

Resolution No. 1963

**RESOLUTION OF THE BOARD OF EDUCATION OF THE  
PASADENA UNIFIED SCHOOL DISTRICT  
ORDERING SCHOOL BOND ELECTION, AND AUTHORIZING NECESSARY  
ACTIONS IN CONNECTION THEREWITH**

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WHEREAS, the Board of Education (the “Board”) of the Pasadena Unified School District (the “District”), within the County of Los Angeles, California (the “County”), is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the Education Code of the State of California (the “Education Code”); and

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Education Code Sections 15100 and following; and

WHEREAS, pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, and Section 15266 of the Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition; and

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors, which, if approved by 55% of the votes cast, would permit the District to issue its bonds; and

WHEREAS, such a bond election must be conducted concurrent with a Statewide primary election, general election, or special election, or at a regularly scheduled local election, as required by Section 15266 of the Education Code; and

WHEREAS, on November 4, 2008, a Statewide general election is scheduled to be conducted throughout the District; and

WHEREAS, based upon a projection of assessed property valuation and a proposed schedule of bond issuances, 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 statutory limit of \$60 per year per \$100,000 of assessed valuation of taxable property, pursuant to Education Code Section 15270; and

WHEREAS, if any project to be funded by the bonds will require State matching funds for any phase, the sample ballot must contain a statement, in form prescribed by law, advising the voters of that fact, and the Board finds that the projects listed in the proposition contained in Exhibit A of this Resolution will not require State matching funds not yet received by the District; and

WHEREAS, Section 9400 and following of the Elections Code of the State of California (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 ballot argument in favor of the proposition to be submitted to the voters at the election;

NOW, THEREFORE, be it resolved, found, determined and ordered by the Board of Education of the Pasadena Unified School District as follows:

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

Section 2. Specifications of Election Order: Pursuant to Education Code Sections 5304, 5322, 15100 and following, and 15266, a special election shall be held within the boundaries of the Pasadena Unified School District on November 4, 2008, for the purpose of submitting to the registered voters of the District the proposition contained in Exhibit A hereto.

Section 3. Abbreviation of Proposition: Pursuant to Section 13247 of the Elections Code and Education Code Sections 5322 and 15122, the Board hereby directs the Registrar of Voters to use as the abbreviation of the bond proposition on the ballot the Abbreviation contained in Exhibit B hereto.

Section 4. Voter Pamphlet: The Registrar of Voters of the County is hereby requested to reprint the full text of the proposition contained in Exhibit A hereto in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. In the event the full text of the proposition is not reprinted in the voter information pamphlet, the Registrar of Voters is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

"The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of the measure, please call the Los Angeles County Registrar of Voters at {phone number} and a copy will be mailed at no cost to you."

together with the following statement, if applicable:

"You may also access the full text of Measure \_\_\_\_\_ on the Los Angeles County Web site at the following Web site address:  
\_\_\_\_\_."

Section 5. No State Matching Funds: The District has determined that the projects to be funded from the proposed bonds will not require State matching funds for any phase thereof, and that Section 15122.5 of the Education Code does not apply to the proposition, and accordingly, the Registrar of Voters is directed not to include the disclosure otherwise required by that section.

Section 6. Required Vote: Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the State Constitution, the proposition contained in Exhibit A shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

Section 7. Request to County Officers to Conduct Election: The Registrar of Voters of the County is hereby requested, pursuant to Section 5322 of the Education Code, to take all steps to call and hold the election in accordance with law and these specifications.

Section 8. Consolidation Requirement; Canvass: (a) Pursuant to Education Code Section 15266(a), the election shall be consolidated with the Statewide general election on November 4, 2008, and pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrar of Voters and the Board of Supervisors of the County are hereby requested to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

(b) The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to Section 10411 of the Elections Code.

Section 9. Delivery of Order of Election to County Officers: The Clerk of the Board of Education of the District is hereby directed to cause to be filed as soon as practicable, and in any event no later than August 8, 2008 (which date is not fewer than 88 days prior to the date set for the election), (1) with the Registrar of Voters of the County, one true copy of this Resolution, including the Tax Rate Statement (in substantially the form attached hereto as Exhibit C), completed and signed by the Superintendent, and (2) with the Clerk of the Board of Supervisors of the County, one copy of this Resolution.

