

Spokane County Resolution Cover Sheet

This form must accompany each resolution filed with Spokane County Elections. The contact person or persons should have the authority to do so and be available to answer questions.

Name of District: Orchard Prairie School District
District Address: 7626 N Orchard Prairie Road
Date of Election: April 22, 2025
Contact Person: Joseph Beckford Title: Superintendent/Principal
Contact Phone: (509) 467-9517 Fax: None
Contact Email: jbeckford@orchardprairie.org
2nd Contact Person: Heather Roark Title: Admin. Assistant
2nd Contact Phone: (509) 467-9517
2nd Contact Email: hroark@orchardprairie.org

Attorney for District: Lee Marchisio at Foster Garvey

Attorney Approved Ballot Title and Explanatory Statement for District Yes ☒ No ☐

Please provide documentation of Attorney Approval.

Attorney Phone: (206) 790-7287 Attorney Fax: _____

Attorney Email Address: lee.marchisio@foster.com

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

Please state the pass/fail requirement for this measure (i.e. simple majority, 60%, etc.) as determined by your legal counsel, together with applicable statutory references: _____

Signature: Joseph Beckford
of person filing this form

Date: 02/17/2025

This form may be filled out and printed.

This mandatory resolution cover sheet must accompany any resolution.

ORCHARD PRAIRIE SCHOOL DISTRICT NO. 123
SPOKANE COUNTY, WASHINGTON

PROPOSITION NO. 1 - BONDS TO CONSTRUCT A NEW ORCHARD
PRAIRIE SCHOOL

RESOLUTION NO. 250127-01

A RESOLUTION of the Board of Directors of Orchard Prairie School District No. 123, Spokane County, Washington, providing for the submission to the voters of the District at a special election to be held on April 22, 2025, of a proposition authorizing the District to issue general obligation bonds in the aggregate principal amount of no more than \$6,200,000, for the purpose of paying costs of constructing a new Orchard Prairie School sized to meet Washington's educational standards for current and future students, the principal of and interest on such bonds to be payable from annual excess property tax levies; designating the Secretary to the Board and bond counsel to receive notice of the ballot title from the Auditor of Spokane County, Washington; authorizing a request for a Certificate of Eligibility from the State Treasurer for participation in the Washington State School District Credit Enhancement Program pursuant to chapter 39.98 RCW; and providing for related matters.

ADOPTED: JANUARY 27, 2025

This document prepared by:

*FOSTER GARVEY P.C.
618 West Riverside Avenue, Suite 300
Spokane, Washington 99201
(509) 777-1602*

ORCHARD PRAIRIE SCHOOL DISTRICT NO. 123
SPOKANE COUNTY, WASHINGTON

RESOLUTION NO. 250127-01

A RESOLUTION of the Board of Directors of Orchard Prairie School District No. 123, Spokane County, Washington, providing for the submission to the voters of the District at a special election to be held on April 22, 2025, of a proposition authorizing the District to issue general obligation bonds in the aggregate principal amount of no more than \$6,200,000, for the purpose of paying costs of constructing a new Orchard Prairie School sized to meet Washington's educational standards for current and future students, the principal of and interest on such bonds to be payable from annual excess property tax levies; designating the Secretary to the Board and bond counsel to receive notice of the ballot title from the Auditor of Spokane County, Washington; authorizing a request for a Certificate of Eligibility from the State Treasurer for participation in the Washington State School District Credit Enhancement Program pursuant to chapter 39.98 RCW; and providing for related matters.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF ORCHARD PRAIRIE SCHOOL DISTRICT NO. 123, SPOKANE COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Orchard Prairie School District No. 123, Spokane County, Washington (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) The urgent and compelling need to replace functionally and physically deteriorated and educationally outdated school facilities and infrastructure to support state mandates for implementing current day educational program standards, to improve attainment of academic skills and healthy lifestyle opportunities for all students, to enhance student and staff safety and security, and to provide environmentally healthy learning spaces, requires the District to provide safe, secure, modern educational facilities to house, deliver, and enhance learning by constructing a new Orchard Prairie School sized to meet Washington's educational standards for current and future students, all as more particularly defined and described in Section 2 herein (the "Project").

