

## RESOLUTION NO. \_\_\_\_\_

## RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA CLARITA COMMUNITY COLLEGE DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the “Board”) has determined that the facilities of the College of the Canyons need to be expanded, maintained, constructed, improved, furnished and equipped to enable College of the Canyons and its education centers, to respond to severe overcrowding caused by the growing community demand for affordable, local higher education which will train and retrain local residents for higher-paying and skilled jobs, and enhance educational opportunities for the students who desire to transfer to four-year universities; and

WHEREAS, due to the age, size and condition of many of the District’s facilities, the District has been less able to provide necessary education programs and thus College of the Canyons must act to maintain and expand its classroom capacity and provide a balance of job training, particularly in healthcare field, and general education classes close to the homes of its students; and

WHEREAS, the Board has determined that the repair and replacement of aging classrooms, buildings, laboratories and instructional equipment and the construction of new classrooms and labs for nursing and other health care programs, law enforcement, fire and other public safety programs; the provision of technologies required to remain competitive with the current job-training market; the installation of fire safety equipment; the improvement of electrical, lighting, ventilation and fire detection systems in existing classrooms; the enhancement of access for disabled students; and the improvement of facilities to provide students with more course options close to their homes are also among the highest priorities of the Board; and

WHEREAS, the State of California (the “State”) has been unable to provide the District with enough money for the District to adequately maintain, enhance and expand College of the Canyons for students; and

WHEREAS, only if the District passed a local general obligation bond, the Board believes that College of the Canyons would be eligible for over \$70 million of additional State matching funds for College of the Canyons facility improvements and without local funding the District would be unable to build previously approved State projects that require State matching funds; and

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

WHEREAS, Proposition 46, approved by the voters of the State of California 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 community college 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 determines that the restrictions in Proposition 39, as interpreted by the Attorney General of the State of California, which prohibit any bond money to be used for teacher or administrator salaries and expenses, be strictly enforced by a citizens’ oversight committee; 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 November 7, 2006, and to request that the Los Angeles County Registrar of Voters perform certain election services for the District; and

WHEREAS, in the judgment of the Board, it is advisable to request the Los Angeles County Registrar of Voters to call an election pursuant to Proposition 39 on the question of whether general obligation bonds shall be issued and sold on behalf of the District for purposes set forth below;

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE SANTA CLARITA COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 and Government Code Section 53506, hereby requests the Los Angeles County Registrar of Voters call 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 \$160 million (the “Bonds”) shall be issued and sold to raise money for the purposes described in Exhibits “A” and “B” hereto.

Section 2. That the date of the election shall be November 7, 2006.

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) that 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 or administrator salaries or other operating expenses;

(b) that the Board, in establishing the projects set forth in Exhibit “B,” evaluated the safety, class size and offerings 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 are 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 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 Education 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.* and 15264 *et seq.* and Government Code Section 53506.

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

Section 6. That the Los Angeles County Registrar of Voters and the Los Angeles County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 7, 2006 within the District.

Section 7. That this Resolution shall stand as the “order of election” to the Los Angeles County Registrar of Voters to call an election within the boundaries of the District on November 7, 2006.

Section 8. That the Secretary of the Board is hereby directed to deliver an original or a certified copy of this Resolution to the Los Angeles County Registrar of Voters no later than August 10, 2006.

Section 9. That the maturity of any Bonds issued pursuant to Section 15100 of the Education Code, and Bonds issued pursuant to Section 53506 of the Government Code shall not exceed the maturity limits set forth therein, respectively. The maximum interest rate 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. 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 11. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Los Angeles County is requested to permit the Registrar of Voters of Los Angeles County to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Los Angeles 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 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 9<sup>th</sup> day of August, 2006.

