

RESOLUTION #07-31-2024

RESOLUTION OF THE BOARD OF TRUSTEES OF THE ALTA LOMA SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION ON NOVEMBER 5, 2024, REQUESTING CONSOLIDATION WITH OTHER MEASURES OCCURRING ON NOVEMBER 5, 2024, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Board of Trustees ("Board") of the Alta Loma School District ("District"), within the County of San Bernardino, California 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 ("Education Code");

WHEREAS, the Board of the District is committed to maintaining the quality of education and ensuring all students have the same educational opportunities as others in the region;

WHEREAS, the District has completed significant modernization projects at most of its schools, but a few schools have not received the upgrades they need due to limited funding from the state for local school facilities repair, renovation and upgrades;

WHEREAS, additional funding is needed to ensure that all students attending Alta Loma elementary and junior high schools benefit from improved facilities and resources;

WHEREAS, the District must repair, construct, acquire or equip classrooms, sites, and facilities to make them safe and help ensure that all students have equal access to 21st-century classrooms, labs and school facilities;

WHEREAS, classrooms and educational facilities require updates for improved student learning in subjects like reading, math, science, and technology;

WHEREAS, the Board believes it is a wise investment to protect the quality of our schools, the quality of life in our community and the value of our homes;

WHEREAS, the District has created a comprehensive list of priority facility needs by site to align with its educational goals and priorities;

WHEREAS, the Board and District has solicited extensive stakeholder and community input on school priorities from parents, teachers, staff, the community and civic leaders;

WHEREAS, because the State is not funding school facilities improvements and passing this bond measure provides a guaranteed source of local funding to maintain and improve this community's local school facilities;

WHEREAS, every penny from this bond measure will benefit the local elementary and junior high schools and no funds can be taken away by the State or other school districts, and by law, no money can be used for administrator salaries or pensions;

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 Section 15100 *et seq.* of the Education Code;

WHEREAS, pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution (also known as "Proposition 39"), and Section 15266 of the Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a fifty-five percent (55%) vote of those voting on a proposition for that purpose, provided certain accountability measures are included in the proposition;

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors to be approved by fifty-five percent (55%) of the votes cast;

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 on November 5, 2024, a general election is scheduled to occur throughout the District;

WHEREAS, pursuant to Section 15268 of the Education Code, if the measure is approved by the voters, bonds may only be issued if the tax rate levied to meet the debt service requirements would not exceed thirty dollars (\$30) per year per one hundred thousand dollars (\$100,000) of taxable property when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution, and the current estimated and projected average annual tax rate and highest tax rate, is not expected to exceed a tax rate of thirty dollars (\$30) per year per each \$100,000 of the assessed value of taxable property;

WHEREAS, this bond measure is a "tax extension bond measure," providing the necessary funding for school improvements while not increasing current tax rates;

WHEREAS, the estimated tax rates, duration of tax collection, and total estimated amount of debt service, is described in the Tax Rate Statement contained in **Exhibit C** hereto;

WHEREAS, Section 9400 *et seq.* of the California 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;

WHEREAS, in the judgment of the Board, it is advisable to request that the San Bernardino County Registrar of Voters ("County Registrar") act as the election official and call an election and submit to the registered voters of the District the full ballot proposition as detailed below, in coordination with each other as necessary;

WHEREAS, it is the recommendation of District staff that the District retain bond counsel and a financial advisor to assist the District with the process of calling a bond election and, if the bond election is successful, with the subsequent structuring and documenting of a bond issuance for the purposes set forth herein;

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election.

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Trustees of the Alta Loma School District as follows:

Section 1. Specifications of Election Order. Pursuant to Sections 5304, 5322, 15100 *et seq.*, and Section 15266 of the Education Code, an election shall be held within the District on November 5, 2024, for the purpose of submitting to the registered voters of the District the full ballot proposition contained in **Exhibit B** ("Full Ballot Text"), which Full Ballot Text is hereby approved.

Section 2. Request to County Officers to Conduct Election; Cost of Election. The San Bernardino County Board of Supervisors ("Board of Supervisors") is hereby requested to allow and order the San Bernardino County Registrar of Voters ("County Registrar") to provide for the performance of its duties in accordance with Education Code section 5303, and pursuant to section 5303 and 5322 of the California Education Code, to take all steps to call and hold the election in accordance with law and these specifications. The District will reimburse the County Registrar and the County for costs associated with the election as required by law.

Section 3. Consolidation of Election and Canvass of Vote.

- (a) Pursuant to Section 5342 of the Education Code and Section 10400 *et seq.* of the Elections Code, the election is requested to be consolidated with other elections occurring on November 5, 2024.
- (b) The Board of Supervisors is authorized and requested to canvass the returns of the election, as necessary, pursuant to Section 10411 of the California Elections Code.

