

RESOLUTION NO. 18-07-01

RESOLUTION OF THE BOARD OF TRUSTEES OF BONSTALL
UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the "Board") recognizes that our schools are vital community assets and is committed to providing classrooms to accommodate the growing student population in the Bonsall Unified School District (the "District") by building a new high school and increasing student safety; and

WHEREAS, the Board desires that all of the District's campuses and classrooms be safe and secure so that students are protected by up to date facilities and systems; and

WHEREAS, the Board has determined that school facilities within the District are insufficient to accommodate the growing student population and that the school facilities need to be upgraded to meet current safety codes; and

WHEREAS, whether or not residents within the District have school-age children, protecting the value of our homes, the quality of our schools and the quality of life in our community is a wise investment; and

WHEREAS, the State of California (the "State") is not providing the District with enough money for the District to adequately maintain its educational facilities and academic programs; and

WHEREAS, the Board has concluded that the District's only remedy to avoid the undermining of its educational programs is securing local funding; and

WHEREAS, the Board has received information regarding the possibility of a local bond measure and its bonding capacity; and

WHEREAS, a local measure will help provide funds that cannot be taken away by the State to build a high school to prepare students for college and good jobs; and

WHEREAS, such measure will include mandatory taxpayer protections, including an independent citizens' oversight committee, mandatory audits to ensure funds are spent as promised and that no money is used for administrators' salaries or pensions; and

WHEREAS, the District will promote fair and open competition for all District construction projects so that all contractors and workers, whether union or non-union, are treated equally in the bidding and awarding of District contracts; and

WHEREAS, the Board and District has solicited stakeholder and community input on school priorities from parents, teachers, staff, the community and civic leaders; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which reduced the voter threshold for *ad valorem* tax levies used to pay for debt service on bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Education Code Section 15264) (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight that are contained in Proposition 39 and the Act; and

WHEREAS, the Board desires to authorize the submission of a proposition to the District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities; and

WHEREAS, the Board hereby determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for inappropriate administrative salaries or other operating expenses of the District shall be strictly monitored by the District's Citizens' Oversight Committee; and

WHEREAS, in order to maximize community benefit and efficiently apply taxpayer dollars, the District intends to demonstrate a good faith effort to pursue all practical opportunities to expand community joint use facilities in every new or expanded construction project to be financed from the proceeds of the Bonds (as defined below) with a goal to maximize the use of facilities to the broader community without adversely impacting operations or finances;

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Elections Code Section 9400 *et seq.* requires that a tax rate statement be contained in all official materials relating to the election, including any ballot pamphlet prepared, sponsored, or distributed by the District; and

WHEREAS, the Board desires to authorize the filing of a tax rate statement and a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the 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, November 6, 2018, and to request the San Diego County Registrar of Voters to perform certain election services for the District.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE BONSALL UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506, hereby requests the San Diego County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$38,000,000 (the "Bonds") shall be issued and sold for the purpose of raising money for