

FILED

AUG 04 2014

RESOLUTION NO. #15-1140

BY _____ DEPUTY
REGISTRAR OF VOTERS

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
SNOWLINE JOINT UNIFIED SCHOOL DISTRICT ORDERING
A SCHOOL BOND ELECTION, AND AUTHORIZING
NECESSARY ACTIONS IN CONNECTION THEREWITH**

WHEREAS, since 2008, the State of California (the “State”) has cut approximately \$45 million from the Snowline Joint Unified School District (the “District”), located primarily within the County of San Bernardino, California (“San Bernardino County”) and partially in the County of Los Angeles, California (“Los Angeles County” and, together with San Bernardino County, the “Counties”), leaving students with outdated classrooms and technology;

WHEREAS, the District needs a dedicated source of local funding that cannot be taken away by the State to upgrade its neighborhood schools;

WHEREAS, the District’s school vocational and career education programs that train students for jobs in health care, technology, engineering and other high-paying, in-demand careers are using outdated, insufficient equipment and classrooms that need to be upgraded and expanded;

WHEREAS, the District has sought input from teachers, school staff, parents and the community at large on the facility priorities that the public and District stakeholders would like the District to address;

WHEREAS, any local school bond would require that all funds be used locally to improve District schools, with no money for teacher or administrator salaries, and all money must stay in the local community and cannot be taken away by the State;

WHEREAS, the District’s proposed local bond would include strict fiscal accountability requirements, including an Independent Citizens’ Oversight Committee and annual financial and performance audits to make sure bond proceeds are spent as promised;

WHEREAS, the Board of Education (the “Board”) of the District is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the California Education Code (the “Education Code”);

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Education Code Sections 15100 *et seq.*;

WHEREAS, pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, and Section 15266 of the Education Code, school districts may seek approval of bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition, including performance and financial audits and oversight by an independent

citizens oversight committee to ensure that all funds are spent properly and as promised to the voters;

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors, which, if approved by 55% of the votes cast, would permit the District to issue its bonds;

WHEREAS, Section 5303 of the Education Code provides that in an election to be conducted in a district located in more than one county, the elections clerks of both counties shall by mutual agreement provide for the performance of the duties incident to the preparation for and holding of all district elections;

WHEREAS, the Board understands that the San Bernardino County Registrar of Voters (the “San Bernardino County Registrar of Voters”) shall bear primary responsibility for conducting the election;

WHEREAS, the District desires to request that the San Bernardino County Registrar of Voters and the Los Angeles County Registrar-Recorder/County Clerk (the “Los Angeles County Registrar of Voters” and, together with the San Bernardino County Registrar of Voters, the “Registrars of Voters”) come to a mutual agreement for the performance of such elections clerk duties in connection with the proposition to be submitted to the voters in compliance with Section 5303 of the Education Code;

WHEREAS, such a bond election must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election, as required by Section 15266 of the Education Code;

WHEREAS, on November 4, 2014, a statewide general election is scheduled to be conducted throughout the District;

WHEREAS, the Board has determined that, based upon a projection of assessed property valuation, 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 maximum tax rate permitted by Section 15270 of the Education Code;

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

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

WHEREAS, if a project to be funded by the bonds will require State matching grant funds for any phase, the sample ballot must contain a statement, in the form prescribed by law, advising the voters of that fact, and the Board finds that completion of all or a portion of certain of the projects listed in the bond proposition set forth herein will require State matching grant funds not yet received by the District;

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Education of the Snowline Joint Unified School District as follows:

Section 1. Recitals. All of the above recitals are true and correct.

Section 2. Specifications of Election Order; Required Certification. Pursuant to Education Code Sections 5304, 5322, 15100 *et seq.*, and 15266, a special election shall be held within the boundaries of the District on November 4, 2014, for the purpose of submitting to the registered voters of the District the bond proposition contained in Exhibit A attached hereto and incorporated herein. In accordance with Section 1 of Article XIII A of the California Constitution, and as provided in the text of the bond proposition, the Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the bond project list set forth in the bond proposition.

Section 3. Conduct of Election. (a) *Request to County Officers.* Pursuant to Section 5303 of the Education Code, the Registrars of Voters are required to, and are hereby requested to, take all steps to hold the election in accordance with law and these specifications.

