

BEFORE THE BOARD OF TRUSTEES OF THE  
WASHINGTON UNIFIED SCHOOL DISTRICT  
FRESNO COUNTY, CALIFORNIA

**RESOLUTION 12-3**

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RESOLUTION ORDERING AN ELECTION TO AUTHORIZE THE ISSUANCE  
OF SCHOOL BONDS, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER,  
AND REQUESTING CONSOLIDATION WITH ANY OTHER ELECTIONS  
OCCURRING ON NOVEMBER 6, 2012

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**WHEREAS**, in the judgment of the Board of Trustees (the "Board") of the Washington Unified School District (the "District"), it is advisable to call an election to submit to the electors of the District the question of whether the bonds of the District shall be issued and sold for the purpose of raising money for the improvement, upgrade, and renovation of Washington Union High School and the acquisition, construction, and repair of its instructional and athletic sites, facilities, and equipment; and

**WHEREAS**, certain of Washington Union's facilities are now more than a half-century old and so the District must improve access for students with disabilities; modernize 50-year old science labs; replace aging/leaky 25 to 50-year old roofs; upgrade aging utility systems, including electrical, gas, lighting, heating, ventilation, water, and sewer capacity; rehabilitate deteriorated plumbing and restrooms; improve student safety and security systems, including security lighting, fencing, smoke detectors, fire alarms, sprinklers, and emergency communications systems; remove hazardous materials like asbestos and lead paint from older school buildings; complete safety upgrades to exterior hallways, walkways, hardscapes, drainage systems, and school grounds; retrofit or rebuild older school buildings and athletic facilities that don't meet earthquake safety standards; and renovate or replace existing outdated physical education facilities and equipment; and

**WHEREAS**, antiquated facilities systems throughout Washington Union are both ineffective and costly to operate and need to be updated; and

**WHEREAS**, Washington Union needs upgraded technology infrastructure and tools to meet curricular requirements and prepare students for success upon graduation; and

**WHEREAS**, passage of a local school bond will give the District the opportunity to receive up to \$5,000,000 in state matching funds for facilities projects, funds which would otherwise be awarded to other school districts; 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 that has been approved by fifty-five percent (55%) of the voters of the District voting on the proposition; and

**WHEREAS**, pursuant to California Education Code section 15264 *et seq.* (the “Act”), this Board is specifically authorized, upon approval by two-thirds (2/3) of the Board, to submit to the electorate of the District the question of whether bonds of the District shall be issued and sold for specified purposes, upon a fifty-five percent (55%) vote of the electorate in favor on the question, pursuant to paragraph (3) of said subdivision (b) of Section 1 of Article XIII A and subdivision (b) of Section 18 of Article XVI of the California Constitution; and

**WHEREAS**, pursuant to California Election Code section 10403 *et seq.*, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 6, 2012, and to request the election officials of Fresno County (the “County”) to perform certain election services for the District.

**NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE WASHINGTON UNIFIED SCHOOL DISTRICT HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:**

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 principal amount not to exceed \$22,000,000 for the purpose of raising money for the improvement, upgrade, renovation, and replacement of the existing Washington Union High School facilities and improvements; the acquisition, construction, and repair of additional instructional and athletic facilities, improvements, and equipment for Washington Union; and paying elections and other costs incident thereto, as set forth more fully in a ballot proposition approved pursuant to Section 3 below. This Resolution constitutes the order of the District to call such election.

2. **Election Date.** The date of the election shall be November 6, 2012, and the election shall be held solely within the boundaries of the District.

3. **Purpose of Election; Ballot Proposition.** The purpose of the election shall be for the voters of the District to vote on a proposition, a full copy of which is attached hereto as *Exhibit A*, containing the question of whether the District shall issue the Bonds for the purposes stated therein, together with the accountability requirements of Article XIII A and the requirements of Section 15272 of the Act. As required by California Elections Code section 13247, the abbreviated form of the proposition to appear on the ballot is attached hereto as *Exhibit B*. The District’s Superintendent (or her designee) is hereby authorized and directed to make any changes to the text of the proposition, its abbreviated form, or this Resolution as required to comply

with the intent of this Resolution, the requirements of elections officials, and requirements of law.

4. **Authority for Election.** The authority for ordering the election is contained in California Education Code section 15264 *et seq.* and Article XIII A, Section 1, paragraph (b), subsection (3) of the California Constitution. The authority for the specification of this election order is contained in California Education Code section 5322.

