

Ballot Measure Resolution Cover Sheet

This form must be included with each resolution submitted to Douglas County Elections. If you have any questions on how to complete this form please contact Election at 509-888-6407.

Resolution can be delivered to Douglas County Elections by:

mail or in-person: Douglas County Elections email: elections@co.douglas.wa.us
PO Box 456
Waterville, WA 98858

jurisdiction information

Ephrata School District No. 165/55J, Grant and Douglas Counties, Washington

name of jurisdiction

Timothy A. Payne

Superintendent and Secretary to the Board

jurisdiction contact person

title

509.754.2474

tpayne@ephrataschools.org

contact phone

contact email

111 4th Ave. N.W., Ephrata, WA 98823-1690

jurisdiction address

ballot measure information

Election date of participation

February April August November

Replacement Educational Programs and Operation Levy

type of measure (levy, bond, etc.)

Please state the pass/fail requirement for this measure (i.e., Simple Majority, 60%, etc.) as determined by your legal counsel, together with applicable statutory references:

Levy must be approved by a simple majority of the qualified voters with the school district. Applicable statutory references include, among others, Article VII, Section 2(a) of the Washington Constitution and RCW 84.52.053.

voters' pamphlet information

All ballot measures are automatically included in the online voters' guide.

contact information for publication

This contact information will be listed on our Elections Home Page at www.douglascountywa.net, as well as in the online voters' guide. This contact should be able to respond to questions from voters regarding the jurisdiction's ballot measure.

Timothy A. Payne

Superintendent and Secretary to the Board

jurisdiction contact person

title

509.754.2474

tpayne@ephrataschools.org

contact phone

contact email

for office use only

RECEIVED
DEC 03 2020

2:38 pm

Ruth Martin

CCE 4/2015

Douglas County Elections
Waterville, WA



Resolution Cover Sheet
GRANT COUNTY ELECTION DEPARTMENT

This form **must** accompany each resolution. Contact person or persons should have the authority and be available to answer questions.

Name of District: Ephrata School District No. 165/55J, Grant and Douglas Counties, Washington

District Address: 111 4th Ave. N.W., Ephrata, WA 98823-1690

Date of Election: February 9, 2021

Contact Person: Timothy A. Payne Title: Superintendent and Secretary to the Board

Contact Phone Number: 509.754.2474 Fax Number: 509.754.4712

Contact Email: tpayne@ephrataschools.org

2nd Contact Person: Debbie Cook Title: Business Manager

2nd Contact Phone Number: 509.754.2474

2nd Contact Email: dcook@ephrataschools.org

Attorney for District: Jim McNeill, Foster Garvey P.C.

Attorney Phone Number: 509.777.1602 Attorney Fax Number: 800.533.2284

Attorney Email Address: jim.mcneill@foster.com

Type of Election (levy, bond, lid lift etc.): Replacement Educational Programs and Operation Levy

Please state the pass/fail requirement for this measure (i.e., Simple Majority, 60%, etc.) as determined

by your legal counsel, together with applicable statutory references: _____

Levy must be approved by a simple majority of the qualified voters with the school district.

Applicable statutory references include, among others, Article VII, Section 2(a) of the

Washington Constitution and RCW 84.52.053.

The mandatory resolution cover sheet form must accompany the original or certified copy of the resolution.

EPHRATA SCHOOL DISTRICT NO. 165/55J
GRANT AND DOUGLAS COUNTIES, WASHINGTON

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATION LEVY

RESOLUTION NO. 2020-2021-6

A RESOLUTION of the Board of Directors of Ephrata School District No. 165/55J, Grant and Douglas 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 four years commencing in 2021 for collection in 2022 of \$1,855,000, in 2022 for collection in 2023 of \$2,004,000, in 2023 for collection in 2024 of \$2,113,500, and in 2024 for collection in 2025 of \$2,230,000, for the District's General Fund to pay expenses of educational programs and operation; designating the Secretary to the Board and special counsel to receive notice of the ballot title from the Auditor of Grant County, Washington; and providing for other matters properly related thereto.

