

DUBLIN SCHOOLS

DUBLIN UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 2013/14-28

RECEIVED
Alameda County

FEB 05 2014

Reg. of Voters

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE DUBLIN UNIFIED SCHOOL DISTRICT
PROPOSING RENEWAL AND EXTENSION OF THE DISTRICT'S
EXPIRING PARCEL TAX, ESTABLISHING SPECIFICATIONS OF THE
ELECTION ORDER, AND CONSOLIDATION WITH
OTHER ELECTIONS OCCURRING ON MAY 6, 2014**

WHEREAS, the Dublin Unified School District ("District") believes that renewal and extension of the District's expiring parcel tax is necessary to maintain a high-quality educational program for all students in the District, and, due to inadequate state funding, increased local revenues are necessary to meet this goal; and

WHEREAS, it is crucial for the district to sustain high academic achievement in math, science, reading, writing, and utilizing technology; support engineering, medicine and biotechnology academies; attract and retain highly qualified teachers; and maintain school libraries and up-to-date instructional materials for students; and

WHEREAS, due to increased student enrollment and State cuts this local funding is more critical than ever before; and

WHEREAS, without the renewal of the expiring parcel tax the District will lose millions of dollars and be forced to cut important science, reading and technology programs; and

WHEREAS, all money raised by the local parcel tax will continue to be controlled locally, stay in our local schools and cannot be taken away by the State or used for administrator salaries; and

WHEREAS, Section 4 of Article XIII A of the California Constitution and Sections 50075, 50076, 50077, 50079 and 53722 et seq. of the California Government Code authorize a school district, upon approval of two-thirds of the electorate voting on the measure, to levy a qualified special parcel tax for the purpose of providing quality educational programs in the District and other lawful specified purposes, following notice and a public hearing; and

WHEREAS, an adequately funded and well-developed public education program provides numerous benefits and advantages to all of the residents of the community; and

WHEREAS, Section 4000 of the California Elections Code authorizes the District to call a mail ballot election for *May 6, 2014*; and

WHEREAS, in the judgment of the Board of Trustees of the District ("Board"), following public hearing and comment, it is advisable that the Alameda County Registrar of Voters ("County Registrar") call an election and submit to the voters of the District the question whether the District shall renew and extend a special tax within the District for the purpose of raising additional revenue for the District; and

WHEREAS, pursuant to Education Code section 5342 and Elections Code sections 10400, 10402 and 10403, such election may be completely or partially consolidated with any other election held on the same day and in the same territory or territory that is in part the same.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE DUBLIN UNIFIED SCHOOL DISTRICT HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

Section 1. This Resolution shall constitute an order of election pursuant to Education Code section 5320 et seq. and submit to the voters of the District the question of whether to renew and extend a qualified special parcel tax to maintain high quality education in the District.

Section 2. That said qualified special parcel tax shall be in an amount not to exceed \$96 per parcel of Taxable Real Property beginning as of July 1, 2014 and continuing for a period of five (5) years. Said qualified special parcel tax renews, extends, and replaces the qualified special parcel tax approved by the voters of the District on November 4, 2008.

A parcel of Taxable Real Property shall be defined as any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Treasurer – Tax Collector's Office. All property that is otherwise exempt from or upon which no *ad valorem* property taxes are levied in any year shall be exempt from the special parcel tax in such year.

Any parcels that are contiguous to each other, used solely for one owner-occupied single-family residence, and held under identical ownership shall, upon approval of an application from the owners thereof submitted to the District, be treated as a single parcel for purposes of the special parcel tax.

Section 3. That an optional exemption shall also be available for a person 65 years or older who owns and occupies as a principal residence a parcel (as defined above) and applies to the District for such exemption in accordance with guidelines established by the District.

Section 4. That an options exemption shall be available for a person eligible for Supplemental Security Income (SSI) benefits who owns and occupies as a principal residence a parcel (as defined above) and applies to the District for such exemption in accordance with guidelines established by the District.

