

GARDEN GROVE UNIFIED SCHOOL DISTRICT
RESOLUTION No. 17

ORDERING AN ELECTION TO AUTHORIZE THE ISSUANCE OF SCHOOL BONDS,
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING
CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON JUNE 8, 2010

On a motion of Trustee _____, seconded by Trustee _____,

Resolution No. _____17_____ was adopted as follows:

WHEREAS, in the judgment of the Board of Education (the "Board") of the Garden Grove Unified School District (the "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 purpose of raising money for the acquisition and improvement of school facilities, 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 Education Code Section 15264 *et seq.* (the "Act"); and,

(continued)

PASSED AND ADOPTED THIS 10th day of March, 2010 by the Governing Board of the Garden Grove Unified School District of Orange County, California by the following vote:

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA
COUNTY OF ORANGE

I, Laura Schwalm, (secretary) of the Governing Board of the Garden Grove Unified School District of Orange County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the said Board at a Regular Meeting thereof held at its regular place of meeting at the time and by the vote above stated, which resolution is on file in the office of the said Board.

Secretary

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, June 8, 2010, and to request the Orange County Registrar of Voters to perform certain election services for the District.

NOW, THEREFORE, BE IT RESOLVED, the governing board resolves, determines and orders as follows:

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 \$250,000,000 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 election.

Section 2. Election Date. The date of the election shall be June 8, 2010, 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 stated therein, together with the accountability requirements of Article XIII A and Government Code Section 53410 and the requirements of Section 15272 of the Act. 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 her 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 Orange County Registrar of Voters.

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 Projects. As required by Article XIII A, the Board hereby certifies that it 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-1.

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-1;
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-1;
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 pursuant to Government Code Sections 53410 and 53411.

Section 7. Delivery of this Resolution. The Secretary of the Board is hereby directed to send a copy of this Resolution to the Orange County Superintendent of Schools, the Orange County Registrar of Voters (the "County Registrar") and the Orange County Clerk of the Board of Supervisors.

Section 8. Consolidation of Election. The County Registrar and the Orange County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on June 8, 2010, 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 Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Orange 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 Orange 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). The Registrar of Voters is hereby requested to print the Full Text of Measure attached hereto as Exhibit A and A-1 in the sample ballot booklet.

Section 11. Effective Date. This resolution shall take effect on and after its adoption.

* * * * *

CLERK'S CERTIFICATE

I, Laura Schwalm, Secretary of the Board of Education of the GARDEN GROVE UNIFIED SCHOOL DISTRICT, hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 17 adopted at a regular meeting place thereof on the 10th day of March, 2010, of which meeting all the members of said Board of Education had due notice and at which a majority thereof were present, and that at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

An agenda of said meeting was posted at least 72 hours before said meeting at and on the Education Center, 10331 Stanford Avenue, Garden Grove, one at and on La Quinta High School, 10372 McFadden Avenue, Westminster, and one at and on Pacifica High School, 6851 Lampson Avenue, Garden Grove, locations freely accessible to members of the public, and a brief general description of said resolution appeared on said agenda.

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in my office; that the foregoing resolution is a full, true and correct copy of the original resolution adopted at said board meeting and entered in said minutes; and that said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: March 10, 2010

Secretary of the Board of Education of the
GARDEN GROVE UNIFIED SCHOOL
DISTRICT

EXHIBIT A
BALLOT MEASURE
FULL TEXT OF MEASURE

This proposition may be known and referred to as the Garden Grove Unified School District General Obligation Bond of 2010, or Measure _____

FINDINGS

The Garden Grove Unified School District (the “District”), which provides educational services and opportunities to a diverse student population of over 50,000 in the communities of Garden Grove, Anaheim, Fountain Valley, Orange, Santa Ana, Stanton, and Westminster is dedicated to high academic achievement, in a scholarly and supportive environment, ensuring that all students are prepared to accomplish their goals in life.

Academic achievements have been accrued by the District as a result of the long history of Board leadership and in partnership with dedicated teachers, parents, and concerned community leaders. During its long history, the District has benefited from a community which supports its educational institutions by establishing high standards for achievement, while at the same time providing the means required to meet and even to surpass those expectations.

- Numerous Garden Grove USD schools have been recognized as California Distinguished Schools and Title I Achieving Schools
- Several schools have been honored as National Blue Ribbon Schools by the United States Department of Education.
- The District won the prestigious Broad Prize for Urban Education in 2004 distinguishing it as the top urban district in the nation.

BOND AUTHORIZATION

By approval of this proposition by at least 55 percent of the registered voters voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$250 million in aggregate principal at interest rates below the legal limit, to provide finance for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A-1, subject to all the accountability requirements specified below.

