

AUG 06 2014

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**BELMONT-REDWOOD SHORES SCHOOL DISTRICT
AMENDED RESOLUTION #1**

**RESOLUTION OF THE BOARD OF TRUSTEES OF BELMONT-REDWOOD SHORES
SCHOOL DISTRICT ORDERING AN ELECTION AND ESTABLISHING
SPECIFICATIONS OF THE ELECTION ORDER**

WHEREAS, the Board of Trustees (the "Board") has determined that neighborhood schools within the Belmont-Redwood Shores School District (the "District") need to be expanded, improved and better equipped to enable the District to maintain and enhance the education of all students in the District; and

WHEREAS, the Board believes that by providing classrooms for core academics, such as science, math, reading and writing, our students will be prepared for high school, college and 21st Century careers; and

WHEREAS, the District has received information regarding enrollment growth in the District and its probable impact on overcrowded classrooms and traffic congestion around Ralston Middle School; and

WHEREAS, the District is expected to grow by 344 additional students in grades 6 through 8 in the next several years, and classrooms must be added to reduce overcrowding; and

WHEREAS, the Board determines that there is a need to build additional middle school science labs, and provide up-to-date classroom computers and technology at all schools so that students are prepared to excel in the 21st Century; and

WHEREAS, the Board believes it is a wise investment to address facility improvements because the quality of local schools contributes to the value of our homes, makes our neighborhoods more desirable and protects our property values; and

WHEREAS, the State of California (the "State") does not provide the District with enough money for the District to maintain adequate educational facilities; and

WHEREAS, the Board has concluded that the District's only remedy to avoid the undermining of its educational programs and to manage enrollment growth is to secure local funding that the State cannot take away; and

WHEREAS, the Board has received information regarding the possibility of a local bond measure and its significant impact on the District's ability to provide a 21st Century education to all its students; and

WHEREAS, such a measure will provide funds that cannot be taken away by the State; and

WHEREAS, such a measure will include mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent properly; and

WHEREAS, the District has solicited community input on school priorities from parents, teachers, staff and the community; and

WHEREAS, in the considered judgment of the Board, it is in the best interests of the District residents to provide additional facility, classroom, technology and site improvement funding to meet such needs now by means of a general obligation bond for if these needs are not addressed now, they will only become more pressing and more costly; and

WHEREAS, Proposition 46, approved by the voters of the State on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIII A of the California Constitution by adding a provision that exempts from the 1% of full cash value limitation, those *ad valorem* taxes used to pay for debt service on 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 reduced the voter threshold for ad valorem tax levies used to pay for debt service on bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; 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 that are contained in Proposition 39 and the Act; and

WHEREAS, the Board desires to authorize the submission of a proposition to the District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities; and

WHEREAS, the Board hereby determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for inappropriate administrative salaries or other operating expenses of the District shall be enforced strictly by the District's Citizens' Oversight Committee; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, 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 Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Section 9400 et seq. of the Elections Code of the State of California (the "Elections Code") requires that a tax rate statement be contained in all official materials relating to the election, including any ballot pamphlet prepared, sponsored, or distributed by the District; and

WHEREAS, the Board desires to authorize the filing of a tax rate statement and a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 4, 2014, and to request the San Mateo County Registrar of Voters to perform certain election services for the District;

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE BELMONT-REDWOOD SHORES SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506, hereby requests the San Mateo County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$48,000,000 (the "Bonds") shall be authorized and sold for the purpose of raising money for the projects described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter pamphlet.

Section 2. That the date of the election shall be November 4, 2014.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A", incorporated by reference herein, and containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot propositions in Exhibit "A" and "B" are subject to the following requirements and determinations:

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

(b) that the Board, in establishing the projects set forth in Exhibit "B", evaluated school campus and classroom overcrowding, student safety, class size reduction, and the classroom, educational and information technology needs of the District, as well as the importance of the projects to student achievement and high quality instruction;

(c) that the Board shall cause an annual, independent performance audit to be conducted to ensure that the Bond monies get spent only for the projects identified in Exhibit "B" hereto;

(d) that the Board shall 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) that the Board shall appoint a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274; and

(f) that the tax levy authorized to secure the Bonds of this election shall not exceed the Proposition 39 limits per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506.

