

BUELLTON UNION SCHOOL DISTRICT

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RESOLUTION NO. 18-24

BOARD OF TRUSTEES BUELLTON UNION SCHOOL DISTRICT

“RESOLUTION ORDERING A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF LEVYING A QUALIFIED SPECIAL TAX UPON EACH PARCEL IN THE DISTRICT FOR EDUCATIONAL PURPOSES AND ESTABLISHING THE SPECIFICATIONS OF THE ELECTION ORDER”

WHEREAS, the Board of Trustees (the "Board") of the Buellton Union School District (the "District") has determined that the present revenues of the District are inadequate to fund the cost of education within said District, and

WHEREAS, Section 4 of Article XIII A of the California Constitution and California Government Code Sections 50079 et seq. and 50075 et seq. (the "Law") authorize a school district, upon approval by two-thirds (2 / 3) of the electorate voting on the measure, to levy a qualified special tax for specified purposes following notice and a public hearing; and

WHEREAS, the Board has on this date held a public hearing which was duly noticed where all interested persons have been heard on the matter of holding an election in the District on the matter of levying a qualified special tax on each parcel in the District; and

WHEREAS, the Board of Trustees desires at this time to order an election to be held on November 6, 2018 in the District for the purpose of submitting to the voters in the District the matter of levying a qualified special tax on each parcel in the District for educational purposes and to designate the specifications thereof, pursuant to Education Code Section 5320 et seq.; and

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

Section 1. Call for Election. The Board hereby orders an election to be called and consolidated with any and all elections also called to be held on November 6, 2018 insofar as said elections are held in the same territory or in territory that is in part the same as the territory of the District and requests the Board of Supervisors of the County of Santa Barbara to order such consolidation under Elections Code Section 10400. The Board submits to the electors of the District the question of whether a qualified special tax shall be levied and collected in the District for the purposes as set forth more fully

in the ballot proposition approved below. This Resolution constitutes the order of the District to call such election and shall constitute the "specifications of the election order" pursuant to Education Code Section 5322.

Section 2. Election Date. The date of the election shall be November 6, 2018, and the election shall be held solely within the boundaries of the District.

Section 3. Purpose of Election; Ballot Proposition. The purpose of the election shall be for the voters in the District to vote on a proposition, a full copy of which is attached hereto and marked Exhibit "A", containing the question of whether the District shall levy a qualified special tax in the District for the purpose stated therein, together with the accountability requirements of Government Code Section 50075.1. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto and marked as Exhibit "B". The Superintendent or his designee is hereby authorized and directed to make any changes to the text of the proposition as required to conform to any requirements of the Law or the Santa Barbara County Registrar of Voters.

Section 4. Authority for Election. The authority for ordering the election is contained in Section 4 of Article XIII A of the California Constitution and California Government Code Sections 50079 et seq. and 50075 et seq. The authority for the specification of this election order is contained in Section 5322 of the Education Code.

Section 5. Type of Tax Rate, and Method of Collection. Said qualified special tax shall be levied in an amount not to exceed \$99 per parcel for eight (8) years assessed against each parcel of taxable land in the District. A parcel shall be defined as any unit of land in the District that receives a separate tax bill from the Santa Barbara County Tax Collector. However, with respect to any parcel that is classified by the Santa Barbara County Assessor as a timeshare property, for the purposes of levying and collecting the special tax against such parcels, to the extent permitted by law such levy shall be set in amount proportional to the percentage of the year owned by said timeshare. All property that would otherwise be exempt from property taxes will also be exempt from the qualified special tax. An exemption shall be available to persons who are 65 years or older and own and occupy as a principal residence a parcel and apply to the District for such exemption under procedures established by the District or otherwise as required by law or by the Santa Barbara County Tax Collector. An exemption shall be available to persons who receive Supplemental Security Income for a disability, regardless of age, and own and occupy as a principal residence a parcel and apply to the District for such exemption under procedures established by the District or otherwise as required by law or by the Santa Barbara County Tax Collector.

Section 6. Accountability Requirements. The members of the Board, the Superintendent and officers of the District are hereby requested and directed, individually and collectively, to provide accountability measures pursuant to Government Code Section 50075.1 that include, but are not limited, to the following: (a) a statement indicating the specific purposes of the special tax, (b) a requirement that the proceeds be applied only to the specific purposes identified, (c) the creation of an account into which the proceeds shall be deposited, and (d) an annual report pursuant to Government Code Section 50075.3 as provided in Section 7 hereof. Such accountability measures shall be set forth on the ballot in the form of Exhibit A attached hereto and incorporated herein by reference.