Section 10. Ballot Arguments: The President of this Board, or any member or members of this Board as the President shall designate, are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the proposition contained in Exhibit A hereof, within the time established by the Registrar of Voters, which shall be considered the official ballot argument of this Board as sponsor of the proposition.

Section 11. Further Authorization: The members of this Board, the Superintendent, the Chief of Staff, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution in accordance with the terms hereof and of applicable provisions of law.

Section 12. Effective Date; Required Vote: This Resolution shall take effect upon its adoption by the affirmative vote of at least two-thirds of the members of this Board.

PASSED AND ADOPTED this day, July 1, 2008, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

APPROVED:

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President of the Board of Education of the  
Pasadena Unified School District

Attest:

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Clerk of the Board of Education of the  
Pasadena Unified School District

**EXHIBIT A**  
**to Resolution Ordering Election**  
**[FULL TEXT OF PROPOSITION**  
**the following to be printed in voter information pamphlet]**

PASADENA SCHOOLS IMPROVEMENT BOND OF 2008

This Proposition may be known and referred to as the “Pasadena Schools Improvement Bond of 2008” or as “Measure \_\_\_\_”. *[designation to be assigned by County Registrar of Voters]*

FINDINGS

- Nearly all of the Pasadena schools are over 50 years old. The Pasadena Unified School District has passed 1 bond in the last 42 years. It was passed in 1997 and now the schools are 11 years older.
- Over \$720 Million in school project needs and related costs were identified in 1996-1997 in preparation for the \$240 Million bond.
- Through aggressive pursuit of additional sources of funding, including State matching grants, the District was able to raise an additional \$105 Million for a total funding availability of \$345 Million.
- Estimated cost for projects identified but not done amounted to \$375 Million in 1997 dollars.
- Construction inflation since 1997 is over 180%, so an equivalent total cost estimate for the projects identified but not done in today’s dollars would be \$1.050 Billion.
- Outside architectural assessments as part of a Facilities Master Plan process in the past nine months have identified projects totaling over \$1 Billion.

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Pasadena Unified School District shall be authorized to issue and sell bonds of up to \$350,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List below, and in order to qualify to receive State matching grant funds, subject to all of the accountability safeguards specified below.

Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses. 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 the bond projects.

## ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the Pasadena Unified School District's voters and taxpayers may be assured that their money will be spent wisely to address specific facilities needs of the Pasadena Unified School District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Board of Education has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the Pasadena Unified School District at each campus and facility, and to determine which projects to finance from a local bond at this time. The Board of Education hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Independent Citizens' Oversight Committee. The Board of Education shall establish an independent Citizens' Oversight Committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are spent only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board of Education.

Annual Performance Audits. The Board of Education shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List.

Annual Financial Audits. The Board of Education shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Education shall take actions necessary pursuant to Government Code Section 53410 and following to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31, 2009, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

## FURTHER SPECIFICATIONS

Specific Purposes. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

Joint Use. The District may enter into agreements with other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in

accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board of Education shall determine.

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than 35 years from the date borne by that bond.

### BOND PROJECT LIST

The Bond Project List below describes the specific projects the Pasadena Unified School District proposes to finance with proceeds of the bonds. Listed projects will be completed as needed at a particular school site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. Certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Until all project costs and funding sources are known, the Board of Education cannot determine the amount of bond proceeds available to be spent on each project, nor guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Completion of some projects may be subject to further government approvals by State officials and boards, to local environmental review, and to input from the public. For these reasons, inclusion of a project on the Bond Project List is not a guarantee that the project will be funded or completed. The Board of Education may make changes to the Bond Project List in the future consistent with the projects specified in the proposition.

Unless otherwise noted, the following projects are authorized to be completed at each or any of the District’s school sites.

