

A RESOLUTION providing for the holding of a special bond election in Weber School District, Utah for the purpose of submitting to the qualified electors of the District the question of the issuance and sale of \$\_\_\_\_\_ General Obligation School Building Bonds; providing for the holding of a public hearing and the publication of a Notice of Public Hearing; and providing for related matters.

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WHEREAS, there is a need of raising money for the purpose of [constructing and acquiring buildings and furnishings and remodeling and updating existing school property] (the “*Facilities*”) under the charge of the Board of Education (the “*Board*”) of Weber School District, Utah (the “*District*”); and, to the extent necessary, for providing moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the Board authorized hereunder or heretofore issued and now outstanding;

WHEREAS, there are not sufficient funds in the treasury of the Board available for this purpose;

WHEREAS, Section 11-14-318 of the Local Government Bonding Act, Chapter 14, Title 11 of the Utah Code Annotated 1953, as amended (the “*Utah Code*”) requires that a public hearing be held with respect to the issuance of such bonds for said purposes and that notice of such public hearing be given as provided by law; and

WHEREAS, the Board desires to (a) hold a special bond election at the same time as the municipal general election to submit to the qualified electors of the District the question of the issuance of such bonds for said purposes, (b) provide for the holding of a public hearing, (c) to direct the publication and posting of a Notice of Public Hearing (the “*Notice of Public Hearing*”), and (d) provide for the holding of a public meeting;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Weber School District, Utah, as follows:

*Section 1.* In satisfaction of the requirements of Section 53G-4-603 of the Utah Code, the Board hereby finds and determines that it is advisable to issue school district bonds to address the needs of the Board and the District to construct and acquire buildings and furnishings, to remodel and update existing school property under the charge of the Board, and, to the extent necessary, to provide moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the Board authorized hereunder or heretofore issued and now outstanding.

*Section 2.* In the judgment of the Board, it is advisable that a special bond election be called and held in the District at the same time as the municipal general election on Tuesday, November 2, 2021, to submit to the qualified electors of the District the question of whether bonds of the Board to the amount of \$\_\_\_\_\_ shall be issued and sold for the purpose of raising money for [constructing and acquiring buildings and furnishings and remodeling and updating

existing school property under the charge of the Board], and, to the extent necessary, for providing moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the Board authorized hereunder or heretofore issued and now outstanding.

*Section 3.* The question shall be submitted to the qualified electors of the District at a special bond election and such special bond election (the “*Special Bond Election*”) is hereby called to be held in the District on Tuesday, November 2, 2021. The question shall be submitted in substantially the form set out in the form of ballot appearing in Section 4 hereof.

*Section 4.* The ballots to be used at the Special Bond Election shall comply in all respects with the requirements of Sections 11-14-206, Title 20A, Chapter 6, Part 1 and Section 20A-6-402 of the Utah Code, and shall be in substantially the following form:

**OFFICIAL BALLOT FOR THE  
BOARD OF EDUCATION OF WEBER SCHOOL DISTRICT, UTAH  
SPECIAL BOND ELECTION**

November 2, 2021

Shall the Board of Education of Weber School District, Utah, be authorized to issue general obligation bonds (“Bonds”) in an amount not to exceed \$\_\_\_\_\_ and to mature in no more than twenty-one (21) years from the date or dates of issuance of such Bonds for the purpose of raising money for [constructing buildings, acquiring land and furnishings and remodeling and updating existing school property under the charge of the Board of Education], and, to the extent necessary, for providing moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the Board authorized hereunder or heretofore issued and now outstanding?

**PROPERTY TAX COST OF BONDS**

If the Bonds are issued as planned, without regard to the taxes currently levied for outstanding bonds that will reduce over time, an annual property tax to pay debt service on the Bonds will be required over a period of 20 years in the estimated average amount of \$\_\_\_\_\_ on a \$ {average value of residence rounded to the nearest thousand dollars} primary residence, and in the estimated average amount of \$\_\_\_\_\_ on a business property having the same value.

Since there are other outstanding bonds, an otherwise scheduled tax decrease may not occur if these Bonds are issued.