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

Section 6. That the San Mateo County Registrar of Voters and the San Mateo County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 4, 2014, within the District.

Section 7. That the Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the San Mateo County Registrar of Voters no later than August 8, 2014.

Section 8. That Bonds may be issued pursuant to Section 15264 *et seq.* of the Education Code or Section 53506 of the Government Code. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

Section 9. 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 of the returns of the election be made by any body or official authorized by law to canvass such returns, and that the Board consents to such consolidation. The Board further authorizes the submission of a tax rate statement and primary and rebuttal arguments, as appropriate, to be filed with the San Mateo County Registrar of Voters by the established deadlines.

Section 10. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of San Mateo County 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 San Mateo 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 5th day of August, 2014.

BOARD OF TRUSTEES OF THE BELMONT-
REDWOOD SHORES SCHOOL DISTRICT

By  _____
Vice President

Attest:  _____
Secretary

STATE OF CALIFORNIA)
)ss
SAN MATEO COUNTY)

I, Michael Milliken, Ph.D, do hereby certify that the foregoing is a true and correct copy of Resolution No. 1 / 1 which was duly adopted by the Board of Trustees of the Belmont-Redwood Shores School District at the meeting thereof, held on the 5th day of August, 2014, and that it was so adopted by the following vote:

AYES: 4

NOES:

ABSENT:

ABSTENTIONS: 1

By  _____
Secretary

Begin Full Text

EXHIBIT B

FULL TEXT BALLOT PROPOSITION
OF THE BELMONT-REDWOOD SHORESSCHOOL DISTRICT
BOND MEASURE ELECTION NOVEMBER 4, 2014

The following is the full proposition presented to the voters by the Belmont-Redwood Shores School District.

“To add elementary and middle school classrooms and science labs for math, science, reading and writing programs, relieve school overcrowding, provide updated classroom computers and instructional technology for quality 21st Century education, repair, construct, acquire classrooms, facilities and equipment, add restrooms to accommodate growing student enrollment, shall Belmont-Redwood Shores School District issue \$48 million in bonds which cannot be taken by the State, at legal rates, with independent citizens’ oversight, annual audits, and all funds benefiting local schools?”

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PROJECT LIST

The Board of Trustees of the Belmont-Redwood Shores School District evaluated the District’s classroom overcrowding, as well as student safety and security issues, enrollment trends, class size, class size reduction and computer and information technology, in developing the scope of projects to be funded. Teachers, staff, community members and the Board have prioritized key quality of instruction standards so that the most critical facility concerns are addressed. The Board believes that if these needs are not addressed now, the problems will only become more pressing. **Therefore, in approving this Project List, the Board of Trustees determines that the District must:**

- (i) **keep all bond money exclusively in our local community, under local control so that it cannot be taken away by the State; and**
- (ii) **add classrooms to our schools since not doing so would result in Ralston Middle School having over 1,400 students, seriously damaging the quality of education in our community; and**
- (iii) **provide classroom space for science, technology and engineering course work, so that our students are prepared for the 21st Century; and**
- (iv) **prevent classroom overcrowding and increased class size to ensure the high quality of education at all of our schools; and**
- (v) **establish an independent citizens’ oversight committee and require annual independent audits to make sure all money is spent as authorized, and not for administrators’ salaries, benefits or pensions.**

The Project List includes the following types of projects at District schools:

School Upgrade Projects

Goals and Purpose: Since student enrollment in the District has increased by 42% over the last 7 years and is projected to grow by 20% in the next 6 years, new classrooms and science labs are needed to avoid overcrowded classrooms and preserve the high quality of education at all of our schools.

