

Resolution Cover Sheet

This form is mandatory and must accompany each resolution.

Name of District: Chehalis School District No. 302, Lewis County, Washington
District Address: 310 SW 16th Street, Chehalis, Washington 98532
Date of Election: February 13, 2024
Contact Person: Heather C. Pinkerton Title: Chief Financial Officer
Contact Phone: (360) 807-7200 Email: hpinkerton@chehalisschools.org
2nd Contact Person: Christine Moloney Title: Superintendent
2nd Contact Phone: (360) 807-7200 Email: cmoloney@chehalisschools.org

Attorney for District: Lee Marchisio, Foster Garvey P.C.
Attorney Phone: (206) 447-6264 Attorney Email: lee.marchisio@foster.com

Type of Election (levy, bond, lid lift, sales tax, etc.): Replacement Levy for Educational Programs and Operations

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: Wash. Const. Art. VII, Sec. 2(a); RCW 84.52.053.

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 11/22/2023
Lewis County Elections
Clerk Jen

CHEHALIS SCHOOL DISTRICT NO. 302
LEWIS COUNTY, WASHINGTON

PROPOSITION NO. 1 - REPLACEMENT LEVY FOR EDUCATIONAL
PROGRAMS AND OPERATIONS

RESOLUTION NO. 23-24-002

A RESOLUTION of the Board of Directors of Chehalis School District No. 302, Lewis County, Washington, providing for the submission to the voters of the District at a special election to be held on February 13, 2024, of a proposition authorizing an excess tax levy to be made annually for four years commencing in 2024 for collection in 2025 of \$6,965,000, in 2025 for collection in 2026 of \$7,313,250, in 2026 for collection in 2027 of \$7,605,780, and in 2027 for collection in 2028 of \$7,833,953, for the District's General Fund to pay expenses of educational programs and operations; designating the District's Chief Financial Officer and special counsel to receive notice of the ballot title from the Auditor of Lewis County, Washington; and providing for related matters.

ADOPTED: NOVEMBER 21, 2023

This document prepared by:

*FOSTER GARVEY P.C.
1111 Third Avenue, Suite 3000
Seattle, Washington 98101
(206) 447-6264*

Received 11/22/23
Lewis County Elections
Clerk Jenman
11:10 AM

CHEHALIS SCHOOL DISTRICT NO. 302
LEWIS COUNTY, WASHINGTON

RESOLUTION NO. 23-24-002

A RESOLUTION of the Board of Directors of Chehalis School District No. 302, Lewis County, Washington, providing for the submission to the voters of the District at a special election to be held on February 13, 2024, of a proposition authorizing an excess tax levy to be made annually for four years commencing in 2024 for collection in 2025 of \$6,965,000, in 2025 for collection in 2026 of \$7,313,250, in 2026 for collection in 2027 of \$7,605,780, and in 2027 for collection in 2028 of \$7,833,953, for the District's General Fund to pay expenses of educational programs and operations; designating the District's Chief Financial Officer and special counsel to receive notice of the ballot title from the Auditor of Lewis County, Washington; and providing for related matters.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CHEHALIS SCHOOL DISTRICT NO. 302, LEWIS COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Chehalis School District No. 302, Lewis County, Washington (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) Calendar year 2024 is the last year of collection of the District's current four-year General Fund educational programs and operations tax levy, which was authorized pursuant to Resolution No. 19-20-002, adopted by the Board on December 10, 2019, and approved by the voters at a special election held and conducted within the District on February 11, 2020.

(b) With the expiration of the District's current four-year General Fund educational programs and operations tax levy, it appears certain that the money in the District's General Fund for the school years 2024-2025, 2025-2026, 2026-2027, 2027-2028 and 2028-2029 will be insufficient to permit the District to meet the educational needs of its students and pay expenses of educational programs and operations not funded by the State of Washington (the "State"), all as more particularly set forth in Section 3 of this resolution, during such school years, and that it is necessary that a replacement excess tax levy of \$6,965,000 be made in 2024 for collection in 2025, \$7,313,250 be made in 2025 for collection in 2026, \$7,605,780 be made in 2026 for collection in 2027, and \$7,833,953 be made in 2027 for collection in 2028 for the District's General Fund to provide the money required to meet those expenses.

(c) The District's proposed four-year General Fund educational programs and operations tax levy authorized in this resolution provides for approximately the same educational programs and operations purposes as the District's expiring four-year General Fund educational programs and operations tax levy.

