

Resolution Cover Sheet

This form is mandatory and must accompany each resolution.

Name of District: Pe Ell School District No. 301, Lewis and Pacific Counties, Washington

District Address: 519 N 2nd Street, Pe Ell, WA 98572

Date of Election: February 11, 2025

Contact Person: Kyle MacDonald Title: Superintendent

Contact Phone: (360) 291-3244 Email: kmacdonald@peell.k12.wa.us

2nd Contact Person: Bobby McCalden Title: Business Manager

2nd Contact Phone: (360) 291-3244 Email: bmccalden@peell.k12.wa.us

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.): Prop.1-Replacement Educational Programs and Operation 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: See Wash. Const. art. VII, sec. 2(a) and 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.

PE ELL SCHOOL DISTRICT NO. 301
LEWIS AND PACIFIC COUNTIES, WASHINGTON

PROPOSITION NO. 1 – REPLACEMENT EDUCATIONAL PROGRAMS
AND OPERATION LEVY

RESOLUTION NO. 2024-10

A RESOLUTION of the Board of Directors of Pe Ell School District No. 301, Lewis and Pacific Counties, Washington, providing for the submission to the voters of the District at a special election to be held on February 11, 2025, of a proposition authorizing an excess tax levy to be made annually for two years commencing in 2025 for collection in 2026 of \$480,000 and in 2026 for collection in 2027 of \$480,000 for the District's General Fund to pay expenses of educational programs and operation; designating the Secretary to the Board 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, 2024

This document prepared by:

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

PE ELL SCHOOL DISTRICT NO. 301
LEWIS AND PACIFIC COUNTIES, WASHINGTON

RESOLUTION NO. 2024-10

A RESOLUTION of the Board of Directors of Pe Ell School District No. 301, Lewis and Pacific Counties, Washington, providing for the submission to the voters of the District at a special election to be held on February 11, 2025, of a proposition authorizing an excess tax levy to be made annually for two years commencing in 2025 for collection in 2026 of \$480,000 and in 2026 for collection in 2027 of \$480,000 for the District's General Fund to pay expenses of educational programs and operation; designating the Secretary to the Board 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 PE ELL SCHOOL DISTRICT NO. 301, LEWIS AND PACIFIC COUNTIES, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Pe Ell School District No. 301, Lewis and Pacific Counties, Washington (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) Calendar year 2025 is the last year of collection of the District's current three-year General Fund educational programs and operation tax levy, which was authorized pursuant to Resolution No. 2021-07, adopted by the Board on November 18, 2021, and approved by the voters at a special election held and conducted within the District on February 8, 2022.

(b) With the expiration of the District's current three-year General Fund educational programs and operation tax levy, it appears certain that the money in the District's General Fund for the school years 2025-2026, 2026-2027 and 2027-2028 will be insufficient to permit the District to meet the educational needs of its students and pay expenses of educational programs and operation not funded by the State of Washington, 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 \$480,000 be made in 2025 for collection in 2026 and \$480,000 be made in 2026 for collection in 2027 for the District's General Fund to provide the money required to meet those expenses.

(c) The District's proposed two-year General Fund educational programs and operation tax levy authorized in this resolution provides for approximately the same educational programs and operation purposes as the District's expiring three-year General Fund educational programs and operation 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 finance) the District's educational programs and operation 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 operation 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”), and the proper officer of the county to which the District belongs pursuant to chapter 28A.323 RCW, is requested to call and conduct a special election in the manner provided by law to be held in the District on February 11, 2025, 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 operation 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 two years commencing in 2025 for collection in 2026 of \$480,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.12 per \$1,000 of assessed value, and in 2026 for collection in 2027 of \$480,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.08 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 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 operation not funded by the State of Washington during the school years 2025-2026, 2026-2027 and 2027-2028, 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, as the county prosecuting attorney of the county within which the majority area of the District is located, is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION NO. 1

PE ELL SCHOOL DISTRICT NO. 301

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATION LEVY

The Board of Directors of Pe Ell School District No. 301 adopted Resolution No. 2024-10, concerning a proposition to replace an expiring levy for education. This proposition would authorize the District to levy the following excess taxes, in place of an expiring levy, on all taxable property within the District, to finance General Fund educational programs and operation expenses not funded by the State of Washington:

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2026	\$1.12	\$480,000
2027	\$1.08	\$480,000

all as provided in Resolution No. 2024-10. 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 and the Auditor of Pacific County, Washington, no later than December 13, 2024; 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 the District’s educational programs and operation expenses.

