

HIGHLINE SCHOOL DISTRICT NO. 401
KING COUNTY, WASHINGTON
(HIGHLINE PUBLIC SCHOOLS)

CAPITAL LEVY FOR EDUCATIONAL TECHNOLOGY IMPROVEMENTS

RESOLUTION NO. 07-20

A RESOLUTION of the Board of Directors of Highline School District No. 401, King County, Washington, providing for the submission to the voters of the District at a special election to be held on November 3, 2020, in conjunction with the State General election to be held on the same date, of a proposition authorizing an excess tax levy to be made annually for two years commencing in 2020 for collection in the years 2021 and 2022 in the aggregate total amount of \$32,499,000 for the District's Capital Projects Fund to support the modernization and remodeling of school facilities by making District-wide educational technology improvements; designating the District's Chief Financial Officer and special counsel to receive notice of the ballot title from the Director of Elections of King County, Washington; and providing for other matters properly related thereto.

ADOPTED: JULY 8, 2020

This document prepared by:

*FOSTER GARVEY P.C.
1111 Third Avenue, Suite 3000
Seattle, Washington 98101
(206) 447-5339*

HIGHLINE SCHOOL DISTRICT NO. 401
KING COUNTY, WASHINGTON
(HIGHLINE PUBLIC SCHOOLS)

RESOLUTION NO. 07-20

A RESOLUTION of the Board of Directors of Highline School District No. 401, King County, Washington, providing for the submission to the voters of the District at a special election to be held on November 3, 2020, in conjunction with the State General election to be held on the same date, of a proposition authorizing an excess tax levy to be made annually for two years commencing in 2020 for collection in the years 2021 and 2022 in the aggregate total amount of \$32,499,000 for the District's Capital Projects Fund to support the modernization and remodeling of school facilities by making District-wide educational technology improvements; designating the District's Chief Financial Officer and special counsel to receive notice of the ballot title from the Director of Elections of King County, Washington; and providing for other matters properly related thereto.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF HIGHLINE SCHOOL DISTRICT NO. 401, KING COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Highline School District No. 401, King County, Washington (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) The existing condition of the District's technology equipment, infrastructure and systems, the need to support distance learning to advance the District's educational programs and the need to ensure all students have equal access to technology to prepare for 21st century careers, require the District to levy excess property taxes to support the modernization and remodeling of school facilities by making District-wide educational technology improvements, all as more particularly defined and described in Section 2 herein (collectively, the "Projects").

(b) It appears certain that the money in the District's Capital Projects Fund will be insufficient to permit the District to pay costs of the Projects, and that it is necessary that an excess tax levy of \$15,932,000 be made in 2020 for collection in 2021, and \$16,567,000 be made in 2021 for collection in 2022 for the District's Capital Projects Fund to provide the money required to pay those costs.

(c) 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 to pay costs of the Projects.

(d) The best interests of the District's students and other inhabitants require the District to carry out and accomplish the Projects.

Section 2. Description of the Projects. The Projects to be paid for with the excess property taxes authorized herein are more particularly defined and described as follows:

(a) Make District-wide educational technology improvements to ensure all students have equal access to technology to prepare for 21st century careers, including, but not limited to: (1) acquiring, installing and modernizing educational technology equipment, infrastructure and systems throughout existing school facilities; (2) replacing and upgrading aging computers, personal computing devices, hardware, software and telecommunication systems; (3) providing related student, teacher and staff training and support to implement such technology improvements; (4) upgrading classrooms with interactive technology; (5) providing technology to ensure all students have internet access; (6) updating cybersecurity systems; and (7) making other improvements and upgrades to the District's technology systems, infrastructure and facilities, all as determined necessary and advisable by the Board. The foregoing educational technology equipment, infrastructure, systems, improvements and upgrades shall be part of the District's integrated technology systems and facilities for instruction and research.

(b) Acquire, construct and install all necessary furniture, equipment, apparatus, accessories, fixtures and appurtenances in or for the foregoing, all as determined necessary and advisable by the Board.

