

**Resolution of the Board of Trustees
of the
Mountain Valley Unified School District
Resolution No: 2016/17 – 27**

**Ordering an Election to Authorize the Issuance of School Bonds,
Establishing Specifications of the Election Order, and
Requesting Consolidation with Other Elections Occurring November 7, 2017**

WHEREAS, in the judgment of the Board of Trustees (Board) of the Mountain Valley Unified School District (District), it is advisable to call an election to submit to the electors of the District the question whether bonds of the District shall be issued and sold for the sole purpose of raising money for the acquisition or improvement of real property, and the furnishing and equipping of school facilities; 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 approved by 55 percent of the voters of the district voting on the proposition; and

WHEREAS, THE Board is specifically authorized, upon approval by a two-thirds vote of the Board, to pursue the authorization and issuance of bonds by a fifty-five percent (55%) vote of the electorate on the question whether bonds of the District shall be issued and sold for specified purposes, pursuant to the Education Code Section 15264 *et seq.* (the Act); 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 7, 2017, and to request the Trinity County Registrar of Voters to perform certain election services for the District; and

NOW THEREFORE, BE IT RESOLVED, BY THE Board of Trustees of the Mountain Valley Unified School District the following:

SECTION 1. Call for Election.

The Board hereby orders an election and submits to the electors of the District the question of whether general obligation bonds of the District shall be issued and sold in the maximum principal amount of \$5,950,000 for the purpose of raising money to finance school facilities and property of the District, and paying costs incident thereto, as set forth more fully in the ballot proposition approved pursuant to Section 3. This Resolution constitutes the order of the District to call such an election.

SECTION 2. Election Date

The date of the election shall be November 7, 2017, and the election shall be held solely within the boundaries of the District

SECTION 3. Purpose of Election; Ballot Proposition.

The purpose of the election shall be for the voters in the District to vote on a proposition, a full copy of which is attached hereto and marked Exhibit A, containing the question of whether the District shall issue the Bonds for the purpose state therein, together with the accountability requirements of Article XIII A and Government Code Section 53410 and the requirements of Section 15272 of the Act. The Trinity County Registrar of Voters (County Registrar) is requested to print the Full Text of Measure contained on Exhibit A hereto in the sample ballot pamphlet. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto and marked as Exhibit B. The Superintendent or his designee is hereby authorized and directed to make any changes to the text of the proposition or this resolution as required to conform to any requirements of Article XIII A, the Act, or the County Registrars.

SECTION 4. Authority for Election.

The authority for ordering the election is contained in Section 15264 *et. seq.* of the Education Code and Section I, paragraph (b), subsection (3), of Article XIII A. The authority for the specification of this election order is contained in Section 5322 of the Education Code.

SECTION 5. School Facilities Project.

As required by Article XIII A, the board hereby certifies that is has evaluated safety, class size reduction, enrollment growth, and information technology needs in developing the list of school facilities projects set forth on Exhibit A.

SECTION 6. Covenants of the Board upon Approval of the Bonds by the Electorate.

As required by Article XIII, Section 15278 of the Act, and Government Code Section 53410, in the event 55 percent of the voters voting in the district approve of the Bonds, the Board shall:

1. conduct an annual, independent performance audit to ensure that the funds have been expended only on the projects listed in Exhibit A;
2. conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the school facilities projects listed in Exhibit A;
3. establish and appoint members to an independent citizens' oversight committee in accordance with Sections 15278, 15280, and 15282 of the Act;
4. apply the bond proceeds only to the specific purposes stated in the ballot proposition;
5. cause creation of accounts into which bond proceeds shall be deposited; and
6. cause the preparation of an annual report to Government Code Sections 53410 and 53411.

SECTION 7. Delivery of this Resolution

The Clerk of the Board is hereby directed to send a copy of this Resolution to the Trinity County Superintendent of Schools, the County Registrar, and the Trinity County Clerk of the Board of Supervisors.

SECTION 8. Consolidation of election.

The County Registrar and the Trinity County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 7, 2017, within the District.

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

SECTION 10. Elections Code.

Pursuant to Sections 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Trinity County are requested to permit the County Registrar to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse the County in full upon presentation of a bill, such services to include the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code).

SECTION 11. Effective Date.

This resolution shall take effect on and after its adoption.

PASSED AND ADOPTED by the Board of Trustees of the Mountain Valley Unified School District the 14th day of June, 2017.

Ayes: 5 Noes: 0 Absent: 0 Abstained: 0

s/ Nancy Ferguson, MVUSD Board Clerk