



Resolution Cover Sheet

This form must accompany each resolution.

Name of District: Toledo School District #237
District Address: 116 Ramsey Way/ PO Box 469 Toledo, WA 98591
Date of Election: February 9, 2021
Contact Person/Title: Chris Rust, Superintendent
Contact Phone: 360-864-6325 email: crust@toledoschools.us

Attorney for District: Cynthia Weed
Attorney Phone: 206-370-7801 email: cynthia.weed@klgates.com

Type of Election (levy, bond, lid lift, sales tax, etc.): EP&O Levy
Pass/Fail Requirements for this measure as determined by your legal counsel:

☒ Simple majority or majority 50% +1 ☐ Supermajority or 60%

Notes:

Validation requirement as determined by your legal counsel: The minimum number of voters "required" to turnout (cast a valid ballot) in an excess levy or bond election.

This issue requires validation: ☐ Yes ☒ No

Notes:

Questions?

Elections Department
351 NW North St
PO Box 29
Chehalis, WA 98532

Phone: 360-740-1278, 360-740-1164
Fax: 360-740-1421
Email: heather.boyer@lewiscountywa.gov
Website: <http://elections.lewiscountywa.gov>

TOLEDO SCHOOL DISTRICT NO. 237
LEWIS COUNTY, WASHINGTON

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

RESOLUTION NO. 2020-21-05

- A RESOLUTION of the Board of Directors of Toledo School District No. 237, Lewis County, Washington, providing for the submission to the qualified electors of the District at a special election to be held therein on February 9, 2021, of the proposition of whether excess taxes should be levied of \$1,100,000 in 2021 for collection in 2022, \$1,150,000 in 2022 for collection in 2023 and \$1,200,000 in 2023 for collection in 2024, said excess taxes to pay part of the cost of educational programs and operations support of the District.

ADOPTED NOVEMBER 19, 2020

PREPARED BY:

K&L GATES LLP
Seattle, Washington

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WHEREAS, Toledo School District No. 237, Lewis County, Washington, (the "District"), for the past two years has had in effect an educational programs and operations levy in order to enable the District to pay for its educational programs, services and operational needs, including teaching, instructional materials, special programs, activities and sports, technology systems operation, transportation costs, maintenance of facilities and other non-capital expenses; and

WHEREAS, the current school programs and operations levies expire in 2021; and

WHEREAS, the money in and to be paid into the General Fund of the District during the 2021-2022, 2022-2023, 2023-2024, and 2024-2025 school years will be insufficient to enable the District to pay for necessary educational programs and operations and to properly meet the educational needs of the students attending District schools; and

WHEREAS, the existing authority for the imposition of local tax levies and use of local revenues (including the proceeds of tax levies) has been modified by Chapter 410, Laws of 2019 (66th Legislature, Regular Session) and may be modified in the future by the State Legislature; and

WHEREAS, in order to properly provide for such educational programs, operations and such educational needs, the Board of Directors of the District deems it necessary to levy the following taxes upon all of the taxable property within the District:

- A. A levy in the amount of up to \$1,100,000, said levy to be made in 2021 for collection in 2022;
- B. A levy in the amount of up to \$1,150,000, said levy to be made in 2022 for collection in 2023;
- C. A levy in the amount of up to \$1,200,000, said levy to be made in 2023 for collection in 2024; and

WHEREAS, the taxes collected upon approval of the levies would be deposited in the District's General Fund to pay part of the educational programs, services and operations the District, include employee costs (such as salaries), instructional materials, special programs, activities and sports, technology systems operation, transportation costs, maintenance of facilities and other non-capital expenses of operating the District schools, not funded or fully funded by the State; and

WHEREAS, in the event the State Legislature increases education funding to the District, the District would, therefore, review annually and determine the need to roll back the levies; and

WHEREAS, prior to the time the ballot proposition authorized in this resolution is submitted to the voters, the District will have received approval of its educational programs and operations/enrichment tax levy expenditure plan from the Office of the Superintendent of Public Instruction as required under RCW 84.52.053(4); 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;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF TOLEDO SCHOOL DISTRICT NO. 237, LEWIS COUNTY, WASHINGTON, as follows:

Section 1. The following taxes for the District's General Fund should be levied upon all of the taxable property within the District in excess of the maximum annual tax levy permitted by law to be levied within the District without a vote of the electors:

- A. A levy in the amount of up to \$1,100,000, said levy to be made in 2021 for collection in 2022;
- B. A levy in the amount of up to \$1,150,000, said levy to be made in 2022 for collection in 2023; and
- C. A levy in the amount of up to \$1,200,000, said levy to be made in 2023 for collection in 2024.

The expected levy rate depends on the limitations of state law. At this time, based on state law, the expected levy rate for the 2022 levy is \$1.6064 per thousand dollars of assessed valuation, the expected levy rate for the 2023 levy is \$1.6490 per thousand dollars of assessed valuation, and the expected levy rate for the 2024 levy is \$1.6894 per thousand dollars of assessed valuation. The exact levy rate and amount shall be adjusted based upon the legal levy limits and the actual assessed value of the property within the District at the time of the final establishment of each levy. Upon approval by the voters of the proposition substantially in the form set forth below, the District may use the proceeds of said levies during the 2021-2022, 2022-2023, 2023-2024, and 2024-2025 school years by incurring an indebtedness by the issuance of short term obligations against the General Fund of the District, as authorized by Chapter 39.50 RCW, and may expend the proceeds of said levies to pay such part of the general expenses of educational programs and operations of the District during such school years as may be authorized or allowed by law for the use of local levy funds.

Section 2. 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 of whether or not the District shall levy such excess taxes for their ratification or rejection at a special election to be held therein on February 9, 2021.