Allendale Elementary School	Altadena Elementary School
Audubon School	Burbank Elementary School
Cleveland Elementary School	Don Benito Fundamental School
Edison Elementary School	Field Elementary School
Franklin Elementary School	Hamilton Elementary School
Jackson Elementary School	Jefferson Elementary School
Linda Vista Elementary School	Loma Alta Elementary School
Longfellow Elementary School	Madison Elementary School
McKinley Elementary School	Norma Coombs Alternative School
Noyes Elementary School	Roosevelt Elementary School
San Rafael Elementary School	Sierra Madre School – Lower Campus
Sierra Madre School – Upper Campus	Washington Accelerated Elementary School
Webster Elementary School	Willard Elementary School
Charles W. Eliot Middle School	Washington Middle School
Woodrow Wilson Middle School	Oak Knoll

Blair International Baccalaureate School	CIS Academy
Marshall Fundamental Secondary School	John Muir High School
Pasadena High School	Rose City High School

- Replace, repair or upgrade plumbing, piping and drainage systems, including water supply, meters, water heating, and wastewater systems, plumbing fixtures and sinks, etc., within buildings and sites and to connect with city supply and drainage systems
- Upgrade, acquire and install climate control systems for heating, ventilation, cooling/air conditioning (HVAC), including alternative and passive technologies to conserve energy, such as energy management systems, energy-efficient windows, window coverings and shade control, shade canopies, etc.
- Improve fire safety and life safety systems, including install/replace alarms, smoke/fire detection systems, and sprinklers
- Construct new permanent classrooms and classroom buildings or acquire and install portable classrooms to accommodate changes in grade configuration, enrollment growth and expanded programs
- Rehabilitate existing restrooms and provide additional restrooms
- Construct or install improvements required to comply with access requirements of the Americans with Disabilities Act (ADA), and existing state and local building codes, including upgrade, modify, or construct restroom facilities, ramps, doors, parking, etc.
- Upgrade/install voice and data communications systems, including network and electrical infrastructure to accommodate computer technology upgrades
- Modernize and reconfigure kindergarten classrooms and facilities, including restrooms
- Upgrade, repair, replace, modify or construct site improvements, paths, sidewalks and walkways, canopies, lunch shelters, exterior shade structures, landscaping improvements, irrigation and drainage, etc.
- Upgrade classroom and other facility interiors, including floor and ceiling finishes, carpeting, windows, cabinets and casework, replace, install or construct interior walls, and equipment attached to wall surfaces (including white boards, marker boards, tack boards, television mounts, scoreboards, fire extinguishers, etc.)
- Implement energy-saving and water-saving projects District-wide
- Interior and exterior lighting upgrades throughout the District, including for security and energy efficiency
- Renovate, construct or reconstruct gymnasiums and student locker rooms (may be joint-use projects)
- Provide and equip library/media centers
- Renovate, construct, or reconstruct cafeterias/auditoriums/multi-purpose rooms and kitchens, and acquire and install food preparation equipment and fixtures (may be joint-use projects)



- Construct, repair, replace or modify roofs or portions of roofs
- Upgrade/install, repair, replace school-wide and District-wide security systems, clock and bell systems, public address, etc., including alarms, security cameras, exterior and school site lighting, locks, monitoring systems, fencing, etc.
- Renovate, improve, repair or install playgrounds, hard courts, athletic play fields, tracks and turf, including new synthetic fields at high schools, irrigation and drainage, bleachers, lighting, fencing, etc., and field equipment and facilities (including nets, basketball standards, goals and goalposts, backstops) (may be joint-use projects)
- Upgrade and expand parking and vehicle access to school sites, including off-street parking areas, pickup/drop-off, ingress/egress, signage, etc.
- Upgrade electrical systems as well as main power service and distribution, which may include active and passive solar power and heating system acquisition, installation and construction
- Repair, modify, upgrade or reconstruct structural elements of existing campus structures
- Refinish the exterior finishes of school buildings, including stucco, wood and metal trims, framing and siding, paint, etc.
- Replace doors and door hardware, including install safety/security locks
- Auditorium and stage modernization throughout the District, including replacement of stage curtains, upgraded stage rigging and lighting at all secondary schools
- Reimburse other District funds for costs of authorized projects incurred prior to the election, not to exceed \$5 million
- Remodel existing classrooms to provide additional pre-kindergarten facilities
- Provide District's share of eligible joint-use projects
- Acquisition of any of the facilities on the Bond Project List through temporary lease or lease-purchase arrangements, or execute purchase option under a lease for any of these authorized facilities, or acquire any other facilities the District is currently leasing or financing through lease-leaseback or sale-leaseback
- Furnishing and equipping of existing and newly constructed, modernized or rehabilitated classrooms and facilities on an ongoing basis, including to replace worn, broken, or out-of-date furniture and equipment for all classrooms, athletic facilities and other facilities, as needed.
- Replace existing or acquire new computers, technology and related equipment on an ongoing basis.