5. **School Facilities Projects.** A list of the specific school facilities projects and uses to be funded from the proceeds of the bonds is set forth in *Exhibit A*. As required by Article XIII A, the Board hereby certifies that it has evaluated safety, class-size reduction, and information technology needs of the District in developing the list of school facilities projects and uses set forth in *Exhibit A*.

6. **Maximum Tax Levy.** If 55 percent of the votes cast in the election are in favor of the proposed bonded indebtedness and bonds are sold pursuant to such authorization, the bonds will only be sold if the tax rate levied to meet the requirements of Section 18 of Article XVI of the California Constitution would not exceed \$60 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.

7. **Covenants of the Board upon Approval of the Bonds by the Electorate.** As required by Article XIII A and Section 15272 of the Act, if fifty-five percent (55%) of the voters of the District voting on the measure approve of the bonds, the Board shall:

(a) Use the bond proceeds only for the purposes authorized under Article XIII A, including construction, reconstruction, rehabilitation, or replacement of school facilities, furnishing and equipping of school facilities, and the acquisition or lease of real property for school facilities, as specifically set forth in *Exhibit A*, and costs incident thereto, including the costs of the election, and not for any other purpose, including salaries and other routine school operating expenses;

(b) Conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the projects and uses listed in *Exhibit A*;

(c) Conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for school facilities projects and uses listed in *Exhibit A*; and

(d) Establish and appoint members to an independent citizens' oversight committee in accordance with sections 15278, 15280, and 15282 of the Act.

8. **Delivery of this Resolution.** The Secretary of this Board is hereby authorized and directed to send or hand deliver a copy of this Resolution to the Fresno County Superintendent of Schools and the Fresno County Clerk/Registrar of Voters by no later than August 10, 2012.

9. **Declaration of Official Intent.** The District hereby declares its official intent, subject to the further approval of this Board, to use up to the maximum amount permitted by law of the proceeds of the proposed bonds to reimburse itself for payments it has made for any eligible costs of the projects and uses listed in *Exhibit A*. It is intended that this Resolution shall, among other things, constitute a declaration of "official intent" within the meaning of Section 1.150-2 of the Treasury Regulations promulgated under Section 150 of the Internal Revenue Code of 1986, as amended.

10. **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, is 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.

11. **Consolidation of Election; Election Services.** The Fresno County Clerk/Registrar of Voters and the Fresno County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 6, 2012 within the District. Pursuant to section 5303 of the Education Code and section 10002 of the Elections Code, the County Board of Supervisors is requested to permit the County Registrar of Voters, and other appropriate officials of the County, to render all services necessary in connection with the bond election including, but not limited to, publication of a Formal Notice of School Bond Election pursuant to Education Code 5363 and related law (the proposed form of which is attached hereto as *Exhibit C*), the mailing of the sample ballot and tax rate statement (described in section 9401 of the Elections Code), the opportunity to submit ballot arguments in connection with the bond election, the canvassing and certification of the returns of the election, and other ballot requirements pursuant to Elections Code section 15123, for which services the District agrees to reimburse the County as required by law.

12. **Severability.** If any section, subsection, phrase or clause of this Resolution, or its application to any person or circumstance, is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution, or their application to any other person or circumstance. The Board declares that it would have adopted this Resolution and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, sentences, phrases or clauses, or their application to any person or circumstance, shall be declared invalid.

13. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

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The foregoing Resolution was adopted by the Board of Trustees of the Washington Unified School District at a meeting held by the Board on \_\_\_\_\_, 2012 by the following votes:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Jim Curtis, Board President  
Washington Unified School District  
Fresno County, CA

I, Frank Butterfield, Jr., Clerk of the Board of Trustees of the Washington Unified School District, do hereby certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Trustees during its meeting held on \_\_\_\_\_, 2012

\_\_\_\_\_  
Frank Butterfield, Jr.  
Clerk of the Board  
Washington Unified School District  
Fresno County, CA

## ***EXHIBIT A***

### **FULL TEXT OF BOND MEASURE for WASHINGTON UNIFIED SCHOOL DISTRICT**

#### **INTRODUCTION**

Washington Union High School, founded in 1892, is the oldest high school in Fresno County. With an ethnically diverse student body, the school serves approximately 1100 students in grades 9 through 12. Washington Union, home of the Panthers, has a rich history of academic, civic, and athletic success. The school enjoys very close and supportive relationships with the communities it serves.

