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JUL 29 2022

RESOLUTION NO. 2022-2023-02

AMADOR COUNTY ELECTIONS

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 8, 2022

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 schools and the acquisition and construction of additional classrooms and school facilities; and

WHEREAS, the District's Mission is to prepare, support, and inspire each student to achieve career and college success in a rapidly evolving world through highly engaging teaching, rigorous learning and innovative pathways supported by strong partnerships in a safe, caring and collaborative environment; and

WHEREAS, the District believes that all are entitled to a safe, welcoming, and nurturing environment; and

WHEREAS, the District is committed to creating caring, collaborative school environments that facilitate highly engaging, rigorous and personalized learning for all students; and

WHEREAS, the Board finds that education is a shared responsibility, and believes that essential to the development and maintenance of safe, caring and collaborative environment, has been and continues to be the financial support provided by property owners in the District; and

WHEREAS, facilities planning involves research, consultation with experts, and a process that is broad-based; and

WHEREAS, the most successful facilities planning is one that is continual in the process of planning over time, and is based on reasonable data and a keen understanding of the students served; and

WHEREAS, in February 2022, the District adopted its Facilities Utilization Master Plan, upon the conclusion of a facilities inspection of each of the District's school sites and administrative facilities, to serve as a reference upon which decisions are made for future facility needs for a rapidly changing tomorrow; and

WHEREAS, many of the District's classrooms and buildings were built more than 60 years ago and are in urgent need of basic repairs and safety upgrades; including broken

WHEREAS, the District's vocational and career education programs are effectively connecting students with local employers, like Jackson Rancheria and Sutter Amador Hospital. This measure will enable local schools to update classroom technology so that students expand the skills and training necessary to improve their internship and career opportunities; and

WHEREAS, in addition to basic repairs including fixing deteriorating roofs, plumbing, and electrical systems, there is also a clear need to upgrade classrooms, science labs, and instructional technology to support student achievement in science, math, reading, technology, arts, and skilled trades; and

WHEREAS, the Board believes it is a wise investment to protect the quality of District schools, the quality of life in Amador County and the value of homes; and

WHEREAS, because the State does not adequately fund school facilities improvements, passing a bond measure provides a guaranteed source of local funding to maintain and improve the community's local school facilities; and

WHEREAS, every penny from this bond measure will benefit the local schools and no funds can be taken away by the State or other school districts, and by law, no money can be used for administrator salaries or pensions; and

WHEREAS, in order to adequately fund its ongoing facility needs and access additional State matching funds when they become available, the District will need the financial support of the communities it serves through the passage of a local bond measure; and

WHEREAS, without a local school bond, the District will lose the opportunity to receive state matching funds which will then be awarded to other school districts; 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 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; 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

(a) Use the bond proceeds only for the purposes authorized under Article XIII A, including construction, reconstruction, rehabilitation, or replacement of school facilities, furnishing and equipping of school facilities, and the acquisition or lease of real property for school facilities, as specifically set forth in *Exhibit A*, and costs incident thereto, and not for any other purpose, including salaries and other routine school operating expenses;

(b) Conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the projects and uses listed in *Exhibit A*;

(c) Conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for school facilities projects and uses listed in *Exhibit A*; and

(d) Establish and appoint members to an independent citizens' oversight committee in accordance with sections 15278, 15280, and 15282 of the Act.

7. **Delivery of this Resolution.** The Clerk of this Board is hereby authorized and directed to send or hand deliver a copy of this Resolution to the County Superintendent of Schools and the County Registrar of Voters by no later than August 12, 2022.

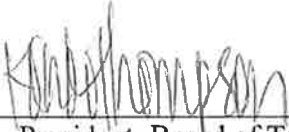
8. **Declaration of Official Intent.** The District hereby declares its official intent, subject to the further approval of this Board, to use up to the maximum amount permitted by law of the proceeds of the proposed bonds to reimburse itself for payments it has made for any eligible costs of the projects and uses listed in *Exhibit A*. 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.

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 prepare and submit any Tax Rate Statement or other document and to perform all acts necessary to place the bond measure on the ballot.


