



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 10.1

Meeting Date: July 19, 2012

Subject: Sustainable Facilities Master Plan Update and Ballot Measure Plan

- ☐ Information Item Only
- ☐ Approval on Consent Agenda
- ☐ Conference (for discussion only)
- ☐ Conference/First Reading (Action Anticipated: _____)
- ☒ Conference/Action
- ☐ Action
- ☐ Public Hearing

Division: Capital Asset Management Services

Recommendation: Receive information and updates regarding the Sustainable Facilities Master Plan and Proposed Ballot Measure Plan. Approval of Resolution No. 2715 and Resolution No. 2716.

Background/Rationale:

At the January 19th, 2012 Board Meeting, the Board allocated \$1,250,000 to create a Sustainable Facilities Master Plan (SFMP) that looks at district's facilities as a strategic tool for alignment with the District's Strategic Plan while creating a roadmap for successful 21st century learning environments for our students.

The SFMP is an essential tool that will allow the District to define its needs as it turns aging facilities into High Performing Facilities for our students and community. It will also allow the District to strategically align itself to take full advantage of potential incentives and grants, state and local bonds and alternative funding mechanisms.

Information will be provided that will outline an assessment of the district's current facilities as well as steps necessary to create a successful 21st century learning environment for our students.

On November 5, 2002, the District successfully passed a \$225 million General Obligation Bond Measure also known as Measure I. At the January 19th, 2012 Board Meeting the Board reallocated the remaining \$7.9 million balance which had originally been set aside for a Consent Decree High School.

There continues to exist a need for additional funds to address health and safety needs, continuing facility renovation, educational and programmatic needs, as well as deferred maintenance.

A survey of likely voters in the Sacramento City Unified School District has been conducted as well as the feasibility of a bond measure passing in this November's election. Information will be provided regarding the results of these efforts.

Financial Considerations: Placing a bond measure on the November ballot will have an initial cost to the District. If the ballot measure passes, funds generated would be used to leverage additional dollars for the district.

Documents Attached:

1. Resolution # 2715
2. Resolution # 2716

Estimated Time of Presentation: 10 minutes

Submitted by: Jim Dobson

Approved by: Jonathan P. Raymond, Superintendent

**RESOLUTION
OF THE BOARD OF EDUCATION
OF THE SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

RESOLUTION NO. 2715

**RESOLUTION ORDERING SCHOOL BOND ELECTION IN AN AMOUNT
NOT TO EXCEED \$346,000,000 AND AUTHORIZING NECESSARY ACTIONS IN
CONNECTION THEREWITH**

WHEREAS, the Board of Education (the “Board”) of the Sacramento City Unified School District (the “District”) is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the Education Code of the State of California (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 general obligation bonds and levy an ad valorem tax to repay those bonds upon a vote of at least 55% of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition; and

WHEREAS, the Board, deems it necessary and advisable to submit 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, 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 6, 2012, a statewide general election is scheduled to be conducted throughout the District; and

WHEREAS, the District is located entirely within the County of Sacramento (the “County”) and the Sacramento County Superintendent of Schools has jurisdiction over the District; and

WHEREAS, the District’s boundaries have not changed since the November 2, 2010 Election; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation and a proposed schedule of bond issuances, 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 statutory limit of \$60 per year per \$100,000 of assessed valuation of taxable property pursuant to Education Code Section 15270; 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, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

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

WHEREAS, if the project to be funded by the bonds will require State matching funds for any phase, the sample ballot must contain a statement, in form prescribed by law, advising the voters of that fact, and the Board of Education finds that completion of all or a portion of certain projects listed in the bond project list will not require State matching funds not yet received by the District;

NOW, THEREFORE, THE BOARD OF EDUCATION OF SACRAMENTO CITY UNIFIED SCHOOL DISTRICT DOES HEREBY FIND, RESOLVE, DETERMINE AND ORDER, AS FOLLOWS:

