

FRANKLIN PIERCE SCHOOL DISTRICT No. 402  
315 129<sup>th</sup> St. S.  
Tacoma, WA 98444

RECEIVED  
PIERCE COUNTY AUDITOR

NOV 16 2009

RESOLUTION #09-R-11

A RESOLUTION of the Board of Directors of Franklin Pierce School District No 402, Pierce County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 9, 2010 of a proposition to authorize the district to levy an additional tax to provide a total of \$5,494,728 for the District's Capital Projects Fund for acquiring and installing computer technology, related technology infrastructure, administrative expenses, and other necessary equipment purchases and facility improvements, such levies to be made for four years commencing in 2010 for collection in the school years from 2011 through 2014.

WHEREAS, the technology equipment, related technology infrastructure, equipment and facilities of Franklin Pierce School District No. 402, Pierce County, Washington (the "District"), are in need of improvements, expansion, renovation, and construction 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 four years commencing in 2011 for collection in the school years from 2011 through 2014, inclusive, as authorized by Article VII, Section 2 of the State Constitution and RCW 84.52.053; and

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

THEREFORE BE IT RESOLVED by the Board of Directors of the Franklin Pierce School District No. 402, Pierce County, Washington as follows:

Section 1. 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 plans hereinafter provided.

Section 2. To support the instructional program, the District shall modernize District facilities through the acquisition, installation, implementation and management of computer technology and related technology systems, facilities and projects, including but not limited to enhancing infrastructure, acquiring hardware, licensing software and implementing on-line applications and related training. In addition, the District shall make other necessary equipment purchases, facility improvements and other Capital Projects 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 implementation of the District's technology 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 implementation of the District's technology plan.

Section 3. It is hereby found and declared that an emergency exists requiring 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 thereon on February 9, 2010.

Section 4. The Pierce County Auditor, as ex-officio supervisor of elections in Pierce County, is hereby requested to find the existence of such an emergency and to call and conduct such special election to be held within the District on said date and to submit to the qualified electors of the District, under the authority of RCW 84.52.053, for their approval or rejection, a proposition providing for tax levies for the Capital Projects Fund for four years, commencing in 2011, 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. \$1,323,164 said levy to be made in 2010 for collection in 2011;
- B. \$1,349,628 said levy to be made in 2011 for collection in 2012;
- C. \$1,390,116 said levy to be made in 2012 for collection in 2013; and
- D. \$1,431,820 said levy to be made in 2013 for collection in 2014;

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 2010 levy is \$0.35 per thousand dollars of assessed valuation, the estimated levy rate for the 2011 levy is \$0.35 per thousand dollars of assessed valuation, the estimated levy rate for the 2012 levy is \$0.35 per thousand dollars of assessed valuation, and the estimated levy rate for the 2013 levy is \$0.35 per thousand dollars of assessed. 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. The Pierce County Auditor is further requested to conduct the election at the regular polling places within the District.

Section 5. The Secretary of the Board of Directors is hereby authorized and directed to certify said propositions in the following form to the Pierce County Auditor, subject to any corrections in form deemed necessary by the Pierce County Prosecuting Attorney:

PROPOSITION NO 1

FRANKLIN PIERCE SCHOOL DISTRICT

TECHNOLOGY (CAPITAL PROJECTS) LEVY

The Board of Directors passed 09-R-11 concerning this proposition. This proposition authorizes the District to levy funds to continue funding instructional technology modernization, acquisition, installation and management, related technology infrastructure and equipment purchases and the construction of selected facility improvements, and authorizes the following excess levies on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1000 Assessed Value	Levy Amount
2011	\$0.35	\$1,323,164
2012	\$0.35	\$1,349,628
2013	\$0.35	\$1,390,116
2014	\$0.35	\$1,431,820

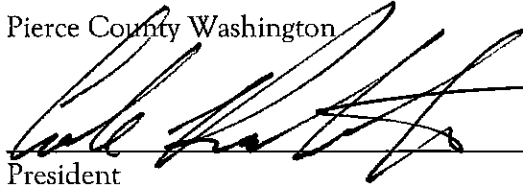
all as specified in District Resolution No. 2003-37. Should this levy be approved?

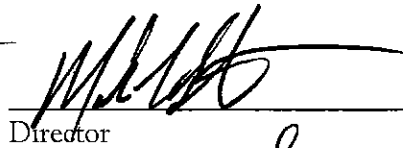
Levy.....Yes

Levy.....No

ADOPTED by the Board of Directors of Franklin Pierce School District No. 402, Pierce County, Washington, at an open public meeting thereof, held November 10, 2009, the following Directors being present and voting:

FRANKLIN PIERCE SCHOOL DISTRICT No. 402  
Pierce County Washington

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Director

Vice President

  
\_\_\_\_\_  
Director

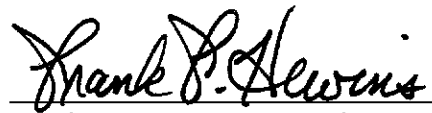
  
\_\_\_\_\_  
Director

ATTEST:

  
\_\_\_\_\_  
Superintendent and Secretary to  
the Board of Directors

CERTIFICATION

I, Frank Hewins, Superintendent and Secretary of the Board of Directors of Franklin Pierce School District No. 402, Pierce County, Washington, do hereby certify that the foregoing constitutes a true and correct copy of Resolution No. 09-R-11 and such Board of Directors duly adopted at their regular meeting thereof held on the 10th day of November, 2009.

  
\_\_\_\_\_  
Frank Hewins, Superintendent and  
Secretary to the Board of Directors