

BATTLE GROUND SCHOOL DISTRICT NO. 119
CLARK COUNTY, WASHINGTON

EDUCATIONAL PROGRAMS AND OPERATIONS REPLACEMENT LEVY

RESOLUTION NO. J-21

A RESOLUTION of the Board of Directors of Battle Ground School District No. 119, Clark County, Washington, providing for the submission to the voters of the District at a special election to be held on November 2, 2021, in conjunction with the State General election to be held on the same date, of a proposition authorizing an excess tax levy to be made annually for four years commencing in 2021 for collection in 2022 of \$26,750,000, in 2022 for collection in 2023 of \$28,200,000, in 2023 for collection in 2024 of \$29,650,000, and in 2024 for collection in 2025 of \$31,100,000, for the District's General Fund to pay expenses of educational programs and operations; designating the District's Chief Financial Officer and special counsel to receive notice of the ballot title from the Auditor of Clark County, Washington; and providing for other related matters.

ADOPTED: JULY 15, 2021

This document prepared by:

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Seattle, Washington 98101
(206) 447-5339*

BATTLE GROUND SCHOOL DISTRICT NO. 119
CLARK COUNTY, WASHINGTON

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BE IT RESOLVED BY THE BOARD OF DIRECTORS OF BATTLE GROUND SCHOOL DISTRICT NO. 119, CLARK COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Battle Ground School District No. 119, Clark County, 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 four-year General Fund educational programs, maintenance and operation tax levy, which was authorized pursuant to Resolution No. P-16, adopted by the Board on December 12, 2016, and approved by the voters at a special election held and conducted within the District on February 14, 2017.

(b) With the expiration of the District's current four-year General Fund educational programs, maintenance 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 continue funding current educational programs and operations expenses 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 \$26,750,000 be made in 2021 for collection in 2022, \$28,200,000 be made in 2022 for collection in 2023, \$29,650,000 be made in 2023 for collection in 2024, and \$31,100,000 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 operations tax levy authorized in this resolution provides for approximately the same educational programs and operations purposes as the District's expiring four-year General Fund educational programs, maintenance 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 operations expenses.

(e) The District has received or, 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 is or will be on file with the District.

Section 2. Calling of Election. The Auditor of Clark County, Washington, as *ex officio* Supervisor of Elections (the “Auditor”), is requested to call and conduct a special election in the manner provided by law to be held in the District on November 2, 2021, in conjunction with the State General election to be held on the same date, 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 four years commencing in 2021 for collection in 2022 of \$26,750,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.99 per \$1,000 of assessed value, in 2022 for collection in 2023 of \$28,200,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.99 per \$1,000 of assessed value, in 2023 for collection in 2024 of \$29,650,000, 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 \$31,100,000, the estimated dollar rate of tax levy required to produce such an amount being \$1.99 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 continue funding current educational programs and operations expenses not funded by the State, including, but not limited to, technology, advanced courses, athletics, extracurricular activities, music, nursing, transportation, special education and student safety, 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 Clark County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION NO. 6

BATTLE GROUND SCHOOL DISTRICT NO. 119

EDUCATIONAL PROGRAMS AND OPERATIONS REPLACEMENT LEVY

The Board of Directors of Battle Ground School District No. 119 adopted Resolution No. J-21, concerning a proposition to continue funding current educational programs and operations. This proposition would authorize the District to levy the following excess taxes, replacing an expiring levy, on all taxable property within the District, for educational programs and operations expenses not funded by the State (including technology, advanced courses, athletics, extracurricular activities, music, nursing, transportation, special education and student safety):

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2022	\$1.99	\$26,750,000
2023	\$1.99	\$28,200,000
2024	\$1.99	\$29,650,000
2025	\$1.99	\$31,100,000

all as provided in Resolution No. J-21. 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 no later than August 3, 2021; 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 District's Chief Financial Officer (Michelle Scott), telephone: 360.885.5311; email: Scott.Michelle@battlegroundps.org; and (b) special counsel, Foster Garvey P.C. (Jim McNeill), telephone: 206.447.5339; 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, determined necessary by the Auditor or the Clark County Prosecuting Attorney.

Section 7. Execution; General Authorization and Ratification. This resolution may be executed by the Directors being present and voting in favor of the resolution, or only the President of the Board (the "President"), and attested by the Secretary, in tangible medium, manual, facsimile or electronic form under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure, or in any other manner evidencing its adoption. The Secretary, the District's Chief Financial Officer, the President and the District's Special Counsel, Foster Garvey P.C., are hereby further severally authorized and directed to take such actions and to create, accept, execute, send, use and rely upon such tangible medium, manual, facsimile or electronic documents, records and signatures under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure, 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 Battle Ground School District No. 119, Clark County, Washington, at a special open public meeting, of which due notice was given as required by law, held this 15th day of July, 2021.