1. Recitals. All of the above recitals are true and correct.
2. Specifications of Election Order. Pursuant to Education Code Sections 5304, 5322, 15100 et seq., and 15266, an election shall be held within the boundaries of the Sacramento City Unified School District on November 6, 2012, for the purpose of submitting to the registered voters of the District the proposition contained in Exhibit A hereto.
3. Order of Election; Specifications of Ballot Measure; Abbreviation of Proposition: Pursuant to Section 13247 of the Elections Code and Education Code Sections 5322 and 15122, this Board of Education hereby directs the Registrar of Voters of the County (the “Registrar of Voters”) to submit to the voters of the District at said election the proposition contained in Exhibit A-II hereto, and to use as the abbreviation of the bond proposition on the ballot the Abbreviation contained in Exhibit A-I hereto.
4. Required Certification. The Board of Education hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List of the proposition contained in Exhibit A-II hereto.
5. Delivery of Order of Election and Tax Rate Statement to County Officers. As soon as practicable following adoption of this Resolution, and in any event no later than August 10, 2012 (which date is not fewer than 88 days prior to the date set for the election), the Secretary of this Board of Education is hereby directed to cause one copy of this Resolution to be filed (1) with the Clerk of the Board of Supervisors of the County, and (2) with the Registrar of Voters of the County. The copy filed with the Registrar of Voters shall include the Tax Rate Statement (in substantially the form attached hereto as Exhibit B), completed and signed by the Superintendent of the District.

6. Conduct of Election.

(a) Request to Registrar of Voters. Pursuant to Section 5303 of the Education Code, the Registrar of Voters is required to, and is hereby requested to, take all steps to hold the election in accordance with law and these specifications.

(b) Ballot and Voter Pamphlet. The Registrar of Voters is requested to cause the exact wording of the Abbreviation of the Measure contained in Exhibit A-I to appear on the ballot, and to print the Full Text of the Measure contained in Exhibit A-II in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. The full text of the measure is all that text in Appendix A hereto between the indicators:

“BEGINNING OF FULL TEXT OF MEASURE----->>>>>” and

“<<<<<-----END OF FULL TEXT OF MEASURE.”

(c) Consolidation. Pursuant to Education Code Section 15266(a), the election shall be consolidated with the statewide general election on November 6, 2012, and pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrar of Voters and the Board of Supervisors of the County 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.

(d) Canvass of Results. The Board of Supervisors of the County is authorized to canvass the returns of the election pursuant to Section 10411 of the Elections Code.

(e) Required Vote. Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the State Constitution, the proposition contained in Appendix A shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

(f) Election Costs. This Board of Education shall pay all costs of the election approved by the Board of Supervisors of the County, pursuant to Education Code Section 5421.

7. No Requirement of State Matching Funds. The District has determined that the projects to be funded from the proposed bonds will not require State matching funds for any phase thereof, and that Section 15122.5 of the Education Code does not apply to the proposition, and accordingly, the Registrar of Voters is directed not to include the disclosure otherwise required by that section.

8. Ballot Arguments. The President of this Board, or any member or members of this Board as the President shall designate, are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the proposition contained in Exhibit A hereof, within the time established by the Registrar of Voters, which shall be considered the official ballot argument of this Board as sponsor of the proposition.

9. Further Authorization. The members of this Board, the Superintendent, the Chief Business Officer, 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.

10. Effective Date; Required Vote. This Resolution shall take effect upon its adoption by a two-thirds vote of the Board of Education.

PASSED AND ADOPTED this day, July __, 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

President of the Board of Education of the
Sacramento City Unified School District

ATTEST:

Secretary of the Board of Education of the
Sacramento City Unified School District

EXHIBIT A-I

I. ABBREVIATION OF THE MEASURE

“To better prepare students for college and careers by upgrading classrooms, science labs, computer systems and technology; renovating heating and ventilation systems; reducing costs through energy efficiency; improving student safety and security systems; repairing roofs, floors, walkways, bathrooms, electrical, plumbing and sewer systems; shall Sacramento City Unified School District issue \$346 million in bonds with independent citizen oversight, no money for administrator salaries, and mandatory annual audits to guarantee funds are spent properly to benefit local children?”

[73 words]

II. FULL TEXT OF THE MEASURE

BEGINNING OF FULL TEXT OF MEASURE----->>>>>

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Sacramento City Unified School District (the “District”) shall be authorized to issue and sell bonds of up to \$346,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List below, and in order to qualify to receive State matching grant funds, subject to all of the accountability safeguards specified below.

