

HOCKINSON SCHOOL DISTRICT NO. 98  
CLARK COUNTY, WASHINGTON

PROPOSITION 6 - REPLACEMENT OF EXPIRING SCHOOL PROGRAMS  
AND OPERATIONS LEVY

RESOLUTION NO. 18-19-09

A RESOLUTION of the Board of Directors of Hockinson School District No. 98, Clark County, Washington, providing for the submission to the voters of the District at a special election to be held on April 23, 2019, of a proposition authorizing an excess tax levy to be made annually for three years commencing in 2019 for collection in 2020 of \$2,685,000, in 2020 for collection in 2021 of \$3,005,000, and in 2021 for collection in 2022 of \$3,335,000, for the District's General Fund to pay expenses of students' educational needs and operational expenses; designating the District's Business Manager and special counsel to receive notice of the ballot title from the Auditor of Clark County, Washington; and providing for other matters properly related thereto.

ADOPTED: FEBRUARY 19, 2019

*This document prepared by:*

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CLARK COUNTY, WASHINGTON

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BE IT RESOLVED BY THE BOARD OF DIRECTORS OF HOCKINSON SCHOOL DISTRICT NO. 98, CLARK COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Hockinson School District No. 98, Clark County, Washington (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) Calendar year 2019 is the last year of collection of the District's current three-year General Fund school programs, maintenance and operations tax levy, which was authorized pursuant to Resolution No. 15-16-01, adopted by the Board on November 23, 2015, and approved by the voters at a special election held and conducted within the District on February 9, 2016.

(b) With the expiration of the District's current three-year General Fund school programs, maintenance and operations tax levy, it appears certain that the money in the District's General Fund for the school years 2019-2020, 2020-2021, 2021-2022 and 2022-2023 will be insufficient to permit the District to continue funding students' educational needs and operational expenses not funded by the State of Washington ("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 \$2,685,000 be made in 2019 for collection in 2020, \$3,005,000 be made in 2020 for collection in 2021, and \$3,335,000 be made in 2021 for collection in 2022 for the District's General Fund to provide the money required to meet those expenses.

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

(d) The District is authorized pursuant to Article VII, Section 2(a) of the Washington Constitution and Revised Code of Washington ("RCW") 84.52.053 to submit to the District's voters at a special election, for their approval or rejection, the proposition of whether the District shall levy excess property taxes for support of the District's school programs and operations expenses.

(e) Prior to the time the ballot proposition authorized in this resolution is submitted to the voters, the District will have received approval of its school programs and operation 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 will be on file with the District after approval.

Section 2. Calling of Election. The Auditor of Clark 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 April 23, 2019, for the purpose of submitting to the District's voters, for their approval or rejection, the proposition of whether a replacement General Fund school 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) shall be made annually for three years commencing in 2019 for collection in 2020 of \$2,685,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 per \$1,000 of assessed value, in 2020 for collection in 2021 of \$3,005,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 per \$1,000 of assessed value, and in 2021 for collection in 2022 of \$3,335,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 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 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 foregoing excess property taxes to continue funding student's educational needs (including, but not limited to, instructional materials, special education and extracurricular activities) and operational expenses (including, but not limited to, essential teachers and staff, and transportation) not funded by the State, during the school years 2019-2020, 2020-2021, 2021-2022 and 2022-2023, 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.

*[Remainder of page intentionally left blank]*

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

PROPOSITION 6

HOCKINSON SCHOOL DISTRICT NO. 98

REPLACEMENT OF EXPIRING SCHOOL PROGRAMS AND OPERATIONS  
LEVY

The Board of Directors of Hockinson School District No. 98 adopted Resolution No. 18-19-09, concerning this proposition to support current education funding. This proposition would authorize the District to continue funding students' educational needs (including instructional materials, special education and extracurricular activities) and operational expenses (including essential teachers and staff, and transportation) not funded by the State by replacing an expiring levy with the following excess taxes on all taxable property within the District:

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2020	\$1.50	\$2,685,000
2021	\$1.50	\$3,005,000
2022	\$1.50	\$3,335,000

all as provided in Resolution No. 18-19-09. Should this proposition 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 her designee is directed to: (a) present a certified copy of this resolution to the Auditor no later than February 22, 2019; 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 of whether the District shall levy excess property taxes for support of the District's school 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 District's Business Manager (Michelle Scott), telephone: 360.448.6400; fax: 360.448.6409; email: michelle.scott@hocksd.org; and (b) special counsel, Foster Pepper PLLC (Jim McNeill), telephone: 206.447.5339; fax 800.533.2284; email: 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 Clark County Prosecuting Attorney.

Section 7. General Authorization and Ratification. The Secretary, the District's Business Manager, the Chair of the Board, other appropriate officers of the District and special counsel, Foster Pepper PLLC, 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 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 Hockinson School District No. 98, Clark County, Washington, at a special open public meeting thereof, of which due notice was given as required by law, held this 19<sup>th</sup> day of February, 2019, the following Directors being present and voting in favor of the resolution.

HOCKINSON SCHOOL DISTRICT NO. 98  
CLARK COUNTY, WASHINGTON

  
\_\_\_\_\_  
Chair and Director


  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

ATTEST:

  
\_\_\_\_\_  
SANDRA F. YAGER  
Secretary to the Board of Directors

CERTIFICATION

I, SANDRA F. YAGER, Secretary to the Board of Directors of Hockinson School District No. 98, Clark County, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. 18-19-09 (the "Resolution") is a full, true and correct copy of the Resolution duly adopted at a special meeting of the Board of Directors of the District (the "Board") held at its regular meeting place on February 19, 2019, as that Resolution appears on the minute book of the District, and the Resolution is now in full force and effect;

2. Written notice specifying the time and place of the special meeting and noting the business to be transacted was given to all members of the Board by mail, fax, electronic mail or by personal delivery at least 24 hours prior to the special meeting (the "Notice"), a true and complete copy of the Notice is attached hereto as Appendix 1;

3. At least 24 hours prior to the special meeting, notice was also posted on the District's web site and prominently displayed at the main entrance of the District's Administrative Office and at the special meeting site;

4. The Notice was also given by mail, fax, electronic mail or by personal delivery at least 24 hours prior to the special meeting to each local radio or television station and to each newspaper of general circulation that has on file with the District a written request to be notified of special meetings and to any others to which such notices are customarily given by the District; and

5. 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 19<sup>th</sup> day of February, 2019.

HOCKINSON SCHOOL DISTRICT NO. 98  
CLARK COUNTY, WASHINGTON

  
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SANDRA F. YAGER  
Secretary to the Board of Directors