

DEC 10 2009

FIFE SCHOOL DISTRICT NO. 417
PIERCE AND KING COUNTIES, WASHINGTON

CAPITAL PROJECTS TECHNOLOGY LEVY

RESOLUTION NO. 09-9

A RESOLUTION of the Board of Directors of Fife School District No. 417, Pierce and King Counties, 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 \$3,600,000 for the District's Capital Projects Fund for technology improvements and equipment and training to meet the current and future educational programs for its students, such levies to be made for four years commencing in 2010 for collection in the school years from 2010-2011 through 2014-2015.

ADOPTED OCTOBER 26, 2009

PREPARED BY:

K&L GATES LLP
Seattle, Washington

RESOLUTION NO. 09-9

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WHEREAS, the educational facilities of Fife School District No. 417, Pierce and King Counties, Washington (the "District"), including technology facilities are in need of improvements and expansion 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 2010 for collection in the school years from 2010-2011 through 2014-2015, 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 FIFE SCHOOL DISTRICT NO. 417, PIERCE AND KING 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 modernize its educational facilities through the acquisition and installation of technology systems, including computers, training and implementation support, and shall make other Capital Project Fund expenditures as found necessary.

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 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 9, 2010. For the purpose of providing funds necessary for the needs described in Section 2 above, the Pierce County Auditor, as ex-officio supervisor of elections in Pierce County, is hereby requested to call and conduct such special election to be held within the District 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 four years, commencing in 2010, 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. \$900,000, said levy to be made in 2010 for collection in 2011;
- B. \$900,000, said levy to be made in 2011 for collection in 2012;
- C. \$900,000, said levy to be made in 2012 for collection in 2013; and
- D. \$900,000, 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 \$0.28 per thousand dollars of assessed valuation, the estimated levy rate for the 2011 levy is \$0.28 per thousand dollars of assessed

valuation, the estimated levy rate for the 2012 levy is \$0.27 per thousand dollars of assessed valuation, and the estimated levy rate for the 2013 levy is \$0.27 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. Voter's Pamphlet. Pursuant to authority granted by RCW 29.81A.010, the Board of Directors hereby authorizes the District's participation in the local voters' pamphlet for the February 2010 election and requests that the Pierce County Auditor and the King County Records and Elections Division prepare and publish a voter's 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.

Section 5. Approval of Form of Ballot. The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition to the Pierce County Auditor, as ex-officio supervisor of elections in Pierce County, substantially in the following form:

PROPOSITION NO. 2

FIFE SCHOOL DISTRICT

CAPITAL PROJECTS TECHNOLOGY LEVY

The Board of Directors of Fife School District No. 417 approved a proposition for technology levies. This proposition authorizes acquiring educational technology, equipment and training, including classroom computers; and authorizes the following excess levies for such purposes on all taxable property within the District:

<u>Collection Years</u>	<u>Approximate Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2011	\$0.28	\$ 900,000
2012	\$0.28	\$ 900,000
2013	\$0.27	\$ 900,000
2014	\$0.27	\$ 900,000

Should this proposition be approved?

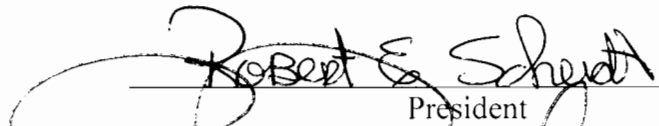
YES

NO


The Secretary of the Board of Directors of the District is hereby authorized and directed to deliver certified copies of this resolution to the Pierce County Auditor and the King County Record and Elections Division.

ADOPTED by the Board of Directors of Fife School District No. 417, Pierce and King Counties, Washington, at a regular meeting thereof, held this 26th day of October, 2009.


FIFE SCHOOL DISTRICT NO. 417
PIERCE AND KING COUNTIES,
WASHINGTON



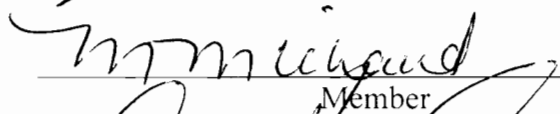
President



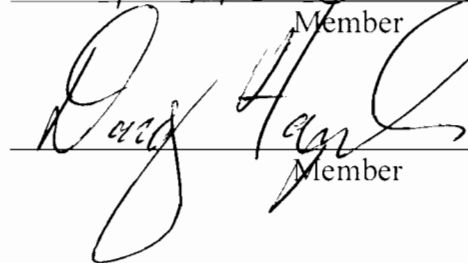
Vice President



Member



Member



Member

ATTEST:



Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Fife School District No. 417, Pierce and King 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. 09-9 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 26th day of October, 2009.

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 26th day of October, 2009.


Secretary, Board of Directors

OFFICIAL BALLOT
FIFE SCHOOL DISTRICT NO. 417
PIERCE AND KING COUNTIES, WASHINGTON
February 9, 2010

INSTRUCTIONS TO VOTERS: To vote in favor of the following proposition, place a cross (X) in the square opposite the words "YES"; to vote against the following proposition, place a cross (X) in the square opposite the words "NO."

PROPOSITION NO. 2
FIFE SCHOOL DISTRICT
CAPITAL PROJECTS TECHNOLOGY LEVY

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2011	\$0.28	\$ 900,000
2012	\$0.28	\$ 900,000
2013	\$0.27	\$ 900,000
2014	\$0.27	\$ 900,000

Should this proposition be approved?

YES

NO

NOTICE
FIFE SCHOOL DISTRICT NO. 417
PIERCE AND KING COUNTIES, WASHINGTON

February 9, 2010

NOTICE IS HEREBY GIVEN that on February 9, 2010, a special election will be held in the above-named school district for the submission to the qualified electors of said school district of the following proposition:

PROPOSITION NO. 2

FIFE SCHOOL DISTRICT

CAPITAL PROJECTS TECHNOLOGY LEVY

The Board of Directors approved a levy for technology/modernization. This levy funds construction, improvements and expansion of new and existing facilities and improvements to technology equipment and training, and authorizes the following excess levies on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2011	\$0.28	\$ 900,000
2012	\$0.28	\$ 900,000
2013	\$0.27	\$ 900,000
2014	\$0.27	\$ 900,000

Should this proposition be approved?

Pierce County Auditor