

LOPEZ ISLAND SCHOOL DISTRICT NO. 144
SAN JUAN COUNTY, WASHINGTON

REPLACEMENT SAFETY AND TECHNOLOGY CAPITAL PROJECTS LEVY

RESOLUTION NO. 23/24-20

A RESOLUTION of the Board of Directors of Lopez Island School District No. 144, San Juan County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on August 6, 2024, of a proposition to authorize the District to levy an additional tax to provide a total of \$2,100,000 for the District's Capital Projects Fund for safety and security systems improvements, and technology improvements and equipment, such levies to be made for four years commencing in 2024 for collection in the school years from 2024-2025 through 2028-2029.

ADOPTED MARCH 27, 2024

Prepared by:

K&L GATES LLP
Seattle, Washington

RESOLUTION NO. 23/24-20

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WHEREAS, Lopez Island School District No. 144, San Juan County, Washington (the "District"), for the past four years has had in effect a technology levy in order to enable the District to pay for its technology facilities; and

WHEREAS, the educational facilities of the District, including safety and technology facilities are in need of modernization, improvements and expansion to meet the current and future educational needs for its students (the "Improvements"); and

WHEREAS, funds available to the District will be insufficient to enable the District to implement such Improvements; and

WHEREAS, in order to support the cost of these Improvements 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 four years commencing in calendar year 2024 for collection in the school years from 2024-2025 through 2028-2029 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 LOPEZ ISLAND SCHOOL DISTRICT NO. 144, SAN JUAN 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 planning, design and construction of enhanced safety and security systems, including related safety and maintenance staffing, and shall make other capital project expenditures as found necessary by the Board of Directors (referred to collectively in this Section as “Improvements”).

Additionally, the District shall modernize its educational facilities through the acquisition and installation of technology systems, facilities and projects, including acquiring hardware, licensing software, and online applications, staffing 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 staffing and training related to the installation and integration of these products or services, and shall make other capital expenditures as found necessary by the Board of Directors.

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 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 construction, modernization, replacement, and remodeling 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 construction, modernization or remodeling of school facilities or implementation of the District's technology facilities plan.

Section 3. Authorization of Levies. It is hereby found and declared that the 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 August 6, 2024.

For the purpose of providing funds necessary for the needs described in Section 2 above, the San Juan County Auditor, as *ex officio* supervisor of elections in San Juan County, is hereby requested to call and conduct such special election to be held within the District on August 6,

2024 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 four years, commencing in 2024 for collection in the calendar years 2025 through 2028, producing dollar amounts at estimated tax rates per thousand dollars of assessed value to produce such amounts, in excess of the amount tax levy permitted by law to be levied within the District without a vote of the electors, all as follows:

- A. \$525,000, said levy to be made in 2024 for collection in 2025;
- B. \$525,000, said levy to be made in 2025 for collection in 2026;
- C. \$525,000, said levy to be made in 2026 for collection in 2027; and
- D. \$525,000, said levy to be made in 2027 for collection in 2028.

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 San Juan County Assessor's office, the estimated levy rate for the 2024 levy is \$0.24 per thousand dollars of assessed valuation, the estimated levy rate for the 2025 levy is \$0.24 per thousand dollars of assessed valuation; the estimated levy rate for the 2026 levy is \$0.24 per thousand dollars of assessed valuation; and the estimated levy rate for the 2027 levy is \$0.24 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 the San Juan County Auditor, as *ex officio* supervisor of elections in San Juan County, substantially in the following form:

PROPOSITION NO. 1

LOPEZ ISLAND SCHOOL DISTRICT NO. 144
REPLACEMENT SAFETY AND TECHNOLOGY CAPITAL PROJECTS LEVY

The Board of Directors of Lopez Island School District No. 144 adopted Resolution # 23/24-20 concerning a school facilities levy. This proposition authorizes upgrades to District facilities, including safety and security upgrades, acquisition, installation, implementation and management of technology systems, including related maintenance, staffing and training; and authorizes 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
2025	\$0.24	\$ 525,000
2026	\$0.24	\$ 525,000
2027	\$0.24	\$ 525,000
2028	\$0.24	\$ 525,000

all as provided in District Resolution # 23/24-20. Should this proposition be approved?

YES

NO

The Secretary of the Board of Directors is hereby authorized to deliver a certified copy of this resolution to the San Juan County Auditor.

Section 5. Notices of 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 Superintendent (Brady Smith), telephone: (360) 468-2202; email:bsmith@lopezislandschool.org; and (b) special counsel, K&L Gates LLP, (Cynthia Weed) telephone: 206.370.7801; cell: 206.618.6050; email: cynthia.weed@klgates.com, as the

individuals to whom the Auditor shall provide such notice. The Superintendent is authorized to approve changes to the ballot title, if any, deemed necessary by the Auditor or the San Juan 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 August 6, 2024 election and requests that the San Juan County Auditor 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 Lopez Island School District No. 144, San Juan County, Washington, at a regular meeting thereof, held this 27th day of March, 2024.

LOPEZ ISLAND SCHOOL DISTRICT NO. 144
SAN JUAN COUNTY, WASHINGTON

Chairperson and Director

Director

Director

Director

Director

ATTEST:

Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Lopez Island School District No. 144, San Juan 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. 23/24-20 of the Board (the “Resolution”), duly adopted at a regular meeting thereof held on the 27th day of March, 2024.

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 27th day of March, 2024.

Secretary, Board of Directors

OFFICIAL BALLOT

LOPEZ ISLAND SCHOOL DISTRICT NO. 144
SAN JUAN COUNTY, WASHINGTON

August 6, 2024

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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2027	\$0.24	\$ 525,000
2028	\$0.24	\$ 525,000

all as provided in District Resolution # 23/24-20. Should this proposition be approved?

YES

NO

NOTICE OF SPECIAL ELECTION

LOPEZ ISLAND SCHOOL DISTRICT NO. 144
SAN JUAN COUNTY, WASHINGTON

August 6, 2024

NOTICE IS HEREBY GIVEN that on August 6, 2024, a special election will be held by mail 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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all as provided in District Resolution # 23/24-20. Should this proposition be approved?

YES

NO

San Juan County Auditor