

RESOLUTION NO. 08-01-24-04

**RESOLUTION OF THE BOARD OF EDUCATION OF
FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
ORDERING AN ELECTION WITHIN SCHOOL FACILITIES
IMPROVEMENT DISTRICT NO. 4 (RANCHO CORDOVA) OF
THE FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT,
FOR ELEMENTARY SCHOOLS IMPROVEMENTS AND
ESTABLISHING SPECIFICATIONS OF THE ELECTION
ORDER**

WHEREAS, the Board of Education (the “Board”) of the Folsom Cordova Unified School District (the “District”) is devoted to improving the quality of education and retaining and attracting quality teachers for Rancho Cordova elementary schools by providing upgraded classrooms, facilities and technology that support high quality instruction in core subjects; and

WHEREAS, every students needs a classroom that is clean and safe, but many local schools were built close to 60 years ago and need basic health and safety improvements and to address the most urgent and basic repairs such as deteriorating electrical systems and wiring, water and sewer lines, and restrooms, and repair leaky roofs; and

WHEREAS, many neighborhood schools have outdated security and safety features that need to be upgraded to keep teachers and students safe, including a lack of security fencing and alarms, inadequate emergency communications systems and outdated fire safety systems; and

WHEREAS, ensuring that students have a safe place to play is a priority of the Board; and

WHEREAS, the Board believes that if kids want to succeed in college and careers they must be skilled in using today’s technology and have advanced classes in science, math and engineering; and

WHEREAS, expanding and upgrading vocational education and job training programs in high-need fields such as nursing and other medical careers, agriculture and engineering will allow students who choose not to go to college to acquire real-world skills and technical knowledge to compete for jobs when they graduate; and

WHEREAS, the State of California (the “State”) has been unable to provide the District with enough money to adequately repair schools and upgrade classrooms to provide an optimal learning environment and students in the deserve to have the same educational opportunities as others in the region; and

WHEREAS, school districts are provided authority under California Education Code Section 15300 *et seq.* to create school facilities improvement districts to address specific facility needs in certain geographical sections of the district; and

WHEREAS, the Board has previously formed its School Facilities Improvement District No. 4 (Rancho Cordova) of the Folsom Cordova Unified School District (the “Improvement District”) and established the boundaries of the Improvement District as described in Resolution No. 06-22-06-55 approved by the Board on June 22, 2006; and

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

WHEREAS, the local measure proposed hereby will help provide funds that can only be used for local schools within Rancho Cordova, cannot be taken by the County, the State or federal governments, or used in other parts of the District; and

WHEREAS, such measure will include strict accountability requirements and mandatory taxpayer protections, including public disclosure of all spending, independent citizens' oversight committee and mandatory audits to ensure funds are spent effectively, efficiently and 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 have solicited stakeholder and community input on school priorities from parents, teachers, staff, the community and civic leaders; and

WHEREAS, the Board desires to authorize the submission of a proposition to the Improvement District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to educational facilities within Rancho Cordova which will improve the safety, health, and quality of education; 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 strictly monitored by an Independent 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 within the Improvement District; and

WHEREAS, Elections Code Section 9400 *et seq.* requires that a tax rate statement be contained in all official materials relating to the election, including any ballot pamphlet prepared, sponsored, or distributed by the District; and

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

WHEREAS, pursuant to the Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 5, 2024, and to request the Sacramento County Registrar of Voters to perform certain election services for the District and the Improvement District.

NOW THEREFORE, THE BOARD OF EDUCATION OF THE FOLSOM CORDOVA 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 Sacramento County Registrar of Voter to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the Improvement District the question of whether bonds of the District on behalf of the Improvement District in the aggregate principal amount of \$144,000,000 (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. The District's Superintendent, or designee, is hereby authorized and directed to make any changes to the text of the measure, or to the abbreviated form of the measure, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of election officials, and requirements of law.

Section 2. That the date of the election shall be November 5, 2024.

Section 3. That the purpose of the election shall be for the voters in the Improvement 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 on behalf of the Improvement District 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) that the proceeds of the sale of the Bonds shall be used only for the purposes set forth in the ballot measure and not for any other purpose, including teacher or administrator salaries or other school operating expenses;

(b) that the Board, in establishing the projects set forth in Exhibit “B,” evaluated the safety, class size reduction, classroom, educational and information technology needs of the Improvement 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 the 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 Improvement District when assessed valuation is projected 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. 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 Sacramento County Assessor that are available to the District.

