

RESOLUTION NO. #02 2425

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
SIERRA SANDS UNIFIED SCHOOL DISTRICT
ORDERING A SCHOOL BOND ELECTION,
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND
REQUESTING CONSOLIDATION WITH OTHER ELECTIONS
OCCURRING ON NOVEMBER 5, 2024**

WHEREAS, the Sierra Sands Unified School District (the “District”) is a unified school district, serving students in transitional kindergarten through 12th grade, duly organized under the laws of the State of California;

WHEREAS, the District believes in engaging all learners;

WHEREAS, some District facilities are over 70 years old and need critical repairs to provide a safe, healthy learning environment for all students;

WHEREAS, to learn about the community’s concerns and priorities, in particular with respect to school facilities needs, the District sought to engage residents, parents, teachers, staff, and community leaders;

WHEREAS, the District’s community is concerned about ensuring school safety; effectively preparing schools for earthquakes; fixing or replacing leaky roofs, doors, and windows; utilizing opportunities for United States Department of Defense matching funds; replacing deteriorating plumbing, electrical, heating, and cooling systems; and expanding facilities to support programs in reading and literacy for the youngest learners;

WHEREAS, the community expressed a strong interest in the District’s plan to qualify the District to receive over \$100 million in funding from the United States Department of Defense that would not otherwise be available without the District paying 20% matching funds, allowing the District to build a new elementary school in the most fiscally responsible manner;

WHEREAS, schools with updated teaching and learning technology environments help to attract and retain quality teachers during California’s teaching shortage;

WHEREAS, the State of California (the “State”) has been unable to provide the District with enough funding to adequately construct, maintain, and repair its school facilities to provide critical and safe learning environments for all students;

WHEREAS, in addition to engaging with the community, the Board of Education (the “Board”) of the District has received information about a potential general obligation bond measure to provide funding for school facilities to achieve the goals and priorities described herein;

WHEREAS, the Board is authorized, upon a two-thirds vote of the Board, to pursue the authorization and issuance of general obligation bonds by a 55% vote of the electorate on the question of whether bonds of the District shall be issued and sold for specified purposes, under Article XIII A Section 1 paragraph (b) of the California Constitution (“Article XIII A”) and under

the Strict Accountability in Local School Construction Bonds Act of 2000 at Education Code Section 15264 *et seq.* (the “Strict Accountability Act”);

WHEREAS, under Section 10403 *et seq.* of the California Elections Code, it is appropriate for the Board to request consolidation of a general bond obligation election with any and all other elections to be held on Tuesday, November 5, 2024, and to request the Kern County Registrar of Voters and the San Bernardino County Registrar of Voters (together, the “County Registrars”) to perform certain election services for the District; and

WHEREAS, for the reasons stated above to address the priorities of the community and the school facility needs of the District, the Board deems it necessary and advisable to call a general obligation bond election to submit to the electors of the District the question of whether District bonds shall be issued and sold for the purpose of raising money 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 of the District, consistent with Article XIII A, the Strict Accountability Act, and this Resolution.

NOW, THEREFORE, be it resolved by the Board of Education of the Sierra Sands Unified School District, Kern and San Bernardino Counties, California, as follows:

Section 1. Election Order. 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 of \$42,000,000 for the purposes described in the ballot measure approved under Section 3 and attached hereto as Exhibit A and Exhibit B, and paying costs incident thereto. This Resolution constitutes the order of the District to call such election and shall constitute the “specifications of the election order” pursuant to Education Code Section 5322.

Section 2. Authority for the Election; Election Date. Pursuant to Education Code Sections 5304 and 5322, the Strict Accountability Act, and Article XVI, Section 18(b) of the California Constitution, an election shall be held within the boundaries of the District on November 5, 2024.

Section 3. Purpose of Election; Ballot Measure. The purpose of the election shall be for the voters in the District to vote on a measure, a full copy of which is attached hereto as Exhibit A and marked “Exhibit A, Ballot Measure, Full Text of the Measure” (the “Full Text of the Measure”), 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 Strict Accountability Act. The Full Text of the Measure, which commences with the heading “Ballot Measure, Full Text of the Measure” and includes all of the text thereafter on Exhibit A, shall be printed in the voter information pamphlet provided to voters, with such measure designation as is assigned to the measure by the County Registrars. As required by Elections Code Section 13247 and Education Code Section 5322, the abbreviated form of the measure to appear on the ballot is attached hereto as Exhibit B and is marked as “Exhibit B, Ballot Measure, Abbreviated Form” (the “Abbreviated Ballot Measure”).

