

LOPEZ ISLAND SCHOOL DISTRICT NO. 144  
SAN JUAN COUNTY, WASHINGTON

CAPITAL PROJECTS LEVY

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RESOLUTION NO. 20/21-9

A RESOLUTION of the Board of Directors of Lopez Island School District No. 144, San Juan County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on August 3, 2021, of a proposition to authorize the district to levy an additional tax to provide a total of \$139,000 for the District's Capital Projects Fund for the purpose of making capital improvements to educational facilities, including modernizing its educational facilities, such levies to be made for five years commencing in 2021 for collection in the calendar years from 2022 through 2026, inclusive.

ADOPTED APRIL 28, 2021

PREPARED BY:

K&L GATES LLP  
Seattle, Washington

RESOLUTION NO. 20/21-9

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WHEREAS, the educational facilities of Lopez Island School District No. 144, San Juan County, Washington (the "District"), are in need of renovation, construction, improvements and expansion to meet the current and future educational programs for its students (the "Improvements"); 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 the Improvements 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 five years commencing in 2021 for collection in the calendar years from 2022 through 2026, 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 LOPEZ ISLAND SCHOOL DISTRICT NO. 144, SAN JUAN 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 Improvements hereinafter provided.

Section 2. Authorization of Improvements. The District shall modernize its educational facilities through construction, building repairs and upgrades to the water system, and shall make other capital project expenditures as found necessary by the Board of Directors.

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.

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. 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. 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.

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 August 3, 2021. For the purpose of providing funds necessary for the needs described in Section 2 above, the San Juan County Auditor, as *ex officio* supervisor of elections in San Juan 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 five years, commencing in 2021, 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. \$139,000, said levy to be made in 2021 for collection in 2022;
- B. \$139,000, said levy to be made in 2022 for collection in 2023;
- C. \$139,000, said levy to be made in 2023 for collection in 2024;
- D. \$139,000, said levy to be made in 2024 for collection in 2025; and
- E. \$139,000, said levy to be made in 2025 for collection in 2026.

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 San Juan County Assessor's office, the estimated levy rate for the 2021 levy is \$0.0920 per thousand dollars of assessed valuation, the estimated levy rate for the 2022 levy is \$0.0902 per thousand dollars of assessed valuation, the estimated levy rate for the 2023 levy is \$0.0884 per thousand dollars of assessed valuation, the estimated levy rate for the 2024 levy is \$0.0867 per thousand dollars of assessed valuation, and the estimated levy rate for the 2025 levy is \$0.0850 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. Voters' Pamphlet. Pursuant to authority granted by RCW 29A.32.220, the Board of Directors hereby authorizes the District's participation in the local voters' pamphlet for

the August 3, 2021 election and requests that the San Juan County Auditor prepare and publish a voters’ pamphlet for this proposition. The District understands and agrees that it will be required to pay its proportionate share of the expenses of the voters’ pamphlet.

Section 5. Approval of Form of Ballot. The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition to the San Juan County Auditor, as *ex officio* supervisor of elections in San Juan County, substantially in the following form:

PROPOSITION NO. 1

LOPEZ ISLAND SCHOOL DISTRICT NO. 144

CAPITAL PROJECTS LEVY

The Board of Directors of Lopez Island School District adopted Resolution No. 20/21-9 concerning capital improvement levies. This proposition authorizes construction, building repairs and upgrades to the water system; and authorizes the following excess levies for such purposes on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2022	\$0.0920	\$139,000
2023	\$0.0902	\$139,000
2024	\$0.0884	\$139,000
2025	\$0.0867	\$139,000
2026	\$0.0850	\$139,000

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 San Juan County Auditor.

Section 6. 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) Interim Superintendent (Carl

Bruner), telephone: 360.468.2202; fax: 360.468.2212; email: cbruner@lopezislandschool.org, and (b) bond counsel, K&L Gates LLP (Cynthia Weed), telephone: 206.370.7801; fax: 206.623.7022; email: cynthia.weed@klgates.com, as the individuals to whom the San Juan County Auditor shall provide such notice. The Interim Superintendent is authorized to approve changes to the ballot title, if any, deemed necessary by the San Juan County Auditor or the San Juan County Prosecuting Attorney.

ADOPTED by the Board of Directors of Lopez Island School District No. 144, San Juan County, Washington, at a regular meeting thereof, held this 28th day of April, 2021.

LOPEZ ISLAND SCHOOL DISTRICT NO. 144  
SAN JUAN COUNTY, WASHINGTON

DocuSigned by:  
*Jenny Poole*  
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DocuSigned by:  
*Del Guenther*  
4D57516E73DB474...

DocuSigned by:  
*Chris Green*  
7B01833989C34E8...

DocuSigned by:  
*[Signature]*  
ED3D1E8275324B2...

DocuSigned by:  
*Kelli Carrier*  
950BB9BFCB3B4C2...

Board of Directors

ATTEST:

DocuSigned by:  
*Carl Bruner*  
308B02CB3A2C433...  
Secretary of the Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Lopez Island School District No. 144, San Juan 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. 20/21-9 of the Board (the “Resolution”), duly adopted at a regular meeting thereof held on the 28th day of April, 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 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 28th day of April, 2021.

DocuSigned by:

*Carl Bruner*

308B02CB3A2C433...

Secretary, Board of Directors

OFFICIAL BALLOT  
LOPEZ ISLAND SCHOOL DISTRICT NO. 144  
SAN JUAN COUNTY, WASHINGTON  
August 3, 2021

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

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Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2022	\$0.0920	\$139,000
2023	\$0.0902	\$139,000
2024	\$0.0884	\$139,000
2025	\$0.0867	\$139,000
2026	\$0.0850	\$139,000

Should this proposition be approved?

YES .....

NO .....

NOTICE  
LOPEZ ISLAND SCHOOL DISTRICT NO. 144  
SAN JUAN COUNTY, WASHINGTON  
August 3, 2021

NOTICE IS HEREBY GIVEN that on August 3, 2021, 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:

PROPOSITION NO. 1

LOPEZ ISLAND SCHOOL DISTRICT NO. 144

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2023	\$0.0902	\$139,000
2024	\$0.0884	\$139,000
2025	\$0.0867	\$139,000
2026	\$0.0850	\$139,000

Should this proposition be approved?

YES .....

NO .....

\_\_\_\_\_  
San Juan County Auditor