ADOPTED: NOVEMBER 23, 2020

This document prepared by:

*FOSTER GARVEY P.C.
618 West Riverside Avenue, Suite 300
Spokane, Washington 99201
(509) 777-1602*

EPHRATA SCHOOL DISTRICT NO. 165/55J
GRANT AND DOUGLAS COUNTIES, WASHINGTON

RESOLUTION NO. 2020-2021-6

A RESOLUTION of the Board of Directors of Ephrata School District No. 165/55J, Grant and Douglas 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 four years commencing in 2021 for collection in 2022 of \$1,855,000, in 2022 for collection in 2023 of \$2,004,000, in 2023 for collection in 2024 of \$2,113,500, and in 2024 for collection in 2025 of \$2,230,000, for the District's General Fund to pay expenses of educational programs and operation; designating the Secretary to the Board and special counsel to receive notice of the ballot title from the Auditor of Grant County, Washington; and providing for other matters properly related thereto.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF EPHRATA SCHOOL DISTRICT NO. 165/55J, GRANT AND DOUGLAS COUNTIES, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Ephrata School District No. 165/55J, Grant and Douglas 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 two-year General Fund educational programs and operation tax levy, which was authorized pursuant to Resolution No. 2018-2019-2, adopted by the Board on October 22, 2018, and approved by the voters at a special election held and conducted within the District on February 12, 2019.

(b) With the expiration of the District's current two-year General Fund educational programs and operation tax levy, it appears certain that the money in the District's General Fund for the school years 2021-2022, 2022-2023, 2023-2024, 2024-2025 and 2025-2026 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 \$1,855,000 be made in 2021 for collection in 2022, \$2,004,000 be made in 2022 for collection in 2023, \$2,113,500 be made in 2023 for collection in 2024, and \$2,230,000 be made in 2024 for collection in 2025 for the District's General Fund to provide the money required to meet those expenses.

(c) The District's proposed four-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 two-year General Fund educational programs and operation tax levy.

(d) Pursuant to Article VII, Section 2(a) of the Washington Constitution and Revised Code of Washington ("RCW") 84.52.053, 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 operation expenses.

(e) The District has received approval of its educational programs and operation 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 is on file with the District.

Section 2. Calling of Election. The Auditor of Grant 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 operation 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 four years commencing in 2021 for collection in 2022 of \$1,855,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.85 per \$1,000 of assessed value, in 2022 for collection in 2023 of \$2,004,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.94 per \$1,000 of assessed value, in 2023 for collection in 2024 of \$2,113,500, the estimated dollar rate of tax levy required to produce such an amount being \$1.99 per \$1,000 of assessed value, and in 2024 for collection in 2025 of \$2,230,000, the estimated dollar rate of tax levy required to produce such an amount being \$2.03 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 operation support not funded by the State of Washington during the school years 2021-2022, 2022-2023, 2023-2024, 2024-2025 and 2025-2026, 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.

[Remainder of page intentionally left blank]

Section 4. Form of Ballot Title. Pursuant to RCW 29A.36.071, the Grant 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

EPHRATA SCHOOL DISTRICT NO. 165/55J

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATION LEVY

The Board of Directors of Ephrata School District No. 165/55J adopted Resolution No. 2020-2021-6, concerning a proposition to finance educational programs and operation expenses. This proposition would authorize the District to levy 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 and operation expenses not funded by the State of Washington:

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2022	\$1.85	\$1,855,000
2023	\$1.94	\$2,004,000
2024	\$1.99	\$2,113,500
2025	\$2.03	\$2,230,000

all as provided in Resolution No. 2020-2021-6. 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 Douglas 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 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 (Timothy A. Payne), telephone: 509.754.2474; email: tpayne@ephrataschools.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 Douglas 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 Grant County Prosecuting Attorney.


Section 7. General Authorization and Ratification. The Secretary, the District's Executive Director of Finance and Operations, the President 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 Ephrata School District No. 165/55J, Grant and Douglas Counties, Washington, at a regular open public meeting held this 23rd day of November, 2020, the following Directors being present and voting in favor of the resolution.

EPHRATA SCHOOL DISTRICT NO. 165/55J
GRANT AND DOUGLAS COUNTIES,
WASHINGTON



President and Director




Vice President and Director



Director



Director



Director

ATTEST:



TIMOTHY A. PAYNE
Secretary to the Board of Directors

CERTIFICATION

I, TIMOTHY A. PAYNE, Secretary to the Board of Directors of Ephrata School District No. 165/55J, Grant and Douglas Counties, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. 2020-2021-6 (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 on November 23, 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. 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

3. The Meeting was duly convened and held in all respects in accordance with law, the public was notified of the access options for remote attendance, a quorum was present throughout the meeting through telephonic and/or internet means of remote access, 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 23rd day of November, 2020.

EPHRATA SCHOOL DISTRICT NO. 165/55J
GRANT AND DOUGLAS COUNTIES,
WASHINGTON



TIMOTHY A. PAYNE

Secretary to the Board of Directors