(b) The District lacks sufficient money to pay costs of the Project.

(c) To pay costs of the Project, it is necessary and advisable that the District issue and sell unlimited tax general obligation bonds in the aggregate principal amount of no more than \$6,200,000 (the "Bonds"), or such lesser maximum amount as may be legally issued under the laws governing the limitation of indebtedness or required to carry out and accomplish the Project.

(d) Pursuant to Article VII, Section 2(b) and Article VIII, Section 6 of the Washington Constitution and laws of the State of Washington, including Revised Code of Washington ("RCW") 28A.530.010, RCW 28A.530.020, RCW 39.36.050 and RCW 84.52.056, the District may submit to its voters at a special election, for their approval or rejection, a proposition authorizing the District to issue the Bonds to pay costs of the Project and to levy annual excess

property taxes in amounts sufficient to pay principal of and interest on the Bonds when due (*i.e.*, repay the Bonds).

(e) The best interests of the District's students and other inhabitants require the District to carry out and accomplish the Project.

Section 2. Description of the Project. The Project to be paid for with proceeds of the Bonds, including interest earnings thereon ("Bond Proceeds"), is more particularly defined and described as follows:

(a) Construct a new Orchard Prairie School sized to meet Washington's educational standards for current and future students, that will include, but not be limited to: (1) a multipurpose room (lunch room, physical education and event space) sized to hold students, families and community for school programs, music, fine arts, graduations and other student performances and events; (2) appropriately sized classrooms to accommodate large groups or small groups of students; (3) necessary space for the nurse, counselor, special education teacher and administration; (4) up-to-code fire safety, seismic, energy efficiency and electrical systems; (5) a single point of entry for occupant safety; (6) separate staff restroom facilities; (7) a single level facility that is compliant with Americans with Disabilities Act ("ADA") requirements; (8) transportation safety improvements; and (9) other capital improvements, all as determined necessary and advisable by the Board.

(b) Acquire, construct and install all necessary furniture, equipment, apparatus, accessories, fixtures and appurtenances in or for the foregoing, all as determined necessary and advisable by the Board.

(c) Pay incidental costs and other capital costs incurred in connection with carrying out and accomplishing the Project pursuant to RCW 39.46.070. Such incidental costs and other capital costs constitute a part of the Project and include, but are not limited to: (1) costs related to the issuance, sale and delivery of the Bonds; (2) payments for fiscal and legal costs; (3) costs of obtaining ratings and bond insurance; (4) costs of printing, advertising, establishing and funding accounts; (5) payment of interest due on the Bonds for up to six months after completion of construction; (6) necessary and related engineering, architectural, planning, consulting, inspection, permitting and testing costs; (7) administrative and relocation costs; (8) site acquisition, assessment and improvement costs; (9) demolition costs; (10) costs related to demolition and/or deconstruction of existing school facilities to recycle, reclaim and repurpose such facilities and/or building materials; (11) costs of on-site and off-site utilities and road improvements; and (12) costs of other similar activities or purposes, all as determined necessary and advisable by the Board.

The Project, or any portion or portions thereof, shall be accomplished insofar as is practicable with available Bond Proceeds, together with any other money of the District legally available therefor, and in such order of time as shall be determined necessary and advisable by the Board. Subject to Section 6 of this resolution, the Board shall allocate the Bond Proceeds, together with any other money of the District legally available therefor, between the various parts of the Project so as to accomplish, as near as may be, all of the Project. The Board shall determine the exact order, extent and specifications for the Project. The Project is to be more fully described in the plans and specifications to be filed with the District.

Section 3. Calling of Election. The Auditor of Spokane County, Washington, as *ex officio* Supervisor of Elections (the "Auditor"), is requested to call and conduct a special election in the District, in the manner provided by law, to be held on April 22, 2025, for the purpose of submitting to the District's voters, for their approval or rejection, the proposition authorizing the District to issue the Bonds to pay costs of the Project and levy annual excess property taxes to repay the Bonds.

