

UNIVERSITY PLACE SCHOOL DISTRICT
PIERCE COUNTY, WASHINGTON

EDUCATIONAL PROGRAMS AND OPERATIONS REPLACEMENT LEVY

RESOLUTION NO. 840-11-10-21

- A RESOLUTION of the Board of Directors of University Place School District, Pierce County, Washington, providing for submission to the qualified electors of the District at a special election to be held on February 8, 2022, of a proposition authorizing the District to levy excess taxes of \$15,378,000 in 2022 for collection in 2023, \$16,532,000 in 2023 for collection in 2024, \$17,524,000 in 2024 for collection in 2025, and \$18,313,000 in 2025 for collection in 2026, so long as the levy amount in any year does not exceed lawful limits, which taxes will provide funding for eligible educational programs and operations of the District.

ADOPTED NOVEMBER 10, 2021

PREPARED BY:

Stradling Yocca Carlson & Rauth, a Professional Corporation
Seattle, Washington

UNIVERSITY PLACE SCHOOL DISTRICT
PIERCE COUNTY, WASHINGTON

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WHEREAS, University Place School District, Pierce County, Washington (the “District”), for the past four years has had in effect maintenance and operations levies to enable the District to pay for various educational programs, student services, and operations, including teaching, classroom materials, technology, athletics, student support, and transportation; and

WHEREAS, the District’s current maintenance and operations levies expire at the end of 2022; and

WHEREAS, certain provisions of Laws of 2017, 3d Spec. Sess., ch. 13, as amended (the “Basic Education Funding Act”), including provisions codified at RCW 28A.150.276 and RCW 84.52.053, have modified the authority for and the permitted use of local school district tax levies, now designated as “enrichment levies”; and

WHEREAS, state funds to be paid into the General Fund of the District during the 2022-23, 2023-24, 2024-25, 2025-26, and 2026-27 school years will not provide sufficient funding to sustain the District’s current educational programs and operations that were previously funded by proceeds from the District’s maintenance and operations levies; and

WHEREAS, continued local funding of eligible aspects of the District’s educational programs and operations will be essential for the District’s students at all grade levels; and

WHEREAS, as required by RCW 84.52.053(4)(b), the Office of the Superintendent of Public Instruction has approved the District’s enrichment levy expenditure plan in accordance with RCW 28A.505.240; and

WHEREAS, the District’s Board of Directors (the “Board”), wishes to authorize the following levies on all 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; provided, however, that the levy amount and levy rate in any year may not exceed any then-applicable limits:

- A. A tax of approximately \$2.50 per thousand dollars of assessed valuation to provide \$15,378,000, said levy to be made in 2022 for collection in 2023;
- B. A tax of approximately \$2.50 per thousand dollars of assessed valuation to provide \$16,532,000 said levy to be made in 2023 for collection in 2024; and
- C. A tax of approximately \$2.50 per thousand dollars of assessed valuation to provide \$17,524,000, said levy to be made in 2024 for collection in 2025; and
- D. A tax of approximately \$2.50 per thousand dollars of assessed valuation to provide \$18,313,000, said levy to be made in 2025 for collection in 2026; and

WHEREAS, the Constitution and laws of the State of Washington require that the question of whether these taxes may be levied must be submitted to the qualified electors of the District for their approval or rejection; and

WHEREAS, the conditions here and above set forth require the holding of a special election in the District;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF UNIVERSITY PLACE SCHOOL DISTRICT, PIERCE COUNTY, WASHINGTON, as follows:

Section 1. Authorization of Levies. The following taxes for the District's General Fund shall be levied on all 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, subject to applicable limitations under state law, including the Basic Education Funding Act, as it may be amended or supplemented:

- A. \$15,378,000 to be levied in 2022 for collection in 2023;
- B. \$16,532,000 to be levied in 2023 for collection in 2024;
- C. \$17,524,000 to be levied in 2024 for collection in 2025; and
- D. \$18,313,000 to be levied in 2025 for collection in 2026.

The actual amounts to be collected depend upon the final dollar amount of assessed value of property within the District and the legal limits on the levy amount applicable at the time of each levy. At this time, based on information provided by the County Assessor's office, the estimated levy rate for each year of the proposed levy is \$2.50 per thousand dollars of assessed valuation. The actual levy rates for each year will be determined based on the assessed value of property within the District and the legal limits on the levy amount and levy rate at the time 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 these levies during the 2022-23, 2023-24, 2024-25, 2025-26, and 2026-27 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 these levies for eligible activities in accordance with the Basic Education Funding Act, as it may be amended and supplemented, and other applicable law. To the extent required by law, local levies authorized to be collected by this resolution shall be deposited in a local revenue subfund of the General Fund.

Section 2. Authorization of Election and Approval of Ballot Title. The Board hereby finds that the best interests of the District require submitting to the qualified electors of the District the proposition of whether the District will levy the excess taxes described in Section 1 for their approval or rejection at a special election to be held in the District on February 8, 2022.

