

RESOLUTION NO. 19/20 - 05

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

WHEREAS, the Board of Trustees (the "Board") of the Rim of the World Unified School District (the "District") is devoted to improving the quality of education in our local public schools by upgrading technology to support instruction in core subjects like math, science, engineering, the arts, and technology; and

WHEREAS, the Board has determined that schools within the District need to be upgraded, repaired, expanded, improved and better equipped, in a fiscally prudent manner, to enable the District to improve student success and also improve student safety and campus security by installing fencing, security cameras, emergency communications systems, smoke detectors, fire alarms and sprinklers; and

WHEREAS, since some District schools were built more than 50 years ago, additional resources are necessary to make basic improvements, including upgrading deteriorating roofs, plumbing, and electrical systems; and

WHEREAS, the Board believes that since academic standards are rising for what it takes to compete in the 21<sup>st</sup> Century, it is in the best interest of the District to address facility improvements now and provide classrooms, science labs and career training facilities so students are prepared for college and in-demand careers like health sciences, engineering, technology and skilled trades; and

WHEREAS, all residents benefit from living in a community with good schools and whether or not residents have school-age children, protecting the quality of our schools, the quality of life in our community, and the value of our homes, is a wise investment; and

WHEREAS, the State of California (the "State") has not provided the District with enough money for the District to adequately construct and repair schools to provide an optimal learning environment for all students and which keep pace with other top-performing districts; and

WHEREAS, the District has completed a facilities assessment with community engagement to identify the most pressing needs in each of the District's schools to provide safe and modern classroom environments for all students; and

WHEREAS, the Board has received information regarding the possibility of a local bond measure and its bonding capacity; and

WHEREAS, a local measure will help provide funds that cannot be taken away by the State to upgrade aging schools, protect student safety and help the District qualify for State matching funds; and

WHEREAS, such measure will include mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent as promised; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which reduced the voter threshold for *ad valorem* property tax levies used to pay for debt service on 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 that are contained in Proposition 39 and the Act; and

WHEREAS, the Board and District has solicited stakeholder and community input on school priorities from parents, teachers, staff, the community and civic leaders; and

WHEREAS, the Board desires to authorize the submission of a proposition to the District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities which will improve the health, safety and quality of education for students in the District; and

WHEREAS, the Board hereby determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State, the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for inappropriate administrative salaries or other operating expenses of the District shall be enforced strictly by the District's 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, Elections Code Section 9400 *et seq.* requires that a tax rate statement be contained in all official materials relating to the election, including any ballot pamphlet prepared, sponsored, or distributed by the District; and

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

WHEREAS, pursuant to the 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, March 3, 2020, and to request the San Bernardino County Registrar of Voters to 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 of \$51,500,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the projects described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter pamphlet. The District's Superintendent, or designee, is hereby authorized and directed to make any changes to the text of the measure, or to the abbreviated form of the measure, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of election officials, and requirements of law.

Section 2. That the date of the election shall be March 3, 2020.

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," 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. In compliance with Proposition 39 policies of the Board and the Act, the ballot propositions in Exhibits "A" and "B" are subject to the following requirements and determinations:

(a) that 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 Exhibit "B," 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 learning in core subjects like math, science, engineering, the arts, and technology;

(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 Exhibit "B" hereto;

(d) that the Board shall cause an annual, independent financial audit of the proceeds from 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 Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274; 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. 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 Education Code Section 5322.

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 March 3, 2020 within the District. As provided in Elections Code Section 10403, the District acknowledges that the consolidation election will be conducted in the manner described in Elections Code Section 10418.

Section 7. That the Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the San Bernardino County Registrar of Voters no later than December 6, 2019.

Section 8. That 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 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 of the returns of the election be made by any body or official authorized by law to canvass such returns, and that the Board consents to such consolidation. The Board further authorizes the submission of a tax rate statement and primary and rebuttal arguments, as appropriate, to be filed with the San Bernardino County Registrar of Voters by the established deadlines.

Section 10. Pursuant to Education Code Section 5303 and Elections Code Section 10002, the Board of Supervisors of San Bernardino County is requested to permit the Registrar of Voters to render all services specified by Elections Code Section 10418 relating to the election, for which services the District agrees to reimburse San Bernardino County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Elections Code Section 9401) pursuant to the terms of Education Code Section 5363 and Elections Code Section 12112.

ADOPTED, SIGNED AND APPROVED this 3<sup>rd</sup> day of December, 2019.

