

# Pierce County Mandatory Resolution Cover Sheet

This form must accompany each resolution that is submitted. Contact person or persons should have the authority to approve the completed ballot title(s). **It is very important that the contact person be available until this process is completed.**

Name of District: Peninsula School District No. 401

Date of Election: February 3, 2009

Contact Person: Charles E. Cuzzetto Title: Deputy Superintendent

Contact Phone Number: 253-530-1004 Fax Number: 253-530-1010

Contact Person: Karen K. Sexsmith Title: Finance Director

Contact Phone Number: 253-530-1020 Fax Number: 253-530-1025

District Address: 14015 62nd Ave. NW, Gig Harbor, WA 98332

Contact Email: Cuzzettoc@psd401.net Sexsmithk@psd401.net

Type of Election (levy, bond, etc.): Levy  
(i.e. lid lift, benefit charge)

Attorney for District: K & L Preston Gates Ellis LLP - Cynthia M. Weed

Attorney Phone Number: 206-370-7801 Attorney Fax Number: \_\_\_\_\_

Attorney Email Address: cynthia.weed@klgates.com

Are you requesting a Vote by Mail Election? Yes  No

Is it included with resolution? Yes  No

Is there a separate letter requesting it? Yes  No

-If no letter, you will need to send in a letter stating your request within 5 working days.

Special Instructions: \_\_\_\_\_

\_\_\_\_\_  
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PENINSULA SCHOOL DISTRICT NO. 401  
PIERCE COUNTY, WASHINGTON

REPLACEMENT EDUCATIONAL MAINTENANCE AND OPERATIONS LEVY

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RESOLUTION NO. 08-06

A RESOLUTION of the Board of Directors of Peninsula School District No. 401, Pierce County, Washington, providing for the submission to the qualified electors of the District at a special election to be held therein on February 3, 2009, of the proposition of whether excess taxes should be levied of \$16,502,732 in 2009 for collection in 2010, \$17,162,841 in 2010 for collection in 2011, and \$18,020,983 in 2011 for collection in 2012, said excess taxes to pay part of the educational maintenance and operations support of the District.

ADOPTED NOVEMBER 13, 2008

PREPARED BY:

K&L PRESTON GATES ELLIS LLP  
Seattle, Washington

DEC 12 2008

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PAT McCARTHY

WHEREAS, Peninsula School District No. 401, Pierce County, Washington (the "District"), for the past four years has had in effect a maintenance and operations levy in order to enable the District to pay for its educational programs and services, including teaching, school supplies, technology, athletics, buildings and transportation; and

WHEREAS, the current maintenance and operations levies expire this year; and

WHEREAS, the money in and to be paid into the General Fund of the District during the 2009-2010, 2010-2011, 2011-2012 and 2012-2013 school years will be insufficient to enable the District to pay for necessary maintenance and operations and to properly meet the educational needs of the students attending District schools; and

WHEREAS, in order to properly provide for such maintenance and operations and such educational needs, the Board of Directors of the District deems it necessary to levy the following taxes upon all of the taxable property within the District in excess of the maximum annual tax levy permitted by law to be levied within the District without a vote of the electors:

- A. A tax of approximately \$1.32 per thousand dollars of assessed valuation to provide \$16,502,732, said levy to be made in 2009 for collection in 2010;
- B. A tax of approximately \$1.32 per thousand dollars of assessed valuation to provide \$17,162,841, said levy to be made in 2010 for collection in 2011; and
- C. A tax of approximately \$1.32 per thousand dollars of assessed valuation to provide \$18,020,983, said levy to be made in 2011 for collection in 2012;

WHEREAS, the Constitution and laws of the State of Washington require that the question of whether or not such excess taxes may be levied must be submitted to the qualified electors of the District for their ratification or rejection;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF PENINSULA SCHOOL DISTRICT NO. 401, PIERCE COUNTY, WASHINGTON, as follows:

