

RESOLUTION NO. 1314-12

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE COTATI-ROHNERT PARK
UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION TO AUTHORIZE THE
ISSUANCE OF SCHOOL BONDS, ESTABLISHING SPECIFICATIONS OF THE
ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER
ELECTIONS OCCURRING ON JUNE 3, 2014**

- WHEREAS, Cotati-Rohnert Park Unified School District (the "District"), County of Sonoma, California (the "County") is dedicated to providing a top-quality education to all students in Cotati and Rohnert Park schools; and
- WHEREAS, the Board of Trustees of the District (the "Board") has determined both supporting academic programs and expanding, upgrading, repairing, improving and better equipping educational facilities within the District are required to enable the District to maintain student achievement growth, attract and retain teachers, and protect the quality of education for all students in the District; and
- WHEREAS, the State of California (the "State") does not provide enough funding for the District to adequately update and expand its educational facilities despite ongoing efforts to obtain such monies; and
- WHEREAS, the District believes each and every student who attends our local schools deserves a quality education in a safe and modern learning environment; and
- WHEREAS, District schools are in need of repair and updates to ensure local students have access to the education and technologies that they will need to attend college and compete for good jobs, including: upgrading or constructing new classrooms, science labs, libraries; updating instructional technology; providing facilities and equipment for career and 21st-century vocational education classes; improving energy efficiency and reducing utility costs to make funding available to attract and retain qualified teachers, upgrading outdated electrical systems to accommodate classroom technology; and upgrading fire alarms and school security; and
- WHEREAS, the measure will provide locally controlled funds that cannot be taken away by Sacramento; and
- WHEREAS, the schools, classrooms, science labs and technical education facilities and equipment will prepare our students to go on to college and compete for well-paying jobs; and
- WHEREAS, this measure includes mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent as promised; and
- WHEREAS, in the judgment of the Board of the District, it is advisable to call an election to submit to the electors of the District the question whether bonds of the District shall be issued and sold for the purpose of raising money for the acquisition or

improvement of real property, and the furnishing and equipping of school facilities; and

WHEREAS, as a result of the approval of Proposition 39 on November 7, 2000, Article XIII A, Section 1, paragraph (b), of the California Constitution ("Article XIII A") provides an exception to the limit on *ad valorem* property taxes on real property for bonded indebtedness incurred by a school district approved by 55 percent of the voters of the district voting on the proposition; and

WHEREAS, the Board is specifically authorized, upon approval by a two-thirds vote of the Board, to pursue the authorization and issuance of bonds by a fifty-five percent (55%) vote of the electorate on the question whether bonds of the District shall be issued and sold for specified purposes, pursuant to Education Code Section 15264 *et seq.* (the "Act"); and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, June 3, 2014, and to request the Sonoma County Registrar of Voters to perform certain election services for the District; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Cotati-Rohnert Park Unified School District the following:

Section 1. Call for Election. 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 maximum principal amount of \$80,000,000 for the purpose of raising money to finance school facilities and property of the District, and paying costs incident thereto, as set forth more fully in the ballot proposition approved pursuant to Section 3. This Resolution constitutes the order of the District to call such election.

Section 2. Election Date. The date of the election shall be June 3, 2014, and the election shall be held solely within the boundaries of the District.

Section 3. Purpose of Election; Ballot Proposition. The purpose of the election shall be for the voters in the District to vote on a proposition, a full copy of which is attached hereto and marked Exhibit A, containing the question of whether the District shall issue the Bonds for the purpose stated therein, together with the accountability requirements of Article XIII A and Government Code Section 53410 and the requirements of Section 15272 of the Act. The Sonoma County Registrar of Voters (the "County Registrar") is requested to print the Full Text of Measure contained on Exhibit A in the sample ballot pamphlet. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto and marked as Exhibit B. The Superintendent or his designee is hereby authorized and directed to make any changes to the text of the proposition or this resolution as required to conform to any requirements of Article XIII A, the Act, or the County Registrar.

Section 4. Authority for Election. The authority for ordering the election is contained in Section 15264 *et. seq.* of the Education Code and Section I, paragraph (b), subsection (3), of Article XIII A. The authority for the specification of this election order is contained in Section 5322 of the Education Code.

Section 5. School Facilities Projects. As required by Article XIII A, the Board hereby certifies that it has evaluated safety, class size reduction, enrollment growth, and information technology needs in developing the list of school facilities projects set forth on Exhibit A.