The Lewis County Auditor, as *ex officio* supervisor of elections in Lewis County, Washington, is hereby requested to call and conduct said special election to be held within the District on said date and to submit to the qualified electors of the District the proposition substantially in the form hereinafter set forth. The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition to the Lewis County Auditor substantially in the following form:

PROPOSITION NO. 1

TOLEDO SCHOOL DISTRICT

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

The Board of Directors of Toledo School District adopted Resolution No. 2020-21-05 concerning a replacement levy for education. This proposition would authorize the District to levy the following excess taxes, to replace an expiring levy to support the District's educational programs and operations which are not funded or not fully funded by the State:

Collection Years	Estimated Levy Rate/\$1,000 Assessed Value	Levy Amount
2022	\$1.6064	\$ 1,100,000
2023	\$1.6490	\$ 1,150,000
2024	\$1.6894	\$ 1,200,000

Should this proposition be approved?

YES ☐

NO ☐

The Secretary of the Board of Directors of the District is hereby directed to deliver a certified copy of this resolution to the Lewis County Auditor.

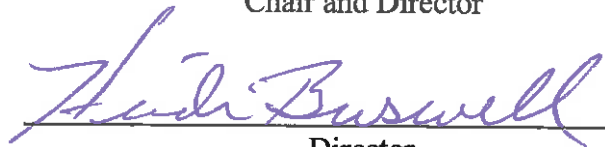
Section 3. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates (a) the District's Superintendent (Chris Rust), telephone 360.864.6325; fax: 360.864.6326; email: crust@toledoschools.us; and (b) special counsel, K&L Gates LLP, (Cynthia Weed) telephone: 206.370.7801; 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 Lewis County Prosecuting Attorney.

Section 4. 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 February 2021 election and requests that the Lewis 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 Toledo School District No. 237, Lewis County,
Washington, at a regular meeting thereof, held on the 19th day of November, 2020.

TOLEDO SCHOOL DISTRICT NO. 237
LEWIS COUNTY, WASHINGTON

By _____
Chair and Director


Director


Director


Director


Director

ATTEST:


Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Toledo School District No. 237, Lewis 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. 2020-21-05 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 19th day of November, 2020.

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 19th day of November, 2020.



Secretary, Board of Directors

OFFICIAL BALLOT

TOLEDO SCHOOL DISTRICT NO. 237
LEWIS COUNTY, WASHINGTON

February 9, 2021

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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Collection Years	Estimated Levy Rate/\$1,000 Assessed Value	Levy Amount
2022	\$1.6064	\$ 1,100,000
2023	\$1.6490	\$ 1,150,000
2024	\$1.6894	\$ 1,200,000

Should this proposition be approved?

YES ☐

NO ☐

NOTICE OF SPECIAL ELECTION

TOLEDO SCHOOL DISTRICT NO. 237
LEWIS COUNTY, WASHINGTON

February 9, 2021

NOTICE IS HEREBY GIVEN that on February 9, 2021, 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. 1

TOLEDO SCHOOL DISTRICT

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

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Collection Years	Estimated Levy Rate/\$1,000 Assessed Value	Levy Amount
2022	\$1.6064	\$ 1,100,000
2023	\$1.6490	\$ 1,150,000
2024	\$1.6894	\$ 1,200,000

Should this proposition be approved?

YES ☐

NO ☐

Lewis County Auditor

Election Date: February 9, 2021

Name of Jurisdiction Submitting Measure: Toledo School District No. 237, Lewis County, Washington

Contact Name: Cynthia Weed

Daytime Contact Phone Number: 206-370-7801

EXPLANATORY STATEMENT - PROPOSITION NO. 1

Passage of Proposition No. 1 would replace an expiring levy and allow the levy of \$1,100,000 in property taxes within Toledo School District for collection in 2022, the levy of \$1,150,000 for collection in 2023, and the levy of \$1,200,000 for collection in 2024. In accordance with Resolution No. 2020-21-05 approving this proposition, these taxes would be deposited in the Toledo School District's General Fund to pay part of the general expenses of operating the District that are not funded or fully funded by the State. General expenses of the District include employee costs (such as salaries), instructional materials, special programs, activities and sports, technology systems operation, transportation costs, maintenance of facilities and other non-capital expenses of operating the District schools.

If authorized by the voters, such property taxes would be collected at a rate estimated to be \$1.6064 per \$1,000 of assessed valuation in 2022, \$1.6490 per \$1,000 of assessed valuation in 2023, and \$1.6894 per \$1,000 of assessed valuation in 2024. The exact levy rate shall be adjusted based upon the actual assessed value of the property within the District and the legal limit of the levy amount at the time of the levy.

Exemptions from taxes may be available to certain homeowners. To determine if you qualify, call the Lewis County Assessor at 360-740-1392.



Lewis County Prosecuting Attorney's Office

345 W. Main Street, 2nd Floor
Chehalis, WA 98532
Phone: (360) 740-1240
Fax: (360) 740-1497
TDD: (360) 740-1480

To: The Auditor's Office
From: Amber D. Smith, Civil Deputy Prosecuting Attorney
Subject: Approval of Ballot Language
Date: December 7, 2020

Our office has reviewed the proposed levies for [Toledo School District No. 237](#). The ballot titles and explanatory statements are impartial, written in clear and concise language, avoid the use of legal and technical terms whenever possible, and do not exceed statutory word limits.

Our office approves as to form.

Sincerely,

A handwritten signature in black ink that reads "Amber D. Smith". The signature is written in a cursive, flowing style.

Amber D. Smith
Civil Deputy Prosecuting Attorney
Lewis County Prosecuting Attorney's Office

It is the Mission of the Lewis County Prosecutor's Office to zealously seek justice in all criminal matters, consistently promote public confidence in the legal system, and diligently represent county government while adhering to the highest ethical and moral standards.