

SANTA PAULA UNIFIED SCHOOL DISTRICT

RESOLUTION ORDERING AN ELECTION TO AUTHORIZE THE ISSUANCE OF SCHOOL BONDS IN SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 1, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON JUNE 7, 2016

RESOLUTION NO. 2015-16: 22

Special Meeting January 28, 2016

WHEREAS, Chapter 2 (commencing with section 15300) of Part 10 of Division 1 of Title 1 of the California Education Code (the "**Law**") authorizes school districts to form school facilities improvement districts consisting of a portion of the territory within the school district and permits the conduct of a bond election and the issuance of general obligation bonds for a school facilities improvement district following voter approval;

WHEREAS, on January 28, 2016, the Governing Board (the "**Board**") of Santa Paula Unified School District (the "**District**") adopted a "Resolution Ordering Formation of School Facilities Improvement District No. 1 of the Santa Paula Unified School District," pursuant to which the Board ordered the formation of School Facilities Improvement District No. 1 of the Santa Paula Unified School District (the "**Improvement District**");

WHEREAS, Section 15340 of the Law provides that the Board may provide for and call a special bond election within the Improvement District pursuant to Chapter 1 (commencing with Section 15100) of the Education Code and, if applicable, Chapter 1.5 (commencing with Section 15264) of the Education Code for the approval of a proposition of whether an indebtedness of the Improvement District shall be incurred through the issuance of bonds for the Improvement District;

WHEREAS, pursuant to the Law, such bonds would be deemed to be bonds of the District issued for the benefit of the land within the Improvement District;

WHEREAS, in the judgment of the Board, it is advisable to call an election to submit to the electors of the Improvement District the question whether bonds of the District shall be issued and sold on behalf of the Improvement District for the purpose of raising money for the acquisition and improvement of real property, and the furnishing and equipping of school facilities in the Improvement District; and

WHEREAS, as a result of the approval of Proposition 39 on November 7, 2000, Article XIII A Section 1 paragraph (b) of the California Constitution ("**Article XIII A**") provides an exception to the limit on ad valorem property taxes on real property for bonded indebtedness incurred by a school district approved by fifty-five percent (55%) of the voters of the Improvement District voting on the proposition; and

WHEREAS, the Board is specifically authorized, upon approval by a two-thirds vote of the Board, to pursue the authorization and issuance of bonds by a fifty-five percent (55%) vote of the electorate on the question whether bonds shall be issued and sold for specified purposes, pursuant to Education Code Section 15264 *et seq.* (the "**Act**"); and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, June 7, 2016, and to request the Registrar of Voters in Ventura County (“County”) to perform certain election services for the District; and

NOW, THEREFORE, THE GOVERNING BOARD OF THE SANTA PAULA UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Call for Election. The Board hereby orders an election and submits to the electors of the Improvement District the question of whether general obligation bonds of the District shall be issued and sold on behalf of the Improvement District in the maximum principal amount of \$39,600,000 for the purpose of financing the acquisition and improvement of real property, and the furnishing and equipping of school facilities in the Improvement District, and paying costs incident thereto, as set forth more fully in the ballot proposition approved pursuant to Section 3. This Resolution constitutes the order of the District to call such election.

Section 2. Election Date. The date of the election shall be June 7, 2016, and the election shall be held solely within the boundaries of the Improvement District.

Section 3. Purpose of Election; Ballot Proposition. The purpose of the election shall be for the voters in the Improvement District to vote on a proposition, a full copy of which is attached hereto and marked Exhibit “A”, containing the question of whether the District shall issue the Bonds for the purpose stated therein, together with the accountability requirements of Article XIII A and Government Code Section 53410 and the requirements of Section 15272 of the Act. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto and marked as Exhibit “B”. The Superintendent, President of the Board or their designees are hereby authorized and directed to make any changes to the text of the proposition or this resolution as required to conform to any requirements of Article XIII A, the Act or the requirements of the County.

Section 4. Authority for Election. The authority for ordering the election is contained in Section 15264 *et. seq.* of the Education Code and Section 1 paragraph (b) subsection (3) of Article XIII A. The authority for the specification of this election order is contained in Section 5322 of the Education Code.