(d) Pursuant to Article VII, Section 2(a) of the Washington Constitution and Revised Code of Washington ("RCW") 84.52.053, the District may submit to its voters at a special election,

for their approval or rejection, a proposition authorizing the District to levy annual excess property taxes for support of (*i.e.*, to pay or fund) educational programs and operations expenses.

(e) The District has received or, 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 tax levy expenditure plan from the Office of the Superintendent of Public Instruction under RCW 28A.505.240 as required by RCW 84.52.053(4), a copy of which is or will be on file with the District.

Section 2. Calling of Election. The Auditor of Lewis County, Washington, as *ex officio* Supervisor of Elections (the “Auditor”), is requested to call and conduct a special election in the manner provided by law to be held in the District on February 13, 2024, for the purpose of submitting to the District’s voters, for their approval or rejection, a proposition authorizing a replacement General Fund educational programs and operations tax levy on all of the taxable property within the District (the assessed value of such representing 100% of true and fair value unless specifically provided otherwise by law) to be made annually for four years commencing in 2024 for collection in 2025 of \$6,965,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.97 per \$1,000 of assessed value, in 2025 for collection in 2026 of \$7,313,250, the estimated dollar rate of tax levy required to produce such an amount being \$1.95 per \$1,000 of assessed value, in 2026 for collection in 2027 of \$7,605,780, the estimated dollar rate of tax levy required to produce such an amount being \$1.94 per \$1,000 of assessed value, and in 2027 for collection in 2028 of \$7,833,953, the estimated dollar rate of tax levy required to produce such an amount being \$1.92 per \$1,000 of assessed value, all in excess of the maximum tax levy allowed by law for school districts without voter approval. The exact tax levy rate and amount to be collected may be adjusted based upon the actual assessed value of the taxable property within the District and the limitations imposed by law at the time of the tax levy.

Section 3. Use of Taxes. If the proposition authorized by this resolution is approved by the requisite number of voters, the District will be authorized to levy the excess property taxes up to the amounts provided in this resolution to meet the educational needs of its students and pay expenses of educational programs and operations not funded by the State, including, but not limited to, security/safety, nursing, special education, transportation, curriculum, technology, counseling and building maintenance, during the school years 2024-2025, 2025-2026, 2026-2027, 2027-2028 and 2028-2029, all as may be authorized by law and determined necessary by the Board. Pending the receipt of those taxes, the District may issue short-term obligations pursuant to chapter 39.50 RCW or contract indebtedness pursuant to RCW 28A.530.080. Upon receipt, the District may use those taxes to repay such short-term obligations or indebtedness, all as may be authorized by law and determined necessary and advisable by the Board.

[Remainder of page intentionally left blank]

Section 4. Form of Ballot Title. Pursuant to RCW 29A.36.071, the Lewis County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION NO. 1

CHEHALIS SCHOOL DISTRICT NO. 302

REPLACEMENT LEVY FOR EDUCATIONAL PROGRAMS AND
OPERATIONS

The Board of Directors of Chehalis School District No. 302 adopted Resolution No. 23-24-002, concerning a replacement levy for educational programs and operations. This proposition would authorize the District to levy the following excess taxes, replacing an expiring levy, on all taxable property within the District, to fund educational programs and operations not funded by the State (including security/safety, nursing, special education, transportation, curriculum, technology, counseling and building maintenance):

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2025	\$1.97	\$6,965,000
2026	\$1.95	\$7,313,250
2027	\$1.94	\$7,605,780
2028	\$1.92	\$7,833,953

all as provided in Resolution No. 23-24-002. Should this proposition be approved?

LEVY . . . YES ☐

LEVY . . . NO ☐

Section 5. Authorization to Deliver Resolution to Auditor and Perform Other Necessary Duties. The Secretary to the Board (the "Secretary") or the Secretary's designee is authorized and directed to: (a) present a certified copy of this resolution to the Auditor no later than December 15, 2023; and (b) perform such other duties as are necessary or required by law to submit to the District's voters at the aforesaid special election, for their approval or rejection, the proposition authorizing the District to levy excess property taxes for support of educational programs and operations expenses.

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) the District Chief Financial Officer (Heather C. Pinkerton), telephone: 360.807.7200; email: hpinkerton@chehalisschools.org; and (b) special counsel, Foster Garvey P.C. (Lee Marchisio), telephone: 206.447.6264; email: lee.marchisio@foster.com, as the individuals to whom the Auditor shall provide such notice. The Secretary is authorized to approve changes to the ballot title, if any, determined necessary by the Auditor or the Lewis County Prosecuting Attorney.

