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By \_\_\_\_\_

**RESOLUTION NO. 14-10**

**BY THE GOVERNING BOARD OF THE  
SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT  
STATE OF CALIFORNIA**

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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  
OTHER ELECTIONS OCCURRING ON NOVEMBER 4, 2014**

**WHEREAS**, in the judgment of the Board of Trustees (the "Board") of San Mateo County Community College District (the "District"), located in the County of San Mateo (the "County"), it is advisable to call an election to submit to the electors of the District the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the acquisition and improvement of real property, and the furnishing and equipping of school facilities of the District; 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 of whether bonds of the District shall be issued and sold for specified purposes, pursuant to Article XIII A Section 1 paragraph (b) of the California Constitution ("Article XIII A") and pursuant to Education Code Section 15264 *et seq.* (the "Act"); and

**WHEREAS**, under the Act, the election may be ordered at a primary or general election, a regularly scheduled local election at which all of the electors of the District are entitled to vote, or a statewide special election; and

**WHEREAS**, a statewide general election will be held in the District on November 4, 2014; and

**WHEREAS**, pursuant to Section 10403 *et seq.* of 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, November 4, 2014, and to request the San Mateo County Registrar of Voters to perform certain election services for the District;

**NOW, THEREFORE, THE BOARD OF TRUSTEES OF SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER 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 (the "Bonds") shall be issued and sold in the maximum principal amount of \$388,000,000 for the purposes described in the ballot measure approved under Section 3 and attached hereto as Exhibit A (Ballot Measure - Full Text of Measure) and Exhibit B (Ballot Measure - Abbreviated Form), 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. Election Date.** The date of the election shall be November 4, 2014, 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 – Ballot Measure – Full Text of 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 Act. The Full Text of the Measure, which commences with the heading "FULL TEXT OF 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.

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 and marked as Exhibit "B" and is marked as "Exhibit B – Ballot Measure – Abbreviated Form." The Chancellor or his designee is hereby authorized and directed to make any changes to the text of the measure (full text and/or abbreviated measure) as required to conform to any requirements of Article XIII A, the Act or the San Mateo 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 1, 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 and information technology needs in developing the list of school facilities projects set forth on Exhibit A.

**Section 6. Covenants of the Board upon Approval of the Bonds by the Electorate; Accountability Measures.** As required by Article XIII A, Section 15278 of the Act and Government Code Section 53410, in the event fifty-five percent (55%) of the voters in the District approve the issuance of the Bonds, the Board shall:

- (1) conduct an annual, independent performance audit to ensure that the Bond proceeds have been expended only on the projects listed in Exhibit A;
- (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;
- (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 proceeds of the Bonds only to the specific purposes stated in the ballot proposition;
- (5) cause creation of accounts into which proceeds of the Bonds 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 Clerk of the Board is hereby directed to send a copy of this Resolution to (1) the San Mateo County Registrar of Voters (the "County Registrar") and (2) the Clerk of the Board of Supervisors of the County. Pursuant to Education Code Section 5322, the Resolution shall be received by the County Registrar no later than 88 days prior to the election date, unless otherwise permitted by law.

To the extent required by applicable law, the County Registrar is hereby requested to print the full text of the ballot measure in the ballot materials as it appears on Exhibit A hereto and to publish the Notice of School Bond Election in a newspaper of general circulation within the District.

**Section 8. Consolidation of Election.** The County Registrar and the San Mateo County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 4, 2014, within the District. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of San Mateo County is requested to permit the County Registrar to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse San Mateo County in full from District funds upon presentation of a bill from the County, such services to include the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code).

**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 Chancellor, 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. Maturity Limit of Bonds.** The Bonds may be issued in series by the District from time to time. The Bonds shall be issued under the Act, under the provisions of Section 53506 et seq. of the California Government Code, if lawfully available to the District, or under any other provision of law authorizing the issuance of general obligation bonds by community college districts. No series of Bonds shall be issued if such issuance would cause the maximum interest rate on any Bond to exceed the maximum rate allowed by applicable law, the final maturity date to exceed the maximum maturity date allowed by applicable law, or the tax rate levied to pay debt service on all of the outstanding Bonds to exceed the limits set forth in Section 15268 of the Act when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution, based on projections made by the District at the time of issuance of such series of Bonds.

**Section 11. Engagement of Professional Services.** The Chancellor is authorized and directed to execute the agreement on file with the law firm of Jones Hall, A Professional Law Corporation, which firm is hereby appointed to perform bond counsel and disclosure counsel services in connection with the Bonds.

