

FEDERAL WAY SCHOOL DISTRICT NO. 210
KING COUNTY, WASHINGTON

CAPITAL PROJECTS LEVY

RESOLUTION NO. 2011-42

A RESOLUTION of the Board of Directors of Federal Way School District No. 210, King County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 14, 2012, of a proposition to authorize the district to levy an additional tax to provide a total of \$60,000,000 for the District's Capital Projects Fund for the purpose of replacing Federal Way High School and making other capital improvements, such levies to be made for six years commencing in 2012 for collection in the years from 2013 through 2018.

ADOPTED November 8th, 2011

PREPARED BY:

K&L GATES LLP
Seattle, Washington

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WHEREAS, the facilities of Federal Way School District No. 210, King County, Washington (the "District"), particularly Federal Way High School, are in need of renovation, construction, improvements and expansion to meet the current and future educational programs for its students (the "Projects"); 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 Projects 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 six years commencing in 2012 for collection in the years 2013 through 2018, 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 FEDERAL WAY SCHOOL DISTRICT NO. 210, KING 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 improve its education facilities by replacing and rebuilding Federal Way High School. Such replacement shall be accomplished by including all furnishings, fixtures and related technology.

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 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 and 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 February 14, 2012. For the purpose of providing funds necessary for the needs described in Section 2 above, King County Elections, as ex-officio supervisor of elections in King 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 six years, commencing in 2012, 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. \$7,900,000, said levy to be made in 2012 for collection in 2013;
- B. \$8,300,000, said levy to be made in 2013 for collection in 2014;
- C. \$8,900,000, said levy to be made in 2014 for collection in 2015;
- D. \$9,600,000, said levy to be made in 2015 for collection in 2016;
- E. \$12,400,000, said levy to be made in 2016 for collection in 2017; and
- F. \$12,900,000, said levy to be made in 2017 for collection in 2018.

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 County Assessor's office, the estimated levy rate for the 2012 levy is \$0.74 per thousand dollars of

assessed valuation, the estimated levy rate for the 2013 levy is \$0.77 per thousand dollars of assessed valuation, the estimated levy rate for the 2014 levy is \$0.82 per thousand dollars of assessed valuation, the estimated levy rate for the 2015 levy is \$0.87 per thousand dollars of assessed valuation, the estimated levy rate for the 2016 levy is \$1.10 per thousand dollars of assessed valuation, and the estimated levy rate for the 2017 levy is \$1.12 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. Approval of Form of Ballot. The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition to King County Elections, as ex-officio supervisor of elections in King County, substantially in the following form:

PROPOSITION NO. 2

FEDERAL WAY SCHOOL DISTRICT

CAPITAL PROJECTS LEVY

The Board of Directors of Federal Way School District No. 210 adopted Resolution No. 2011-42 authorizing the capital projects levies. This levy funds the replacement of Federal Way High School and other capital improvements to educational facilities of the District, and authorizes the following excess levies on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2013	\$0.74	\$ 7,900,000
2014	\$0.77	\$ 8,300,000
2015	\$0.82	\$ 8,900,000
2016	\$0.87	\$ 9,600,000
2017	\$1.10	\$12,400,000
2018	\$1.12	\$12,900,000

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 King County Elections.

Section 5. Authorization of 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 February 14, 2012 election and requests that King County Elections 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 Federal Way School District No. 210, King
County, Washington, at a [regular] meeting thereof, held this 8th day of November 2011

FEDERAL WAY SCHOOL DISTRICT
NO. 210, KING COUNTY, WASHINGTON

2011-42

William A. Moore Jr.
President and Director

[Signature]
Director

[Signature]
Director

[Signature]
Director

Ed Barney
Director

ATTEST:

[Signature]
Secretary, Board of Directors

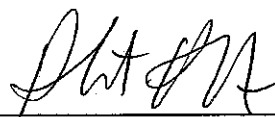
CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Federal Way School District No. 210, King 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. 2011-42 of the Board (the "Resolution"), duly adopted at a [regular meeting] thereof held on the 8th day of November, 2011.

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 8th day of November, 2011.



Secretary, Board of Directors

OFFICIAL BALLOT
FEDERAL WAY SCHOOL DISTRICT NO. 210
KING COUNTY, WASHINGTON
February 14, 2012

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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2017	\$1.10	\$12,400,000
2018	\$1.12	\$12,900,000

Should this proposition be approved?

YES ☐

NO ☐

NOTICE
FEDERAL WAY SCHOOL DISTRICT NO. 210
KING COUNTY, WASHINGTON

February 14, 2012

NOTICE IS HEREBY GIVEN that on February 14, 2012, 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. 2

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2017	\$1.10	\$12,400,000
2018	\$1.12	\$12,900,000

Should this proposition be approved?

YES ☐

NO ☐

King County Elections