

**LEGAL ACTION REQUEST
FOR CLALLAM COUNTY PROSECUTING ATTORNEY**

DEPARTMENT: Auditor DATE: December 6, 2023

Legal action requested or question you desire to be answered:

Please prepare a ballot title for Crescent School District 313 for inclusion in the 2024 February Special Election. Attached is their Resolution No. 202308: Replacement of Expired Levy for Capital Projects.

If you have any questions please contact me, my extension is 2222.

If request is for contract review:

- Is this for a subcontract under a grant or other contract for private, state or federal funding? Yes [] No [X]
- Have you previously submitted subcontracts under the grant or contract for review? Yes [] No [X]
- If both responses are "yes," identify:
Granting/contracting entity:
Grant/contract number:
Date of grant/contract: _____
- If the first is answered "yes" and the second "no," please provide a copy of the grant or contract.

Legal action needed by: December 18, 2020^{5 3}

Please attach any materials necessary or helpful to the attorney in accomplishing this request.

Shoona Riggs
Official Requesting Action Ext. 2222

PROSECUTING ATTORNEY USE ONLY:

Referring Dept.	_____
Date Received	_____
Opinion Rendered	_____
Reviewed by DSK	_____

Resolution Cover Sheet

Please include this form with each resolution.

Name of District: Crescent School District #313

District Address: 50350 Highway 112 West, Port Angeles, WA 98343

Date of Election: February 13, 2024

Contact Person/Title: David Bingham, Superintendent

Contact Phone: 360-460-8336 Email: dbingham@csd313.org

Attorney for District: Lorraine Wilson, Porter Foster Rorick

Attorney Phone: (206) 622-0203 Email: lorraine@pfrwa.com

Type of Election (levy, bond, lid lift, etc.): Capital Projects Levy

Please state the pass/fail requirement for this measure (simple majority, supermajority, 60% plus validation, etc.) as determined by your legal counsel:

Simple Majority

Questions?

Clallam County Elections Division
Phone: 360-417-2217
Email: elections@co.clallam.wa.us

RECEIVED

NOV 28 2023

CLALLAM CO AUDITOR



EXPLANATORY STATEMENT FOR PROPOSITION

CAPITAL PROJECTS LEVY

Passage of this proposition would help Crescent School District fund improvements to school facilities not funded by the State, including, the construction, modernization, replacement or upgrading of school facilities; renovation and rehabilitation of playfields, athletic fields, and other district real property; the purchase or installation of additional major items of equipment and furniture not including vehicles; major equipment repair; and painting of facilities

Passage of this proposition would authorize the collection of taxes to provide up to total amount of \$125,000 per year, 2025 to 2028. The tax levy rate required to produce these levy amounts is estimated to be between \$0.17 and \$.19 (estimated levy rate per \$1,000 of assessed value).

Exemptions from taxes may be available to certain homeowners. For more information, please call Clallam County Assessor at 360.417.2400.

(137 words – 150 allowed)



CRESCENT SCHOOL DISTRICT
CLALLAM COUNTY WASHINGTON

REPLACEMENT OF EXPIRED LEVY FOR
CAPITAL PROJECTS

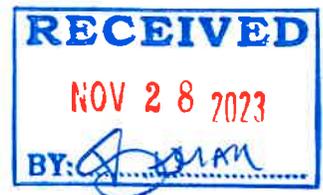
RESOLUTION NO. 202308

A RESOLUTION of the Board of Directors of Crescent School District, Clallam County, Washington, providing for the submission to the qualified electors of the District at a special election to be held therein on February 13, 2024, of a proposition to authorize the District to levy a tax to provide a total of \$500,000 for the District's Capital Projects Fund for construction, modernization, or replacing and upgrading school facilities and building systems, such levies to be made for four years commencing in 2024 for collection in the school years from 2024-2025 through 2027-2028.

ADOPTED November 21, 2023

PREPARED BY:

Porter Foster Rorick LLP
Seattle, Washington



WHEREAS, the educational facilities of Crescent School District, Clallam County,

Washington (the “District”), are in need of construction, modernization, or replacing and upgrading to meet the current and future educational and operational needs for its students; and

WHEREAS, funds available to the District will be insufficient to enable the District to implement such projects; and

WHEREAS, in order to support the cost of these projects as found necessary by the Board of Directors, it is deemed advisable that the District levy a tax upon all the taxable property within the District in excess of the annual tax the District is permitted by law to levy without a vote of the people, such levy to be made for four years commencing in 2024 for collection in the school years from 2024-2025 through 2027-2028 inclusive, as authorized by Article VII, Section 2 of the State Constitution and RCW 84.52.053; and

WHEREAS, the question of whether or not such excess tax may be levied must be submitted to the qualified electors of the District for their ratification or rejection; and

WHEREAS, the conditions here and above set forth require the holding of a special election in the District;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CRESCENT SCHOOL DISTRICT, CLALLAM COUNTY, WASHINGTON as follows:

Section 1. Finding. It is hereby found and declared that the welfare of the students and other residents of the District requires the District to carry out the improvements hereinafter provided.