To provide safe, modern facilities and equipment needed for career and technology education classes so students within the District are prepared for college and good paying jobs in fields like science, technology, and skilled trades, funds from the sale of general obligation bonds issued by the District would be used to finance the design, construction, acquisition, improvement, installation, restoration, rehabilitation, modernization and improvement of school sites, school facilities and support facilities of the District and to provide facilities improvements, upgrades, and related facilities and facilities costs as further described below.

ACCOUNTABILITY SAFEGUARDS

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

Evaluation of Needs. The Board of Education hereby certifies that it has evaluated the facilities needs of the District, and the priority of addressing each of these needs. In the course of its evaluation, the Board of Education took safety, class size reduction and information technology needs into consideration while developing the Bond Project List.

Limitation on Use of Bond Proceeds. The State of California does not have the legal authority to take locally approved school district bond funds for any State purposes. The Constitution allows proceeds from the sale of bonds authorized by this proposition to be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities listed in this proposition, 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. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff only when performing work on or necessary and incidental to the bond projects.

Independent Citizens’ Oversight Committee. The Board of Education shall establish an independent Citizens’ Oversight Committee (pursuant to Education Code Section 15278 and

following), to ensure bond proceeds are spent only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date on which the Board of Education enters the election results on its minutes.

Annual Performance Audits. The Board of Education 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.

Annual Financial Audits. The Board of Education shall conduct an annual, independent financial audit of the bond proceeds (which shall be separate from the District's regular annual financial audit) until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Education shall take actions necessary pursuant to Government Code Section 53410 and following 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 or the Chief Business Officer of the District (or such other employee as may perform substantially similar duties) shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31, 2012, stating (1) the amount of bond proceeds received and expended in that year, and (2) 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 such officer shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

FURTHER SPECIFICATIONS

Specific Purposes. 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 shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

Joint Use. The District may enter into agreements with the County of Sacramento or other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board of Education shall determine.

Rate of Interest. The bonds shall bear interest at a rate per annum not exceeding the statutory maximum, payable at the time or times permitted by law.

Term of Bonds. The number of years the whole or any part of the bonds are to run shall not exceed the legal limit, though this shall not preclude bonds from being sold which mature prior to the legal limit.

BOND PROJECT LIST

The Bond Project List below describes the specific projects the Sacramento City Unified School District proposes to finance with proceeds of the bonds. Listed projects will be completed as needed at a particular school 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. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. While the District will actively pursue additional revenue sources to leverage the proceeds of the bond, certain construction funds expected from non-bond sources, including State grant funds for eligible projects, Federal grants, corporate, non-profit and private grants, have not yet been secured. Until all project costs and funding sources are known, the Board of Education cannot determine the amount of bond proceeds available to be spent on each project, nor guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Completion of some projects may be subject to further government approvals by State officials and boards, to local environmental review, and to input from the public. For these reasons, inclusion of a project on the Bond Project List is not a guarantee that the project will be funded or completed. The Board of Education may make changes to the Bond Project List in the future consistent with the projects specified in the proposition.

Bond Project List

Core Academic Renovation, Modernization, Repair and Upgrade Projects

Bond funds will be expended on projects to provide safe, secure and up-to-date facilities and equipment, to repair and replace aging infrastructure, to update school grounds, safety and security systems, to repair and replace plumbing, and to increase energy efficiency, and conserve resources, which projects would include, but not be limited to:

- Modernize, renovate, reconstruct, repair and/or upgrade classrooms, aging science labs, equipment and computer systems to meet current standards and support academic and career pathways necessary to prepare students to compete in a global economy;
- Repair, or replace old, leaky roofs and gutters, worn-out floors, doors, ceilings, walls, windows, lighting and restrooms;
- Improve student safety and security systems, including lighting, fencing, gates, communications systems, cameras, and classroom door locks;
- Install energy efficient systems, such as solar photovoltaic panels, dual-pane windows, solar tube skylights, automatic hand dryers, and energy-efficient water heaters to reduce costs and protect the quality of instruction in core subjects like reading, math, science and technology;
- Upgrade technology infrastructure and electrical service capacity and distribution, to relieve overloaded electrical systems so that it can handle modern instructional technology;
- Repair or replace plumbing, fixtures, appliances, irrigation systems and drains with efficient alternatives such as low-flow fixtures and dual-flush toilets to improve water efficiency and reduce usage and costs;
- Construct, reconstruct, repair and renovate existing facilities to accommodate new or expanded programs as defined at specific school sites – technology center, learning labs, media center, health center, and other academic, college and career pathways;
- Repair, modernize or replace portable classrooms with permanent classrooms;

