

**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. 202307: Replacement of Expiring Levy for Educational Programs and Operations.

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 15, 2023

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	_____

EPO

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.): Levy: Enrichment Educational Programs & Operations

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



EPO

EXPLANATORY STATEMENT FOR PROPOSITION

REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATION LEVY

Passage of this proposition would help Crescent School District fund educational programs and operation not funded by the State, including meals, technology for students and staff, other school supplies, athletics and activities, professional development for educators, and transportation and facility maintenance and operations. The proposed levy will replace the District's current levy approved by voters in 2021 that expires at the end of calendar year 2025.

Passage of this proposition would authorize the collection of taxes to provide up to \$690,000 each year from 2025 through and including 2028. The tax levy rate required to produce these levy amounts is estimated to be \$1.05 in 2025, \$1.03 in 2026, \$1.00 in 2027, and \$0.97 in 2028 (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(143 words – 150 allowed)



CRESCENT SCHOOL DISTRICT
CLALLAM COUNTY, WASHINGTON

REPLACEMENT OF EXPIRING LEVY FOR
EDUCATIONAL PROGRAMS AND OPERATIONS

RESOLUTION NO. 202307

- 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 the proposition of whether excess taxes should be levied of \$690,000 in 2024 for collection in 2025, \$690,000 in 2025 for collection in 2026, \$690,000 in 2026 for collection in 2027, and \$690,000 in 2027 for collection in 2028, so long as the amount in any year does not exceed lawful limits, said excess taxes to provide funding for eligible educational programs and operations of the District.

ADOPTED November 21, 2023

PREPARED BY:

Porter Foster Rorick LLP
Seattle, Washington



WHEREAS, Crescent School District, Clallam County, Washington (the “District”), has had in effect since 2019 educational programs and operations levies to enable the District to pay for its educational programs and operations, including providing meals for students, technology for students and staff, other school supplies, athletics and activities, professional development for educators, and transportation and facility maintenance and operations; and

WHEREAS, the current maintenance and operations levy expires this year; and

WHEREAS, the existing authority for the imposition of local tax levies and use of local revenues (including the proceeds of tax levies) has been modified by Chapter 13, Laws of 2017 (65th Legislature, Third Special Session), which may be further modified in the future; and

WHEREAS, the money in and to be paid into the General Fund of the District during the 2024-2025, 2025-2026, 2026-27, and 2027-28 school years will be insufficient to enable the District to pay for certain educational programs previously funded by proceeds from the District’s education programs and operations levies; and

WHEREAS, continued local funding of eligible activities to support the District’s educational programs and operations would greatly benefit the District’s students at all grade levels; and

WHEREAS, court decisions or statutory changes after the date of this resolution may further modify the amounts and levy rates permitted for local school levies or the purposes for which local levy proceeds may be used; and

WHEREAS, it is in the best interests of the District and its students to maintain some flexibility to respond to such changes in law during the four years in which the levies authorized by this resolution will be in effect; and

WHEREAS, in order to properly provide for such eligible expenditures, 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 \$1.056 per thousand dollars of assessed valuation to provide \$690,000, said levy to be made in 2024 for collection in 2025;
- B. A tax of approximately \$1.025 per thousand dollars of assessed valuation to provide \$690,000, said levy to be made in 2025 for collection in 2026;
- C. A tax of approximately \$0.996 per thousand dollars of assessed valuation to provide \$690,000, said levy to be made in 2026 for collection in 2027; and
- D. A tax of approximately \$0.967 per thousand dollars of assessed valuation to provide \$690,000, said levy to be made in 2027 for collection in 2028; and

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; and

WHEREAS, the District has received approval of its levy spending plan from the Office of 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;

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

Section 1. The following taxes for the District's General Fund should be levied upon all 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. \$690,000, said levy to be made in 2024 for collection in 2025; and
- B. \$690,000, said levy to be made in 2025 for collection in 2026; and