Section 1. The following taxes for the District's General Fund should be levied upon all of the taxable property within the District in excess of the maximum annual tax levy permitted by law to be levied within the District without a vote of the electors:

- A. \$16,502,732, said levy to be made in 2009 for collection in 2010;
- B. \$17,162,841, said levy to be made in 2010 for collection in 2011; and
- C. \$18,020,983, said levy to be made in 2011 for collection in 2012;

The estimated levy rate depends upon the final dollar amount of assessed value of the property within the District. At this time, based upon information provided by the Pierce County Assessor's office, the estimated levy rate for the 2009 levy is \$1.32 per thousand dollars of assessed valuation (\$12,502,069,664 of assessed value), the estimated levy rate for the 2010 levy is \$1.32 per thousand dollars of assessed valuation (\$13,002,152,450 of assessed value), and the estimated levy rate for the 2011 levy is \$1.32 per thousand dollars of assessed valuation (\$13,652,260,073 of assessed value). The exact levy rate shall be adjusted based upon the actual assessed value of the property within the District at the time of the levy. Upon approval by the voters of the proposition substantially in the form set forth below, the District may use the proceeds of said levies during the 2009-2010, 2010-2011, 2011-2012 and 2012-2013 school years by incurring an indebtedness by the issuance of short term obligations against the General Fund of the District, as authorized by Chapter 39.50 RCW, and may expend the proceeds of said levies to pay such part of the general

expenses of maintenance and operations of the District during such school years as may be authorized or allowed by law for the use of excess levy funds.

Section 2. 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 3, 2009. -

The Pierce County Auditor, as ex officio supervisor of elections in Pierce 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. 1

PENINSULA SCHOOL DISTRICT NO. 401  
REPLACEMENT EDUCATIONAL MAINTENANCE AND OPERATIONS LEVY

The Board of Directors adopted Resolution #08-06 concerning educational funding. This proposition authorizes the District to levy the following excess taxes, to replace an expiring levy, on all taxable property within the District, to support the District's educational maintenance and operations:

<u>Collection Years</u>	<u>Approximate Levy Rate/\$1,000 Assessed Value</u>	<u>Levy Amount</u>
2010	\$ 1.32	\$ 16,502,732
2011	1.32	17,162,841
2012	1.32	18,020,983

Should this proposition be approved?

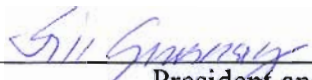
YES .....

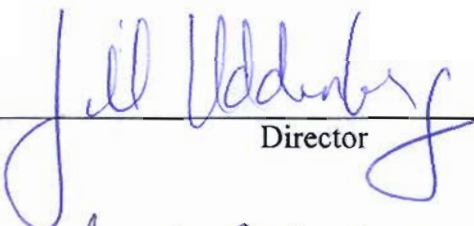
NO .....


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

ADOPTED by the Board of Directors of Peninsula School District No. 401, Pierce County, Washington, at a regular meeting thereof, held on the 13<sup>th</sup> day of November, 2008.

PENINSULA SCHOOL DISTRICT NO. 401,  
PIERCE COUNTY, WASHINGTON

  
\_\_\_\_\_  
President and Director

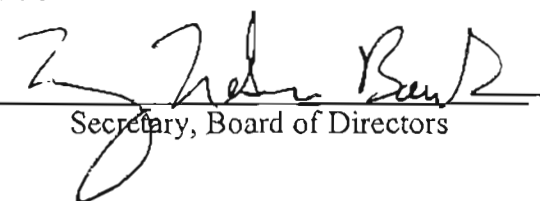
  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors

RECEIVED  
Pierce County Auditor  
DEC 12 2008  
Pat McCarthy

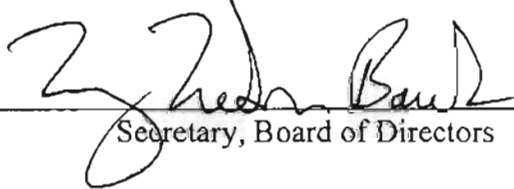
CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Peninsula School District No. 401, Pierce 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. 08-06 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 13th day of November, 2008.