Section 5. That the date of the election shall be *May 6, 2014*.

Section 6. That the purpose of the election shall be for the voters in the District to vote on a ballot measure, a full copy of which is attached hereto and marked *Exhibit A* and incorporated by reference herein. As required by California Elections Code section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto as *Exhibit B*.

Section 7. That the Board has the authority for ordering the election.

Section 8. That the authority for the specifications of this election order is contained in Section 5322 of the California Education Code and Section 4000 of the California Elections Code.

Section 9. That this Resolution shall stand as the order to the Alameda County Registrar of Voters to call an election within the boundaries of the District on *May 6, 2014*. The Board requests that this election be conducted as a mail ballot election as permitted by California Elections Code section 4000.

Section 10. That the Clerk of the Board is hereby directed immediately to send a certified copy of this Resolution to the Alameda County Registrar of Voters, the Alameda County Board of Supervisors, and the Alameda County Superintendent of Schools so that said Superintendent receives it no later than *February 7, 2014*.

Section 11. That the Alameda County Superintendent of Schools is hereby requested to deliver this Resolution, which constitutes the order of election, and a formal notice of the election, to the Alameda County Registrar of Voters no later than *February 7, 2014*. The Alameda County Superintendent of Schools is hereby requested to perform the duties under Education Code Section 5302, to call the election, prepare recommendations, statements, or arguments for the election as required and to receive petitions, as necessary.

Section 12. That the Alameda County Superintendent of Schools 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 C* and to publish and/or post the Notice as required by law.

Section 13. That pursuant to Section 5303 of the Education Code, the Alameda County Registrar of Voters 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 Alameda Registrar of Voters deliver a copy of all published notices to the Clerk of this Board pursuant to Section 12113 of the Elections Code. The District will reimburse the County of Alameda for election services as required by law.

Section 14. That the Board of Supervisors of Alameda County is authorized to canvass the returns of the election pursuant to Section 10411 of the Elections Code.

Section 15. That subject to two-thirds approval of the voters, the qualified special parcel tax shall become effective as of July 1, 2014 and be collected by the Alameda County Tax Collector at the same time as and along with, and shall be subject to the same penalties as general *ad valorem* taxes collected by said tax collector. The tax and penalty shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid.

Section 16. That the members of the Board, the Superintendent of the District, and officers of the 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 District that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

Section 17. That the members of the Board, the Superintendent of the District, and officers of the District are hereby requested and directed, individually and collectively, to provide accountability measures pursuant to Government Code section 50075.1 that include, but are not limited to, all of the following: (a) A statement indicating the specific purposes of the qualified special parcel tax; (b) a requirement that the proceeds be applied only to the specific purposes identified pursuant to subsection (a); (c) the creation of an account into which the proceeds shall be deposited; and (d) an annual report pursuant to Section 50075.3 of the Government Code, as provided in Section 18 hereof.


Section 18. That pursuant to Section 50075.3 of the Government Code, the Board directs that the chief fiscal officer of the District file a report with the Board no later than January 1, 2015, and at least once a year thereafter. The annual report shall contain both of the following: (a) The amount of funds collected and expended, and (b) the status of any project required or authorized to be funded as identified in *Exhibit A* hereof.

Section 19. That the 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 20. That the Board hereby declares, and the voters by approving this measure concur, that every section and part of this measure has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part of the measure or tax rates be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the measure or tax rates shall remain in full force and effect to the fullest extent allowed by law.

PASSED AND ADOPTED BY the Board of Trustees of the Dublin Unified School District
this 28th day of January, 2014.

AYES: 5 (plus one advisory - Wieser)
NOES: 0
ABSENT: 0
ABSTAIN 0



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



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

I, Dr. Stephen Hanke, Secretary of the Board of Trustees of the Dublin Unified School District of Alameda County, California, do hereby certify that the foregoing is a true, full, and correct copy of a resolution adopted by said Board of Trustees at a meeting thereof held at its regular meeting place on the date and by the vote shown above, which resolution is on file in the office of said Board.

