

RESOLUTION NO. 2003-04-13

RESOLUTION OF THE BOARD OF TRUSTEES OF THE CITRUS COMMUNITY COLLEGE DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the “Board”) has determined that certain properties and equipment within the Citrus Community College District (the “District”), within Los Angeles County (the “County”) need to be acquired, constructed, improved, and equipped to enable the District to maintain Citrus College as a valuable community resource, to train local residents for higher-paying and skilled jobs, and to enhance the educational opportunities of the students in the District who desire to transfer to four-year colleges; and

WHEREAS, the Board has further determined that since many of the District’s facilities are over 40-years old, most classrooms, training facilities and infrastructure need to be upgraded and repaired to provide students with an educational environment that is technologically current and conducive to learning; and

WHEREAS, the Board has determined that the addition of new classrooms, computer science, technology courses, and instructional laboratories, the repair of older facilities, the improvement of electrical, lighting, ventilation and fire detection systems in existing classrooms, the increase of the number of available parking spaces, vocational training facilities, and the improvement of campus safety are among the highest priorities of the Board; and

WHEREAS, notwithstanding ongoing efforts to obtain sufficient facility money from the State of California (the “State”), the State has been unable to provide the District with enough money for the District to adequately renovate and improve Citrus College for all its students; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional funding for such facility, technology, and safety needs by means of a general obligation bond; and

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

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act (“Proposition 39”) which, as of its effective date, reduced the voter threshold for ad valorem tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a community college 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 which are contained in Proposition 39 and the Act; and

WHEREAS, the Board determines that the restrictions in Proposition 39 which prohibit any bond money to be used for administrator salaries and expenses be strictly enforced by a Citizens’ Oversight Committee; and

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

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; 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 March 2, 2004, and to request the Los Angeles County Registrar of Voters to perform certain election services for the District; and

WHEREAS, in the judgment of the Board, it is advisable to request the Los Angeles County Registrar of Voters to call an election pursuant to Proposition 39 on the question of whether general obligation bonds shall be issued and sold on behalf of the District for purposes set forth below.

NOW THEREFORE, THE BOARD OF THE CITRUS COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 and Government Code Section 53506, hereby requests the Los Angeles County Registrar of Voters to call an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount not to exceed \$121 million (the “Bonds”) shall be issued and sold to raise money for the purposes described in Exhibits “A” and “B” hereto.

Section 2. That the date of the election shall be March 2, 2004.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit “A” and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot proposition in Exhibit “A” is subject to the following requirements and determinations:

- (a) the proceeds of the sale of the Bonds shall only be used for the purposes set forth in the ballot measure and not for any other purpose, including teacher and administrator salaries and other college operating expenses;
- (b) that the Board, in establishing the projects set forth in Exhibit “B,” evaluated the safety, enrollment, class size and information technology needs of the District;
- (c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys get expended for the projects identified in Exhibit “B” hereto;
- (d) that the Board will 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 will cause the appointment of 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;
- (f) that the tax levy authorized to secure the bonds of this election shall not exceed Proposition 39 limits 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; and

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 et seq. and 15264 et seq. and Government Code Section 53506.

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

Section 6. That the Los Angeles County Registrar of Voters and the Los Angeles County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on March 2, 2004 within the District.

Section 7. That this Resolution shall stand as the “order of election” to the Los Angeles County Registrar of Voters to call an election within the boundaries of the District on March 2, 2004.

Section 8. That the Secretary of the Board is hereby directed to send a certified copy of this Resolution to each of the Los Angeles County Registrar of Voters no later than December 4, 2003.

Section 9. That the maturity of any Bonds issued pursuant to Section 15100 of the Education Code, and Bonds issued pursuant to Section 53506 of the Government Code shall not exceed the maturity limits set forth therein, respectively. The maximum interest

rate 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 10. 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 be made by any body or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

Section 11. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Los Angeles County is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Los Angeles County, such services to include the publication of a Formal Notice of School Bond Election, the inclusion of Exhibit B hereto in the voter pamphlet, and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 2nd day of December, 2003.

AYES: 5

NOES: 0

ABSENT: 0

ABSTENTIONS: 0

EXHIBIT A

Citrus College Job Training, Repair/Safety Measure: “To prepare local students for four-year colleges, train local residents for high-skilled jobs by:

Upgrading campus safety and security;

Expanding academic facilities, vocational technology, emergency medical training, nursing/dental classrooms, computer labs;

Repairing leaky roofs, deteriorating plumbing, sewer systems;

Repairing, acquiring, constructing, equipping buildings, science labs, sites,

shall Citrus Community College District issue \$121,000,000 in bonds, at legal rates, with **citizen oversight**, annual audits, no money for administrators’ salaries?”

Bonds - Yes Bonds - No

EXHIBIT B

FULL TEXT BALLOT PROPOSITION OF THE CITRUS COMMUNITY COLLEGE DISTRICT BOND MEASURE ELECTION MARCH 2, 2003

The following is the full proposition presented to the voters of the Citrus Community College District.

Citrus College Job Training, Repair/Safety Measure: “To prepare local students for four-year colleges, train local residents for high-skilled jobs by:

Upgrading campus safety and security;

Expanding academic facilities, vocational technology, emergency medical training, nursing/dental classrooms, computer labs;

Repairing leaky roofs, deteriorating plumbing, sewer systems;

Repairing, acquiring, constructing, equipping buildings, science labs, sites,

shall Citrus Community College District issue \$121,000,000 in bonds, at legal rates, with **citizen oversight**, annual audits, no money for administrators’ salaries?”