- Repair, upgrade and/or replace heating, ventilation, and air conditioning (HVAC) and lighting systems, with building code compliant energy efficient systems improving air quality and reducing operating costs, allowing the district to retain qualified teachers and programs;
- Make school site safety improvements to include repairing or replacing sidewalks, concrete and asphalt surfaces, including in the parking areas, the service areas, and the pick-up and drop-off areas and campus core areas;
- Make health and safety renovations and/or improvements including, but not limited to removal or mitigation of hazardous materials;
- Handicap accessibility improvements to meet current health, safety and instructional standards;
- Upgrade fire alarm systems, including fire safety equipment and sprinklers to make students safe in the event of an emergency.

Authorized Sites: Authorized at all District sites, including the following priority sites: American Legion Continuation High School, C.K. McClatchy High School, John F. Kennedy High School, Hiram W. Johnson High School, Kit Carson School, Luther Burbank High Schools, West Campus High School, Albert Einstein Middle School, and Sacramento High School Facility.

Technology Upgrades Throughout District

Bond funds will be used to provide technological upgrades including:

- Upgrade instructional technology in the classroom for improved student learning;
- Provide and maintain up-to-date technology, data and communications software and equipment;
- Upgrade electrical capacity and technology infrastructure, including fiber-optics and wireless internet access;
- Improve telephone, data, video, and communications systems.

Authorized Sites: These projects are authorized at all District sites.

District-Wide Fire and Irrigation Improvements

Bond funds will be used to make fire and irrigation improvements at all District school sites to improve student safety in the event of an emergency and to improve water and irrigation systems to reduce water usage and costs, which projects will include, but not be limited to:

- Upgrade, modernize, renovate and repair existing landscape irrigation service to include new “smart” irrigation meters;
- Replace, repair or upgrade fire hydrants;
- Upgrade fire alarm systems, including fire safety equipment and sprinklers to make students safe in the event of an emergency.

Authorized Sites: These projects are authorized at all District sites.

Resource and Energy Conservation Improvement Projects Throughout the District

Bond funds will be used to implement resource and energy conservation improvements, including improvements that align with the District's Sustainable Facilities Master Plan, to promote efficient use, and conservation of resources, reduce energy and water usage and costs, which projects would include, but not be limited to:

- Install energy efficient systems, such as solar photovoltaic panels, dual-pane windows, solar tube skylights, automatic hand dryers, and energy-efficient water heaters and other appliances to save money and natural resources;
- Upgrade, repair or replace plumbing fixtures, appliances, irrigations systems and drains with efficient alternatives, such as low-flow fixtures and dual-flush toilets;
- Modernize lighting systems, heating, ventilation, and air conditioning (HVAC) with building code compliant energy efficient systems, to conserve energy and improve classroom air quality;

Each project listed is assumed to include its share of costs of the election and bond issuance and other construction-related costs, such as construction management, architectural, engineering, inspection and other planning costs, legal, accounting and similar fees, independent annual financial and performance audits, a customary construction contingency, and other costs incidental to and necessary for design, planning, implementation and completion of the listed projects (whether work is performed by the District or by third parties), including:

Remove, dispose of, and otherwise remediate hazardous materials, including asbestos, lead, etc., where necessary.

Address unforeseen conditions revealed by construction/modernization (including plumbing or gas line breaks, dry rot, seismic, structural, etc.).

Site preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, demolition of existing structures, removing, replacing, or installing irrigation and drainage, utility lines (such as gas lines, water lines, electrical lines, sewer lines, and communication lines), trees and landscaping, relocating fire access roads, traffic lights and mitigation, and acquiring any necessary easements, licenses, or rights of way to the property.

Rental or construction of storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction.

Acquisition of any of the facilities on the Bond Project List through temporary lease or lease-purchase arrangements, or execute purchase option under a lease for any of these authorized facilities.

Furnishing and equipping of existing and newly constructed, modernized or rehabilitated classrooms and facilities on an ongoing basis, including to replace worn, broken, or out-of-date furniture and equipment for all classrooms, athletic facilities and other facilities, as needed.

