

KATHERINE L. SVOBODA
Grays Harbor County Prosecuting Attorney
102 W. Broadway, Room 102
Montesano, Washington 98563
360-249-3951
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CHIEF CRIMINAL DEPUTY
Jason F. Walker

OFFICE ADMINISTRATOR
Randi Toyra

MEMORANDUM

DATE: December 11, 2017
TO: Scott Turnbull, Elections Supervisor
FROM: Norma Tillotson, Deputy Prosecuting Attorney
RE: Prosecutor's Review of Proposed Ballot Title

Date of Elections Division Request: December 8, 2017 (copy attached)

Ballot Title: Oakville School District No. 400 Proposition No. 1 (maintenance and operation replacement levy)

Election Date: February 13, 2018 special election

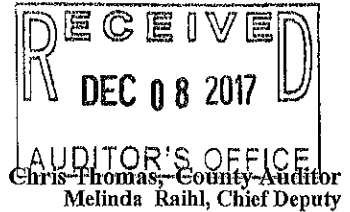
Prosecutor's Action: The ballot description states "Maintenance and Operation Replacement Levy." I note that the actual proposed ballot does state that the levy is for "educational maintenance and operation expenses." With the passage of EHB 2242, the use of the term "operation and maintenance expenses" may be confused with regular facility upkeep, which is not authorized under EHB 2242. I would therefore propose substituting "Educational Maintenance and Operation Expenses Replacement Ley" for the current ballot description.

With the revision stated above, the ballot title is in proper legal format.

RECEIVED



Grays Harbor County
WASHINGTON
Since 1854



SPECIAL ELECTION RESOLUTION COVER SHEET

This form MUST accompany each original or certified copy of the resolution. Contact person or persons should have the authority to approve change and answer questions.

Name of District: Oakville School District # 400
District Address: P O Box 11 Oakville, WA 98568
Date of Election: February 13, 2018
Contact Person: Rich Staley Title: Superintendent
Contact Phone: 360-273-0171 Fax: 360-858-1359
Contact Email: rstaley@oakvilleschools.org

2nd Contact Person: Tanya Bunting
2nd Contact Phone: 360-273-0171
2nd Contact Email: tbunting@oakvilleschools.org

Attorney for District: Lorraine Wilson
Attorney Phone: 206-622-0203
Attorney Email: lorraine@psrwa.com

Type of election (levy, bond, lid lift, etc.): General Fund Maintenance + Operations Levy

IMPORTANT Please state the pass/fail requirements for this measure (i.e. Simple Majority, 60% etc.) as determined by your legal counsel, together with applicable statutory references:

Simple Majority

DIRECTOR NO. 1 JENNIFER TUSHKA
DIRECTOR NO. 2 DONNIE KING
DIRECTOR NO. 3 JOE REED
DIRECTOR NO. 4 JJ SHORTMAN
DIRECTOR NO. 5 TAMRA RUYMANN



SUPERINTENDENT, RICH STALEY
PRINCIPAL, MICHAEL AUTON
BUSINESS MANAGER, TANYA BUNTING
HR DIRECTOR, SANDY TUENGL

OAKVILLE SCHOOL DISTRICT No. 400

POST OFFICE BOX H
OAKVILLE, WASHINGTON 98568-0090
DISTRICT OFFICE – 360-273-0171
DISTRICT FAX – 360-858-1359

Resolution No. 01-2017-10
General Fund Levy

A Resolution of the Board of Directors of the Oakville School District No. 400, Grays Harbor County, Washington, providing for the submission to the voters of the District at a special election to be held therein on February 13, 2018, of a proposition authorizing a tax levy to be made annually for two years commencing in 2018 for collection in 2019 on all of the taxable property within the District of \$ 384,200 the estimated dollar rate of the levy required to produce such an amount being estimated at \$2.31 per \$1,000 of assessed value (such assessed value representing 100 per cent of true and fair value unless specifically provided otherwise by law), and in 2019 for collection in 2020 of \$384,200 the estimated dollar rate of the levy required to produce such an amount being estimated at \$2.31 per \$1,000 of assessed value, in excess of the maximum tax levy specified by law for school districts without voter approval, for the District's General Fund, the proceeds of such levies to be used to provide funds to permit the District to pay general expenses of maintenance and operations as more particularly set forth herein.