If the proposition is approved by the requisite number of voters, the District will be authorized to issue, sell and deliver the Bonds in the manner described in this resolution, spend the Bond Proceeds to pay costs of the Project, and levy annual excess property taxes to repay the Bonds. The Bond Proceeds may be used, either with or without additional money now available or hereafter available to the District, for capital purposes only, as permitted by law, which does not include the replacement of equipment.

Section 4. Authorization to Issue the Bonds. The Bonds authorized may be issued as a single bond, as a single issue, as a part of a combined issue with other authorized bonds, or in more than one series, all as determined necessary and advisable by the Board and as permitted by law. Further, the Bonds may be issued, as determined necessary and advisable by the Board, as taxable bonds, tax-exempt bonds and/or any other type of bonds that are now or in the future may be authorized under applicable state and federal law.

Each series of the Bonds shall be issued as fully registered bonds; shall bear interest payable as permitted by law; shall mature within 30 years from the date of issuance of such series of the Bonds (but may mature at an earlier date or dates as fixed by the Board); shall be paid by annual property tax levies sufficient in amount to pay both principal and interest when due, which annual property tax levies shall be made in excess of regular property tax levies without limitation as to rate or amount; and shall be issued and sold in such manner, at such times and in such amounts as shall be required for the purpose for which each series of the Bonds are to be issued, all as determined necessary and advisable by the Board and as permitted by law. The life of the Project to be financed with the Bond Proceeds shall, as near as practicable or as otherwise required by law, exceed the term of the respective series of Bonds that finance such Project. The amount, date, denominations, interest rates, payment dates, final maturity, redemption rights, price, and other terms and conditions of the Bonds (or parameters with respect thereto) shall be hereafter fixed by one or more resolutions of the Board authorizing the issuance, sale and delivery of each series of Bonds, which resolutions may delegate to a District officer or employee the authority to fix any of the foregoing, all as determined necessary and advisable by the Board and as permitted by law.

Pending the issuance of any series of the Bonds, the District may levy excess property taxes to repay those Bonds and may issue short-term obligations pursuant to chapter 39.50 RCW to pay for any portion of the costs of the Project. Such obligations may be paid or refunded with the Bond Proceeds.

Section 5. Intent to Reimburse. The Board declares that to the extent, prior to the date the Bonds, or other bonds or obligations (which includes the Bonds, or other bonds or obligations, issued as tax-exempt bonds) are issued to pay costs of the Project, the District makes capital expenditures for the Project from money that is not (and is not reasonably expected to be) reserved, allocated on a long-term basis or otherwise set aside by the District under its existing and reasonably foreseeable budgetary and financial circumstances to pay costs of the Project, those capital expenditures are intended to be reimbursed out of the Bond Proceeds, or proceeds of other bonds or obligations, issued in an amount not to exceed the principal amount of the Bonds provided by this resolution.

Section 6. Sufficiency of Bond Proceeds. If the Bond Proceeds are more than sufficient to carry out and accomplish the Project (the "Excess Bond Proceeds"), and state or local circumstances require, the District may use the Excess Bond Proceeds to: (a) acquire, construct, install, equip and make other capital improvements to the District's facilities; or (b) retire and/or defease a portion of the Bonds or other outstanding bonds of the District, all as the Board may determine by resolution, after holding a public hearing thereon pursuant to RCW 28A.530.020. In the event that the Bond Proceeds, together with any other money of the District legally available therefor, are insufficient to carry out and accomplish all of the Project, the District shall use the Bond Proceeds and other available money for paying the cost of that portion of the Project that is determined by the Board most necessary and in the best interest of the District.

Section 7. Use of State Financing Assistance. It is anticipated that the District may receive money from the State of Washington as state financing assistance under chapter 28A.525 RCW with respect to the Project (the "State Financing Assistance"). The State Financing Assistance shall be used, when and in such amounts as it may become available, to carry out and accomplish the Project. If the State Financing Assistance is more than sufficient to carry out and accomplish the Project (the "Excess State Financing Assistance"), and state or local circumstances require, the District may use the Excess State Financing Assistance to: (a) acquire, construct, install, equip and make other capital improvements to the District's facilities; (b) retire and/or defease a portion of the Bonds or other outstanding bonds of the District; or (c) provide for other purposes authorized by law, all as the Board may determine by resolution, after holding a public hearing thereon pursuant to RCW 28A.530.020.