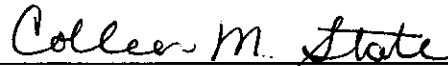
Section 7. Execution; General Authorization and Ratification. This resolution may be executed by the Directors being present and voting in favor of the resolution, or only the President of the Board (the "President"), and attested by the Secretary, in tangible medium, manual, facsimile or electronic form under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure, or in any other manner evidencing its adoption. The Secretary, the District's Chief Financial Officer, the President, other appropriate officers of the District and the District's special counsel, Foster Garvey P.C., are hereby further severally authorized and directed to take such actions and to create, accept, execute, send, use and rely upon such tangible medium, manual, facsimile or electronic documents, records and signatures under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure, as in their judgment may be necessary or desirable to effectuate the provisions of this resolution. All actions taken prior to the effective date of this resolution in furtherance of and not inconsistent with the provisions of this resolution are ratified and confirmed in all respects.

Section 8. Severability. If any provision of this resolution is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provisions of this resolution, or of the levy or collection of excess property taxes authorized herein.

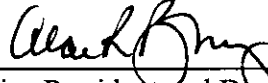
Section 9. Effective Date. This resolution takes effect from and after its adoption.

ADOPTED by the Board of Directors of Chehalis School District No. 302, Lewis County, Washington, at a regular open public meeting held this 21st day of November, 2023.

CHEHALIS SCHOOL DISTRICT NO. 302
LEWIS COUNTY, WASHINGTON



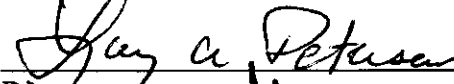
President and Director



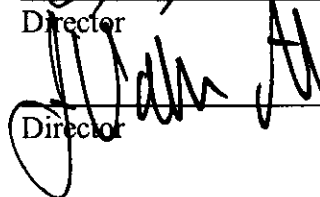
Vice President and Director



Director

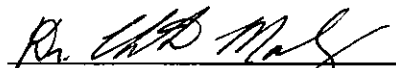


Director



Director

ATTEST:



DR. CHRISTINE MOLONEY
Secretary to the Board of Directors

CERTIFICATION

I, DR. CHRISTINE MOLONEY, Secretary to the Board of Directors of Chehalis School District No. 302, Lewis County, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. 23-24-002 (the "Resolution") is a full, true and correct copy of the Resolution duly adopted at a regular meeting of the Board of Directors of the District (the "Board") held at its regular meeting place on November 21, 2023 (the "Meeting"), as that Resolution appears in the records of the District, and the Resolution is now in full force and effect; and

2. The Meeting was duly convened, held and included an opportunity for public comment, in all respects in accordance with law, a quorum of the members of the Board was present throughout the Meeting, and a sufficient number of members of the Board present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of November, 2023.

CHEHALIS SCHOOL DISTRICT NO. 302
LEWIS COUNTY, WASHINGTON


DR. CHRISTINE MOLONEY
Secretary to the Board of Directors

CHEHALIS SCHOOL DISTRICT NO. 302
LEWIS COUNTY, WASHINGTON

EXPLANATORY STATEMENT

PROPOSITION NO. 1 – REPLACEMENT LEVY FOR EDUCATIONAL PROGRAMS AND
OPERATIONS

Passage of Proposition No. 1 would allow Chehalis School District to replace an educational programs and operations levy that expires at the end of calendar year 2024. The taxes collected by this replacement levy will be used to pay expenses of educational programs and operations that are not fully funded by State of Washington basic education funding, including: security/safety, nursing, special education, transportation, curriculum, technology, counseling and building maintenance.

The proposed four-year replacement levy would authorize the collection of taxes to provide up to \$6,965,000 in 2025, \$7,313,250 in 2026, \$7,605,780 in 2027 and \$7,833,953 in 2028. The tax levy rate required to produce these levy amounts is estimated to be \$1.97 in 2025, \$1.95 in 2026, \$1.94 in 2027 and \$1.92 in 2028 (levy rate per \$1,000 of assessed value). The exact tax levy rates and amounts to be collected may be adjusted based upon the limitations imposed by State law 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.

Election Date: February 13, 2024
Word Count: 180 words – 250 allowed

Prepared by:
Foster Garvey P.C.
Lee Marchisio, Special Counsel
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Seattle, Washington 98101
lee.marchisio@foster.com
(206) 447-6264



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: Nov. 27, 2023

Our office has reviewed the proposed levy for Chehalis School District No. 302. 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,

A handwritten signature in blue ink that reads "Robert Bradley" with a stylized flourish at the end.

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.