



Highline Public Schools Board Action Report

Supports the Strategic Plan

DATE: June 16, 2021

FROM: Dr. Susan Enfield, Superintendent

LEAD STAFF: Kate Davis, Chief Financial Officer

For Introduction: June 23, 2021 For Action: July 7, 2021

I. TITLE Resolution 08-21 - Replacement of Expiring Educational Programs and Operation Levy

II. WHY BOARD ACTION IS NECESSARY RCW 84.52.053 permits that an election for a proposition authorizing two-year through four-year levies for enrichment funding for a school district may be called and held before the effective date of dissolution to replace existing enrichment levies and to provide for increases due to the dissolution, and RCW 84.52.0531 states that the legislature recognizes that school districts request voter approval for two-year through four-year levies based on their projected levy capacities at the time that the levies are submitted to the voters.

III. BACKGROUND INFORMATION

The current Educational Programs and Operation Levy will expire in calendar year 2022. The Replacement of Expiring Educational Programs and Operation Levy will fund educational programs and services not fully funded by the State. This replacement levy is proposed to be placed on the ballot at the statutory levels for calendar years 2023 (\$63,808,067), 2024 (\$66,360,390), 2025 (\$67,988,856) and 2026 (\$69,873,487) for a total of \$268,030,800 over the four year term.

IV. RECOMMENDED MOTION

I move that the Highline School Board adopt resolution 08-21, to place a four year levy totaling \$268,030,800 on the November 2, 2021 King County ballot.

V. FISCAL IMPACT/REVENUE SOURCE

Fiscal impact to this action will be (amount and source including fund Example - \$522,000 from general fund Title 1 revenue).

The proposed levy would have a total revenue estimate of \$268,030,800 in voter-approved tax levy collections.

The revenue source for this motion is semiannually collected property taxes.

Expenditure: One-time Annual

VI. APPLICABLE POLICY(S)

This action is in compliance with the following: RCW 84.52.053, RCW 84.52.0531, and Policy 6100 – Revenues from local, state, and federal sources.

VII. ALTERNATIVES

Failure to place this measure on the November 2, 2021 ballot would result in the loss of substantial revenue and would mean significant lay-offs of staff, dramatically higher class sizes, reduced maintenance of buildings, and the

elimination of many non-essential activities and programs.

VIII. COMMUNITY ENGAGEMENT

Community Engagement Required: Yes No

There will be numerous opportunities for the public to have input regarding the levy election in the coming months. The levy will be discussed at the 2021-22 Budget Public Hearing scheduled for June 23, 2021. After the board is first publically introduced to this resolution on that same day, a public announcement will be advertised for citizens who wish to join election pro or con committees. The ultimate opportunity for public engagement will take place on November 2, 2021, where registered voters will decide whether they approve or disapprove of the proposition.

IX. POLICY MONITORING PLAN

This new or revised policy will be monitored by the School Board:

Quarterly Semi-Annually Annually Not Applicable

The metrics that will be used to monitor this policy include: N/A

X. ATTACHMENTS

Resolution 08-21

On File

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

REPLACEMENT OF EXPIRING EDUCATIONAL PROGRAMS AND
OPERATION LEVY

RESOLUTION NO. 08-21

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 2, 2021, 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 four years commencing in 2022 for collection in 2023 of \$63,808,067, in 2023 for collection in 2024 of \$66,360,390, in 2024 for collection in 2025 of \$67,988,856, and in 2025 for collection in 2026 of \$69,873,487, for the District's General Fund to pay expenses of educational programs and operation; 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 7, 2021

This document prepared by:

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

RESOLUTION NO. 08-21

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 2, 2021, 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 four years commencing in 2022 for collection in 2023 of \$63,808,067, in 2023 for collection in 2024 of \$66,360,390, in 2024 for collection in 2025 of \$67,988,856, and in 2025 for collection in 2026 of \$69,873,487, for the District's General Fund to pay expenses of educational programs and operation; 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) Calendar year 2022 is the last year of collection of the District's current four-year General Fund educational programs and operation tax levy, which was authorized pursuant to Resolution No. 23-17, adopted by the Board on December 6, 2017, and approved by the voters at a special election held and conducted within the District on February 13, 2018.

(b) With the expiration of the District's current four-year General Fund educational programs and operation tax levy, it appears certain that the money in the District's General Fund for the school years 2022-2023, 2023-2024, 2024-2025, 2025-2026 and 2026-2027 will be insufficient to permit the District to meet the educational needs of its students and pay expenses of educational programs and operation support not funded by the State of Washington (the "State"), all as more particularly set forth in Section 3 of this resolution, during such school years, and that it is necessary that a replacement excess tax levy of \$63,808,067 be made in 2022 for collection in 2023, \$66,360,390 be made in 2023 for collection in 2024, \$67,988,856 be made in 2024 for collection in 2025, and \$69,873,487 be made in 2025 for collection in 2026 for the District's General Fund to provide the money required to meet those expenses.