Whereas, calendar year 2018 is the last year of collection of the current two-year General Fund maintenance and operation tax levy for Oakville School District No. 400, Grays Harbor County, Washington (the "District"), which was authorized pursuant to Resolution No. 114-05-06A and a special election held and conducted within the district on April 26, 2016; and

Whereas, with the expiration of the District's current two-year General Fund maintenance and operation tax levy, it appears certain that the money which will be available for the General Fund for the school years 2018-19 and 2019-20 will be insufficient to permit the District to meet the educational needs of its students, operate its educational programs and pay general expenses of maintenance and operation during school years, and that it is necessary that a replacement maintenance and operation tax levy of \$384,200 be made in 2018 for collection in 2019, and \$384,200 be made in 2019 for collection in 2020 for the District's General Fund to provide funds required to meet those expenses; and

Whereas, the District's proposed two-year General Fund maintenance and operation tax levy authorized in this resolution provides for approximately the same purposes as the District's expiring two-year General Fund maintenance and operation tax levy; and

Whereas, the conditions and situations hereinbefore set forth create an emergency which requires the holding of a special election in the District; NOW THEREFORE,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF OAKVILLE SCHOOL DISTRICT NO. 400, GRAYS HARBOR COUNTY, WASHINGTON, as follows:

Section 1. It is found and declared that an emergency exists requiring the calling of a special election and the Auditor of Grays Harbor County, Washington, as ex officio Supervisor of Elections (The "Auditor"), is requested to find and declare the existence of an emergency. The Auditor further is requested to call and conduct a special election in the District in the manner provided by law to be held therein on February 11, 2014, for the purpose of submitting to the voters of the District, for their approval or rejection, the question of whether or not a replacement General Fund maintenance and operation tax levy shall be made annually for two years commencing in 2018 for collection in 2019 on all of the taxable property within the District of \$384,200, the estimated dollar rate of tax levy required to produce such an amount being estimated at \$2.31 per \$1,000 of assessed value (such assessed value representing 100 per cent of true and fair value unless specifically provided otherwise by law), and in 2019 for collection in 2020 of \$384,200. The estimated dollar rate of tax levy required to produce such an amount being estimated at \$2.31 per \$1,000 of assessed value, in excess of the maximum levy provided by law for school districts without voter approval.

If such proposition is approved by the requisite number of voters, the District will be authorized to levy excess property taxes and use the proceeds of such levies to meet the educational needs of its students, operate its education program and pay the general expenses of maintenance and operation thereof during the school years 2018-19 and 2019-20. Pending the receipt of those taxes, the District may issue short-term obligations pursuant to Chapter 39.50 RCW.

Section 2. Pursuant to RCW 29.79.055, as amended, the Grays Harbor County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION _____
OAKVILLE SCHOOL DISTRICT NO. 400
MAINTENANCE AND OPERATION REPLACEMENT LEVY

The Board of Directors of Oakville School District No. 400 adopted Resolution No. 01-2017-10 concerning a proposition to finance maintenance and operation expenses. The proposition would authorize the District to meet the educational needs of its students by levying the following excess taxes, in place of an expiring levy, on all taxable property within the District, for support of the District's General Fund educational maintenance and operation expenses:

Collection Year	Approx. Levy Rate / \$1,000 Assessed Value	Levy Amount
2019	\$2.31	\$384,200
2020	\$2.31	\$384,200

All as provided in Resolution No. 01-2017-10. Should this proposition be approved?

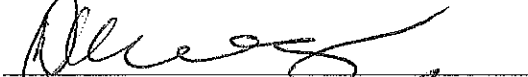
Levy.... Yes _____ Levy ... No _____

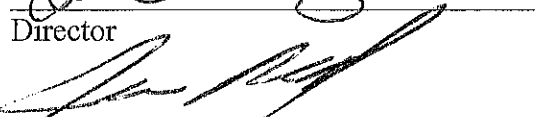
Section 3. The Secretary to the Board of Directors of the District is directed (a) to certify to the Auditor a copy of this resolution showing its adoption by the Board of Directors of the District at least 45 days prior to the date of such special election; and (b) to perform such other duties as are necessary or required by law to the end that the question of whether or not such excess tax levy shall be made as herein provided for shall be submitted to the voters of the District at the aforesaid election.


ADOPTED by the Board of Directors of the Oakville School District No. 400, Grays Harbor County, Washington, at a regular open public meeting thereof, held this 27th day of December 2017, the following Directors being present and voting in favor of the resolution.


Chairman and Director


Director

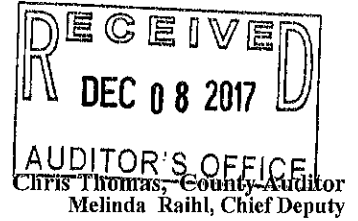

Director


Director


Director



Grays Harbor County
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Contact Person: Rich Staley Title: Superintendent
Contact Phone: 360-273-0171 Fax: 360-858-1359
Contact Email: rstaley@oakvilleschools.org

2nd Contact Person: Tanya Bunting
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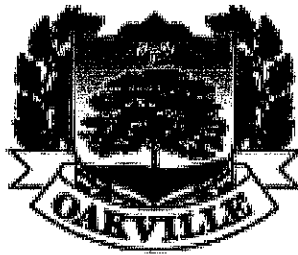
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PRINCIPAL, MICHAEL AUTON
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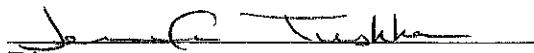
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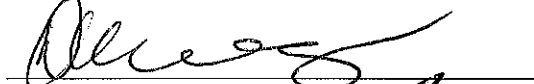
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