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Prop. 10

Clark County Elections
Received
FEB 21 2025

RESOLUTION COVER SHEET

This form MUST accompany each original or certified copy of the resolution. Contact person or persons should have the authority to approve changes and to answer questions.

Name of District: Hockinson School District No. 98, Clark County, Washington

District Address: 17912 NE 159th St, Brush Prairie, WA 98606

Mailing Address: 17912 NE 159th St, Brush Prairie, WA 98606

Date of Election: April 22, 2025

Contact Person: Aaron Villanueva Title: Director of Business Services

Contact Phone Number: (360) 448-6400 x 5101 Contact Email: aaron.villanueva@hocksd.org

2nd Contact Person: Steve Marshall Title: Superintendent

2nd Contact Phone Number: (360) 448-6400 2nd Contact Email: steve.marshall@hocksd.org

Attorney for District: Lee Marchisio, Foster Garvey P.C.

Attorney Phone Number: (206) 447-6264

Attorney Email Address: lee.marchisio@foster.com

Type of election (levy, bond, lid lift, etc.): Capital Levy for Safety, Security and Infrastructure Improvements

Please state the pass/fail requirements for this measure (i.e., simple majority, 60% super majority, etc.)

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

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

See Wash. Const. art. VII, sec. 2(a) and RCW 84.52.053.

HOCKINSON SCHOOL DISTRICT NO. 98
CLARK COUNTY, WASHINGTON

PROPOSITION NO. 10 – CAPITAL LEVY FOR SAFETY, SECURITY AND
INFRASTRUCTURE IMPROVEMENTS

RESOLUTION NO. 24-25-03

A RESOLUTION of the Board of Directors of Hockinson School District No. 98, Clark County, Washington, providing for the submission to the voters of the District at a special election to be held on April 22, 2025, of a proposition authorizing an excess tax levy to be made annually for six years commencing in 2025 for collection in the years 2026 through 2031 in the aggregate total amount of \$12,735,000 for the District's Capital Projects Fund to support the construction, modernization and remodeling of school facilities; designating the Director of Business Services and special counsel to receive notice of the ballot title from the Auditor of Clark County, Washington; and providing for related matters.

ADOPTED: February 20, 2025

This document prepared by:

*FOSTER GARVEY P.C.
1111 Third Avenue, Suite 3000
Seattle, Washington 98101
(206) 447-6264*

HOCKINSON SCHOOL DISTRICT NO. 98
CLARK COUNTY, WASHINGTON

RESOLUTION NO. 24-25-03

A RESOLUTION of the Board of Directors of Hockinson School District No. 98, Clark County, Washington, providing for the submission to the voters of the District at a special election to be held on April 22, 2025, of a proposition authorizing an excess tax levy to be made annually for six years commencing in 2025 for collection in the years 2026 through 2031 in the aggregate total amount of \$12,735,000 for the District's Capital Projects Fund to support the construction, modernization and remodeling of school facilities; designating the Director of Business Services and special counsel to receive notice of the ballot title from the Auditor of Clark County, Washington; and providing for related matters.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF HOCKINSON SCHOOL DISTRICT NO. 98, CLARK COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Hockinson School District No. 98, Clark County, Washington (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) Student, staff and community safety and security concerns, deteriorating infrastructure, and aging school facilities and equipment require the District to support the construction, modernization and remodeling of school facilities, all as more particularly defined and described in Section 2 herein (collectively the "Projects").

(b) It appears certain that the money in the District's Capital Projects Fund for the school years 2025-2026, 2026-2027, 2027-2028, 2028-2029, 2029-2030, 2030-2031 and 2031-2032 will be insufficient to permit the District to pay costs of the Projects, during such school years, and that it is necessary that an excess tax levy of \$1,875,000 be made in 2025 for collection in 2026, \$1,950,000 be made in 2026 for collection in 2027, \$2,050,000 be made in 2027 for collection in 2028, \$2,175,000 be made in 2028 for collection in 2029, \$2,285,000 be made in 2029 for collection in 2030 and \$2,400,000 be made in 2030 for collection in 2031, for the District's Capital Projects Fund to provide the money required to pay those costs.

