

GLENDAL COMMUNITY COLLEGE DISTRICT

November 19, 2001

RESOLUTION NO. 18

REPORT OF RECOMMENDATIONS

SUBMITTED BY: John A. Davitt, Superintendent/President

PREPARED BY: Lawrence R. Serot, Vice President,
Administrative Services

SUBJECT: ORDER OF BOND ELECTION

It is recommended that the attached Resolution No. 18, ordering a bond election to be held to issue \$98 million dollars in bonds, at interest rates within legal limits, with citizens' oversight, and independent audits be approved and that the Superintendent/President and the Vice President, Administrative Services, be designated as authorized officers of the Glendale Community College District to execute and deliver any documents and to take such other action as may be necessary or proper to carry out the intent of the provisions of Resolution No. 18.

This resolution, along with New Business Report No. 2, provide the authorization to place a bond measure on the March 2002 ballot.

BEFORE THE BOARD OF TRUSTEES
OF THE GLENDALE COMMUNITY COLLEGE DISTRICT
OF LOS ANGELES COUNTY
STATE OF CALIFORNIA

In the Matter of:

RESOLUTION

ORDER OF BOND ELECTION UNDER
SECTIONS 15100 AND 15120 OF THE
EDUCATION CODE AND
SPECIFICATIONS OF THE ELECTION
ORDER

SECTION 1. WHEREAS:

A. Educational program demands upon the Glendale Community College District (the "District") have caused its existing facilities to become inadequate and obsolete;

B. The District currently needs to increase the capacity of and otherwise improve its existing facilities in order to accommodate students and to provide for certain other educational program and safety needs;

C. Section 1(b) of Article XIII A of the California Constitution excepts from the general one percent (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 (2/3) of the votes cast by voters on the proposition, or as an alternate, in accordance with Proposition 39 ("Proposition 39"), passed at the election held on November 7, 2000, to pursue authorization of such bonds by a 55% vote of the electorate in accordance with the requirements of Proposition 39;

D. The Board of Trustees of the District (the "Board") requests the Los Angeles County Superintendent of Schools to call an election in the County on March 5, 2002, on the question whether bonds shall be issued and sold for purposes set forth below; and

E. A Notice of Bond Election, containing specification of the order for such bond election, is attached hereto as Exhibit "A," and by this reference incorporated herein and with all the contents thereof by this reference made a part hereof as if fully set forth in this Resolution.

SECTION 2. NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED BY THE BOARD OF TRUSTEES OF GLENDALE COMMUNITY COLLEGE DISTRICT OF LOS ANGELES COUNTY, STATE OF CALIFORNIA, AS FOLLOWS:

A. All of the foregoing recitals are true.

B. This Board of Trustees does hereby order and request that the Superintendent of Schools (herein called the "County Superintendent") of the County of Los Angeles (in the performance of his duties and in the exercise of his power, alone, or by and through contract with the Clerk of the County Board of Supervisors (the "County Clerk")) on the question of whether bonds of the District shall be issued and sold for the purpose of raising money in the amount and for the purposes specified in the attached and incorporated formal Notice of School Bond Election. The County Superintendent shall call said election for the District pursuant to and in accordance with this Resolution and the specification of the election order in said Exhibit "A," the authority for which Resolution and specifications is found in Education Code Sections 5322, 5324, 15100 15120 and 15266 and Article XIII A of the Constitution.

C. The purpose of said Bond Election shall be for the voters of the District to vote on the following proposition (the "Bond Measure") which is to appear on the card notice of election and upon the ballot as follows:

"Shall Glendale Community College District, in order to increase educational opportunities and reduce campus overcrowding, construct new classrooms, job training facilities, science and computer labs and student support facilities, renovate existing instructional buildings, add parking, improve energy efficiency, telecommunications and technology infrastructure, and acquire property for future instructional needs, issue \$98 million in bonds, at interest rates within legal limits, with citizens' oversight, independent audits, no proceeds for employees' salaries and all funds staying in our community?"

D. In accordance with Proposition 39, which is hereby determined to cover this order for a March 5, 2002, Bond Election, the Bond Measure is subject to the following requirements and determinations:

(i) proceeds of the general obligation bonds to be issued by the District under the Bond Measure (the "Bonds") shall be used only for construction, rehabilitation, and equipping of District facilities, or the acquisition or lease of real property for District facilities;

(ii) a specific list of District projects to be funded by the Bonds under the Bond Measure shall be prepared by District officials prior to the Bond Election and shall

be approved by this Board, and the Board shall evaluate safety, class size reduction and information technology needs in developing the list;

(iii) the Board shall conduct annual, independent financial and performance audits until all Bond proceeds have been spent to ensure that the proceeds of the Bonds shall have been used only for the projects listed in the Bond Measure;

(iv) the tax rate levied as the result of the approval of the Bond Measure at the Bond Election shall be no more than \$25 per \$100,000 of taxable property value within the District; and

(v) the Board shall appoint a citizens' oversight committee to inform the public concerning the spending of the proceeds of the Bonds.

E. Pursuant to Section 1258 of the Education Code, the Superintendent of the District is hereby authorized to contract with the County Clerk for the performance of any or all duties incident to the holding or conducting of said Bond Election. The County Clerk is hereby requested and authorized to perform such duties as may be required by law, necessary or useful, or customary and appropriate in the conduct of said Bond Election.