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 13th day of November, 2008.

  
Secretary, Board of Directors



# Pierce County

## Auditor's Office

**Pat McCarthy**  
Pierce County Auditor

**Keri Rawlings-Rooney**  
Chief Deputy Auditor

December 15, 2008

**Mary Schmidtke**  
Fiscal Manager

**Steve Kosche**  
Department Information  
Specialist

Charles E. Cuzzetto  
Deputy Superintendent  
Peninsula School District No. 401  
14015 62<sup>nd</sup> Avenue NW  
Gig Harbor, WA 98332

**Lori Augino**  
Elections Manager

Dear Mr. Cuzzetto:

**Michael Rooney**  
Elections Supervisor

This letter is to confirm that Resolution No. 08-06 was received in our office on December 12, 2008 requesting that the Auditor call for a Special Election in your district to be held on February 3, 2009. As per your request this election will be held all vote by mail and no polling places will be open.

**Lisa Drury**  
Recording/Licensing  
Animal Services

The ballot title has been sent to the Prosecuting Attorney for review and in accordance with RCW 29A.36.080 a copy with any changes, additions or deletions which may be necessary will be forwarded as soon as possible.

**Patti Shay**  
Licensing Supervisor

If you have any questions, please contact my Elections Supervisor Mike Rooney at (253) 798-2148.

**Tim Anderson**  
Animal Control Supervisor

Sincerely,

**Mike Fitza**  
Info. Tech. Specialist

Lori Augino  
Pierce County Elections Manager

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2401 South 35th Street, Room 200 • Tacoma, WA 98409-7481  
[www.piercecountywa.org/auditor](http://www.piercecountywa.org/auditor)

Administration  
P 253.798.3189  
F 253.798.3182

Elections  
P 253.798.7430  
F 253.798.2761  
P 800.446.4979

Recording  
P 253.798.7440  
F 253.798.2623

Licensing  
P 253.798.3649  
F 253.798.3701

**SPECIAL ELECTION - PROPOSITION NO. 1  
SUBMITTED BY PENINSULA SCHOOL DISTRICT NO. 401  
REPLACEMENT EDUCATIONAL MAINTENANCE AND OPERATIONS LEVY**

**Official Ballot Title:** The Board of Directors of Peninsula School District No. 401 adopted Resolution No. ~~08-06~~ concerning educational funding. If passed, Proposition No. 1 would authorize the District to levy the following excess taxes on all taxable property within the District to replace an expiring levy in order to support the District's educational maintenance and operations, all as provided in Resolution No. ~~08-06~~:

08-06:

<u>Collection Year</u>	<u>Approximate Levy Rate Per \$1,000 of Assessed Value</u>	<u>Levy Amount</u>
2010	\$1.32	\$ 16,502,732
2011	\$1.32	\$ 17,162,841
2012	\$1.32	\$ 18,020,983

Should Proposition No. 1 be approved?

Yes.....[ ]

No.....[ ]

I approve this ballot title for my district.

Signed:

Title: Deputy Superintendent, PSD

Date: 12/14/08



**SPECIAL ELECTION - PROPOSITION NO. 1  
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08-06:

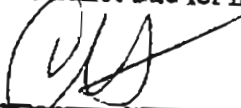
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	<u>Per \$1,000 of Assessed Value</u>	<u>Levy Amount</u>
2010	\$1.32	\$ 16,502,732
2011	\$1.32	\$ 17,162,841
2012	\$1.32	\$ 18,020,983

Should Proposition No. 1 be approved?

Yes.....[ ]

No.....[ ]

I approve this ballot title for my district.

Signed:   
 Title: Deputy Superintendent, PSD  
 Date: 12/16/08

