

RESOLUTION NO. 09-017

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

WHEREAS, our schools were built between 1952 and 1954, and are in need of repairs, paint, new roofs, windows, computer and technology upgrades, energy efficient facilities and systems, insulation, pipes, lighting, plumbing improvements, heating and ventilation systems, and classroom upgrades; and

WHEREAS, our schools need health and safety improvements such as installing, repairing or replacing fire safety equipment, water systems to meet city ordinances, alarms, surveillance cameras, security and emergency lighting, and fences; and

WHEREAS, by upgrading classrooms, science labs, and technology, excellent teachers will continue to want to teach in the schools of the Sierra-Plumas Joint Unified School District (the "District"); and

WHEREAS, the District's schools are rated as some of the best in the State, are over 50 years old, and have not received any significant upgrades or improvements, and quality schools play an important role in keeping local property values strong; and

WHEREAS, the Board of Education (the "Board") of the District, located primarily in the County of Sierra ("Sierra County") and partially in the County of Plumas ("Plumas County" and together with Sierra County, the "Counties"), 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"); 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 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; 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 Sierra County (the "Sierra County Registrar of Voters") shall bear primary responsibility for conducting the election; and

WHEREAS, the District desires to request that the Sierra County Registrar of Voters and the Registrar of Voters of Plumas County (the "Plumas County Registrar of Voters" and together with the Sierra 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, as required by Section 15266 of the Education Code; and

WHEREAS, on November 2, 2010, 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 15270 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 Sierra-Plumas Joint Unified School District as follows:

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

Section 2. Specifications of Election Order. 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 2, 2010, 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 Sierra County Registrar of Voters and the Plumas 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 improve educational opportunities, increase safety, improve energy efficiency in our schools and qualify for State matching grants, shall Sierra-Plumas Joint Unified School District issue \$5 million in bonds, providing for a citizens' oversight committee, annual audits, interest rates within legal limits, and no money for administrators' salaries or school operating expenses, in order to renovate existing school buildings, update utilities, science laboratories, windows, and furniture, with all money raised benefiting our local students?"

(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 [Sierra/Plumas] County Registrar of Voters at [(530) 283-3295/(530) 283-6218] or the Sierra-Plumas Joint Unified School District at (530) 994-1044, and a copy will be mailed at no cost to you. Measure __ is also available on the Internet at <http://www.sierra-coe.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 Sierra-Plumas 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 Sierra-Plumas 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 2, 2010, 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 6, 2010 (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 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 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, June 22, 2010, by the following vote:

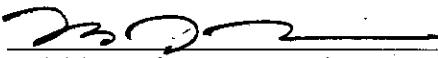
AYES: DRYDEN, LANG, MOORE, YORK

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE


APPROVED:



President of the Board of Education of the
Sierra-Plumas Joint Unified School District



Attest:



Clerk of the Board of Education of the
Sierra-Plumas Joint Unified School District

EXHIBIT A

FULL TEXT OF BOND PROPOSITION

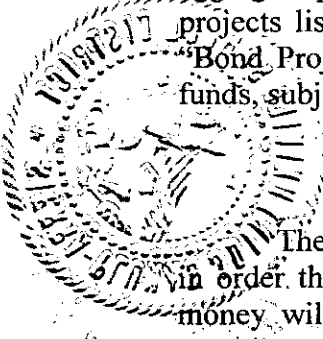
SIERRA-PLUMAS JOINT UNIFIED SCHOOL DISTRICT SCHOOL SAFETY, RENOVATION, REPAIR AND CONSTRUCTION MEASURE

This Proposition may be known and referred to as the "Sierra-Plumas Joint Unified School District School Safety, Renovation, Repair and Construction Measure" or as "Measure ___". *[designation to be assigned by County Registrars of Voters]*

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Sierra-Plumas Joint Unified School District (the "District") shall be authorized to issue and sell bonds of up to \$5,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed under the heading entitled "BOND PROJECT LIST" below (the "Bond Project List"), and qualify to receive State of California matching grant funds, subject to all of the accountability safeguards specified below.

ACCOUNTABILITY SAFEGUARDS



The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at California Education Code (the "Education Code") Sections 15264 and following).

Evaluation of Needs. The Board of Education of the District (the "Board") has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the District at each campus and facility, and to determine which projects to finance from a local bond at this time. The Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Limitations on Use of Bonds. Proceeds from the sale of bonds authorized by this proposition shall be used only for 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 not for any other purpose, including teacher and administrator salaries and other school operating expenses.

Independent Citizens' Oversight Committee. The Board shall establish an independent citizens' oversight committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board. In accordance with Section 15282 of the Education Code, the citizens' oversight committee shall consist of at least seven members and shall include a member active in a business organization representing the business community located within the District, a member active in a senior citizens' organization, a member active in a bona fide taxpayers' organization, a member that is a parent or guardian of a child enrolled in the District, and a member that is both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the citizens' oversight committee.

Annual Performance Audits. The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List. The results of these audits shall be made publicly available.

Annual Financial Audits. The Board shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List. The results of these audits shall be made publicly available.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board no later than January 1 of each year, commencing January 1, 2011, stating (a) the amount of bond proceeds received and expended in that year, and (b) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent of the District shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

FURTHER SPECIFICATIONS

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and proceeds of the bonds shall be spent only for such purpose, pursuant to California Government Code Section 53410.

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest shall be made payable at the time or times permitted by law. The bonds may be issued and sold

in several series, and no bond shall be made to mature more than the maximum number years permitted by law.