C. \$690,000, said levy to be made in 2026 for collection in 2027; and

D. \$690,000, 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 County Assessor's office, the estimated levy rate for the 2024 levy is \$1.056 per thousand dollars of assessed valuation (\$623,159,889 of assessed value), the estimated levy rate for the 2025 levy is \$1.025 per thousand dollars of assessed valuation (\$641,854,686 of assessed value), the estimated levy rate for the 2026 levy is \$0.996 per thousand dollars of assessed valuation (\$661,110,326 of assessed value), and the estimated levy rate for the 2027 levy is \$0.967 per thousand dollars of assessed valuation (\$701,371,945 of assessed value). The exact levy rate shall be adjusted based upon the actual assessed value of the property within the District and the legal limit of the levy rate and amount 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 2024-2025, 2025-2026, 2026-2027, 2027-2028, and 2028-2029 school years by incurring indebtedness by the issuance of short term obligations against the General Fund of the District, as authorized by Chapter 39.50 RCW, or contract indebtedness pursuant to RCW 28A.530.080, and may expend the proceeds of said levies to pay such part of the general expenses of educational programs 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 whether the District shall levy such excess tax for their ratification or rejection at a special election to be held on February 13, 2024.

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 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 in substantially the following form:

PROPOSITION NO. _____

CRESCENT SCHOOL DISTRICT

REPLACEMENT OF EXPIRING LEVY FOR
EDUCATIONAL PROGRAMS AND OPERATIONS

The Board of Directors of Crescent School District approved Resolution No. 202307 authorizing an educational programs and operations replacement levy. The proposition would fund student needs not funded by the state including meals, technology for students and staff, other school supplies, athletics and activities, professional development for educators, and transportation and facility maintenance and operations. It would authorize the District to levy the following excess taxes to replace an expiring levy on all taxable property.

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value*	Levy Amount
2025	\$1.056	\$ 690,000
2026	\$1.025	\$ 690,000
2027	\$0.996	\$ 690,000
2028	\$0.967	\$ 690,000

Should this proposition be approved?

YES.....

NO.....

* The foregoing levy rates shall be adjusted as provided in Section 1 of Resolution No. 202307.

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

Section 3. Pursuant to authority granted by RCW 29A.32.220, the Board hereby authorizes the District's participation in the local voters' pamphlet for the February 13, 2024 election and requests that the Clallam County Auditor prepare and publish a 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 voters' pamphlet.

Section 4. 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 the Crescent School District, Clallam County, Washington, at a regular meeting thereof, held on the 21st day of November 2023.

CRESCENT SCHOOL DISTRICT
CLALLAM COUNTY, WASHINGTON



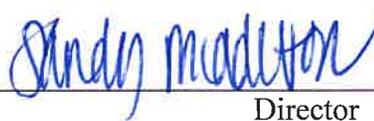
President and Director



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. 202307 of the Board (the "Resolution"), duly adopted at a regular 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 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 21st day of November, 2023.



Secretary, Board of Directors



Committee Member Appointment Form

Committee "For" and "Against" Appointment Form

Name of Jurisdiction/Proposition No.: Crescent School District Proposition # EP&O 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; font-size: 1.2em;">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 AVRETT</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/pamphlet.*



Proposition ??- Maintenance and Operations Levy

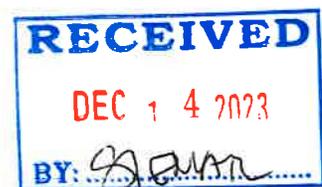
The EP&O Levy will Provide funding for Student Activities, Technology, Special Education, nursing and non-Basic Education programs.

Over the next four years the Crescent School will replaced outdated computers with levy funds by replacing Chrome Books and staff computers. Our technology needs continues to grow along with the need to manage computers; during the expiring levy cycle, we increased our technology specialist time from two to three and a half days a week improving our ability to maintain computers for learning and student assessment.

While the state provides funding for a school nurse, special education, and food service it is not enough. The district relies on levy funds to make up the gap between what is funded and what is needed. When a student who needs extra support enrolls, we must provide the required services even when not fully funded. The state does not, or minimally, funds things that enhance education such as music, library, shop, and extracurricular activities – you know, the things that are not just enriching but vital to most students. Your levy support allows the school to provide a whole-student experience, not just the Basics.

Passage of Proposition No. 1 will collect \$690,000 per year for four years. The collection would take place in 2025, 2026, 2027, and 2027. The estimated levy rates per \$1,000 of assessed value is \$1.06 in 2025.

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



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