However, such outstanding bonds reduce over time such that the average property tax due to the issuance of the proposed Bonds is expected to have a zero net increase (\$0.00) from the current annual property tax levels after the Bonds are issued on both primary residences and businesses or secondary residences in the District.

The foregoing is only an estimate and is not a limit on the amount of taxes that the governing body may be required to levy in order to pay debt service on the Bonds. The governing body is obligated to levy taxes to the extent provided by law in order to pay the Bonds.

**To vote in favor of the above bond issue, select the box immediately adjacent to the words “FOR THE ISSUANCE OF BONDS.” To vote against the bond issue, select the box immediately adjacent to the words “AGAINST THE ISSUANCE OF BONDS.”**

**FOR THE ISSUANCE OF BONDS**

**AGAINST THE ISSUANCE OF BONDS**

*Section 5.* In satisfaction of the requirements of Section 11-14-318 of the Code, a public hearing shall be held by the Board on \_\_\_\_\_, \_\_\_\_\_, 2021, at 6:00 p.m., at the District’s offices, located at 5320 South Adams Avenue Parkway, Washington Terrace, Utah, with respect to the issuance by the Board of general obligation bonds, if approved by eligible voters at the Special Bond Election, for the purposes set forth in Section 1 and the potential economic impact of the Facilities.

*Section 6.* The Business Administrator of the District (the “*Business Administrator*”) shall cause the “Notice of Public Hearing,” in substantially the form attached hereto as *Exhibit 1*, to be published on the Utah Public Notice Website (as of the date of this Resolution, <http://pmn.utah.gov>) no less than 14 days before the date set for the public hearing.

*Section 7.* After the adoption of this Resolution and at least 75 days before the Special Bond Election, a certified copy hereof, which includes the ballot title and the ballot proposition, shall be furnished on behalf of the Board by Chapman and Cutler LLP, as bond counsel, to the Lieutenant Governor of the State of Utah and to the the Business Administrator, as election officer and the County Clerk of Weber County, Utah, as provider election officer (collectively, the “*Election Officer*”).

*Section 8.* (a) In satisfaction of and in compliance with the requirements of Section 59-1-1604 of the Utah Code, the Business Administrator, on behalf of the Board, shall prepare and submit an argument in favor of the ballot proposition and, the rebuttal to the argument against the ballot proposition, if necessary.

(b) To facilitate compliance with the requirements of Section 59-1-1604 of the Utah Code, the argument in favor of the ballot proposition prepared on behalf of the Board and any argument in favor of the ballot proposed by an eligible voter of the District, the designated argument against the ballot proposition prepared by an eligible voter of the District, and any rebuttals thereto submitted by the respective drafters of the arguments in favor of and against the ballot proposition shall be submitted in accordance with the following schedule:

(i) the argument in favor of the ballot proposition prepared on behalf of the Board, shall be submitted to the Business Administrator no later than 5:00 p.m. MDT on August 30, 2021;

(ii) eligible voters wishing to submit an argument in favor of or an argument against the ballot proposition shall file a request with the Business Administrator no later than 5:00 p.m. MDT on August 30, 2021; if two or more eligible voters file a request the Business Administrator, as election officer, will designate one of the eligible voters to submit the argument by 10:00 a.m. MDT on August 31, 2021; any argument designated to be prepared by an eligible voter shall be to the Business Administrator no later than 5:00 p.m. MDT on September 3, 2021; and

(iii) any rebuttal arguments shall be submitted to the Business Administrator no later than 5:00 p.m. MDT on September 20, 2021.

All arguments and rebuttal arguments shall comply with the provisions of Section 59-1-1604 of the Utah Code.

(c) In accordance with the requirements of Section 59-1-1605 of the Utah Code, a public meeting shall be held by the Board during the Board meeting that begins at 7:00 p.m., on Wednesday, October 6, 2021, at the District's offices located at 5320 South Adams Avenue Parkway, Washington Terrace, Utah, for the presentation of the arguments in favor of and against the ballot proposition.

