

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

DEPT: Board of Supervisors

BOARD AGENDA# *A-4a

Urgent _____ Routine X

AGENDA DATE July 31, 2001

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

4/5 Vote Required YES _____ NO X

SUBJECT:

APPROVAL TO CONSOLIDATE WITH THE GENERAL ELECTION ON NOVEMBER 6,
2001 THE DENAIR UNIFIED SCHOOL DISTRICT BOND ELECTION

STAFF RECOMMENDATIONS:

1. APPROVE CONSOLIDATING WITH THE GENERAL ELECTION ON NOVEMBER 6,
2001 THE DENAIR UNIFIED SCHOOL DISTRICT BOND ELECTION

FISCAL IMPACT:

NONE

No. 2001-547

On motion of Supervisor Blom, 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:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy

Christine Ferraro

File No.

REGISTRATION AND

2001 JUL 19 PM 3:00

PROPERTY CLERK

RESOLUTION NO. 071701-R2

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE DENAIR UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION TO BE HELD IN THE DISTRICT ON NOVEMBER 6, 2001 AND SETTING FORTH SPECIFICATIONS OF THE ELECTION ORDER

2001 JUL 20 P 2:36 BOARD OF SUPERVISORS

THE BOARD OF TRUSTEES OF THE DENAIR UNIFIED SCHOOL DISTRICT HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. Order Of Election. There is hereby ordered an election to submit to the electors of the Denair Unified School District (the "District") the question whether bonds of the District shall be issued and sold for the purpose of acquiring, constructing, improving and furnishing and equipping school facilities, as authorized by paragraphs (a),(b),(c),(e),(f) and (h) of Section 15100 of the Education Code.

The foregoing purposes shall be united and voted upon as one single proposition.

Section 2. Notice of Election. The formal notice of election shall be in the form substantially as follows:

NOTICE OF ELECTION

NOTICE IS HEREBY GIVEN that on Tuesday, November 6, 2001, an election will be held in the Denair Unified School District at which there will be submitted to the voters of the District the question whether bonds of the District shall be issued and sold for the purpose of acquiring, constructing, improving and furnishing and equipping school facilities, as authorized by paragraphs (a), (b), (c), (e), (f) and (h) of Section 15100 of the Education Code.

The principal amount of the bonds shall not exceed \$8,200,000.

The rate of interest shall not exceed the maximum rate permitted by law.

The number of years which the bonds or any series thereof are to run shall not exceed (a) 25 years, if such bonds or series thereof is offered and sold pursuant to Sections 15140 et seq. of the Education Code, or (b) 40 years if such bonds or series thereof is offered and sold pursuant to Section 53506 et seq of the Government Code.

The complete proposition to be voted upon by the voters is as follows:

"To improve the quality of education, shall the Denair Unified School District be authorized to acquire, construct, and modernize school facilities, replace plumbing and sewers, upgrade electrical systems to accommodate computer technology, construct a gymnasium, build and renovate the library and science and business classrooms, make health and safety improvements, and make the District eligible for \$3,500,000 in state-matching funds, by issuing \$8,200,000 of bonds subject to accountability measures and at interest rates below the legal limit?"

Section 3. Specifications of the Election Order. The Board of Trustees (the "Board") hereby specifies and designates the following:

- A. The date of the election shall be Tuesday, November 6, 2001.
- B. The purpose of the election shall be to submit to the electors of the District the question whether bonds of the District shall be issued and sold for the purpose of acquiring land for and acquiring, constructing, furnishing and equipping school facilities.

The authority for ordering the election is set forth in Sections 15000 et seq. of the Education Code. The authority for the foregoing specifications of the election order is set forth in Sections 5304 and 5322 of the Education Code. The signature of the President and the Clerk of the Board shall be affixed to this Resolution.

Section 4. Form of Proposition. The form of the proposition to be voted upon at such election shall read as follows:

"To improve the quality of education, shall the Denair Unified School District be authorized to acquire, construct, and modernize school facilities, replace plumbing and sewers, upgrade electrical systems to accommodate computer technology, construct a gymnasium, build and renovate the library and science and business classrooms, make health and safety improvements, and make the District eligible for \$3,500,000 in state-matching funds, by issuing \$8,200,000 of bonds subject to accountability measures and at interest rates below the legal limit?"

The proposition shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the measure, as provided in Section 13116 of the Elections Code.

The issuance of bonds pursuant to the proposition would be authorized only by the affirmative vote of two-thirds of the electors of the District voting on the proposition.

Section 5. Delivery of Resolution. The Clerk of the Board is hereby directed to file a certified copy of this Resolution with the officer of the County of Stanislaus (the "County") conducting the election as required by Section 5322 of the Education Code.

Section 6. Canvass of Returns. The County Clerk of the County is hereby authorized to canvass the returns of the District bond election.

Section 7. Actions by County Officers. The Board of Supervisors of the County is hereby requested to issue to all County officers charged with duties pertaining to elections instructions to take any and all steps necessary for the holding of the District bond election.

The District shall reimburse the County for services performed with respect to the election, and the District Superintendent is authorized to enter into a contract on behalf of the District, if requested by the County, for that purpose pursuant to Section 1258 of the Education Code.

Section 8. Accountability Measures. In accordance with Section 53410 of the Government Code, the Board hereby provides the following accountability measures with respect to the bond measure set forth herein:

(a) The specific single purpose of the bonds is the purpose set forth in Section 4 hereof;

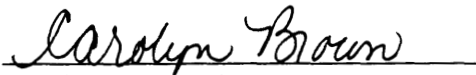
(b) The bond proceeds shall be applied only to the single purpose identified in the Proposition set forth in Section 4 hereof;

(c) One or more accounts shall be created in the County treasury, pursuant to Section 15146 of the Education Code, into which the proceeds of sale of the bonds shall be deposited; and

(d) The District's chief fiscal officer shall file with the Board an annual report as required by Section 53411 of the Government Code, no later than January 1, 2002 and at least once a year thereafter.

Section 9. Appointment of Bond Counsel. The Board hereby appoints Richards, Watson & Gershon, A Professional Corporation, to serve as bond counsel to the District in connection with the issuance and sale of the bonds.

PASSED, APPROVED AND ADOPTED THIS 17TH DAY OF JULY, 2001.



President, Carolyn Brown

ATTEST:



Clerk, William Killian