Section 4. Use of Bond Proceeds.

a. Proceeds from the sale of the bonds may be used only for the purposes specified in Article XIII A, section 1(b)(3) of the California Constitution.

b. The projects that may be funded from proceeds from the sale of bonds (the “Projects”) are listed in the Full Text of the Measure.

Section 5. Accountability Requirements.

a. Pursuant to Article XIII A, section 1(b)(3), the Board hereby certifies that it has evaluated safety, class size reduction, and information technology needs in developing the list of Projects.

b. Pursuant to Article XIII A, section 1(b)(3), the Board shall conduct an annual, independent performance audit to ensure that the bond funds have been expended only on the specific Projects listed in the Full Text of the Measure.

c. Pursuant to Article XIII A, section 1(b)(3), the Board shall conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of the proceeds have been expended for the Projects listed in the Full Text of the Measure.

d. As required by Government Code section 53410, (1) the specific purpose of the bonds is set forth in the Full Text of the Measure, (2) the proceeds from the sale of the bonds will be used only for the purposes specified in the measure, (3) the proceeds of the bonds, when and if issued, will be deposited and held with the Kern County Treasurer, and (4) an annual report shall be filed with the Board as set forth in subsection (e) below.

e. Pursuant to Government Code section 53411, the Superintendent and/or the Assistant Superintendent of Business & Support Services of the District shall file an annual report to the Board containing the amount of funds collected and expended as well as the status of the Projects authorized in the Full Text of the Measure. The District’s adopted budget or Audit Report will suffice for this purpose.

f. Pursuant to the Strict Accountability Act, if a citizens’ oversight committee has not already been established for the bonds, within 60 days of the date the Board enters the election results on its minutes, the Board will appoint a citizens’ oversight committee to review and report on the proper expenditure of taxpayers’ money for school construction.

Section 6. Vote Required. Pursuant to Section 18(b) of Article XVI and Section 1 of Article XIII A of the California Constitution, the bond measure shall become effective only upon affirmative vote of fifty-five percent (55%) of those voters voting on the measure.

Section 7. Delivery of this Resolution; County Registrars of Voters to Call and Conduct Election. The Superintendent, or her designee, is hereby directed to deliver a copy of this Resolution, along with the Tax Rate Statement described in Section 9 below and attached hereto as Exhibit C to (1) the County Registrars, (2) the Superintendent of Schools of Kern County,

and (3) the Clerk of the Board of Supervisors of Kern County and the Clerk of the Board of Supervisors of San Bernardino County, by no later than August 9, 2024.

Pursuant to Section 5303 of the Education Code, the County Registrars are hereby requested to take all steps to prepare for and hold the election within the boundaries of the District in accordance with law and these specifications.

Section 8. Consolidation with Other Elections. Pursuant to Sections 5342, 15121, and 15266 of the Education Code and Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the County Registrars and the Board of Supervisors of Kern County and the Board of Supervisors of San Bernardino County (the “Boards of Supervisors”) are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 5, 2024 within the District. Pursuant to Section 10403 of the Elections Code, the Board hereby acknowledges that the consolidated election will be held and conducted in the manner prescribed by Section 10418 of the Elections Code.

Section 9. Services of County Registrars of Voters. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Boards of Supervisors are requested to permit the County Registrars to render all services incident to the preparation for and holding of the election, for which services the District agrees to reimburse Kern County and San Bernardino County (together, the “Counties”) in full from District funds upon presentation of an invoice from the Counties, such services to include the publication of a formal notice of school bond election and the mailing of the Full Text of the Measure, the Abbreviated Measure, and the tax rate statement (described in Elections Code Section 9401) (the “Tax Rate Statement”). The Board hereby requests the County Registrars to publish in the ballot materials, the Full Text of the Measure, the Abbreviated Ballot Measure, and the Tax Rate Statement attached hereto as Exhibits A, B and C, respectively.

Section 10. Canvass of Returns. The Boards of Supervisors are authorized to canvass the returns of the election pursuant to Section 10411 of the Elections Code.

Section 11. State Matching Funds. Some of the Projects may require state matching funds for completion. Approval of the District’s bond measure does not guarantee that the proposed Projects will be funded beyond the local revenues generated by this bond measure. The District’s completion of some of the Projects may depend on receipt of State funds.