(d) As provided in this Section 8(d) and Section 59-1-1604 of the Utah Code, the Business Administrator, on behalf of the Board, shall cause the notice of the public meeting, including the date, time and place of the public meeting, together with the arguments in favor of and against the ballot proposition and the rebuttals thereto, to be posted for 30 consecutive days before the Election Day on (A) the Statewide Electronic Voter Information Website (as of the date of this Resolution, [vote.utah.gov](http://vote.utah.gov)) and (B) a prominent place on the District's website (as of the date of this Resolution, [wsd.net](http://wsd.net)).

(e) As soon as practicable after the adoption of this Resolution, the Business Administrator shall post notice of the Special Bond Election and the deadlines for the submissions of arguments, in substantially the form attached hereto as *Exhibit 2*, on (i) the Utah Public Notice Website create in Section 63A-16-601 of the Utah Code and (ii) on the home page (which may be a link to such notice) of the District's website.

*Section 9.* The Election Officer and the officers and employees of the Board are authorized to take such action as they may deem necessary in order to assure that the Special Bond Election does not violate any applicable state or federal law, including laws regarding the use of the electronic voting devices.

*Section 10.* All acts and resolutions in conflict with this Resolution or any part thereof are hereby repealed.

*Section 11.* It is hereby declared that all parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid and unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

*Section 12.* Immediately after its adoption by at least two-thirds majority of the members of the Board, this Resolution shall be signed by the President or the Vice President and the Business Administrator, shall be sealed with the seal of the Board and shall be recorded in a book kept for that purpose and shall take immediate effect.

*(Signature page follows.)*

ADOPTED AND APPROVED this day, August 4, 2021.

BOARD OF EDUCATION OF WEBER SCHOOL  
DISTRICT, UTAH

By \_\_\_\_\_  
President

[SEAL]

ATTEST AND COUNTERSIGN:

By \_\_\_\_\_  
Business Administrator

**BOARD VOTE AS RECORDED:**

|                |                   |       |
|----------------|-------------------|-------|
| President      | Jon S. Ritchie    | _____ |
| Vice President | Dean Oborn        | _____ |
| Board Member   | Jan Burrell       | _____ |
| Board Member   | Janis Christensen | _____ |
| Board Member   | Douglas R. Hurst  | _____ |
| Board Member   | Bruce Jardine     | _____ |
| Board Member   | Paul Widdison     | _____ |

**EXHIBIT 1**

**NOTICE OF PUBLIC HEARING**

**BOARD OF EDUCATION OF WEBER SCHOOL DISTRICT, UTAH**

PUBLIC NOTICE IS HEREBY GIVEN that on Wednesday, August 4, 2021, the Board of Education (the “*Board*”) of Weber School District, Utah (the “*District*”) adopted a resolution (the “*Resolution*”), providing for a special bond election to be held in the District on Tuesday, November 2, 2021, for the purpose of submitting to the qualified electors of the District the question of the issuance of general obligation bonds in an amount not to exceed \$\_\_\_\_\_ (the “*Special Bond Election*”) and calling a public hearing to receive input from the public with respect to the issuance of general obligation bonds and the potential economic impact that the improvement, facility, or property for which the bonds pay all or part of the cost will have on the private sector, pursuant to the Section 11-14-318 of the Utah Code Annotated 1953, as amended.

**PURPOSE FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS**

If approved by eligible voters at the Special Bond Election, the Board intends to issue general obligation bonds for the purpose of raising money to [construct and acquire buildings and furnishings and to remodel and update existing school property] under the charge of the Board and, to the extent necessary, for providing moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the Board.

**MAXIMUM PRINCIPAL AMOUNT OF THE GENERAL OBLIGATION BONDS**

If approved by eligible voters at the Special Bond Election, the Board intends to issue general obligation bonds in an amount not to exceed \$\_\_\_\_\_, in one or more series at one or more times.

**THE TAXES, IF ANY, PROPOSED TO BE PLEDGED**

The Board proposes to pledge the full faith and credit of the District for the payment of its general obligation bonds and may be obligated to levy and collect ad valorem taxes sufficient to pay the general obligation bonds, as provided by law.

