

EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON

BUILDING REPAIR AND TECHNOLOGY LEVY

RESOLUTION NO. 973

A RESOLUTION of the Board of Directors of Everett School District No. 2, Snohomish County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 9, 2010, of a proposition to authorize the district to levy an additional tax to provide a total of \$48,000,000 for the District's Capital Projects Fund for renovation and improvement of existing district facilities and for technology improvements, equipment and training to meet the current and future educational programs for its students, such levies to be made for six years commencing in 2010 for collection in the school years from 2010-2011 through 2016-2017.

ADOPTED NOVEMBER 3, 2009

PREPARED BY:

K&L GATES LLP
Seattle, Washington

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WHEREAS, the educational facilities of Everett School District No. 2, Snohomish County, Washington (the "District"), including technology facilities, are in need of renovation, modernization and expansion to meet the current and future educational programs for its students; and

WHEREAS, funds available to the District will be insufficient to enable the District to implement such projects; and

WHEREAS, in order to support the cost of these projects as 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 six years commencing in 2010 for collection in the school years from 2010-2011 through 2016-2017, 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 EVERETT SCHOOL DISTRICT NO. 2, SNOHOMISH 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 modernization improvements hereinafter provided.

Section 2. Authorization of Improvements. The District shall modernize its school facilities through the renovation and improvement of the existing facilities and the acquisition and installation of systems, and energy improvements, and through the acquisition and installation of technology systems, facilities and projects, including acquiring hardware, software licensing and subscriptions and online applications and training as an integral part of the District's technology systems and shall make other Capital Projects Fund expenditures as found necessary by the Board of Directors, subject to the limitations described herein.

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 capital improvements to the facilities 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 or implementation of the District's technology and learning plan.

If the District shall determine that it has become impracticable to accomplish any of such improvements 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 2. If any or all of the improvements 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 improvements or to other capital purposes of the District, as the District in its discretion shall determine, within the limitations described in this Section 2. 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, technology improvements, equipment, software licensing and subscriptions, training or implementation of the District's technology and learning plan.

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 9, 2010. For the purpose of providing funds necessary for the needs described in Section 2 above, the Snohomish County Auditor, as ex-officio supervisor of elections in Snohomish 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 four years, commencing in 2010, 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. \$8,000,000, said levy to be made in 2010 for collection in 2011;
- B. \$8,000,000, said levy to be made in 2011 for collection in 2012;
- C. \$8,000,000, said levy to be made in 2012 for collection in 2013;

- D. \$8,000,000, said levy to be made in 2013 for collection in 2014;
- E. \$8,000,000, said levy to be made in 2014 for collection in 2015; and
- F. \$8,000,000, said levy to be made in 2015 for collection in 2016.

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 2010 levy is \$0.50 per thousand dollars of assessed valuation, the estimated levy rate for the 2011 levy is \$0.49 per thousand dollars of assessed valuation, the estimated levy rate for the 2012 levy is \$0.48 per thousand dollars of assessed valuation, the estimated levy rate for the 2013 levy is \$0.46 per thousand dollars of assessed valuation, the estimated levy rate for the 2014 levy is \$0.45 per thousand dollars of assessed valuation, the estimated levy rate for the 2015 levy is \$0.44 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.

Section 4. Approval of Form of Ballot. The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition to the Snohomish County Auditor, as ex-officio supervisor of elections in Snohomish County, substantially in the following form:

PROPOSITION NO. 2

EVERETT SCHOOL DISTRICT

BUILDING REPAIR AND TECHNOLOGY LEVY

The Board of Directors of Everett School District approved a levy for facility modernization. This levy funds renovation and improvement of existing facilities, the acquisition and installation of technology systems, energy improvements, and updating of educational facilities, and authorizes the following excess levies on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2011	\$0.50	\$ 8,000,000
2012	\$0.49	\$ 8,000,000
2013	\$0.48	\$ 8,000,000
2014	\$0.46	\$ 8,000,000
2015	\$0.45	\$ 8,000,000
2016	\$0.44	\$ 8,000,000

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 Snohomish County Auditor.

ADOPTED by the Board of Directors of Everett School District No. 2, Snohomish County, Washington, at a regular meeting thereof, held this 3rd day of November, 2009.

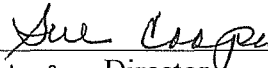
EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON



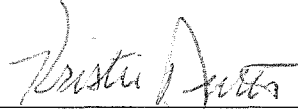
~~President and~~ Director



Director



President & Director



Director



Director

ATTEST:



Secretary, Board of Directors

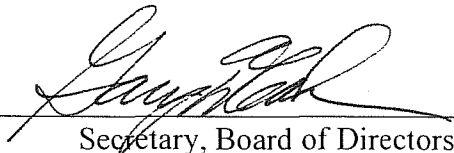
CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Everett School District No. 2, Snohomish 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. 973 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 3rd day of November, 2009.

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 3rd day of November, 2009.


Secretary, Board of Directors

OFFICIAL BALLOT
EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON
February 9, 2010

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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2015	\$0.45	\$ 8,000,000
2016	\$0.44	\$ 8,000,000

Should this proposition be approved?

YES ☐

NO ☐

NOTICE
EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON

February 9, 2010

NOTICE IS HEREBY GIVEN that on February 9, 2010, 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:

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EVERETT SCHOOL DISTRICT

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2015	\$0.45	\$ 8,000,000
2016	\$0.44	\$ 8,000,000

Should this proposition be approved?

YES ☐

NO ☐

Snohomish County Auditor