

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA# \*A-9

Urgent \_\_\_\_\_ Routine X

AGENDA DATE July 10, 2001

CEO Concurs with Recommendation YES X NO \_\_\_\_\_  
(Information Attached)

4/5 Vote Required YES \_\_\_\_\_ NO X

SUBJECT:

APPROVAL TO CONSOLIDATE THE CERES UNIFIED SCHOOL DISTRICT BOND  
ELECTION WITH THE GENERAL ELECTION ON NOVEMBER 6, 2001

STAFF RECOMMENDATIONS:

1. APPROVE CONSOLIDATING THE CERES UNIFIED SCHOOL DISTRICT BOND  
ELECTION WITH THE GENERAL ELECTION ON NOVEMBER 6, 2001

FISCAL IMPACT:

NONE

BOARD ACTION AS FOLLOWS:

No. 2001-499

On motion of Supervisor Caruso, Seconded by Supervisor Blom

and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy

*Christine Ferraro*

File No.

REGISTRATION AND  
2001 JUN 27 AM 11:11  
COUNTY CLERK

RESOLUTION # 30-00/01

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

WHEREAS, the Board has determined that certain properties and facilities within the District, need to be constructed to enable the District to reduce overcrowding and enhance the educational opportunities of the students in the District; and

WHEREAS, in the judgment of the Board, it is advisable to provide the funding for a portion of such needs by means of a general obligation bond; and

WHEREAS, Proposition 46, approved by the voters of the State of California on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIII A of the California Constitution by adding a provision which exempts from the 1% of full cash value limitation, those ad valorem taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000 the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which, as of its effective date, will reduce the voter threshold for ad valorem tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a local school district general obligation bond; 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 which are contained in Proposition 39 and A.B. 1908 which implements Proposition 39; and

WHEREAS, in the judgment of the Board, it is advisable to order the County of Stanislaus Registrar of Voters to call an election on the question of whether bonds shall be issued and sold for purposes set forth below.

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

Section 1. That the Board, pursuant to Education Code Section 15100 and Government Code Section 53606, hereby orders the call of an election and the submission to the electors of the District the question of whether bonds of the District in the aggregate principal amount not to exceed \$25,000,000 (the "Bonds") shall be issued and sold to raise money for the purposes and projects described in Exhibit A hereto.

Section 2. That the date of the election shall be November 6, 2001.

Section 3. That the purpose of the election shall be (i) for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for school facilities to the extent permitted by such proposition, and (ii) for the furnishing and equipping

of the school facilities described in Exhibit A. In compliance with Proposition 39 and A.B. 1908, the ballot proposition in Exhibit A is subject to the following requirements and determinations:

(a) the proceeds of the sale of the Bonds shall only be used for the purposes set forth in the ballot measure and not for any other purpose, including teacher and administrator salaries and other school operating expense;

(b) that the Board, in establishing the projects set forth in Exhibit A, evaluated the safety, class size reduction and information technology needs of the District;

(c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond monies get expended for the school projects identified in Exhibit A hereto;

(d) that the Board will cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;

(e) immediately following the successful election the Board would appoint a Citizen's Oversight Committee in compliance with Education Code Section 15278; and

(f) that the tax levy authorized to secure the bonds of this election shall not exceed \$60 per \$100,000 of taxable property in the District.

Section 4. That the authority for ordering the election is contained in Education Code Section 15100 and Government Code Section 53606.

Section 5. That the authority for the specifications of this election order is contained in Section 5322 of the Education Code.

Section 6. That this Resolution shall stand as the order to the County of Stanislaus Registrar of Voters to call an election within the boundaries of the District on November 6, 2001.

Section 7. That the Secretary of the Board is hereby directed to send a certified copy of this Resolution to the County of Stanislaus Registrar of Voters for receipt no later than August 6, 2001.

Section 8. That the maturity of any bonds issued pursuant to Section 15100 of the Education Code hereto shall have a maturity not exceeding twenty-five (25) years and bonds issued pursuant to Section 53506 of the Government Code shall have a maturity of not exceeding forty (40) years.


Section 9. That pursuant to Education Code Section 17032, the Board hereby encumbers the proceeds of the sale of the Bonds to pay for the construction and furnishing of facilities to the extent permitted by the proposition set forth in Exhibit A.

Section 10. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by any body or official authorized by law to canvass the returns of the election; and that the Board consents to such consolidation.

Section 11. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of County of Stanislaus 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, 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) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 21st day of June, 2001.

BOARD OF TRUSTEES OF THE CERES UNIFIED SCHOOL DISTRICT

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

Attest:

  
Secretary

STATE OF CALIFORNIA            )  
  )ss  
COUNTY OF STANISLAUS        )

I, Beatrice Lingenfelter do hereby certify that the foregoing is a true and correct copy of Resolution No. 30-00/01, which was duly adopted by the Board of Trustees of the Ceres Unified School District at meeting thereof held on the 21st day of June, 2001, and that it was so adopted by the following vote:

AYES: Corinne Jones, Bill Berryhill, Eileen Wyatt, Ben Harden, and Dave Sundy

NOES: -0-

ABSENT: Stan Sinclear, Yvette Lane, and Student Rep.

ABSTENTIONS: -0-

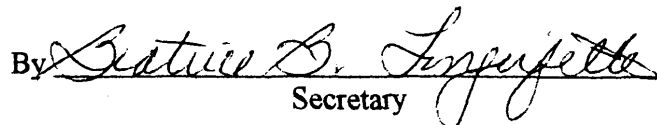
By   
Secretary

EXHIBIT A

“Shall Ceres Unified School District build and furnish a second high school in Ceres to reduce classroom overcrowding at Ceres High School and become eligible for State funding by issuing \$25 million of bonds at interest rates within the legal limit, appointing a citizens oversight committee, performing annual financial and performance audits, with no proceeds used for teacher or administration salaries?”

Bonds - Yes

Bonds - No

TAX RATE STATEMENT IN CONNECTION WITH  
CERES UNIFIED SCHOOL DISTRICT  
BOND MEASURE TO BE SUBMITTED AT  
BOND ELECTION TO BE HELD ON NOVEMBER 6, 2001

An election will be held in the Ceres Unified School District (the "District") on November 6, 2001, to authorize the sale of up to \$25,000,000 in general obligation bonds of the District to finance the acquisition and improvement of real property for District purposes. If such bonds are approved, the District expects to sell the bonds in two series. If such bonds are approved, the principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District.

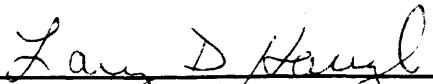
The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California. Such information represents the District's best estimates and is based upon actual assessed valuations available at the time of this election and projections of future assessed valuations. These estimates assume the entire bond debt service will be repaid from property tax revenues.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$0.06 per \$100 of assessed valuation in fiscal year 2002/2003.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing this statement, is \$0.06 per \$100 of assessed valuation in fiscal year 2004/05.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is \$0.06 per \$100 of assessed valuation in fiscal year 2004/2005.
4. The best estimate of the average tax rate that will be required to be levied to fund the bond issue over its entire term is \$0.04 per \$100 assessed valuation.

Attention of all voters is directed to the fact that the foregoing information is based upon District projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of the bond sales, market interest rates at the time of the bond sales, and actual assessed valuations over the term of repayment of the bonds. The actual dates of the sales of said bonds will be governed by the needs of the District and other factors. The actual interest rate at which the bonds will be sold will depend on the bond market at the time of the sales. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined in the assessment and the equalization process.

Dated: June 21, 2001.

The assessed valuations used to calculate those tax rates appear reasonable.

  
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Auditor-Controller, Stanislaus County