

SANTA CRUZ CITY SCHOOLS

RESOLUTION 21-11-12

February 22, 2012

A RESOLUTION ORDERING AN ELECTION FOR VOTER APPROVAL TO RENEW AN EDUCATIONAL PARCEL TAX, REQUESTING THE COUNTY REGISTRAR OF VOTERS TO CONDUCT THE ELECTION, REQUESTING CONSOLIDATION OF THE ELECTION, AND SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Elementary School District of the Santa Cruz City Schools (the “Elementary District”) provides 21st-century learning instruction that prepares students for college and future careers.; and

WHEREAS, our highly-qualified teachers and strong academic programs in English, writing, math and science encourage students to learn and explore, providing the tools our students need to succeed in the workforce; and

WHEREAS, Santa Cruz voters’ ongoing support for our schools has helped to improve the quality of teaching and academics in our classrooms and protect local schools from the worst of state budget cuts; and

WHEREAS, as the State has continued to cut funding for our schools, local voters have approved and renewed locally-controlled funding that provides \$1.1 million annually for our elementary and middle schools; and

WHEREAS, the local funding for our elementary and middle schools will expire at the end of next school year; and

WHEREAS, to continue our commitment to protecting quality education, this Governing Board proposes to place a local school funding renewal measure on the June 2012 ballot to renew our expiring elementary and middle school measure at an annual rate of \$85 for eight years; and

WHEREAS, renewing the local funding measure for our elementary and middle schools helps to improve the quality of teaching and academics in our classrooms, while also protecting our property values by maintaining good local schools; and

WHEREAS, if the local funding measure supporting our elementary and middle schools isn’t renewed, then our schools will be forced to cut millions from their annual budgets, meaning cuts to academic programs, the closure of school libraries, cuts to art and music programs and teacher and counselor layoffs; and

WHEREAS, the Elementary District’s Parcel Tax Oversight Committee has consistently reported that parcel tax funds are used wisely on voter-approved educational programs, with funds being used to enhance student achievement in local elementary and middle schools and all funds staying in this community; and

WHEREAS, section 4 of Article XIII A of the California Constitution and Government Code sections 50075, 50077, 50079, and 53720 authorize school districts to levy special taxes to raise funds for the purpose of conducting their business upon the approval of two-thirds of the votes cast by voters voting upon such special tax proposals; and

WHEREAS, this Governing Board has conducted a noticed public hearing, as required by law, on the question of whether or not to request the Elementary District's voters to renew funding to continue the programs identified below.

NOW, THEREFORE, THE GOVERNING BOARD OF THE SANTACRUZ CITY SCHOOLS RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

Section 1. Recitals. The recitals listed above are adopted as true and correct.

Section 2. Order of Election; Authority. This Resolution stands as the order to the Santa Cruz County Registrar of Voters (the "County Registrar") to call and conduct a special election within the Elementary District's boundaries on June 5, 2012, at which will be submitted to the qualified voters of the Elementary District a measure to authorize special taxes for the purpose of continuing vital educational programs critical to the educational processes in the schools of the Elementary District, which programs are identified below. Said special election shall be consolidated with any and all other elections also called to be held on June 5, 2012 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the Elementary District. The authority for the specifications of this election order is contained in Sections 5304 and 5322 of the California Education Code, and Section 50079 of the California Government Code.

Section 3. Specifications of Ballot Measure: At the special election to be held within the boundaries of the Elementary District on June 5, 2012, a measure with the following specifications shall be submitted to the qualified voters within the Elementary District, to wit:

MEASURE ""

*Santa Cruz City Elementary School District
Protection of Quality Education Act*

To continue expiring funding to retain highly qualified teachers and librarians, protect school art and music instruction, provide academic counseling and continue improving classroom academics, shall the Santa Cruz City Elementary School District renew its expiring parcel tax at \$85 per parcel annually for eight years, with exemptions available for seniors, independent oversight and accountability, no funds for administrator salaries, and guaranteed local control, so funds stay in Santa Cruz elementary and middle schools to preserve quality education?