- Provide classrooms for core academics, including science, math, reading and writing.
- Add classrooms throughout the District to reduce overcrowding.
- Provide additional middle school science labs.
- Provide up-to-date classroom computers and technology at all schools.
- Add school restrooms to accommodate growing enrollment.
- Upgrade and expand wireless systems, Internet and network connections.

* * *

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program management, staff training expenses and a customary contingency, and escalation for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the payment of the costs of preparation of all facility planning, facility assessment reviews, environmental studies, construction documentation, inspection and permit fees, and temporary housing of dislocated District activities caused by bond projects. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, mobile devices, switches, routers, modules, sound projection systems, phone system integration, document archiving, cabling infrastructure, wireless technology systems, laser printers, digital white/smart boards, document projectors, computers, upgrade voice-over-IP, call manager and network security/firewall, and other miscellaneous equipment. The Project List includes possible modernization of classrooms and school facilities, such as, the installation of signage, clocks, bells and fencing, repair and replace heating and ventilation systems, repair and maintain worn-out and aging roofs, upgrade or construct support facilities, including administrative, physical education facilities, including artificial turf and tracks, upgrade maintenance yards and shade shelters, repair and replace fire alarms, emergency communications and security systems, demolish and construct various forms of storage and support spaces, upgrade classrooms, repair, upgrade and install interior and exterior lighting systems, upgrade school site parking and student drop-off areas, update utility systems, improve, kitchens, playground equipment, hard court and rubberized surfaces, libraries, multi-use buildings, and District support offices and facilities, athletic and play fields and turf, replace deteriorated walkways, upgrade bathrooms, drinking fountains, paint and floor coverings and door frames. The Project List also includes the refinancing of any outstanding lease obligations or the bridge loans taken to initiate voter approved projects. The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District may not be able to complete some of the projects listed above. The budget for each project is an estimate and may be affected by factors beyond the

District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating enhanced and operationally efficient campuses. Necessary site preparation/restoration and landscaping, may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property. Bond proceeds shall be expended only for the specific purposes identified herein. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to the bond projects. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

FISCAL ACCOUNTABILITY: IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF TRUSTEES WILL APPOINT A CITIZENS' OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON DISTRICT PROJECTS AND FOR NO OTHER PURPOSE. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

NO ADMINISTRATOR SALARIES: PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.

End Full Text

TAX RATE STATEMENT
Belmont-Redwood Shores School District
Bond Measure ____

To: The voters voting in the November 4, 2014 election on the question of the issuance of \$48,000,000 General Obligation Bonds of the Belmont-Redwood Shores School District.

You are hereby notified in accordance with Section 9401 of the Elections Code of the State of California of the following:


1. The best estimate from official sources of the tax rate which would be required to be levied to fund principal and interest payments during the first fiscal year after the first sale of bonds (Fiscal Year 2015-2016), based on assessed valuations available at the time of the election and taking into account estimated future growth, is the following: \$.01998 per \$100 of assessed valuation, which equates to \$19.98 per \$100,000.
2. The best estimate from official sources of the tax rate which would be required to be levied to fund principal and interest payments during the first fiscal year after the last sale of bonds and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election and taking into account estimated future growth, is as follows: \$.01998 per \$100 of assessed valuation, which equates to \$19.98 per \$100,000.

First fiscal year after last sale of bonds: 2019-2020

3. The best estimate from official sources of the highest tax rate which would be required to be levied to fund principal and interest payments on the bonds and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election and taking into account estimated future growth, is as follows: \$.01998 per \$100 of assessed valuation, which equates to \$19.98 per \$100,000.

Year of highest tax rate: Tax is projected to be the same every year.

The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only. 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 date of sale and the amount of bonds sold at any given time will be determined by the District based on its 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 sale. Actual future assessed valuations 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. Accordingly, the actual tax rates and the years in which such rates are applicable may vary from those presently estimated as above stated.



Michael Milliken, Superintendent
Belmont-Redwood Shores School District