

RESOLUTION NO. ____:18-19

RESOLUTION OF THE BOARD OF TRUSTEES OF PERRIS UNION HIGH SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the "Board") of the Perris Union High School District (the "District") notes that the population of the District is growing fast and additional schools and classrooms are needed to keep up with growth and relieve overcrowding at existing schools; and

WHEREAS, the Board is devoted to improving the quality of education in our local public schools by improving access to modern classrooms, labs, and career training facilities to support high quality instruction in math, science, engineering, technology and skilled trades; and

WHEREAS, the Board has determined that school facilities within the District need to be expanded, upgraded, repaired, improved and better equipped in a fiscally prudent manner to ensure our students receive the same educational opportunities as others in the region; and

WHEREAS, the Board understands that, in order to be successful in college and careers, our students must be skilled in the use of today's technologies and have a solid background in science, math, engineering and technology; and

WHEREAS, the Board believes it is the best interest of the District to continue to address facility improvements now before they become more pressing and provide student safety and campus security measures where needed; and

WHEREAS, all residents benefit from living in a community with high performing schools and whether or not residents have school-age children, and 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 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, the District has completed a comprehensive facilities assessment with extensive community engagement to identify the most pressing needs throughout 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* 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 direct 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 of California, 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, legislation passed in 2017 and effective as of January 1, 2018 ("AB 195"), made changes to Section 13119 of the Elections Code and required additional language in certain ballot measures, including school district bond authorization measures; and

WHEREAS, legislation proposed in connection with the adoption of a State budget act or otherwise adopted and effective before November 6, 2018, may result in the provisions of AB 195 being inapplicable to a proposition submitted to the voters of the District to authorize the issuance of bonds on that date; and

WHEREAS, pursuant to Education Code Section 15268, 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 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, the District has obtained reasonable and informed projections of assessed valuation in compliance with Education Code Section 15100(c); 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 6, 2018, and to request the Riverside County Registrar of Voters to perform certain election services for the District.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE PERRIS UNION HIGH 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 Riverside 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 \$148,000,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the projects described in Exhibits "A" and "B" hereto; provided that Exhibit "A" contains two versions of the ballot question, one to be used if AB 195 is applicable, and one to be used if it is determined that AB 195 is not applicable. The District's Superintendent, or designee, is hereby authorized and directed to (a) determine which version of Exhibit "A" will be used, based on information available at the time this Resolution is delivered pursuant to Section 7 hereof, and (b) 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. Both exhibits are directed to be printed in the voter pamphlet.

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

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) 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, 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 Riverside County Registrar of Voters and the Riverside 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. 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 Riverside County Registrar of Voters no later than August 10, 2018.

Section 8. That Bonds may be issued pursuant to Education Code Section 15264 *et seq.* or Government Code Section 53506 *et seq.* 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 Riverside County Registrar of Voters by the established deadlines.

Section 10. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Riverside 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 Riverside 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 16th day of July, 2018.

BOARD OF TRUSTEES OF THE PERRIS UNION HIGH SCHOOL DISTRICT

By _____
President

Attest:

Secretary

STATE OF CALIFORNIA)
)ss
RIVERSIDE COUNTY)

I, Grant Bennett, do hereby certify that the foregoing is a true and correct copy of Resolution No. ____18-19, which was duly adopted by the Board of Trustees of the Perris Union High School District at the meeting thereof held on the 16th day of July, 2018, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By _____
Secretary

EXHIBIT A

“To construct a high school for Menifee, additional classrooms at high schools serving Perris, Romoland, and Nuevo, relieve severe overcrowding, improve our schools, student safety, college readiness, access to math, science, engineering, technology, skilled trades, repair, acquire, construct classrooms/labs/equipment/facilities, shall this Perris Union High School District measure authorizing \$148,000,000 in bonds at legal rates, levying approximately 3¢/\$100 assessed value (averaging \$10,000,000 annually) while bonds are outstanding, be approved, with citizen oversight/ all money locally controlled?”

Bonds – Yes

Bonds – No

EXHIBIT A-1

“To construct a high school for Menifee, additional classrooms at high schools serving Perris, Romoland and Nuevo to relieve severe overcrowding, improve access to modern classrooms, labs and career training facilities supporting science, technology, engineering, math and skilled trades, improve safety and security, and repair, construct, acquire, furnish classrooms, school facilities and equipment, shall Perris Union High School District issue \$148,000,000 in bonds at legal rates, with citizen oversight, no money for administrator salaries, and all money staying local?”

Bonds – Yes

Bonds – No

EXHIBIT B

FULL TEXT BALLOT PROPOSITION OF THE PERRIS UNION HIGH SCHOOL DISTRICT BOND MEASURE ELECTION NOVEMBER 6, 2018

The following is the full proposition presented to the voters by the Perris Union High School District.

“To construct a high school for Menifee, additional classrooms at high schools serving Perris, Romoland, and Nuevo, relieve severe overcrowding, improve our schools, student safety, college readiness, access to math, science, engineering, technology, skilled trades, repair, acquire, construct classrooms/labs/equipment/facilities, shall this Perris Union High School District measure authorizing \$148,000,000 in bonds at legal rates, levying approximately 3¢/\$100 assessed value (averaging \$10,000,000 annually) while bonds are outstanding, be approved, with citizen oversight/ all money locally controlled?”