Section 12. Encumbrance of Bond Funds. For the purpose of making bond funds unavailable as rent within the meaning of Education Code section 17032, the Board hereby encumbers all funds to be generated by the sale of the bonds in order to pay for the acquisition and construction of the Projects authorized by the ballot measure.

Section 13. Official Intent to Reimburse Expenditures. The District intends to undertake the acquisition, construction, renovation, furnishing, and equipping of the Projects as described in the Full Text of the Measure. The District intends to use the proceeds of its bonds described in this Resolution to finance the Projects. The District may pay certain capital expenditures (the “Reimbursement Expenditures”) in connection with the Projects prior to the issuance of the bonds. The bonds, in the amount of \$42,000,000 will be issued for the purpose of

financing the Projects on a long-term basis and certain of the proceeds of such debt obligations may be used to reimburse the District for certain expenditures.

The Board hereby declares the District's official intent to use a portion of the proceeds of the bonds to reimburse the District for the Reimbursement Expenditures. The foregoing statement is a declaration of official intent that is made under and only for the purpose of establishing compliance with the requirements of Treasury Regulations section 1.150-2.

Section 14. General Authorization with Respect to the Bond Measure and with Respect to this Resolution. The members of the District's Board, the Superintendent and the other officers of the District are hereby authorized and directed, individually and collectively, without further review and action by the Board, to do any and all things, to prepare, execute, and deliver any and all agreements and documents they deem necessary or advisable in order to effectuate the purposes of this Resolution and to perform all acts necessary to place the bond measure on the ballot, including, without limitation, to prepare and submit for inclusion in the voter information pamphlet an argument in favor of passage of, a list of supporters of, and a rebuttal to any argument against the ballot measure, making any changes to this Resolution, the Full Text of the Measure, the Abbreviated Ballot Measure, or the Tax Rate Statement (hereinafter the "Ballot Documents").

In the event of any such modifications to the Ballot Documents, the Superintendent and the other officers of the District are hereby further authorized to supplement or replace the original versions of such documents with the versions modified pursuant hereto. Such modified versions shall thereafter be deemed to constitute the final, complete and approved version of the Ballot Documents, for all intents and purposes, including for delivery of the Ballot Documents to the County Registrars and other parties set forth in Section 7 above and for publication of the ballot materials set forth in Section 9 above. All actions heretofore taken by the officers and agents of the District that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

Section 15. Effective Date. This Resolution shall take effect immediately upon its adoption.

[Signature Page Follows]

PASSED AND ADOPTED by the Board of Education of the Sierra Sands Unified School District, Kern and San Bernardino Counties, State of California, July __, 2024, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

**SIERRA SANDS UNIFIED
SCHOOL DISTRICT**

William Farris
President of the Board of Education

ATTEST:

April Moore, Ed. D.
Secretary of the Board of Education

EXHIBIT A
BALLOT MEASURE
FULL TEXT OF THE MEASURE

Upon the passage of Measure __, the Sierra Sands Unified School District (the “District”) shall be authorized to issue bonds in the aggregate amount of \$42,000,000 (the “Bonds”), bearing interest at rates not exceeding the statutory limit, for the purpose of funding the school facilities projects listed below (the “Projects”) at the District’s school sites and properties, subject to the accountability safeguards set forth below.

Bond Accountability Measures

At its July __, 2024 meeting, the Board of Education (the “Board”) of the District certified that it evaluated safety, class size reduction, and information technology needs in developing the list of the Projects (the “Bond Project List”) set forth below. The proceeds of the Bonds shall be used only for the Projects identified in the Bond Project List below, and not for any other purpose (i.e., teacher and administrative salaries and other school operating expenses).

The proceeds of the Bonds will be accounted for separately. The Board is bound to conduct financial and performance audits annually to account for the Bond funds and to assure that funds have only been expended on the specific Projects authorized. There will be public disclosure of all expenditures of Bond proceeds.

The Board will appoint members to a citizens’ oversight committee having a minimum of seven members and including at least one member active in a business organization representing the business community located within the District, one member active in a senior citizens’ organization, one member active in a bona fide taxpayers’ organization, one member who is the parent or guardian of a child enrolled in the District, and one member who is both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization.

Proceeds from the sale of Bonds authorized by this measure shall be used only for the construction, reconstruction, rehabilitation, or replacement, along with related costs, of school facilities as set forth herein, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses. Proceeds from the sale of Bonds authorized by this measure shall be deposited with the Kern County Treasurer as required by the California Education Code.