Section 7. Annual Report. Pursuant to Government Code Section 50075.3, the Board directs the chief fiscal officer of the District to file a report with the Board each year

containing the amount of funds collected and expended and (b) the status of any project required or authorized to be funded as identified in Section 6(a) hereof

Section 8. Delivery of this Resolution. The Clerk of the Board is hereby directed to send a copy of this Resolution to the Santa Barbara County Superintendent of Schools, the Santa Barbara County Registrar of Voters (the "County Registrar") and the Santa Barbara County Clerk of the Board of Supervisors.

Section 9. Consolidation of Section 9. Consolidation of Election. The County Registrar and the Santa Barbara County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 6, 2018, within the District.

Section 10. Ballot Arguments. Any and all members of this Board are hereby authorized to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument. The Superintendent, President of the Board, or their designees, are hereby authorized to execute any document and to perform all acts necessary to place the measure on the ballot.

Election. The County Registrar and the Santa Barbara County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 6, 2018, within the District.

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Section 11. Notice of Election. That the Santa Barbara County Registrar of Voters is hereby requested to prepare a formal Notice of Qualified Special Tax Election in time, form and manner as required by law. The suggested form of notice of the election is as follows:

BUELLTON UNION SCHOOL DISTRICT
SPECIAL ELECTION NOTICE

NOTICE IS HEREBY GIVEN to the qualified electors of the Buellton Union School District (the "District") of Santa Barbara County, that in accordance with law, an election will be held on Tuesday, the 6th of November, 2018 in the District, at which election there will be submitted the question of levying a qualified special tax of \$99 annually for eight (8) years, on each nonexempt parcel of land in the District for the purpose of raising money for the cost of public education, exempting seniors and property owners receiving Supplemental Security Income for a disability.

Section 12. Printing. The Santa Barbara County Elections Department is requested to print the attached measure text exactly as filed in the Voter's Information

Pamphlet section of the Sample Ballot for the November 6, 2018 election. Cost of printing and distribution of the measure text will be paid for by the District.

Section 13. Reimbursement for Services Performed. The Buellton Union School District agrees to reimburse Santa Barbara County Registrar of Voters for services performed when work is completed on the election upon presentation of a bill.

Section 14. Election Pursuant to Law. In all particulars not recited in this Resolution, said election shall be held and conducted as provided by law for holding school district elections in the District.

Section 15. Certification by Clerk of the Board. That the Clerk of the Board shall certify to the passage and adoption of and shall make minutes of the passage and adoption therefore in the records of the proceedings of the Board of Trustees of the District, in the minutes of the meeting at which the same is passed and adopted.

ADOPTED, SIGNED AND APPROVED this 20th day of June, 2018.

BOARD OF TRUSTEES OF THE BUELLTON
UNION SCHOOL DISTRICT

By: 

ATTEST:

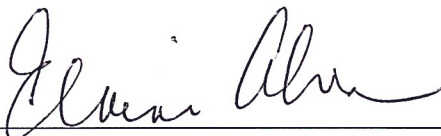


Clerk of the Board of Trustees

STATE OF CALIFORNIA)
)ss.
COUNTY OF SANTA BARBARA)

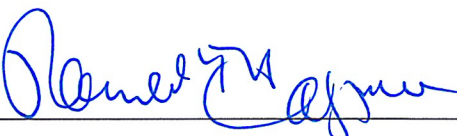
I, Elaine Alvaedo, Clerk of the Board of Trustees of the Buellton Union School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees of said District at a regular meeting thereof held on the 20th day of June, 2018, and that it was so adopted by the following vote:

AYES: 5 NOES: 0 ABSENTS: 0 ABSTAIN: 0

By: 

Clerk of the Board

Buellton Union School District

By: 

Superintendent

Buellton Union School District

**EXHIBIT
A
BALLOT MEASURE FULL TEXT OF MEASURE**

INTRODUCTION

"To improve the quality of education; bring back the music program; enhance academic programs in science, technology, engineering, math and arts; increase student access to computers and technology; and maintain small class sizes; shall Buellton Union School District be authorized to levy \$99 per parcel annually for eight years raising approximately \$250,000 / year, provide a senior citizens' exemption, have an independent citizens' oversight committee, with no funds for administrators' salaries, and require all funds to be spent locally?"

