

RESOLUTION NO. 2065

A RESOLUTION of the Board of Directors of Tacoma School District No. 10, Pierce County, Washington, authorizing the submission to the District's voters at an election to be held on February 11, 2020, of a proposition for the issuance of general obligation bonds in the aggregate principal amount of \$535,000,000 to provide funds for capital improvements to facilities of the District and authorizing the Superintendent or Chief Finance Officer to submit a request for eligibility to the Washington State School District Credit Enhancement Program.

WHEREAS, the Board of Directors (the "Board") and staff of Tacoma School District No. 10, Pierce County, Washington (the "District"), continue to plan for the capital needs of the District; and

Whereas, some neighborhood schools have deteriorated and need to be upgraded and replaced to meet modern standards and provide high quality learning environments; and

Whereas, rebuilding or replacing deteriorating schools renews our community's commitment to provide students and educators with the best possible environment for teaching and learning; and

Whereas, the District wants to ensure that all students can achieve their full potential regardless of their background; and

Whereas, the District prioritizes creating and maintaining safe learning environments at all schools; and

Whereas, our entire community benefits from children receiving the best education in the best and safest environments we can give them; and

Whereas, the District must ensure that we continue to close the gap for students of color and students from families living in poverty so that every child in Tacoma has the opportunity to grow and succeed; and

Whereas, the District prioritizes investing in schools and kids in every neighborhood so Tacoma can continue to move towards a public school district where every child regardless of background or economic circumstances has a school that provides a safe and challenging learning environment; and

Whereas, taking care of basic maintenance and repair issues means buildings will last longer and save money in the long run; and

Whereas investments in schools benefit the entire community by providing dedicated community meetings spaces, access to playing fields for youth and adult sports, and partnerships

with YMCA, Metro Parks Tacoma, City of Tacoma, Greater Tacoma Community Foundation, Boys and Girls Club and numerous other partners to provide recreation and summer and after-school programs and activities; and

Whereas, the District prioritizes basic safety issues such as replacing old roofs, upgrading buildings for earthquake safety, and replacing alarms and sprinkler systems so our kids can learn in a safe environment; and

Whereas, the proposition authorized by this resolution will address safety and security, including secured entrances and surveillance cameras at every school that does not already have them; and

Whereas, the proposition will fund energy efficiency improvements and sustainable technology to make our school buildings greener, healthier, and more efficient to maintain; and

WHEREAS, to provide funds to pay for the capital improvements authorized by the proposition (as further defined herein, the "Improvements"), the Board of Directors deems it necessary and advisable that the District issue and sell its unlimited tax general obligation bonds in the principal amount of \$535,000,000 (the "Bonds"); and

WHEREAS, the Constitution and laws of the State of Washington (including RCW 28A.530.010 and RCW 84.52.056) provide that the question of whether the Bonds may be issued and sold for those purposes and taxes levied to pay the Bonds must be submitted to the qualified voters of the District for their ratification or rejection; and

WHEREAS, if the proposition is approved, the District wishes to plan for the issuance and sale of the Bonds; and

WHEREAS, chapter 39.98 RCW established a credit enhancement program (the "Program") for voter-approved school district general obligation bonds; and

WHEREAS, RCW 39.98.040 authorizes the State Treasurer to determine whether a school district is eligible for the Program under rules adopted by the State Finance Committee; and

WHEREAS, if the proposition is approved, and to the extent that the Program demonstrates substantial savings to the taxpayers of the District, the District wishes to participate in the Program;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF TACOMA SCHOOL DISTRICT NO. 10, PIERCE COUNTY, WASHINGTON, as follows:

Section 1. Findings. This Board hereby finds that the best interests of the students and other residents of the District require the District to undertake the capital improvements described in this resolution when and how the Board deems most necessary and advisable.

Section 2. Capital Improvements. The District will make the following capital improvements (the "Improvements") to facilities of the District in the order determined by the

District (improvements listed below are in alphabetical order by replacements and again by renovation and upgrades):

- Bryant Montessori School – replace existing school
- Downing Elementary – replace existing school
- Fawcett Elementary – replace existing school
- Hunt Middle School – phase 2 of replacement of school
- Lowell Elementary – replace existing school
- Oakland High School – historic modernization of existing school
- Skyline Elementary – replace existing school; building and systems renovation to repurpose existing facility
- Whittier Elementary – replace existing school
- DeLong Elementary – building and system renovations and upgrades
- Gault – demolition or building renovations and upgrades
- IDEA at Park Avenue – building and systems renovation and upgrades
- Madison School – building and systems renovations and upgrades
- Mann – building and system renovations and upgrades
- McCarver Primary building – building and system renovations and upgrades
- Point Defiance Elementary – building and system renovations and upgrades
- Reed Elementary – building and system renovations and upgrades
- School of the Arts at 9<sup>th</sup> and Broadway – building and systems renovations and upgrades
- Whitman Elementary – building and system renovations and upgrades
- District-wide safety and security system upgrades
- District-wide renovations, upgrades, and replacements of athletic facilities, including tennis, swimming pool, playground, playfield, and stadium improvements
- District-wide small capital project improvements including mechanical, electrical, plumbing, Americans with Disability Act improvements, structural maintenance, and roof, elevator and boiler replacements

The Improvements include all necessary furniture, equipment (including technology equipment), and appurtenances. The cost of all architectural, engineering, and other consulting services, inspection and testing, administrative and relocation expenses, acquisitions of property, on and off-site utilities, technology infrastructure and upgrades, related improvements, including but not limited to parking, driveways, entry ways, and landscaping, and other costs incurred in connection with the making of the Improvements will be considered part of the cost of the Improvements. The District will determine the extent, timing, and specifications for construction of structures and other improvements.

