

RESOLUTION NO. 03/06

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

WHEREAS, the Board of Trustees (the "Board") has determined that certain properties and facilities within the Yuba Community College District (the "District"), within Yuba, Sutter, Colusa, Glenn, Lake, Yolo, Butte and Placer Counties (the "Counties"), need to be maintained, acquired, constructed, improved and furnished and equipped to enable the District to maintain each of Yuba College, Woodland Community College and the campuses in Clear Lake, Colusa County and Sutter County as valuable community resources, to train and retrain local residents for higher-paying and skilled jobs, and to enhance educational opportunities for the students in the District who desire to transfer to four-year institutions; and

WHEREAS, due to the age and condition of many of the District's facilities, the District has been less able to provide necessary education programs and thus the Yuba Community College District must act to maintain and expand its campuses and provide a balance of job training and general education classes close to the homes of its students; and

WHEREAS, the Board has determined that the modernization and replacement of deteriorated classrooms, buildings, laboratories and instructional equipment and the construction of new classrooms and labs for nursing and other health care programs, police, fire and public safety programs; the provision of state-of-the-art computer technology; the installation of fire safety equipment; the improvement of electrical, lighting, ventilation and fire detection systems in existing classrooms; the enhancement of access for disabled students; and the improvement of facilities to provide students with more course options close to their homes are also among the highest priorities of the Board; and

WHEREAS, notwithstanding concerted and ongoing efforts by the District to obtain sufficient facility money from the State of California (the "State"), the State has been unable to provide the District with enough money for the District to adequately establish and maintain Yuba College, Woodland Community College and the campuses in Clear Lake, Colusa County and Sutter County for students; and

WHEREAS, after much consideration, discussion and public input, the Board has prioritized its most immediate and critical facilities and equipment needs; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional funding for such facility, technology, and safety needs by means of a general obligation bond; and

WHEREAS, Proposition 46, approved by the voters of the State of California on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIII A of the California Constitution by adding a provision which exempts from the 1% of full cash value limitation, those *ad valorem* taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act (“Proposition 39”) which, as of its effective date, 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 the restrictions in Proposition 39, as interpreted by the Attorney General of the State of California, which prohibit any bond money to be used for teacher or administrator salaries and expenses be strictly enforced by a Citizens’ Oversight Committee; and

WHEREAS, pursuant to the California 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 7, 2006, and to request that the Yuba County Registrar of Voters, along with the Registrar of Voters in each of Sutter, Colusa, Glenn, Lake, Yolo, Butte and Placer Counties, perform certain election services for the District; and

WHEREAS, in the judgment of the Board, it is advisable to request the Yuba County Registrar of Voters, along with the Registrar of Voters in each of Sutter, Colusa, Glenn, Lake, Yolo, Butte and Placer Counties, to call an election pursuant to Proposition 39 on the question of whether general obligation bonds shall be issued and sold on behalf of the District for purposes set forth below;

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

Section 1. That the Board, pursuant to Education Code Sections 15100 and Government Code Section 53506, hereby requests each of the Yuba County Registrar of Voters, along with the Registrar of Voters in each of Sutter, Colusa, Glenn, Lake, Yolo, Butte and Placer Counties, to call an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount not to exceed \$190 million (the “Bonds”) shall be issued and sold to raise money for the purposes described in Exhibits “A” and “B” hereto.

Section 2. That the date of the election shall be November 7, 2006.

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 teacher or administrator salaries or other college operating expenses;

(b) that the Board, in establishing the projects set forth in Exhibit “B,” evaluated the safety, class size and offerings and information technology needs of the District;

(c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys are expended for the projects identified in Exhibit “B” hereto;

(d) that the Board will cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all Bond proceeds have been expended;

(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; and

(f) that the tax levy authorized to secure the bonds of this election shall not exceed the Proposition 39 limit 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.* and 15264 *et seq.* and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Section 5322 of the Education Code.

Section 6. That the Yuba County Registrar of Voters and the Yuba County Board of Supervisors and each of the Registrar of Voters and Board of Supervisors of Sutter, Colusa, Glenn, Lake, Yolo, Butte and Placer Counties, are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 7, 2006, within the District.