Section 6. That the Sacramento Registrar of Voters and the Sacramento County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 5, 2024, within the Improvement 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 Sacramento County Registrar of Voters no later than August 9, 2024.

Section 8. That Bonds may be issued pursuant to Education Code Section 15264 *et seq.* or Government Code Section 53506. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

Section 9. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass of the returns of the election be made by any body or official authorized by law to canvass such returns, and that the Board consents to such consolidation. The Board further authorizes the submission of a tax rate statement and primary and rebuttal arguments, as appropriate, to be filed with the Sacramento 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 Sacramento County are requested to permit their 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 Sacramento 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 1st day of August 2024.

BOARD OF EDUCATION OF THE FOLSOM
CORDOVA UNIFIED SCHOOL DISTRICT

By _____


Jennifer Laret, Board Vice President

Attest:



David Reid, Board Clerk

STATE OF CALIFORNIA)
)ss
SACRAMENTO COUNTY)

I, Erik Swanson, do hereby certify that the foregoing is a true and correct copy of Resolution No. 08-01-24-04, which was duly adopted by the Board of Education of the Folsom Cordova Unified School District at the meeting thereof held on the 1st day of August 2024, and that it was so adopted by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

ABSTENTIONS: 0

By 
Erik Swanson, Board Secretary

EXHIBIT A

“LOCAL ELEMENTARY SCHOOL TEACHER RETENTION, CLASSROOM REPAIR/SAFETY MEASURE. To repair/upgrade existing Rancho Cordova elementary schools’ deteriorating classrooms, electrical systems/wiring, leaky roofs, school playgrounds; improve safety/security/fire systems, disabled accessibility; acquire, construct, repair facilities, sites, equipment; shall Folsom Cordova Unified School District’s School Facilities Improvement District 4’s measure authorizing \$144,000,000 in bonds at legal rates, levying 6¢ per \$100 assessed valuation (approximately \$8,800,000 annually) while bonds are outstanding be adopted, requiring public disclosure of spending, oversight, and to recruit/retain quality teachers?”

Bonds – Yes

Bonds – No

EXHIBIT B

FULL TEXT BALLOT PROPOSITION
OF FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT SCHOOL FACILITIES
IMPROVEMENT DISTRICT NO. 4 (RANCHO CORDOVA) OF THE
ELEMENTARY SCHOOLS IMPROVEMENT MEASURE

ELECTION NOVEMBER 5, 2024

The following is the full proposition presented to the voters of School Facilities Improvement District No. 4 (Rancho Cordova Riverside) by the Folsom Cordova Unified School District.

“LOCAL ELEMENTARY SCHOOL TEACHER RETENTION, CLASSROOM REPAIR/SAFETY MEASURE. To repair/upgrade existing Rancho Cordova elementary schools’ deteriorating classrooms, electrical systems/wiring, leaky roofs, school playgrounds; improve safety/security/fire systems, disabled accessibility; acquire, construct, repair facilities, sites, equipment; shall Folsom Cordova Unified School District’s School Facilities Improvement District 4’s measure authorizing \$144,000,000 in bonds at legal rates, levying 6¢ per \$100 assessed valuation (approximately \$8,800,000 annually) while bonds are outstanding be adopted, requiring public disclosure of spending, oversight, and to recruit/retain quality teachers?”

PROJECT LIST

The Board of Education of the Folsom Cordova Unified School District is committed to **attracting and retaining quality teachers and improving the quality of education** in our Rancho Cordova elementary schools by providing **safe, secure, modern classrooms** needed to support high quality instruction. To that end, the Board evaluated the urgent and critical facility needs of schools within School Facilities Improvement District No. 4 (Rancho Cordova), including safety issues, class size reduction, basic repairs, computer and information technology in developing the types of projects to be funded by this measure as described below.

