

RESOLUTION NO. 22/23.04

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

WHEREAS, the Board of Trustees (the “Board”) of the Wiseburn Unified School District (the “District”) is committed to maintaining the quality of education in local public schools by upgrading classroom technology, improving student health and safety, and making basic repairs to all schools; and

WHEREAS, since the District wants our students prepared to succeed in elementary, middle, high school, college and in their careers, they need updated full-service schools which are accessible, clean and safe learning environments; and

WHEREAS, the Board believes that to maintain this high level of excellence and attract and retain the most qualified teachers it must invest in local classrooms, school buildings and technology; and

WHEREAS, additional resources are necessary to make basic improvements, including maintaining safe drinking water, removing all hazardous materials, repairing gas and water lines, roofs, bathrooms, plumbing, and electrical systems; and

WHEREAS, additional resources are further necessary to enhance student safety, such as upgrading systems for fire safety, emergency communications and campus security, including entry gates, door locks and other safeguards designed to exclude unauthorized intruders; and

WHEREAS, all residents benefit from living in a community with good schools and whether or not residents have school-age children, investing in every local school, will support children learning, but also help maintain strong property values; and

WHEREAS, the State of California (the “State”) does not provide the District with enough money for it to adequately construct, repair and maintain 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 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 concluded that the District’s only remedy to avoid undermining its educational programs is to secure local facility funding that the State cannot take away; and

WHEREAS, the Board has received information regarding the possibility of a local bond measure and its impact on protecting student safety, improving schools and making basic repairs to aging facilities; and

WHEREAS, such a bond measure also can provide funds that cannot be taken away by the State; and

WHEREAS, such a measure must include mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent properly; 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 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; 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 monitored 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 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, November 8, 2022, and to request the Los Angeles County Registrar of Voters to perform certain election services for the District.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE WISEBURN 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 Los Angeles 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 up to \$98,000,000 (the “Bonds”) shall be issued and sold for the purpose of raising money for the projects described in Exhibits “A” and “B” hereto. Both exhibits are directed to be printed in the voter pamphlet.

Section 2. That the date of the election shall be November 8, 2022.

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 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 student safety and security, class size reduction, and educational and information technology needs of the District;

(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 authorized in Exhibit “B” hereto;

(d) that the Board shall cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;

(e) that the Board will cause the appointment of a Citizens’ Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274. The Citizens’ Oversight Committee shall initially consist of at least seven (7) members and at no time consist of less than seven (7) members, with the possible exception of brief periods to fill any unexpected vacancies. The Citizens’ Oversight Committee may not include any employee or official of the District or any vendor, contractor or consultant of the District. The Citizens’ Oversight Committee shall include all of the following: One (1) member who is active in a business organization representing the business community located within the District; One (1) member who is active in a senior citizens’ organization; One member who is active in a bona fide taxpayer association; One (1) member who is a parent of a child in the District schools; One (1) member is both a parent of a child in the District schools and active in a school site council or PTA. In furtherance of its specifically enumerated purposes, the Citizens’ Oversight Committee may engage in any of the following activities relating solely and exclusively to the expenditure of the Proposition 39 bond proceeds:

(i) Receive and review copies of the annual, independent financial and performance audits performed by independent consultant(s);

(ii) Inspect District facilities and grounds to ensure that Proposition 39 bond revenues are expended in compliance with applicable law;

(iii) Receive and review copies of all deferred maintenance proposals or plans developed by the District;

(iv) Review efforts of the District to maximize Proposition 39 bond revenues by implementing cost-saving programs;

(v) Receive from the Board, within three months of District receiving the above-referenced audits, responses to any and all findings, recommendations, and concerns addressed in said audits, and review said responses; 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 Sections 5322. In connection with ordering the election pursuant to the provisions cited above, the District has obtained reasonable and informed projections of assessed property valuations that take into consideration projections of assessed property valuations made by the County assessor that are available to the District.

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 8, 2022 within the District. Pursuant to Elections Code Section 10403, the Board acknowledges that the consolidation election will be held and conducted in the manner described in Elections Code Section 10408.

Section 7. That the Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the Los Angeles County Registrar of Voters no later than August 12, 2022.

Section 8. The Bonds shall be issued pursuant to Section 15264 *et seq.* of the Education Code or pursuant to 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 anybody 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

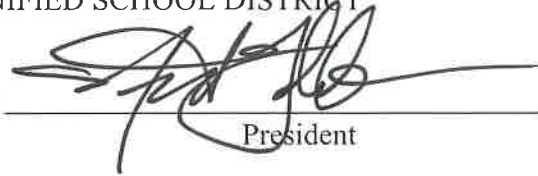
arguments, as appropriate, to be filed with the Los Angeles County Registrar of Voters by the established deadlines.

