

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA# *A-9

Urgent _____ Routine X

AGENDA DATE March 13, 2001

CEO Concurs with Recommendation YES X NO _____
(Information Attached)

4/5 Vote Required YES _____ NO X

SUBJECT:

APPROVAL TO AUTHORIZE THE CLERK RECORDER TO CONDUCT A SPECIAL ELECTION ON MAY 22, 2001 ON BEHALF OF PATTERSON UNIFIED SCHOOL DISTRICT FOR THEIR GENERAL OBLIGATION BOND ELECTION

STAFF RECOMMENDATIONS:

1. AUTHORIZE THE CLERK RECORDER TO CONDUCT A SPECIAL ELECTION ON MAY 22, 2001 ON BEHALF OF PATTERSON UNIFIED SCHOOL DISTRICT FOR THEIR GENERAL OBLIGATION BOND ELECTION

FISCAL IMPACT:

NONE

BOARD ACTION

No. 2001-166

On motion of Supervisor Mayfield, Seconded by Supervisor Caruso

and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: Simon

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

Motion:

 File No.



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Phone: 209/892-3700
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PATRICK J. SWEENEY
DISTRICT SUPERINTENDENT
BOARD OF SUPERVISORS
CARRIE B. CHODURA
DIRECTOR
Curriculum & Educational Services
2001 STEVE MENGE A 9: 22
DIRECTOR
Administrative & Support Services
JUDITH LeGRAND
DIRECTOR
Student Services
BARBARA McCLESKEY
ADMINISTRATIVE ASSISTANT
Human Resources

February 22, 2001

VIA OVERNIGHT DELIVERY

Ms. Kathryn J. Ferguson
Santa Clara County Registrar of Voters
1555 Berger Drive, Building 2
San Jose, CA 95112

Ms. Karen Matthews
Stanislaus County Registrar of Voters
1021 I Street, 1st Floor
Modesto, CA 95354

Re: Patterson Joint Unified School District - General Obligation Bond Election

Dear Ms. Ferguson and Ms. Matthews:

Pursuant to Education Code Section 5322, please find enclosed a copy of Resolution No. 022001b adopted by the Board of Trustees of the Patterson Joint Unified School District on February 20, 2001. The Patterson Joint Unified School District boundaries are partially within Stanislaus County and partially within Santa Clara County. Resolution No. 022001b orders a general obligation bond election to be held within the Patterson Joint Unified School District on May 22, 2001, establishes specifications of the election, and requests consolidation with other elections occurring on May 22, 2001.

Please also find enclosed the Tax Rate Statement for this general obligation bond election in accordance with Elections Code Sections 9400-9404.

If you have any questions, please do not hesitate to contact the undersigned at (209) 892-3700, or our bond counsel, Alex Bowie, Robert Anslow or Julia Rice at (949) 851-1300, of the firm Bowie, Arneson, Wiles & Giannone.

Very Truly Yours,

PATTERSON JOINT UNIFIED SCHOOL DISTRICT

By: 

Steve Menge, Director of Administrative
and Support Services

Enclosures

BAW&G/JDR/72318
15005.20 02/21/01

OPTION A

TAX RATE STATEMENT REGARDING PROPOSED
\$19,500,000 PATTERSON JOINT UNIFIED SCHOOL DISTRICT
GENERAL OBLIGATION BONDS

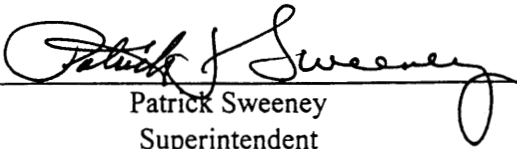
An election will be held in the Patterson Joint Unified School District (the "District") of Stanislaus and Santa Clara counties on May 22, 2001, for the purpose of authorizing the sale of \$19,500,000 in general obligation bonds. The bonds would be payable from tax levies made upon the taxable property in the District.

In compliance with Elections Code Sections 9400-9404 the following information is submitted:

1. The best estimate of the tax rate which would be required to be levied to fund the bond issue during the first fiscal year after the first sale of bonds, based on estimated assessed valuations available at the time of filing this statement, is \$0.0727 per 100 dollars assessed valuation for the year 2001-02.
2. The best estimate of the tax rate which would be required to be levied to fund the bond issue during the first fiscal year after the last sale of the bonds and an estimate of the year in which the rate will apply, based on estimated assessed valuations available at the time of filing this statement, is \$0.0719 per 100 dollars assessed valuation for the year 2006-07.
3. The best estimate of the highest tax rate which would be required to be levied to fund the bond issue and an estimate of the year in which that rate will apply, based on estimated assessed valuations available at the time of filing of this statement, is \$0.0727 per 100 dollars assessed valuation for the year 2001-02.