Section 6. Covenants of the Board upon Approval of the Bonds by the Electorate. As required by Article XIII, Section 15278 of the Act, and Government Code Section 53410, in the event 55 percent of the voters voting in the District approve of the Bonds, the Board shall:

1. conduct an annual, independent performance audit to ensure that the funds have been expended only on the projects listed in Exhibit A;
2. conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the school facilities projects listed in Exhibit A;
3. establish and appoint members to independent citizens' oversight committee in accordance with Sections 15278, 15280, and 15282 of the Act;
4. apply the bond proceeds only to the specific purposes stated in the ballot proposition;
5. cause creation of accounts into which bond proceeds shall be deposited; and
6. cause the preparation of an annual report pursuant to Government Code Sections 53410 and 53411.

Section 7. Delivery of this Resolution. The Clerk of the Board is hereby directed to send a copy of this Resolution to the Sonoma County Superintendent of Schools, the County Registrar and the Sonoma County Clerk of the Board of Supervisors.

Section 8. Consolidation of Election. The County Registrar and the Sonoma County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on June 3, 2014, within the District.

Section 9. Ballot Arguments; Tax Rate Statement. Any and all members of this Board are hereby authorized to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument. The Superintendent, President of the Board, or their designees, are hereby authorized to execute any Tax Rate Statement or other document and to perform all acts necessary to place the bond measure on the ballot.

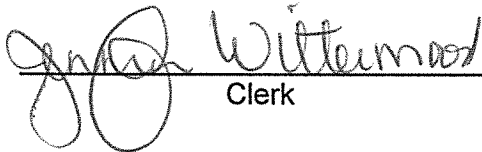
Section 10. Elections Code. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Sonoma County is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Sonoma County in full upon presentation of a bill, such services to include the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code).

Section 11. Agreement. The Superintendent is authorized and directed to execute the agreements on file with Jones Hall, A Professional Law Corporation, which firm is appointed hereby to perform bond and disclosure counsel services in regard to the Bonds, and Isom Advisors, a Division of Urban Futures Inc., which firm is appointed to perform financial advisory services in regard to the Bonds.

Section 12. Effective Date. This resolution shall take effect on and after its adoption.

PASSED AND ADOPTED by the Board of Trustees of the Cotati-Rohnert Park Unified School District the 11th day of February, 2014.

Signed:


Clerk

CLERK'S CERTIFICATE

Jennifer Wiltermood

I, _____, Clerk of the Board Trustees of the COTATI-ROHNERT PARK UNIFIED SCHOOL DISTRICT, hereby certify that the foregoing is a full, true, and correct copy of Resolution 1314-12 adopted at a regular meeting place thereof on the 11th day of February, 2014, of which meeting all the members of said Board of Trustees had due notice and at which a majority thereof were present, and that at said meeting said resolution was adopted by the following vote:

Trustee Brown	<u>YES</u>
Trustee Gilardi	<u>YES</u>
Trustee Longmire	<u>YES</u>
Trustee Orloff	<u>YES</u>
Trustee Wiltermood	<u>YES</u>

An agenda of said meeting was posted at least 72 hours before said meeting at Rohnert Park, California, at a location freely accessible to members of the public, and a brief general description of said resolution appeared on said agenda.

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in my office; that the foregoing resolution is a full, true and correct copy of the original resolution adopted at said board meeting and entered in said minutes; and that said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: February 11, __, 2014



Clerk of the Board of Trustees of the
COTATI-ROHNERT PARK UNIFIED SCHOOL
DISTRICT

EXHIBIT A

BALLOT MEASURE FULL TEXT OF MEASURE

This proposition may be known and referred to as the Cotati-Rohnert Park Unified School District General Obligation Bond of 2014, or Measure ____.

FINDINGS

The Cotati-Rohnert Park Unified School District (the “District”) provides top quality education for local students. The District remains focused on creating innovative programs for students, opening neighborhood schools, attracting students and preparing them for college and careers. As a result test scores have steadily improved over the last few years.

As we look to the future and prepare our students for college and 21st-century careers, we are critically evaluating our facilities needs. Many of our classrooms are over 50 years old and struggle to support a modern education. Our science labs also need improvements to meet modern academic standards. In addition, our facilities have aging infrastructure, leaking roofs and windows, and outdated and inefficient heating, ventilation, electrical and plumbing systems. Some facilities have hazardous materials such as lead and asbestos that need to be removed.