The District will apply proceeds of the Bonds and other funds of the District legally available for the Improvements among the various Improvements to accomplish, as nearly as may be, all of the Improvements. If the District determines that it has become impracticable to accomplish any Improvement or portion thereof because of changed conditions, incompatible development, or costs substantially in excess of the amount of Bond proceeds or other available

funds, the District is not required to accomplish that Improvement or portion thereof and may apply Bond proceeds to other portions of the Improvements.

If proceeds of the Bonds, plus other funds of the District legally available for the Improvements, are insufficient to accomplish all of the Improvements, the District will use the Bond proceeds and other available funds for those Improvements deemed by the Board most necessary and in the best interest of the District.

If all of the Improvements have been accomplished or duly provided for, or found to be impracticable, and if state or local circumstances require, the District may apply all or any portion of the leftover Bond proceeds to other capital improvements of District facilities or to the payment of principal of or interest on the Bonds or other outstanding bonds of the District, as the Board may determine, after holding a public hearing thereon pursuant to RCW 28A.530.020.

The District does not expect to receive matching funds from the State of Washington pursuant to chap. 28A.525 in connection with the Improvements. If the District is eligible for such matching funds, the District intends to apply those funds to the Improvements. Those funds may also be applied to other capital improvements to facilities of the District or to pay the principal of or interest on the Bonds or other outstanding bonds of the District, as the Board may determine after holding a public hearing thereon pursuant to RCW 28A.530.020.

Section 3. Authorization of Bonds. To provide part of the funds necessary to pay costs of the Improvements, together with incidental costs and costs related to the issuance and sale of the Bonds, including capitalized interest, the District will issue and sell the Bonds as unlimited tax general obligation bonds in a principal amount not to exceed \$535,000,000. The balance, if any, of the cost of the Improvements will be paid out of any funds of the District legally available for those purposes and out of possible state or federal grants of money. Bond proceeds must not be used for the replacement of equipment or for any other than a capital purpose. The Bonds will be issued in an amount not exceeding the amount approved by the voters of the District as required by the Constitution and laws of the State of Washington and not exceeding the amount permitted by the Constitution and laws of the State of Washington.

Section 4. Details of Bonds. The Bonds will be sold in one or more series in the amounts and at the time or times as the Board deems necessary and advisable and as permitted by law. The Bonds will bear interest at a rate or rates as authorized by the Board and will mature in the amounts and at the times, within a maximum term of 25 years from date of issue (but may mature at an earlier date or dates), and have other terms all as authorized by the Board and as provided by law. The date, form, terms, and maturities of the Bonds will be as hereafter established or provided for by resolution of the Board. The Bonds will be general obligations of the District and, unless paid from other sources, both principal of and interest on the Bonds will be payable out of annual tax levies to be made on all taxable property within the District without limitation as to rate or amount and in excess of any constitutional or statutory tax limitations. After voter approval of the bond proposition and in anticipation of the issuance of the Bonds, the District may issue short term obligations as authorized and provided by Chapter 39.50 RCW. Proceeds of the Bonds may be used to redeem and retire short term obligations or to reimburse the District for expenditures previously made for the Improvements.

Section 5. Bond Election. The Board finds that it is in the best interest of the District and its residents to submit to the voters of the District the proposition of whether the District will issue the Bonds for the purposes described in this resolution at a special election to be held on February 11, 2020. The District requests that the Pierce County Auditor as *ex officio* supervisor of elections call and conduct the special election to be held within the District and submit to District's voters the proposition set forth below.

PROPOSITION NO. 1

TACOMA SCHOOL DISTRICT NO. 10

NEIGHBORHOOD SCHOOL IMPROVEMENTS AND SAFETY UPGRADES  
GENERAL OBLIGATION BONDS - \$535,000,000

The Board of Directors of Tacoma School District No. 10 passed Resolution #2065 concerning neighborhood school improvements and safety upgrades to aging educational facilities. If approved, this proposition would authorize the District to replace or renovate eight deteriorating neighborhood schools across Tacoma; improve student learning environments, implement health, safety, security, and seismic upgrades, repair deteriorating roofs, alarm/sprinkler systems, and HVAC/plumbing systems for clean water and safe air, improve playground/athletic facilities, and make other capital improvements, by issuing \$535,000,000 of general obligation bonds maturing within a maximum 25 years, and levying excess property taxes annually to repay the bonds, as provided in Resolution #2065. Should this proposition be:

APPROVED?.....