(c) The District's proposed four-year General Fund educational programs and operation tax levy authorized in this resolution provides for approximately the same educational programs and operation purposes as the District's expiring four-year General Fund educational programs and operation tax levy.

(d) 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 for support of the District’s educational programs and operation expenses.

(e) The District has received approval of its educational programs and operation tax levy expenditure plan from the Office of the Superintendent of Public Instruction under RCW 28A.505.240 as required by RCW 84.52.053(4), a copy of which is on file with the District.

Section 2. 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 2, 2021, 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 replacement General Fund educational programs and operation 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 four years commencing in 2022 for collection in 2023 of \$63,808,067, the estimated dollar rate of tax levy required to produce such an amount being \$2.50 per \$1,000 of assessed value, in 2023 for collection in 2024 of \$66,360,390, the estimated dollar rate of tax levy required to produce such an amount being \$2.50 per \$1,000 of assessed value, in 2024 for collection in 2025 of \$67,988,856, the estimated dollar rate of tax levy required to produce such an amount being \$2.46 per \$1,000 of assessed value, and in 2025 for collection in 2026 of \$69,873,487, the estimated dollar rate of tax levy required to produce such an amount being \$2.43 per \$1,000 of assessed value, all in excess of the maximum tax levy specified by law for school districts without voter approval. The exact tax levy rate and amount to be collected may be adjusted based upon the actual assessed value of the taxable property within the District and the limitations imposed by law at the time of the tax levy.

Section 3. 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 up to the amounts provided in this resolution to meet the educational needs of its students and pay expenses of educational programs and operation support not funded by the State, including, but not limited to, nurses, special education, counselors, athletics, advanced courses, extracurricular activities, transportation, and teacher pay and training, during the school years 2022-2023, 2023-2024, 2024-2025, 2025-2026 and 2026-2027, all as may be authorized by law and determined necessary 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 4. 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 NO. 1

HIGHLINE SCHOOL DISTRICT NO. 401
(HIGHLINE PUBLIC SCHOOLS)

REPLACEMENT OF EXPIRING EDUCATIONAL PROGRAMS AND
OPERATION LEVY

The Board of Directors of Highline School District No. 401 adopted Resolution No. 08-21, concerning a proposition for a replacement levy for education. This proposition would authorize the District to levy the following excess taxes, replacing an expiring levy, on all taxable property within the District, for educational programs and operation expenses not funded by the State (including nurses, special education, counselors, athletics, advanced courses, extracurricular activities, transportation, teacher pay and training):

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2023	\$2.50	\$63,808,067
2024	\$2.50	\$66,360,390
2025	\$2.46	\$67,988,856
2026	\$2.43	\$69,873,487

all as provided in Resolution No. 08-21. Should this proposition be approved?

LEVY . . . YES

LEVY . . . NO

Section 5. 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 3, 2021; 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 excess property taxes for support of the District’s educational programs and operation expenses.

Section 6. 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; email: kate.davis@highlineschools.org and (b) special counsel, Foster Garvey P.C. (Jim McNeill), telephone: 206.447.5339; 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 7. Execution; General Authorization and Ratification. This resolution may be executed by the Directors being present and voting in favor of the resolution, or only the President of the Board (the “President”), and attested by the Secretary, in tangible medium, manual, facsimile or electronic form under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure, or in any other manner evidencing its adoption. The Secretary, the President, the District’s Chief Financial Officer and the District’s Special Counsel, Foster Garvey P.C., are hereby further severally authorized and directed to take such actions and to create, accept, execute, send, use and rely upon such tangible medium, manual, facsimile or electronic documents, records and signatures under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure, 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 8. 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 9. 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 7th day of July, 2021.

HIGHLINE SCHOOL DISTRICT NO. 401
KING COUNTY, WASHINGTON

President and Director

Vice President and Director

Director

Director

Director

ATTEST:

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. 08-21 (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 7, 2021 (the “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 various proclamations and orders issued by the Governor of the State of Washington, 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

3. The Meeting was duly convened and held in all respects in accordance with law, the public was notified of the access options for remote attendance, a quorum of the members of the Board was present throughout the meeting, and a sufficient number of members of the Board present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of July, 2021.

HIGHLINE SCHOOL DISTRICT NO. 401
KING COUNTY, WASHINGTON

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