PROJECTS

The Board of Trustees of the Citrus Community College District has evaluated most urgent and critical facility needs, including safety issues, demands for health care job training, enrollment, and information technology needs in developing the scope of college facility projects to be funded, as outlined in the Citrus College Educational and Facilities Master Plan, incorporated herein, on file in the office of the Superintendent/President, and as shall be amended from time to time, including the following projects listed below.

In developing the scope of the projects, faculty, staff and students have prioritized key health and safety needs so the most critical needs Citrus College are addressed. The Board conducted independent facilities evaluations and received public input and review in developing the scope of college facility projects to be funded, as listed in the Educational and Facilities Master Plan, which was unanimously approved by the Board of Trustees. This input of faculty, community and business leaders concluded that if these needs were not addressed now, the problems would only get worse. They advised the Board of Trustees that it would be less expensive to upgrade and repair aging community college buildings and classrooms now, than in the future.

In preparing the Educational and Facilities Master Plan, the Board of Trustees made four important determinations:

- (i) Citrus College must provide facilities for academic programs for students who want to transfer to four-year colleges;

- (ii) In tough economic times it is critically important for Citrus College to provide facilities to re-train local people who want to expand their job skills;
- (iii) Citrus College must provide more classrooms for healthcare job training programs such as nursing, health occupations, dental hygiene, emergency medical care technicians, and medical assistant training to meet the increasing health care needs of the community; and
- (iv) Citrus College, as the oldest community college in Los Angeles County, must upgrade and repair its oldest buildings to include fire safety and security systems, new roofs, new plumbing and electrical wiring to comply with current codes and keep up with technology demands.

The expenditure of bond money on projects on the Project List is subject to tough financial accountability requirements. 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 in the Project List. No money can be spent on administrators' or staff salaries. By law, all funds can only be spent on repair and improvement projects specified. Funds must, by law, remain in the local community to benefit community residents and students.

PROJECT LIST

Repair, Renovate, and/or Replace Obsolete Classrooms, Labs, Instructional Facilities, Sites and Utilities:

Repair, renovate and/or replace deteriorating roofs, plumbing, sewer, old and inadequate restrooms, electrical, heating, ventilation and cooling systems, security systems, water lines and pumps, telecommunication systems, foundations, old boiler systems, gas lines, classrooms, laboratories, lecture halls, fields and grounds, science and math classrooms and other instructional facilities; wire classrooms for computers and technology, increase safety, increase energy efficiency, reduce fire hazards, reduce operating costs so more classes and job training can be offered, improve academic instruction and meet legal requirements for disabled access.

Safety Improvements:

Upgrade existing fire alarms, sprinklers, smoke detectors, intercoms and fire doors; install security systems, exterior/interior/classroom and walkway lighting, emergency lighting, door locks and fences.

Job and Career Training Projects:

Increase classrooms for auto and skilled vocational technology/engineering programs; upgrade/modernize nursing, emergency medical training and health care classrooms/labs; provide facilities for vocational counseling and job placement services for students.

Build and/or Expand Classroom Buildings and Facilities:

Increase classroom capacity for academic classes and job training, including nursing, emergency medical, dental care, teaching, engineering and advanced automotive technology, English, reading, laboratories, technology and information management instruction, academic counseling, college transfer, job training/placement and financial aid advisement centers, adult education centers, lecture/meeting/faculty/seminar rooms, recycling facility, computer hook-up and study areas, physical education facilities, field surface, educational development center, fine and performing arts classrooms and labs, and, relocate maintenance yard/buildings to free up needed classroom space.

Improve Access and Evacuation Routes:

To improve student safety, redesign campus road network to eliminate unsafe conditions, reduce gridlock, improve pedestrian safety and increase access for emergency vehicles, provide safer access for disabled students, expand drop-off areas.

Energy Efficiency Improvements:

Repair, replace, upgrade electrical, mechanical systems to make utility systems more efficient; replace old boiler and outdated energy systems, heating, ventilation, and air conditioning systems and related utility systems.

Improve Parking Conditions:

To relieve neighborhood traffic stress and provide safer, better-lighted parking areas, provide parking, restore surface lots, entrance pathways and lighting for safety.

Technology Upgrades/Computer Centers:

Expand technology and computer centers with high-speed Internet access and computer technology, create “smart classrooms” to improve distance learning; upgrade software and campus-wide technology; replace outdated equipment.

Listed building, repair, and rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, construction management, and a customary contingency for unforeseen design and construction costs. The allocation of bond proceeds will be affected by the District’s receipt of State bond funds and the final costs of each project. 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 are finalized, construction bids are awarded, and projects are completed.

The bond program is designed to provide facilities which will serve current and expected enrollment. In the event of an unexpected slowdown in enrollment of students at Citrus College certain of the projects described above will be delayed or may not be completed. In such case, bond money will be spent on only the most essential of the projects listed above. The District will work with the Citizens’ Oversight Committee to review bond expenditures and

communicate with the public in the event factors beyond the District's control require that projects be reconsidered.

FISCAL ACCOUNTABILITY. 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 college facilities, including the furnishing and equipping of college facilities, and not for any other purpose, including faculty and administrator salaries and other operating expenses.