For any project involving renovation, modernization, remodeling or rehabilitation of a building or the major portion of a building, the District may proceed with new replacement construction instead (including any necessary demolition), if the Board of Education determines that replacement and new construction is more practical than rehabilitation and renovation, considering the building's age, condition, expected remaining life, comparative cost, and other relevant factors.

The Bond Project List shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

<<<<<-----END OF FULL TEXT OF MEASURE.

EXHIBIT B

TAX RATE STATEMENT

An election will be held in the Sacramento Unified School District (the "District") on November 6, 2012, on the question of whether to authorize up to \$346,000,000 in bonds to be issued by the District to finance school facilities as described in the ballot measure. If the bonds are approved, the District expects to sell the bonds in four series over time. Principal and interest on the bonds will be paid from taxes levies on the taxable property in the District. The information contained in numbered paragraphs 1 – 3 below is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California. This information is based on the best estimates and projections presently available from official sources, experience within the District and other demonstrable factors.

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 4.4¢ per \$100 (\$44.00 per \$100,000) of assessed valuation in fiscal year 2013-14.

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 4.4¢ per \$100 (\$44.00 per \$100,000) of assessed valuation in fiscal year 2022-23.

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, 4.4¢ per \$100 (\$44.00 per \$100,000) of assessed valuation in fiscal year 2022-23.

Approval of the ballot measure authorizes the issuance of bonds under certain conditions, and is not approval of a specific tax rate or a specific bond issuance plan. The tax rate estimates in this statement reflect the District's current projection of future assessed values and of future debt service payments, which are based on certain assumptions. 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 and repayment structure of bonds sold, 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 of the bonds and the amount and repayment structure of bonds sold at any given time will be determined by the District based on its need for construction funds, its intention to meet the tax rate targets stated above, the legal limitations on bonds approved by a 55% vote, and other factors. The actual interest rates at which the bonds are 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.

Voters should note that the estimated tax rates are based on the ASSESSED VALUE of taxable property in the District as shown on the County's official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Dated: _____, 2012.

Superintendent
Sacramento City Unified School District

SECRETARY'S CERTIFICATE

I, Jonathan Raymond, Secretary, Board of Education of the Sacramento City Unified School District, County of Sacramento, California, do hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on July __, 2012, 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:

NOES:

ABSTAIN:

ABSENT:

An agenda of said meeting was posted at least 72 hours before said meeting at 5735 47th Avenue, Sacramento, California, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda. A copy of said agenda is attached hereto.

I have carefully compared the same with the original minutes of the meeting on file and of record in my office. 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.

Pursuant to Section 5 of said resolution, I have caused a certified copy thereof to be filed with the Clerk of the Board of Supervisors of the County.

WITNESS my hand this __ day of July, 2012.

Secretary, Board of Education
Sacramento City Unified School District

**RESOLUTION
OF THE BOARD OF EDUCATION
OF THE SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**

RESOLUTION NO. 2716

**RESOLUTION ORDERING SCHOOL BOND ELECTION IN AN AMOUNT
NOT TO EXCEED \$68,000,000 AND AUTHORIZING NECESSARY ACTIONS IN
CONNECTION THEREWITH**

WHEREAS, the Board of Education (the “Board”) of the Sacramento City Unified School District (the “District”) is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the Education Code of the State of California (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 general obligation bonds and levy an ad valorem tax to repay those bonds upon a vote of at least 55% of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition; and

WHEREAS, the Board, deems it necessary and advisable to submit 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, 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 6, 2012, a statewide general election is scheduled to be conducted throughout the District; and

WHEREAS, the District is located entirely within the County of Sacramento (the “County”) and the Sacramento County Superintendent of Schools has jurisdiction over the District; and

WHEREAS, the District’s boundaries have not changed since the November 2, 2010 Election; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation and a proposed schedule of bond issuances, 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 statutory limit of \$60 per year per \$100,000 of assessed valuation of taxable property pursuant to Education Code Section 15270; 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, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

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

WHEREAS, if the project to be funded by the bonds will require State matching funds for any phase, the sample ballot must contain a statement, in form prescribed by law, advising the voters of that fact, and the Board of Education finds that completion of all or a portion of certain projects listed in the bond project list will not require State matching funds not yet received by the District;

