

COUNTY RESOLUTION NO. 11-_____

**RESOLUTION AUTHORIZING THE
SANTA BARBARA ELEMENTARY SCHOOL DISTRICT
TO ISSUE AND SELL BONDS DIRECTLY, IN
ACCORDANCE WITH EDUCATION CODE SECTION 15140**

WHEREAS, California Education Code Section 15140(b) authorizes a county board of supervisors to adopt a resolution providing that, in specified circumstances, the governing board of any school district or community college district over which the county superintendent of schools has jurisdiction may issue and sell bonds on its own behalf and without further action by the board of supervisors or other officers of the county; and

WHEREAS, this Santa Barbara County Board of Supervisors desires to make such procedures available to the governing board of the Santa Barbara Elementary School District within the County of Santa Barbara ("County") over which the County Superintendent of Schools has jurisdiction, subject to limitations contained in Education Code Section 15140 and set forth below;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Santa Barbara, as follows:

1. (a) Subject to the provisions of subparagraph (b) below, the governing board of the Santa Barbara Elementary School District (the "District") over which the County Superintendent of Schools has jurisdiction, and which has not received a qualified or negative certification in its most recent interim report, may issue and sell bonds on its own behalf pursuant to Chapter 1 of Part 10 of Division 1 of Title 1 of the Education Code without further action of the Board of Supervisors or other officers of the County or of any other county in which a portion of the school district is located, in an amount not to exceed \$35,000,000 and in accordance with all of the provisions and limitations of Measure R2010 approved by the voters on November 2, 2010 with the requisite fifty-five percent of qualified voters.

(b) The District shall 1) include the County Treasurer-Tax Collector and the County Auditor-Controller on any and all "Parties of Interest Lists" and in any and all distributions of information and proceedings concerning the bonds payable from ad valorem taxes; 2) transmit a copy of the following documents to the County Auditor-Controller and the County Treasurer-Tax Collector in sufficient time to permit them to establish tax rates and necessary funds or accounts for the bonds: the District resolution authorizing the issuance and sale of the bonds, preliminary and final debt service schedules for the bonds reflecting the principal amounts and interest rates of the bonds, the final debt schedule as determined in the sale of the bonds, and where applicable, the debt service schedule for any bonds to be refunded; 3) deposit the proceeds of sale of the bonds pursuant to Section 15140 et seq. of the Education Code and provide an estimated project drawdown schedule at such time of deposit, and annually thereafter; and 4) submit any resolution required pursuant to Government Code Section 53553 to

the County Treasurer-Tax Collector and County Auditor-Controller upon approval of the District's Board.

2. The County, its officers, agents and employees shall have no responsibility for the proceedings for sale and issuance of the bonds of the District; nor for establishing a tax rate for any new issue of school bonds or reducing a tax rate for any outstanding issue of bonds that may have been refunded in any year in which the information required by Paragraph 1(b) of this Resolution is delivered to the County Auditor-Controller and the County Treasurer-Tax Collector later or other than as specified by those County officers.

3. The County will levy and collect taxes, pay monies sufficient to pay principal of and interest, accreted value and redemption premium, if any, on the bonds to the paying agent and bond registrar, and hold the bond proceeds and tax funds pursuant to Chapter 1 of Part 10, Division 1, Title 1 (commencing with Section 15100) of the Education Code for the bonds issued and sold.

4. County officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they may deem necessary or advisable in order to enable the District to proceed with the issuance of the bonds, and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

5. The Clerk of this Board is hereby directed to deliver a copy of this Resolution to the District.

[Remainder of Page Left Intentionally Blank]

This Resolution Authorizing the Santa Barbara Elementary School District to Issue and Sell Bonds Directly, in Accordance with Education Code Section 15140 is **PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Barbara the 15th day of February, 2011.

AYES:

NOES:

ABSENT:

ABSTENTION:

Chair of the Board of Supervisors

[SEAL]

ATTEST:

Chandra Wallar,
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

APPROVED AS TO FORM:

Dennis Marshall,
County Counsel

By:  _____
Deputy County Counsel

**APPROVED AS TO ACCOUNTING
FORM:**

Robert W. Geis, C.P.A.,
Auditor-Controller

By:  _____
Deputy