Many of the buildings and facilities on the Washington Union campus are more than a half-century old and so the District must improve access for students with disabilities; modernize 50-year old science labs; replace aging/leaky 25 to 50-year old roofs; upgrade aging utility systems, including electrical, gas, lighting, heating, ventilation, water, and sewer capacity; rehabilitate deteriorated plumbing and restrooms; improve student safety and security systems, including security lighting, fencing, smoke detectors, fire alarms, sprinklers, and emergency communications systems; remove hazardous materials like asbestos and lead paint from older school buildings; complete safety upgrades to exterior hallways, walkways, hardscapes, drainage systems, and school grounds; retrofit or rebuild older school buildings and athletic facilities that don't meet earthquake safety standards; and renovate or replace existing outdated physical education facilities and equipment.

The State of California requires a local match, funded primarily through local, general obligation bonds, for school districts wishing to pursue matching state funds for the improvement, upgrade, renovation or replacement of school buildings and facilities. The up to \$5,000,000 potentially available to the District through the State match allows local taxpayers to benefit from the tax dollars they already pay to Sacramento.

It is imperative that our students are housed in safe school facilities. In addition, our students would benefit from modern, upgraded, and efficient facilities. We need to act locally to provide safe and modern facilities at Washington Union to ensure our students have the educational opportunities they deserve.

#### **BONDS**

To better prepare Washington Union High School students for college and quality jobs, shall Washington Unified School District upgrade technology in classrooms, job-training labs, and student-support facilities; modernize science labs; rehabilitate deteriorated roofs, plumbing, electrical, lighting, ventilation; improve safety; and acquire/construct/repair instructional and

athletic sites, facilities and equipment; by issuing \$22,000,000 in bonds at legal interest rates, with independent citizen oversight, no administrators' salaries, and all funds dedicated locally to Washington Union High School?

## **LIST OF PROJECTS TO BE FUNDED BY THE BONDS AND STATE MATCHING FUNDS**

Proceeds from the sale of bonds authorized by this proposition will be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

The following is a list of projects which identifies or defines the types of projects that can be completed using the bond proceeds, along with State matching funds and other building funds the District is projected to receive, and projects that are planned and needed but whose construction is contingent on the amount of bond funds available, plus the amount of State matching and other building funds the District may receive in the future, which is a function of the State building program rules, passage of State bonds, and the growth rate of the District. The scope of specific projects, the order of construction, and their completion is also contingent on final project costs and the availability of needed funds.

Each project is assumed to include its share of costs of the election and bond issuance, architectural, engineering, and similar planning costs, construction management, and a customary contingency for unforeseen design and construction costs.

- Upgrade technology in classrooms, labs, career-tech, and student-support facilities.
- Improve access for students with disabilities.
- Provide facilities & equipment for career & technical education classes so students are prepared for jobs in good paying fields like health sciences, technology and agriculture.
- Modernize 50-year old science labs to meet current standards for college admission.
- Upgrade classrooms and facilities for music and performing arts instruction, including modernizing the 60-year old school auditorium to accommodate school and public assemblies.
- Repair or replace aging/leaky 25-50-year old roofs.

- Upgrade aging utilities, including electrical, gas, lighting, heating, ventilation, and water and sewer capacity.
- Rehabilitate deteriorated plumbing and restrooms to prevent flooding, water damage and future maintenance costs.
- Renovate outdated classrooms, labs, instructional support space, furniture and equipment.
- Reconstruct Alternative Education and Ag Farm instructional facilities.
- Improve student safety and security systems, including security lighting, fencing, smoke detectors, fire alarms, sprinklers, and emergency communications systems.
- Reconfigure parent and bus pick-up and drop-off zones, school parking, emergency vehicle access, and campus-based safe routes to school areas for improved safety.
- Remove hazardous materials like asbestos and lead paint from older school buildings.
- Complete safety upgrades to exterior hallways, walkways, hardscapes, drainage systems, and school grounds.
- Improve lighting, heating, ventilation, insulation, doors and windows to increase energy efficiency and save money.
- Upgrade electrical, data, communications and technology infrastructure.
- Retrofit or rebuild older school buildings and athletic facilities that don't meet earthquake safety standards.
- Renovate or replace existing outdated physical education facilities and equipment.
- Reconstruct Varsity Football, Baseball, Softball, Soccer, and related facilities into a sports complex and athletic facilities that can be jointly used by students, youth sports teams and members of the community.
- Acquire/construct/repair instructional and athletic sites, facilities and equipment.



**COVENANTS OF THE BOARD UPON APPROVAL  
OF THE BONDS BY THE ELECTORATE**

As required by Article XIII A and Section 15272, if fifty-five percent (55%) of the voters of the District voting on the measure approve of the bonds, the Board hereby covenants to:

- (a) Conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the projects listed herein;
- (b) Conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for school facilities projects listed herein; and
- (c) Establish and appoint members to an independent citizens' oversight committee in accordance with sections 15278, 15280, and 15282, as may be amended from time to time.
- (d) Use the proceeds from the sale of the bonds only for the purposes specified in the bond measure and pursuant to Article XIII A, Section 1(b)(3) and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

The District Board has evaluated safety, class size reduction, and information technology needs in developing the list of projects to be funded as stated in this bond measure.