Each project listed is assumed to include its share of costs of the election and bond issuance and other construction-related costs, such as construction management, architectural, engineering, inspection and other planning costs, legal, accounting and similar fees, independent annual financial and performance audits, a customary construction contingency, and other costs incidental to and necessary for completion of the listed projects (whether work is performed by the District or by third parties), including:

- Remove, dispose of, and otherwise remediate hazardous materials, including asbestos, lead, etc., where necessary.
- Address unforeseen conditions revealed by construction/modernization (including plumbing or gas line breaks, dry rot, seismic, structural, etc.).
- Site preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of portable classrooms, including ingress and egress, demolition of existing structures, removing, replacing, or installing irrigation and drainage, utility lines (such as gas lines, water lines, electrical lines, sewer lines, and communication lines), trees and landscaping, relocating fire access roads, traffic lights and mitigation, and acquiring any necessary easements, licenses, or rights of way to the property.
- If and as the need arises, and to the extent the Board of Trustees determines that bond funds are available for the purpose, acquisition of land and other interests in real property for additional school buildings and other District facilities.
- Rental or construction of storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction.

For any project involving renovation, modernization, remodeling or rehabilitation of a building or the major portion of a building, the District may proceed with new replacement construction instead (including any necessary demolition), if the Board of Trustees determines that replacement and new construction is more practical than rehabilitation and renovation, considering the building's age, condition, expected remaining life, comparative cost, and other relevant factors.

The Bond Project List shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

**[End of Full Text of Proposition]**

**EXHIBIT B  
to Resolution Ordering Election**

**[ABBREVIATION OF PROPOSITION  
to appear on ballot]**

*[Max 75-word summary]*

“To repair or replace deteriorating and outdated plumbing, heating, ventilation, and fire alarm systems; replace aging portable classrooms; make disabled access improvements, implement energy- and water-saving projects; modernize or reconstruct kindergartens, cafeterias, multipurpose facilities and gyms; and make the District eligible for millions in State matching grants, shall Pasadena Unified School District issue \$350,000,000 of bonds at lawful interest rates, with no money for administrative salaries, and spending annually reviewed by an independent citizens’ oversight committee?”

(74 words)

**EXHIBIT C**  
**to Resolution Ordering Election**  
**[the following to be printed in voter information pamphlet]**

TAX RATE STATEMENT

An election will be held in the Pasadena Unified School District (the “District”) on November 4, 2008, to authorize the sale of up to \$350,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to sell the bonds in series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The information presented in numbered paragraphs 1-3 below is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 5.287 cents per \$100 (\$52.87 per \$100,000) of assessed valuation in fiscal year 2009-10.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 5.287 cents per \$100 (\$52.87 per \$100,000) of assessed valuation in fiscal year 2011-12.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, 5.287 cents per \$100 (\$52.87 per \$100,000) of assessed valuation. The tax rate is expected to remain the same in each year that bonds are scheduled to be outstanding.

Voters should note that the estimated tax rates are based on the *ASSESSED VALUE* of taxable property in the District as shown on the County’s official tax rolls, *not* on the property’s market value. Property owners should consult their own property tax bills to determine their property’s assessed value and any applicable tax exemptions.

The foregoing information is based upon the District’s projections and estimates. Approval of the ballot measure authorizes the issuance of bonds under certain conditions, and is not approval of a specific tax rate. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount and repayment structure of bonds sold, market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount and repayment structure of bonds sold at any given time will be determined by the District based on its need for construction funds and other factors, including the legal limitations on bonds approved by a 55% vote. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

**[End of Tax Rate Statement]**

**SECRETARY'S CERTIFICATE**

I, Edwin Diaz, Secretary of the Board of Education of the Pasadena Unified School District, County of Los Angeles, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on July 1, 2008, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present. The resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

An agenda of the meeting was posted at least 72 hours beforehand at 351 South Hudson Avenue, Pasadena, California, a location freely accessible to members of the public, and a brief description of the adopted resolution appeared on the agenda. A copy of the agenda is attached hereto.

I have carefully compared the same with the original minutes of the meeting on file and of record in my office. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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Secretary of the Board of Education  
Pasadena Unified School District