If approved, Measure __ would fund facility upgrades, including: updating classroom computers and technology, providing facilities and equipment for career and technical education, modernizing science labs, upgrading campus security (lighting, fencing, smoke detectors, fire alarms, sprinklers, and other security systems), removing remaining hazardous materials (like lead and asbestos) from schools, improving access to all school facilities for students with disabilities, increasing school energy efficiency and reducing utility bills and lowering the cost of repairing aging facilities to free up funds for classroom instruction.

Measure __ requires strict taxpayer protections to ensure funds are spent appropriately. All funds must stay here in the District and none of the funds can be taken away by the State. An independent citizens’ oversight committee will ensure the funds are spent as promised and annual audits are mandatory.

Measure __ was developed following input from parents, teachers, school facility experts, school funding experts, local business leaders, local civic leaders and other members of the community.

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Cotati-Rohnert Park Unified School District (the “District”) shall be authorized to issue and sell bonds of up to \$80,000,000 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 Trustees hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List and has prepared an updated facilities master plan which is incorporated hereby into the Bond Project List.

Limitation on Use of Bond Proceeds. The State of California does not have the power 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 Trustees 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 Trustees enters the election results on its minutes.

Annual Performance Audits. The Board of Trustees 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 Trustees 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 Trustees 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 Official 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 of the year in which bonds are first issued, 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 Sonoma 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 Trustees 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 Board in Cotati-Rohnert Park Unified School District evaluated the urgent and critical facilities needs at all schools, including safety issues, enrollment trends, and computer and information technology, in developing the scope of projects to be funded. The District worked with teachers, staff and members of the community to conduct a facilities evaluation and develop a Facilities Master Plan. The Board concluded that if these needs are not addressed now, the problems will only become more pressing and expensive to address. Therefore, in approving this Project List, the Board of Trustees determines that:

- (i) all bond money must stay exclusively in our local community, under local control and cannot be taken away by the State; and
- (ii) in repairing aging schools, priority must be given to the basics, such as fixing leaky roofs, bathrooms, plumbing, HVAC, and sewer lines; and
- (iii) priority should also be given to school and student safety by removing hazardous materials from old school structures and improving earthquake and fire safety; and
- (iv) schools must be clean and well-maintained learning environments; and
- (v) schools must have the classrooms which accommodate a growing student enrollment with upgraded, up-to-date science labs and classroom technology to allow our students to excel in the 21st century economy; and
- (vi) the District must establish an independent citizens' oversight committee and require annual independent audits to make sure all money is spent as authorized; and

- (vii) bond proceeds shall be used to improve all schools within the District; and
- (viii) approval of this bond measure does not guarantee that the proposed projects will be funded beyond the local revenues generated by the measure. The District's capital needs exceed the amount of bonds the voters are being asked to authorize. The District will seek funds from other sources to advance the project list as far as possible. If matching funds from the State or any other source become available, they will be used for and applied to the Bond Project List.

Basic School Repairs and Upgrades to Provide Safe, Well-Maintained Classrooms

Goal and Benefits: To maintain high quality education at our neighborhood schools, schools will benefit from the renovation, repair and upgrade of aging classrooms and science labs, fixing leaking roofs and improving fire and earthquake safety systems, and up-to-date classroom technology, allowing all children have the resources they need to continue to excel:

- Replace and repair leaking roofs
- Make schools safe by removing hazardous materials, such as asbestos and lead paint
- Upgrade earthquake and safety equipment, including phone, fire alarms, and communications systems
- Renovate school restrooms
- Upgrade and perform essential safety repairs and improvements on classrooms, science laboratories, food services facilities, student services facilities and other school and athletics facilities
- Repair outdated electrical systems and wiring to improve efficiency and safety
- Repair, replace, or upgrade inefficient and aging heating, cooling and plumbing systems
- Upgrade, repair or replace playground equipment, asphalt and turf for student safety and improved access for people with disabilities
- Make safety improvements on and around school sites, including improved fencing, walkways and overhangs, better access for people with disabilities, and traffic circulation and parking improvements
- Replace drinking fountains, trash receptacles, enclosures and equipment
- Renovate, repair, paint and improve school campuses, shade structures and grounds
- Establish programs to support regular and long term upgrades and replacement of outdated facilities, equipment, and grounds and to support enrollment growth by creating additional classrooms and/or re-opening sites