Section 7. That this Resolution shall stand as the “order of election” to the Yuba County Registrar of Voters and the Registrar of Voters in each of Sutter, Colusa, Glenn, Lake, Yolo, Butte and Placer Counties to call an election within the boundaries of the District on November 7, 2006.

Section 8. That the Secretary of the Board is hereby directed to deliver an original or a certified copy of this Resolution to each of the Yuba County Registrar of Voters and the Registrar of Voters in each of Sutter, Colusa, Glenn, Lake, Yolo, Butte and Placer Counties, no later than June 28, 2006.

Section 9. That the maturity of any Bonds issued pursuant to Section 15100 of the Education Code, and Bonds issued pursuant to Section 53506 of the Government Code shall not exceed the maturity limits set forth therein, respectively. The maximum interest rate on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

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



## EXHIBIT A

“To repair/upgrade Yuba and Woodland Community Colleges, improve job training, university transfer, provide more courses to students close to home,

- Repair/expand classrooms for math, science, healthcare, nursing, police, fire, public safety programs,
- Upgrade electrical, heating, ventilation systems,
- Repair leaky roofs,
- Improve disabled access,
- Upgrade technology,
- Repair, construct, acquire, equip buildings, classrooms, sites, computer labs, shall Yuba Community College District issue \$190 million in bonds, at legal rates, with mandatory audits and citizen oversight to monitor spending?”

Bonds - Yes

Bonds – No

EXHIBIT B  
FULL TEXT BALLOT PROPOSITION  
OF THE YUBA COMMUNITY COLLEGE DISTRICT  
BOND MEASURE ELECTION NOVEMBER 7, 2006

“To repair/upgrade Yuba and Woodland Community Colleges, improve job training, university transfer, provide more courses to students close to home,

- Repair/expand classrooms for math, science, healthcare, nursing, police, fire, public safety programs,
- Upgrade electrical, heating, ventilation systems,
- Repair leaky roofs,
- Improve disabled access,
- Upgrade technology,
- Repair, construct, acquire, equip buildings, classrooms, sites, computer labs, shall Yuba Community College District issue \$190 million in bonds, at legal rates, with mandatory audits and citizen oversight to monitor spending?”

**Bonds - Yes**

**Bonds – No**

**PROJECTS**

The Board of Trustees of the Yuba Community College District, to be responsive to the needs of students and the community, evaluated the District’s urgent and critical facility needs, including providing sufficient classrooms and labs to offer more courses and programs to students close to home, facility maintenance, safety issues, class offerings, energy cost reduction and information and computer technology, in developing the scope of projects to be funded, as outlined in the Facilities Master Plan, as approved on June 14, 2006. In developing the scope of projects, the faculty, staff and students have prioritized the key health and safety needs so that the most critical needs and the most urgent and basic repairs that will make all campuses clean and safe for learning are addressed. The Board conducted facilities evaluations and received public input and review in developing the scope of college facility projects to be funded, as listed in the Facilities Master Plan. This input of faculty and community leaders concluded that if these needs were not addressed now, the problems would only get worse. **In preparing the Facilities Master Plan, the Board of Trustees made five important determinations - Yuba Community College District must:**

- **Provide facilities that allow it to offer courses and programs to students close to home;**
- **Provide additional classrooms throughout the District which allow more students more access to two-year degree programs and complete a bachelor’s degree in their own community;**
- **Expand classrooms and labs devoted to nursing and other health training programs;**

- **Renovate existing classrooms and vocational training facilities to insure that they are safe, energy efficient and provide access to state-of-the-art computers and instructional technology.**

The Facilities Master Plan is on file and available for review at the District Chancellor's Office as well as at the offices of the Presidents of Yuba College and Woodland Community College, and include the projects listed below.

