

REGULAR MEETING
JUNE 21, 2016

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
RESOLUTION NUMBER 24 – 2015-2016

RESOLUTION ORDERING A SCHOOL BOND ELECTION, AND
AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Santa Maria Joint Union High School District (the "District"), located primarily in the County of Santa Barbara ("Santa Barbara County") and partially in the County of San Luis Obispo ("San Luis Obispo County" and together with Santa Barbara County, the "Counties"), is a California public high school district organized pursuant to Sections 35000 *et seq.* of the California Education Code (the "Education Code"); and

WHEREAS, the District, in 2014, commissioned a comprehensive evaluation of its high school facilities and the available sources of funding to improve its facilities; and

WHEREAS, the Board of Education (the "Board") of the District thereafter adopted a Reconfiguration and Facilities Program (the "Program"), which provides a roadmap and sequence for addressing the District's needs for facility improvement; and

WHEREAS, the Program includes two phases of facility improvements: the first phase funded primarily by Measure C, approved by the voters in 2004; and, the second phase funded primarily by a new bond measure to be presented to voters and State School Facilities Program matching funds; and

WHEREAS, the Program outlines a plan for the District to construct new classroom buildings and replace portable facilities, upgrade existing permanent classrooms with modern furniture, fixtures and equipment, renovate the Ethel Pope Auditorium, construct and improve student support facilities, construct a new agriculture pavilion to support the agriculture program and other career technology education programs throughout the District, as well as other school site improvements; and

WHEREAS, the Board developed the Program to enhance educational programs and increase student achievement; and

WHEREAS, the Board is authorized to order elections within the District and to designate the specifications thereof, pursuant to Education Code Sections 5304 and 5322; and

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.*; and

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 purposes hereinafter specified, 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; and

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; and

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; and

WHEREAS, the Board understands that the Registrar of Voters of Santa Barbara County (the "Santa Barbara County Registrar of Voters") shall bear primary responsibility for conducting the election; and

WHEREAS, the District desires to request that the Santa Barbara County Registrar of Voters and the Registrar of Voters of San Luis Obispo County (the "San Luis Obispo County Registrar of Voters" and together with the Santa Barbara 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 bond proposition to be submitted to the voters in compliance with Section 5303 of the Education Code; and

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 at which all of the electors of the District are entitled to vote, as required by Section 15266 of the Education Code; and

WHEREAS, on November 8, 2016, a statewide general election is scheduled to be conducted throughout the District; and

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 15268 of the Education Code; and

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; and

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 of California 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 Santa Maria Joint Union High 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 8, 2016, 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. The District hereby further requests that the Santa Barbara County Registrar of Voters and the San Luis Obispo County Registrar of Voters come to a mutual agreement for the performance of elections clerk duties in connection with the bond proposition in compliance with Section 5303 of the Education Code.

(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:

"To rebuild Santa Maria High, improve student safety, renovate and construct classrooms and support facilities at Righetti, Pioneer Valley and Delta high schools that provide modern learning environments, increase classroom technology and infrastructure, replace portable classrooms, and improve vocational career and college pathway facilities District-wide that support student achievement, shall Santa Maria Joint Union High School District be authorized to issue up to \$114,000,000 in bonds, at legal interest rates, with an independent citizens' oversight committee and annual audits?"

(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 Santa Barbara/San Luis Obispo County Registrar of Voters at (805) 568-2200/(805) 781-5080 or the Santa Maria Joint Union High School District at (805) 922-4573, and a copy will be mailed at no cost to you. Measure ___ is also available on the Internet at <http://www.smjuhsd.k12.ca.us/>."

(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 Santa Maria Joint Union High 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 Santa Maria Joint Union High 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 8, 2016, and pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrars of Voters and the Board 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. The District hereby acknowledges that the consolidated election will be held and conducted in the manner prescribed by Section 10418 of the Elections Code.

(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 12, 2016 (which date is not fewer than 88 days prior to the date set for the election), one copy of this Resolution to each of the Registrar 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 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 Registrar 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 by the Board of Education of the Santa Maria Joint Union High School District at a regular meeting held this 21st day of June, 2016, by the following vote:

AYES: Karamitsos, Lopez, Perez, Palera

NOES:

ABSTAIN:

ABSENT: Garvin



President/Secretary/Clerk of the Board of Education
Santa Maria Joint Union High School District