BOND PROJECT LIST

The Bond Project List below lists the specific projects the District proposes to finance with proceeds of the bonds. The Bond Project List shall be considered a part of the bond proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition. Listed projects will be completed as needed at a particular school or facility site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. Each project is assumed to include its share of costs of the election and bond issuance, construction-related costs, such as project and construction management, architectural, engineering, inspection and similar planning and testing costs, demolition and interim housing costs, legal, accounting and similar fees, costs related to the independent annual financial and performance audits, a contingency for unforeseen design and construction costs, and other costs incidental to and necessary for completion of the listed projects (whether the related work is performed by the District or third parties). The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State of California grant funds for eligible projects, have not yet been secured. Therefore, the Board cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Alternatively, if the District obtains unexpected funds from non-bond sources with respect to listed projects, such projects may be enhanced, supplemented or expanded to the extent of such funds. Some projects may be subject to further government approvals, including by State officials and boards and/or local environmental or agency approval. Inclusion of a project on the Bond Project List is not a guarantee that the project will be completed.

The specific projects authorized to be financed with proceeds of the bonds under this proposition are as follows:

EXHIBIT B

TAX RATE STATEMENT

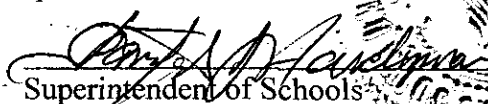
An election will be held in the Sierra-Plumas Joint Unified School District (the "District") on November 2, 2010, to authorize the sale of up to \$5,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to issue the Bonds in one series. 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 through 9404 of the California Elections Code.

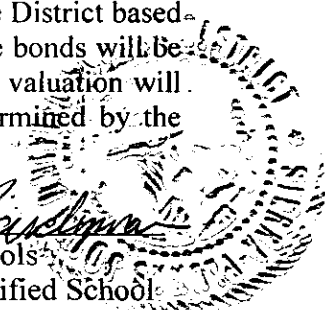
1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 3.30 cents per \$100 (\$33.00 per \$100,000) of assessed valuation in fiscal year 2011-12.
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 of this statement, is 3.30 cents per \$100 (\$33.00 per \$100,000) of assessed valuation in fiscal year 2011-12.
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 3.30 cents per \$100 (\$33.00 per \$100,000) of assessed valuation and is expected to remain approximately the same in each year during the term of repayment of the Bonds.

Voters should note that estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, *not* on the property's market value, which could be more or less than the assessed value. In addition, taxpayers eligible for a property tax exemption, such as the homeowner's exemption, will be taxed at a lower effective tax rate than described above. Certain taxpayers may also be eligible to postpone payment of taxes. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's 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 bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: 6/22, 2010.


Superintendent of Schools
Sierra-Plumas Joint Unified School
District



SAFETY, RENOVATION, REPAIR AND CONSTRUCTION PROJECTS

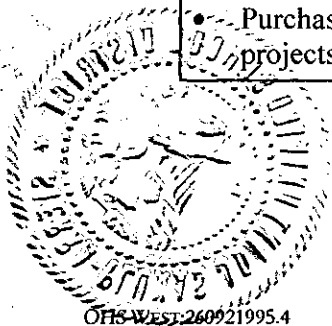
The following safety, renovation, repair and construction projects are authorized to be financed:

- Replace roofs at school facilities, including rain gutters and downspouts.
- Upgrade electrical infrastructure and wiring at school facilities.
- Remodel, renovate and equip Loyaltown High School locker rooms.
- Upgrade/renovate restrooms at school facilities.
- Replace heating, cooling and ventilation systems at Loyaltown Elementary School and Downieville School.
- Acquire/install/upgrade windows at school facilities.
- Upgrade/renovate/replace plumbing and heating systems to provide hot water at school facilities.
- Replace/upgrade/improve drainage systems at Downieville School.
- Acquire new furniture and equipment for school facilities.
- Acquire and install outdoor safety lighting and alarm systems at school facilities.
- Acquire and install and/or construct storage buildings on school facilities sites.
- Acquire and install and/or construct maintenance buildings on school facilities sites.
- Acquire and install and/or construct and equip greenhouses on school facilities sites.
- Renovate, upgrade and/or construct and equip science labs.
- Renovate, repair and resurface parking lots and improve ingress/egress to school facilities.

MISCELLANEOUS

All listed bond projects include the following as needed:

- Removal of hazardous materials such as asbestos and lead paint as needed.
- Construction and/or installation of access improvements for disabled persons, as required by state and federal law.
- Associated onsite and offsite development, demolition and other improvements made necessary by listed bond projects.
- Planning, designing and providing temporary housing necessary for listed bond projects.
- Purchase of any rights-of-way and/or easements made necessary by listed bond projects.



CLERK'S CERTIFICATE

I, Sharon Dryden, Clerk of the Board of Education of the Sierra-Plumas Joint Unified School District, of the Sierra and Plumas Counties, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a special meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on June 22, 2010, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present. The resolution was adopted by the following vote:

AYES: DRYDEN, LANG, MOORE, YORK

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

An agenda of the meeting was posted at least 72 hours beforehand at 111 Beckwith Street, Loyalton, California, a location freely accessible to members of the public, and a brief description of the adopted resolution appeared on the agenda. A copy of the agenda is attached hereto. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this 22nd day of June, 2010.



Clerk of the Board of Education
Sierra-Plumas Joint Unified School District