Bond Project List

This Bond Project List, which is an integral part of this proposition, describes the specific Projects the District proposes to finance with proceeds of the Bonds.

The Board of the District is committed to “Engaging All Learners” by upgrading local schools; improving school safety; ensuring all schools are prepared for earthquakes; fixing or replacing leaky roofs, doors, and windows; updating science, technology, engineering, and math

classrooms; and utilizing opportunities to qualify for United States Department of Defense matching funds. To achieve these goals and develop this Bond Project List, the Board evaluated its critical facility needs (including safety, class size reduction, and information technology) and sought input from the public, teachers, staff, and parents.

In order to meet all identified facilities needs, the District intends to complete the Projects using a combination of funding sources. These sources may include joint-use funds, development impact fees, state funds, federal funds, and other available funds. The District will pursue state matching funds if and when they become available, and if received, they will be used for and mainly applied to Projects on this Bond Project List or other high priority capital outlay expenditures as permitted in Education Code section 17070.63(c).

Specific Projects which may be funded by the Measure __ include, without limitation, the following:

Community priorities:

- Ensure school safety
- Ensure all schools are prepared for earthquakes
- Fix or replace leaky roofs, doors, and windows
- Utilize opportunities for United States Department of Defense matching funds
- Replace deteriorating plumbing, electrical, heating, and cooling systems
- Expand facilities to support programs in reading and literacy for the youngest learners

Tier 1 Funding Priorities for School Site Facilities

- Rebuild, reconstruct, and equip Vieweg Elementary School
- Update, upgrade, renovate, and repair Pierce Elementary School
- Update, upgrade, and renovate classrooms and labs for 21st century learning
- Update, upgrade, renovate, and repair Inyokern Elementary School

Tier 2 Funding Priorities for School Site Facilities

- Upgrade, update, and renovate door locks and gates at all school sites
- Upgrade, update, and renovate student transportation safety measures
- Upgrade, update, renovate, and repair security measures and fencing at Burroughs High School

- Update and renovate traffic flow and drop-off lane at Murray Middle School
- Update and renovate Burroughs High School Football Stadium

Bond Program Management Costs

Project expenditures may also include:

- Staffing and other Bond Project management costs, whether outsourced or performed by District staff, for performing work on or necessary and incidental to the Projects and the Bond Program, such as planning and permitting, construction management, legal, accounting, and performance and financial audit costs.
- Financial reserve for unforeseen or unpredictable inflation or supply demand costs.
- Program reserve for unanticipated scope costs or for unanticipated opportunities to enhance project scope or schedules consistent with authorized Projects.

For any of the Projects, with respect to construction at an existing District site, the District is authorized to identify an alternate site and/or acquire land for such purpose and construct the approved Project at such site if the District has determined that the existing site does not satisfy the requirements of the Division of State Architect or other state laws, codes, and regulations, including, but not limited to hazardous substances, applicable to school district properties.

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 and construction documents are finalized, construction bids are received, construction contracts 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. The allocation of Bond proceeds may also be affected by the final costs of each Project.

Necessary site preparation/grading/restoration may occur in connection with new construction, reconstruction, modernization, renovation, upgrading, rehabilitation or replacement, furnishing and equipping, including ingress and egress, removing, replacing or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, leases, licenses, or rights of way to the property and are authorized Project costs.

Additional Specifications

Bond Projects will be completed only as feasible, and may be delayed or not completed depending on the final costs of each Project. It is the intent of the Board to complete the Projects listed under Tier 1 above before completing any Projects listed under Tier 2. Notwithstanding such intent, prioritization among improvements on the Bond Project List within each tier and between each tier remains within the discretion of the Board by subsequent action. The Projects may be completed at any and all school or District sites where such Project is determined necessary. If the Board determines that it is economically feasible and more cost-effective, buildings, fixtures, and equipment may be demolished and replaced or reconstructed rather than modernized, renovated, repaired, or upgraded. Each Project is assumed to include its share of costs of the election and

bond issuance, architectural, engineering, and similar planning costs, construction management, bond project staff, staff training expenses associated with new bond-funded equipment and systems, and a customary contingency for unforeseen design and construction costs. In addition to the Projects listed above, the Bond Project List also includes the acquisition of land, instructional, maintenance and operational furniture and equipment, payment of the costs of preparation of all facilities planning and project implementation studies, feasibility and assessment reviews, master planning, environmental studies (including environmental investigation, remediation, and monitoring), design and construction documents, temporary housing for dislocated programs or activities caused or necessitated by construction projects, and construction, repairs, and improvements in the event of unforeseen design and construction matters, unforeseen emergencies or other circumstances in order to permit the continuance of existing educational services or to avoid danger to life or property.

