NINE MILE FALLS SCHOOL DISTRICT NO. 325-179
SPokane AND STEVENS COUNTIES, WASHINGTON

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

RESOLUTION NO. 17-20

A RESOLUTION of the Board of Directors of Nine Mile Falls School District No. 325-179, Spokane and Stevens Counties, Washington, providing for the submission to the voters of the District at a special election to be held on February 9, 2021, of a proposition authorizing an excess tax levy to be made annually for three years commencing in 2021 for collection in 2022 of $3,375,550, in 2022 for collection in 2023 of $3,611,575, and in 2023 for collection in 2024 of $3,864,120, for the District’s General Fund to pay expenses of educational programs and operations; 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.

ADOPTED: DECEMBER 1, 2020

This document prepared by:

FOSTER GARVEY P.C.
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Spokane, Washington 99201
(509) 777-1602
A RESOLUTION of the Board of Directors of Nine Mile Falls School District No. 325-179, Spokane and Stevens Counties, Washington, providing for the submission to the voters of the District at a special election to be held on February 9, 2021, of a proposition authorizing an excess tax levy to be made annually for three years commencing in 2021 for collection in 2022 of $3,375,550, in 2022 for collection in 2023 of $3,611,575, and in 2023 for collection in 2024 of $3,864,120, for the District’s General Fund to pay expenses of educational programs and operations, 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.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF NINE MILE FALLS SCHOOL DISTRICT NO. 325-179, SPOKANE AND STEVENS COUNTIES, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the “Board”) of Nine Mile Falls School District No. 325-179, Spokane and Stevens Counties, Washington (the “District”), takes note of the following facts and makes the following findings and determinations:

(a) Calendar year 2021 is the last year of collection of the District’s current three-year General Fund educational programs and operations tax levy, which was authorized pursuant to Resolution No. 14-17, adopted by the Board on December 12, 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 three-year General Fund educational programs and operations tax levy, it appears certain that the money in the District’s General Fund for the school years 2021-2022, 2022-2023, 2023-2024 and 2024-2025 will be insufficient to permit the District to meet the educational needs of its students and pay expenses of educational programs and operations 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 $3,375,550 be made in 2021 for collection in 2022, $3,611,575 be made in 2022 for collection in 2023, and $3,864,120 be made in 2023 for collection in 2024 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 operations tax levy authorized in this resolution provides for approximately the same educational programs and operations purposes as the District’s expiring three-year General Fund educational programs and operations tax levy.

(d) Pursuant to Article VII, Section 2(a) of the Washington Constitution and Revised Code of Washington ("RCW") §4.52.053, 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 operations expenses.

(c) 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 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 will be on file with the District
after approval.

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 9, 2021, 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 operations 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 2021 for collection in 2022 of $3,375,550, the estimated dollar rate of tax levy
required to produce such an amount being $2.50 per $1,000 of assessed value, in 2022 for collection
in 2023 of $3,611,575, the estimated dollar rate of tax levy required to produce such an amount
being $2.50 per $1,000 of assessed value, and in 2023 for collection in 2024 of $3,864,120, the
estimated dollar rate of tax levy required to produce such an amount being $2.50 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 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 operations support not funded by the State during the school
years 2021-2022, 2022-2023, 2023-2024 and 2024-2025, 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.

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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

NINE MILE FALLS SCHOOL DISTRICT NO. 325-179

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

The Board of Directors of Nine Mile Falls School District No. 325-179 adopted Resolution No. 17-20, concerning a proposition to finance educational programs and operations expenses. 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 operations expenses not funded by the State:

<table>
<thead>
<tr>
<th>Collection Year</th>
<th>Estimated Levy Rate/$1,000</th>
<th>Assessed Value</th>
<th>Levy Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$2.50</td>
<td>$3,375,550</td>
<td></td>
</tr>
<tr>
<td>2023</td>
<td>$2.50</td>
<td>$3,611,575</td>
<td></td>
</tr>
<tr>
<td>2024</td>
<td>$2.50</td>
<td>$3,864,120</td>
<td></td>
</tr>
</tbody>
</table>

all as provided in Resolution No. 17-20 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 the Secretary’s designee is directed to: (a) present a certified copy of this resolution to the Auditor and the Auditor of Stevens County, Washington, no later than December 11, 2020; 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 operations 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 (Brian L. Talbott), telephone: 509.688.7814; email: btalbott@9mile.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 Auditor of Stevens County, Washington, 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. General Authorization and Ratification. The Secretary, the District’s Director of Business, the Chair of the Board, other appropriate officers of the District and special counsel, Foster Garvey P.C., 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 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 Nine Mile Falls School District No. 325-179, Spokane and Stevens Counties, Washington, at a special open public meeting, of which due notice was given as required by law, held this 1st day of December, 2020, the following Directors being present and voting in favor of the resolution.

NINE MILE FALLS SCHOOL DISTRICT NO. 325-179
SPOKANE AND STEVENS COUNTIES,
WASHINGTON

Chair and Director

Vice Chair and Director

Director

Director

ATTEST
BRIAN L. TALBOTT
Secretary to the Board of Directors
CERTIFICATION

I, BRIAN L. TALBOTT, Secretary to the Board of Directors of Nine Mile Falls School District No. 325-179, Spokane and Stevens Counties, Washington (the “District”), hereby certify as follows:

1. The foregoing Resolution No. 17-20 (the “Resolution”) is a full, true and correct copy of the Resolution duly adopted at a special meeting of the Board of Directors of the District (the “Board”) held on December 1, 2020 (the “Meeting”), as that Resolution appears on the minute book of the District, and the Resolution is now in full force and effect;

2. Written notice specifying the time, place and access options of the Meeting and noting the business to be transacted (the “Notice”) was given to all members of the Board by mail, fax, electronic mail or by personal delivery at least 24 hours prior to the Meeting (the “Notice”), a true and complete copy of the Notice is attached hereto as Appendix I;

3. The Notice was also posted on the District’s website and prominently displayed at the main entrance of the District’s Administrative Office at least 24 hours prior to the Meeting;

4. The Notice was also given by mail, fax, electronic mail or by personal delivery at least 24 hours prior to the Meeting to each local radio or television station and to each newspaper of general circulation that has on file with the District a written request to be notified of special meetings and to any others to which such notices are customarily given by the District;

5. Pursuant to various proclamations and orders issued by the Governor of the State of Washington, (a) the Meeting was not conducted in person and (b) 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

6. The Meeting was duly convened and held in all respects in accordance with law, a quorum was present throughout the meeting, and a sufficient number of members of the Board so present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of December, 2020.

NINE MILE FALLS SCHOOL DISTRICT NO. 325-179
SPOKANE AND STEVENS COUNTIES,
WASHINGTON

[Signature]
BRIAN L. TALBOTT
Secretary to the Board of Directors
NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that the Board of Directors (the “Board”) of Nine Mile Falls School District No. 325-179, Spokane and Stevens Counties, Washington (the “District”) will hold a special meeting on December 1st, 2020, at 6 P.M., or as soon thereafter as possible (the “Special Meeting”). The Special Meeting is called for the purpose of considering and acting upon Resolution No. 17-20, which provides for the submission to the District’s voters, at a special election to be held on February 9, 2021, of a proposition authorizing the District to impose a three-year Replacement Educational Programs and Operations Levy.

Due to the current State of Emergency caused by the COVID-19 pandemic and the various proclamations and orders issued by the Governor of the State of Washington, public attendance at the meeting will be only by remote telephonic access and, as available, internet access. To attend remotely, please use the following Zoom link https://us02web.zoom.us/j/86449862752?pwd=M3V3eW5FMC81Tk1IYjdn9qM2FDU1FkQT09 (with telephone access at (253)215-8782 or (346)248-7799; Meeting ID: 864 4986 2752; Passcode: 325749). Please call or email Brian Talbott at (509)340-4300 or btalbott@9mile.org if you have any questions regarding attending the meeting remotely.

/s/ Brian L. Talbott
Superintendent and Secretary to the Board of Directors