

JUL 25 2024

BY RO DEPUTY
REGISTRAR OF VOTERS

RESOLUTION NO. #02 2425

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
SIERRA SANDS UNIFIED SCHOOL DISTRICT
ORDERING A SCHOOL BOND ELECTION,
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND
REQUESTING CONSOLIDATION WITH OTHER ELECTIONS
OCCURRING ON NOVEMBER 5, 2024**

WHEREAS, the Sierra Sands Unified School District (the “District”) is a unified school district, serving students in transitional kindergarten through 12th grade, duly organized under the laws of the State of California;

WHEREAS, the District believes in engaging all learners;

WHEREAS, some District facilities are over 70 years old and need critical repairs to provide a safe, healthy learning environment for all students;

WHEREAS, to learn about the community’s concerns and priorities, in particular with respect to school facilities needs, the District sought to engage residents, parents, teachers, staff, and community leaders;

WHEREAS, the District’s community is concerned about ensuring school safety; effectively preparing schools for earthquakes; fixing or replacing leaky roofs, doors, and windows; utilizing opportunities for United States Department of Defense matching funds; replacing deteriorating plumbing, electrical, heating, and cooling systems; and expanding facilities to support programs in reading and literacy for the youngest learners;

WHEREAS, the community expressed a strong interest in the District’s plan to qualify the District to receive over \$100 million in funding from the United States Department of Defense that would not otherwise be available without the District paying 20% matching funds, allowing the District to build a new elementary school in the most fiscally responsible manner;

WHEREAS, schools with updated teaching and learning technology environments help to attract and retain quality teachers during California’s teaching shortage;

WHEREAS, the State of California (the “State”) has been unable to provide the District with enough funding to adequately construct, maintain, and repair its school facilities to provide critical and safe learning environments for all students;

WHEREAS, in addition to engaging with the community, the Board of Education (the “Board”) of the District has received information about a potential general obligation bond measure to provide funding for school facilities to achieve the goals and priorities described herein;

WHEREAS, the Board is authorized, upon a two-thirds vote of the Board, to pursue the authorization and issuance of general obligation bonds by a 55% vote of the electorate on the question of whether bonds of the District shall be issued and sold for specified purposes, under Article XIII A Section 1 paragraph (b) of the California Constitution (“Article XIII A”) and under

the Strict Accountability in Local School Construction Bonds Act of 2000 at Education Code Section 15264 *et seq.* (the “Strict Accountability Act”);

WHEREAS, under Section 10403 *et seq.* of the California Elections Code, it is appropriate for the Board to request consolidation of a general bond obligation election with any and all other elections to be held on Tuesday, November 5, 2024, and to request the Kern County Registrar of Voters and the San Bernardino County Registrar of Voters (together, the “County Registrars”) to perform certain election services for the District; and

WHEREAS, for the reasons stated above to address the priorities of the community and the school facility needs of the District, the Board deems it necessary and advisable to call a general obligation bond election to submit to the electors of the District the question of whether District bonds shall be issued and sold for the purpose of raising money 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 of the District, consistent with Article XIII A, the Strict Accountability Act, and this Resolution.

NOW, THEREFORE, be it resolved by the Board of Education of the Sierra Sands Unified School District, Kern and San Bernardino Counties, California, as follows:

Section 1. Election Order. The Board hereby orders an election and submits to the electors of the District the question of whether general obligation bonds of the District shall be issued and sold in the principal amount of \$42,000,000 for the purposes described in the ballot measure approved under Section 3 and attached hereto as Exhibit A and Exhibit B, and paying costs incident thereto. 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. Authority for the Election; Election Date. Pursuant to Education Code Sections 5304 and 5322, the Strict Accountability Act, and Article XVI, Section 18(b) of the California Constitution, an election shall be held within the boundaries of the District on November 5, 2024.

Section 3. Purpose of Election; Ballot Measure. The purpose of the election shall be for the voters in the District to vote on a measure, a full copy of which is attached hereto as Exhibit A and marked “Exhibit A, Ballot Measure, Full Text of the Measure” (the “Full Text of the Measure”), containing the question of whether the District shall issue the bonds for the purposes stated therein, together with the accountability requirements of Article XIII A and the requirements of Section 15272 of the Strict Accountability Act. The Full Text of the Measure, which commences with the heading “Ballot Measure, Full Text of the Measure” and includes all of the text thereafter on Exhibit A, shall be printed in the voter information pamphlet provided to voters, with such measure designation as is assigned to the measure by the County Registrars. As required by Elections Code Section 13247 and Education Code Section 5322, the abbreviated form of the measure to appear on the ballot is attached hereto as Exhibit B and is marked as “Exhibit B, Ballot Measure, Abbreviated Form” (the “Abbreviated Ballot Measure”).

