



Rim of the World
P.O. Box 430
Lake Arrowhead, CA 92352



Unified School District
(909) 336-2031
Fax (909) 337-4527

Board of Trustees
Sharon Merrill
Sandra Caprine-Esquer
Bob Gladwell
Dave Erianger
Scott Markovich

Ronald B. Peavy, Interim Superintendent

RESOLUTION NO. 08/09-1

**RESOLUTION OF THE BOARD OF TRUSTEES OF
THE RIM OF THE WORLD UNIFIED SCHOOL
DISTRICT ORDERING AN ELECTION, AND
ESTABLISHING SPECIFICATIONS OF THE
ELECTION ORDER**

WHEREAS, the Board of Trustees (the "Board") has determined that certain core academic properties and equipment within the Rim of the World Unified School District (the "District") need to be repaired, acquired, constructed, improved, and equipped to enable the District to enhance the safety and educational opportunities of the students in the District; and

WHEREAS, notwithstanding concerted and ongoing efforts by the District to obtain sufficient facility money from the State of California (the "State"), the State has been unable to provide the District with enough money for the District to adequately construct and repair schools to provide an optimal learning environment for all students; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional and improved facility funding for such needs by means of a general obligation bond; and

WHEREAS, Proposition 46, approved by the voters of the State on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIII A of the California Constitution by adding a provision which exempts from the 1% of full cash value limitation, those ad valorem taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000 the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which, as of its effective date, reduced the voter threshold for ad valorem tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight which are contained in Proposition 39 and the Act; and

WHEREAS, the Board hereby determines, in accordance with the opinion of the Attorney General of the State of California, that the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for administrative salaries or other operating expenses of the District be strictly enforced by the Citizens' Oversight Committee; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, 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 Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; 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 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, 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, November 4, 2008, and to request that the San Bernardino County Registrar of Voters perform certain election services for the District;

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

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506, hereby requests the San Bernardino County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount not to exceed \$23,340,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the core academic and safety purposes described in Exhibits A and B hereto. Both exhibits are directed to be printed in the voter pamphlet.

Section 2. That the date of the election shall be November 4, 2008.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot proposition in Exhibit "A" is subject to the following requirements and determinations:

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

(b) that the Board, in establishing the projects set forth in Exhibit "B," evaluated the safety, class size reduction and information technology needs of the District;

(c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys get expended for the projects identified in Exhibit "B" hereto;

(d) that the Board will 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 will cause the appointment of a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Elections Code Section 15274; and

(f) that the tax levy authorized to secure the Bonds of this election shall not exceed the Proposition 39 limit 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. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Sections 5322 of the Education Code.

Section 6. That the San Bernardino County Registrar of Voters and the San Bernardino County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 4, 2008 within the District.

Section 7. That the Secretary of the Board is hereby directed to send a certified copy of this Resolution to the San Bernardino County Registrar of Voters no later than August 8, 2008.

Section 8. That the maturity of any Bonds issued pursuant to Section 15264 *et seq.* of the Education Code hereto shall have a maturity not exceeding twenty-five (25) years, and Bonds issued pursuant to Section 53506 of the Government Code shall have a maturity of not exceeding forty (40) years. 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 9. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by any body or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

Section 10. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of San Bernardino 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 San Bernardino County, such services to include the printing of the Full Text Ballot Proposition in the voter pamphlet, the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 28th day of July, 2008.

BOARD OF TRUSTEES OF THE RIM OF
THE WORLD UNIFIED SCHOOL
DISTRICT

By _____


President

Attest:


Clerk



Rim of the World
 P.O. Box 430
 Lake Arrowhead, CA 92352



Unified School District
 (909) 336-2031
 Fax (909) 337-4527

Board of Trustees
 Sharon Merrill
 Sandra Caprine-Esquer
 Bob Gladwell
 Dave Erlanger
 Scott Markovich

Ronald B. Peavy, Interim Superintendent

July 30, 2008

Acknowledgement:

I, Terry Kaida, of the Elections Office of the San Bernardino County Registrar of Voters acknowledge receipt of RIM OF THE WORLD UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION RESOLUTION NO. 08/09-1 "RESOLUTION OF THE BOARD OF EDUCATION OF THE RIM OF THE WORLD UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER" adopted on July 28, 2008 calling for a November 4, 2008 election.