To this end, funds raised by this parcel tax shall be used to strengthen and enrich elementary academic programs by means such as:

- a. Retaining high quality teachers;*
- b. Retaining art and music teachers in our elementary schools;*
- c. Keeping school libraries open and served by credentialed librarians, library assistants, and teachers; and*
- d. Providing academic counseling and continuing to improve classroom academics.*

The Elementary School District’s expiring parcel tax for elementary education began in 2006 and has been collected at the flat rate of \$70 per parcel per year since then. This Measure will extend the expiring parcel tax for eight years, beginning July 1, 2013, at the flat rate of \$85 per year, for each assessor’s parcel within the Elementary School District (grades K-8). A parcel is defined as any unit of land in the Elementary District that now receives a separate real property tax bill from Santa Cruz County. All property that would otherwise be exempt from property taxes will also be exempt from the imposition of said qualified special tax.

An exemption from the tax will be made available to each individual in the Elementary District who will attain 65 years of age prior to July 1 of the tax year, owns a beneficial interest in the parcel, and uses that parcel as his or her principal place of residence. Applications for such senior exemptions shall be made to the Elementary District on or before July 1, 2013, or July 1 of any succeeding tax year. Any one application from a qualified applicant will provide an exemption for the parcel for the remaining term of the tax so long as such applicant continues to own and use the parcel as his or her principal residence.

In addition to the accountability measures required by law, the independent community oversight committee that has been appointed by the Governing Board to oversee all expenditures funded by the existing parcel tax will continue to audit all funds in order to ensure that said funds are spent wisely and used only for the purposes approved by the voters. The oversight committee shall monitor the expenditures of these funds by the Elementary District and shall report on an annual basis to the community on how these funds have been spent.

None of the funds raised by the parcel tax will be used for administrator salaries or benefits.

Section 4. Abbreviated Form of Ballot Measure. As required by California Elections Code section 13247, the text of Measure “ ” as displayed on each individual ballot shall be abbreviated and shall read as follows:

SANTA CRUZ CITY ELEMENTARY SCHOOL DISTRICT
PROTECTION OF QUALITY EDUCATION ACT

To continue expiring funding to retain highly qualified teachers and librarians, protect school art and music instruction, provide academic counseling and continue improving classroom academics, shall the Santa Cruz City Elementary School District renew its expiring parcel tax at \$85 per parcel annually for eight years, with exemptions available for seniors, independent oversight and accountability, no funds for administrator salaries, and guaranteed local control, so funds stay in Santa Cruz elementary and middle schools to preserve quality education?

YES _____

NO _____

Section 5. Election Services. Pursuant to Section 5303 of the Education Code, the County Registrar is hereby requested to take all steps incident to the preparation for and the holding of the election in accordance with law and these specifications. The Board requests that the County Registrar deliver a copy of all published notices to the Secretary of this Board pursuant to Section 12113 of the Elections Code. The Santa Cruz County Board of Supervisors (the “Board of Supervisors”) is authorized to canvass the returns of the election pursuant to Section 10411 of the Elections Code. The Elementary District will reimburse the County of Santa Cruz for the cost of election services as required by law.

Section 6. Collection of Taxes. Subject to two-thirds approval of the voters voting on the measure, commencing on July 1, 2013, the special taxes specified above shall be collected and administered by the County of Santa Cruz at the same time, in the same manner, and with the same penalties and interest as *ad valorem* real property taxes are fixed, collected, and administered under provisions of the California Revenue and Taxation Code.

Section 7. Accountability Measures. In accordance with the requirements of California Government Code sections 50075.1 and 50075.3, the following accountability measures, among others, shall apply to the special taxes levied in accordance with this Resolution: (a) the specific purposes of the special taxes shall be those purposes identified above; (b) the proceeds of the special taxes shall be applied only to those specific purposes identified above; (c) a separate, special account shall be created into which the proceeds of the special taxes must be deposited; and (d) in accordance with Government Code section 50075.3, the Elementary District's chief fiscal officer shall make an annual written report to the Governing Board of the Elementary District showing (i) the amount of funds collected and expended from the proceeds of the special taxes and (ii) the status of any projects required or authorized to be funded from the proceeds of the special taxes, as identified above. In addition, the Elementary District's Governing Board will empower its current independent community oversight committee to assist the Elementary District in implementing these accountability measures.

