

CERTIFICATION

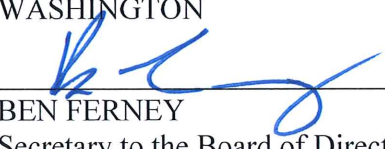
I, BEN FERNEY, Secretary to the Board of Directors of Cheney School District No. 360, Spokane and Whitman Counties, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. 10-23-24 (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 at its regular meeting place on November 8, 2023 (the "Meeting"), as that Resolution appears in the records of the District, and the Resolution is now in full force and effect; and

2. The Meeting was duly convened, held and included an opportunity for public comment, in all respects in accordance with law, 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 8th day of November, 2023.

CHENEY SCHOOL DISTRICT NO. 360
SPOKANE AND WHITMAN COUNTIES,
WASHINGTON



BEN FERNEY
Secretary to the Board of Directors

CHENEY SCHOOL DISTRICT NO. 360
SPOKANE AND WHITMAN COUNTIES, WASHINGTON

PROPOSITION NO. 1 - REPLACEMENT EDUCATIONAL PROGRAMS AND
OPERATION LEVY

RESOLUTION NO. 10-23-24

A RESOLUTION of the Board of Directors of Cheney School District No. 360, Spokane and Whitman Counties, Washington, providing for the submission to the voters of the District at a special election to be held on February 13, 2024, of a proposition authorizing an excess tax levy to be made annually for three years commencing in 2024 for collection in 2025 of \$16,125,000, in 2025 for collection in 2026 of \$17,100,000, and in 2026 for collection in 2027 of \$17,950,000, for the District's General Fund to pay expenses of educational programs and operation; designating the District's Director of Finance and special counsel to receive notice of the ballot title from the Auditor of Spokane County, Washington; and providing for related matters.

ADOPTED: NOVEMBER 8, 2023

This document prepared by:

*FOSTER GARVEY P.C.
618 West Riverside Avenue, Suite 300
Spokane, Washington 99201
(509) 777-1602*

CHENEY SCHOOL DISTRICT NO. 360
SPOKANE AND WHITMAN COUNTIES, WASHINGTON

RESOLUTION NO. 10-23-24

A RESOLUTION of the Board of Directors of Cheney School District No. 360, Spokane and Whitman Counties, Washington, providing for the submission to the voters of the District at a special election to be held on February 13, 2024, of a proposition authorizing an excess tax levy to be made annually for three years commencing in 2024 for collection in 2025 of \$16,125,000, in 2025 for collection in 2026 of \$17,100,000, and in 2026 for collection in 2027 of \$17,950,000, for the District's General Fund to pay expenses of educational programs and operation; designating the District's Director of Finance and special counsel to receive notice of the ballot title from the Auditor of Spokane County, Washington; and providing for related matters.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CHENEY SCHOOL DISTRICT NO. 360, SPOKANE AND WHITMAN COUNTIES, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Cheney School District No. 360, Spokane and Whitman Counties, Washington (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) Calendar year 2024 is the last year of collection of the District's current three-year General Fund educational programs and operation tax levy, which was authorized pursuant to Resolution No. 08-20-21, adopted by the Board on December 2, 2020, and approved by the voters at a special election held and conducted within the District on February 9, 2021.

(b) With the expiration of the District's current three-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 2024-2025, 2025-2026, 2026-2027 and 2027-2028 will be insufficient to permit the District to meet the educational needs of its students and pay expenses of educational programs and operation 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 \$16,125,000 be made in 2024 for collection in 2025, \$17,100,000 be made in 2025 for collection in 2026, and \$17,950,000 be made in 2026 for collection in 2027 for the District's General Fund to provide the money required to meet those expenses.

(c) The District's proposed three-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 three-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 (*i.e.*, to pay) the District's educational programs and operation expenses.

(e) The District has received or, prior to the time the ballot proposition authorized in this resolution is submitted to the voters, the District will have 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 or will be on file with the District.

Section 2. Calling of Election. The Auditor of Spokane County, Washington, as *ex officio* Supervisor of Elections (the “Auditor”), and the proper officer of the county to which the District belongs pursuant to chapter 28A.323 RCW, is requested to call and conduct a special election in the manner provided by law to be held in the District on February 13, 2024, 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 three years commencing in 2024 for collection in 2025 of \$16,125,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.97 per \$1,000 of assessed value, in 2025 for collection in 2026 of \$17,100,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.97 per \$1,000 of assessed value, and in 2026 for collection in 2027 of \$17,950,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.97 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 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 not funded by the State, including, but not limited to, school safety, athletics, extracurricular activities, art, music, special education and staffing above the State allocation, during the school years 2024-2025, 2025-2026, 2026-2027 and 2027-2028, 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.

[Remainder of page intentionally left blank]

Section 4. Form of Ballot Title. Pursuant to RCW 29A.36.071, the Spokane County Prosecuting Attorney, as the county prosecuting attorney of the county within which the majority area of the District is located, is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION NO. 1

CHENEY SCHOOL DISTRICT NO. 360

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATION LEVY

The Board of Directors of Cheney School District No. 360 adopted Resolution No. 10-23-24, concerning 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 support of educational programs and operation expenses not funded by the State (including school safety, athletics, extracurricular activities, art, music, special education and staffing above the State allocation):

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2025	\$1.97	\$16,125,000
2026	\$1.97	\$17,100,000
2027	\$1.97	\$17,950,000

all as provided in Resolution No. 10-23-24. 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 authorized and directed to: (a) present a certified copy of this resolution to the Auditor and the Auditor of Whitman County, Washington (the "Whitman County Auditor") no later than December 15, 2023; 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 Director of Finance (Jamie Reed), telephone: 509.559.4501; email: jreed@cheneysd.org; and (b) special counsel, Foster Garvey P.C. (Jim McNeill), telephone: 509.777.1602; email: jim.mcneill@foster.com, as the individuals to whom the Auditor and the Whitman County 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 Spokane County Prosecuting Attorney.

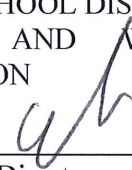
Section 7. Execution; General Authorization and Ratification. This resolution may be executed by the Directors being present and voting in favor of the resolution, or only the President of the Board (the "President"), and attested by the Secretary, in tangible medium, manual, facsimile or electronic 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 District's Director of Finance, the President, 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.

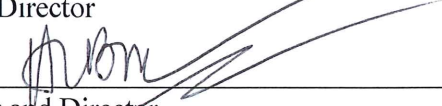
Section 9. Effective Date. This resolution takes effect from and after its adoption.

ADOPTED by the Board of Directors of Cheney School District No. 360, Spokane and Whitman Counties, Washington, at a regular open public meeting held this 8th day of November, 2023.

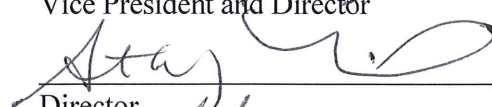
CHENEY SCHOOL DISTRICT NO. 360
SPOKANE AND WHITMAN COUNTIES,
WASHINGTON



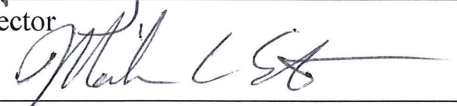
President and Director



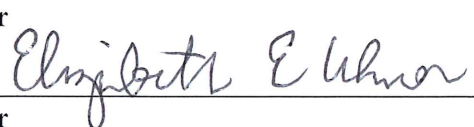
Vice President and Director



Director



Director



Director

ATTEST:



BEN FERNEY
Secretary to the Board of Directors