

8.02

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION – BOARD OF TRUSTEES

To the Board of Trustees:

Date: October 5, 2017

**Subject: Resolution # 15 – 17/18
Resolution of the Board of Trustees of the Alum Rock Union Elementary School District Approving Amended and Restated Bylaws for the Alum Rock Union Elementary School District Independent Citizens' Bond Oversight Committee**

Staff Analysis: On June 3, 2008, the voters of the Alum Rock Union School District (the "District") approved the issuance of General Obligations Bonds in the maximum amount of \$179,000,000 ("Measure G"). As required by State Law, the District, through Board action, established an independent Citizens' Oversight Committee (the "Committee") in connection with Measure G and approved governing bylaws therefore.

On November 6, 2012, voters of the District approved the issuance of General Obligations Bonds in the maximum principal amount of \$125,000,000 ("Measure J"). Pursuant to prior Board action, the District reconstituted the existing Measure G Committee and approved amended bylaws making the Committee responsible for oversight responsibilities for both Measure G and Measure J. Certain changes in State Law now necessitate an amendment to the existing Committee Bylaws.

On June 7, 2016, voters of the District reapproved the issuance of General Obligations Bonds, which voters approved in June 2008 in the maximum principal amount of \$139,999,671.60 ("Measure I"). Pursuant to prior Board action, the District reconstituted the existing Measure J Committee and approved amended bylaws making the Committee responsible for oversight responsibilities for both Measure J and Measure I. Certain changes in State Law now necessitate an amendment to the existing Committee Bylaws.

Resolution # 15-17/18 establishes approves restated and amended Bylaws for the Committee which addresses changes in State Law. The Committee remains responsible for oversight responsibilities for both Measure J and Measure I.

Fiscal Impact: Because the Education Code prohibits the use of bond funds for the support of the Committee, the District will continue to be obligated to provide administrative support to the Committee.

Recommendation: Staff recommends that the Board of Trustees approve Resolution # 15-17/18 approving amended and restated bylaws for the Alum Rock Union Elementary School District Independent Citizens' Bond Oversight Committee.

Oct 12, 2017

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Approved by: Kolvira Chheng *[Signature]* Title: Assistant Superintendent, Business Services

To the Board of Trustees: Meeting: October 12, 2017
Regular Board Meeting
Recommend Approval
8.02
Agenda Placement Hilaria Bauer, Ph.D., Superintendent *[Signature]*

DISPOSITION BY BOARD OF TRUSTEES
Motion by: Andres Guter Seconded by: Kay Martez
Approved 3 Not Approved 2 Tabled Dolores Marquez
Eran Herrera

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. 15 – 17/18

RESOLUTION OF THE BOARD OF TRUSTEES OF THE ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT APPROVING AMENDED AND RESTATED BYLAWS FOR THE ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE

WHEREAS, the Board of Trustees of the Alum Rock Union Elementary School District (the "District") previously adopted a resolution requesting Santa Clara County, California (the "County") to call an election for general obligation bonds (the "2008 Bond Election") to be held on June 3, 2008; and

WHEREAS, notice of the 2008 Bond Election was duly given; and on June 3, 2008 the 2008 Bond Election was duly held and conducted for the purpose of voting on a measure for the issuance of bonds of the District in the amount of \$179,000,000 ("Measure G"); and

WHEREAS, based on the Canvass and Statement of Results for the County, more than fifty-five percent of the votes cast on Measure G were in favor of issuing the aforementioned bonds; and

WHEREAS, the District previously adopted a resolution requesting the County to call an election for general obligation bonds (the "2012 Bond Election") to be held on November 6, 2012; and

WHEREAS, notice of the 2012 Bond Election was duly given; and on November 6, 2012 the 2012 Bond Election was duly held and conducted for the purpose of voting on a measure for the issuance of bonds of the District in the amount of \$125,000,000 ("Measure J"); and

WHEREAS, the District previously adopted a resolution requesting the County to call an election for general obligation bonds (the "2016 Bond Election", and together with the 2008 Bond Election and the 2012 Bond Election, the "Bond Elections") to be held on June 6, 2016; and

WHEREAS, notice of the 2016 Bond Election was duly given; and on June 6, 2016 the 2016 Bond Election was duly held and conducted for the purpose on a measure for the reapproval of the issuance of bonds in the amount of \$139,999,671.60 ("Measure I", and together with Measure J and Measure G, the "Measures"); and

WHEREAS, based on the Canvass and Statement of Results for the County, more than fifty-five percent of the votes cast on each Measure were in favor of issuing the aforementioned bonds

WHEREAS, the Board of Trustees of the District (the "Board") previously has established an independent citizens' bond oversight committee (the "Committee") in connection with issuance of bonds under Measure G; and

WHEREAS, the Board has also previously approved Bylaws governing such Committee;

WHEREAS, the Board has also previously amended and restated such Bylaws, as a whole, to make them applicable to both Measure G and Measure J:

WHEREAS, the Board now desires to further amend and restate such Bylaws to expand the jurisdiction of the Committee to include the review of the expenditure of bonds issued under Measure I (so amended and restated, the “Amended and Restated Bylaws”).

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:

Section 1. Amended and Restated Bylaws. The Committee shall operate pursuant to the Board of Trustees approved Amended and Restated Bylaws. The Committee shall have only those responsibilities granted to them in the Act, in the resolutions calling for the respective Bond Elections and in the Amended and Restated Bylaws. The Amended and Restated Bylaws, as submitted herewith and attached hereto are hereby approved. The previous Bylaws related to Measure G and Measure J are rescinded and of no further force and effect.

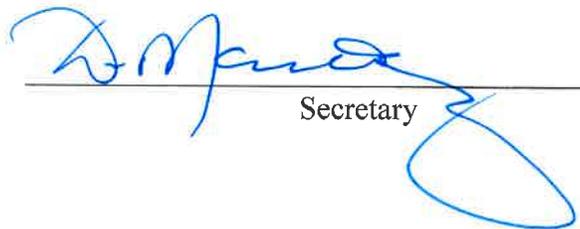
ADOPTED, SIGNED AND APPROVED this 12th day of October, 2017.

BOARD OF TRUSTEES OF THE ALUM ROCK
UNION ELEMENTARY SCHOOL DISTRICT



President

ATTEST:



Secretary