NOW, THEREFORE, THE BOARD OF EDUCATION OF SACRAMENTO CITY UNIFIED SCHOOL DISTRICT DOES HEREBY FIND, RESOLVE, DETERMINE AND ORDER, AS FOLLOWS:

1. Recitals. All of the above recitals are true and correct.
2. Specifications of Election Order. Pursuant to Education Code Sections 5304, 5322, 15100 et seq., and 15266, an election shall be held within the boundaries of the Sacramento City Unified School District on November 6, 2012, for the purpose of submitting to the registered voters of the District the proposition contained in Exhibit A hereto.
3. Order of Election; Specifications of Ballot Measure; Abbreviation of Proposition: Pursuant to Section 13247 of the Elections Code and Education Code Sections 5322 and 15122, this Board of Education hereby directs the Registrar of Voters of the County (the “Registrar of Voters”) to submit to the voters of the District at said election the proposition contained in Exhibit A-II hereto, and to use as the abbreviation of the bond proposition on the ballot the Abbreviation contained in Exhibit A-I hereto.
4. Required Certification. The Board of Education hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List of the proposition contained in Exhibit A-II hereto.
5. Delivery of Order of Election and Tax Rate Statement to County Officers. As soon as practicable following adoption of this Resolution, and in any event no later than August 10, 2012 (which date is not fewer than 88 days prior to the date set for the election), the Secretary of this Board of Education is hereby directed to cause one copy of this Resolution to be filed (1) with the Clerk of the Board of Supervisors of the County, and (2) with the Registrar of Voters of the County. The copy filed with the Registrar of Voters shall include the Tax Rate Statement (in substantially the form attached hereto as Exhibit B), completed and signed by the Superintendent of the District.

6. Conduct of Election.

(a) Request to Registrar of Voters. Pursuant to Section 5303 of the Education Code, the Registrar of Voters is required to, and is hereby requested to, take all steps to hold the election in accordance with law and these specifications.

(b) Ballot and Voter Pamphlet. The Registrar of Voters is requested to cause the exact wording of the Abbreviation of the Measure contained in Exhibit A-I to appear on the ballot, and to print the Full Text of the Measure contained in Exhibit A-II in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. The full text of the measure is all that text in Appendix A hereto between the indicators:

“BEGINNING OF FULL TEXT OF MEASURE----->>>>>” and

“<<<<<-----END OF FULL TEXT OF MEASURE.”

(c) Consolidation. Pursuant to Education Code Section 15266(a), the election shall be consolidated with the statewide general election on November 6, 2012, and pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrar of Voters and the Board of Supervisors of the County 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.

(d) Canvass of Results. The Board of Supervisors of the County is authorized to canvass the returns of the election pursuant to Section 10411 of the Elections Code.

(e) Required Vote. Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the State Constitution, the proposition contained in Appendix A shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

(f) Election Costs. This Board of Education shall pay all costs of the election approved by the Board of Supervisors of the County, pursuant to Education Code Section 5421.

7. [No Requirement of State Matching Funds. The District has determined that the projects to be funded from the proposed bonds will not require State matching funds for any phase thereof, and that Section 15122.5 of the Education Code does not apply to the proposition, and accordingly, the Registrar of Voters is directed not to include the disclosure otherwise required by that section.]

8. Ballot Arguments. The President of this Board, or any member or members of this Board as the President shall designate, are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the proposition contained in Exhibit A hereof, within the time established by the Registrar of Voters, which shall be considered the official ballot argument of this Board as sponsor of the proposition.

9. Further Authorization. The members of this Board, the Superintendent, the Chief Business Officer, 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.

10. Effective Date; Required Vote. This Resolution shall take effect upon its adoption by a two-thirds vote of the Board of Education.

PASSED AND ADOPTED this day, July __, 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

President of the Board of Education of the
Sacramento City Unified School District

ATTEST:

Secretary of the Board of Education of the
Sacramento City Unified School District

EXHIBIT A-I

I. ABBREVIATION OF THE MEASURE

“To improve the health and safety of children, repair playgrounds and playfields to meet modern safety standards, improve physical education facilities and bathrooms, improve irrigation systems and water drainage to reduce water consumption, remove asbestos, lead paint and other unsafe conditions and to upgrade kitchen facilities to improve nutrition and nutritional education for children, shall the Sacramento City Unified School District issue \$68 million of bonds, with independent Citizen’s Oversight and no money for administrator salaries?”

