

**AMADOR COUNTY BOARD OF SUPERVISORS
COUNTY ADMINISTRATION CENTER
810 Court Street
Jackson, CA 95642**

BOARD MEMBERS

Lynn A. Morgan, District III
Chairman

Brian Oneto, District V
Richard M. Forster, District II

Patrick Crew, District I
Frank U. Axe, District IV

Please Note: All Board of Supervisors meetings are tape-recorded.

Anyone who wishes to address the Board must speak from the podium and should print their name on the Board Meeting Speaker list, which is located on the podium. The Clerk will collect the list at the end of the meeting.

Public hearing items will commence no sooner than the times listed on the agenda. Closed Session agenda items may be heard before or after scheduled public hearings, dependent upon progression of the agenda.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the Clerk of the Board staff, at (209) 223-6470 or (209) 257-0619 (fax). Requests must be made as early as possible, and at least one-full business day before the start of the meeting.

CONSENT AGENDA

ADDENDUM

DATE: August 14, 2018
TIME: 9 a.m.
LOCATION: County Administration Center, 810 Court Street, Jackson, CA

The following item is hereby added to the Consent Agenda

Addendum:

Administration: Adoption of a resolution authorizing performance of services by the Clerk-Recorder-Registrar of Voters and consolidation of the Amador County Unified School District bond measure for the statewide general election on November 6, 2018

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION AUTHORIZING PERFORMANCE
OF SERVICES BY THE CLERK-RECORDER-
REGISTRAR OF VOTERS AND CONSOLIDATION
OF THE AMADOR COUNTY UNIFIED SCHOOL
DISTRICT BOND MEASURE FOR THE
STATEWIDE GENERAL ELECTION ON
NOVEMBER 6, 2018

RESOLUTION NO. 18-xxx

WHEREAS, the County of Amador has received a timely request from the Amador County Unified School District pursuant to California Elections Code section 10002 and Education Code section 5303 to consolidate and provide election services for the statewide general election to be held on November 6, 2018.

WHEREAS, pursuant to Elections Code section 10400 whenever two or more elections, including bond elections, are called to be held on the same day, in the same territory, they may be consolidated upon order of the Board of Supervisors, and the Registrar of Voters in providing such services as requested will be reimbursed in full for the services performed.

THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California that said Board does hereby consolidate the election for the Amador County Unified School District bond measure as requested and permit the Clerk-Recorder-Registrar of Voters to provide services as requested, and the Registrar of Voters will be reimbursed in full for these services.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 14th day of August 2018, by the following vote:

AYES: Lynn A. Morgan, Brian Oneto, Patrick Crew, Richard M. Forster, Frank U. Axe

NOES: None

Lynn A. Morgan, Chair, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

Deputy

RESOLUTION NO. ACUSD 18/19-003

**RESOLUTION OF THE BOARD OF TRUSTEES OF AMADOR COUNTY
UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION,
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND
REQUESTING CONSOLIDATION WITH ANY OTHER ELECTIONS
OCCURRING ON NOVEMBER 6, 2018**

WHEREAS, in the judgment of the Board of Trustees (the “Board”) of the Amador County Unified School District (the “District”), it is advisable to call an election to submit to the electors of the District the question of whether the bonds of the District shall be issued and sold for the purpose of raising money for the improvement, upgrade, and renovation of the District’s existing schools and the acquisition and construction of additional classrooms and school facilities; and

WHEREAS, some District classrooms and buildings were built more than 60 years ago and are in urgent need of basic repairs and safety upgrades; including broken plumbing and bathrooms, leaky roofs, aging electrical systems, outdated wiring for computer technology and limited access for disabled students; and

WHEREAS, this bond measure includes strict accountability requirements including a Citizens’ Oversight Committee and independent annual financial and performance audits. No money from this measure will go towards administrators’ salaries or pensions and all funds will stay local and cannot be taken by Sacramento; and

WHEREAS, students who do not go to college need job skills training, technical knowledge, and specialized skills to compete for good-paying jobs. This measure will support career technical education programs that require equipment, technology and classroom space to ensure our students can compete in the labor market; and

WHEREAS, in order to succeed in the 21st century economy, our students need skills in the fields of science, technology, engineering, and math. But many of our county schools’ science labs are over 40 years old. This measure will upgrade classrooms so that all students have access to the technology needed to help them develop the vital skills required to be successful at community college or university and compete in a 21st century economy; and

WHEREAS, many schools in our area have outdated security and safety features, including aging electrical and fire safety systems, as well as inadequate safety lighting, fencing, and emergency communications systems. This measure will allow our schools to make basic security upgrades that will help to keep our children safe; and

WHEREAS, this measure will ensure that our schools are able to retain and attract quality teachers. By upgrading and building new classrooms, the best teachers will want to teach in our community because classrooms will be up-to-date and have greater access to new technology to support 21st century instruction needs; and

WHEREAS, the District's school's vocational and career education programs are effectively connecting students with local employers, like Jackson Rancheria and Sutter Amador Hospital. This measure will enable our local schools to update classroom technology so that students expand the skills and training necessary to improve their internship and career opportunities; 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 that has been approved by fifty-five percent (55%) of the voters of the District voting on the proposition; and

WHEREAS, pursuant to California Education Code section 15264 et seq. (the "Act"), this Board is specifically authorized, upon approval by two-thirds (2/3) of the Board, to submit to the electorate of the District the question of whether bonds of the District shall be issued and sold for specified purposes, upon a fifty-five percent (55%) vote of the electorate in favor on the question, pursuant to paragraph (3) of said subdivision (b) of Section 1 of Article XIII A and subdivision (b) of Section 18 of Article XVI of the California Constitution; and