Terry D. Kaida
 Signature

7/30/08
 Date

3:07 PM
 Time

EXHIBIT A

"Rim of the World Schools Improvement Measure: Shall Rim of the World Unified School District repair, renovate, acquire, construct, and equip classrooms, science labs, sites, school facilities, including upgrading electrical, fire safety, heating, cooling and ventilation systems, plumbing, roofs, bathrooms, computer technology, and install energy savings systems, by issuing \$23,340,000 of bonds at legal rates, with mandatory audits, citizen oversight, and no money for administrators' salaries?"

Bonds - Yes

Bonds - No

EXHIBIT B

FULL BALLOT TEXT OF THE RIM OF THE WORLD UNIFIED SCHOOL DISTRICT BOND MEASURE ELECTION NOVEMBER 4, 2008

"Rim of the World Schools Classroom Upgrade and Improvement Measure: To repair, upgrade, acquire, equip and construct local school classrooms, upgrade electrical, heating, plumbing and fire safety systems, replace aging roofs, install energy efficient improvements, shall Rim of the World Unified School District be authorized to issue \$23,340,000 of bonds, at legal interest rates, with no funds for administrator salaries and appoint an independent oversight committee to monitor all bond expenditures?"

The Board of Trustees of the Rim of the World Unified School District evaluated the District's urgent and critical core school needs, including safety issues, enrollment trends, class size, and computer technology, in developing the scope of projects to be funded. The Board has conducted a facilities evaluation and received public input and review in developing the Priority School Projects. In establishing these Priority School Projects, the Board of Trustees determines that:

- (i) In repairing aging schools, priority shall be given to basic repairs, such as leaky roofs, plumbing, heating, ventilation and cooling systems, electrical and utility systems and energy efficiency; and
- (ii) All schools should have comparable facilities and access to technology to enable students to compete nationally and be successful in the workplace; and
- (iii) The District must fully prepare students for jobs as well as college.

PRIORITY SCHOOL PROJECTS

Project costs for repair and renovation of all existing school facilities include, but are not limited to, some or all of the following:

- *ventilation and heating systems in all buildings will be brought up to code to make buildings safe and healthier;*
- *science labs would be upgraded at the middle and high schools to comply with current graduation standards;*
- *deteriorating plumbing, restrooms and electrical systems would be upgraded and repaired throughout the District;*
- *existing playground equipment at elementary schools will be replaced or upgraded as necessary to increase student safety;*
- *fire safety systems will be upgraded to meet current building and safety standards;*
- *electrical wiring and power would be upgraded in all classrooms to keep up with current and future computer and technology needs;*
- *energy conservation systems would be installed to lower utility costs;*
- *school buses would be acquired to replace aging vehicles;*
- *student bathrooms renovated;*
- *drainage and irrigation systems improved;*
- *worn-out windows, walls and doors and hardware repaired or replaced;*
- *walk-way canopies upgraded or replaced;*
- *fire alarms, and security systems (including outdoor lighting) repaired or replaced;*
- *interior and exteriors painted;*
- *white boards repaired or replaced;*
- *wall and ceiling finishes improved;*
- *sites and fields upgraded for safety;*
- *hazardous materials, including asbestos and mold identified and abated;*
- *access for people with disabilities improved; and,*
- *classrooms and various forms of storage and support space repaired, constructed or acquired.*

Listed building, repair and rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed repair and construction projects stated above, the Priority School Projects List also includes the acquisition of a variety of instructional, maintenance and operational equipment, the payment of the costs of preparation of all environmental studies and construction documentation, and temporary housing of dislocated District activities caused by bond projects, the construction or repair of classrooms, facilities, libraries and labs. The allocation of bond proceeds will be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District will not be able to complete some of the projects listed above. Certain projects may be undertaken as joint use projects in cooperation with other local public agencies. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access, and acquiring any necessary easements, licenses, or rights of way to the property. Bond proceeds shall only be expended for the specific purposes identified herein. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to the bond projects. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

FISCAL ACCOUNTABILITY. IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF TRUSTEES WILL APPOINT A CITIZENS' OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON SCHOOL AND CLASSROOM IMPROVEMENTS AND FOR NO OTHER PURPOSE. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

NO ADMINISTRATOR SALARIES. PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES AND SITES, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL FACILITIES AND SITES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.