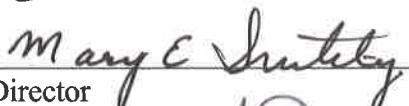
BATTLE GROUND SCHOOL DISTRICT NO. 119
CLARK COUNTY, WASHINGTON



President and Director




Vice President and Director



Director

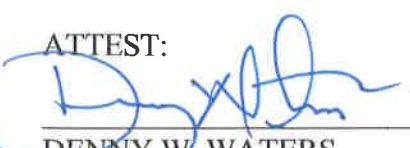


Director



Director

ATTEST:



DENNY W. WATERS
Secretary to the Board of Directors

CERTIFICATION

I, DENNY W. WATERS, Secretary to the Board of Directors of Battle Ground School District No. 119, Clark County, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. J-21 (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 July 15, 2021 ("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 1;

3. At least 24 hours prior to the Meeting, notice was also posted on the District's web site and prominently displayed at the main entrance of the District's Administrative Office at least 24 hours prior to the special meeting and the special meeting site at least 24 hours prior to the special meeting;

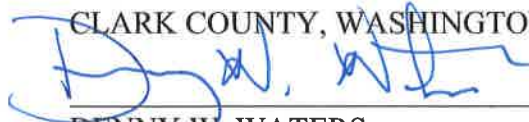
4. The Notice was also given by mail, fax, electronic mail or by personal delivery at least 24 hours prior to the Meeting to each local radio or television station and to each newspaper of general circulation that has on file with the District a written request to be notified of special meetings and 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, 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, the public was notified of the access options for remote attendance, 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 15th day of July, 2021.

BATTLE GROUND SCHOOL DISTRICT NO. 119
CLARK COUNTY, WASHINGTON



DENNY W. WATERS
Secretary to the Board of Directors

APPENDIX 1

COPY OF NOTICE OF SPECIAL MEETING

July 15, 2021 Special Board Meeting

1 message

Lisa Randle <randle.lisa@battlegroundps.org> Mon, Jul 12, 2021 at 3:33 PM
 To: News@clarkcountytoday.com, metrodesk@columbian.com, Meg Wochnick <meg.wochnick@columbian.com>, news@thereflector.com, eric@thereflector.com, Rick <rick@thereflector.com>, Rita Sanders <sanders.rita@battlegroundps.org>, Chris Brown <brown.chris@battlegroundps.org>
 Bcc: scott.michelle@battlegroundps.org

The Battle Ground Public Schools Board of Directors will meet on Thursday, July 15, 2021 at the Lewisville Campus, 406 NW Fifth Avenue, Battle Ground, WA for their Special Board Meeting at 5:00 p.m. Room capacity for in-person citizen attendance is limited to 25. The meeting will also be held via video and phone conferencing technology.

The Washington State Department of Health requires that masks be worn when students are present at school events. In accordance with these requirements all attendees, regardless of vaccination status, must wear masks at school board meetings when students are present.

Hi there,

You are invited to a Zoom webinar.

When: Jul 15, 2021 05:00 PM Pacific Time (US and Canada)

Topic: Special Board Meeting July 15, 2021

Please click the link below to join the webinar:

<https://battlegroundps-org.zoom.us/j/83557141256?pwd=aHVQU0xlZDZ5cEILR0E1ZGI2OUhxdz09>

Passcode: 187492

Or One tap mobile :

US: +12532158782,,83557141256#,,, *187492# or +13462487799,,83557141256#,,, *187492#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592

Webinar ID: 835 5714 1256

Passcode: 187492

International numbers available: <https://battlegroundps-org.zoom.us/j/83557141256?pwd=aHVQU0xlZDZ5cEILR0E1ZGI2OUhxdz09>

The agendas are attached. The packets are now live in BoardDocs.

Have a great day!

Lisa Randle

Administrative Assistant to the Deputy Superintendent
 of Battle Ground Public Schools
 360-885-5338

"Leave things better than you found them"

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Thursday, July 15, 2021 Special Meeting Agenda.pdf

200K



**Thursday, July 15, 2021
Agenda Special Meeting**

5:00 p.m. Lewisville Campus | 406 NW Fifth Avenue | Battle Ground, WA | and Video Conferencing Room capacity for in-person citizen attendance is limited to 25. Anyone attending will be required to sign in, attest that they have no symptoms of COVID-19, and adhere to social distancing of six feet. Attendees must wear masks, unless they attest that they are fully vaccinated, per state requirements.

Join Zoom meeting by clicking on the video icon under the date on the day of the meeting.

Passcode: 187492

Or Telephone:

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 835 5714 1256

Passcode: 187492

1. Call to Order

A. Call to Order

2. Pledge of Allegiance

A. Pledge of Allegiance

3. Roll Call

A. Roll Call

4. Agenda Approval

A. Agenda Approval

5. New Business

A. Approval of Resolution No. J-21, Replacement of Expiring Educational Programs and Operations Levy - Michelle Scott

B. Pro and Con Committee Member Appointment - Michelle Scott

C. Amboy Middle School Covered Play Shed - Kevin Jolma

6. Adjournment

A. Adjourn