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Section 15100 of the Education Code, and all the enumerated purposes shall constitute the specific single purpose of the Bonds and proceeds of the Bonds shall be spent only for such purpose.

Other Terms of the Bonds. When sold, the Bonds shall bear interest at an annual rate not exceeding the statutory maximum. The Bonds may be issued and sold in several series, and in accordance with a plan of finance determined by the Board pursuant to requirements of law.

Project Requiring State Matching Funds. Approval of Measure ___ does not guarantee that the proposed District Projects that are the subject of Bonds under Measure ___ will be funded beyond the local revenues generated by Measure ___. Some of the District's Projects may assume the receipt of state matching funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

EXHIBIT B
BALLOT MEASURE
ABBREVIATED FORM*

Sierra Sands Unified School District Repairs/ Safety Measure.

To retain teachers/ maintain quality local schools by upgrading older schools; ensuring school safety/ earthquake preparedness; fixing/ replacing leaky roofs, windows, plumbing; updating science, technology, engineering, math classrooms; qualifying for United States Department of Defense matching funds, shall Sierra Sands Unified School District's measure be adopted issuing \$42,000,000 in bonds at limited interest rates, levying 6¢ per \$100 assessed valuation (\$3,100,000 annually) while bonds are outstanding, no money for administrators' salaries, requiring audits/ citizens oversight, all funds staying local?

Bonds—Yes

Bonds—No

**As required pursuant to Education Code Section 5322 and Elections Code Section 13247.*

EXHIBIT C

TAX RATE STATEMENT SIERRA SANDS UNIFIED SCHOOL DISTRICT

An election will be held in the Sierra Sands Unified School District (the “District”) on November 5, 2024, to authorize the sale of up to \$42,000,000 in bonds (the “Bonds”) of the District to upgrade local schools; improve school safety; ensure all schools are prepared for earthquakes; fix or replace leaky roofs, doors, and windows; update science, technology, engineering, and math classrooms; and utilize opportunities to qualify for United States Department of Defense matching funds, with citizen oversight, independent audits, no money for administrators’ salaries, and all money staying local.

If the Bonds are authorized and sold, debt service thereon 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. It is anticipated that the District will sell the Bonds in multiple series.

1. The best estimate of the average annual tax rate that would be required to be levied to fund this Bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of filing of this statement, is \$59.47 per \$100,000 (5.947¢ per \$100) of assessed valuation. The final fiscal year in which the tax is anticipated to be collected is 2053-54.

2. The best estimate of the highest tax rate that would be required to be levied to fund this Bond issue, based on assessed valuations available at the time of filing of this statement, is \$59.89 per \$100,000 (5.989¢ per \$100) of assessed valuation which would first occur in fiscal year 2025-26.

3. The best estimate of total debt service, including principal and interest, that would be required to be repaid if all the Bonds are issued and sold is \$89,943,939.

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. Such projections and estimates are provided for informational purposes only and are not maximum amounts or limitations on the terms of the Bonds, tax rate, or duration of the tax supporting repayment of issued Bonds. The actual tax rates, the years in which they will apply, and the final term of each series of Bonds 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 Kern and San Bernardino County Assessors in the annual assessment and the equalization process.

Dated: _____, 2024

April Moore, Ed.D.
Superintendent
Sierra Sands Unified School District

CERTIFICATION

I, April Moore, Ed.D., Secretary of the Board of Education of the Sierra Sands Unified School District, Kern and San Bernardino Counties, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly approved and adopted by the Board of Education of the District at a meeting held on July __, 2024, of which meeting all the members of the Board of Education had due notice and at which a majority thereof were present, and that at the meeting the resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

An agenda for the meeting was provided in advance of the meeting, as required by law, to all members of the Board of Education and to all media outlets that have requested notification. Further the agenda was posted in advance of the meeting, as required by law, at the District, at 113 W. Felspar Avenue, California 93555, a location freely accessible to members of the public, and a brief description of the resolution appeared on the agenda.

I have carefully compared the foregoing resolution with the original minutes of the meeting on file and of record in my office, and the foregoing is a full, true, and correct copy of the original resolution adopted at the meeting and entered in the minutes.

Dated: _____, 2024

April Moore, Ed.D.
Secretary of the Board of Education
Sierra Sands Unified School District