RESOLUTION NO. 20-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF WEST VALLEY SCHOOL DISTRICT NO. 363, SPOKANE COUNTY, WASHINGTON, PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE DISTRICT AT A SPECIAL ELECTION TO BE HELD THEREIN ON FEBRUARY 9, 2021, OF A PROPOSITION OF WHETHER EXCESS TAXES SHOULD BE LEVIED OF $4,124,175 IN 2021 FOR COLLECTION IN 2022, $4,452,355 IN 2022 FOR COLLECTION IN 2023, AND $4,806,649 IN 2023 FOR COLLECTION IN 2024, SAID EXCESS TAXES TO REPLACE EXPIRING TAXES TO PAY FOR THE DISTRICT’S CAPITAL PROJECTS FUND FOR TECHNOLOGY, SAFETY, SECURITY, AND FACILITIES IMPROVEMENT CAPITAL PROJECTS.

WEST VALLEY SCHOOL DISTRICT NO. 363
Spokane County, Washington

WHEREAS, West Valley School District No. 363, of Spokane County, Washington (hereinafter referred to as the "District"), is a duly incorporated first-class school district operating under and by virtue of the laws of the State of Washington; and

WHEREAS, for the past three (3) years the District has had in effect a capital projects levy in order to enable the District to pay for its the educational facilities, including technology and computer systems and related technology infrastructure; and

WHEREAS, the money in and to be paid into the Capital Projects Fund of the District during the 2021-2022, 2022-2023, 2023-2024 and 2024-2025 school years will be insufficient to enable the District to pay for eligible activities for students attending District schools; and

WHEREAS, in order to support the cost of these 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 three (3) years commencing in 2021 for collection in the years from 2022 through 2024 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 in a special election;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF WEST VALLEY SCHOOL DISTRICT NO. 363, of Spokane County, Washington, as follows:

Section 1. Authorization of Improvements. The District shall modernize District technology capital facilities through the acquisition, development, installation, and implementation of computer technology and technology systems, facilities and projects, including but not limited to enhancing infrastructure, acquiring hardware, licensing software, and implementing online applications and training related to the installation of the foregoing as an integral part of the District’s technology systems, facilities, or projects; and the application and modernization of technology systems for operations and instruction and capital administrative expenses to support the instructional program of the District, including, but not limited to, the ongoing fees for online applications, subscriptions, or software licenses, including upgrades and incidental services, and ongoing training related to the installation and integration of these products or services, and shall make other Capital Projects Fund expenditures as found necessary by the Board of Directors. 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, modernization, replacement, and remodeling of school facilities or implementation of the District’s technology facilities plan.

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, modernization or remodeling of school facilities or implementation of the District’s technology facilities plan.

Section 2. Approval of Form of Ballot. 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 9, 2021.

Spokane County Elections, as ex officio supervisor of elections in Spokane 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 substantially in the following form:
PROPOSITION NO. 2

WEST VALLEY SCHOOL DISTRICT NO. 363

TECHNOLOGY, SAFETY, SECURITY, AND FACILITIES IMPROVEMENT CAPITAL PROJECTS REPLACEMENT LEVY

The Board of Directors of West Valley School District No. 363 passed Resolution No. 20-10 concerning a proposition for a technology, safety, security and facilities improvement capital projects levy. This proposition authorizes the District to levy the following excess taxes to replace an expiring capital projects levy on all taxable property within the District, to support the District’s modernization and upgrades of technology and computer systems for instruction and operations, and other capital project expenditures:

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all as provided in Resolution No. 20-10 and subject to legal limits and rates at the time of the levy. Should this proposition be approved?

CAPITAL PROJECTS LEVY – YES……… ☐

CAPITAL PROJECTS LEVY – NO……… ☐

The Secretary of the Board of Directors of the District is hereby directed to deliver a certified copy of this resolution to Spokane County Elections.

Section 3. 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 9, 2021 election and requests that Spokane 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.

Section 4. 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
Superintendent, Kyle Rydell, telephone: (509) 924-2150; email: kyle.rydell@wvsd.org; and (b) special counsel, Laura McAloon of McAloon Law, PLLC, telephone: (509) 474-0044; email: laura@mcaloon-law.com, as the individuals to whom the Auditor shall provide such notice. The Superintendent is authorized to approve changes to the ballot title, if any, deemed necessary by the Auditor or the Spokane County Prosecuting Attorney.

Section 5. Effective Date. This resolution will become effective immediately upon its adoption.

ADOPTED by the Board of Directors of West Valley School District No. 363, Spokane County, Washington, at a regular meeting thereof, held on the 18th day of November, 2020.

WEST VALLEY SCHOOL DISTRICT NO. 363
SPOKANE COUNTY, WASHINGTON

[Signatures]

President and Director

Director

Director

Director

ATTEST:

[Signature]

Secretary, Board of Directors

[Seal]

Received - Spokane
DEC 07 2020
County Elections
levy is $2.50 per thousand dollars of assessed valuation. The exact levy rate shall be adjusted based upon state statutory levy authority and the actual assessed value of the property within the district at the time of the levy.

Section 6. Effective Date. This resolution will become effective immediately upon its adoption.

ADOPTED by the Board of Directors of West Valley School District No. 363, Spokane County, Washington, at a regular meeting thereof, held on the 18th day of November, 2020.

WEST VALLEY SCHOOL DISTRICT NO. 363
SPOKANE COUNTY, WASHINGTON

President and Director

Director

Director

Director

ATTEST:

Secretary, Board of Directors

(SEAL)
CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of West Valley School District No. 363, Spokane 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. 20-10 of the Board (the “Resolution”), duly adopted at a regular meeting thereof held on the 18th day of November, 2020.

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 passage 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 18th day of November, 2020.

[Signature]
Secretary, Board of Directors

[Seal]
West Valley School District
NO. 363
OFFICIAL SEAL
Spokane, Washington

Received - Spokane
DEC 07 2020
County Elections
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 words “NO.”

PROPOSITION NO. 2
WEST VALLEY SCHOOL DISTRICT NO. 363
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all as provided in Resolution No. 20-10 and subject to legal limits and rates at the time of the levy. Should this proposition be approved?

CAPITAL PROJECTS LEVY – YES........  

CAPITAL PROJECTS LEVY – NO........  

NOTICE
WEST VALLEY SCHOOL DISTRICT NO. 363
SPOKANE COUNTY, WASHINGTON

February 9, 2021

NOTICE IS HEREBY GIVEN that on February 9, 2021, 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

WEST VALLEY SCHOOL DISTRICT NO. 363
TECHNOLOGY, SAFETY, SECURITY, AND FACILITIES IMPROVEMENT CAPITAL PROJECTS REPLACEMENT LEVY

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all as provided in Resolution No. 20-10 and subject to legal limits and rates at the time of the levy. Should this proposition be approved?

CAPITAL PROJECTS LEVY – YES ....... ☐

CAPITAL PROJECTS LEVY – NO ....... ☐