(c) 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 to support (*i.e.*, to pay or finance) costs of the Projects.

(d) The best interests of the District's students and other inhabitants require the District to carry out and accomplish the Projects.

Section 2. Description of the Projects. The Projects to be paid for with the excess property taxes authorized herein are more particularly defined and described as follows:

(a) Make safety, security and infrastructure improvements throughout existing school facilities, including, but not limited to: (1) upgrading, acquiring, installing, implementing and improving secure entries, automatic door locks, emergency communication systems, telephone systems and other safety and security systems; (2) improving traffic flow, classroom safety, campus security, and other school facilities at Hockinson (3) making other safety, security, infrastructure and facility upgrades districtwide, all as determined necessary and advisable by the Board.

(b) Acquire, construct and install all necessary furniture, equipment, apparatus, accessories, fixtures and appurtenances in or for the foregoing, all as determined necessary and advisable by the Board.

(d) Pay incidental costs incurred in connection with carrying out and accomplishing the Projects. Such incidental costs constitute a part of the Projects and include, but are not limited to: (1) payments for fiscal and legal costs; (2) costs of establishing and funding accounts; (3) necessary and related engineering, architectural, planning, consulting, permitting, inspection and testing costs; (4) administrative and relocation costs; (5) site acquisition and improvement costs; (6) demolition costs; (7) costs related to demolition and/or deconstruction of existing school facilities to recycle, reclaim and repurpose all or a portion of such facilities and/or building materials; (8) costs of on and off-site utilities and road improvements; and (9) costs of other similar activities or purposes, all as determined necessary and advisable by the Board.

The Projects, or any portion or portions thereof, shall be acquired or made insofar as is practicable with available money and in such order of time as shall be determined necessary and advisable by the Board. The Board shall determine the application of available money between the various parts of the Projects so as to accomplish, as near as may be, all of the Projects. The Board shall determine the exact order, extent and specifications for the Projects. The Projects are to be more fully described in the plans and specifications to be filed with the District.

Section 3. 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 April 22, 2025, for the purpose of submitting to the District's voters, for their approval or rejection, a proposition authorizing a Capital Projects Fund excess property 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 six years commencing in 2025 for collection in 2026 of \$1,875,000, the estimated dollar rate of tax levy required to produce such an amount being \$0.66 per \$1,000 of assessed value, in 2026 for collection in 2027 of \$1,950,000, the estimated dollar rate of tax levy required to produce such an amount being \$0.66 per \$1,000 of assessed value, in 2027 for collection in 2028 of \$2,050,000, the estimated dollar rate of tax levy required to produce such an amount being \$0.67 per \$1,000 of assessed value, in 2028 for collection in 2029 of \$2,175,000, the estimated dollar rate of tax levy required to produce such an amount being \$0.68 per \$1,000 of assessed value, in 2029 for collection in 2030 of \$2,285,000, the estimated dollar rate of tax levy required to produce such an amount being \$0.69 per \$1,000 of assessed value, and in 2030 for collection in 2031 of \$2,400,000, the estimated dollar rate of tax levy required to produce such an amount being \$0.69 per \$1,000 of assessed value, all in excess of the maximum tax levy allowed 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 4. 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 pay costs of the Projects, all as may be authorized by law and determined necessary and advisable 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.

Section 5. Sufficiency of Taxes. If the excess property taxes authorized herein are more than sufficient to carry out the Projects, or should state or local circumstances require any alteration in the Projects, the District may apply such taxes to other capital purposes, or reduce or eliminate the excess property tax levies authorized herein, all as the Board may determine by resolution and as permitted by law.