Section 2. Authorization of Improvements. The District shall modernize its educational and operational facilities through the construction, modernization, replacing or upgrading of school facilities, including major renovation and replacement of facilities and systems where periodical repairs are no longer economical or to extend the useful life of the facility beyond its original planned useful life; renovation and rehabilitation of playfields, athletic fields, and other district real property; the conduct of preliminary energy audits and energy audits of school district buildings; energy capital improvements as provided in RCW 28A.320.330; the purchase or installation of additional major items of equipment and furniture not including vehicles; major equipment repair, painting of facilities, and repairs for other major preventative purposes; and shall make other capital expenditures, to the full extent permitted by law, as determined by the Board of Directors.

The District may repay any obligations hereafter incurred for the foregoing purposes.

If any or all of the improvements have been completed, or their completion duly provided for, or their completion found to be impractical, the District may apply the levy proceeds or any portion thereof to other portions of the improvements or to other capital purposes of the District, as the District in its discretion shall determine. Notwithstanding any provision of this resolution to the contrary, levy proceeds may only be used to support the construction, modernization or remodeling of or maintenance to school facilities as described above or as

authorized by the Board of Directors.

Section 3. Authorization of Levies. 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 whether the District shall make the Capital Projects Fund levies for their ratification or rejection at a special election to be held on February 13, 2024. For the purpose of providing funds necessary for the needs described in Section 2 above, the Clallam County Auditor, as ex-officio supervisor of elections in Clallam County, is hereby requested to call and conduct such special election to be held by an all mail-in ballot within the District on said date and to submit to the qualified electors of the District for their approval or rejection, a proposition providing for tax levies for the Capital Projects Fund for four years, commencing in 2024, producing dollar amounts at estimated tax rates per thousand dollars of assessed value to produce such amounts, in excess of the maximum amount tax levy permitted by law to be levied within the District without a vote of the electors, all as follows:

- A. \$125,000, said levy to be made in 2024 for collection in 2025; and
- B. \$125,000, said levy to be made in 2025 for collection in 2026, and
- C. \$125,000, said levy to be made in 2026 for collection in 2027; and
- D. \$125,000, said levy to be made in 2027 for collection in 2028.

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 Clallam County Assessor's office, the estimated levy rate for the 2024 levy for collection in 2025 is \$0.188 per thousand dollars of assessed valuation; the estimated levy rate for the 2025 levy for collection in 2026 is \$0.182 per thousand dollars of assessed valuation; the estimated levy rate for the 2026 levy for collection in 2027 is \$0.177 per thousand dollars of assessed valuation; and the

estimated levy rate for the 2027 levy for collection in 2028 is \$0.172 per thousand dollars of assessed valuation. 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.

Section 4. Approval of Form of Ballot. The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition to the Clallam County Auditor, as ex-officio supervisor of elections in Clallam County, substantially in the following form.

PROPOSITION NO. _____

CRESCENT SCHOOL DISTRICT
CAPITAL PROJECTS LEVY

The Board of Directors of Crescent School District adopted Resolution No. 202308. The proposition authorizes the construction, modernization, replacement or upgrading of school facilities; renovation and rehabilitation of playfields, athletic fields, and other district real property; the purchase or installation of additional major items of equipment and furniture not including vehicles; major equipment repair; and painting of facilities, and authorizes the following excess levies for such purposes on all taxable property within the District:

<u>Collection Years</u>	<u>Approximate Levy Rate/\$1,000 Assessed Value*</u>	<u>Levy Amount</u>
2025	\$0.188	\$ 125,000
2026	\$0.182	\$ 125,000
2027	\$0.177	\$ 125,000
2028	\$0.172	\$ 125,000

all as provided in District Resolution No. 202308. Should this proposition be approved?