The Pierce County Auditor, as *ex officio* supervisor of elections in Pierce County, Washington, is hereby requested to call and conduct the special election to be held within the District on February 8, 2022, and to submit the proposition to the qualified electors of the District in substantially the following form:

PROPOSITION NO. 1

UNIVERSITY PLACE SCHOOL DISTRICT
REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

The Board of Directors of University Place School District passed Resolution #840-11-10-21 concerning replacement of an expiring levy for educational programs and operations. If approved, this proposition would replace an expiring levy to fund programs and operations not funded by the state's basic education funding, including teachers, nurses, counselors, safety personnel, athletics, music, instructional materials, and student support. It would authorize the District to levy excess taxes on all taxable property within the District, as follows:

Collection Year	Estimated Levy Rate/\$1,000 Assessed Value	Amount
2023	\$2.50	\$15,378,000
2024	\$2.50	\$16,532,000
2025	\$2.50	\$17,524,000
2026	\$2.50	\$18,313,000

as provided in Resolution #840-11-10-21. Should this proposition be approved?

YES.....
NO.....

The Secretary of the Board of Directors is authorized and directed to deliver a certified copy of this resolution to the Pierce County Auditor prior to December 10, 2021.

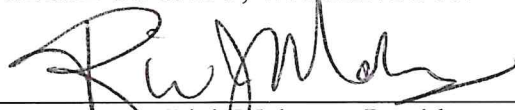
Section 3. Notices Relating to Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates the (a) the Superintendent, Jeff Chamberlin (jchamberlin@upsd83.org, (253) 566-5600), and (b) its bond counsel Stradling Yocca Carlson & Rauth, P.C. (Alice Ostdiek, 206-829-3002, aostdiek@stradlinglaw.com), as the individuals to whom the Auditor would provide such notice. The Secretary of the Board is authorized to approve changes to the ballot title, if any, deemed necessary by the Auditor or the Pierce County Prosecuting Attorney.

Section 4. Participation in Voters' Pamphlet. Pursuant to authority granted by RCW 29.81A.010, the Board hereby authorizes the District's participation in the local voters' pamphlet for the February 2022 election. The District understands and agrees that it will be required to pay its proportionate share of the expenses of the voters' pamphlet.

Section 5. Effective Date. This resolution will become effective immediately upon its adoption.


ADOPTED by the Board of Directors of the University Place School District, Pierce County, Washington, at a regular meeting thereof, held on November 10, 2021.

UNIVERSITY PLACE SCHOOL DISTRICT,
PIERCE COUNTY, WASHINGTON


Rick Maloney, President


Ethelda Burke


Marisa Peloquin


T'wina Nobles


Mary Lu Dickinson

ATTEST:


Jeff Chamberlin
Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of University Place School District, Pierce 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 840-11-10-21 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on November 10, 2021.

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 passage 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 10th day of November, 2021.



Jeff Chamberlin
Secretary, Board of Directors

OFFICIAL BALLOT

UNIVERSITY PLACE SCHOOL DISTRICT
PIERCE COUNTY, WASHINGTON
February 8, 2022

INSTRUCTIONS TO VOTERS: To vote in favor of the following proposition, place a cross (x) in the square opposite the words "YES"; to vote against the following proposition, place a cross (X) in the square opposite the words "NO."

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as provided in Resolution #840-11-10-21. Should this proposition be approved?

YES.....
NO.....

NOTICE
UNIVERSITY PLACE SCHOOL DISTRICT
PIERCE COUNTY, WASHINGTON
February 8, 2022

NOTICE IS HEREBY GIVEN that on February 8, 2022, a special election will be held in the above-named school district for the submission to the qualified electors of that school district of the following proposition:

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2026	\$2.50	\$18,313,000

as provided in Resolution #840-11-10-21. Should this proposition be approved?

YES.....
NO.....

Pierce County Auditor

OFFICE OF THE PIERCE COUNTY AUDITOR
PIERCE COUNTY, WASHINGTON

WHEREAS, the undersigned, as the duly elected, qualified and acting Auditor of Pierce County, Washington, has jurisdiction of and is required by law to conduct all special elections for school districts within the County; and

WHEREAS, University Place School District lies entirely within the boundaries of Pierce County; and

WHEREAS, the Board of Directors of the District by resolution adopted on November 10, 2021, a certified copy of which has been delivered to the undersigned, has found that the interests of the District require the holding of a special election on February 8, 2022; and

WHEREAS, said District by said resolution has authorized and directed the undersigned to assume jurisdiction of and conduct said special election;

NOW, THEREFORE, it is hereby authorized and ordered as follows:

The undersigned hereby assumes jurisdiction within Pierce County of the above-mentioned special election of University Place School District, authorized and ordered by resolution of its Board of Directors adopted on November 10, 2021, and will conduct said special election to be held within the District on February 8, 2022.

DATED this _____ day of _____, 2021.

Pierce County Auditor