10. **Consolidation of Election; Election Services.** 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 8, 2022, 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 form of which is attached hereto as *Exhibit C*), 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

PASSED AND ADOPTED on July 26, 2022, by the following vote:

AYES: 4
NOES: 1
ABSTENTIONS: —
ABSENT: —

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

ATTEST:


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

students have the educational opportunities they deserve, and a school environment the community can take pride in.

BONDS

To repair and improve local schools, shall Amador County Unified School District's measure be adopted to repair old classrooms and facilities; repair/ replace leaky roofs and outdated infrastructure; replace outdated portables with permanent classrooms; and build new facilities to improve the quality of education at consolidated schools; by issuing \$64,000,000 in bonds at legal rates, levying approximately 5¢ per \$100 of assessed value, raising an estimated average \$4,300,000 annually while bonds are outstanding, with audits and citizen oversight?

As required by the California Constitution, the proceeds from the sale of the bonds will be used only for the purposes authorized under Article XIII A of the California Constitution, including construction, reconstruction, rehabilitation, or replacement of school facilities, furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, as specifically set forth in this Exhibit A, and costs incident thereto, and not for any other purpose, including salaries and other routine school operating expenses.

The following list describes the specific projects the District proposes to finance with proceeds of the bonds. The scope of specific projects, the order of construction, and their completion is contingent on final project costs and the availability of needed funds. Further, projects on the project list are of the type that issuing the authorized general obligation bonds as stated will not cause the State to reduce any financial hardship contribution that would otherwise be available to the District had these bonds not been authorized, issued, and or expended for their stated purpose.

SCHOOL FACILITIES PROJECTS TO BE FUNDED FROM BOND PROCEEDS

The following Bond Project List includes both projects that can be completed using the bond proceeds, along with State matching funds and other building funds the District is projected to receive and projects that are proposed and needed but whose construction is contingent on the amount of bond funds available, plus the amount of State matching and other building funds the District may receive in the future, which is a function of the State building program rules, passage of State bonds, and the growth rate of the District. The completion of specific projects is also contingent on final project costs.

Overall and throughout the District, the bond measure will:

- Repair, modernize and improve old or outdated classrooms and facilities.
- Repair or replace old or leaky roofs and outdated infrastructure.
- Replace old or outdated portables with permanent classrooms.
- Upgrade science, computer, and career technical education, labs and facilities.

Pioneer Elementary School

- Repair, modernize and improve existing and outdated classrooms and facilities, including restrooms, exterior finishes, painting, window replacement and upgrading the stage and multi-media system.
- Repair and replace roofs.
- Repair, replace and/or upgrade heating, ventilation, and air conditioning systems.
- Repair, replace and/or improve outdated infrastructure and grounds, including electrical systems, drainage, plumbing, the septic system and leech field, cell phone coverage, shade structures, installing a backup generator, and paving the track around the field.
- Improve student safety and security, including repairing/replacing/upgrading fire safety systems.
- Improve ADA access.

Plymouth Elementary School

- Repair, modernize and improve existing and outdated classrooms and facilities, including restrooms, exterior finishes and painting.
- Repair and replace roofs and gutters.
- Repair, replace and/or upgrade heating, ventilation and air conditioning systems.
- Repair, replace and/or improve outdated infrastructure and grounds, including plumbing, electrical systems, irrigation and water systems, and doors.
- Improve student safety and security, including repairing/replacing/upgrading fire safety systems.

Sutter Creek Elementary School

- Repair, modernize and improve existing and outdated classrooms and facilities, including restrooms, flooring, cabinetry, and countertops.
- Repair and replace roofs and gutters.
- Repair, replace and/or upgrade heating, ventilation, and air conditioning systems.
- Repair, replace and/or improve outdated infrastructure and grounds, including plumbing, electrical systems, and parking lots.

- Repair, modernize and improve existing and outdated facilities, including science and computer labs, career technical education classrooms, restrooms, and the cafeteria.
- Repair, replace and/or improve outdated infrastructure and grounds, including all underground utilities, plumbing, electrical systems and resurfacing the existing track.