**Section 12. Effective Date.** This resolution shall take effect on and after its adoption.

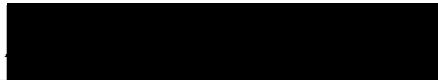
\* \* \* \* \*

PASSED AND ADOPTED this 23rd day of July, 2014, by the following vote:

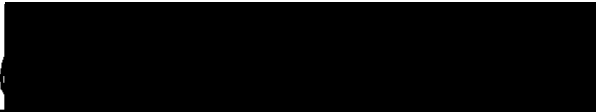
AYES: Richard Holober  
Dave Mandelkern  
Patricia Miljanich  
Thomas Mohr  
Karen Schwarz

NOES: 0

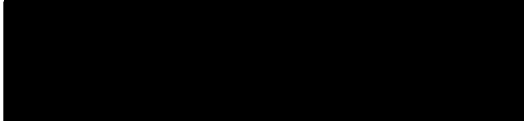
ABSENT: 0

  
\_\_\_\_\_  
Karen Schwarz  
President of the Board of Trustees of  
San Mateo County Community College District  
San Mateo County, California

ATTEST:

  
\_\_\_\_\_  
Patricia Miljanich  
Vice President-Clerk of the Board of Trustees of  
San Mateo County Community College District,  
San Mateo County, California

I, Patricia Miljanich, Vice President-Clerk of the Board of Trustees of San Mateo County Community College District, San Mateo County, California, do hereby certify that the foregoing is a full, true and correct copy of the Resolution passed and adopted by said Board of Trustees at a regular meeting on the 23rd day of July, 2014, and that the minutes of said Board of Trustees shows that five (5) members of said Board voted for and zero (0) members of said Board voted against the adoption of said Resolution and the said Resolution is now spread upon the minutes of said Board.

  
\_\_\_\_\_  
Patricia Miljanich  
Vice President-Clerk of the Board of Trustees of the  
San Mateo County Community College District  
San Mateo County, California

**EXHIBIT A**

**BALLOT MEASURE  
FULL TEXT OF MEASURE**

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To prepare College of San Mateo, Cañada College and Skyline College students for universities and high-demand jobs; modernize math and science classrooms and labs; upgrade computer, biotechnology and job training facilities; upgrade access for disabled students; ensure classrooms meet earthquake, fire and safety requirements; and replace aging infrastructure with energy efficient systems, shall San Mateo County Community College District issue \$388,000,000 in bonds within legal limits, with annual independent audits, Citizen's Oversight and all proceeds benefiting your local community colleges?

Bonds—Yes

Bonds—No

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**District Description**

For nearly 100 years, College of San Mateo, Cañada College and Skyline College have provided postsecondary education for the residents of San Mateo County. Today, more than 40,000 students annually receive transfer and career/technical education as well as basic skills instruction that prepare students for college-level work. The College District encompasses 550 acres and more than 1.6 million square feet of classrooms, labs and other instructional space. Financing the following projects will support transfer education and job training in programs such as nursing, engineering, health sciences, biotechnology, and clean energy, and help to ensure that there are quality, affordable college options for students transferring to four-year colleges or seeking jobs in the local community.

**Bond Authorization**

By approval of this proposition by at least 55 percent of the registered voters voting on the measure, the District will be authorized to issue and sell bonds of up to \$388,000,000 in aggregated principal at interest rates not in excess of the legal limit and to provide financing for the specific school facilities projects listed in the Bond Project List described below, subject to all the accountability requirements specified below.

The Bonds may be issued under the provisions of the California Education Code (starting at Section 15100), under the provisions of the California Government Code (starting at Section 53506), or under any other provision of law authorizing the issuance of general obligation bonds by community college districts. The Bonds may be issued in series by the District from time to time, and each series of Bonds shall mature within the legal limitations set forth in the applicable law under which the Bonds are issued.

**Accountability Requirements**

The provisions in this section are specifically included in this measure in order that the voters and taxpayers in the District may be assured that their money will be spent wisely. Expenditures to address specific facilities needs of the District will be 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. The Board of Trustees of the District (the “Board of Trustees”) has identified detailed facilities needs of the District and has determined which projects to finance from a local bond at this time. The Board of Trustees hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List shown below.

Independent Citizens’ Oversight Committee. The Board of Trustees shall establish an Independent Citizens’ Oversight Committee under Education Code Section 15278 and following to ensure that bond proceeds are expended only on the school facilities projects listed below. The committee will be established within 60 days of the date when the results of the election appear in the minutes of the Board of Trustees.

Performance Audits. The Board of Trustees shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed below.

Financial Audits. The Board of Trustees shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the project list described below.

Expenditure of Bond Proceeds; Annual Report. The College District’s Board of Trustees has committed as follows in order to assure the College District’s voters and taxpayers that the bond proceeds will be spent wisely to address specific needs of the College District: (1) to apply the proceeds of the bonds only to the specific purposes stated in the ballot proposition; and (2) to cause creation of accounts into which proceeds of the Bonds will be deposited; and (3) the chief fiscal officer of the District will cause an annual report to be filed with the Board of Trustees, the first report to be filed not later than one year after the issuance of the first series of the bonds, which report will contain pertinent information regarding the amount of funds collected and expended, as well as the status of the projects listed in this measure, as required by applicable California law.

### **Further Specifications**

No Administrator Salaries. Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation or replacement of school facilities including the furnishing and equipping of school facilities or 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.

## **BOND PROJECTS LIST**

As required by the California Constitution, the proceeds from the sale of the bonds 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 specific school facilities projects to be funded are as follows, and include all related and incidental costs, including costs of design, engineering, architect and other professional services, site preparation, utilities, landscaping, incidental costs, and construction management (including construction management by District personnel).