Date: *January 28, 2014*

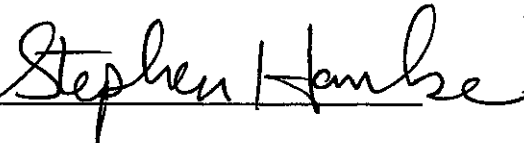
Signed: 

EXHIBIT A

FULL TEXT OF SPECIAL PARCEL TAX MEASURE For DUBLIN UNIFIED SCHOOL DISTRICT

Dublin Unified School District Student Achievement Measure

INTRODUCTION

Without increasing the existing tax rate and to maintain high quality education for all grades by sustaining academic achievement in math, science, reading, writing, and utilizing technology; supporting engineering/medicine/biotechnology academies; attracting/retaining highly qualified teachers; and maintaining school libraries, current instructional materials/technology, shall the Dublin Unified School District renew its expiring \$96 parcel tax for five years, with a senior exemption, independent oversight, no money for administrators salaries and all funds staying in Dublin schools?

PURPOSE

To provide local revenue that cannot be taken by the state and to maintain exceptional public education in our schools, the Dublin Unified School District proposes to renew and extend its expiring qualified special parcel tax for a period of five (5) years, beginning July 1, 2014, at the rate of \$96 per Parcel of Taxable Real Property within the Dublin Unified School District, with an annual exemption available for seniors and persons on Supplemental Security Income, upon application, and to implement accountability measures in connection with the special parcel tax to provide oversight and accountability to ensure that the funds are used to:

- a) Maintain academic achievement in math, science, reading, writing and utilizing technology support educational academies in science, engineering, medicine and biotechnology
- b) Attract and retain highly qualified teachers
- c) Maintain school library services
- d) Maintain current instructional materials and technology for students
- e) Provide ongoing teacher training in the latest instructional methods
- f) Maintain small class sizes
- g) Protect taxpayers' investment in education and ensure District accountability by providing for an independent community oversight committee and financial audits of revenues and expenditures.

The Board of Trustees will not fund any program or reduction other than those listed above from the proceeds of the special parcel taxes. The Board of Trustees will utilize parcel tax proceeds for the purposes listed above, unless the Board of Trustees determines in any given year that changes in student population, fiscal constraints, or other changes in state or federal funding make doing so infeasible or inadvisable.

PROCEDURES

Subject to two-thirds approval of the voters, the renewed and extended parcel tax shall become effective as of July 1, 2014 and be collected by the Alameda County Tax Collector at the same time as and along with, and shall be subject to the same penalties as general *ad valorem* taxes collected by said tax collector. The tax and penalty shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid. Any tax levied shall become a lien upon the properties against which taxes are assessed and collectible as herein provided.

With respect to all general property tax matters within its jurisdiction, the Alameda County Tax Assessor or other appropriate County tax official ("County") shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special parcel tax, including the Senior Citizen Exemption as allowed below, the decisions of the District shall be final and binding. The procedures described herein, and any additional procedures established by the Board of Trustees, shall be the exclusive claims procedure for claimants seeking an exemption, refund, reduction, or re-computation of the special parcel tax. Whether any particular claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County as necessary.

The District's Board of Trustees may adopt such additional or supplemental procedures as it deems necessary or convenient for the administration of the special parcel tax.

OPTIONAL EXEMPTIONS AVAILABLE

An optional exemption from the special parcel tax will be made available annually to each individual in the District who will attain 65 years of age prior to July 1 of the tax year, and who owns a beneficial interest in the parcel, and who uses that parcel as his or her principal place of residence, and who applies to the District on or before July 1, 2014, or July 1 of any succeeding tax year. Any application for such exemption must be renewed annually.