Section 8. Alteration of Expenditures. If the Board subsequently determines that state or local circumstances, including, but not limited to, changed conditions or needs, regulatory considerations or incompatible development, should cause any alteration to the specific expenditures from the Bond Proceeds or the State Financing Assistance for the Project, the District shall not be required to accomplish the Project and may apply the Bond Proceeds or the State Financing Assistance (or both or any portion of each) to: (a) acquire, construct, install, equip and make other capital improvements to the District's facilities; or (b) retire and/or defease a portion of the Bonds or other outstanding bonds of the District, all as the Board may determine by resolution after holding a public hearing thereon pursuant to RCW 28A.530.020.

Section 9. Form of Ballot Title. Pursuant to RCW 29A.36.071, the Spokane County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION NO. 1

ORCHARD PRAIRIE SCHOOL DISTRICT NO. 123

BONDS TO CONSTRUCT A NEW ORCHARD PRAIRIE SCHOOL

The Board of Directors of Orchard Prairie School District No. 123 adopted Resolution No. 250127-01, concerning a proposition to provide safe, secure, and modern educational facilities. This proposition would authorize the District to: construct a new Orchard Prairie School sized to meet Washington's educational standards for current and future students; issue \$6,200,000 of general obligation bonds maturing within 30 years; and levy annual excess property taxes to repay the bonds, all as provided in Resolution No. 250127-01. Should this proposition be:

Approved..... ☐

Rejected..... ☐

Section 10. Authorization to Deliver Resolution to Auditor and Perform Other Necessary Duties. The Secretary to the Board (the "Secretary") or the Secretary's designee is authorized and directed to: (a) present a certified copy of this resolution to the Auditor no later than February 21, 2025; and (b) perform such other duties as are necessary or required by law to submit to the District's voters at the aforesaid special election, for their approval or rejection, the proposition authorizing the District to issue the Bonds to pay costs of the Project and levy annual excess property taxes to repay the Bonds.

Section 11. Notices Relating to Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates (a) the Secretary (Joseph Beckford), telephone: 509.467.9517; email: jbeckford@orchardprairie.org; and (b) bond counsel, Foster Garvey P.C. (Lee Marchisio), telephone: 206.447.6264; email: lee.marchisio@foster.com, as the individuals to whom the Auditor shall provide such notice. The Secretary is authorized to approve changes to the ballot title, if any, determined necessary by the Auditor or the Spokane County Prosecuting Attorney.

Section 12. Authorization to Request Participation in Washington State School District Credit Enhancement Program. The Board finds and determines that, if the District receives voter approval to issue the Bonds in the manner described in this resolution, it will be in the best interests of the District's taxpayers to request the State of Washington's guaranty for payment of the Bonds under chapter 39.98 RCW, the Washington State School District Credit Enhancement Program. Accordingly, the Board hereby requests the State Treasurer to issue a Certificate of Eligibility to the District pledging the full faith, credit, and taxing power of the State of Washington to guarantee the payment, when due, of the principal of and interest on the Bonds pursuant to chapter 39.98 RCW and the rules promulgated thereunder by the State Finance Committee. The Board designates each of the Secretary and the District's Business Manager or such other officer of the District who

may in the future perform the duties of that office, if any (the "Business Manager"), and each of them acting alone, as the District officials authorized to file with the State Treasurer, on behalf of the District, the request for a Certificate of Eligibility.

Section 13. Execution; General Authorization and Ratification. This resolution may be executed by the Directors being present and voting in favor of the resolution, or only the Chair of the Board (the "Chair"), and attested by the Secretary, in tangible medium, manual, facsimile or electronic form under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure, or in any other manner evidencing its adoption. The Secretary, the Business Manager, the Chair, and the District's bond counsel, Foster Garvey P.C., are further severally authorized and directed to take such actions and to create, accept, execute, send, use and rely upon such tangible medium, manual, facsimile or electronic documents, records and signatures under any security procedure or platform, and notwithstanding any other District resolution, rule, policy or procedure, as in their judgment may be necessary or desirable to effectuate the provisions of this resolution. All actions taken prior to the effective date of this resolution in furtherance of and not inconsistent with the provisions of this resolution are ratified and confirmed in all respects.