**STATE MATCHING FUNDS**

California Education Code section 15122.5 requires the following statement to be included in this sample ballot:

"Approval of this bond measure does not guarantee that the proposed projects in the Washington Unified School District that are the subject of bonds under this measure will be funded beyond the local revenues generated by this bond measure. The school district's proposal for certain of the projects assumes the receipt of matching state funds, which are subject to appropriation by the Legislature or approval of a statewide bond measure."

**EXHIBIT B**

**BOND MEASURE  
for  
WASHINGTON UNIFIED SCHOOL DISTRICT**

(Abbreviated Form)\*

<p>“To better prepare Washington Union High School students for college and quality jobs, shall Washington Unified School District upgrade technology in classrooms, job-training labs, and student-support facilities; modernize science labs; rehabilitate deteriorated roofs, plumbing, electrical, lighting, ventilation; improve safety; and acquire/construct/repair instructional and athletic sites, facilities and equipment; by issuing \$22,000,000 in bonds at legal interest rates, with independent citizen oversight, no administrators’ salaries, and all funds dedicated locally to Washington Union High School? ”</p>	<p>BONDS – YES</p>
	<p>BONDS – NO</p>

\* Limited to 75 words pursuant to California Elections Code section 13247.

*EXHIBIT C*

FORMAL NOTICE OF SCHOOL BOND ELECTION

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NOTICE IS HEREBY GIVEN to the qualified electors of the Washington Unified School District of Fresno County, California, that in accordance with the provisions of the Education Code of the State of California, an election will be held on November 6, 2012 within the District, at which election the following measure shall be submitted to the qualified electors of the District and voted upon:

“To better prepare Washington Union High School students for college and quality jobs, shall Washington Unified School District upgrade technology in classrooms, job-training labs, and student-support facilities; modernize science labs; rehabilitate deteriorated roofs, plumbing, electrical, lighting, ventilation; improve safety; and acquire/construct/repair instructional and athletic sites, facilities and equipment; by issuing \$22,000,000 in bonds at legal interest rates, with independent citizen oversight, no administrators’ salaries, and all funds dedicated locally to Washington Union High School?

Bonds - Yes

Bonds- No”

The bonds shall bear interest at an annual rate not exceeding the statutory maximum. The maturity of the bonds shall not exceed the maximum term allowed by law at the time of issuance (currently 25 years if issued under Education Code section 15140, or 40 years if issued under Government Code section 53508).

All of the purposes enumerated in the foregoing measure shall be united and voted upon as one single measure, with precincts, places of holding the elections and officers appointed to conduct the elections to be the same as those provided for the statewide presidential general election to be held on November 6, 2012 under the Notice of Election published \_\_\_\_\_.

This election has been called pursuant to a Resolution of the Board of Trustees of the Washington Unified School District, adopted on \_\_\_\_\_, 2012. The Elections Official of the County of Fresno hereby gives formal notice of the election in accordance with the provisions of Education Code Section 15120.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
County Clerk/Registrar of Voters  
Fresno County, California

**WASHINGTON UNIFIED SCHOOL DISTRICT  
FRESNO COUNTY, CALIFORNIA**

***TAX RATE STATEMENT***

An election will be held in the Washington Unified School District (the "District") on November 6, 2012, to authorize the sale of up to \$22,000,000 in bonds of the District to finance the school facilities as described in the proposition. If the bonds are approved, the District expects to sell the bonds in two series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds is 55 cents per \$100 (\$55 per \$100,000) of assessed valuation in fiscal year 2013-2014.
2. The best estimate of the tax which would be required to be levied to fund the bond issue during the first fiscal year after the sale of the last series of bonds is 55 cents per \$100 (\$55 per \$100,000) of assessed valuation in fiscal year 2016-2017.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue is 55 cents per \$100 (\$55 per \$100,000) of assessed valuation in fiscal year 2016-2017, among others.

The tax rate is expected to remain approximately level from year to year.

Voters should note that the estimated tax rates are based on the assessed value of taxable property on the County's official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on the need for construction funds and other factors, including the legal limitations on bonds approved by a 55% vote. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

WASHINGTON UNIFIED SCHOOL DISTRICT

By: \_\_\_\_\_  
Superintendent