YES

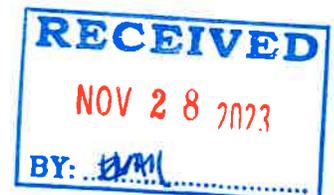
NO

The Secretary of the Board of Directors is hereby authorized to deliver a certified copy of this resolution to the Clallam County Auditor.

Section 5

Pursuant to authority granted by RCW 29A.32.220, the Board hereby authorizes the District's participation in the electronic local voters' pamphlet for the February 13, 2024 election and requests that the Clallam County Auditor prepare and publish an electronic voter's pamphlet for this proposition. The District understands and agrees that it will be required to pay its proportionate share of the expenses of the electronic voters' pamphlet.

Section 6



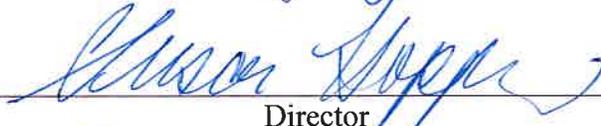
For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates District Superintendent David Bingham, telephone: (360) 928-3311, email: dbingham@csd313.org, as the individual to whom the Auditor shall provide such notice. The Superintendent is authorized to approve changes to the ballot title, if any, deemed necessary by the Auditor or the Clallam County Prosecuting Attorney.

ADOPTED by the Board of Directors of Crescent School District, Clallam County, Washington, at a special meeting thereof, held this 21st day of November, 2023.

CRESCENT SCHOOL DISTRICT,
CLALLAM COUNTY, WASHINGTON



President and Director



Director



Director



Director



Director

ATTEST:



Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Crescent School District, Clallam 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. 202308 of the Board (the "Resolution"), duly adopted at a special meeting thereof held on the 21st day of November 2023.

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 adoption 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 21st day of November 2023.

De2 Bl

Secretary, Board of Directors



Committee Member Appointment Form

Committee "For" and "Against" Appointment Form

Name of Jurisdiction/Proposition No.: Crescent School District Proposition # Capital Projects Levy

Jurisdiction Contact Name: David L. Bingham, Superintendent

Email: dbingham@csd313.org Phone: 360- 460- 8336

Jurisdiction's responsibility:

1. Submit completed form to Clallam County Elections Division on or before the resolution submittal deadline:
2. Provide committee members with statement submission requirements and deadlines. (Requirements and deadlines can be found in the Elections Guide for Jurisdictions and Candidates.)
elections@clallamcountywa.gov Questions? Call (360) 417-2217

"For" Committee (1-3 members)
*1st Committee Member:
Name <p style="text-align: center;">Steve Singhose</p>
Email <p style="text-align: center;">crescentlevy@gmail.com</p>
Phone
Website <p style="text-align: center;">https://sites.google.com/view/crescent-school-levy</p>
2nd Committee Member:
Name <p style="text-align: center;">Roy Scott Averett AVBETT</p>
Email <p style="text-align: center;">Crescentlevy@gmail.com</p>
3rd Committee Member:
Name <p style="text-align: center;">Amanda Stanley</p>
Email <p style="text-align: center;">crescentlevy@gmail.com</p>

"Against" Committee (1-3 members)
*1st Committee Member:
Name
Email
Phone
Website
2nd Committee Member:
Name
Email
3rd Committee Member:
Name
Email

*1st Committee Member must provide at least one method of contact, which will be published in the voters guide.



Proposition ?? ~~Capital Levy~~

Vote Yes on the Crescent Capital Levy

Crescent School District asked for a Capital Projects levy in February 2020 identifying several projects. The district is grateful to the voters' for their trust and pleased to share that almost all of those projects funded in the last levy have been completed. This February the district is asking voters to support efforts to prolong the useful life of some facilities and buildings by renewing the levy again. The district wishes to upgrade and repair buildings and facilities that are 50 years old or older. During the past summer and fall the school board received input from, staff, students, and Community members identifying projects that need urgent repair and upgrades. Projects such as the shop roof, library and main office plumbing, playground black top, gym heaters, and other HVAC systems. Additionally, facility grounds drainage systems just west of the gym entrance need to be replaced. The upgrades will prolong the useful life of facilities, and increase safety and security needs throughout the campus. As the total cost of all the identified projects exceeds the amount asked for in the levy request, the district intends to partner the Capital Projects levy monies with other district funds and apply for grants to be able to complete the projects identified over the next four years.

Steve Singhose, Chair
Citizens for Crescent Kids
<https://sites.google.com/view/crescent-school-levy>
Crescentlevy@gmail.com

