



SPOKANE COUNTY ELECTIONS DEPARTMENT

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Website: www.spokanecounty.org/elections

Email: elections@spokanecounty.org

Ballot Title Contact Information

District: Riverside School District No. 416-62, Spokane and Pend Oreille Counties, Washington

Subject of Ballot Title: Replacement Educational Programs and Operation Levy

Date of Election: February 13, 2018

Contact: Kenneth L. Russell, Superintendent and Secretary to the Board

Phone: 509.464.8201

Email: ken.russell@rsdmail.org

Contact: Jim McNeill, Foster Pepper PLLC

Phone: 509.777.1602

Email: jim.mcneill@foster.com

Received Date: 12-13-17

Received By: R Gruse

Received - Spokane

DEC 13 2017

County Elections



Name of District: Riverside School District No. 416-62, Spokane and Pend Oreille Counties, Washington

Name of Resolution Submitted: Resolution No. 11-17-04 Election Requested: February 13, 2018

Type of Measure (levy, bond, lid lift, etc.): Proposition 1 - Replacement Educational Programs and Operation Levy

Check List of submitted documents: [X] Resolution [] Ballot title in WordDoc [] Other
[] Explanatory Statement (only for General Election)

Pass/Fail requirements for this measure (i.e., simple Majority, 60%, etc.) Simple Majority

District Contact Person: Kenneth L. Russell, Superintendent and Secretary to the Board

Phone Number: 509.464.8201 Email: ken.russell@rsdmail.org

Attorney for District if used: Jim McNeill, Foster Pepper PLLC

Attorney Phone Number: 509.777.1602 Email: jim.mcneill@foster.com

FOR ELECTION USE ONLY

Resolution received by Pend Oreille Elections: Date: Initials:

FOR PROSECUTING ATTORNEY USE ONLY

Resolution received by Prosecuting Attorney: Date: Initials:

FOR DISTRICT USE ONLY

Resolution received by District to Review any Changes: Date: Initials:

I approve this ballot title.

RCW 29A.36.090 Local measures—Ballot title—Appeal. If any persons are dissatisfied with the ballot title for a local ballot measure that was formulated by the city attorney or prosecuting attorney preparing the same, they may at any time within ten days from the time of the filing of the ballot title, not including Saturdays, Sundays, and legal holidays, appeal to the superior court of the county where the question is to appear on the ballot, by petition setting forth the measure, the ballot title objected to, their objections to it, and praying for amendment of it. The time of the filing of the ballot title, as used in this section in determining the time for appeal, is the time the ballot title is first filed with the county auditor.

A copy of the petition on appeal together with a notice that an appeal has been taken shall be served upon the county auditor and the official preparing the ballot title. Upon the filing of the petition on appeal, the court shall immediately, or at the time to which a hearing may be adjourned by consent of the appellants, examine the proposed measure, the ballot title filed, and the objections to it and may hear arguments on it, and shall as soon as possible render its decision and certify to and file with the county auditor a ballot title that it determines will meet the requirements of this chapter. The decision of the superior court is final, and the ballot title or statement so certified will be the established ballot title. The appeal must be heard without cost to either party.

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[] Uploaded to WEI: Initials:

RIVERSIDE SCHOOL DISTRICT NO. 416-62
SPOKANE AND PEND OREILLE COUNTIES, WASHINGTON

PROPOSITION 1 - REPLACEMENT EDUCATIONAL PROGRAMS AND
OPERATION LEVY

RESOLUTION NO. 11-17-04

A RESOLUTION of the Board of Directors of Riverside School District No. 416-62, Spokane and Pend Oreille Counties, Washington, providing for the submission to the voters of the District at a special election to be held therein on February 13, 2018, of a proposition authorizing a tax levy to be made annually for three years commencing in 2018 for collection in 2019 on all of the taxable property within the District of \$1,664,500, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 per \$1,000 of assessed value (such assessed value representing 100% of true and fair value unless specifically provided otherwise by law), in 2019 for collection in 2020 of \$1,864,200, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 per \$1,000 of assessed value, and in 2020 for collection in 2021 of \$2,087,900, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 per \$1,000 of assessed value, all in excess of the maximum tax levy specified by law for school districts without voter approval, for the District's General Fund, the proceeds of such levies to be used to pay expenses of educational programs and operation, all as more particularly set forth herein; designating the Secretary to the Board and special counsel to receive notice of the ballot title from the Auditor of Spokane County, Washington; and providing for other matters properly related thereto, all as more particularly set forth herein.

ADOPTED: NOVEMBER 20, 2017

This document prepared by:

*FOSTER PEPPER PLLC
618 West Riverside Avenue, Suite 300
Spokane, Washington 99201
(509) 777-1602*

RIVERSIDE SCHOOL DISTRICT NO. 416-62
SPOKANE AND PEND OREILLE COUNTIES, WASHINGTON

RESOLUTION NO. 11-17-04

A RESOLUTION of the Board of Directors of Riverside School District No. 416-62, Spokane and Pend Oreille Counties, Washington, providing for the submission to the voters of the District at a special election to be held therein on February 13, 2018, of a proposition authorizing a tax levy to be made annually for three years commencing in 2018 for collection in 2019 on all of the taxable property within the District of \$1,664,500, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 per \$1,000 of assessed value (such assessed value representing 100% of true and fair value unless specifically provided otherwise by law), in 2019 for collection in 2020 of \$1,864,200, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 per \$1,000 of assessed value, and in 2020 for collection in 2021 of \$2,087,900, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 per \$1,000 of assessed value, all in excess of the maximum tax levy specified by law for school districts without voter approval, for the District's General Fund, the proceeds of such levies to be used to pay expenses of educational programs and operation, all as more particularly set forth herein; designating the Secretary to the Board and special counsel to receive notice of the ballot title from the Auditor of Spokane County, Washington; and providing for other matters properly related thereto, all as more particularly set forth herein.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF RIVERSIDE SCHOOL DISTRICT NO. 416-62, SPOKANE AND PEND OREILLE COUNTIES, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Riverside School District No. 416-62, Spokane and Pend Oreille Counties, Washington (the "District"), takes note of the following facts and hereby makes the following findings and determinations:

(a) Calendar year 2018 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. 12-14-05, adopted by the Board on December 18, 2014, and a special election held and conducted within the District on February 10, 2015.