F. The precincts, polling places for said precincts in the County, and persons appointed and designated to serve as election officers for said Bond Election will be those determined, designated, and appointed pursuant to state law by the County Clerk.

G. The County Superintendent, the County Clerk and the Board of Supervisors of the County of Los Angeles are requested and hereby authorized to consent to and order the consolidation of said Bond Election with such other elections as may be held on March 5, 2002, under state law within the territory of the District.

H. The County Counsel for the County is requested to prepare an analysis of the measures and to supply it to the County Clerk for use in the sample ballot.

I. Pursuant to Section 22003 of the California Elections Code (the "Elections Code"), the Board of Supervisors is requested to permit the County Clerk to render all services relating to the election, for which services the District agrees to reimburse the County, such services to include the publication of the Formal Notice and a Tax Rate Statement containing the information required in Section 5300-5304 of the Elections Code.

J. This Board finds and determines that the action herein taken is categorically exempt from the provisions in the California Environmental Quality Act ("CEQA") pursuant to Sections 15061(b)(3) and 15378(b)(4) of Title 14 of the California Administrative Code. The District Superintendent shall cause the Notice of Exemption attached as Exhibit "B" to be filed with the County Clerk, pursuant to CEQA and said Title 14.

K. The President of the District shall, not later than 88 days prior to the date of the Bond Election, cause a certified copy of this Resolution to be mailed or delivered to the following officers in the County of Los Angeles:

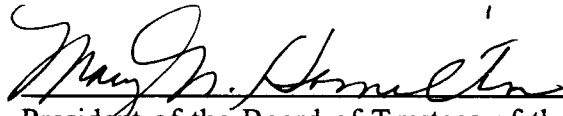
- (1) Registrar-Recorder, Elections Division
- (2) County Counsel
- (3) County Superintendent of Schools

L. The District hereby confirms the hiring of consultants to provide for special services in connection with the proposed issue(s) of Bonds which may be authorized at the Election, to wit, the firm of Sutro & Co. Incorporated as Underwriter for the District (the "Underwriter") and the law firm of Fulbright & Jaworski L.L.P, as Bond Counsel to the District, upon conditions as may be set forth in fee agreements heretofore negotiated and executed on behalf of the District by the Superintendent. Payments of the fees and expenses of the Underwriter and Bond Counsel shall be paid from the proceeds of the Bonds of the District which may be authorized following a successful Bond Election, and not otherwise, unless this Board shall take further action.

As President of the Board of Trustees of the Glendale Community College District, Los Angeles County, State of California, I hereby certify that the following Resolution, proposed by Member Robert K. Holmes, seconded by Member Armine G. Hacopian, was duly passed and adopted by said Board of Trustees at a regular meeting thereof held on November 19, 2001, at 5 p.m., California time, in the regular meeting room of said District, County of Los Angeles, State of California, by the following vote, to wit:

AYES:	<u>5</u>
NAYS:	<u>0</u>
ABSENT:	<u>0</u>

Given by my hand this 19th day of Nov, 2001, at the City of Glendale, County of Los Angeles, State of California.



President of the Board of Trustees of the Glendale
Community College District of Los Angeles County,
State of California

The polls for this election shall open at 7:00 a.m. and close at 8:00 p.m. The precincts, places for holding the election, and officers appointed to conduct the election shall be those determined, specified or appointed by the County Clerk pursuant to state law.

Dated this ____ day of _____, 2001.

SUPERINTENDENT OF SCHOOLS OF THE
COUNTY OF LOS ANGELES, STATE OF
CALIFORNIA

EXHIBIT "A"

NOTICE OF SCHOOL BOND ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of Glendale Community College District of Los Angeles County, State of California, that in accordance with law, an election will be held on Tuesday, the 5th day of March, 2002, in said District, between the hours of 7:00 a.m. and 8:00 p.m., during which period and between hours the polls shall remain open, at which election there will be submitted the question of:

Issuing and selling bonds of said District in the principal amount of not to exceed Ninety-Eight Million Dollars. The need for the issuance of such bonds and the purposes for which it is intended that the proceeds of the bond issue will be expended are: the construction and upgrade of various instructional facilities, furnishing and equipping such facilities, improvement and upgrade of infrastructure, including plumbing, heating, electrical systems, technology and telecommunications, and other capital improvements on the main and one satellite campus of the District.

Said bonds proposed to be issued and sold shall bear interest at a rate or rates not exceeding the legal maximum of twelve percent (12%) per annum, payable annually for the first year the bonds are outstanding, and semiannually thereafter. The maturity of the bonds shall not exceed the maximum established by law for general obligation bonds of a California community college district which is currently forty (40) years from the dated date of the said bonds.

All of the foregoing purposes and provision enumerated herein shall be voted upon as one proposition to appear on the ballot as follows:

"Shall Glendale Community College District, in order to increase educational opportunities and reduce campus overcrowding, construct new classrooms, job training facilities, science and computer labs and student support facilities, renovate existing instructional buildings, add parking, improve energy efficiency, telecommunications and technology infrastructure, and acquire property for future instructional needs, issue \$98 million in bonds, at interest rates within legal limits, with citizens' oversight, independent audits, no proceeds for employees' salaries and all funds staying in our community?"