STATEMENT OF PURPOSES

To provide local revenue that cannot be taken by the State and to aid in maintaining public education in our schools, the Buellton Union School District proposes to levy and collect a qualified special parcel tax as described below (see "SPECIAL TAX AND PROCEDURES" below), and to implement accountability measures in connection with the special parcel tax to provide oversight and accountability to ensure that funds are used to:

- Improve academic programs in Science, Technology, Engineering, the Arts and Mathematics
- Bring back the music program for grades TK-8
- Maintain small class sizes
- Increase student access to 21st century technology to improve student learning
- Preserve reading intervention programs for at-risk students
- Expand student health/wellness programs for all students

The Board of Trustees will utilize parcel tax proceeds for the purposes listed above, unless the Board of Trustees determines in any given year that changes in student population, fiscal constraints, or other changes in state or federal funding make doing so unfeasible or inadvisable. In any event, the Board of Trustees will not fund any program or reduction other than those listed above from the proceeds of the special parcel taxes.

SPECIAL TAX AND PROCEDURES

Special Tax Generally. Subject to two-thirds approval of the voters, the special tax of \$99 per parcel shall be levied and collected for a period of eight (8) years, commencing July 1, 2019, and be collected by the Santa Barbara County Tax

Collector at the same time as and along with, and shall be subject to the same penalties as general *ad valorem* taxes collected by said tax collector.

Definition of Parcel. A parcel is defined as any unit of land in the District that receives a separate tax bill from the Santa Barbara County Tax Collector. However, with respect to any parcel that is classified by the Santa Barbara County Assessor as a timeshare property, for the purposes of levying and collecting the special tax against such parcels, to the extent permitted by law such levy shall be set in amount proportional to the percentage of the year owned by said timeshare.

Exemptions. The following exemptions shall apply to the levy of the qualified special tax.

- *Otherwise Exempt Property.* All property that would otherwise be exempt from property taxes shall also be exempt from the parcel tax.
- *Senior Citizen Exemption.* An exemption shall be available to persons who are 65 years or older and own and occupy as a principal residence a parcel subject to the parcel tax.
- *Supplemental Security Income Exemption.* An exemption shall be available to persons who receive Supplemental Security Income ("SSI") for a disability regardless of age, and own and occupy as a principal residence a parcel subject to the parcel tax.

Exclusive Procedures. The procedures described herein with respect to the levy and collection of the special tax and exemptions, and any additional procedures established by the Board of Trustees, shall be the exclusive claims procedure for claimants seeking an exemption, refund, reduction, or re-computation of the special parcel tax. Whether any particular claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County as necessary. The District's Board of Trustees shall adopt such additional or supplemental procedures as it deems necessary or convenient for the administration of the qualified special tax.

ACCOUNTABILITY MEASURES

Legally Required Accountability Measures. In accordance with the requirements of California Government Code sections 50075.1 and 50075.3, the following accountability measures, among others, shall apply to the special parcel taxes levied in accordance with this Measure: (a) the specific purposes of the special parcel tax shall be only those purposes identified above; (b) the proceeds of the special parcel tax shall be applied only to those specific purposes identified above; (c) a separate, special account shall be created into which the proceeds of the special parcel taxes must be deposited; and (d) an annual written report shall be made by the District's chief fiscal officer to the Board of Trustees of the District showing (i) the amount of funds collected and expended from the proceeds of the special taxes and (ii) the status of any projects, programs, or

purposes required or authorized to be funded from the proceeds of the special taxes, as identified above.

PROTECTION OF FUNDING

Current law forbids any decrease in State or Federal funding to the District because of the District's adoption of a parcel tax. However, if any such funds are reduced because of the adoption of this parcel tax, then the amount of the special parcel taxes will be reduced annually as necessary in order to restore such State or Federal funding.

SEVERABILITY

The Board of Trustees of the District hereby declares, and the voters by approving this measure concur, that every section, paragraph, sentence and clause of this measure has independent value, and the Board of Trustees and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law.

EXHIBIT B

BALLOT MEASURE ABBREVIATED FORM*

"To improve the quality of education; bring back the music program; enhance academic programs in science, technology, engineering, math and arts; increase student access to computers and technology; and maintain small class sizes; shall Buellton Union School District be authorized to levy \$99 per parcel annually for eight years raising approximately \$250,000 / year, provide a senior citizens' exemption, have an independent citizens' oversight committee, with no funds for administrators' salaries, and require all funds to be spent locally?"

**Limited to 75 words pursuant to Section 13247 of the California Elections Code.*