

# DUBLIN SCHOOLS

## DUBLIN UNIFIED SCHOOL DISTRICT

### RESOLUTION NO. 2015/16-24

**DUBLIN UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
ALAMEDA COUNTY, STATE OF CALIFORNIA  
REGARDING STATE OF CALIFORNIA'S LACK OF BONDING AUTHORITY**

**WHEREAS**, the Board of Education of Dublin Unified School District ("Board of Trustees") has determined that school facilities within the District need to be constructed, reconstructed and modernized, and as such, will be submitting a funding application to the State of California School Facility Program for the project referred to as "Site known as E-5 K-8 School" and for other projects; and

**WHEREAS**, the State should provide a significant portion of the funding for public education capital facility projects, especially during this time in which many of the State's school districts have overcrowded schools, growing student populations, and aging facilities; and

**WHEREAS**, the Board of Trustees desires to communicate to the State its position regarding the lack of available State bond funding and the lack of adequate developer fees for school districts to provide adequate facilities for growing student populations in many parts of the State; and

**WHEREAS**, the California Constitution finds public education is a State responsibility in Article IX, Section 5; and

**WHEREAS**, the California Constitution, Article I, Section 28 states that public schools shall be safe, secure and peaceful; and

**WHEREAS**, the State met its constitutional responsibilities from 1982 through 2012 by providing State bond resources through programs contained in Division 1, Part 10, Article 12 and Article 12.5 of the Education Code; and

**WHEREAS**, the State has failed to fully meet its constitutional responsibilities for school facilities funding since 2012, since the last school bond was approved in 2006 and the funds from that bond were effectively depleted by 2012; and

**WHEREAS**, Senate Bill 50, signed into law in 1998, limited developer school impact fees ("Developer Fees") for eligible school districts to one-half (½) the cost of school facilities needed to house students to be generated by new development within the District, commonly known as "Level 2" fees, until the State Allocation Board declares that State bond funds have been exhausted; and

**WHEREAS**, Senate Bill 50 provides that eligible school districts may thereafter charge the full cost of school facilities to house such students, commonly known as "Level 3" fees; and

**WHEREAS**, the State has exhausted its available school facility funds and cannot provide the State match for almost two billion dollars in projects filed under current law; and

**WHEREAS**, the State Allocation Board should immediately certify that the State has exhausted its available school facility funds and thereby provide school districts with access to Level 3 fees; and

**WHEREAS**, the State's lack of school facility funds and failure to place a new State school bond on the ballot has cost the Dublin Unified School District significantly; at least twenty eight million dollars in unpaid State matching grants and millions in lost Developer Fees since 2012; and

**WHEREAS**, continued State inaction will increase the uncollected funds for school facilities; and

**WHEREAS**, the Dublin community has strongly supported local Dublin school facilities with two capital facilities bond measures of one hundred eighty four million dollars (\$184,000,000) in 2008 and ninety-nine million dollars (\$99,000,000) in 2012; and

**WHEREAS**, continued inaction by the State and State Allocation Board has placed an unfair and unreasonable burden on the Dublin Unified School District and the Dublin community; and

**WHEREAS**, providing proper accommodations for the State's students and their communities will enhance academic achievement and further the State's academic goals for its students; and

**WHEREAS**, recent studies have found that inadequate State capital renewal spending leads to expensive critical and emergency repairs; and

**WHEREAS**, schools that operate with obsolete or worn out systems, components, and equipment require more attention to maintenance and repair, which results in unnecessary overspending; and

**WHEREAS**, a new State school bond and/or other adequate and ongoing sources of State school facility funding are needed for the State to meet its commitment to provide quality education for its students.

**NOW, THEREFORE**, the governing board of the Dublin Unified School District hereby finds, determines, declares, orders, and resolves as follows:

**Section 1.** All of the above recitals are true and correct.

**Section 2.** The Board of Trustees calls on the State to take action to meet its constitutional responsibilities for school facilities funding to benefit our students and our communities.

**Section 3** The Board of Trustees acknowledges that, even though the State of California's School Facility Program bond authority is exhausted, the State should provide a significant portion of the funding for public education capital facility projects.

**Section 4.** The Board of Trustees hereby urges the State of California to immediately declare that the State School Facility Program current bond authority is exhausted as to funding programs affecting the majority of California school districts and to authorize school districts to impose Level 3 developer fees as mitigation for new development within the State of California, including but not limited to the Dublin Unified School District.

**Section 5.** This resolution shall be effective as of the date of its adoption.

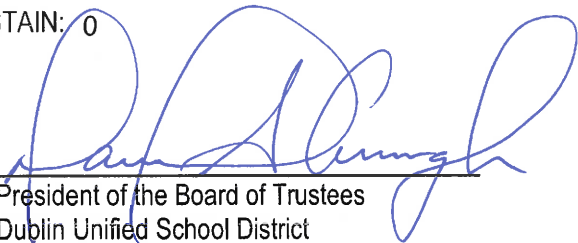
**PASSED and ADOPTED** this 12th day of January, 2016, by the Dublin Unified School District Board of Trustees, of the County of Alameda, to wit:

AYES: 5-Miller, Cunningham, Hakim, Rouse, Tomlinson

NOES: 0

ABSENT: 0

ABSTAIN: 0



President of the Board of Trustees  
Dublin Unified School District  
County of Alameda  
State of California

Attested to:



Clerk of the Board of Trustees  
Dublin Unified School District  
County of Alameda  
State of California