Section 4. Use of Bond Proceeds.

a. Proceeds from the sale of the bonds may be used only for the purposes specified in Article XIII A, section 1(b)(3) of the California Constitution.

b. The projects that may be funded from proceeds from the sale of bonds (the "Projects") are listed in the Full Text of the Measure.

Section 5. Accountability Requirements.

a. Pursuant to Article XIII A, section 1(b)(3), the Board hereby certifies that it has evaluated safety, class size reduction, and information technology needs in developing the list of Projects.

b. Pursuant to Article XIII A, section 1(b)(3), the Board shall conduct an annual, independent performance audit to ensure that the bond funds have been expended only on the specific Projects listed in the Full Text of the Measure.

c. Pursuant to Article XIII A, section 1(b)(3), the Board shall conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of the proceeds have been expended for the Projects listed in the Full Text of the Measure.

d. As required by Government Code section 53410, (1) the specific purpose of the bonds is set forth in the Full Text of the Measure, (2) the proceeds from the sale of the bonds will be used only for the purposes specified in the measure, (3) the proceeds of the bonds, when and if issued, will be deposited and held with the Kern County Treasurer, and (4) an annual report shall be filed with the Board as set forth in subsection (e) below.

e. Pursuant to Government Code section 53411, the Superintendent and/or the Assistant Superintendent of Business & Support Services of the District shall file an annual report to the Board containing the amount of funds collected and expended as well as the status of the Projects authorized in the Full Text of the Measure. The District's adopted budget or Audit Report will suffice for this purpose.

f. Pursuant to the Strict Accountability Act, if a citizens' oversight committee has not already been established for the bonds, within 60 days of the date the Board enters the election results on its minutes, the Board will appoint a citizens' oversight committee to review and report on the proper expenditure of taxpayers' money for school construction.

Section 6. Vote Required. Pursuant to Section 18(b) of Article XVI and Section 1 of Article XIII A of the California Constitution, the bond measure shall become effective only upon affirmative vote of fifty-five percent (55%) of those voters voting on the measure.

Section 7. Delivery of this Resolution; County Registrars of Voters to Call and Conduct Election. The Superintendent, or her designee, is hereby directed to deliver a copy of this Resolution, along with the Tax Rate Statement described in Section 9 below and attached hereto as Exhibit C to (1) the County Registrars, (2) the Superintendent of Schools of Kern County,

and (3) the Clerk of the Board of Supervisors of Kern County and the Clerk of the Board of Supervisors of San Bernardino County, by no later than August 9, 2024.

Pursuant to Section 5303 of the Education Code, the County Registrars are hereby requested to take all steps to prepare for and hold the election within the boundaries of the District in accordance with law and these specifications.

Section 8. Consolidation with Other Elections. Pursuant to Sections 5342, 15121, and 15266 of the Education Code and Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the County Registrars and the Board of Supervisors of Kern County and the Board of Supervisors of San Bernardino County (the “Boards of Supervisors”) are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 5, 2024 within the District. Pursuant to Section 10403 of the Elections Code, the Board hereby acknowledges that the consolidated election will be held and conducted in the manner prescribed by Section 10418 of the Elections Code.

Section 9. Services of County Registrars of Voters. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Boards of Supervisors are requested to permit the County Registrars to render all services incident to the preparation for and holding of the election, for which services the District agrees to reimburse Kern County and San Bernardino County (together, the “Counties”) in full from District funds upon presentation of an invoice from the Counties, such services to include the publication of a formal notice of school bond election and the mailing of the Full Text of the Measure, the Abbreviated Measure, and the tax rate statement (described in Elections Code Section 9401) (the “Tax Rate Statement”). The Board hereby requests the County Registrars to publish in the ballot materials, the Full Text of the Measure, the Abbreviated Ballot Measure, and the Tax Rate Statement attached hereto as Exhibits A, B and C, respectively.

Section 10. Canvass of Returns. The Boards of Supervisors are authorized to canvass the returns of the election pursuant to Section 10411 of the Elections Code.

Section 11. State Matching Funds. Some of the Projects may require state matching funds for completion. Approval of the District’s bond measure does not guarantee that the proposed Projects will be funded beyond the local revenues generated by this bond measure. The District’s completion of some of the Projects may depend on receipt of State funds.