Instructional Technology Upgrades for Effective Student Learning

Goal and Purpose: To upgrade classroom computers and computer technology to allow our teachers and students to use up-to-date teaching methods so that our students are prepared to excel in the 21st century economy:

- Acquire and upgrade technology infrastructure
- Provide and repair up-to-date technology, data and wireless communications equipment
- Add, update and expand telecommunications, internet and network connections
- Add, upgrade and replace computers, hardware and software systems
- Add, upgrade and replace classroom instructional equipment including furniture
- Add, upgrade and replace electrical systems to support improved technology
- Establish programs to support regular and long term upgrades to technology systems, hardware, software and equipment
- Build new science facilities
- Upgrade media and audio/visual equipment

Student Health and Safety, Earthquake Safety and Energy Efficiency Projects

Goal and Purpose: Since good, safe, clean, well-maintained and up-to-date schools help protect and improve local property values and reduce maintenance and operating costs, returning more money to the classroom, schools and school sites will benefit from a variety of health and safety projects, such as:

- Upgrade earthquake safety pursuant to requirements of State of California law and regulation
- Replace old and inefficient windows, lighting, irrigation, heating and ventilation systems which waste money, and use the savings to prevent cuts to teacher and instructional programs
- Upgrade fire alarm systems, improve fire safety equipment and fire exit doors to make students safer in the event of an emergency
- Upgrade schools to meet accessibility requirements for students, teachers and staff with disabilities
- Install energy efficient systems to save money and return the savings to the classroom
- Upgrade emergency communication systems to improve student safety

Adding and Replacing Classrooms to Enhance Student Achievement

Goal and Purpose: To enhance educational programs and accommodate a growing student enrollment, schools would benefit from the expansion of additional and replacement of existing earthquake and accessibility code compliant facilities, such as:

- Add and replace permanent and relocatable classrooms, multi-purpose/assembly rooms, modern performing arts classrooms, gymnasiums and educational support facilities
- Accessibility upgrades as mandated
- Additional electrical service capacity to improve computer technology and internet access

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, including payment or prepayment of lease payments for the Technology High School located at Sonoma State University, or execution of a 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 Trustees 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.

EXHIBIT B

BALLOT MEASURE (ABBREVIATED FORM)

To protect quality education and student safety with funding that cannot be taken by the State, shall Cotati-Rohnert Park Unified School District improve classrooms, science labs and school libraries to meet modern academic and safety standards; update classroom computers, instructional technology and infrastructure; and replace outdated and inefficient heating, ventilation, electrical and plumbing systems; by issuing \$80 million in bonds, at legal rates, with citizens' oversight, annual audits, no money for administrators, and all funds staying local?

Tax Rate Statement

An election will be held in the Cotati-Rohnert Park Unified School District (the "District") on June 3, 2014 to authorize the sale of \$80,000,000 in general obligation bonds. The following information is submitted in compliance with Sections 9400-9404 of the California Elections Code.

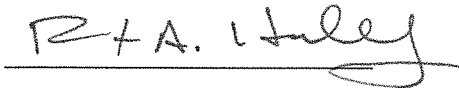
The best estimate of the tax rate that would be required to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$.0490 per \$100 (\$49.00 per \$100,000) of assessed valuation in fiscal year 2014-15.

The best estimate of the tax rate that would be required 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 \$.0490 per \$100 (\$49.00 per \$100,000) of assessed valuation in fiscal year 2019-20.

The best estimate of the highest tax rate that would be required to fund this bond issue, based on estimated assessed valuations available at the time of filing this statement, is \$.0490 per \$100 (\$49.00 per \$100,000) of assessed valuation.

These estimates are based on projections derived from information obtained from official sources. The actual tax rates and the years in which they will apply may vary depending on the timing of bond sales, the amount of bonds sold at each sale and actual increases in assessed valuations. The timing of the bond sales and the amount of bonds sold at any given time will be determined by the needs of the District. Actual assessed valuations will depend upon the amount and value of taxable property within the District as determined in the assessment and the equalization process.

Dated: February 11, 2014



Robert Haley
Superintendent
Cotati-Rohnert Park Unified School District