

RESOLUTION NO. 24-15

RESOLUTION OF THE BOARD OF TRUSTEES OF RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the "Board") of the Rancho Santiago Community College District (the "District"), comprised of Santa Ana College and Santiago Canyon College, has determined that certain educational facilities need to be constructed, renovated, acquired and equipped, in a fiscally prudent manner, to enable the District to maintain Santa Ana College and Santiago Canyon College as valuable community resources that provide an affordable education to local students and veterans who desire to learn well-paying job skills and transfer to four-year universities; and

WHEREAS, since the costs of attending California's public universities has risen to at least six times that of attending a community college, more local students are relying on community colleges, such as Santa Ana College and Santiago Canyon College, and the high quality, affordable college options they each provide; and

WHEREAS, in today's tough economic times and competitive job environment, the District must continue providing important job training and education for local residents entering the workforce for new professions, particularly nursing, first responders, and the building industries, and increase opportunities for local students to earn college credits, certifications and job skills in emerging industries at an affordable price; and

WHEREAS, the State is not providing the District with enough money for the District to adequately maintain its educational facilities and academic programs; and

WHEREAS, the Board has received information regarding the feasibility of a local bond measure and the District's bonding capacity; and

WHEREAS, a local measure will provide funds that cannot be taken away by the State to support local college transfer and job training; and

WHEREAS, a local measure will permit the District to ensure a healthy work and study environment by improving disabled access, upgrading aging technology in classrooms and labs, repairing deteriorating gas, electrical and sewer lines, supporting automotive, welding and engineering technology programs, and continue providing clean drinking water at college buildings; and

WHEREAS, such a local measure will include mandatory taxpayer protections, including public spending disclosure, independent citizens' oversight of all funds and mandatory annual financial audits to ensure funds are spent only as authorized; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional funding for job training and workforce preparation for the next generation and for students of all ages, veterans and local residents and to improve facilities for course opportunities in nursing, welding, electrical

training and other technical vocational careers, by means of a general obligation bond issued in a financially prudent manner; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which reduced the voter threshold for *ad valorem* tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a community college district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight which are contained in Proposition 39 and the Act; and

WHEREAS, the Board determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39, which prohibit any bond money to be used for administrator salaries and other operating expenses of the District shall be strictly monitored by the District's Citizens' Oversight Committee; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Elections Code Section 9400 *et seq.* of the Elections Code (the "Elections Code") requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a tax rate statement and ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on November 5, 2024, and to request the Orange County Registrar of Voters to perform certain election services for the District; and

WHEREAS, in the judgment of the Board, it is advisable to request the Orange County Registrar of Voters to call an election pursuant to Proposition 39 on the question of whether general obligation bonds shall be issued and sold by the District for purposes set forth below.

NOW THEREFORE, THE BOARD OF TRUSTEES OF RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, Sections 15264 *et seq.*, Sections 15340 *et seq.* and Government Code Section 53506, hereby requests the Orange County Registrar of Voters to call an election under the provisions of Proposition 39

(55% voter approval) and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$720,000,000 (the "Bonds") shall be issued and sold to raise money for the purposes described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter sample ballot pamphlet.

Section 2. That the date of the election shall be November 5, 2024.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot proposition in Exhibit "A" is subject to the following requirements and determinations:

(a) That the proceeds of the sale of the Bonds shall only be used for the purposes set forth in the ballot measure and not for any other purpose, including faculty and administrator salaries and other college operating expenses;

(b) That the Board, in compliance with Proposition 39, and in establishing the projects set forth in Exhibit "B", evaluated safety, university transfer, enrollment trends, class size reduction, class availability, information technology and vocational job training facilities of the District;

(c) That the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys get expended for the projects identified in Exhibits "A" and "B" hereto;

(d) That the Board will require the public disclosure of all spending and will cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended and accounted for;

(e) That the Board will cause the appointment of a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274. The Citizens' Oversight Committee shall initially consist of at least seven (7) members and at no time consist of less than seven (7) members, with the possible exception of brief periods to fill any unexpected vacancies. The Citizens' Oversight Committee may not include any employee or official of the District or any vendor, contractor or consultant of the District. The Citizens' Oversight Committee shall include all of the following: One (1) member who is active in a business organization representing the business community located within the District; One (1) member who is active in a senior citizens' organization; One (1) member who is active in a bona fide taxpayer association; One (1) member who is active in support of either Santa Ana College or Santiago Canyon College, such as a member of an advisory council or foundation; One (1) student member; and Two (2) at-large members. In furtherance of its specifically enumerated purposes, the Citizens' Oversight Committee may engage in any of the following activities relating solely and exclusively to the expenditure of the Proposition 39 bond proceeds:

(i) Receive and review copies of the annual, independent financial and performance audits performed by independent consultant(s);

(ii) Inspect District facilities and grounds to ensure that Proposition 39 bond revenues are expended in compliance with applicable law;

(iii) Receive and review copies of all scheduled maintenance proposals or plans developed by the District;

(iv) Review efforts of the District to maximize Proposition 39 bond revenues by implementing cost-saving programs; and

(f) That the tax levy authorized to secure the bonds of this election shall not exceed the Proposition 39 limits per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15340 *et seq.* and 15264 *et seq.* and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Education Code Section 5322. In connection with ordering the election pursuant to the provisions mentioned above, the District has obtained reasonable and informal projections on assessed property valuations of property within the District that take into consideration projections of assessed property valuations made by the Orange County Assessor that are available to the District.

Section 6. That the Orange County Registrar of Voters, the Orange County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 5, 2024 within the boundaries of the District, and pursuant to Elections Code Section 10403, the District acknowledges that the consolidation election will be held and conducted in the manner described in Elections Code Section 10418.

Section 7. That this Resolution shall stand as the "order of election" to the Orange County Registrar of Voters to call an election within the boundaries of the District on November 5, 2024.

Section 8. That the Secretary of the Board is hereby directed to send a certified copy of this Resolution to the Orange County Registrar of Voters no later than August 8, 2024.

Section 9. That the bonds shall be issued pursuant to Education Code Section 15300 *et seq.* or issued pursuant to Government Code Section 53506. The maximum rate of interest on any bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531. The Board approves the filing of a Tax Rate Statement and primary and rebuttal arguments, as appropriate, and directs their publication in accordance with the requirements of the Elections Code.

Section 10. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by any body or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

Section 11. Pursuant to Education Code Section 5303 and Elections Code Section 10002, the Orange County Board of Supervisors is requested to permit their Registrar of Voters to render all

services specified by Elections Code Section 10418, for which services the District agrees to reimburse Orange County such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Elections Code Section 9401) pursuant to the terms of Education Code Section 5363 and Elections Code Section 12112.

ADOPTED, SIGNED AND APPROVED this 10th day of June, 2024.

STATE OF CALIFORNIA)
)ss
ORANGE COUNTY)

I, Marvin Martinez, do hereby certify that the foregoing is a true and correct copy of Resolution No. 24-15 which was duly adopted by the Board of Trustees of the Rancho Santiago Community College District at meeting thereof held on the 10th day of June, 2024, and that it was so adopted by the following vote:

AYES: 7 Trustees: Arias Miller, Crockett, Hanna, Hernandez, Tinajero, Tong, Yarbrough

NOES: 0 Trustees

ABSENT: 0 Trustees

ABSTENTIONS: 0 Trustees

By : **Secretary**

EXHIBIT A

"RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT AFFORDABLE EDUCATION, CAREER, REPAIR, SAFETY MEASURE. To upgrade classrooms/labs preparing students/veterans for university transfer, jobs including nursing, emergency response, building trades; repair leaky roofs, deteriorating gas, sewer lines; provide clean drinking water; improve safety/security; acquire, construct, repair facilities, sites, equipment; shall Rancho Santiago Community College District's measure authorizing \$720,000,000 in bonds at legal rates, levying \$25 per \$100,000 of assessed valuation, generating \$46,000,000 annually while bonds are outstanding be adopted, requiring oversight, public spending disclosure?"

Bonds - Yes

Bonds-No

EXHIBIT B
FULL TEXT BALLOT PROPOSITION
RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT
"BOND MEASURE ELECTION NOVEMBER 5, 2024

"RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT AFFORDABLE EDUCATION, CAREER, REPAIR, SAFETY MEASURE. To upgrade classrooms/labs preparing students/veterans for university transfer, jobs including nursing, emergency response, building trades; repair leaky roofs, deteriorating gas, sewer lines; provide clean chinking water; improve safety/security; acquire, construct, repair facilities, sites, equipment; shall Rancho Santiago Community College District's measure authorizing \$720,000,000 in bonds at legal rates, levying \$25 per \$100,000 of assessed valuation, generating \$46,000,000 annually while bonds are outstanding be adopted, requiring oversight, public spending disclosure?"

