

**GOVERNING BOARD
OF THE
GROSSMONT UNION HIGH SCHOOL DISTRICT
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA**

Res. No. 2009-11

RESOLUTION OF THE GOVERNING BOARD OF THE GROSSMONT UNION HIGH SCHOOL DISTRICT ORDERING SCHOOL BOND ELECTION, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Governing Board (the "Board") of the Grossmont Union High School District (the "District"), within the County of San Diego, 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, on March 2, 2004, voters in the District approved Proposition H ("Proposition H"), authorizing the District to issue \$274 million in bonds (the "Proposition H Bonds") to modernize and construct high school facilities, and since its approval, Proposition H Bonds have funded improvements at all District high schools; 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

(excluding Proposition H Bonds) will not exceed the statutory limit of \$30 per year per \$100,000 of assessed valuation of taxable property, pursuant to Education Code Section 15268; and

WHEREAS, if the 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 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 Governing Board of the Grossmont Union High 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 Grossmont Union High 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 Proposition ____.
If you desire a copy of the measure, please call the San Diego 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 Proposition ____ on the San Diego County Web site at the following Web site address:
_____."

Section 5. State Matching Funds. The District hereby requests that the Registrar of Voters include the following statement in the ballot pamphlet, pursuant to Section 15122.5 of the Education Code. This statement shall not be printed as part of the proposition:

**STATEMENT REQUIRED BY
EDUCATION CODE SECTION 15122.5**

“Approval of Proposition ____ does not guarantee that the proposed project or projects in the Grossmont Union High School District that are the subject of bonds under Proposition ____ will be funded beyond the local revenues generated by Proposition ____ . The District’s proposal for the project or projects assumes the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.”

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 Secretary of the Governing Board 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 Deputy Superintendent, Business Services of the District, 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, August 4, 2008, by the following vote:

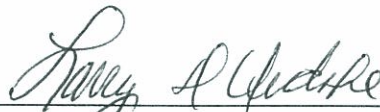
AYES: Hoy, Schreiber, Shield, Urdahl

NOES: Kelly

ABSTAIN: 0

ABSENT: 0

APPROVED:



President of the Governing Board
of the Grossmont Union High School District

ATTEST:



Secretary of the Governing Board of
the Grossmont Union High School District