[72 words]

II. FULL TEXT OF THE MEASURE

BEGINNING OF FULL TEXT OF MEASURE----->>>>>

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Sacramento City Unified School District (the “District”) shall be authorized to issue and sell bonds of up to \$68,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List below, and in order to qualify to receive State 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 District’s voters and taxpayers may be assured that their money will be spent wisely to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Board of Education hereby certifies that it has evaluated the facilities needs of the District, and the priority of addressing each of these needs. In the course of its evaluation, the Board of Education took safety, class size reduction and information technology needs into consideration while developing the Bond Project List.

Limitation on Use of Bond Proceeds. The State of California does not have the legal authority to take locally approved school district bond funds for any State purposes. The Constitution allows proceeds from the sale of bonds authorized by this proposition to be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities listed in this proposition, 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. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff only when performing work on or necessary and incidental to the bond projects.

Independent Citizens’ Oversight Committee. The Board of Education shall establish an independent Citizens’ Oversight Committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are spent only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date on which the Board of Education enters the election results on its minutes.

Annual Performance Audits. The Board of Education 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.

Annual Financial Audits. The Board of Education shall conduct an annual, independent financial audit of the bond proceeds (which shall be separate from the District's regular annual financial audit) until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Education shall take actions necessary pursuant to Government Code Section 53410 and following 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 or the Chief Business Officer of the District (or such other employee as may perform substantially similar duties) shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31, 2012, stating (1) the amount of bond proceeds received and expended in that year, and (2) 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 such officer shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

FURTHER SPECIFICATIONS

Specific Purposes. 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 shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

Joint Use. The District may enter into agreements with the County of Sacramento or other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board of Education shall determine.

Rate of Interest. The bonds shall bear interest at a rate per annum not exceeding the statutory maximum, payable at the time or times permitted by law.

Term of Bonds. The number of years the whole or any part of the bonds are to run shall not exceed the legal limit, though this shall not preclude bonds from being sold which mature prior to the legal limit.

BOND PROJECT LIST

The Bond Project List below describes the specific projects the Sacramento City Unified School District proposes to finance with proceeds of the bonds. Listed projects will be completed as needed at a particular school 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. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. Certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Until all project

costs and funding sources are known, the Board of Education cannot determine the amount of bond proceeds available to be spent on each project, nor guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Completion of some projects may be subject to further government approvals by State officials and boards, to local environmental review, and to input from the public. For these reasons, inclusion of a project on the Bond Project List is not a guarantee that the project will be funded or completed. The Board of Education may make changes to the Bond Project List in the future consistent with the projects specified in the proposition.

Bond Project List

Health & Safety Improvements

Improve the overall health and safety experience for students in the School District at the schools specified below through code, life safety and maintenance improvements at outdoor activity areas and fields, gymnasiums and multi-use facilities, including, but not limited to, the following:

- Modernize and upgrade playgrounds, playfields and equipment;
- Improve security and safety, including updating lighting and communications systems, fencing, gates and classroom door locks;
- Repair or replace sidewalks, concrete, and asphalt surfaces, including restriping of playgrounds;
- Renovate, rehabilitate or replace bleachers, athletic fields and add landscaping, including trees for shading;
- Upgrade, repair and rehabilitate bathrooms, floors, walls, ceilings, leaky roofs, gutters, and doors;
- Update, repair and renovate heating, ventilation and air conditioning equipment;
- Improve energy efficiency;
- Repair and upgrade drinking fountains and leaky fixtures, irrigation and storm water drainage systems; and
- Improve disabled accessibility to meet current health, safety and instructional standards.

Approved sites: Approved at all District sites.

Student Health & Nutrition

Improve the overall health and nutritional experience for students in the School District, construct central kitchen facilities that will serve more students, improve efficiency, increase revenues, provide better meals with standardized and healthier menus and improved services, convert kitchens at all elementary schools to support a nutritional food service program, in which projects, including, but not limited to the following:

- Construct Centralized Nutrition Center to serve student population;
- Upgrade elementary and K-8 school site kitchens.