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

By   
President

Attest:

  
Secretary

STATE OF CALIFORNIA            )  
  )ss  
SAN BERNARDINO COUNTY        )

I, Michelle Murphy, do hereby certify that the foregoing is a true and correct copy of Resolution No. 19/20 - 05, which was duly adopted by the Board of Trustees of the Rim of the World Unified School District at the meeting thereof held on the 3<sup>rd</sup> day of December, 2019, and that it was so adopted by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

ABSTENTIONS: 0

By Michelle Murphy  
Secretary

EXHIBIT A

**“RIM OF THE WORLD UNIFIED SCHOOL DISTRICT QUALITY EDUCATION, SAFETY, REPAIR, COLLEGE/CAREER READINESS MEASURE.** To repair deteriorating roofs, plumbing, electrical; remove hazardous materials; improve safety/security, labs, classrooms, technology for math, science, engineering, arts, skilled trades/ college/career readiness instruction; renovate, acquire, construct/repair classrooms, facilities, sites/equipment, shall Rim of the World Unified School District’s measure authorizing \$51,500,000 in bonds at legal rates, levying 3 cents/ \$100 assessed value (\$3,400,000 annually) while bonds are outstanding, be adopted, with citizen oversight, all funds staying local?”

Bonds – Yes

Bonds – No

## EXHIBIT B

### FULL TEXT BALLOT PROPOSITION OF THE RIM OF THE WORLD UNIFIED SCHOOL DISTRICT BOND MEASURE ELECTION MARCH 3, 2020

The following is the full proposition presented to the voters by the Rim of the World Unified School District.

**“RIM OF THE WORLD UNIFIED SCHOOL DISTRICT QUALITY EDUCATION, SAFETY, REPAIR, COLLEGE/CAREER READINESS MEASURE.** To repair deteriorating roofs, plumbing, electrical; remove hazardous materials; improve safety/security, labs, classrooms, technology for math, science, engineering, arts, skilled trades/ college/career readiness instruction; renovate, acquire, construct/repair classrooms, facilities, sites/equipment, shall Rim of the World Unified School District’s measure authorizing \$51,500,000 in bonds at legal rates, levying 3 cents/\$100 assessed value (\$3,400,000 annually) while bonds are outstanding, be adopted, with citizen oversight, all funds staying local?”

#### PROJECT LIST

The Board of Trustees of the Rim of the World Unified School District is committed to **improving the quality of education** in local schools by providing safe, secure, upgraded classrooms, labs and technology needed to support high quality instruction in **math, science, engineering, the arts, and technology**. To that end, the Board evaluated the District’s urgent and critical facility needs, including **safety** issues, class size reduction, **basic repairs**, computer and information technology in developing the types of projects to be funded by this measure as described below. The District conducted a facilities evaluation and received public input in developing this Project List. Teachers, staff, community members and the Board have prioritized the key health and safety needs so that the most critical facility needs are addressed.

In approving this Project List, the Board of Trustees determines that the District must:

- (i) **Provide classrooms, facilities and technology needed to support high quality instruction in math, science, engineering, the arts, and technology; and**
- (ii) **Remove hazardous materials like asbestos and lead paint, as necessary, from older schools; and**
- (iii) **Provide modern science labs, engineering labs, and career training facilities so students are prepared for college and in-demand careers in fields like health sciences, engineering, technology and skilled trades; and**
- (iv) **Keep computer systems and instructional technology up-to-date; and**
- (v) **Improve student safety and campus security including security fencing, security cameras, emergency communication systems, smoke detectors, fire alarms and sprinklers; and**
- (vi) **Repair or replace deteriorating roofs, plumbing, heating, ventilation and electrical systems, where needed; and**
- (vii) **Adhere to specific fiscal accountability safeguards:**

- (a) All expenditures subject to annual independent financial audits.
- (b) No money taken by the State. All funds stay local.
- (c) All expenditures reviewed by an independent citizen oversight committee to ensure that funds are spent only as authorized.

The Project List includes the following types of upgrades and improvements at District schools, facilities and sites:

## **IMPROVE STUDENT PREPARATION FOR COLLEGE AND IN-DEMAND CAREERS**

### **School Repair and Upgrade Projects Funded By Money That Cannot Be Taken By the State Or Used for Other Purposes**

**Goals and Purposes:** If we want our kids to succeed in college and in-demand careers, they must be skilled in the use of today's technologies and have a solid background in science, math, engineering, the arts, and technology. This measure will make this possible.

Some of our schools were built over 50 years ago and they need to be repaired and upgraded. It's time to make essential repairs and improvements, including deteriorating roofs, plumbing, and electrical systems, so our schools can serve the community well for decades to come.