REJECTED? .....

The Secretary of the Board is hereby authorized to deliver a certified copy of this resolution to the Pierce County Auditor before December 13, 2019.

Section 6. Request for Eligibility for the Credit Enhancement Program. In preparation for the issuance and sale of the Bonds after approval by the voters, the Board hereby requests that the State Treasurer issue a certificate of eligibility in favor of the District for participation by the District in the Program with respect to the Bonds. The Superintendent or Chief Finance Officer, is hereby authorized and directed (following voter approval) to submit any applications, resolutions and certifications that the State Treasurer requires in reviewing the District's request for participation.

Section 7. Notices Relating to Ballot Proposition. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates the (a) Superintendent, Carla Santorno (telephone 253-571-1010 and email: csantor@tacoma.k-

12.wa.us), (b) Chief Financial Officer, Rosalind Medina (telephone 253-571-1201 and email: rmedina@tacoma.k-12.wa.us), and (c) bond counsel to the District, Stradling Yocca Carlson & Rauth, P.C., David Thompson (telephone: 206-829-3006 and email: dthompson@sycr.com), as the individuals to whom the Auditor would provide such notice. The Superintendent is authorized to approve changes to the ballot proposition, if any, deemed necessary by the Auditor or the Pierce County Prosecuting Attorney.

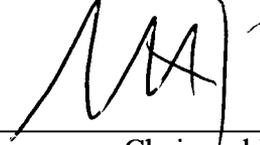
Section 8. Participation in Voters' Pamphlet. Pursuant to authority granted by RCW 29.81A.010, the Board hereby authorizes the District's participation in the local voters' pamphlet for the February 2020 election and requests that the Pierce County Auditor prepare and publish a voter's pamphlet for this proposition. The District understands and agrees that it will be required to pay its proportionate share of the expenses of the voters' pamphlet.

Section 9. Severability. If any provision of this resolution is held to be invalid, such invalidity will not affect or invalidate any other provision of this resolution or the Bonds, but this resolution and the Bonds will be construed and enforced as if the invalid provision had not been contained herein; provided, however, that any provision that for any reason is held by reason of its extent to be invalid will be deemed to be in effect to the extent permitted by law.

Section 10. Effective Date. This resolution will become effective immediately upon its adoption.

ADOPTED by the Board of Directors of Tacoma School District No. 10, Pierce County, Washington, at a regular meeting held on October 24, 2019.

TACOMA SCHOOL DISTRICT NO. 10,  
PIERCE COUNTY, WASHINGTON



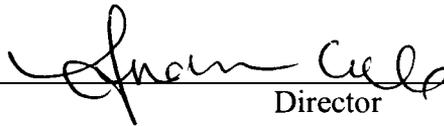
Chair and Director



Director



Director



Director

Director

ATTEST:



Secretary, Board of Directors

CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Tacoma School District No. 10, 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. 2065 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on October 24, 2019.
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 said Resolution; that all other requirements and proceedings incident to the proper adoption of said 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 \_\_\_\_\_, 2019.

  
Secretary, Board of Directors

OFFICE OF PIERCE COUNTY AUDITOR  
OF  
PIERCE COUNTY, WASHINGTON

WHEREAS, the undersigned as the duly elected, qualified and acting Auditor of Pierce County, Washington, has jurisdiction of and is required by law to conduct all special elections for school districts within the county; and

WHEREAS, Tacoma School District No. 10, Pierce County, Washington, lies entirely within the boundaries of Pierce County; and

WHEREAS, the Board of Directors of the District by resolution adopted October 24, 2019, a certified copy of which has been delivered to the undersigned, has authorized and directed the undersigned to assume jurisdiction of and conduct a special election in the District on February 11, 2020; and

NOW, THEREFORE, it is hereby authorized and ordered as follows:

The undersigned hereby assumes jurisdiction of the above-mentioned election of Tacoma School District No. 10, Pierce County, Washington, authorized and ordered by resolution of its Board of Directors adopted October 24, 2019, and will conduct said special election on February 11, 2020.

DATED at Tacoma, Washington, this \_\_\_\_ day of \_\_\_\_\_, 2019.

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Pierce County Auditor

OFFICIAL BALLOT

TACOMA SCHOOL DISTRICT NO. 10, PIERCE COUNTY, WASHINGTON

February 11, 2020

**INSTRUCTIONS TO VOTERS:** To vote in favor of the following proposition, place a cross (X) in the square opposite the word "APPROVED"; to vote against the following proposition, place a cross (X) in the square opposite the word "REJECTED."

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APPROVED?.....

REJECTED? .....

NOTICE OF SPECIAL ELECTION

TACOMA SCHOOL DISTRICT NO. 10  
PIERCE COUNTY, WASHINGTON

February 11, 2020

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NOTICE IS HEREBY GIVEN that on Tuesday, February 11, 2020, a special election will be held in the above-named school district for the submission to the qualified electors of said school district of the following proposition:

PROPOSITION NO. 1

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APPROVED?.....

REJECTED? .....

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Pierce County Auditor