Argonaut High School

- Construction, reconstruction, rehabilitation, or replacement of school facilities, furnishing and equipping of school facilities, and the acquisition or lease of real property, for the considerable expansion of the existing site.
- Repair and replace roofs.
- Repair, replace and/or upgrade heating, ventilation and air conditioning systems.
- Improve student safety and security, including repairing/replacing/upgrading fire safety systems, building a new entrance and drop-off circle, and parking lot expansion and improvements.
- Repair, modernize and improve existing and outdated facilities, including classrooms, science and computer labs, career technical education classrooms, restrooms, and the band room.
- Construct new and additional facilities and/or convert existing facilities, including classrooms, career technical education facilities, restrooms, a new gym with locker rooms, and a new theater.
- Repair, replace and/or improve outdated infrastructure and grounds, including all underground utilities, plumbing, and electrical systems.
- Replace old and outdated portables with permanent classrooms.

Independence Continuation High School

- Repair and replace roofs.
- Repair, replace and/or upgrade heating, ventilation, and air conditioning systems.
- Repair, modernize and improve existing and outdated classrooms and facilities.
- Improve student safety and security, including repairing/replacing/upgrading fire safety systems.

efficiency; repair and replace worn-out and deteriorated roofs, windows, walls, doors and drinking fountains; upgrade public address systems; install wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; meet earthquake safety standards; improve water conservation; upgrade or construct support facilities, including administrative, physical education (including upgrading gyms, stadiums, athletic facilities, tracks, bleachers, lockers and equipment rooms), and classrooms, labs, and performing arts and music classrooms; repair and replace fire alarms, emergency communications and security systems; resurface or replace hard courts, turf; irrigation and drainage systems and campus landscaping; replace asphalt and broken pavement; expand or improve parking lots and drop-off areas; replace portable classrooms; interior and exterior painting, floor covering and tile replacement; upgrade or expand school cafeterias; construct various forms of storage and support spaces and classrooms; repair, upgrade and install interior and exterior lighting systems; improve athletic fields and shade structures; replace or upgrade outdated security fences, gates and security systems (including access control systems); and upgrade heating, ventilation and air conditioning systems. The upgrading of technology infrastructure includes, but is not limited to, servers, switches, routers, modules, sound projection systems, call manager and network security/firewall, wireless technology systems, and other miscellaneous equipment.

Unforeseen conditions may arise during the course of planning, design and construction resulting in the scope and nature of any of the specific projects described above being altered by the District. In the event that the District determines that, with respect to a modernization or renovation project, it is more economical for the District or otherwise in the District's best interests to be undertaken as new construction, this bond measure authorizes said new construction, including land acquisition, relocation, expansion and construction and/or reconstruction, and all costs relating thereto. Conversely, if the District determines that it is more economical or otherwise in the best interests of the District to modernize or renovate District facilities instead of undertaking a new construction project, this bond measure authorizes such a project. In addition, this measure authorizes the acquisition of real property, including necessary rights of ways or other real property interests, required to expand District facilities, to provide access to school or other District facilities, or to provide additional school or related facilities. Further, authorized projects include reimbursements for project costs previously paid and paying and/or prepaying interim financing for the types of projects included on the project list, such as bond anticipation notes. Finally, projects on this list may be undertaken and used as joint use projects with other public agencies.

Approval of the District's bond measure does not guarantee that all of the identified projects within this Bond Project List will be funded. The District plans to pursue funds from the State of California, if available, to complete certain of the identified facilities projects. The District is unable to anticipate all unforeseen circumstances which may prevent some of the projects listed above from being undertaken or completed.

The order in which projects are listed in the foregoing Bond Project List does not suggest an order of priority. Project prioritization is vested in and will be determined by the District Board of Trustees. Bond proceeds shall only be expended for the specific 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 section 53410.

“Approval of this bond measure does not guarantee that the proposed projects in the Amador County Unified School District that are the subject of bonds under this measure will be funded beyond the local revenues generated by this bond measure. The school district's proposal for certain of the projects assumes the receipt of matching state funds, which are subject to appropriation by the Legislature or approval of a statewide bond measure.”

ANNUAL TAX AMOUNT, RATE, AND DURATION

The bonds shall bear interest at an annual rate not exceeding the statutory maximum. The maturity of the bonds shall not exceed the maximum term allowed by law at the time of issuance (currently 25 years if issued under Education Code section 15140, or 40 years if issued under Government Code section 53508, so long as the bonds are not capital appreciation bonds (“CABs,” which CABs are limited to 25 years)). Accordingly, as further set forth in the tax rate statement, the *ad valorem* tax will be levied at such rates and for so long as may be required to meet the debt service needs of the bonds proposed to be issued, including such bonds that may be issued to refund any approved bonds.