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

- (i) **Retain and attract quality teachers for local schools.**
- (ii) **Ensure that all students learn in classrooms that are clean and safe.**
- (iii) **Make repairs to older classrooms and school facilities, including deteriorating and leaky roofs, plumbing, sewer, heating, ventilation, and electrical systems.**
- (iv) **Improve student safety, campus security systems, including fencing, cameras, emergency communications systems, smoke detectors, and fire alarms.**
- (v) **Ensure that students have safe places to play.**
- (vi) **REQUIRE PUBLIC DISCLOSURE OF ALL SPENDING.**

The Project List includes the following types of upgrades and improvements at schools, facilities, and sites within School Facilities Improvement District No. 4 (Rancho Cordova Riverside) of the Folsom Cordova Unified School District:

UPGRADE AGING CLASSROOMS AND SCHOOL FACILITIES TO IMPROVE THE QUALITY OF INSTRUCTION AND PROTECT STUDENT HEALTH AND SAFETY

Goals and Purposes:

Every students needs a classroom that is clean and safe. But many local schools were built close to 60 years ago and need basic health and safety improvements. This measure will address the most urgent and basic repairs such as deteriorating electrical systems and wiring, water and sewer lines, and restrooms, and repair leaky roofs.

All money raised by this measure will stay within Rancho Cordova to support our students, cannot be taken by the County, State or federal governments, or spent in other parts of the District.

- Repair deteriorating classrooms and school facilities, including **repairing leaky roofs** .
- **Upgrade deteriorating electrical systems and wiring.**
- Improve fire safety, and emergency communication systems.
- **Remove asbestos.**
- Upgrade special education classrooms and improve accessibility for disabled students.
- Improve and upgrade student safety and campus security systems, including security lighting, fencing, gates, and emergency door locks.
- Upgrade air conditioning, heating and ventilation systems.
- **Provide safe drinking water.**
- **Ensure students have safe places to play.**

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 upgrade electrical, plumbing, heating, ventilation and air conditioning systems; upgrade of facilities for energy efficiencies and financial savings, including solar panels; repair and replace worn-out and deteriorated roofs, windows, walls, floors, doors and drinking fountains/hydration stations; construct or renovate offices and facilities for multipurpose and indoor/outdoor learning spaces, more efficient areas for professional development and administration and for the safety of students on campuses; install wiring and electrical systems to safely accommodate computers, technology and other electrical devices; upgrade or construct support facilities including administrative, physical education, music, art, and performing and fine arts classrooms or facilities, science, computer labs/classrooms, media centers/libraries and buildings, covered eating areas, shade and rain shelter, administrative and maintenance facilities and yards; acquire or replace modular/portable classrooms; repair and replace fire alarms, emergency communications, public address and security systems; improve facilities to satisfy ADA and seismic requirements; resurface or replace asphalt, broken concrete and improve hard courts, turf, tracks, irrigation, and downspout drainage systems and campus landscaping; install signage, solar panels systems and fencing; expand parking and improve pick-up and drop-off areas; improve all site utilities; acquire land; construct new school buildings; upgrade or replace interior and exterior painting and floor covering, including carpets and school facades; demolition; upgrade kitchens, food service and school cafeterias; construct various forms of storage and support spaces and classrooms; improve outdoor learning environments and quads; repair, upgrade and install interior and exterior lighting systems and back-up power generators; improve playgrounds, play structures, gyms, athletic fields, lockers and facilities to support student health, fitness and safety; replace outdated security systems, including security cameras, upgrade facilities for single-point entry; provide lunch shelters, indoor space for assemblies or for rainy day lunch; upgrade music labs, multi-purpose rooms, learning centers and media centers. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, DSA oversight, and temporary housing of dislocated District activities caused by construction projects.

The upgrading of technology infrastructure includes, but is not limited to, network rewiring, cabling, computers/tablets, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, scanners and copiers, digital white boards, document projectors, upgrade voice-over-IP, clock/telephone/ intercom systems, call manager and network security/firewall, wireless technology systems, refresh instructional equipment, data storage and phones, and the construction and installation of a data center in the cloud for the District's enterprise systems, such as resource planning, websites, domain name systems, cloud applications and information security.

The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, 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 or modular classrooms, including ingress and egress, removing, replacing, or installing irrigation or drainage systems, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, connection fees, program and project management, staff training expenses and a customary contingency for unforeseen design and construction costs. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District bond audits and staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the types of projects and purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

FISCAL ACCOUNTABILITY: THIS MEASURE REQUIRES PUBLIC DISCLOSURE OF ALL SPENDING, INCLUDING AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE, AND INDEPENDENT AUDITS TO ENSURE MONEY IS SPENT PROPERLY. NO FUNDS CAN BE TAKEN BY THE COUNTY, THE STATE OR FEDERAL GOVERNMENTS.

In accordance with Education Code Section 15272, the Board of Education 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.