The actual tax rates and the years in which such rates are applicable may vary from those currently estimated, due to variations from the official projections and estimates in the timing of bond sales, the amount of bonds sold at any time, the interest rates on the bonds, and the assessed values in the several future years during which the bonds are to be repaid. The estimates are based upon projections and are not binding upon the District. The actual timing of the bond sales and the amount of the bonds sold at any time will be governed by the needs of the District and the then-applicable debt limit. The actual interest rates on the bonds will be based on the market tax-exempt interest rates at the time of the sale of the bonds. The actual assessed values during the several future years will depend upon the amount of taxable property within the District and the value of that property as determined in the assessment and equalization process.

Dated: February 21, 2001


Patrick Sweeney
Superintendent

Patterson Joint Unified School District

RESOLUTION NO. 022001b

RESOLUTION OF THE BOARD OF TRUSTEES OF THE PATTERSON JOINT UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON MAY 22, 2001

WHEREAS, the Patterson Joint Unified School District (the "District") desires to construct a middle school, and to the extent of local funds and available State Funding, to make improvements to and expand existing facilities, provide renovations to existing school buildings and grounds and provide for other capital improvements to schools and school facilities to serve the current and future students of the District (the "School Facilities"); and

WHEREAS, in the judgment of the Board of Trustees of the District (the "Board"), the least costly method of providing funding required for the School Facilities is by means of general obligation bonds of the District (the "Bonds"); and

WHEREAS, Section 1(a) of Article XIII A of the California Constitution enacted in 1978, subject to exceptions set forth therein, limits ad valorem taxes on real property to one percent (1%) of the full cash value of such property; and

WHEREAS, Proposition 46, approved by the voters of the State of California in June, 1986 added a provision to Section 1(b) of Article XIII A to exempt from such one percent (1%) of full cash value limitation, those ad valorem taxes used to pay debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds (2/3) of the votes cast by the voters voting on the proposition for bonded indebtedness; and

WHEREAS, the funding limitations applicable to Proposition 39 passed by the voters of the State of California on November 7, 2000, do not allow the District to hold a bond election in an amount sufficient to construct the needed new middle school; and

WHEREAS, in the judgment of the Board, it is advisable to order the Stanislaus County Superintendent of Schools (the "County Superintendent") to call an election within the District on the question of whether the Bonds shall be issued and sold for the purposes set forth below.

WHEREAS, in the judgement of the Board, it is advisable to order the Stanislaus County Registrar of Voters (the "County Registrar") to conduct an election within the District on the question of whether the Bonds shall be issued and sold for the purpose as set forth below.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE PATTERSON JOINT UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Section 15100, hereby orders the County Registrar to call an election and submit to the electors of the District the question of whether the Bonds shall be issued and sold for the purpose of raising money to finance School

Facilities and paying costs incident thereto.

Section 2. That the date of the election shall be May 22, 2001.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition as set forth in Section 9 hereof (the "Proposition") containing the question of whether the District shall issue the Bonds for the purposes stated therein subject to the terms and conditions set forth in this Resolution.

Section 4. That the authority for ordering the election is contained in Section 15100 of the Education Code and Section 1(b) of Article XIII A of the California Constitution.

Section 5. That the authority for the specification of this election order is contained in Section 5322 of the Education Code.

Section 6. That this Resolution constitutes the order of the District to the County Registrar to call and conduct an election within the boundaries of the District on May 22, 2001, subject to the terms, provisions and requirements set forth herein.

Section 7. That the Clerk of the Board is directed to send, or cause to be sent, a certified copy of this Resolution to the County Registrar and a certified copy of this Resolution to the Stanislaus County Clerk of the Board of Supervisors (the "County Clerk") not later than February 23, 2001. The Clerk of the Board shall also transmit a copy of this Resolution to the Stanislaus County Superintendent of Schools on or before February 23, 2001.

Section 8. Pursuant to Education Code Section 5342 and Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the County Registrar and the Stanislaus County Board of Supervisors (the "County Board") are hereby requested to take any and all actions necessary to consolidate the election ordered hereby with any and all other elections to be held on May 22, 2001, within the District, and to take all other actions necessary to call and conduct the election specified herein. The County Registrar, the County Clerk and the County Board are hereby also requested to take all other actions necessary to conduct the election called hereby.