An optional exemption from the special parcel tax will also be made available annually to each individual in the District receiving Supplemental Security Income, regardless of age, who owns a beneficial interest in the parcel, and who uses that parcel as his or her principal place of residence, and who applies to the District on or before July 1, 2014, or July 1 of any succeeding tax year. Any application for such exemption must be renewed annually.

Any parcels that are contiguous to each other, used solely for one (1) owner-occupied single-family residence, and held under identical ownership shall, upon approval of an application from the owners thereof submitted to the District on or before July 1, 2013, or July 1 of any succeeding year, be treated as a single parcel for purposes of the special parcel tax. Any one (1) approved application from a qualified applicant will provide such treatment for the remaining term of the special tax, so long as all of the parcels continue to be held under identical ownership and be owner-occupied.

The District shall annually provide to the County Tax Collector or other appropriate County tax official a list of parcels that the District has approved for a Senior Citizen Exemption, Supplemental Security Income Exemption, or contiguous property designation.

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 parcel taxes levied in accordance with this Measure: (a) the specific purposes of the special parcel tax shall be those purposes identified above; (b) the proceeds of the special parcel tax 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 parcel taxes must be deposited; and (d) an annual written report shall be made to the Board of Trustees of the District showing (i) the amount of funds collected and expended from the proceeds of the special taxes and (ii) the status of any projects, programs, or purposes required or authorized to be funded from the proceeds of the special taxes, as identified above.

In addition to the accountability measures required by state law, an independent Community Oversight Committee shall be appointed by the Board of Trustees to advise the Board on the expenditures funded by the measure in order to *help* ensure that said funds are spent for the purposes approved by the voters. The Community Oversight Committee will monitor the expenditures of these funds by the District and will report on an annual basis to the Board and community on how these funds have been spent.

PROTECTION OF FUNDING

Current law forbids any decrease in state or federal funding to the District because of the District's adoption of a parcel tax. However, if any such funds are reduced because of the adoption of this parcel tax, then the amount of the special parcel taxes will be reduced annually as necessary in order to restore such state or federal funding.

EXHIBIT B

**SPECIAL PARCEL TAX MEASURE
For
DUBLIN UNIFIED SCHOOL DISTRICT
(Abbreviated Form) ***

“Without increasing the existing tax rate and to maintain high quality education for all grades by sustaining academic achievement in math, science, reading, writing, and utilizing technology; supporting engineering/medicine/biotechnology academies; attracting/retaining highly qualified teachers; and maintaining school libraries, current instructional materials/technology, shall the Dublin Unified School District renew its expiring \$96 parcel tax for five years, with a senior exemption, independent oversight, no money for administrators salaries and all funds staying in Dublin schools?”

Yes _____

No _____

* Limited to 75 words pursuant to California Elections Code section 13247.

EXHIBIT C

FORMAL NOTICE OF SCHOOL PARCEL TAX ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of the Dublin Unified School District of Alameda County, California, that in accordance with the provisions of the Education Code of the State of California, an election will be held on *May 6, 2014*, by mail ballot, at which election the following measure shall be submitted to the qualified electors of the District and voted upon:

Dublin Unified School District Student Achievement Measure

“Without increasing the existing tax rate and to maintain high quality education for all grades by sustaining academic achievement in math, science, reading, writing, and utilizing technology; supporting engineering/medicine/biotechnology academies; attracting/retaining highly qualified teachers; and maintaining school libraries, current instructional materials/technology, shall the Dublin Unified School District renew its expiring \$96 parcel tax for five years, with a senior exemption, independent oversight, no money for administrators salaries and all funds staying in Dublin schools?”

Yes _____

No _____

All of the purposes enumerated in the foregoing measure shall be united and voted upon as one single measure.

The County Superintendent of Schools of Alameda County, by this Notice of Election, has called the election pursuant to a Resolution of the Board of Trustees of the Dublin Unified School District, adopted January 28, 2014, in accordance with the provisions of Education Code sections 5325 and 5361 and Elections Code section 4000.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2014.

County Superintendent of Schools,
Alameda County, California