Section 10. Pursuant to Education Code Section 5303 and Elections Code Section 10002, the Board of Supervisors of Los Angeles 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 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 Elections Code Section 9401) pursuant to the terms of Section 5363 of the Education Code and Elections Code Section 12112.

ADOPTED, SIGNED AND APPROVED this 2<sup>nd</sup> day of August, 2022.

BOARD OF TRUSTEES OF THE WISEBURN  
UNIFIED SCHOOL DISTRICT

By \_\_\_\_\_



President

Attest:



Secretary

STATE OF CALIFORNIA               )  
   )ss  
 LOS ANGELES COUNTY               )

I, Dr. Blake Silvers, do hereby certify that the foregoing is a true and correct copy of Resolution No. 22/23.04, which was duly adopted by the Board of Trustees of Wiseburn Unified School District at the meeting thereof held on the 2<sup>nd</sup> day of August, 2022, and that it was so adopted by the following vote:

AYES:      5  
 NOES:     0  
 ABSENT:   0  
 ABSTENTIONS: 0

By   
   Secretary

EXHIBIT A

“To upgrade school security, emergency communications and fire safety systems, upgrade classroom technology, science, computer and engineering labs; repair aging gas/water lines, leaky roofs; ensure school drinking water remains safe; repair, construct, acquire equipment, sites/facilities; shall Wiseburn Unified School District’s locally controlled measure authorizing \$98,000,000 in bonds at legal rates, levying 3¢ per \$100 of assessed valuation, generating \$6,300,000 annually while bonds are outstanding be adopted, requiring audits, independent oversight and public disclosure of all spending?”

Shall the Measure be adopted:

Yes \_\_\_\_\_

No \_\_\_\_\_



## EXHIBIT B

### FULL TEXT BALLOT PROPOSITION OF THE WISEBURN UNIFIED SCHOOL DISTRICT BOND MEASURE ELECTION NOVEMBER 8, 2022

The following is the full proposition presented to the voters by the Wiseburn Unified School District.

“To upgrade school security, emergency communications and fire safety systems, upgrade classroom technology, science, computer and engineering labs; repair aging gas/water lines, leaky roofs; ensure school drinking water remains safe; repair, construct, acquire equipment, sites/facilities; shall Wiseburn Unified School District’s locally controlled measure authorizing \$98,000,000 in bonds at legal rates, levying 3¢ per \$100 of assessed valuation, generating \$6,300,000 annually while bonds are outstanding be adopted, requiring audits, independent oversight and public disclosure of all spending?”

#### PROJECT LIST

The Board of Education (“Board”) of the Wiseburn Unified School District is committed to repairing aging classrooms, gas lines, leaking roofs, and providing safe drinking water and safe and clean classrooms for all students. To that end, the Board received input from teachers, staff and the community and evaluated the District’s urgent and critical facility needs, including the need for up-to-date technology, safety issues, class size reduction, computer and information technology, and updated a facilities plan presented to the Board on in developing the scope of projects to be funded. Therefore, in approving this Project List, the **Board of Trustees determines that the District must:**

- (i) Retain and attract quality teachers; and**
- (ii) Improve student access to instruction in science, technology, engineering, arts and math; and**
- (iii) Ensure school drinking water remains safe; and**
- (iv) Upgrade campus safety for emergencies such as active shooters; and**
- (v) Adhere to specific fiscal accountability safeguards such as:**
  - (a) REQUIRE ALL FUNDS USED FOR LOCAL SCHOOLS,**
  - (b) Prohibited the State from taking any of the funds raised,**
  - (c) Require annual independent audits, and**
  - (d) Require public disclosure of all spending.**



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

**ATTRACTING QUALITY TEACHERS IMPROVES STUDENT SUCCESS:**  
**Repair, Upgrade and Technology Projects To Improve Student Performance**

**Goals and Purposes:**

**This measure will ensure Wiseburn Unified is able to retain and attract quality teachers and maintain our high academic achievement. Upgrading classrooms and labs will attract the best teachers to our local public schools as up-to-date classrooms provide greater access to new technology to support 21st century instruction needs.**

**This measure will help upgrade all our local schools 20-year-old classroom technology and labs, with a greater emphasis on twenty-first century education in science, computers, engineering and math. This investment in our local students will prepare them to be competitive and thrive as they move onto high school, college and future jobs and careers.**

**This measure will help maintain quality schools with excellent teachers by repairing aging classrooms and improving student access to instruction in science, technology, engineering, arts and math. Improving our local schools will make our neighborhoods more desirable places to live, protecting everyone's property values, including homeowners without children in schools.**

- Repair aging classrooms to attract and retain quality teachers.
- Make all classrooms internet accessible.
- Upgrade outdated electrical wiring.
- Improve outdated heating, ventilation and air conditioning systems.
- **Improve student access to instruction in science, technology, engineering, arts and math.**
- Upgrade classroom technology.
- **Improve access to student mental health services.**

**STUDENT HEALTH AND SAFETY:**  
**Student Safety and Security Projects**

**Goal and Purpose:** Many of our local schools have outdated security and safety features, including aging smoke alarms and security systems, and do not have adequate safety lighting, fencing, and emergency communications systems. This measure will allow our schools to make basic security upgrades to keep intruders out and keep our teachers and children safe.