- Upgrade and modernize science labs, engineering labs and career training facilities, so students are prepared for college and in-demand careers in fields like health sciences, engineering, technology, and skilled trades.
- Repair or replace deteriorating roofs, plumbing, sewer lines and electrical systems, where needed.
- Improve access to school facilities for students with disabilities.
- Provide classrooms, labs and technology to support high quality instructions in math, science, engineering, the arts, and technology.
- Improve heating, and ventilation, insulation, doors and windows.
- Create flexible, multi-use classrooms to support hands-on instruction and learning-by-doing.
- Upgrade athletic facilities, playground equipment, and play areas to meet current health and safety standards.
- Remove hazardous materials like asbestos and lead paint from older schools.
- Upgrade older schools so they meet the same academic and safety standards as newer schools.



**STUDENT SAFETY AND ACHIEVEMENT: LOCAL SCHOOL FUNDING TO SUPPORT  
HIGH QUALITY INSTRUCTION IN MATH, SCIENCE, ENGINEERING AND  
TECHNOLOGY**

**Projects That Improve Student Safety and Success**

**Goals and Purposes:** Our students deserve to have the same educational opportunities as others in the region. We need to upgrade our schools, facilities and classroom technology to keep pace.

This measure will ensure that students who plan to go to college are prepared to succeed, and those who don't plan to go to college receive the career training they need to compete for good paying jobs.

The science labs at our high school have not been updated in 25 years. We need to modernize our classrooms and science labs to meet today's academic standards.

Schools will benefit from a variety of safety and achievement projects, such as:

- **Improve student safety and campus security systems**, including security fencing, security cameras, emergency communications systems, smoke detectors, fire alarms and sprinklers.
- Remove hazardous materials like asbestos and lead paint, as necessary, from older school sites.
- **Provide the classrooms, facilities and technology need to support high quality instruction in math, science, engineering, the arts, and technology.**
- Keep computer systems and instructional technology up-to-date.
- Provide the classrooms and facilities needed to support high quality instruction in music, visual and performing arts.
- **Provide modern labs and career technical education facilities so students are prepared for college and in-demand careers in fields like health sciences, engineering, technology and skilled trades.**

In addition to the projects listed above, the repair and renovation of each of the existing school facilities may include, but not be limited to, some or all of the following: add or renovate student and staff restrooms; repair and replace electrical, plumbing, heating, ventilation and air conditioning systems; upgrade of facilities for energy efficiencies; repair and replace worn-out and deteriorated roofs, windows, walls, floors, doors and drinking fountains; construct or renovate facilities for more efficient administration and multi-purpose learning spaces; install wiring and electrical systems to safely accommodate computers, technology and other electrical devices; upgrade or construct support facilities including administrative, physical education, music, art, performing and fine arts classrooms or facilities, science, computer labs/classrooms, libraries, buildings, and maintenance facilities and yards; repair and replace fire alarms, emergency communications and security systems; improve facilities to satisfy ADA requirements; resurface or

replace asphalt, broken concrete and improve hard courts, turf and irrigation/drainage systems and campus landscaping; install signage, and fencing; expand parking and drop-off areas; improve all site utilities; acquire land; construct new school buildings; upgrade or replace interior and exterior painting, floor covering (including carpets), and school facades; demolition; upgrade kitchens, food service, and school cafeterias; construct various forms of storage and support spaces and classrooms; improve outdoor learning environments; repair, upgrade and install interior and exterior lighting systems; improve playgrounds, play structures, athletic fields (leveling, aerating, seeding, sprinklers) and facilities to support student health, fitness and safety; acquire vehicles, trucks, vans and buses; replace outdated security fences and security systems (including access control systems), provide lunch shelters, indoor space for assemblies or for rainy day lunch; upgrade music labs, multi-purpose rooms, learning centers and media centers; add or upgrade parking lots. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects. The upgrading of technology infrastructure includes, but is not limited to, network rewiring, cabling, computers, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, clock/telephone/ intercom systems, call manager and network security/firewall, wireless technology systems, refresh classroom technology, miscellaneous IT and instructional equipment, data storage, phones, identity cards and the construction and installation of a data center in the cloud for the District's enterprise systems, such as resource planning, websites, domain name systems, cloud applications and information security. 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 and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, or on the then priorities of the District, certain of the projects described above may be delayed or may not be undertaken or completed. Demolition of portable classrooms and 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 or drainage systems, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. 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 bond projects. Bond proceeds shall only be expended for the types of projects and purposes identified herein. 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: THIS MEASURE REQUIRES A CLEAR SYSTEM OF ACCOUNTABILITY, INCLUDING A PROJECT LIST DETAILING HOW THE**

**MONEY WILL BE USED, A CITIZEN'S OVERSIGHT COMMITTEE, AND INDEPENDENT AUDITS TO ENSURE MONEY IS SPENT PROPERLY.**

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 DISTRICT PROJECTS 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, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.