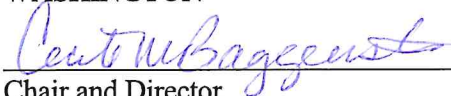
Section 6. Notices Relating to Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates (a) the Secretary (Kyle MacDonald) telephone: 360.291.3244; email: kmacdonald@peell.k12.wa.us; and (b) special counsel, Foster Garvey P.C. (Lee Marchisio), telephone: 206.447.6264; email: lee.marchisio@foster.com, as the individuals to whom the Auditor and the Auditor of Pacific County, Washington, 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.

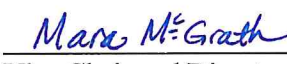
Section 7. Execution; General Authorization and Ratification. This resolution may be executed by the Directors being present and voting in favor of the resolution, or only the Chair of the Board (the "Chair"), and attested by the Secretary, in tangible medium, manual, facsimile or electronic form under 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 Business Manager, the Chair, 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.

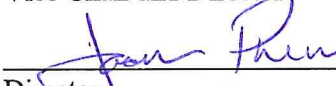
Section 8. Severability. If any provision of this resolution is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provisions 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 Pe Ell School District No. 301, Lewis and Pacific Counties, Washington, at a regular open public meeting held on November 21, 2024.

PE ELL SCHOOL DISTRICT NO. 301
LEWIS AND PACIFIC COUNTIES,
WASHINGTON


Chair and Director


Vice Chair and Director


Director


Director


Director

ATTEST:


KYLE MACDONALD
Secretary to the Board of Directors

CERTIFICATION


I, KYLE MACDONALD, Secretary to the Board of Directors of Pe Ell School District No. 301, Lewis and Pacific Counties, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. 2024-10 (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, 2024 (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 as of November 21, 2024.

PE ELL SCHOOL DISTRICT NO. 301
LEWIS AND PACIFIC COUNTIES,
WASHINGTON



KYLE MACDONALD
Secretary to the Board of Directors

PE ELL SCHOOL DISTRICT NO. 301
LEWIS AND PACIFIC COUNTIES, WASHINGTON

EXPLANATORY STATEMENT

PROPOSITION NO. 1 – REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATION
LEVY

Passage of Proposition No. 1 would allow Pe Ell School District to replace an existing educational programs and operation levy that will expire at the end of calendar year 2025. The taxes collected by this levy will be used to pay expenses of educational programs and operation that are not fully funded by the State of Washington, including, but not limited to: athletics and activities; student food, health and counseling services; student transportation costs; technology equipment and improvements; science, technology, engineering and mathematics (STEM) programs; staff professional development and training; infrastructure including utilities; maintenance; insurance; and special education costs. Further information is available on the District's website at <https://www.peell.k12.wa.us/>.

The proposed two-year replacement levy would authorize the collection of taxes to provide up to \$480,000 each year from 2026 through 2027. The levy rate per \$1,000 of assessed value required to produce these amounts is estimated to be \$1.12 in 2026 and \$1.08 in 2027. The exact 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, call Lewis County Assessor at 360-740-1392 or Pacific County Assessor at 360-875-9301.

Election Date: February 13, 2024
Word Count: 202 words – 250 words allowed

Prepared by:
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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: Auditor's Office

FROM: David E. Bailey, Chief Civil Deputy Prosecuting Attorney

RE: Approval of Ballot Language and Explanatory Statement / Pe-Ell School District

DATE: December 16, 2024

Our office has reviewed the proposed levy for the Pe-Ell School District to impose a replacement levy for education. 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.

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.