- Improve accessibility for disabled students.
- **Ensure school drinking water remains safe.**
- Clean up hazardous chemicals from school sports fields, as necessary.
- **Upgrade campus safety for emergencies, such as active shooters.**
- Upgrade fire safety systems, including safety doors, smoke alarms and smoke detectors.
- Improve school security systems, including door locks and emergency communication systems.
- Improving safety at school gates and main campus entrances.

**CLASSROOM AND INFRASTRUCTURE REPAIR:**  
**District-Wide Projects**  
**To Prepare Students For High School, College and Careers**

**Goals and Purposes:**

This measure will address the most urgent and basic repairs many of our neighborhood schools are facing such as repairing leaky roofs; replacing outdated gas lines prone to leaking; removing asbestos and lead paint from classrooms; and updating outdated plumbing and ventilation systems, making our neighborhood schools clean and safe for learning.

This measure will help maintain quality schools with excellent teachers by repairing aging classrooms and improving student access to instruction in science, technology, engineering, arts and math.

- Upgrade science, computer and engineering labs.
- Upgrade schools to better prepare students for high school, college and careers.
- **Improve student access to instruction in science, technology, engineering, the arts, and math.**
- **Remove asbestos and lead paint,** as necessary.

- Repair plumbing and restrooms.
- Repair leaky roofs.
- Repair gas lines.
- Repair aging water lines.

\* \* \*

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 management, staff training expenses and a customary contingency, and escalation for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the payment of the costs of preparation of all facility planning, facility assessment reviews and master plans, environmental studies, construction documentation, inspection and permit fees, and temporary housing of dislocated District activities caused by bond projects, as well as the refinancing of outstanding lease obligations. The upgrading of technology infrastructure includes, but is not limited to, network rewiring, cabling, computers, mobile interface devices, data centers, switches, routers, modules, sound projection systems, public address systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, clock/telephone/ intercom systems, call manager and IT security, wireless technology systems, refresh classroom technology, acquire necessary software and miscellaneous IT and instructional equipment, upgrading of technology to accommodate online education, data storage, phones, identity cards and the construction and installation of a data center in the cloud for the District enterprise systems, such as resource planning, websites, domain name systems, cloud applications and information security.

The repair and improvement of school facilities includes the following types of projects: install, acquire or repair energy efficiency improvements for school buildings (including solar), energy efficient lighting, including emergency lighting, air conditioning, heating, insulation, window and ceiling systems; construct, upgrade, repair or install school site parking, campus accessibility, utilities, plumbing, gas lines, playground equipment, hard court surfaces, cracked concrete and asphalt, general site paving, learning walls, tack boards, cabinets, tutoring rooms, restrooms, roofs, interior and exterior lighting, water heaters, boilers, utilities sheds, walkway covers and casework, bell/clock systems, signage, electronic marquees, asphalt, fire sensors, shade structures, outdated fire safety and security systems, including perimeter and security fencing and gates, multipurpose rooms used for after-school programs, assemblies, sports, music and performing arts, playgrounds, play areas, play fields, including turf and artificial turf; remove asbestos; upgrade or construct support facilities including administrative, physical education, music, art, visual and performing and fine arts classrooms or facilities, outdoor amphitheaters, science, computer labs/classrooms, auditoriums, stadiums, libraries and buildings, swing space, covered eating areas, shade structures, maintenance and operations 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, all-weather outdoor tracks and campus landscaping; install signage, fencing and solar panels; replace portables; renovate, upgrade or relocate site classrooms and administration buildings, staff lounges, upgrade and reconfigure parking lots and drop off/pick up zones to improve student safety; make facility improvements for earthquake safety; upgrade heating, ventilation, electrical wiring and associated systems; renovate and paint interior and exterior building surfaces to extend their useful life; improve security, install safety, security and communication systems and equipment, windows and floor coverings (including tiles and carpeting);

build or upgrade irrigation systems; upgrade school offices, including furnishings; make improvements and acquire furnishings and/or other electronic equipment and systems. The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District may not be able to complete some of the projects listed above. The budget for each project is an estimate and may be affected by factors beyond the District's control. Some projects throughout the District may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating enhanced and operationally efficient campuses. Necessary site preparation/restoration and landscaping, may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property.

Bond proceeds shall be expended only for the specific purposes identified herein. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to the bond projects. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

FISCAL ACCOUNTABILITY: IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF TRUSTEES WILL APPOINT A CITIZENS' OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON 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. Bond funds shall not be temporarily transferred to the District's general fund for administrative purposes.