

ROCHESTER SCHOOL DISTRICT NO. 401  
THURSTON, GRAYS HARBOR AND LEWIS COUNTIES, WASHINGTON

REPLACEMENT MAINTENANCE AND OPERATIONS LEVY

RESOLUTION NO. 12-11

A RESOLUTION of the Board of Directors of Rochester School District No. 401, Thurston, Grays Harbor and Lewis Counties, Washington, providing for the submission to the voters of the District at a special election to be held therein on February 14, 2012, of a proposition authorizing a tax levy to be made annually for four years commencing in 2012 for collection in 2013 on all of the taxable property within the District of \$3,523,520, the estimated dollar rate of tax levy required to produce such an amount being \$3.65 per \$1,000 of assessed value (such assessed value representing 100% of true and fair value unless specifically provided otherwise by law), in 2013 for collection in 2014 of \$3,664,460, the estimated dollar rate of tax levy required to produce such an amount being \$3.79 per \$1,000 of assessed value, in 2014 for collection in 2015 of \$3,811,038, the estimated dollar rate of tax levy required to produce such an amount being \$3.87 per \$1,000 of assessed value, and in 2015 for collection in 2016 of \$3,963,480, the estimated dollar rate of tax levy required to produce such an amount being \$3.95 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 part of the general expenses of educational programs, maintenance and operations, 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 Thurston, Grays Harbor and Lewis Counties, Washington; and providing for other matters properly related thereto, all as more particularly set forth herein.

ADOPTED: December 14, 2011

RECEIVED  
KIM WYMAN  
THURSTON COUNTY AUDITOR

DEC 15 2011

AT: 10:18 AM  
BY: L. W. J. DEPUTY

ROCHESTER SCHOOL DISTRICT NO. 401  
THURSTON, GRAYS HARBOR AND LEWIS COUNTIES, WASHINGTON

RESOLUTION NO. 12-11

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BE IT RESOLVED BY THE BOARD OF DIRECTORS OF ROCHESTER SCHOOL DISTRICT NO. 401, THURSTON, GRAYS HARBOR AND LEWIS COUNTIES, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Rochester School District No. 401, Thurston, Grays Harbor and Lewis Counties, Washington (the "District"), hereby makes the following findings and determinations:

(a) Calendar year 2012 is the last year of collection of the District's current two-year General Fund maintenance and operations tax levy, which was authorized pursuant to Resolution No. 09-09, adopted by the Board on December 16, 2009, and a special election held and conducted within the District on February 9, 2010.

(b) With the expiration of the District's current two-year General Fund maintenance and operations tax levy, it appears certain that the money which will be available for the General Fund for the school years 2012-2013, 2013-2014, 2014-2015, 2015-2016 and 2016-2017 will be insufficient to permit the District to meet the educational needs of its students and pay general expenses of educational programs, maintenance and operations support thereof, 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 \$3,523,520 be made in 2012 for collection in 2013,

\$3,664,460 be made in 2013 for collection in 2014, \$3,811,038 be made in 2014 for collection in 2015, and \$3,963,480 be made in 2015 for collection in 2016 for the District's General Fund to provide the money required to meet those expenses.

(c) The District's proposed four-year General Fund maintenance and operations tax levy authorized in this resolution provides for approximately the same purpose as the District's expiring two-year General Fund maintenance and operations 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, maintenance and operations expenses.

Section 2. Calling of Election. The Auditor of Thurston, Grays Harbor and Lewis Counties, Washington, as *ex officio* Supervisor of Elections (the "Auditor"), is requested to call and conduct a special election in the District in the manner provided by law to be held therein on February 14, 2012, for the purpose of submitting to the District's voters, for their approval or rejection, the proposition of whether a replacement General Fund maintenance and operations tax levy shall be made annually for four years commencing in 2012 for collection in 2013 on all of the taxable property within the District of \$3,523,520, the estimated dollar rate of tax levy required to produce such an amount being \$3.65 per \$1,000 of assessed value (such assessed value representing 100% of true and fair value unless specifically provided otherwise by law), in 2013 for collection in 2014 of \$3,664,460, the estimated dollar rate of tax levy required to produce such an amount being \$3.79 per \$1,000 of assessed value, in 2014 for collection in 2015 of \$3,811,038, the estimated dollar rate of tax levy required to produce such an amount being \$3.87 per \$1,000 of assessed value, and in 2015 for collection in 2016 of \$3,963,480, the estimated dollar rate of tax levy required to produce such an amount being \$3.95 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 may be adjusted based upon the actual assessed value of the taxable property within the District at the time of the levy.