BOARD OF TRUSTEES OF THE SANTA  
CLARITA COMMUNITY COLLEGE DISTRICT

By \_\_\_\_\_  
Board President

Attest:

\_\_\_\_\_  
Secretary

STATE OF CALIFORNIA    )  
  )ss  
LOS ANGELES COUNTY    )

I, Dianne Van Hook, do hereby certify that the foregoing is a true and correct copy of Resolution No. \_\_\_\_\_, which was duly adopted by the Board of Trustees of the Santa Clarita Community College District at the meeting thereof held on the 9<sup>th</sup> day of August, 2006, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By \_\_\_\_\_  
Secretary

EXHIBIT A

**“College of the Canyons Measure To Add/Upgrade Local Classrooms.** To relieve classroom overcrowding, upgrade technology, prepare local students for university transfer/high demand jobs and secure State funds, shall Santa Clarita Community College District repair educational facilities, including nursing, firefighting, law enforcement classrooms, science/high tech computer labs; upgrade aging plumbing, roofing, electrical, earthquake, safety systems; acquire equipment; construct new educational facilities; by issuing \$160 million in bonds, at legal rates with independent citizen oversight with mandatory audits?”

Bonds - Yes

Bonds – No

EXHIBIT B  
FULL TEXT BALLOT PROPOSITION  
OF THE SANTA CLARITA COMMUNITY COLLEGE DISTRICT  
BOND MEASURE ELECTION NOVEMBER 7, 2006

**“College of the Canyons Measure To Add/Upgrade Local Classrooms.** To relieve classroom overcrowding, upgrade technology, prepare local students for university transfer/high demand jobs and secure State funds, shall Santa Clarita Community College District repair educational facilities, including nursing, firefighting, law enforcement classrooms, science/high tech computer labs; upgrade aging plumbing, roofing, electrical, earthquake, safety systems; acquire equipment; construct new educational facilities; by issuing \$160 million in bonds, at legal rates with independent citizen oversight with mandatory audits?”

**Bonds - Yes**

**Bonds – No**

**BOND PROJECTS LIST**

The Board of Trustees of the Santa Clarita Community College District, to be responsive to the needs of students and the community, evaluated the District’s urgent and critical facility needs, including providing additional classrooms and labs to offer more courses and programs to students close to home, expanding facilities for programs in nursing and vocational training, facility maintenance, safety issues, class size and offerings, energy cost reduction and information and computer technology, in developing the scope of projects to be funded. In developing the scope of projects, the District has prioritized the key health and safety needs so that the most critical needs and the most urgent and basic facility needs and repairs are addressed. The District’s strategic plan reflects the scope of college facility projects to be funded. The District, with input of faculty and community leaders, concluded that if these needs were not addressed now, College of the Canyons will be unable to remain competitive in preparing adult learners for current and emerging growth industries and university transfer. **In preparing this Bond Project List, the Board of Trustees determines that College of the Canyons must:**

- **Due to the rapid growth of the area, and the need to provide core classes in English, math and science to day and night students, increase the number of classrooms and labs that respond to university transfer requirements and provide job training for critical professions, such as nurses, emergency medical technicians, firefighters and law enforcement officers.**
- **Renovate existing classrooms, science labs and vocational training facilities to ensure that they are safe, energy efficient and provide access to an affordable, local, higher education as well as instructional technology which will prepare students to be competitive in the job market.**
- **Upgrade essential campus infrastructure, such as electrical systems and wiring for computer technology and internet access, plumbing, lighting, heating and ventilation systems, upgrade fire safety equipment, smoke detectors, sprinklers and aging roofs, as well as meet current earthquake and handicap accessibility standards.**

- **Guarantee that all bond funds stay in the local community and that such funds are leveraged to qualify for State matching facility funding.**

## **COLLEGE OF THE CANYONS**

- **Repair, Upgrade, Maintain, Equip, and/or Replace Obsolete Classrooms, Nursing and Health Care Training Facilities, Science and Computer Labs, Library, Instructional and Job Training Facilities, Public Safety Training Facilities, Sites and Utilities; Meet Demands of Changing Workforce:**