(c) Pay costs associated with implementing the foregoing educational technology improvements, including, but not limited to, acquiring, constructing and installing hardware and licensing software, online applications and training related to the installation of the foregoing, all as determined necessary and advisable by the Board. Such costs constitute a part of the Projects and also include, but are not limited to, ongoing fees for online applications, subscriptions, or software licenses, including upgrades and incidental services, and ongoing training related to the use, installation and integration of these products and services, all as determined necessary and advisable by the Board. The hardware, software or applications shall be an integral part of the District's technology systems and facilities for instruction and research.

(d) Pay incidental costs incurred in connection with carrying out and accomplishing the Projects. Such incidental costs constitute a part of the Projects and include, but are not limited to: (1) payments for fiscal and legal costs; (2) costs of establishing and funding accounts; (3) necessary and related engineering, architectural, planning, consulting, permitting, inspection and testing costs; (4) administrative and relocation costs; (5) site improvement costs; (6) demolition costs; (7) costs related to demolition and/or deconstruction of existing school facilities to recycle, reclaim and repurpose all or a portion of such facilities and/or building materials; (8) costs of on and off-site utilities and road improvements; and (9) costs of other similar activities or purposes, all as determined necessary and advisable by the Board.

The Projects, or any portion or portions thereof, shall be acquired or made insofar as is practicable with available money and in such order of time as shall be determined necessary and advisable by the Board. The Board shall determine the application of available money between the various parts of the Projects so as to accomplish, as near as may be, all of the Projects. The Board shall determine the exact order, extent and specifications for the Projects. The Projects are to be more fully described in the plans and specifications to be filed with the District.

Section 3. Calling of Election. The Director of Elections of King County, Washington, as *ex officio* Supervisor of Elections (the “Auditor”), is requested to call and conduct a special election in the manner provided by law to be held in the District on November 3, 2020, in conjunction with the State General election to be held on the same date, for the purpose of submitting to the District’s voters, for their approval or rejection, the proposition authorizing a Capital Projects Fund excess property 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 2020 for collection in 2021 of \$15,932,000, the estimated dollar rate of tax levy required to produce such an amount being \$0.67 per \$1,000 of assessed value, and in 2021 for collection in 2022 of \$16,567,000, the estimated dollar rate of tax levy required to produce such an amount being \$0.67 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 may be adjusted based upon the actual assessed value of the taxable property within the District at the time of the levy.

Section 4. 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 provided in this resolution to pay costs of the Projects, all as may be authorized by law and determined necessary and advisable 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.

Section 5. Sufficiency of Taxes. If the excess property taxes authorized herein are more than sufficient to carry out the Projects, or should state or local circumstances require any alteration in the Projects, the District may apply such taxes to other capital purposes, or reduce or eliminate the excess property tax levies authorized herein, all as the Board may determine by resolution and as permitted by law.

If the Board determines that it has become impractical to accomplish the Projects or any portion thereof by reason of state or local circumstances, including changed conditions or needs, regulatory considerations, incompatible development or costs substantially in excess of those estimated, or for any other reason determined by the Board, the District will not be required to accomplish such Projects and may apply the excess property taxes authorized herein or any portion thereof to other capital purposes of the District, or reduce or eliminate the excess property taxes authorized herein, all as the Board may determine by resolution and as permitted by law. In the event that the excess property taxes, plus any other money of the District legally available therefor, are insufficient to accomplish all of the Projects, the District may use the available money for paying the cost of that portion of the Projects that the Board determines most necessary and in the best interests of the District.

Notwithstanding anything in this resolution to the contrary, the excess property taxes authorized herein may be used only to support the construction, modernization or remodeling of school facilities.

