

**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 statement for Cape Flattery School District 401 for inclusion in the 2024 February Special Election. Attached is their Resolution 24-05: Proposition No. 1 Educational Programs and Operations Levy.

If you have any questions please contact me, my extension is 2217.

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.

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: Cape Flattery School District #401
District Address: 13193 WA-112, Sekiu, WA 98381
Date of Election: 02/13/2024
Contact Person/Title: Michelle Parkin
Contact Phone: 360.780.6537 Email: mparkin@cfsd401.org

Attorney for District: Lorraine Wilson, Porter Foster Rorick LLP
Attorney Phone: 206-622-0203 ext 124 Email: lorraine@pfrwa.com

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

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
223 E 4th St, Suite 1, Port Angeles, WA 98362
Open Monday - Friday, 8:00 am - 4:30 pm

Phone: (360) 417-2217
Fax: (360) 417-2312
Email: elections@co.clallam.wa.us
Website: www.clallam.net/elections

RECEIVED
NOV 22 2023
CLALLAM CO ELECTIONS
Email

CAPE FLATTERY SCHOOL DISTRICT #401
CLALLAM COUNTY, WASHINGTON

EXPLANATORY STATEMENT

Proposition #1 REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATION LEVY

Passage of Proposition #1 would allow Cape Flattery School District to replace an expiring educational programs and operation levy. Taxes collected by this replacement levy will be used to pay expenses of educational programs and operations not funded by the State, including but not limited to class size reduction, special education, health services staff, counselors, library resources, technology updates, classified staff, athletics and extracurricular activities, instructional materials and supplies, and facility maintenance and operations.

The proposed four-year replacement levy would authorize collection of up to \$439,860 in 2025, \$453,055 in 2026, \$466,647 in 2027, and \$480,646 in 2028. 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 State law at the time of the levy. Exemptions from taxes may be available, call Clallam County Assessor, (360) 417-2400.

(171 words – 200 allowed)



EMM

CAPE FLATTERY SCHOOL DISTRICT NO. 401

November 20, 2023

RESOLUTION 24-05

A resolution of the Board of Directors of Cape Flattery School District No. 401, Clallam County, Washington, providing for the submission of a proposition to the qualified electors of the District at a special election to be held therein on February 13, 2024, authorizing the levy of an excess tax of \$439,860 in 2024 for collection in 2025; an excess tax of \$453,055 should be levied in 2025 for collection in 2026; an excess tax of \$466,647 should be levied in 2026 for collection in 2027; an excess tax of \$480,646 should be levied in 2027 for collection in 2028; said excess taxes being for the District's General Fund to pay part of the general expense of educational programs and operations for the District.

WHEREAS, the need to provide for funds necessary to meet the requirements of the basic education law because of the insufficiency of State funding; the need to provide funds for certain categorical programs such as, technology updates, library resources, school nursing services, and counseling services, extra-curricular transportation and additional programs unfunded or inadequately funded by State appropriations; the need to maintain programs previously provided; and to meet any other educational programs or operational needs, deem it necessary that the District levy an excess tax of approximately one dollar and ninety cents per thousand dollars of assessed value to provide \$439,860, said levy to be made in 2024 for collection in 2025; a tax of approximately one dollar and ninety cents per thousand dollars of assessed valuation (based on 100% of true and fair value) to provide \$453,055, said levy to be made in 2025 for collection in 2026; a tax of approximately one dollar and ninety cents per thousand dollars of assessed valuation (based on 100% of true and fair value) to provide \$466,647, said levy to be made in 2026 for collection in 2027; a tax of approximately one dollar and ninety cents per thousand dollars of assessed valuation (based on 100% of true and fair value) to provide \$480,646, said levy to be made in 2027 for collection in 2028; AND

WHEREAS, The Constitution and Laws of the State of Washington provide that the question of whether or not such excess tax levy 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 the Cape Flattery School District No 401, Clallam County Washington, as follows:

Section 1. The following tax 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. A tax of approximately one dollar and ninety cents per thousand dollars of assessed value to provide \$439,860, said levy to be made in 2024 for collection in 2025; a tax of approximately one dollar and ninety cents per thousand dollars of assessed valuation (based on 100% of true and fair value) to provide \$453,055, said levy to be made in 2025 for collection in 2026; a tax of approximately one dollar and ninety cents per thousand dollars of assessed value to provide \$466,647, said levy to be made in 2026 for collection in 2027; a tax of approximately one dollar and ninety cents per thousand dollars of assessed valuation (based on 100% of true and fair value) to provide \$480,646, said levy to be made in 2027 for collection in 2028.

Section 2. It is hereby found and declared that an emergency exists requiring submission to the qualified electors of the District for their ratification or rejection at a special election to be held therein on February 13, 2024, the proposition of whether or not the District shall levy such excess tax.

Section 3: Upon approval by the voters of this proposition hereinafter set forth, the District may use the proceeds of said levy by incurring an indebtedness by the issuance of warrants against the General Fund of the District, and may expend the proceeds of said levy to pay such part of the general expenses of maintenance and operation of the District as may be authorized or allowed by law for use of excess levy funds.

Section 4: The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition in the following form:

**PROPOSITION NO. 1
EDUCATIONAL PROGRAMS AND OPERATIONS LEVY**

The Board of Directors of Cape Flattery School District No. 401 adopted Resolution No. 24-05, concerning a proposition to finance educational programs and operation expenses. This proposition would authorize the District to levy the following excess taxes upon all taxable property within the District, for support of the District's General Fund educational maintenance and operation expenses:

Levy Year/Collection Year	Approximate Levy Rate/\$1,000	
	Assessed Valuation	Levy Amount
2024/2025	\$1.84	\$439,860
2025/2026	\$1.84	\$453,055
2026/2027	\$1.84	\$466,647
2027/2028	\$1.84	\$480,646

all as provided in Resolution No. 24-05. Should this proposition be approved?

LEVY.....YES

LEVY.....NO

Section 7: The Secretary of the Board of Directors is hereby directed to deliver a certificated copy of this resolution to the Clallam County Auditor and to request the Prosecuting Attorney to approve the ballot proposition as required by law.

DATED THIS 20th DAY OF NOVEMBER, 2023.

ATTEST: BY ORDER OF THE BOARD OF DIRECTORS,
CAPE FLATTERY SCHOOL DISTRICT NO. 401



Michelle Parkin, Superintendent



Chairperson

Member



Member

Member



Member

Committee "For" and "Against" Appointment Form

Name of Jurisdiction/Proposition No.: Cape Flattery School District #401/Prop #1

Jurisdiction Contact Name: Michelle Parkin

Email: mparkin@cfsd401.org Phone: 360-780-6537

Jurisdiction's responsibility:

1. Submit completed form to Clallam County Elections Division on or before the resolution submittal deadline:

elections@co.clallam.wa.us
 Questions? Call (360) 417-2217

2. Provide committee members with statement submission requirements and deadlines.
 (Requirements and deadlines can be found in the Elections Guide for Jurisdictions and Candidates.)

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

"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.*