

Resolution Cover Sheet

This form is mandatory and must accompany each resolution.

Name of District: Toledo School District No. 237, Lewis County, Washington
 District Address: 116 Ramsey Way, P.O. Box 469, Toledo, WA 98591
 Date of Election: February 14, 2023
 Contact Person: Chris Rust Title: Superintendent
 Contact Phone: (360) 864-6325 Email: crust@toledoschools.us
 2nd Contact Person: Jackie McDonald Title: Business Manager
 2nd Contact Phone: 360-864-6325 Email: jmcdonald@toledoschools.us

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

Type of Election (levy, bond, lid lift, sales tax, etc.): levy

Pass/Fail requirement for this measure as determined by your legal counsel: _____

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

Applicable statutory reference as determined by legal counsel: RCW 84.52.053. WA.Const Art.VII,Sec. 2(a)

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

This issue requires validation: Yes No

This form must accompany each resolution filed with Lewis County Elections. The contact person or persons should have the authority to do so and be available to answer questions.

RECEIVED 12/07/2022

Election Date: February 14, 2023

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

The Board of Directors of Toledo School District No. 237 requests approval of a capital levy as described in Proposition No. 1. The proposition authorizes the levy of approximately \$1,033,333 annually for three years to fund the Stadium Completion Project, including, but not limited to rubberized track and field facility, concessions, restrooms and under-grandstand storage. Such funds may be used only to support the construction, modernization, remodeling to school facilities, and safety of students.

The total amount to be collected will be \$1,033,333 annually, to be collected in each of the two calendar years commencing 2024 and 2025, and \$1,033,334 to be collected in calendar year commencing 2026. If authorized by the voters, and based on projected assessed valuation information, estimated levy rates per \$1,000 of assessed value would be \$1.0958, \$1.0555, and \$1.0261, respectively. 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. In addition, if the District receives grants or donations for the Stadium Completion Project, future levies may be reduced.

Exemptions from taxes may be available to certain homeowners. To determine if you qualify, contact your county assessor.

RECEIVED 12/07/2022

TOLEDO SCHOOL DISTRICT NO. 237
LEWIS COUNTY, WASHINGTON

STADIUM COMPLETION PROJECT
CAPITAL PROJECTS LEVY

RESOLUTION NO. 2022-23-02

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 14, 2023, of a proposition to authorize the district to levy an additional tax to provide a total of \$3,100,000 for the District's Capital Projects Fund for the purpose of funding the Stadium Completion Project, including modernizing its educational facilities, such levies to be made for three years commencing in 2023 for collection in the calendar years from 2024 through 2026, inclusive.

ADOPTED NOVEMBER 15, 2022

PREPARED BY:

K&L GATES LLP
Seattle, Washington

RESOLUTION NO. 2022-23-02

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 14, 2023, of a proposition to authorize the district to levy an additional tax to provide a total of \$3,100,000 for the District's Capital Projects Fund for the purpose of funding the Stadium Completion Project, including modernizing its educational facilities, such levies to be made for three years commencing in 2023 for collection in the calendar years from 2024 through 2026, inclusive.

WHEREAS, Toledo School District No. 237, Lewis County, Washington (the "District") has utilized existing funds to start a renovation of its existing athletic stadium facility and is in need of additional funds for completion of the project (the "Stadium Completion Project"); and

WHEREAS, funds available to the District will be insufficient to enable the District to undertake the Stadium Completion Project; and

WHEREAS, in order to support the cost of the Stadium Completion Projects 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 three years commencing in 2023 for collection in the calendar years from 2024 through 2026, 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 which requires the holding of a special election in the District;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF TOLEDO SCHOOL DISTRICT NO. 237, LEWIS 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 Stadium Completion Project as hereinafter provided.

Section 2. Authorization of Stadium Completion Project. The District shall modernize its educational facilities through the Stadium Completion Project, including, but not limited to, rubberized track and field facility, concessions, restrooms and under-grandstand storage, and shall make other capital project expenditures with respect to the Stadium 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 modifications to the Stadium 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.

If the District shall determine that it has become impracticable to accomplish any of such Stadium Completion Project 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 Stadium Completion Project 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 Stadium Completion Project or to other capital purposes with respect to the Stadium, 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.

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 14, 2023. For the purpose of providing funds necessary for the needs described in Section 2 above, the Lewis County Auditor, as *ex officio* supervisor of elections in Lewis 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 three years, commencing in 2023, 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. \$1,033,333, said levy to be made in 2023 for collection in 2024;
- B. \$1,033,333, said levy to be made in 2024 for collection in 2025; and
- C. \$1,033,334, said levy to be made in 2025 for collection in 2026.

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 2023 levy is \$1.0958 per thousand dollars of assessed valuation, the estimated levy rate for the 2024 levy is \$1.0555 per thousand dollars of assessed valuation, and the estimated levy rate for the 2025 levy is \$1.0261 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.

