

**EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON**

RESOLUTION NO. 1230

Unlimited Tax General Obligation Bonds

A RESOLUTION OF THE BOARD OF DIRECTORS OF EVERETT SCHOOL DISTRICT NO. 2, SNOHOMISH COUNTY, WASHINGTON, DESCRIBING CERTAIN CAPITAL IMPROVEMENTS TO BE MADE TO THE DISTRICT'S EDUCATIONAL FACILITIES; DECLARING THE ESTIMATED COST OF SUCH IMPROVEMENTS; PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$317,400,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS PAYABLE FROM AD VALOREM TAXES LEVIED AGAINST ALL TAXABLE PROPERTY WITHIN THE DISTRICT; ANTICIPATING \$36,000,000 OF ADDITIONAL FUNDS FROM THE STATE OF WASHINGTON SCHOOL CONSTRUCTION FINANCING ASSISTANCE PROGRAM; PROVIDING FOR THE SUBMISSION OF THE PROPOSITION OF INCURRING SUCH INDEBTEDNESS TO THE QUALIFIED ELECTORS WITHIN THE DISTRICT AT A SPECIAL ELECTION TO BE HELD ON TUESDAY, AUGUST 4, 2020; PROVIDING FOR THE NOTICE OF SUCH ELECTION; AUTHORIZING THE SUPERINTENDENT TO SUBMIT A REQUEST FOR ELIGIBILITY FOR THE STATE OF WASHINGTON'S SCHOOL BOND GUARANTEE PROGRAM; REPEALING RESOLUTION NOS. 1216 AND 1228; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

**EVERETT SCHOOL DISTRICT NO. 2
Snohomish County, Washington**

**UNLIMITED TAX GENERAL OBLIGATION BONDS
PRINCIPAL AMOUNT OF NOT TO EXCEED \$317,400,000**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF EVERETT SCHOOL DISTRICT NO. 2, SNOHOMISH COUNTY, WASHINGTON, as follows:

WHEREAS, Everett School District No. 2, Snohomish County, Washington (the "District"), is a first-class school district duly organized and existing under and by virtue of the Constitution and the laws of the state of Washington (the "State");

WHEREAS, the Board of Directors of the District (the "Board") has determined that certain capital improvements to the educational facilities of the District are required to better serve the needs of the students of the District;

WHEREAS, in order to provide funds to plan, acquire, design, construct, equip and install such capital improvements, the Board hereby deems it necessary and advisable that the District issue and sell its unlimited tax general obligation bonds in the principal amount of not to exceed \$317,400,000 (the "Bonds") to pay a portion of the costs of the Project (as defined in Section 2 below), all pursuant to the provisions of chapters 28A.530 and 39.46 RCW;

WHEREAS, RCW 28A.530.020 requires that a special election be called for the submission of a proposition to the qualified electors within the District for their approval or rejection prior to incurring such bonded indebtedness;

WHEREAS, the District will notify the Snohomish County Auditor, as ex officio Supervisor of Elections for the District, in compliance with chapter 29A.04 and 29A.40 RCW, of its intention to hold a special election on Tuesday, August 4, 2020, to submit the proposition of the issuance of the Bonds to the qualified electors of the District for their approval or rejection;

WHEREAS, chapter 39.98 RCW was enacted for the purpose of establishing a credit enhancement program (the "Program") for voter-approved school district general obligation bonds;

WHEREAS, RCW 39.98.040 authorizes the State Treasurer to make a determination that a school district is eligible for participation in the Program under rules adopted by the State Finance Committee; and

WHEREAS, to the extent the Program demonstrates substantial savings to the taxpayers of the District, the District wishes to participate in the Program;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED, as follows:

Section 1: The Board hereby determines that the best interest of the residents and students of the District requires the planning, acquisition, design, construction and installation of certain capital improvements and betterments to its educational facilities, together with all necessary appurtenances, fixtures and furnishings therefor, including technology improvements.