Section 5. School Facilities Projects. As required by Article XIII A, the Board hereby certifies that it has evaluated safety, class size reduction, enrollment growth and information technology needs in developing the list of school facilities projects set forth on Exhibit A.

Section 6. Covenants of the Board upon Approval of the Bonds by the Electorate. As required by Article XIII A, Section 15278 of the Act, and Government Code Section 53410 in the event fifty-five percent (55%) of the voters voting in the District approve of the Bonds, the Board shall:

(1) conduct an annual, independent performance audit to ensure that the funds have been expended only on the projects listed in Exhibit A;

(2) conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the school facilities projects listed in Exhibit A; and

(3) establish and appoint members to an independent citizens' oversight committee in accordance with Sections 15278, 15280 and 15282 of the Act.

(4) apply the bond proceeds only to the specific purposes stated in the ballot proposition.

(5) cause creation of accounts into which bond proceeds shall be deposited.

(6) cause the preparation of an annual report pursuant to Government Code Sections 53410 and 53411.

Section 7. Delivery of this Resolution. The Clerk of the Board is hereby directed to send a copy of this Resolution to the County Superintendent of Schools of the County, the Registrar of Voters of the County (the "County Registrar") and the County Clerk of the Board of Supervisors of the County. The County Registrar is hereby requested to print the Full Text of Measure set forth on Exhibit A hereto, in the ballot materials.

Section 8. Consolidation of Election. The County Registrar and the County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on June 7, 2016, within the District.

Section 9. Ballot Arguments; Tax Rate Statement. Any and all members of this Board are hereby authorized to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument. The Superintendent, President of the Board, or their designees, are hereby authorized to execute any Tax Rate Statement or other document and to perform all acts necessary to place the bond measure on the ballot.

Section 10. Election and Bond Services. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of the County, is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse the County in full upon presentation of a bill, such services to include the publication of a formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code).

Section 11. Effective Date. This resolution shall take effect on and after its adoption.

PASSED AND ADOPTED this 28th day of January, 2016 by the following vote:

Member _____

Member _____

Member _____

Member _____

Member _____

Chris Wilson, President of the Board

I, Christina Urias, Clerk of the Governing Board of the Santa Paula Unified School District, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by said Board at a regular meeting thereof held at the regular place of meeting on the date stated above, and that the minutes of said Governing Board shows that _____(#____) members of said Board voted for and _____(#____) members of said Board voted against the adoption of said Resolution and the said Resolution is now spread upon the minutes of said Board and is on file in the office of said Board.

Christina Urias, Clerk of the Board

EXHIBIT A

BALLOT MEASURE FULL TEXT OF MEASURE

This proposition may be known and referred to as the Santa Paula Unified School District General Obligation Bond of 2016, or Measure _____.

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Santa Paula Unified School District (the "District") shall be authorized to issue and sell bonds of up to \$39.6 million in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List below, and in order to qualify to receive State matching grant funds, subject to all of the accountability safeguards specified below.

ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the District's voters and taxpayers may be assured that their money will be spent wisely to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Governing Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Limitation on Use of Bond Proceeds. The State of California does not have the power to take locally approved school district bond funds for any State purposes. The Constitution allows proceeds from the sale of bonds authorized by this proposition to be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities listed in this proposition, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff only when performing work on or necessary and incidental to the bond projects.

Independent Citizens' Oversight Committee. The Governing Board shall establish an independent Citizens' Oversight Committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are spent only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date on which the Board of Trustees enters the election results on its minutes.

Annual Performance Audits. The Governing Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List.

Annual Financial Audits. The Governing Board shall conduct an annual, independent financial audit of the bond proceeds (which shall be separate from the District's regular annual financial audit) until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Governing Board shall take actions necessary pursuant to Government Code Section 53410 and following to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent or the Chief Business Official of the District (or such other employee as may perform substantially similar duties) shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31 of the year in which bonds are first issued, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as such officer shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

FURTHER SPECIFICATIONS

Specific Purposes. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

Joint Use. The District may enter into agreements with the County of Ventura, or other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board of Trustees shall determine.

Rate of Interest. The bonds shall bear interest at a rate per annum not exceeding the statutory maximum, payable at the time or times permitted by law.