(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 which will be available for the General Fund for the school years 2018-2019, 2019-2020, 2020-2021 and 2021-2022 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, 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 \$1,664,500 be made in 2018 for collection in 2019,

\$1,864,200 be made in 2019 for collection in 2020, and \$2,087,900 be made in 2020 for collection in 2021 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) The District is authorized pursuant to Article VII, Section 2(a) of the Washington Constitution and Revised Code of Washington ("RCW") 84.52.053 to submit to the District's voters at a special election, for their approval or rejection, the proposition of whether the District shall levy excess property taxes for support of the District's educational programs and operation expenses.

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 District in the manner provided by law to be held therein on February 13, 2018, for the purpose of submitting to the District's voters, for their approval or rejection, the proposition of whether a replacement General Fund educational programs and operation tax levy shall be made annually for three years commencing in 2018 for collection in 2019 on all of the taxable property within the District of \$1,664,500, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 per \$1,000 of assessed value (such assessed value representing 100% of true and fair value unless specifically provided otherwise by law), in 2019 for collection in 2020 of \$1,864,200, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 per \$1,000 of assessed value, and in 2020 for collection in 2021 of \$2,087,900, the estimated dollar rate of tax levy required to produce such an amount being \$1.50 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 levy.

Section 3. Use of Levy Proceeds. If the proposition authorized by this resolution is approved by the requisite number of voters, the District will be authorized to levy excess property taxes and use the proceeds of such levies to meet the educational needs of its students and pay expenses of educational programs and operation support not funded by the State of Washington, during the school years 2018-2019, 2019-2020, 2020-2021 and 2021-2022, all as may be authorized by law and deemed necessary or 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 deemed necessary and advisable by the Board.

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 1

RIVERSIDE SCHOOL DISTRICT NO. 416-62

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATION LEVY

The Board of Directors of Riverside School District No. 416-62 adopted Resolution No. 11-17-04, concerning a proposition to finance educational programs and operation expenses. This proposition would authorize the District to levy the following excess taxes, to replace an expiring levy, on all taxable property within the District, for support of educational programs and operation expenses not funded by the State:

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2019	\$1.50	\$1,664,500
2020	\$1.50	\$1,864,200
2021	\$1.50	\$2,087,900

all as provided in Resolution No. 11-17-04 and subject to legal limits on levy rates and amounts at the time of levy. 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 his designee is directed to: (a) present a certified copy of this resolution to the Auditor no later than December 15, 2017; 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 of whether the District shall 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 Secretary (Kenneth L. Russell), telephone: 509.464.8201; fax: 509.464.8206; email: ken.russell@rsdmail.org; and (b) special counsel, Foster Pepper PLLC (Jim McNeill), telephone: 509.777.1602; 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, deemed necessary by the Auditor or the Spokane County Prosecuting Attorney.

Section 7. General Authorization and Ratification. The Secretary, the District's Business Manager, the Chair of the Board, other appropriate officers of the District and special counsel, Foster Pepper PLLC, 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 hereby ratified and confirmed in all respects.

Section 8. Severability. If any provision of this resolution shall be 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 shall become effective immediately upon its adoption.

ADOPTED by the Board of Directors of Riverside School District No. 416-62, Spokane and Pend Oreille Counties, Washington, at a regular open public meeting thereof, held this 20th day of November, 2017, the following Directors being present and voting in favor of the resolution.

RIVERSIDE SCHOOL DISTRICT NO. 416-62
SPOKANE AND PEND OREILLE COUNTIES,
WASHINGTON


Chair and Director


Vice Chair and Director

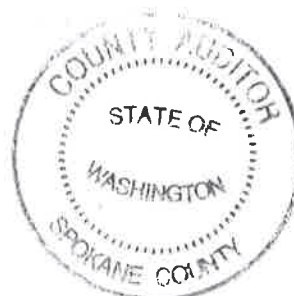

Director



Director


Director

ATTEST:


KENNETH L. RUSSELL
Secretary to the Board of Directors




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CERTIFICATION

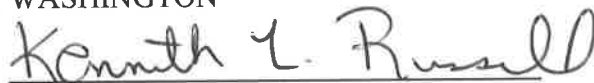
I, KENNETH L. RUSSELL, Secretary to the Board of Directors of Riverside School District No. 416-62, Spokane and Pend Oreille Counties, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. 11-17-04 (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 the regular meeting place thereof on November 20, 2017, as that Resolution appears on the minute book of the District, and the Resolution is now in full force and effect; and

2. 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 20th day of November, 2017.

RIVERSIDE SCHOOL DISTRICT NO. 416-62
SPOKANE AND PEND OREILLE COUNTIES,
WASHINGTON



KENNETH L. RUSSELL
Secretary to the Board of Directors



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