If the Board determines that it has become impractical to accomplish the Projects or any portion thereof by reason of state or local circumstances, including changed conditions or needs, regulatory considerations, incompatible development or costs substantially in excess of those estimated, or for any other reason determined by the Board, the District will not be required to accomplish such Projects and may apply the excess property taxes authorized herein or any portion thereof to other capital purposes of the District, or reduce or eliminate the excess property taxes authorized herein, all as the Board may determine by resolution and as permitted by law. In the event that the excess property taxes, plus any other money of the District legally available therefor, are insufficient to accomplish all of the Projects, the District may use the available money for paying the cost of that portion of the Projects that the Board determines most necessary and in the best interests of the District.

Notwithstanding anything in this resolution to the contrary, the excess property taxes authorized herein may be used to support the construction, modernization and remodeling of school facilities as authorized by law.

[Remainder of page intentionally left blank]

Section 6. 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. 10

HOCKINSON SCHOOL DISTRICT NO. 98

CAPITAL LEVY FOR SAFETY, SECURITY AND INFRASTRUCTURE
IMPROVEMENTS

The Board of Directors of Hockinson School District No. 98 adopted Resolution No. 24-25-03, concerning a proposition to fund safety, security and infrastructure improvements. This proposition would authorize the District to levy the following excess taxes, upon all taxable property within the District, to fund secure entries, automatic door locks and emergency communication systems; improve traffic flow and campus security at Hockinson Heights Elementary; upgrade facilities districtwide:

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2026	\$0.66	\$1,875,000
2027	\$0.66	\$1,950,000
2028	\$0.67	\$2,050,000
2029	\$0.68	\$2,175,000
2030	\$0.69	\$2,285,000
2031	\$0.69	\$2,400,000

all as provided in Resolution No. 24-25-03. Should this proposition be approved?

LEVY ... YES

LEVY ... NO

Section 7. Authorization to Deliver Resolution to Auditor and Perform Other Necessary Duties. The Secretary to the Board (the “Secretary”) or the Secretary’s designee is authorized and directed to: (a) present a certified copy of this resolution to the Auditor no later than February 21, 2025; 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 annual excess property taxes to pay costs of the Projects.

Section 8. 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 Director of Business Services (Aaron Villanueva), telephone: 360.448.6400 x5101; email: aaron.villanueva@hocksd.org; and (b) special counsel, Foster Garvey P.C. (Lee Marchisio), telephone: 206.447.6264; email: lee.marchisio@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 9. 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 Chair of the Board (the “Chair”), 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 Chair, the District’s Director of Business Services, other appropriate officers of the District 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 10. 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 11. Effective Date. This resolution takes effect from and after its adoption.

ADOPTED by the Board of Directors of Hockinson School District No. 98, Clark County, Washington, at a special open public meeting, of which due notice was given as required by law, held on February 20, 2025.

HOCKINSON SCHOOL DISTRICT NO. 98
CLARK COUNTY, WASHINGTON

Gordon Smith

Chair and Director

Anne-Elissa C Carter

Vice Chair and Director

Jeresa Van Natta

Director

Patrick Carter

Director

Director

ATTEST:

Steve Marshall

STEVEN MARSHALL

Secretary to the Board of Directors

CERTIFICATION

I, STEVEN MARSHALL, Secretary to the Board of Directors of Hockinson School District No. 98, Clark County, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. 24-25-03 (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 at its regular meeting place on February 20, 2025 (the "Meeting"), as that Resolution appears in the records of the District, and the Resolution is now in full force and effect;

2. Written notice specifying the time, place 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, a true and complete copy of the Notice is attached hereto as Appendix 1;

3. The Notice was also posted on the District's website and prominently displayed at the main entrance of the District's Administrative Office and the entrance to the special meeting location 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; and

5. The Meeting was duly convened and held in all respects in accordance with law, 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 as of February 20, 2025.

HOCKINSON SCHOOL DISTRICT NO. 98
CLARK COUNTY, WASHINGTON

Steve Marshall

STEVEN MARSHALL
Secretary to the Board of Directors