Section 2: The proposed capital improvements (the "Project") to be paid for with the Bond proceeds are as follows:

- (a) Construction of additional classroom space;
- (b) Replacement of Madison, Jackson and Lowell Elementary Schools;
- (c) Modernization of the Cascade High School science building and the Everett High School vocational building and cafeteria building;
- (d) Capital improvements to the Cascade High School cafeteria building and the Everett High School science building;
- (e) Capital improvements to enhance vocational science, technology, engineering and mathematics (STEM) programs at each high school;
- (f) Capital improvements to the heating, ventilation and air conditioning (HVAC) systems and electrical systems;

- (g) Capital improvements to improve safety and security and upgrade sites;
- (h) Acquisition and installation of all necessary appurtenances, equipment, fixtures and furnishings of the foregoing, including technology improvements, as deemed necessary by the Board;
- (i) Acquisition, construction and installation of all such other capital improvements deemed necessary by the Board; and
- (j) Ancillary costs of planning, engineering, architectural, construction management, attorneys' fees, costs of bond issuance, permits, accounting costs, easements and any other expenses or consultant fees incidental thereto, together with all necessary appurtenances, fixtures and furnishings thereto.

Such capital improvements and betterments described in this Section 2, which do not include the replacement of equipment, are to be more fully described in the plans and specifications to be prepared by the District's architects and engineers and to be filed with the District. The District will consider and may, if it is more cost effective resulting in a savings to the taxpayers of the District, construct new capital improvements to the educational facilities of the District in lieu of renovations to such facilities.

The District anticipates the receipt of financing assistance from the State under chapter 28A.525 RCW in the estimated amount of \$36,000,000 for eligible projects. The proposed capital improvements to be paid for with the financing assistance may include, but are not limited to, additional work on projects proposed to be paid for with Bond proceeds, modernizing and equipping the District's existing educational facilities, constructing and equipping new District educational facilities, purchasing property for future schools or other District facilities, technology improvements, and other capital improvements deemed necessary and desirable by the Board, all in order of priority and in the amount as determined necessary and desirable by the Board.

Section 3: If, in the opinion of the Board, the needs of the District change in a manner that results in a circumstance wherein any portion of the above-referenced capital improvements is not required or in the best interests of the District, the Board retains the right not to acquire, construct and install such capital improvements and to reallocate the money originally contemplated therefor to other capital improvements to the District's educational facilities deemed more necessary by the Board, or to deposit such money into the District's Debt Service Fund to make debt service payments on the Bonds outstanding or to call and redeem a portion of the Bonds prior to maturity; provided, any change in use of Bond proceeds shall be in the form and manner required by law.

Section 4: The total estimated cost of the capital improvements program adopted by the Board is hereby declared to be approximately \$353,400,000 which shall be paid, in part, if authorized and empowered by the three-fifths (3/5) majority approving vote of the qualified electors of the District, by the issuance and sale of unlimited tax general obligation bonds in the principal amount of not to exceed \$317,400,000, and the balance of which is estimated to be paid from the State school construction assistance in the anticipated amount of \$36,000,000.

Section 5: In the event the District has other legally available money or there are Bond proceeds (or interest earnings thereon) remaining after the capital improvements set forth in Section 2 above have been completed or duly provided for, the Board retains the right to make additional capital improvements to the educational facilities of the District as are deemed necessary and desirable by the Board, or to deposit such money into the District's Debt Service Fund to make debt service payments on the Bonds outstanding or to call and redeem a portion of the Bonds prior to maturity.

Section 6: In the event the Bond proceeds and State school construction financing assistance are insufficient to make all of the capital improvements set forth in Section 2 above, the District shall use the available money to pay the cost of such improvements set forth in Section 2 above deemed most necessary and to be in the best interest of the District by the Board.

Section 7: The Bonds, if approved and issued, shall be sold in such amounts and at such time or times as deemed necessary and advisable by the Board all as permitted by law. The Bonds shall bear interest at such rate or rates not to exceed the maximum provided by law at the time they are sold. The Bonds shall mature in such amounts and at such time or times within a maximum term of 20 years from their date of issue but may mature at an earlier date or dates, as authorized by the Board and provided by law. The Bonds shall be unlimited tax general obligations of the District; and, unless paid from other sources, both principal thereof and interest thereon shall be payable out of annual property tax levies to be made upon all taxable property within the District without limitation as to rate or amount. The designation of the Bonds may be changed to reflect the actual date of issue. The exact date, form, terms and maturities of the Bonds shall be hereafter fixed by resolution of the Board.