In addition, if the District receives donations or grants that are available to complete the Stadium Completion Project, the Board may reduce future levies accordingly.

Section 4. Voters' Pamphlet. Pursuant to RCW 29A.32, the Board of Directors hereby confirms the District's participation in the local voters' pamphlet for the February 14, 2023, election, which shall be prepared and published by the Lewis County Auditor, including, but not limited to, an explanatory statement reviewed and approved by the District's attorney, and, if available, a Statement For and a Statement Against. 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 Lewis County Auditor, as *ex officio* supervisor of elections in Lewis County, substantially in the following form:

PROPOSITION NO. 1

TOLEDO SCHOOL DISTRICT NO. 237

STADIUM COMPLETION PROJECT
CAPITAL PROJECTS LEVY

The Board of Directors of Toledo School District adopted Resolution No. 2022-23-02 concerning capital improvement levies. This proposition authorizes the undertaking of the Stadium Completion Project, including rubberized track and field facility, concessions, restrooms and under-grandstand storage 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 |
|------------------|--|-------------|
| 2024 | \$1.0958 | \$1,033,333 |
| 2025 | \$1.0555 | \$1,033,333 |
| 2026 | \$1.0261 | \$1,033,334 |

Should this proposition be approved?

YES


NO

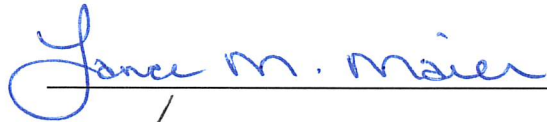
The Secretary of the Board of Directors of the District is hereby authorized and directed to deliver certified copies of this resolution to the Lewis County Auditor.

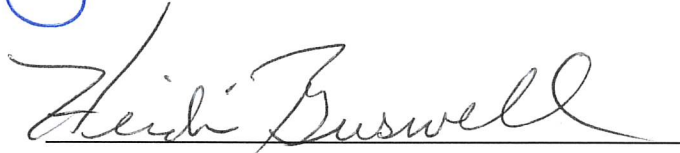
Section 6. Notices Relating to Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates the (a) Superintendent (Chris Rust), telephone: 360.864.6325; email: crust@toledoschools.us, and (b) bond counsel, K&L Gates LLP (Cynthia Weed), telephone: 206.370.7801; fax: 206.623.7022; email: cynthia.weed@klgates.com, as the individuals to whom the Lewis County Auditor shall provide such notice. The Superintendent is authorized to approve changes to the ballot title, if any, deemed necessary by the Lewis County Auditor or the Lewis County Prosecuting Attorney.


ADOPTED by the Board of Directors of Toledo School District No. 237, Lewis County, Washington, at a regular meeting thereof, held this 15th day of November, 2022.

TOLEDO SCHOOL DISTRICT NO. 237
LEWIS COUNTY, WASHINGTON











Board of Directors

ATTEST:



Secretary of the 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. 2022-23-02 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 15th day of November, 2022.

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 15th day of November, 2022.



Secretary, Board of Directors

OFFICIAL BALLOT
TOLEDO SCHOOL DISTRICT NO. 237
LEWIS COUNTY, WASHINGTON
February 14, 2023

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."

PROPOSITION NO. 1

TOLEDO SCHOOL DISTRICT NO. 237

STADIUM COMPLETION PROJECT
CAPITAL PROJECTS LEVY

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| Collection Years | Approximate Levy Rate/\$1,000 Assessed Value | Levy Amount |
|------------------|--|-------------|
| 2024 | \$1.0958 | \$1,033,333 |
| 2025 | \$1.0555 | \$1,033,333 |
| 2026 | \$1.0261 | \$1,033,334 |

Should this proposition be approved?

YES

NO

NOTICE
TOLEDO SCHOOL DISTRICT NO. 237
LEWIS COUNTY, WASHINGTON
February 14, 2023

NOTICE IS HEREBY GIVEN that on February 14, 2023, 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 NO. 237

STADIUM COMPLETION PROJECT
CAPITAL PROJECTS LEVY

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| 2024 | \$1.0958 | \$1,033,333 |
| 2025 | \$1.0555 | \$1,033,333 |
| 2026 | \$1.0261 | \$1,033,334 |

Should this proposition be approved?

YES

NO

Lewis County Auditor



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

MEMORANDUM

TO: The Auditor's Office
FROM: Robert W. Bradley, Civil Deputy Prosecuting Attorney
RE: Approval of Ballot Language and Explanatory Statement
DATE: December 16, 2022

Our office has reviewed the proposed levy for Toledo School District No. 237. The ballot language and explanatory statement 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,

Robert W. Bradley
Civil Deputy Prosecuting Attorney
Lewis County Prosecuting Attorney's Office

END

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.