PROJECT LIST

The Board of Trustees of the Perris Union High School District is committed to improving the quality of education in local schools by providing safe, secure, upgraded classrooms, facilities and technology needed to support high quality instruction in core subjects like math, science, and technology. To that end, the Board evaluated the District’s urgent and critical facility needs, including safety issues, class size, computer and information technology, and prepared a Long-Range Facilities Master Plan, accepted by the Board on July 25, 2017, which is incorporated herein in its entirety, in developing the scope of projects to be funded. 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. **The Board concluded that reducing overcrowding, upgrading science labs, engineering labs, and career technical education facilities so students are prepared for college and in-demand careers and protecting the quality of our schools, the quality of life in our community, and the value of our homes are wise investments.** Therefore, in approving this Project List, the Board of Trustees determines that the District **must**:

- (i) **Improve access to modern classrooms, labs and career training facilities needed to support high quality instruction in math, science, engineering, technology, and skilled trades; and**
- (ii) **Create flexible, multi-use classrooms to support hands-on science instruction and learning-by-doing; and**
- (iii) **Provide classrooms, science and engineering labs, career and technical education facilities so students are prepared for college and in-demand careers; and**
- (iv) **Repair or replace deteriorating roofs, aging plumbing, and electrical systems where needed; and**
- (v) **Improve student safety and campus security; and**
- (vi) **Adhere to specific fiscal accountability safeguards:**
 - (a) **All expenditures subject to annual independent financial audits.**
 - (b) **No funds used for administrators’ salaries and pensions.**
 - (c) **No money taken by the State; all funds stay local.**
 - (d) **All expenditures reviewed by an independent taxpayer 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:

CONSTRUCT, REPAIR AND IMPROVE SCHOOLS/RELIEVE OVERCROWDING

Basic School Construction, Repair and Upgrade Projects Funded By Money That Cannot Be Taken By the State

Goals and Purposes: Rapid growth in the District has resulted in overcrowded high schools. For example, Paloma Valley High School was built for 2,200 students, currently accommodates approximately 3,200 students, and is expected to reach 4,000 students within five years. Crowded schools limit educational opportunities for our students. This measure will relieve severe classroom overcrowding, provide for a new high school, and allow the District to ensure all students have access to modern educational facilities.

- Construct a new, comprehensive high school to serve Menifee and reduce overcrowding at other high schools, including but not limited to classrooms, laboratories, career training facilities, administrative spaces, athletic facilities, parking and traffic facilities, and all related site improvements, landscaping, furnishings and equipment.
- Complete the final phase of construction at Perris High School, including additional career technology classrooms and related facilities, a performing arts center, and creating a single point of entry to improve student safety.
- Construct, upgrade and modernize classrooms, science labs, career technical education facilities, computer systems and instructional technology needed throughout District schools to support instruction in science, technology, engineering, math and skilled trades so students are prepared for college and in-demand careers.
- Upgrade career training facilities and equipment needed to prepare students throughout the District for careers in healthcare, biomedical science, computer science, and agriculture.
- Create flexible, multi-use classrooms throughout District schools to support hands-on instruction and learning-by-doing.
- Repair or replace deteriorating roofs, aging plumbing and electrical systems where needed.
- Construct new middle school facilities and renovate, expand and improve middle schools as needed to reduce overcrowding and accommodate growth.
- Renovate, modernize, and improve aging non-classroom school facilities throughout District schools, including multi-purpose rooms, libraries, arts facilities, cafeterias, and restrooms.
- Improve heating, ventilation, and air-conditioning systems, insulation, doors, and windows to increase energy efficiency and save money.

STUDENT HEALTH AND SAFETY

Student Safety, Health and Campus Security Projects

Goal and Purpose: Whether or not you have school-age children, providing for safe and secure schools, protecting the quality of life in our community, and preserving the value of our homes is a wise investment. This measure will upgrade and implement student health and safety systems, including security lighting, fencing, provisions for single point of entry, smoke detectors, fire alarms, sprinklers, and campus security systems for improved student safety.

Schools will benefit from a variety of safety projects throughout District schools, such as:

- Improve student safety and campus security systems, including security lighting, fences, gates, other access control systems, security cameras, emergency communications systems, and classroom door locks.
- Modernize and improve facility safety systems such as smoke detectors, fire alarms and sprinklers.
- Expand and construct physical education facilities, including gymnasiums and other athletic facilities needed to support student health, fitness and safety.
- Replace aging, outdated portables with modern classrooms that meet 21st century health, safety and academic standards.
- Modernize school facilities to improve access for students with disabilities.

* * *

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. 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; installation of signage and fencing; 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. 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 and ventilation 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 the District office and facilities for professional development of teachers, more efficient administration and proper data security; install wiring and electrical systems to safely accommodate computers, information 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 and buildings, dedicated eating areas, maintenance facilities and yards; repair and replace fire alarms, emergency communications and security systems; improve facilities to satisfy ADA requirements; resurface or replace asphalt and hard courts, turf (including artificial turf) and irrigation/drainage systems and campus landscaping; expand parking and drop-off areas; improve all site utilities; acquire land; construct new school buildings; upgrade interior and exterior painting, floor covering, 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 and quads; repair, upgrade and install interior and exterior lighting systems; improve playgrounds, athletic fields and play apparatus; 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 new parking lots and parking structures. 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 and other miscellaneous equipment. 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, certain of the projects described above may be delayed or may not be 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. 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 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 § 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 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.