#### **YUBA COLLEGE, MARYSVILLE CAMPUS**

- **Upgrade, Maintain, Equip, and/or Replace Obsolete Classrooms, Science and Computer Labs, Library, Instructional Facilities, Sites and Utilities; Meet Demands of Changing Workforce; Improve Disabled Access:**

Upgrade buildings to include educational equipment and laboratories, provide state-of-the-art computer technology capability for students, repair, build, upgrade and/or replace leaky roofs, decaying walls, old ceiling tiles and flooring, plumbing, sewer and drainage systems, inefficient electrical systems and wiring, deteriorated restrooms, heating, ventilation and cooling systems, foundations, telecommunications systems, classrooms, lecture halls, language labs, fields, and new soccer field, courts and grounds, science and other instructional laboratories and healthcare workforce facilities, technology center, library, administrative facilities, public safety, records and counseling buildings and other instructional facilities, wire classrooms for computers and other technology, increase energy efficiency, acquire equipment, increase safety, reduce fire hazards with alarms, smoke detectors, fire safety doors and sprinklers, reduce operating costs in order for more classes and job training to be offered, improve academic instruction; and meet legal requirements for disabled access.

- **Upgrade Technology:**

Provide state-of-the-art technology facilities, upgrade Internet access and wireless and cable technology, build "smart classrooms" to improve technology-enhanced and distance learning, upgrade telecommunications systems, upgrade campus-wide technology, replace outdated computers, replace network infrastructure equipment, and install wiring upgrades.

- **Repair, Replace and Upgrade Electrical and Mechanical Systems to Reduce Energy Consumption and Utility Bills and Accommodate Computer Technology, Internet Access and Communications Systems**

- **Improve Safety and Disabled Access; Remove Asbestos:**

Remove all harmful asbestos, upgrade existing fire alarms, sprinklers, smoke detectors, and fire doors, install security systems, exterior lighting, emergency lighting, signage, door locks and fences, and improve accessibility for the disabled.

- **Expand Classroom and Facility Capacity, Construct Classroom/Administrative Justice Center, Upgrade Classrooms/Labs For Nursing and Emergency Medical Services:**

Increase permanent classroom and facility capacity for academic and job training classes, including math, science and health care programs, upgrade science labs, physical and health education, and applied arts and sciences facilities, upgrade campus technology, and construct “smart classrooms” to improve technology-enhanced learning. Demolish deteriorated buildings.

- **Improve Access:**

Improve campus road network and surfacing, resurface parking area, improve pedestrian safety and increase access for emergency vehicles.

The described repair and upgrade improvements will be made at the following buildings: 100A, 100B, 200, 300, 400, 500, 600, 700, 800, 900, 1100, 1200, 1300, 1400, 1600, 1700, 1800, 1900. Buildings 1250 and 1500 will be demolished.

#### **YUBA COLLEGE, CLEAR LAKE CAMPUS**

- **Upgrade Technology:**

Provide state-of-the-art technology facilities, upgrade Internet access and wireless and cable technology, build “smart classrooms” to improve technology-enhanced and distance learning, upgrade telecommunications systems, upgrade campus-wide technology, replace outdated computers, replace network infrastructure equipment, and install wiring upgrades.

- **Expand Classroom and Facility Capacity, Construct Permanent Classrooms, Library, Bookstore, Student Center Building:**

Construct a 30,000 square foot permanent building with large classrooms, a library, bookstore, student services areas, and designed to accommodate classes with four-year colleges to replace portable buildings.

- **Repair, Upgrade, Equip, and/or Replace Obsolete Classrooms, Utilities:**

All existing structures will be upgraded to include new science/laboratory facilities and expanded facilities for food service management and culinary art instruction; repair, upgrade plumbing, sewer and drainage systems, inefficient electrical systems and wiring and heating, ventilation and cooling systems.

#### **SUTTER COUNTY OUTREACH FACILITY**

- **Expand Classroom Capacity:**

Provide classroom facility in Sutter County to offer local students access to two year degree coursework and coursework toward a bachelor’s degree.

#### **WOODLAND COMMUNITY COLLEGE**

- **Upgrade Technology:**

Provide state-of-the-art technology facilities, upgrade Internet access and wireless and cable technology, build “smart classrooms” to improve technology-enhanced learning, upgrade telecommunication systems, upgrade campus-wide technology, replace outdated computers, replace network infrastructure equipment, and install wiring upgrades.