WHEREAS, pursuant to California Elections Code section 10403 et seq., it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 6, 2018, and to request the election officials of Amador County (the "County") to perform certain election services for the District; and

WHEREAS, pursuant to subdivision (c) of California Education Code section 15100, the Board has obtained reasonable and informed projections of assessed property valuations that take into consideration projections of assessed property valuations made by the County Assessor.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE AMADOR COUNTY UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Board hereby orders an election and submits to the electors of the District the question of whether general obligation bonds of the District in the aggregate principal amount of \$78,000,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the improvement, upgrade, renovation, and replacement of the District's existing schools, facilities, and improvements, and the acquisition and construction of additional schools, facilities, and improvements, and paying costs incident thereto, as set forth more fully in a ballot proposition approved pursuant to Section 3 below. This Resolution constitutes the order of the District to call such election.

Section 2. The date of the election shall be November 6, 2018.

Section 3. The purpose of the election shall be for the voters in the District to vote on a proposition, alternative full versions of which are attached hereto and marked *Exhibits B-1, B-2, and B-3*, incorporated by reference herein, and containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. As required by California Elections Code section 13247, the abbreviated alternative forms of the

measure to appear on the ballot are attached hereto as *Exhibits A-1, A-2, and A-3*. The District's Superintendent (or her designee) is hereby authorized and directed to make any changes to the text of the proposition or its abbreviated form as required to comply with the intent of this Resolution, the requirements of elections officials, and requirements of law. In compliance with Proposition 39, policies of the Board, and the Act, the alternative ballot propositions in *Exhibits B-1, B-2, and B-3* are subject to the following requirements and determinations:

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

(b) that the Board, in establishing the projects set forth in alternative *Exhibits B-1, B-2* and *B-3*, evaluated the safety, class size reduction, classroom, educational and information technology needs of the District as well as the importance of the projects to improve student safety and environment;

(c) that the Board shall cause an annual, independent performance audit to be conducted to ensure that the Bond monies get spent only for the projects identified in alternative *Exhibits B-1, B-2* and *B-3* hereto;

(d) that the Board shall cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;

(e) that the Board shall appoint a Citizens' Oversight Committee in compliance with sections 15278, 15280, and 15282 of the Act; and

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

Section 4. In addition to that general authorization and direction specified by Section 3 of this Resolution, if Senate Bill 863 (2017-18 Reg. Sess.) is chaptered and becomes effective prior to November 6, 2018, the District's Superintendent (or her designee) is hereby authorized to use and deliver *Exhibits A-2, B-2* and *C-2*; alternatively, if Assembly Bill 6 (2017-18 Reg. Sess.) is chaptered and becomes effective prior to November 6, 2018, the District's Superintendent (or her designee) is hereby authorized to use and deliver *Exhibits A-3, B-3* and *C-3*.

Section 5. The authority for ordering the election is contained in California Education Code section 15264, et seq., and Article XIII A, section 1, paragraph (b), subsection (3) of the California Constitution. The authority for the specification of this election order is contained in California Education Code section 5322.

Section 6. The District hereby declares its official intent, subject to the further approval of this Board, to use up to the maximum amount permitted by law of the proceeds of the proposed Bonds to reimburse itself for payments it has made for any eligible costs of the projects and uses listed in alternative *Exhibits B-1, B-2* and *B-3*. It is intended that this Resolution shall, among other things, constitute a declaration of "official intent" within the meaning of Section

1.150-2 of the Treasury Regulations promulgated under Section 150 of the Internal Revenue Code of 1986, as amended.

Section 7. The County Registrar of Voters and the County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 6, 2018, within the District. Pursuant to section 5303 of the Education Code and section 10002 of the Elections Code, the County Board of Supervisors is requested to permit the County Registrar of Voters, and other appropriate officials of the County, to render all services necessary in connection with the bond election including, but not limited to, publication of a Formal Notice of School Bond Election pursuant to Education Code section 5363 and related law (the proposed alternative forms of which are attached hereto in *Exhibits C-1, C-2 and C-3*), the mailing of the sample ballot and tax rate statement (described in section 9401 of the Elections Code), the opportunity to submit ballot arguments in connection with the bond election, the canvassing and certification of the returns of the election, and other ballot requirements pursuant to Elections Code section 15123, for which services the District agrees to reimburse the County as required by law.

Section 8. The Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the Amador County Registrar of Voters no later than August 9, 2018.

Section 9. The Bonds may be issued pursuant to Education Code section 15264 et seq. or Government Code section 53506. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code sections 15140 to 15143, as modified by Government Code section 53531.

Section 10. The Board, the Superintendent of the District, and officers of the District are hereby authorized and directed, individually and collectively, to make any changes to the text of the proposition or its abbreviated form as required to comply with the intent of this Resolution, the requirements of elections officials, and requirements of law, and to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution, including, without limitation, to prepare and submit a tax rate statement and an argument in favor of passage of the ballot measure within the time established by the Amador County Registrar of Voters, which shall be considered the official ballot argument of this Board as sponsor of the proposition. 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 11. If any section, subsection, phrase or clause of this Resolution, or its application to any person or circumstance, is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution, or their application to any other person or circumstance. The Board declares that it would have adopted this Resolution and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, sentences, phrases or clauses, or their application to any person or circumstance, shall be declared invalid.

Section 12. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED on August 8, 2018, by the following vote:

AYES: 5

NOES: 0

ABSTENTIONS: 0

ABSENT: 0

By: Susan M Ross
President, Board of Trustees of the Amador County
Unified School District

ATTEST:

Kathleen Thompson
Clerk, Board of Trustees of the
Amador County Unified School District