Term of Bonds. The number of years the whole or any part of the bonds are to run shall not exceed the legal limit, though this shall not preclude bonds from being sold which mature prior to the legal limit.

PROJECT LIST

Improvements may be made at the following District schools:

Barbara Webster Elementary – first built in 1925	Grace S. Thille Elementary School – first built in 1952
Thelma S. Bedell Elementary School – first built in 1963	Isbell Middle School – first built in 1925
Blanchard Elementary School – first built in 1960	McKevett Elementary School – first built 1910
Glen City Elementary School – first built in 1952	

- Repair, upgrade or replace roofs.
- Provide ventilation and air-conditioning systems to classrooms where none exist and replace outdated heating, ventilation and air-conditioning systems.
- Repair/replace deteriorating plumbing systems, including drainage, irrigation and sewer systems.
- Upgrade inadequate electrical systems.
- Improve student access to computers and modern technology.
- Replace outdated temporary portable classrooms with permanent classrooms and/or construct new classrooms to replace temporary portable classrooms.
- Modernize classrooms to meet 21st century teaching and learning standards and renovate, upgrade, and modernize restrooms and school facilities.
- Make health, safety and handicapped accessibility improvements.
- Construct new science and technology labs at Isbell Middle School.
- Upgrade fire alarm, emergency exit lighting, and security systems.
- Make energy-efficient upgrades including “green” building projects and sustainable building practices to promote energy-efficiency (e.g., windows, lighting, electrical systems panel, HVAC etc.).
- Improve student safety at drop-off and pick-up areas.
- Modernize and renovate libraries/literacy centers for school and community use.
- Upgrade and repair playgrounds, playfields and athletic facilities for school and community use.
- Renovate existing multi-purpose rooms/cafeterias and construct multi-purpose rooms/cafeterias at schools where none exist.
- Repair, replace and/or upgrade paved surfaces including parking, turf, and other grounds to eliminate safety hazards and improve outside instructional areas.
- Modernize, renovate, repair, expand and/or upgrade the interior and/or exterior of existing classrooms and school facilities (including but not limited to doors, windows, casework, fencing, painting, signage, and railings).
- Address unforeseen conditions revealed by construction/modernization (such as plumbing or gas line breaks, dry rot, seismic, structural, etc.).

- Remove, repair, and refinish building and site areas damaged by dry rot, water, termites, etc.
- Abate and remove hazardous materials identified prior or during construction.
- Other improvements required to comply with existing building codes, including the Field Act, and handicapped access requirements of the Americans with Disabilities Act.
- Necessary preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines (such as gas lines, water lines, electrical lines, sewer lines, and communication lines), trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property.
- Rental or construction of storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction.
- Acquisition of any of the facilities on the Bond Project List through temporary lease or lease-purchase arrangements, or execute purchase option under leases for any of these authorized facilities.
- For any project involving rehabilitation or renovation of a building or the major portion of a building, the District shall be authorized to proceed with new construction instead, if the Board of Trustees determines that replacement and new construction is more economically practical than rehabilitation and renovation, considering the building's age, condition, expected remaining life, and other relevant factors.
- All work necessary and incidental to specific projects described above, including demolition of existing structures.

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, fixtures, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed projects stated above, the list also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the list; installation of signage and fencing; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, printers, digital white boards, document projectors, telephone system, call manager and network security/firewall, wireless technology systems and other miscellaneous equipment and software. The allocation of bond proceeds will not be affected by the District's receipt of State matching funds and the final costs of each project. The budget for each project is an estimate and may be affected by factors beyond the District's control. Some projects throughout the District, such as gyms, fields and performing arts facilities, may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. The final cost of each project will be determined as plans and construction

documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects and the costs of issuing the bonds. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

The Bond Project List shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition

EXHIBIT B
BALLOT MEASURE

To improve the quality of education, upgrade elementary and middle school classrooms, restrooms and facilities; replace leaky roofs; provide air-conditioning and ventilation systems; upgrade/replace outdated electrical and deteriorating plumbing systems; construct new science labs and classrooms; and improve student access to computers/technology, shall Santa Paula Unified School District School Facilities Improvement District No. 1 issue \$39,600,000 of bonds at legal rates, have an independent citizens' oversight committee and NO money for administrative salaries or taken by the State?