Section 6. Form of Ballot Title. Pursuant to RCW 29A.36.071, the King County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION 1

HIGHLINE SCHOOL DISTRICT NO. 401
(HIGHLINE PUBLIC SCHOOLS)

CAPITAL LEVY FOR EDUCATIONAL TECHNOLOGY IMPROVEMENTS

The Board of Directors of Highline School District No. 401 adopted Resolution No. 07-20, concerning a proposition to fund technology for students and educators. To ensure all students have equal access to technology to prepare for 21st century careers, this proposition authorizes the District to replace aging computers, provide training and support, upgrade classrooms, ensure all students have internet access and update cybersecurity by levying the following excess taxes on all taxable property within the District:

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2021	\$0.67	\$15,932,000
2022	\$0.67	\$16,567,000

all as provided in Resolution No. 07-20. Should this proposition be approved?

LEVY . . . YES

LEVY . . . NO

Section 7. Authorization to Deliver Resolution to Auditor and Perform Other Necessary Duties. The Secretary to the Board (the “Secretary”) or the Secretary’s designee is directed to: (a) present a certified copy of this resolution to the Auditor no later than August 4, 2020; 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 annual excess property taxes to pay costs of the Projects.

Section 8. 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 District’s Chief Financial Officer (Kate Davis), telephone: 206.631.3079; fax: 206.631.3380; email: kate.davis@highlineschools.org and (b) special counsel, Foster Garvey P.C. (Jim McNeill), telephone: 206.447.5339; fax 800.533.2284; email: jim.mcneill@foster.com, as the individuals to whom the Auditor shall provide such notice. The Secretary is authorized to approve changes to the ballot title, if any, determined necessary by the Auditor or the King County Prosecuting Attorney.

Section 9. General Authorization and Ratification. The Secretary, the District’s Chief Financial Officer, the President of the Board, other appropriate officers of the District and special counsel, Foster Garvey P.C., 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 provisions of this resolution are ratified and confirmed in all respects.

Section 10. 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 11. Effective Date. This resolution takes effect from and after its adoption.

ADOPTED by the Board of Directors of Highline School District No. 401, King County, Washington, at a regular open public meeting held this 8th day of July, 2020, the following Directors being present and voting in favor of the resolution.

HIGHLINE SCHOOL DISTRICT NO. 401
KING COUNTY, WASHINGTON

DocuSigned by:
Angelica Alvarez
A4B6B951F0C8419...

President and Director

DocuSigned by:
Bernie Dorsey
0458FCF8BD1842B...

Vice President and Director

DocuSigned by:
[Signature]
3D4C71809B4842C...

Director

DocuSigned by:
Faizah Bradford
4E19B7FEBEE41D...

Director

DocuSigned by:
Joe Van
CF491BC9E9C54C9...

Director

ATTEST:

DocuSigned by:
Susan Enfield
04C26805AE884B5...

SUSAN A. ENFIELD, Ed.D.
Secretary to the Board of Directors

CERTIFICATION

I, SUSAN A. ENFIELD, Ed.D., Secretary to the Board of Directors of Highline School District No. 401, King County, Washington (the “District”), hereby certify as follows:

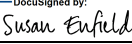
1. The foregoing Resolution No. 07-20 (the “Resolution”) is a full, true and correct copy of the Resolution duly adopted at a regular meeting of the Board of Directors of the District (the “Board”) held on July 8, 2020 (“Meeting”), as that Resolution appears on the minute book of the District, and the Resolution is now in full force and effect;

2. Pursuant to the proclamations of the Governor of the State of Washington, as extended by the leadership of the Washington State Senate and House of Representatives, (a) the Meeting was not conducted in person, (b) options were provided for the public to attend the Meeting remotely, including by telephonic access and, as available, internet access, which options provided the ability for all persons attending the Meeting remotely to hear each other at the same time, and (c) the public was notified of the access options for remote participation via the District’s website; and

3. The Meeting was duly convened and held in all respects in accordance with law, a quorum was present throughout the meeting through telephonic and/or internet means of remote access, and a sufficient number of members of the Board so present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of July, 2020.

HIGHLINE SCHOOL DISTRICT NO. 401
KING COUNTY, WASHINGTON

DocuSigned by:

01022605A5E00485

SUSAN A. ENFIELD, Ed.D.
Secretary to the Board of Directors