Section 12. Encumbrance of Bond Funds. For the purpose of making bond funds unavailable as rent within the meaning of Education Code section 17032, the Board hereby encumbers all funds to be generated by the sale of the bonds in order to pay for the acquisition and construction of the Projects authorized by the ballot measure.

Section 13. Official Intent to Reimburse Expenditures. The District intends to undertake the acquisition, construction, renovation, furnishing, and equipping of the Projects as described in the Full Text of the Measure. The District intends to use the proceeds of its bonds described in this Resolution to finance the Projects. The District may pay certain capital expenditures (the “Reimbursement Expenditures”) in connection with the Projects prior to the issuance of the bonds. The bonds, in the amount of \$42,000,000 will be issued for the purpose of

financing the Projects on a long-term basis and certain of the proceeds of such debt obligations may be used to reimburse the District for certain expenditures.

The Board hereby declares the District's official intent to use a portion of the proceeds of the bonds to reimburse the District for the Reimbursement Expenditures. The foregoing statement is a declaration of official intent that is made under and only for the purpose of establishing compliance with the requirements of Treasury Regulations section 1.150-2.

Section 14. General Authorization with Respect to the Bond Measure and with Respect to this Resolution. The members of the District's Board, the Superintendent and the other officers of the District are hereby authorized and directed, individually and collectively, without further review and action by the Board, to do any and all things, to prepare, execute, and deliver any and all agreements and documents they deem necessary or advisable in order to effectuate the purposes of this Resolution and to perform all acts necessary to place the bond measure on the ballot, including, without limitation, to prepare and submit for inclusion in the voter information pamphlet an argument in favor of passage of, a list of supporters of, and a rebuttal to any argument against the ballot measure, making any changes to this Resolution, the Full Text of the Measure, the Abbreviated Ballot Measure, or the Tax Rate Statement (hereinafter the "Ballot Documents").

In the event of any such modifications to the Ballot Documents, the Superintendent and the other officers of the District are hereby further authorized to supplement or replace the original versions of such documents with the versions modified pursuant hereto. Such modified versions shall thereafter be deemed to constitute the final, complete and approved version of the Ballot Documents, for all intents and purposes, including for delivery of the Ballot Documents to the County Registrars and other parties set forth in Section 7 above and for publication of the ballot materials set forth in Section 9 above. All actions heretofore taken by the officers and agents of the District that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.


Section 15. Effective Date. This Resolution shall take effect immediately upon its adoption.

[Signature Page Follows]

PASSED AND ADOPTED by the Board of Education of the Sierra Sands Unified School District, Kern and San Bernardino Counties, State of California, July 18, 2024, by the following vote:


AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0

**SIERRA SANDS UNIFIED
SCHOOL DISTRICT**



William Farris
President of the Board of Education

ATTEST:



April Moore, Ed. D.
Secretary of the Board of Education

EXHIBIT B
BALLOT MEASURE
ABBREVIATED FORM*

Sierra Sands Unified School District Repairs/ Safety Measure.

To retain teachers/ maintain quality local schools by upgrading older schools; ensuring school safety/ earthquake preparedness; fixing/ replacing leaky roofs, windows, plumbing; updating science, technology, engineering, math classrooms; qualifying for United States Department of Defense matching funds, shall Sierra Sands Unified School District's measure be adopted issuing \$42,000,000 in bonds at limited interest rates, levying 6¢ per \$100 assessed valuation (\$3,100,000 annually) while bonds are outstanding, no money for administrators' salaries, requiring audits/ citizens oversight, all funds staying local?

Bonds—Yes

Bonds—No

**As required pursuant to Education Code Section 5322 and Elections Code Section 13247.*

CERTIFICATION

I, April Moore, Ed.D., Secretary of the Board of Education of the Sierra Sands Unified School District, Kern and San Bernardino Counties, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly approved and adopted by the Board of Education of the District at a meeting held on July 18, 2024, of which meeting all the members of the Board of Education had due notice and at which a majority thereof were present, and that at the meeting the resolution was adopted by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

ABSTAIN: 0

An agenda for the meeting was provided in advance of the meeting, as required by law, to all members of the Board of Education and to all media outlets that have requested notification. Further the agenda was posted in advance of the meeting, as required by law, at the District, at 113 W. Felspar Avenue, California 93555, a location freely accessible to members of the public, and a brief description of the resolution appeared on the agenda.

I have carefully compared the foregoing resolution with the original minutes of the meeting on file and of record in my office, and the foregoing is a full, true, and correct copy of the original resolution adopted at the meeting and entered in the minutes.

Dated: July 18, 2024



April Moore, Ed.D.
Secretary of the Board of Education
Sierra Sands Unified School District