EXHIBIT C

FORMAL NOTICE OF SCHOOL BOND ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of the Amador County Unified School District of Amador County, California, that in accordance with the provisions of the Education Code of the State of California, an election will be held on November 8, 2022, within the District, at which election the following measure shall be submitted to the qualified electors of the District and voted upon:

“To repair and improve local schools, shall Amador County Unified School District’s measure be adopted to repair old classrooms and facilities; repair/replace leaky roofs and outdated infrastructure; replace outdated portables with permanent classrooms; and build new facilities to improve the quality of education at consolidated schools; by issuing \$64,000,000 in bonds at legal rates, levying approximately 5¢ per \$100 of assessed value, raising an estimated average \$4,300,000 annually while bonds are outstanding, with audits and citizen oversight?”

Bonds - Yes

Bonds- No”

The bonds shall bear interest at an annual rate not exceeding the statutory maximum. The maturity of the bonds shall not exceed the maximum term allowed by law at the time of issuance (currently 25 years if issued under Education Code section 15140, or 40 years if issued under Government Code section 53508, so long as the bonds are not capital appreciation bonds (“CABs,” which CABs are limited to 25 years)). Accordingly, as further set forth in the tax rate statement, the *ad valorem* tax will be levied at such rates and for so long as may be required to meet the debt service needs of the bonds proposed to be issued, including such bonds that may be issued to refund any approved bonds.

All of the purposes enumerated in the foregoing measure shall be united and voted upon as one single measure, with precincts, places of holding the elections and officers appointed to conduct the elections to be the same as those provided for the statewide gubernatorial general election to be held on November 8, 2022, under the Notice of Election published _____.

This election has been called pursuant to a Resolution of the Board of Trustees of the Amador County Unified School District, adopted on July 26, 2022. The Elections Official of the County of Amador hereby gives formal notice of the election in accordance with the provisions of Education Code section 15120.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2022.

Registrar of Voters
Amador County, California

**TAX RATE STATEMENT
REGARDING PROPOSED
AMADOR COUNTY UNIFIED SCHOOL DISTRICT
GENERAL OBLIGATION BONDS**

An election will be held in the Amador County Unified School District (the "District") on November 8, 2022, to authorize the sale of up to \$64,000,000 in bonds of the District to finance school facility improvements as described in the measure. If such bonds are authorized and sold, principal and interest on the bonds will be payable only from the proceeds of *ad valorem* property tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California. Such information is based upon the best estimates and projections presently available from official sources, upon experience within the District, and other demonstrable factors.

Based upon the foregoing and projections of the District's assessed valuation, the following information is provided:

1. The best estimate of the average annual tax rate which would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on a projection of assessed valuations available at the time of filing of this statement, is \$0.05 per \$100 of assessed valuation (or \$50 per \$100,000 of assessed value). The final fiscal year in which the tax is anticipated to be collected is 2050-51.
2. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on a projection of assessed valuations available at the time of filing of this statement, is \$0.05 per \$100 of assessed valuation (or \$50 per \$100,000 of assessed value). It is estimated that such rate would be levied starting in fiscal year 2024-25.
3. The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all the bonds are issued and sold is approximately \$119,500,000.

Voters should note the estimated tax rate is based on the assessed value (not market value) of taxable property on the Amador County's official tax rolls. In addition, taxpayers eligible for a property tax exemption, such as the homeowner's exemption, will be taxed at a lower effective tax rate than described above. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.

The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which amounts are not maximum amounts and are not binding upon the District. The actual debt service, tax rates and the years in which they will apply may vary from those used to provide the estimates set forth above, due to factors such as variations in the timing of bond sales, the par amount of bonds sold and market interest rates available at the time of each sale, actual assessed valuations over the term of the bonds, and other factors. The date and amount of bonds sold at any given time will be determined by the District based on the need for project funds and other considerations. The actual interest rates at which the bonds will be sold will depend on conditions in the bond market at the time of sale. Actual future assessed valuations will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

By: _____
Torie F. Gibson, Ed.D., Superintendent
Amador County Unified School District