BOND PROJECT LIST

The Bond Project List attached to this resolution as Exhibit A-1 shall be considered a part of the ballot proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition.

Approval of this Bond Measure (the "Measure") does not guarantee that the proposed project or projects in the District that are the subject of bonds under the Measure will be funded beyond the local revenues generated by the Measure. If state matching funds become available, they will be used for and applied to the Bond Project List as per Exhibit A-1. The District's proposal for the project or projects assumes the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers in the District may be assured that their money will be spent wisely to address specific facilities needs of the District all in compliance with the requirements of Article XIII A, Section 1(b)(3), of the State Constitution and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following.)

Evaluation of Needs. An updated needs assessment of school facilities has been prepared and reviewed by the Board in order to evaluate and address all of the facilities requirements of the District and determine which projects to finance from a local bond at this time. The Board hereby certifies that it has evaluated safety, class size reduction, information technology needs modernization and repair, and energy management system needs in developing the Bond Project List contained in Exhibit A-1.

Independent Citizens' Oversight Committee. The Board shall establish an Independent Citizens' Oversight Committee pursuant to Education Code Section 15278 and following to ensure bond proceeds are expended only on the school facilities projects listed in Exhibit A-1. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board.

Performance Audits. The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A-1.

Financial Audits. The Board shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in Exhibit A-1.

Special Bond Proceeds Account: Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any

proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board annually stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine and may be incorporated in the annual budget, audit, or another appropriate routine report to the Board.

FURTHER SPECIFICATIONS

No Administrator Salaries. Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction and/or rehabilitation of school facilities including the furnishing and equipping of school facilities or acquisition or lease of real property for school facilities and construction and bond program management by district personnel, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

The proceeds of the bonds will be deposited into a Building Fund to be held by the Orange County Treasurer, as required by the California Education Code.

EXHIBIT A-1

PRIORITY SCHOOL PROJECTS LIST

The Board of Education of the Garden Grove Unified School District evaluated the District's urgent and critical facility needs, including safety issues, enrollment trends, class size, energy efficiency and computer technology, in developing the scope of priority projects to be funded. In developing the scope of projects, district staff working with federal and state agencies, architects and school construction experts, have determined the requirements for meeting key health and safety needs and code requirements, so that the most critical facility needs are addressed. The analysis of school facilities concluded that if these needs were not addressed now, the problem would only get worse. In approving this Priority School Projects List, the Board of Education makes five important determinations:

- (i) in repairing the districts 69 aging schools, priority shall be given to basic health and safety repairs, such as leaky roofs (to extend school buildings useful life), upgrading heating and ventilation and fire safety systems and access compliance requirements; and
- (ii) the District must aggressively apply for State matching funds and spend any local bond money exclusively on Garden Grove Unified schools and shall not allow bond monies to be transferred to the State or any other agency; and
- (iii) the District must upgrade classroom computer capacity and improve electrical wiring in classrooms to meet current and future curriculum requirements; and
- (iv) the District shall insist that all of its schools be healthy and safe from fire dangers, earthquake risks, and hazardous materials; and
- (v) the District must install and upgrade fire prevention, security and emergency response systems at every school so that all students are safe.

PRIORITY SCHOOL PROJECTS

Project costs for repair and renovation of existing school facilities may include, but are not limited to, some or all of the following: repair and replacement of heating and ventilation systems; renovation of student restrooms and plumbing systems; installation or upgrade of electrical system wiring to safely accommodate computers, technology and other electrical devices; repair and replacement of worn-out roofs, windows, walls and doors; repair and replacement of fire alarms, emergency communications and security systems; interior and exterior painting; repair of rubberized play apparatus surfaces; demolition; structural/seismic safety improvements as necessary; asbestos and mold abatement; improved access for people with disabilities; and, construction of various forms of storage and support space, upgrade classrooms, interior and exterior lighting, replace water and sewer lines and outdated security fences.

**EXHIBIT A-1
BOND PROJECT LIST**

Every school campus listed below within the Garden Grove Unified School District will receive Measure ___ bond funds to construct, reconstruct, modernize, and rehabilitate school facilities and school grounds pursuant to the State School Facilities Program (SFP) and district related needs consistent with Division of State Architect (DSA), California Department of Education (CDE), and Office of Public School Construction (OPSC) requirements. The following schools will be affected:

Allen Elementary School	Rosita Elementary School
Anthony Elementary School	Russell Elementary School
Barker Elementary School	Simmons Elementary School
Brookhurst Elementary School	Skylark Elementary School
Bryant Elementary School	Stanford Elementary School
Carrillo Elementary School	Stanley Elementary School
Carver Elementary School	Sunnyside Elementary School
Clinton Elementary School	Violette Elementary School
Cook Elementary School	Wakeham Elementary School
Crosby Elementary School	Warren Elementary School
Edgar Elementary School	Woodbury Elementary School
Eisenhower Elementary School	Zeyen Elementary School
Enders Elementary School	Alamitos Intermediate School
Evans Elementary School	Bell Intermediate School
Excelsior Elementary School	Doig Intermediate School
Faylane Elementary School	Fitz Intermediate School
Garden Park Elementary School	Irvine Intermediate School
Gilbert Elementary School	Jordan Intermediate School
Hazard Elementary School	Lake Intermediate School
Heritage Elementary School	McGarvin Intermediate School
Hill Elementary School	Ralston Intermediate School
Lawrence Elementary School	Walton Intermediate School
Marshall Elementary School	Jordan Special Learning Center
Mitchell Elementary School	Mark Twain Special Center
Monroe Elementary School	Bolsa Grande High School
Morningside Elementary School	Garden Grove High School
Murdy Elementary School	La Quinta High School
Newhope Elementary School	Los Amigos High School
Northcutt Elementary School	Pacifica High School
Paine Elementary School	Rancho Alamitos High School
Parkview Elementary School	Santiago High School
Patton Elementary School	Hare Continuation High School
Peters Elementary School	Lincoln Continuation High School
Post Elementary School	Chapman-Hettinga Education Center
Riverdale Elementary School	

All schools will benefit from repair, upgrade and construction projects at existing schools including health and safety upgrades as required, such as:

- Replace older HVAC (heating, ventilation, air conditioning) and lighting systems with building code compliant, energy efficient systems.
- Install technology infrastructure to provide teachers and students with improved access to educational information on the internet.
- Replace outdated plumbing and sewer systems to meet current codes.
- Install electrical wiring and power in classrooms and libraries to accommodate current and future phone access, computer and technology needs.
- Upgrade older schools so that all students will have comparable school facilities.
- Repair or replace unsafe flooring;
- Provide an outdoor lunch shelter so that students are not exposed to rain or heat when eating outside;
- Repair/replace deteriorating water main, sewer and drainage systems,
- Repair old, leaky school roofs.
- Repair or replace aging restrooms.
- Refresh classroom interiors, that may include painting, carpet/vinyl tile/asbestos abatement, white marker boards, and tackable surfaces where applicable.
- Federal and State-mandated Americans With Disabilities Act (ADA) accessibility upgrades including site access, parking, staff and student restrooms, relocation of some existing electrical devices, drinking fountains, playground equipment, etc.

Health and Safety Projects

All Garden Grove Unified schools will benefit from health and safety projects, such as:

- Make seismic safety upgrades to insure school buildings meet current standards as required by the Department of State Architect.
- Maintain/upgrade automatic fire alarm systems.
- Install/replace/upgrade security fencing and outdoor lighting.
- Replace/upgrade existing security systems.
- Install new security systems, as needed.
- Improve access for disabled persons as required by the Americans with Disabilities Act.
- Replace and or replace failing, cracked and buckled asphalt and surfaces in playground areas, classroom ramps and sidewalks.
- Upgrade seismic bracing for light fixtures.

- Reduce site drainage problems.
- Abate hazardous conditions (asbestos);

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, program management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed repair and construction projects stated above, the Priority School Projects List also includes the acquisition of a variety of instructional, maintenance and operational equipment, improvements to the District central office (parking improvements, bathroom, conference room and custodial upgrades) and the maintenance warehouse (parking, storage, window replacement, access compliance, trash enclosures, additional capacity, concrete wall repairs), the acquisition of land, the payment of the costs of preparation of all facility planning, facility assessment reviews, environmental studies and construction documentation, and temporary housing of dislocated District activities caused by bond projects. The allocation of bond proceeds will be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District will not be able to complete some of the projects listed above. Certain projects may be undertaken as joint use projects in cooperation with other local public agencies. 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. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. The District may elect to conduct its own site preparation and modification work using internal labor force in the best interest of the District for cost efficiencies. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

Fiscal Accountability. In accordance with Education Code Section 15272, the Board of Education will appoint a citizens' oversight committee and conduct annual independent audits to assure that funds are spent only on school and classroom improvements and for no other purpose. 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.

EXHIBIT B

**BALLOT MEASURE
(ABBREVIATED FORM)**

Garden Grove USD Safety and Repair Measure

To provide Garden Grove Unified School District students with competitive classrooms and school facilities, improve student health /safety, qualify for \$200,000,000 in State funds, shall Garden Grove Unified School District repair, renovate, acquire, construct and equip classrooms, sites, school facilities, make earthquake safety improvements, repair/replace aging roofs, plumbing, heating/ventilation systems, upgrade electrical wiring, fire, security equipment by issuing \$250,000,000 of bonds at legal rates, with mandatory audits, citizen oversight, and no money for administrators' salaries?