Section 4. Abbreviation of Proposition/Ballot Label. Pursuant to Sections 13119 and 13247 of the California Elections Code and Section 15122 of the Education Code, the Board hereby directs the County Registrar to use the ballot measure summary ("Ballot Label") that is attached hereto as **Exhibit A**. The Ballot Label shall function merely as an abbreviation of the Full Ballot Text and does not stand alone as a complete and binding statement of the measure, nor is it possible for the Ballot Label to contain all of the project and financial information a voter might wish to consider in casting a vote. Voters are urged to review the Full Ballot Text and the Tax Rate Statement to obtain a complete understanding of the measure, including all of the financial projections and estimates upon which the measure is based.

Section 5. Voter Pamphlet/Sample Ballot. The County Registrar is hereby requested to take the following actions with regard to the Voter Information Pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code:

- (a) To print the Full Ballot Text (**Exhibit B** hereto), without Exhibit references, in the Voter Information Pamphlet in its entirety. In the event the Full Ballot Text is not reprinted in the voter information pamphlet in its entirety, the County Registrar is 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 San Bernardino County

Registrar of Voters at _____ and a copy will be mailed at no cost to you.”

- (b) In accordance with Education Code Section 15122.5, to print in the Voter Information Pamphlet the following statement:

“Approval of Measure ____ does not guarantee that the proposed project or projects in the Alta Loma School District that are the subject of bonds under Measure ____ will be funded beyond the local revenues generated by Measure _____. The school district’s proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.”

Section 6. Accountability Measures. Pursuant to legal requirements, and as specified in the Full Ballot Text, the Board certifies that the District:

- (a) Has evaluated the facilities needs of the District and has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in the Full Ballot Text;
- (b) Will appoint an independent Citizens’ Oversight Committee to ensure that bond proceeds are expended only for the school facilities projects described in the Bond Project List, in accordance with Education Code section 15278 et seq.;
- (c) Will conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List;
- (d) Will conduct or cause to be conducted an annual independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects described in the Bond Project List; and
- (e) Shall take all actions to establish an account in which proceeds of the sale of the bonds will be deposited, and to cause a report to be filed with the Board no later than each January 1 identifying proceeds received and expended in the past fiscal year and the status of any project funded or to be funded with bond proceeds. The first report shall be due no later than January 1 of the first year after which bonds have been issued and proceeds spent.

Section 7. Required Vote. Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the State Constitution, the above proposition shall become effective upon the affirmative vote of at least fifty-five percent (55%) of those voters voting on the proposition.

Section 8. Delivery of Order of Election to County Officers. The Clerk of the Board is hereby directed to deliver or cause to be delivered, no later than the submission date of August 9, 2024, one copy of this Resolution to the County Registrar with the Tax Rate Statement (in substantially the form attached hereto as **Exhibit C**), completed and signed by the Superintendent or her designee, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of San Bernardino County.

Section 9. Ballot Arguments. The members of the Board are hereby authorized to prepare and file with the County Registrar a ballot argument in favor of the proposition contained in Section 1 hereof, and/or a rebuttal argument, within the time established by the County Registrar.

Section 10. Intention to Reimburse. The District may incur costs associated with bond-funded projects described in **Exhibit B** hereto prior to the issuance of bonds. For purposes of establishing compliance with the requirements of Section 1.150-2 of the regulations of the U.S. Treasury Department, the Board hereby declares its official intent to use proceeds of the bond to reimburse itself for lawful expenditures on capital projects as described on the Bond Project List, up to a maximum principal amount of 7.5 million.

Section 11. Further Authorization. The Superintendent and the Associate Superintendent – Administrative Services (each, a “District Representative”) 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, including, without action of the Board, minor, non-substantive modifications of the Full Ballot Text, the Ballot Label, and Tax Rate Statement if either determines such modifications are necessary and in the District’s best interests. This Resolution and all of its Exhibits that are filed with the County Registrar by a District Representative shall constitute the final, binding ballot measure of the District.

Section 12. Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this day, [July 31], 2024, by the following vote:

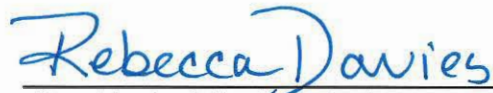
AYES: - 4 -

NAYS: - 1 -

ABSTAIN: - 0 -

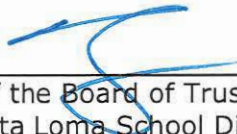
ABSENT: - 0 -

APPROVED:



President of the Board of Trustees of the
Alta Loma School District

Attest:



Clerk of the Board of Trustees of the
Alta Loma School District

EXHIBIT A

BALLOT LABEL

To repair and upgrade Alta Loma School District classrooms, labs, and school facilities supporting student achievement in math, science, technology, arts, engineering; fix deteriorating roofs, plumbing, ventilation, electrical systems; update instructional technology; and improve school safety/ security, shall Alta Loma School District's measure be adopted authorizing \$71,000,000 in bonds at legal rates (without increasing current tax rates), levying approximately 3¢ per \$100 assessed value (\$5,000,000 annually) while bonds are outstanding, with citizen oversight, independent audits, all money locally controlled?

Bonds - Yes _____

Bonds - No _____