Bonds - Yes

Bonds-No

PROJECTS

The Board of Trustees of the Rancho Santiago Community College District, to be responsive to the needs of its community, evaluated Santa Ana College's and Santiago Canyon College's urgent and critical facility needs, and its capacity to provide **students**, active military, and **Veterans** with support and **job training** facilities, an **affordable education** and prepare them for success in **college** and **careers**. **Job training** facilities, safety issues, class size and offerings, and information and computer technology were each considered in developing the scope of projects to be funded. In developing the scope of projects, **basic repairs**, job training facilities, campus safety, facilities supporting Veterans, and the expansion of opportunities for local students to receive an affordable, quality education, were **prioritized**. If these facility needs are not addressed now, the District's Colleges would be unable to remain competitive in preparing students for **jobs in high demand industries** and **university transfer**.

The Board of Trustees determines that Santa Ana College and Santiago Canyon College **MUST:**

- (i) **Keep local college education AFFORDABLE;**
- (ii) **Provide JOB TRAINING to students and a'dults making them part of the local workforce;**
- (iii) **Better prepare students and workers for GOOD-PAYING JOBS in emerging industries, including nursing, paramedics, first responders, automotive, welding and in the building industries;**
- (iv) **Prepare students for transfer to 4-year colleges and UNIVERSITIES;**
- (v) **Make BASIC REPAIRS to older buildings;**
- (vi) **REQUIRE PUBLIC DISCLOSURE OF ALL SPENDING.**

The following types of projects are authorized to be undertaken at District facilities, Santa Ana College and Santiago Canyon College:

AFFORDABLE EDUCATION
FOR LOCAL RESIDENTS AND VETERANS:
Basic Repair Projects Needed To Train Students For
High Demand Jobs

Goals and Purposes:

The cost to attend California's public universities has risen to nearly six times that of attending a community college. Passing this measure increases opportunities for local students to earn college credits and certifications, learn job skills at a REASONABLE PRICE, and transfer to four-year colleges and universities without generating crushing debt.

Some of the classrooms at our local community colleges were built over 70 years ago and are outdated, deteriorating and do not meet today's HEALTH AND SAFETY requirements. Funds will be used to remove asbestos and lead paint, repair leaky roofs and deteriorating restrooms and plumbing, replace outdated electrical, and upgrade security and fire safety systems. This measure allows us to make these repairs now before the problems get worse and more expensive to fix.

- REPAIR deteriorating and leaky roofs.
- PROVIDE clean drinking water at college buildings.
- UPDATE aging computer technology and electrical systems.
- REMOVE lead paint, and asbestos.
- IMPROVE accessibility for disabled students.
- IMPROVE campus and student safety and security.

JOB TRAINING AND COLLEGE TRANSFER:
Facility Improvements
To Train Students For Jobs in the Building Industries
and First Responders

Goals and Purposes:

Up to 80% of local NURSES rely on their local community colleges to receive their training. This measure will help train the local nurses and nursing assistants, respiratory health

technicians, and other medical professionals, that serve our community on a regular basis and that we will need for future public health emergencies.

Rancho Santiago Community College District and its higher education centers have served thousands of military VETERANS, many of whom have recently returned from war zones and face challenges including post-traumatic stress disorder and permanent disability. This measure will upgrade and expand veteran services and job training so returning service members receive the support they need to complete their education and enter the civilian workforce.

Rancho Santiago Community College District is an essential resource for students seeking a VOCATIONAL EDUCATION that provides the JOB TRAINING, technical knowledge, and specialized skills to compete for good-paying, modern careers. ,This bond measure will allow our local community college to upgrade vocational education programs so students can train and learn the skills they need to prepare for today's in-demand jobs and meet the needs of the changing job market as our economy continues to recover from the coronavirus pandemic.

- **PREPARE** returning **Veterans** for universities and good paying jobs.
- **TRAIN** students for **good-paying jobs in the building trades, such as welding and electrical.**
- **IMPROVE** job training, vocational classrooms, labs and advanced technology to help train **local nurses, first responders and paramedics.**
- **EXPAND, BUILD** and **UPGRADE** vocational classrooms for well-paying jobs in the automotive and building industries, healthcare and engineering technology.
- **PROVIDE** facilities to prepare students to transfer to four-year colleges and universities.
- **IMPROVE** career and academic counseling resource centers for Veterans.