Upgrade buildings to include educational equipment and laboratories; provide updated computer technology capability for students; repair, build, reconfigure, upgrade and/or replace leaky roofs, decaying walls, old ceiling tiles and flooring, peeling paint, aging plumbing, sewer and drainage systems, inefficient electrical systems and wiring, deteriorated restrooms, heating, ventilation and cooling systems, classrooms, lecture halls, warehouse storage systems, playing fields, physical education facilities, grounds, science and other instructional laboratories and healthcare workforce facilities, technology center, library and student support facilities, administrative facilities, campus landscaping, fire fighting, public safety and other instructional facilities; wire classrooms for computers and other technology, increase energy efficiency, acquire furniture and equipment, increase safety, reduce fire hazards with alarms, smoke detectors, fire safety doors and sprinklers; renovate space to consolidate operations, reduce operating costs in order for more classes and job training to be offered, improve academic instruction; and meet legal requirements for disabled access.

- **Expand Classroom and Facility Capacity, Construct Classrooms and Buildings, Improve Science Center, Learning Resource Center/Library, Upgrade Classrooms/Labs For Nursing and Emergency Medical Technicians, Public Safety and Vocational Training:**

Increase permanent classroom and facility capacity for academic and job training classes, including an allied health/nursing building for training nurses, paramedic technicians, lab and pharmacy technicians, math, computer technology, other health care programs, upgrade or replace science labs, expand classroom facilities for vocational training in hotel and restaurant management, automotive technology, construction management, and advanced technologies, and applied arts and sciences facilities, and upgrade campus technology. Construct a new Public Safety Facility for fire fighting and law enforcement training. Expand student services areas and the Learning Resource Center/Library and build out the University Center to allow more students to obtain a 4-year college degree locally.

- **Improve Safety and Disabled Access:**

Upgrade and repair facilities for earthquake safety as well as existing fire alarms, sprinklers, smoke detectors, install security systems, exterior lighting, emergency lighting, emergency communication systems, concrete sidewalks, signage, improve accessibility for the disabled, repair stairs, walks and ramps, resurface parking lots.

- **Provide Classrooms at Canyon Country:**

Construct and equip classrooms, administrative facilities and areas for student services for vocational and general education programs; install site infrastructure to accommodate campus growth; provide technology facilities, Internet access and wireless and cable technology to improve technology-enhanced learning opportunities.

- **Upgrade Technology:**

Replace outdated technology facilities, upgrade Internet access and wireless and cable technology, build technology-enhanced classrooms, upgrade telecommunications systems, upgrade campus-wide technology, replace outdated computers, hardware and software, replace network infrastructure equipment, and install wiring upgrades, campus wide underground fiber optics installation.

- **Repair, Replace and Upgrade Electrical and Mechanical Systems to Reduce Energy Consumption and Utility Bills and Accommodate Computer Technology, Internet Access and Communications Systems**

Improve and upgrade electrical and mechanical systems and take advantage of energy saving technologies to reduce energy bills and have more resources for student learning.

- **Improve Access:**

Improve campus road network and walkways, upgrade and expand parking areas, improve pedestrian safety and increase access for emergency vehicles.

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. The Bond Project List also includes the refinancing of existing lease obligations. The allocation of bond proceeds will be affected by the District's receipt of State bond funds and the final costs of each project. 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, modified or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair may occur, if the Board determines that such an approach would be more cost-effective. All projects include necessary site preparation/restoration 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 roads, 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. The District shall create an account into which the proceeds of the bonds will be deposited and comply with the reporting requirements of Government Code Section 53410.

**FISCAL ACCOUNTABILITY. 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 AS 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 PERMITTED 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 CONSTRUCTION, RECONSTRUCTION, REHABILITATION, ACQUISITION OR REPLACEMENT OF COLLEGE FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF COLLEGE FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHERS' AND ADMINISTRATORS' SALARIES AND OTHER OPERATING EXPENSES.