Section 9. Based upon the requirements of the California Constitution and State law, the Proposition to be voted on by the voters in the District in such election shall be as set forth in Exhibit "A" and the Proposition shall also serve as a Bond Measure Statement to comply with Elections Code Section 13247(a).

Section 10. That pursuant to Government Code Section 53410, the Board hereby finds, determines and directs as follows:

- (a) The purpose of the Bonds to be authorized pursuant to the Election is to finance the School Facilities as described herein.
- (b) The Board hereby provides that at the time the Bonds are authorized by the Board for issuance and sale, the Board shall provide, in such issuance resolution or other bond issuance documents, that the proceeds of the Bonds shall be used only for the purpose set forth in Section 10(a), above.
- (c) The Board hereby provides that at the time the Bonds are authorized by the Board for issuance and sale, the Board shall provide in such issuance resolution or other bond issuance documents for the creation of one or more funds or accounts (which may include subaccounts) into which the proceeds of the Bonds, or each series of Bonds as the case may be, shall be deposited. The Bonds may be issued in one or more series and the provisions and restrictions of this Section 10 shall apply to each such series of the Bonds.
- (d) If the Bonds are authorized by the voters, the District's Director, Administrative and Support Services shall have the responsibility, no later than January 1, 2002, and no less often than annually thereafter, to provide to the Board a written report which shall contain at least the following information:
 - (i) The amount of the Bond proceeds received and expended within the identified period of time. If no Bonds have been issued and sold, the report may simply note such situation; and
 - (ii) In the event that Bonds have been issued and sold, and proceeds therefore received, the report shall include the status of the acquisition, construction or financing of the School Facilities with the proceeds of such Bonds or series of Bonds.

The report required by this Section 10(d) may be combined with other periodic reports which include the same information, including, but not limited to, periodic reports made to the California Debt and Investment Advisory Commission or continuing disclosure reports or other reports made in connection with the Bonds or any series thereof.


The requirements of this Section 10(d) shall apply only until all Bonds, or each series of Bonds, are redeemed or defeased, but if the Bonds or any series of Bonds are refunded, such provisions shall apply until all such refunding Bonds are redeemed or defeased.

Section 11. That 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.

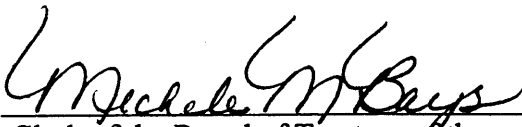
Section 12. That the Superintendent, President of the Board, and their designees are hereby authorized to execute any Tax Rate Statement (prepared or provided pursuant to Elections Code Sections 9400-9404) or any other document and to perform all other acts necessary to place the Bond measure called hereby on the ballot.

APPROVED, ADOPTED, AND SIGNED ON FEBRUARY 20, 2001.

BOARD OF TRUSTEES OF THE
PATTERSON JOINT UNIFIED SCHOOL
DISTRICT

By: 
President of the Board of Trustees of the
Patterson Joint Unified School District

ATTEST:

By: 
Clerk of the Board of Trustees of the
Patterson Joint Unified School District

STATE OF CALIFORNIA)
) ss.
COUNTY OF STANISLAUS)


I, Michelle Bays, do hereby certify that the foregoing Resolution was adopted by the Board of Trustees of said District at a meeting of said Board held on the 20th day of February, 2001, and that it was so adopted by the following vote:

AYES: 6

NOES:

ABSTAIN:


ABSENT: 1



Clerk of the Board of Trustees of the
Patterson Joint Unified School District

STATE OF CALIFORNIA)
) ss.
COUNTY OF STANISLAUS)

I, Michelle Bays, do hereby certify that the foregoing is a true and correct copy of Resolution No. ~~0270016~~, was duly adopted by the Board of Trustees of the Patterson Joint Unified School District at a meeting thereof on the 20th day of February, 2001.



Clerk of the Board of Trustees of the
Patterson Joint Unified School District

Exhibit "A"

MEASURE _____

"To provide funds for the construction of a middle school, relieve overcrowding at existing school facilities and allow existing high school facilities to be utilized, shall the Patterson Joint Unified School District be authorized to issue \$19,500,000 in bonds at interest rates below legal limits to acquire, construct, and improve school facilities and grounds, and establish a Citizens Oversight Committee?"