Furnishings & Equipment

Project Costs for furnishings and equipment for some or all of the within-identified School District campuses may include, but are not limited to, some or all of the following: security, safety and communication systems and equipment; window and floor coverings (including tiles and carpeting); kitchen equipment; improvements and furnishings; and/or other electronic equipment and systems.

Each project listed is assumed to include its share of costs of the election and bond issuance and other construction-related costs, such as construction management, architectural, engineering, inspection and other planning costs, legal, accounting and similar fees, independent annual financial and performance audits, a customary construction contingency, and other costs incidental to and necessary for completion of the listed projects (whether work is performed by the District or by third parties), including:

Remove, dispose of, and otherwise remediate hazardous materials, including asbestos, lead, etc., where necessary.

Address unforeseen conditions revealed by construction/modernization (including plumbing or gas line breaks, dry rot, seismic, structural, etc.).

Site preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, demolition of existing structures, removing, replacing, or installing irrigation and drainage, utility lines (such as gas lines, water lines, electrical lines, sewer lines, and communication lines), trees and landscaping, relocating fire access roads, traffic lights and mitigation, and acquiring any necessary easements, licenses, or rights of way to the property.

Rental or construction of storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction.

Acquisition of any of the facilities on the Bond Project List through temporary lease or lease-purchase arrangements, or execute purchase option under a lease for any of these authorized facilities.

Furnishing and equipping of existing and newly constructed, modernized or rehabilitated classrooms and facilities on an ongoing basis, including to replace worn, broken, or out-of-date furniture and equipment for all classrooms, athletic facilities and other facilities, as needed.

For any project involving renovation, modernization, remodeling or rehabilitation of a building or the major portion of a building, the District may proceed with new replacement construction instead (including any necessary demolition), if the Board of Education determines that replacement and new construction is more practical than rehabilitation and renovation, considering the building's age, condition, expected remaining life, comparative cost, and other relevant factors.

The Bond Project List shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

<<<<-----END OF FULL TEXT OF MEASURE.

EXHIBIT B

TAX RATE STATEMENT

An election will be held in the Sacramento Unified School District (the "District") on November 6, 2012, on the question of whether to authorize up to \$68,000,000 in bonds to be issued by the District to finance school facilities as described in the ballot measure. If the bonds are approved, the District expects to sell the bonds in four series over time. Principal and interest on the bonds will be paid from taxes levies on the taxable property in the District. The information contained in numbered paragraphs 1 – 3 below is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California. This information is based on the best estimates and projections presently available from official sources, experience within the District and other demonstrable factors.

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 1.0¢ per \$100 (\$10.00 per \$100,000) of assessed valuation in fiscal year 2013-14.

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 1.0¢ per \$100 (\$10.00 per \$100,000) of assessed valuation in fiscal year 2014-15.

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, 1.0¢ per \$100 (\$10.00 per \$100,000) of assessed valuation in fiscal year 2013-14.

Approval of the ballot measure authorizes the issuance of bonds under certain conditions, and is not approval of a specific tax rate or a specific bond issuance plan. The tax rate estimates in this statement reflect the District's current projection of future assessed values and of future debt service payments, which are based on certain assumptions. 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 and repayment structure of bonds sold, 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 of the bonds and the amount and repayment structure of bonds sold at any given time will be determined by the District based on its need for construction funds, its intention to meet the tax rate targets stated above, the legal limitations on bonds approved by a 55% vote, and other factors. The actual interest rates at which the bonds are 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.

Voters should note that the estimated tax rates are based on the ASSESSED VALUE of taxable property in the District as shown on the County's official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Dated: _____, 2012.

Superintendent
Sacramento City Unified School District

SECRETARY'S CERTIFICATE

I, Jonathan Raymond, Secretary, Board of Education of the Sacramento City Unified School District, County of Sacramento, California, do hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on July __, 2012, 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:

NOES:

ABSTAIN:

ABSENT:

An agenda of said meeting was posted at least 72 hours before said meeting at 5735 47th Avenue, Sacramento, California, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda. A copy of said agenda is attached hereto.

I have carefully compared the same with the original minutes of the meeting on file and of record in my office. 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.

Pursuant to Section 5 of said resolution, I have caused a certified copy thereof to be filed with the Clerk of the Board of Supervisors of the County.

WITNESS my hand this __ day of July, 2012.

Secretary, Board of Education
Sacramento City Unified School District