- **Repair, Upgrade, Equip, and/or Replace Obsolete Classrooms, and Other Facilities, Sites and Utilities**

Repair, upgrade and/or replace leaky roofs, decaying walls, old ceiling tiles and flooring, plumbing, sewer, and drainage systems, inefficient electrical systems and wiring, deteriorated restrooms, heating, ventilation and cooling systems, telecommunications systems, data center, foundations, fields and grounds, library, classrooms, lecture halls, other faculty, administrative and instructional facilities, agricultural greenhouse repairs, corporation yard, wire classrooms for computers and technology, increase safety, paint interior walls, increase energy efficiency, acquire equipment, install emergency exit signs, reduce fire hazards, install emergency generators, reduce operating costs in order for more classes and job training to be offered, improve academic instruction, and meet legal requirements for disabled access.

- **Construct Academic Facilities to Expand Classroom and Performance Capacity:**

Increase permanent classroom capacity for the agricultural program; construct a visual and performing arts center to support curriculum, community interest and graduation activities, and multi-purpose facility use.

#### **COLUSA COUNTY OUTREACH FACILITY**

- **Expand Classroom Capacity:**

Provide classroom facility to allow students to enroll in general education classes closer to home and to expand the early childhood education program in Colusa County.

#### **DISTRICT-WIDE PROJECTS**

- **Provide greater access to technology; upgrade electrical wiring, Internet access, wireless and cable technology, fiber optics and network infrastructure for computers and telecommunication systems.**
- **Refinance existing lease obligations.**
- **Acquire property for new facilities to accommodate growing population and to better serve new populations in the District.**

Listed building, repair and rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program management, staff training expenses and a customary contingency for unforeseen design and construction costs. The allocation of bond proceeds will be affected by the District's receipt of State bond funds and the final costs of each project. 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 are finalized, construction bids 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 modernization, 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 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.

**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 AS 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 PERMITTED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.**

**NO ADMINISTRATOR SALARIES. PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE CONSTRUCTION, RECONSTRUCTION, REHABILITATION, ACQUISITION OR REPLACEMENT OF COLLEGE FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF COLLEGE FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHERS' AND ADMINISTRATORS' SALARIES AND OTHER OPERATING EXPENSES.**

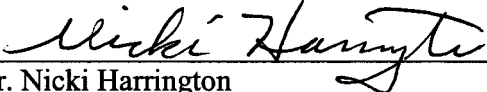
**Tax Rate Statement**  
**Yuba Community College District**  
**Bond Measure**

An election will be held in the Yuba Community College District (the "District") on November 7, 2006, for the purpose of submitting to the electors of the District the question of issuing bonds of the District in a principal amount not to exceed \$190 million. If such bonds are authorized and sold, the principal thereof and interest thereon will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information regarding tax rates is given to comply with Section 9401 of the California Elections Code. Such information is based upon the best estimates and projections presently available from official sources, upon experience with the District, and other demonstrable factors.

Based upon the foregoing and projections of the District's assessed valuation, and assuming the entire debt service will be paid through property taxation:

1. The best estimate of the tax rate that would be required to be levied to fund the 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 1.6 cents per \$100 of assessed valuation (or \$16.00 per \$100,000 of assessed valuation) for fiscal year 2007-08.
2. The best estimate of the tax rate that would be required to be levied to fund the 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 1.6 cents per \$100 of assessed valuation (or \$16.00 per \$100,000 of assessed valuation) for fiscal year 2010-11.
3. The best estimate of the highest tax rate that would be required to be levied to fund the bond issue, and an estimate of the years in which that rate will apply, based on estimated assessed valuations available at the time of the filing of this statement is again 1.6 cents per \$100 of assessed valuation (or \$16.00 per \$100,000 of assessed valuation), which is projected to be the same in every fiscal year that the bonds remain outstanding.

Attention to all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which are not binding upon the District. The actual timing of bond sales and the amount of bonds sold at any given time will be governed by the needs of the District, the state of the bond market, and other factors. The actual interest rates on any bonds sold will depend upon market conditions and other factors at the time of sale. The actual assessed valuations in future years will depend upon the value of property within the District as determined in the assessment and equalization process. Therefore, the actual tax rates and the years in which such rates are applicable may vary from those presently estimated as stated above.

  
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Dr. Nicki Harrington  
Chancellor  
Yuba Community College District