,220
2023	\$2.50	\$30,386,678
2024	\$2.50	\$33,118,717
2025	\$2.50	\$36,096,640

Section 3. If the proposition specified in Section 6 below is approved by the qualified electors of the District as required by the Constitution and the laws of the State, the District shall be authorized to use such levy proceeds during the 2021-2022, 2022-2023, 2023-2024 2024-2025 and 2025-2026 school years to provide educational programs and operations funding for the District, or such other District eligible activities or enhancements, as may be authorized or allowed by law for the use of such levies and deemed necessary and advisable by the Board.

Section 4. Upon approval of such proposition, the District may issue warrants, bonds or other lawful indebtedness against the District’s General Fund for such educational programs and operations.

Section 5. The Kitsap County Auditor, as ex officio Supervisor of Elections for the District, is hereby requested to call and conduct a special election to be held within the District on Tuesday, February 9, 2021.

Section 6. Pursuant to RCW 29A.36.071, as amended, the Kitsap County Prosecuting Attorney is directed to prepare the concise description of the proposition for the ballot title in substantially the following form:

PROPOSITION NO. 1
SOUTH KITSAP SCHOOL DISTRICT NO. 402
REPLACEMENT OF EXPIRING EDUCATIONAL PROGRAMS AND
OPERATIONS LEVY

The Board of Directors of South Kitsap School District No. 402 adopted Resolution No.1338, concerning a proposition for educational programs and operations. This proposition would authorize the District to levy the following excess taxes, in place of an expiring levy, upon all taxable property within the District, for support of the District's General Fund educational programs and operations expenses, not fully funded by the State:

Collection Year	Approximate Levy	
	Rate/\$1000	Levy Amount
2022	\$2.50	\$27,880,220
2023	\$2.50	\$30,386,678
2024	\$2.50	\$33,118,717
2025	\$2.50	\$36,096,640

all as provided in Resolution No. 1338. Should this proposition be approved?

LEVY... YES

LEVY... NO

Section 7. The special election will be conducted by mail ballot. The procedures and forms to conduct the special election by mail ballot shall be prescribed by the Kitsap County Auditor in accordance with chapter 29A.40 RCW and chapter 434-250 WAC.

Section 8. The Kitsap County Auditor shall prepare the notice of special election which shall be published at least once, which publication shall take place not more than fifteen days nor less than five days prior to the mail-in registration deadline. Such publication shall be in a newspaper of general circulation within the District and in accordance with RCW 29A.52.355.

Section 9. The Secretary to the Board of is hereby directed to deliver a certified copy of this Resolution to the Kitsap County Auditor, as ex officio Supervisor of Elections for the District, at least 60 days before the date for the special election.

Section 10. 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 Assistant Superintendent (Jennifer Farmer) telephone: 360-874-7012; email: farmer@skschools.org; and (b) bond counsel, Kutak Rock LLP (Roy J. Koegen) telephone: 509-343-4470; email: roy.koegen@kutakrock.com as the individuals to whom the Auditor shall provide such notice. The Secretary to the Board is authorized to approve changes to the ballot title, if any, determined necessary by the Auditor or the Kitsap County Prosecuting Attorney.

Section 11. The Chair of the Board, the Secretary to the Board, other appropriate officers of the District and bond counsel, Kutak Rock LLP, 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. All actions taken prior to the effective date of this resolution in furtherance of and not inconsistent with the provision of this Resolution are hereby ratified and confirmed in all respects.

Section 12. All resolutions in conflict with this Resolution are hereby repealed in their entirety.

Section 13. This resolution shall take effect immediately upon adoption.

ADOPTED by the Board of Directors of South Kitsap School District No. 402, Kitsap County, Washington, at a regular meeting thereof, held on the 18th day of November, 2020.

SOUTH KITSAP SCHOOL DISTRICT NO. 402
Kitsap County, Washington

Eric L. Gattenby, President

Elizabeth Sebren, Vice President

John R. Berg, Director

Rebecca Diehl, Director

Jeff Daily, Director

ATTEST:

Tim Winter
Secretary to the Board of Directors

(S E A L)

CERTIFICATE

I, Tim Winter, Secretary to the Board of Directors of South Kitsap School District No. 402, Kitsap County, Washington, hereby certify as follows:

1. the foregoing ordinance is a full, true and correct copy of a resolution duly passed and adopted at a regular meeting of the Board;

2. that such meeting was duly convened and held in all respects in accordance with the law; that a quorum was present throughout the meeting through telephonic, electronic, internet or other means of remote access, and a majority of the Board so present voted in the proper manner for the adoption of such resolution;

3. that in accordance with Proclamation 20-28 by the Governor of the state of Washington, dated March 24, 2020: (a) such meeting was not conducted in person, (b) one or more options provided for the public to attend the meeting remotely, including by telephone access, which mean(s) of access provided the ability for all persons attending the meeting remotely to hear each other at the same time and (c) adoption of such resolution is necessary and routine action of the Board; and

4. such resolution was adopted by the following vote:

AYES, and in favor thereof, Directors:

NAYS, Directors:

ABSENT, Directors:

ABSTAIN, Directors:

I further certify that I have carefully compared the same with the original resolution on file and of record in my office; that such resolution is a full, true and correct copy of the original resolution adopted at such meeting; and that such resolution has not been amended, modified, or rescinded since the date of its adoption and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 18th day of November, 2020.

SOUTH KITSAP SCHOOL DISTRICT NO. 402
Kitsap County, Washington

Tim Winter, Secretary to the Board of Directors

(S E A L)

TO: The Kitsap County Auditor, as Ex Officio Supervisor of Elections for South Kitsap School District No. 402, Kitsap County, Washington

Pursuant to Resolution No. 1338 adopted by the Board of Directors of South Kitsap School District No. 402, Kitsap County, Washington (the "Board"), at a regular meeting of the Board held on November 18, 2020, a certified copy of which is attached hereto, you are respectfully requested to submit the following proposition to the electors of the South Kitsap School District No. 402, Kitsap County, Washington (the "District"), for their approval or rejection, at a special election to be held on Tuesday, February 9, 2021. The proposition shall be in substantially the following form:

PROPOSITION NO. 1

SOUTH KITSAP SCHOOL DISTRICT NO. 402

REPLACEMENT OF EXPIRING EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

The Board of Directors of South Kitsap School District No. 402 adopted Resolution No. 1338, concerning a proposition for educational programs and operations. This proposition would authorize the District to levy the following excess taxes, in place of an expiring levy, upon all taxable property within the District, for support of the District's General Fund educational programs and operations expenses not fully funded by the State:

Collection Year	Approximate Levy	
	Rate/\$1000	Levy Amount
2022	\$2.50	\$27,880,220
2023	\$2.50	\$30,386,678
2024	\$2.50	\$33,118,717
2025	\$2.50	\$36,096,640

all as provided in Resolution No. 1338. Should this proposition be approved?

LEVY... YES

LEVY... NO

The special election shall be conducted by mail ballot; and the procedures and forms to conduct the special election by mail ballot shall be prescribed by the Kitsap County Auditor in accordance with chapter 29A.40 RCW and chapter 434-250 WAC.

DATED as of November 18, 2020.

SOUTH KITSAP SCHOOL DISTRICT NO. 402
Kitsap County, Washington

Tim Winter, Secretary to the Board of Directors