The District intends to complete the following projects, using a combination of funding sources. Other anticipated sources include State funding, private donations, interest on investments, reimbursements from other agencies, and available capital facility funds.

Whenever specific items are included in the following list, they are presented to provide examples and are not intended to limit the generality of the broader description of authorized projects. The order in which particular projects are listed is not intended to indicate priority for funding or completion

### **MODERNIZATION AND CONSTRUCTION**

- Prepare students for high-demand 21st century jobs by constructing and upgrading classrooms, labs and job training facilities
- Modernize or construct science, engineering and math classrooms and labs
- Update campus facilities to improve access for disabled students
- Modernize decades-old aging infrastructure including leaking roofs and deteriorating electrical, plumbing and mechanical systems
- Provide adequate classrooms and labs for nursing, radiologic technology, respiratory therapy, surgical technology, dental assisting and other health service programs
- Remove hazardous materials, including asbestos, from College facilities
- Upgrade computer labs and classroom technology to support quality teaching and learning
- Improve classrooms and educational facilities to meet earthquake, fire and safety codes
- Modernize or construct classrooms and other facilities for workforce training; multidisciplinary academic areas; kinesiology; physical training; public safety; early-childhood education; and for humanities, social sciences and fine and performing arts activities
- Replace aging heating, ventilation and air conditioning infrastructure with energy-efficient systems
- Reduce operating costs and preserve the environment by installing renewable and alternative energy systems
- Renovate or construct interior and exterior instructional and support facilities
- Install security, video and communications systems to improve safety at the Colleges
- Repair or replace furniture, fixtures and finishes throughout the College District
- Repair or install erosion control, landscaping and wildfire mitigation
- Modernize Learning Centers and Libraries to support state-of-the-art teaching and learning
- Make other real property improvements or acquisitions and pay lease obligations to meet student and community needs

- Modernize roadways, walkways, parking, signage and transit facilities to improve accessibility, circulation, safety, disaster and emergency response
- Demolish outdated, non-code-compliant structures

### **TECHNOLOGY AND EQUIPMENT**

- Provide high quality instructional equipment for 21st century learning and job training
- Upgrade science and engineering lab equipment
- Upgrade or replace specialized job training equipment such as nursing, health sciences, public safety, biotechnology and renewable energy fields
- Replace or upgrade computers and technology equipment
- Upgrade network infrastructure and telephone systems
- Renovate, upgrade or install network infrastructure to support instructional and web based student support services including distance learning and online classes, and administrative services
- Replace or upgrade computer hardware and software, including audio visual equipment and communication systems
- Upgrade College emergency and disaster response systems, in coordination with City and County agencies



**EXHIBIT B**

**BALLOT MEASURE  
ABBREVIATED FORM\***

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To prepare College of San Mateo, Cañada College and Skyline College students for universities and high-demand jobs; modernize math and science classrooms and labs; upgrade computer, biotechnology and job training facilities; upgrade access for disabled students; ensure classrooms meet earthquake, fire and safety requirements; and replace aging infrastructure with energy efficient systems, shall San Mateo County Community College District issue \$388,000,000 in bonds within legal limits, with annual independent audits, Citizen's Oversight and all proceeds benefiting your local community colleges?

Bonds—Yes

Bonds—No

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\*Limited to 75 words

San Mateo County Community College District  
2014 Bond Election  
Tax Rate Statement

An election will be held in the San Mateo County Community College District (the "District") on November 4, 2014, for the purpose of submitting to the District's electors the question of the District issuing up to \$388,000,000 in bonds. The bonds would pay for the acquisition and improvement of real property, and the furnishing and equipping of school facilities of the District, as described in the proposition. If the bonds are approved, the District expects to issue the bonds in multiple series over time. 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 regarding tax rates is provided in compliance with Sections 9400 through 9404 of the California Elections Code. The information is based upon the best information presently available from official sources, upon experience with the District and other demonstrable factors.

Based upon the foregoing and projections of the District's assessed valuation, and assuming the entire debt service will be paid through property taxation:

1. The best estimate of the tax that would be required to be levied to fund the bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$0.00822 per \$100 (\$8.22 per \$100,000) of assessed valuation in fiscal year 2015-16.
2. The best estimate of the tax rate that 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, based on estimated assessed valuations available at the time of filing of this statement, is \$0.00822 per \$100 (\$8.22 per \$100,000) of assessed valuation in fiscal year 2018-19.
3. The best estimate of the highest tax rate that would be required to be levied to fund the bond issue, based on estimated assessed valuations available at the time of filing of this statement, is \$0.00822 per \$100 (\$8.22 per \$100,000) of assessed valuation, which is projected to be the same in every fiscal year that the bonds remain outstanding.

Voters should note that 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, which could be more or less than the assessed value. In addition, taxpayers eligible for a property tax exemption, such as the homeowner's exemption, will be taxed at a lower effective tax rate than described above. Certain taxpayers may also be eligible to postpone payment of taxes. Property owners should consult their own property tax bills and tax advisors 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 need for project funds and other factors. 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.



James Keller  
Deputy Chancellor  
San Mateo County Community College District