Section 8. County Superintendent. The County Superintendent of Schools of Santa Cruz County (the "County Superintendent") is hereby requested to prepare a Formal Notice of School Parcel Tax Election (the "Notice") containing the information specified in Section 5361 of the Education Code, in substantially the form attached hereto as **Exhibit A**, and to publish and/or post the Notice as required by law. The County Superintendent is hereby requested to perform the duties under Education Code Sections 5302 and 5325, to call the election, prepare recommendations, statements, or arguments for the election as required, and to receive petitions, as necessary.

Section 9. Consolidation of Elections. In accordance with Education Code section 5342 and Elections Code section 10402.5, it is hereby requested that the election to be held hereunder, on June 5, 2012, be consolidated by the County Registrar and the Santa Cruz County Board of Supervisors (the "Board of Supervisors"), for all purposes, with all other elections also called to be held on June 5, 2012 insofar as said elections are to be held in the same territory, or in territory that is in part the same as the territory, of the Elementary District.

Section 10. Additional Actions. The members of this Board, the Superintendent of the Elementary District, and officers of the Elementary District are hereby authorized and directed, individually and collectively, to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution, including, without limitation, to prepare and submit for inclusion in the voter information pamphlet an argument in favor of passage of the ballot measure. All actions heretofore taken by the officers and agents of the Elementary District that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

Section 11. Changes to Resolution or Measure. The Elementary District's Superintendent, and his designee, are hereby authorized and directed to make any changes to the text of the measure described in this Resolution, or to the abbreviated form of the measure, or to the text of this Resolution, as may be convenient or

necessary to comply with the intent of this Resolution, the requirements of elections officials, and requirements of law.

Section 12. Severability. If any section, subsection, phrase or clause of this Resolution, or its application to any person or circumstance, is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution, or their application to any other person or circumstance. The Governing Board declares that it would have adopted this Resolution and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, sentences, phrases or clauses, or their application to any person or circumstance, shall be declared invalid.

Section 13. Transmittal of Resolution. The Secretary of this Governing Board is hereby authorized and directed to certify to the due adoption of this Resolution and to transmit or deliver a copy hereof so certified to the County Registrar, and to file copies so certified with the Board of Supervisors and County Superintendent, so that the copies are received no later than March 9, 2012.

PASSED AND ADOPTED by the Governing Board of the Santa Cruz City Schools at its meeting on February 22, 2012, by the following vote:

AYES: _____

NOES: _____

ABSENT/NOT VOTING: _____

President, Governing Board

I, Gary Bloom, Secretary of the Governing Board, hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Governing Board of the Santa Cruz City Schools at its meeting of February 22, 2012, which Resolution is on file in the office of this school district.

Date: _____

Gary Bloom, Secretary to the Board of Education

EXHIBIT A

FORMAL NOTICE OF SCHOOL PARCEL TAX ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of the Santa Cruz City Elementary School District of Santa Cruz County, California, that in accordance with the provisions of the Education Code of the State of California, an election will be held on June 5, 2012, at which election the following measure shall be submitted to the qualified electors of the Elementary District and voted upon:

“To continue expiring funding to retain highly qualified teachers and librarians, protect school art and music instruction, provide academic counseling and continue improving classroom academics, shall the Santa Cruz City School District Elementary Schools renew their expiring parcel tax at \$85 per parcel annually for eight years, with exemptions available for seniors, independent oversight and accountability, no funds for administrator salaries, and guaranteed local control, so funds stay in Santa Cruz elementary and middle schools to preserve quality education?”

Tax - Yes Tax – No

All of the purposes enumerated in the foregoing measure shall be united and voted upon as one single measure, with precincts, places of holding the elections and officers appointed to conduct the elections shall be the same as those provided in the Statewide Presidential Primary election to be held on said date, under the notice of election adopted _____.

The County Superintendent of Schools of Santa Cruz County, by this Notice of Election, has called the election pursuant to a Resolution of the Governing Board of the Santa Cruz City Schools, adopted February 22, 2012, in accordance with the provisions of Education Code Sections 5325 and 5361.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2012.

County Superintendent of Schools,
Santa Cruz County, California