Section 14. Severability. If any provision of this resolution is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provisions of this resolution, of the Bonds or of the levy or collection of the taxes pledged to repay the Bonds.

[Remainder of page intentionally left blank]


Section 15. Effective Date. This resolution takes effect from and after its adoption.

ADOPTED by the Board of Directors of Orchard Prairie School District No. 123, Spokane County, Washington, at a regular open public meeting held on January 27, 2025.

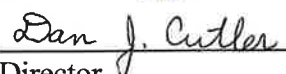
ORCHARD PRAIRIE SCHOOL DISTRICT NO. 123
SPOKANE COUNTY, WASHINGTON



Chair and Director



Vice Chair and Director



Director

Director

Director

ATTEST:



JOSEPH BECKFORD
Secretary to the Board of Directors

CERTIFICATE

I, JOSEPH BECKFORD, Secretary to the Board of Directors of Orchard Prairie School District No. 123, Spokane County, Washington (the "District"), hereby certify as follows:

1. The foregoing Resolution No. 250127-01 (the "Resolution") is a full, true and correct copy of the Resolution duly adopted at a regular meeting of the Board of Directors of the District (the "Board") held at its regular meeting place on January 27, 2025 (the "Meeting"), as that Resolution appears in the records of the District, and the Resolution is now in full force and effect; and

2. The Meeting was duly convened, held and included an opportunity for public comment, in all respects in accordance with law, a quorum of the members of the Board was present throughout the Meeting, and a sufficient number of members of the Board present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand as of January 27, 2025.

ORCHARD PRAIRIE SCHOOL DISTRICT NO. 123
SPOKANE COUNTY, WASHINGTON



JOSEPH BECKFORD
Secretary to the Board of Directors

ORCHARD PRAIRIE SCHOOL DISTRICT NO. 123
SPOKANE COUNTY, WASHINGTON

EXPLANATORY STATEMENT

PROPOSITION NO. 1 – BONDS TO CONSTRUCT A NEW ORCHARD PRAIRIE SCHOOL

This proposition authorizes school construction bonds to replace deteriorating and educationally outdated school facilities and infrastructure, improve educational opportunities and physical health for all students, enhance student and staff safety, and provide healthy learning spaces.

If approved, the bonds will allow Orchard Prairie School District to replace both the original school (built in 1894) and the more recent classroom facility (built in 1971) with a new Orchard Prairie School sized to meet the educational needs of current and future students, including: a multipurpose room (lunch room, physical education and event space); appropriately sized classrooms to accommodate large or small groups of students; necessary space for the nurse, social worker, and special education teacher; up-to-code fire safety, seismic, energy efficiency and lighting systems; and a single point of entry for student safety.

The \$6,200,000 of general obligation bonds will be repaid from annual excess property taxes sufficient to pay bond debt service over a maximum term of 30 years. Exemptions from taxes may be available, call the Spokane County Assessor 509-477-3698.

Election Date: April 22, 2025
Word Count: 170 words – 175 allowed

Prepared by:
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(206) 447-6264



ORCHARD PRAIRIE SCHOOL DISTRICT #123 7626 N ORCHARD PRAIRIE ROAD SPOKANE, WA 99217

TO : Spokane County Elections

FROM : Joseph Beckford, Superintendent/ Principal

Date : February 14, 2025

RE : Orchard Prairie Bond Election – April 222,2025
Pro-Con Committee Solicitation

The District ahs posted for Pro-Con Committee members by posting the notice on its website on February 05, 2025; it has been there continually from then to now. The District also placed formal legal notices in the Spokesman-Review on February 09, 2025 and February 12, 2025.

As of the above date the District has not received and inquiries or responses from anyone interested or willing to serve on either committee.