Section 8: A special election is hereby requested to be called, conducted and held within the District on Tuesday, August 4, 2020, for the purpose of submitting to the qualified electors of the District, for their approval or rejection, the District's proposal to make the capital improvements specified in Section 2 above; to incur indebtedness; to issue the Bonds to finance such capital improvements; and to levy taxes in excess of the regular property tax levies to pay the principal of and interest on the Bonds.

Section 9: The Snohomish County Auditor is hereby authorized and directed to call and conduct the August 4, 2020, election pursuant to applicable law as now codified, or as may be hereafter amended.

Section 10: Pursuant to RCW 29A.36.071, as amended, the Snohomish County Prosecuting Attorney is requested to prepare the concise description of the proposition for the ballot title substantially in the following form:

PROPOSITION NO. 1
EVERETT SCHOOL DISTRICT NO. 2
CAPITAL IMPROVEMENT AND SCHOOL CONSTRUCTION GENERAL
OBLIGATION BONDS - \$317,400,000

The Board of Directors of Everett School District No. 2 adopted Resolution No. 1230 concerning a proposition to finance capital improvements to its facilities. This proposition would authorize the District to construct facilities to support STEM/vocational career pathways programs at each high school, upgrade HVAC and electrical systems, improve safety/security, build elementary classroom additions, replace three aging elementary schools and modernize or upgrade classrooms and cafeterias at Cascade and Everett High Schools; issue \$317,400,000 of general obligation bonds maturing within 20 years; and levy annual excess property tax levies to pay such bonds, as provided in Resolution No. 1230. Should this proposition be:

APPROVED: ☐

REJECTED: ☐

Section 11: Such election will be conducted by mail ballot. The procedures and forms to conduct such election by mail ballot shall be prescribed by the Snohomish County Auditor in accordance with chapter 29A.40 RCW and chapter 434-250 WAC.

Section 12: In the event the Project is approved at such special election, pursuant to RCW 39.36.020 and Article VII, Section 2(b) of the State Constitution, there shall be levied and collected annual tax levies in an amount sufficient in each such year during the life of the Bonds, and until the full payment of both principal thereof and interest thereon, as will provide levy proceeds sufficient in amount to fully pay currently maturing installments of principal of and interest on the Bonds as such becomes due. Such tax levies will be in excess of the regular annual tax levies permitted by law.

Section 13: The Snohomish County Auditor shall prepare the notice of special election which shall be published at least once, which publication shall take place not more than fifteen days nor less than five days prior to the mail-in registration deadline. Such publication shall be in a newspaper of general circulation within the District and in accordance with RCW 29A.52.355.

Section 14: The Secretary to the Board is hereby directed to deliver a certified copy of this resolution to the Snohomish County Auditor, as ex officio Supervisor of Elections for the District, no later than May 8, 2020.

Section 15. 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 Chief Financial Officer (Jeff Moore) telephone: 425-385-4150; fax: 425-385-4172; email: jmoore@everettsd.org; and (b) bond counsel, Kutak Rock LLP (Roy J. Koegen) telephone: 509-343-4470; fax: 509-747-4545; email: roy.koegen@kutakrock.com as the individuals to whom the Auditor shall provide such notice. The Chief Financial Officer is authorized to approve changes to the ballot title, if any, determined necessary by the Auditor or the Snohomish County Prosecuting Attorney.

Section 16: The Board hereby requests that the State Treasurer issue a certificate of eligibility in favor of the District for participation by the District in the Program with respect to the Bonds. The Secretary to the Board is hereby authorized and directed to submit such applications, resolutions and certifications as shall be required by the State Treasurer in reviewing the District's request for participation.

