



TO: BOARD OF DIRECTORS

FROM: STEVE LIDGARD, EXECUTIVE DIRECTOR – BUSINESS SERVICES *SL*

SUBJECT: ADOPTION OF EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

DATE: OCTOBER 1, 2019

TYPE: ACTION NEEDED/RESOLUTION NO. 2019/20-001

Attached is Resolution No. 2019/20-001, which establishes the educational programs and operations levy amounts to be collected in 2021, 2022, 2023 and 2024. The current four-year levy approved by the voters in 2016 will expire in December of 2020. This proposed educational programs and operations levy replaces the expiring levy. Board adoption of the resolution authorizes Snohomish and Island Counties to hold a special election on February 11, 2020, with this matter on the ballot. Passage of the measure by voters would sustain the Educational Programs and Operations Levy funding through 2024.

Key points:

1. This levy replaces an existing levy approved by the voters in 2016 that expires in 2020.
2. Levy funds provide approximately 14.5% of the district's revenue.
3. The district may only collect the amount approved by voters as indicated on the ballot or the maximum amount authorized by the Legislature, whichever is less.
4. Changes in assessed valuation within the district do not affect the levy amount.
5. Levy funds are used to subsidize programs that are not fully funded. Nearly every department, program and school receives levy support.

Following approval by the Board of Directors, the resolution, ballot, and other information will be submitted to the Snohomish and Island County Auditors.

RECOMMENDATION:

We recommend the board **move to adopt Resolution No. 2019/20-001 authorizing the submission of a ballot measure to the voters for the proposed 2021-2024 Educational Programs And Operations Levy.**

STANWOOD-CAMANO SCHOOL DISTRICT NO. 401
SNOHOMISH AND ISLAND COUNTIES, WASHINGTON

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

RESOLUTION NO. 2019/20-001

A RESOLUTION of the Board of Directors of Stanwood-Camano School District No. 401, Snohomish and Island Counties, Washington, providing for the submission to the qualified electors of the District at a special election to be held therein on February 11, 2020, of the proposition of whether excess taxes should be levied of \$13,163,041 in 2020 for collection in 2021, \$13,952,824 in 2021 for collection in 2022, \$14,650,465 in 2022 for collection in 2023, and \$15,236,482 in 2023 for collection in 2024, said excess taxes to pay part of the cost of educational programs and operations support of the District.

ADOPTED OCTOBER 1, 2019

PREPARED BY:

K&L GATES LLP
Seattle, Washington

RESOLUTION NO. 2019/20-001

A RESOLUTION of the Board of Directors of Stanwood-Camano School District No. 401, Snohomish and Island Counties, Washington, providing for the submission to the qualified electors of the District at a special election to be held therein on February 11, 2020, of the proposition of whether excess taxes should be levied of \$13,163,041 in 2020 for collection in 2021, \$13,952,824 in 2021 for collection in 2022, \$14,650,465 in 2022 for collection in 2023, and \$15,236,482 in 2023 for collection in 2024, said excess taxes to pay part of the cost of educational programs and operations support of the District.

WHEREAS, Stanwood-Camano School District No. 401, Snohomish and Island Counties, Washington, (the "District"), for the past four years has had in effect an educational programs and operations levy in order to enable the District to pay for its educational programs and services, including teaching, school supplies, athletics, buildings and transportation; and

WHEREAS, the current school programs and operations levies expire in 2020; and

WHEREAS, the money in and to be paid into the General Fund of the District during the 2020-2021, 2021-2022, 2022-2023, 2023-2024 and 2024-2025 school years will be insufficient to enable the District to pay for necessary educational programs and operations and to properly meet the educational needs of the students attending District schools; and

WHEREAS, the existing authority for the imposition of local tax levies and use of local revenues (including the proceeds of tax levies) has been modified by Chapter 410, Laws of 2019 (66th Legislature, Regular Session) and may be modified in the future by the State Legislature; and

WHEREAS, in the event the State Legislature increases education funding to the District, the District would, therefore, review annually and determine the need to roll back the levies; and

WHEREAS, in order to properly provide for such educational programs and operations and such educational needs, the Board of Directors of the District deems it necessary to levy the following taxes upon all of the taxable property within the District in excess of the maximum annual tax levy permitted by law to be levied within the District without a vote of the electors:

- A. A levy in the amount of up to \$13,163,041, said levy to be made in 2020 for collection in 2021;
- B. A levy in the amount of up to \$13,952,824, said levy to be made in 2021 for collection in 2022;
- C. A levy in the amount of up to \$14,650,465, said levy to be made in 2022 for collection in 2023; and
- D. A levy in the amount of up to \$15,236,482, said levy to be made in 2023 for collection in 2024;

WHEREAS, 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 operations/enrichment tax levy expenditure plan from the Office of the Superintendent of Public Instruction as required under RCW 84.52.053(4); and

WHEREAS, the Constitution and laws of the State of Washington require that the question of whether or not such excess taxes may be levied must be submitted to the qualified electors of the District for their ratification or rejection;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF STANWOOD-CAMANO SCHOOL DISTRICT NO. 401, SNOHOMISH AND ISLAND COUNTIES, WASHINGTON, as follows:

Section 1. The following taxes for the District's General Fund should be levied upon all of the taxable property within the District in excess of the maximum annual tax levy permitted by law to be levied within the District without a vote of the electors:

- A. A levy in the amount of up to \$13,163,041, said levy to be made in 2020 for collection in 2021;
- B. A levy in the amount of up to \$13,952,824, said levy to be made in 2021 for collection in 2022;
- C. A levy in the amount of up to \$14,650,465, said levy to be made in 2022 for collection in 2023; and
- D. A levy in the amount of up to \$15,236,482, said levy to be made in 2023 for collection in 2024;

The estimated levy rate depends on the limitations of state law and information. At this time, based on state law, the estimated levy rate for the 2020 levy is \$1.70 per thousand dollars of assessed valuation, the estimated levy rate for the 2021 levy is \$1.70 per thousand dollars of assessed valuation, the estimated levy rate for the 2022 levy is \$1.70 per thousand dollars of assessed valuation, and the estimated levy rate for the 2023 levy is \$1.70 per thousand dollars of assessed valuation. The exact levy rate and amount shall be adjusted based upon the legal levy limits and the actual assessed value of the property within the District at the time of the levy. Upon approval by the voters of the proposition substantially in the form set forth below, the District may use the proceeds of said levies during the 2020-2021, 2021-2022, 2022-2023, 2023-2024 and 2024-2025 school years by incurring an indebtedness by the issuance of short term obligations against the General Fund of the District, as authorized by Chapter 39.50 RCW, and may expend the proceeds of said levies to pay such part of the general expenses of educational programs and operations of the District during such school years as may be authorized or allowed by law for the use of local levy funds.

Section 2. It is hereby found and declared that the best interests of the District require the submission to the qualified electors of the District of the proposition of whether or not the District shall levy such excess tax for their ratification or rejection at a special election to be held therein on February 11, 2020.

The Snohomish County Auditor, as *ex officio* supervisor of elections in Snohomish County, Washington, is hereby requested to call and conduct said special election to be held within the District on said date and to submit to the qualified electors of the District the proposition substantially in the form hereinafter set forth. The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition to the Snohomish County Auditor substantially in the following form:

PROPOSITION NO. 1

STANWOOD-CAMANO SCHOOL DISTRICT NO. 401

EDUCATIONAL PROGRAMS AND OPERATIONS
REPLACEMENT LEVY

The Board of Directors of Stanwood-Camano School District No. 401 adopted Resolution No. 2019/20-001 concerning a proposition to support school programs and daily operations. This proposition authorizes the District to levy the following excess taxes, to replace an expiring levy on all taxable property within the District to maintain current educational program funding and support the District’s General Fund program, daily operations expenses, including textbooks, classroom materials, and staff,

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2021	\$1.70	
		\$13,163,041
2022	\$1.70	
		\$13,952,824
2023	\$1.70	
		\$14,650,465
2024	\$1.70	
		\$15,236,482

subject to legal limits at the time of levy. Should this proposition be approved?

YES

☐

NO



The Secretary of the Board of Directors of the District is hereby directed to deliver a certified copy of this resolution to the Snohomish County Auditor and a courtesy copy to the Island County Auditor.

Section 3. 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 Executive Director, Business Services (Steve Lidgard), telephone: 360.629.1216; email: slidgard@stanwood.wednet.edu; and (b) special counsel, K&L Gates LLP (Cynthia Weed) telephone: 206.370.7801; email: cynthia.weed@klgates.com, as the individuals to whom the Auditor shall provide such notice. The Director of Business Services is authorized to approve changes to the ballot title, if any, deemed necessary by the Auditor or the Snohomish County Prosecuting Attorney.

Section 4. 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 February 2020 election and requests that the Snohomish 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.

ADOPTED by the Board of Directors of Stanwood-Camano School District No. 401, Snohomish and Island Counties, Washington, at a regular meeting thereof, held on the 1st day of October, 2019.

STANWOOD-CAMANO SCHOOL DISTRICT
NO. 401, SNOHOMISH AND ISLAND
COUNTIES, WASHINGTON

By _____
President and Director

Director

Director

Director

Director

ATTEST:

Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Stanwood-Camano School District No. 401, Snohomish and Island Counties, 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. 2019/20001 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 1st day of October, 2019.

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 1st day of October, 2019.

Secretary, Board of Directors

OFFICIAL BALLOT

STANWOOD-CAMANO SCHOOL DISTRICT NO. 401
SNOHOMISH AND ISLAND COUNTIES, WASHINGTON

February 11, 2020

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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2022	\$1.70	\$13,163,041
2023	\$1.70	\$13,952,824
2024	\$1.70	\$14,650,465
		\$15,236,482

subject to legal limits at the time of levy. Should this proposition be approved?

YES

☐

NO

☐

NOTICE OF SPECIAL ELECTION

STANWOOD-CAMANO SCHOOL DISTRICT NO. 401
SNOHOMISH AND ISLAND COUNTIES, WASHINGTON

NOTICE IS HEREBY GIVEN that on February 11, 2020, a special election will be held in the abovenamed school district for the submission to the qualified electors of said school district of the following proposition:

PROPOSITION NO. 1

STANWOOD-CAMANO SCHOOL DISTRICT NO. 401

EDUCATIONAL PROGRAMS AND OPERATIONS
REPLACEMENT LEVY

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2023	\$1.70	\$14,650,465
2024	\$1.70	\$15,236,482

subject to legal limits at the time of levy. Should this proposition be approved?

YES

☐

NO

☐

Snohomish County Auditor