**TIME, PLACE AND LOCATION OF PUBLIC HEARING**

The Board will hold a public hearing at 6:00 p.m. on \_\_\_\_\_, 2021. The public hearing will be held at the District’s offices, located at 5320 South Adams Parkway, Washington Terrace, Utah. All members of the public are invited to attend and participate in the public hearing. Prior to the public hearing, written comments may be submitted to the Board, to the attention of the Business Administrator, 5320 South Adams Avenue Parkway, Washington Terrace, Utah 84405.

DATED this 4th day of August, 2021.

Board of Education of Weber District, Utah

By \_\_\_\_\_  
Business Administrator

[SEAL]

## EXHIBIT 2

### NOTICE OF INVITATION FOR ARGUMENTS

#### BOARD OF EDUCATION OF WEBER SCHOOL DISTRICT, UTAH

PUBLIC NOTICE IS HEREBY GIVEN that on Wednesday, August 4, 2021, the Board of Education (the “*Board*”) of Weber School District, Utah (the “*District*”) adopted a resolution (the “*Resolution*”), providing for a special bond election to be held in the District on Tuesday, November 2, 2021, for the purpose of submitting to the qualified electors of the District the question of the issuance of general obligation bonds in an amount not to exceed \$\_\_\_\_\_ (the “*Special Bond Election*”). The Board hereby invites any eligible voter of the District to prepare an argument for or against the below described ballot proposition.

#### PROPOSED BALLOT PROPOSITION LANGUAGE

The ballot proposition language included in the Resolution and intended to be used at the Special Bond Election is as follows:

Shall the Board of Education of Weber School District, Utah, be authorized to issue general obligation bonds (“Bonds”) in an amount not to exceed \$\_\_\_\_\_ and to mature in no more than twenty-one (21) years from the date or dates of issuance of such Bonds for the purpose of raising money for [constructing buildings, acquiring land and furnishings and remodeling and updating existing school property] under the charge of the Board of Education, and, to the extent necessary, for providing moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the Board authorized hereunder or heretofore issued and now outstanding?

#### PROPERTY TAX COST OF BONDS

If the Bonds are issued as planned, without regard to the taxes currently levied for outstanding bonds that will reduce over time, an annual property tax to pay debt service on the Bonds will be required over a period of 20 years in the estimated average amount of \$\_\_\_\_\_ on a \$\_\_\_\_\_ primary residence, and in the estimated average amount of \$\_\_\_\_\_ on a business property having the same value.

Since there are other outstanding bonds, an otherwise scheduled tax decrease may not occur if these Bonds are issued.

However, such outstanding bonds reduce over time such that the average property tax due to the issuance of the proposed Bonds is expected to have a zero net increase (\$0.00) from the current annual property tax levels after the Bonds are issued on both primary residences and businesses or secondary residences in the District.

The foregoing is only an estimate and is not a limit on the amount of taxes that the governing body may be required to levy in order to pay debt service on the Bonds. The governing body is obligated to levy taxes to the extent provided by law in order to pay the Bonds.

PROCEDURE FOR ARGUMENTS

Any eligible voter of the District who would like to prepare an argument for or an argument against the ballot proposition must submit to the Business Administrator of the District, as the election officer, at the District's offices, located at 5320 South Adams Avenue Parkway, Washington Terrace, Utah 84405, a request to prepare an argument by no later than 5:00 p.m. MDT on August 30, 2021.

If two or more eligible voters file a request to submit an argument in favor of or against the ballot proposition the Business Administrator will designate one of the eligible voters to submit an argument by 10:00 a.m. MDT on August 31, 2021. Arguments prepared by an eligible voter must be submitted to the Business Administrator no later than 5:00 p.m. MDT on September 3, 2021. The arguments may not exceed 500 words in length and must include the eligible voter's name, residential address, postal address, email address, if available, and phone number (provided that such information does not count against the 500-word limit).

If both an argument in favor and an argument against the ballot proposition are prepared, the eligible voters who prepared such arguments may prepare a 250-word rebuttal argument. Any rebuttal arguments must be submitted to the Business Administrator no later than 5:00 p.m. MDT on September 20, 2021.

All arguments and rebuttal arguments must comply with the provisions of Section 59-1-1604 of the Utah Code.

DATED this 4th day of August, 2021.

Board of Education of Weber District, Utah

By \_\_\_\_\_  
Business Administrator

[SEAL]