* * *

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses, a customary contingency, and costs associated with the Total Cost of Ownership of facilities and equipment. In addition to the listed projects stated above, authorized projects also include the acquisition of a variety of instructional, maintenance and operational equipment, including interim funding incurred to advance fund projects from payment of the costs of preparation of all facility planning, fiscal reporting, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated college activities caused by construction projects, including leasing portable buildings and off-campus parking. In addition to the projects listed above, repair, renovation and construction projects may include, but not be limited to, some or all of the following: renovate

student and staff restrooms; install or upgrade elevators; replace aging electrical and plumbing systems; repair and replace heating, ventilation and air conditioning systems; acquire vehicles; upgrade of facilities for energy efficiencies, including photovoltaic/solar installations, battery energy storage and electric vehicle charging stations; repair and replace worn-out and leaky roofs, windows, walls doors and drinking fountains; replace or remove outdated buildings and classrooms and construct new general education and vocational classrooms, labs and support buildings; install wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; upgrade facilities to meet current environmental sustainability and State compliance standards; repair and replace fire alarms, emergency communications and security systems; upgrade, resurface, replacing or relocate hard courts, fields, turf and irrigation systems; install artificial turf on athletic fields; upgrade classrooms; build or upgrade facilities, corporation building and yard; construct, expand or reconfigure facilities to create large lecture classrooms; construct student parking structure; upgrade, resurface and recondition existing parking lots; improve vehicular access and traffic circulation; improve drop-off zones; repair, upgrade and install interior and exterior lighting systems; replace water lines and valves, sewer lines and other plumbing systems; construct, upgrade, acquire or expand multi-use classrooms and labs, fine arts, visual and performing arts and workforce facilities, centers for academic and student achievement services, adult education/workforce development facilities, applied technology center, career and technical education building, student service/campus center and instructional buildings, trades and technology building, library, and athletic facilities; improve water conservation and energy efficiency; acquire or lease land; replace or upgrade outdated security and safety systems; replace existing window systems with energy-efficient systems to reduce costs; improve insulation, weatherproofing and roofs to reduce costs; improve access for the disabled; install and repair fire safety equipment, including alarms, smoke detectors, sprinklers, emergency lighting, and fire safety doors; replace broken concrete walks, deteriorated asphalt; replace/upgrade existing signage, bells and clocks; demolition of unsafe facilities; install new security systems, such as security (surveillance) cameras, burglar alarms, handrails, outdoor lighting, fencing, gates and classroom door locks; improve drainage systems to prevent flooding; upgrade roadway and pedestrian paths for improved safety and access for emergency vehicles, site parking, utilities and grounds. The project list also includes the refinancing of outstanding lease obligations. The upgrading of technology infrastructure includes, but is not limited to, upgrading classroom technology, expanding wireless internet access throughout both college campuses, acquire portable interface devices, servers, switches, routers, modules, sound projection systems, information systems, printers, digital white boards, upgrade voice-over-IP, communication systems, enterprise software, licenses and warranties, audio/visual and telecommunications systems, call manager and network security/firewall, Internet connectivity, wireless systems, technology infrastructure, and other miscellaneous IT and instructional equipment, DATA storage, fiber/copper infrastructure, phones, identity access cards, the creation and upgrading of technology for distance learning, acquire necessary software and the construction and installation of a data center in the cloud for District enterprise systems, such as resource planning, websites, domain name systems, cloud applications and information security.

The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project. Some projects may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed.

Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

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FISCAL ACCOUNTABILITY

This bond measure has strict accountability requirements including:

1. All money will benefit Santa Ana College and Santiago Canyon College campuses and CANNOT BE TAKEN BY THE STATE.
2. **PUBLIC DISCLOSURE OF ALL SPENDING WILL BE REQUIRED.**
3. Require CITIZENS' OVERSIGHT and yearly AUDITS to ensure all funds are used locally, effectively and as promised.
4. NO ADMINISTRATOR SALARIES. Proceeds from the sale of the bonds authorized by this proposition shall be used only for the acquisition, construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and not for any other purpose, including teacher, faculty and college administrator salaries, pensions and other operating expenses.
5. **FISCAL ACCOUNTABILITY. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.**