Section 3. Use of Levy Proceeds. If such proposition is approved by the requisite numbers 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 the general expenses of educational programs, maintenance and operations thereof during the school years 2012-2013, 2013-2014, 2014-2015, 2015-2016 and 2016-2017, all as may be authorized by law and deemed 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 deemed necessary and advisable by the Board.

Section 4. Form of Ballot Title. Pursuant to RCW 29A.36.071, the Thurston, Grays Harbor and Lewis Counties Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION 1

ROCHESTER SCHOOL DISTRICT NO. 401

REPLACEMENT MAINTENANCE AND OPERATIONS LEVY

The Board of Directors of Rochester School District No. 401 adopted Resolution No. 12-11, concerning a proposition to finance educational programs, maintenance and operations. This proposition would authorize the District to meet the educational needs of its students by levying the following excess taxes, in place of an expiring levy, on all taxable property within the District, for support of the District's educational programs, maintenance and operations expenses:

<u>Collection Year</u>	<u>Approximate Levy</u>	
	<u>Rate/\$1,000</u>	<u>Levy Amount</u>
2013	\$3.65	\$3,523,520
2014	\$3.79	\$3,664,460
2015	\$3.87	\$3,811,038
2016	\$3.95	\$3,963,480

all as provided in Resolution No. 12-11. 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 her designee is directed to: (a) present a certified copy of this resolution to the Auditor at least 46 days prior to the date of such special election; 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, maintenance and operations expenses. All actions of the District or its staff or officers taken prior to the effective date of this resolution and consistent with the objectives and terms of this resolution are ratified and confirmed.

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 the (a) Secretary (Kimberly M. Fry), telephone: 360.273.9242; fax: 360.273.5547; email: [kfry@rochester.wednet.edu](mailto:kfry@rochester.wednet.edu) as the individual to whom the Auditor shall provide such notice. The Secretary is authorized to approve changes to

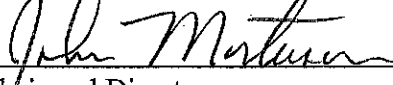
the ballot title, if any, deemed necessary by the Auditor or the Thurston, Grays Harbor and Lewis Counties Prosecuting Attorney.

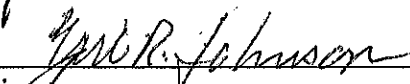
Section 7. Severability. If any provision of this resolution shall be declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provisions of this resolution, or of the levy or collection of excess property taxes authorized herein.

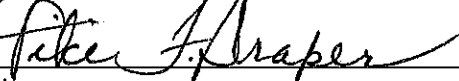
Section 8. Effective Date. This resolution shall become effective immediately upon its adoption.

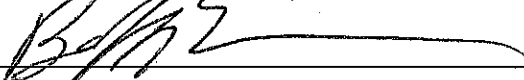
ADOPTED by the Board of Directors of Rochester School District No. 401, Thurston, Grays Harbor and Lewis Counties, Washington, at a regular open public meeting thereof, held this 14<sup>th</sup> day of December, 2011, the following Directors being present and voting in favor of the resolution.


ROCHESTER SCHOOL DISTRICT NO. 401  
THURSTON, GRAYS HARBOR AND LEWIS  
COUNTIES, WASHINGTON

  
\_\_\_\_\_  
Chair and Director

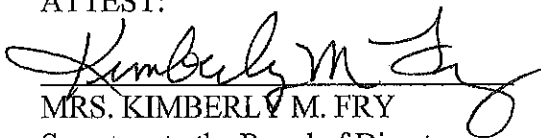
  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

ATTEST:

  
\_\_\_\_\_  
MRS. KIMBERLY M. FRY  
Secretary to the Board of Directors

CERTIFICATION


I, MRS. KIMBERLY M. FRY, Secretary to the Board of Directors of Rochester School District No. 401, Thurston, Grays Harbor and Lewis Counties, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. 12-11 (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 December 14, 2011, 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 14<sup>th</sup> day of December, 2011.

ROCHESTER SCHOOL DISTRICT NO. 401  
THURSTON, GRAYS HARBOR AND LEWIS  
COUNTIES, WASHINGTON

  
MRS. KIMBERLY M. FRY  
Secretary to the Board of Directors