(b) *Abbreviation of Proposition.* Pursuant to Section 13247 of the Elections Code and Section 15122 of the Education Code, the Board hereby directs the Registrars of Voters to use the following abbreviation of the bond proposition on the ballot:

“Snowline Joint Unified School District Education Facilities Repair, Upgrade and Safety Measure. To upgrade outdated classrooms, science labs, career/vocational education facilities; improve school security/drinking water/fire safety systems; repair electrical wiring, leaky roofs, plumbing and bathrooms; replace old portables; repair, construct, acquire educational facilities, sites/equipment, shall Snowline Joint Unified School District issue \$60,000,000 in bonds at legal rates, requiring independent audits, Independent Citizens’ Oversight Committee, no money for administrators’ salaries, and requiring all funds be used locally for Snowline schools?”

(c) *Voter Pamphlet.* The Registrars of Voters are hereby requested to reprint the full text of the bond proposition as set forth in Exhibit A in its entirety in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. In the event the full text of the bond proposition is not reprinted in the voter information pamphlet in its entirety, the Registrars of Voters are hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

“The above statement is an impartial analysis of Measure __. If you desire a copy of the measure, please call the [San Bernardino County Registrar of Voters][Los Angeles County Registrar-Recorder/County Clerk] at (____) ____-____ or the Snowline Joint Unified School District at (760) 868-5817, and a copy will be mailed at no cost to you. Measure __ is also available on the Internet at <http://www.snowlineschools.com>.”

(d) *Accountability Safeguards.* In the event the full text of the bond proposition is not reprinted in the voter information pamphlet in its entirety, the Registrars of Voters are hereby requested to include the following statement in the ballot in compliance with Section 15272 of the Education Code:

“If Measure ___ is approved, the Board of Education of the Snowline Joint Unified School District will appoint a citizens’ oversight committee and conduct annual independent audits to assure that bond funds are spent only on the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and for no other purposes.”

(e) *State Matching Funds.* The District hereby requests that the Registrars of Voters include the following statement in the ballot pamphlet, pursuant to Section 15122.5 of the Education Code:

“Approval of Measure ___ does not guarantee that the proposed project or projects in the Snowline Joint Unified School District that are the subject of bonds under Measure ___ will be funded beyond the local revenues generated by Measure ___. The District’s proposal for the project or projects assumes the receipt of matching State funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.”

(f) *Consolidation Requirement.* Pursuant to Section 15266(a) of the Education Code, the election shall be consolidated with the statewide general election on November 4, 2014, and pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrars of Voters and the Boards of Supervisors of the Counties are hereby requested to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

(g) *Canvass of Results.* The Board of Supervisors of each of the Counties is authorized and requested to canvass the returns of the election, pursuant to Section 10411 of the Elections Code.

(h) *Required Vote.* Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, the bond proposition shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

(i) *Election Costs.* The District shall pay all costs of the election approved by the Board of Supervisors of each of the Counties pursuant to Education Code Section 5421.

Section 4. Delivery of Order of Election to County Officers. The Clerk of the Board of the District is hereby directed to cause to be filed as soon as practicable, and in any event no later than August 8, 2014 (which date is not fewer than 88 days prior to the date set for the election), one copy of this Resolution with each of the Registrars of Voters, including the tax

rate statement attached hereto as Exhibit B, containing the information required by Elections Code Section 9400 *et seq.*, completed and signed by the Superintendent of the District, and shall file or cause to be filed a copy of this Resolution with the Clerk of the Board of Supervisors of each of the Counties.

Section 5. Ballot Arguments. The President of the Board, or any member or members of the Board as the President shall designate, are hereby authorized, but not directed, to prepare and file with each of the Registrars of Voters a ballot argument in favor of the bond proposition, within the time established by the Registrars of Voters, which shall be considered the official ballot argument of the Board as sponsor of the bond proposition.

Section 6. Further Authorization. The members of the Board, the Superintendent of the District, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution in accordance with the terms hereof and of applicable provisions of law.

Section 7. Effective Date. This Resolution shall take effect upon its adoption by a two-thirds vote.

PASSED AND ADOPTED this day, August 4, 2014, by the following vote:

Dave Nilsen	Aye <u> </u>	Noe <u> x </u>	Abstain <u> </u>	Absent <u> </u>
Steve Coulombe	Aye <u> x </u>	Noe <u> </u>	Abstain <u> </u>	Absent <u> </u>
Karie LaFever	Aye <u> x </u>	Noe <u> </u>	Abstain <u> </u>	Absent <u> </u>
Christina Behringer	Aye <u> x </u>	Noe <u> </u>	Abstain <u> </u>	Absent <u> </u>
Ann Bashaw	Aye <u> x </u>	Noe <u> </u>	Abstain <u> </u>	Absent <u> </u>

APPROVED:

 President of the Board of Education of the
 Snowline Joint Unified School District

ATTEST:

 Clerk of the Board of Education of the
 Snowline Joint Unified School District