Section 17: The Secretary to the Board, the Chief Financial Officer or other appropriate officers of the District and bond counsel, Kutak Rock LLP, are severally authorized and directed to take such actions and to execute such documents 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 provision of this Resolution are hereby ratified and confirmed in all respects.

Section 18: Resolution Nos. 1216 and 1228 are hereby repealed in their entirety and shall have no further force or effect.


Section 19: This Resolution shall take effect immediately upon its adoption.

ADOPTED by the Board of Directors of Everett School District No. 2, Snohomish County, Washington, at a regular meeting thereof, held on the 5th day of May, 2020.

EVERETT SCHOOL DISTRICT NO. 2
Snohomish County, Washington



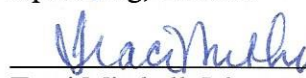
Caroline Mason, President



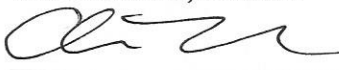
Pam LeSesne, Vice President



April Berg, Director



Traci Mitchell, Director



Andrew Nicholls, Director

ATTEST:



Dr. Ian B. Saltzman, Secretary to the Board
of Directors

(S E A L)



CERTIFICATE

I, Dr. Ian B. Saltzman, Secretary to the Board of Directors of Everett School District No. 2, Snohomish County, Washington, hereby certify that the foregoing resolution is a full, true and correct copy of a resolution duly passed and adopted at a regular meeting of the Board of Directors of such District, duly held at the regular meeting place thereof on May 5, 2020, of which meeting all members of such Board had due notice and at which a majority thereof was present; and that at such meeting, such resolution was adopted by the following vote:

AYES, and in favor thereof, Directors: *Berg, LeSesne, Mason, Mitchell, Nicholls*

NAYS, Directors:

ABSENT, Directors:

ABSTAIN, Directors:

I further certify that I have carefully compared the same with the original resolution on file and of record in my office; that such resolution is a full, true and correct copy of the original resolution adopted at such meeting; and that such resolution has not been amended, modified, or rescinded since the date of its adoption and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5th day of May, 2020.

EVERETT SCHOOL DISTRICT NO. 2
Snohomish County, Washington

[Signature]

Dr. Ian B. Saltzman, Secretary to the
Board of Directors



(SEAL)

TO: The Snohomish County Auditor, as ex officio Supervisor of Elections for Everett School District No. 2, Snohomish County, Washington

Pursuant to Resolution No. 1230, adopted by the Board of Directors of Everett School District No. 2, Snohomish County, Washington (the "Board"), at a regular meeting of the Board held on May 5, 2020, a copy of which resolution is attached hereto and by this reference made a part hereof, you are respectfully requested to submit the following proposition to the qualified electors of Everett School District No. 2, Snohomish County, Washington (the "District") for their approval or rejection, at a special election to be held on Tuesday, August 4, 2020.

The proposition shall be in substantially the following form:

PROPOSITION NO. 1

EVERETT SCHOOL DISTRICT NO. 2

CAPITAL IMPROVEMENT AND SCHOOL CONSTRUCTION GENERAL
OBLIGATION BONDS - \$317,400,000

The Board of Directors of Everett School District No. 2 adopted Resolution No. 1230 concerning a proposition to finance capital improvements to its facilities. This proposition would authorize the District to construct facilities to support STEM/vocational career pathways programs at each high school, upgrade HVAC and electrical systems, improve safety/security, build elementary classroom additions, replace three aging elementary schools and modernize or upgrade classrooms and cafeterias at Cascade and Everett High Schools; issue \$317,400,000 of general obligation bonds maturing within 20 years; and levy annual excess property tax levies to pay such bonds, as provided in Resolution No. 1230. Should this proposition be:

APPROVED:

☐

REJECTED:

☐

The special election shall be conducted by mail ballot; and the procedures and forms to conduct the special election by mail ballot shall be prescribed by the Snohomish County Auditor in accordance with chapter 29A.40 RCW and chapter 434-250 WAC.

DATED as of May 5, 2020.

EVERETT SCHOOL DISTRICT NO. 2,
Snohomish County, Washington



Dr. Ian B. Saltzman, Secretary to the Board
of Directors