

SAN MARINO UNIFIED SCHOOL DISTRICT

Resolution # 5 - 2006-2007

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN MARINO
UNIFIED SCHOOL DISTRICT CALLING AN ELECTION FOR VOTER
APPROVAL TO ENACT AN EDUCATIONAL PARCEL TAX

WHEREAS, the San Marino Unified School District (the "District") is devoted to providing high quality education in order to enhance the quality of life for residents of the community; and,

WHEREAS, the District implemented a number of changes to generate sufficient funds for its education programs, including initiation of local fund-raising efforts; and,

WHEREAS, property values within the District as directly affected by changes in the quality of education available in the public schools; and,

WHEREAS, future funding for the District from the State of California and other sources is projected to be inadequate to provide the level of support to the District's education programs which the citizens of the District expect; and,

WHEREAS, Article XIII A, Section 4 of the California Constitution and Sections 50075, *et seq.*, of the California Government Code permit a school district to propose the adoption of a special tax for specified purposes and to levy the special tax following approval by at least two-thirds of the voters voting upon the proposition; and,

WHEREAS, the current special parcel tax has been in place since 1991 and was renewed in 1995, 1999, and 2003 and is currently at the level of \$195 per year assessed against each parcel (except for exemptions as noted under Sections 3 and 5), and is due to expire on June 30, 2007; and,

WHEREAS, the Board of Education of the District proposes to renew the levy of a special tax at the existing rate upon parcels of land within the District for the purposes set forth in this Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the San Marino Unified School District as follows:

Section 1. This Board of Education (the "Board") finds and determines that the foregoing recitals are true and correct.

Section 2. This Board hereby proposed to levy a special educational parcel tax for such specific purposes as:

- (a) retain and attract the best qualified teachers and counselors;
- (b) maintain districtwide school librarians;
- (c) support academic programs in science and math;
- (d) prevent the elimination of teaching specialists in the area of math and science,
- (e) maintain reduced class size;
- (f) support the maintenance of existing educational programs at current levels;
- (g) maintain adequate technology systems for all students by retaining technology service technicians.

Pursuant to Government Code Section 50075.1 the Board determines that the proceeds of the parcel tax shall only be applied for the purposes stated above.

Section 3. The special tax shall be a parcel tax of \$295 per year (adjusted annually by the Los Angeles Metropolitan Statistical Area Consumer Price Index) assessed against each Parcel. As used herein, the term "Parcel" means any parcel of land which lies wholly or partially within the boundaries of the District, for which the Assessor of the County of Los Angeles has assigned an assessor's parcel number; provided, however, that any such parcels which are (i) contiguous, (ii) used solely for owner-occupied, single-family residential purposes, and (iii) held under identical ownership, may, by submitting an application of the owners thereof to this Board in accordance with rules and regulations adopted by this Board (the "Rules and Regulations"), be treated as the single parcel for purposes of the levy of this special tax. The special tax shall be levied in each fiscal year for six (6) full years.

Section 4. Subject to voter approval as set forth below, the special tax shall be levied commencing with the 2007-2008 fiscal year of the District, and shall be collected with, and in the same manner and subject to the same interest and penalties as, general *ad valorem* taxes collect by the Los Angeles County Treasurer and Tax Collector. In accordance with the requirements of Government Code Section 50075.3, the District shall create a separate account into which the proceeds of the special tax shall be deposited.

Section 5. The levy and collection of the special parcel tax is not intended to decrease or offset any increase in local, state or federal government funding sources that would otherwise be available to the District at any time during which the special tax may be levied. In the event that the levy and collection does have such an effect, the District shall reduce the special tax levy to the extent of any such decrease or offset. In addition, any owners who are 65 years of age or older of a Parcel used solely for owner-occupied, single-family residential purposes may obtain an exemption from the levy of the specials tax, by submitting an application annually of such owners to this Board in accordance with the rules an regulations adopted by the Board.

Section 6. This Board shall provide in each year (pursuant to Section 7902.1 of the Government Code) for any increase in the District's appropriation limit as shall be necessary to ensure that proceeds of the educational parcel tax may be spent for the authorized purposes.

Section 7.

(a) The Board hereby requests that the Los Angeles County Registrar-Recorder submit the following ballot measure to the voters of the District:

“SPECIAL TAX FOR SAN MARINO UNIFIED SCHOOL DISTRICT PROPOSES

To maintain and enhance the quality of the public education system within the San Marino Unified School District, shall the San Marino Unified School District be authorized to levy a special tax in order to provide for any or all of the following:

- 1. retain and attract the best qualified teachers and counselors;**
- 2. maintain districtwide school librarians;**
- 3. support academic programs in science and math;**
- 4. prevent the elimination of teaching specialists in the area of math and science;**
- 5. maintain reduced class size;**
- 6. support the maintenance of existing educational programs at current levels;**
- 7. maintain adequate technology systems for all students by retaining technology service technicians.**

AMOUNT OF EDUCATION TAX; PERIOD OF ASSESSMENT

The special education tax shall be \$295 (or less as provided below) per year, adjusted annually by the Los Angeles Metropolitan Statistical Area Consumer Price Index for six (6) full years assessed against each parcel within the boundaries of the San Marino Unified School District. The proceeds of the education tax shall be deposited into a separate account created by the District.

DEFINITION OF “PARCEL”

For purposes of the special tax, the term “Parcel” means any parcel of land which lies wholly or partially within the boundaries of the San Marino Unified School District, for which the Assessor of the County of Los Angeles has assigned an Assessor's parcel number.

EXEMPTION FOR CONTIGUOUS PARCELS

For purposes of this special tax, any such “Parcels” which are (i) contiguous, (ii) used solely for owner-occupied, single-family residential purposes, and (iii) held under identical ownership may, by submitting an application of the owners thereof to the Board of Education of the San Marino Unified School District in accordance with

rules and regulations adopted by the Board, be treated as a single "parcel" for purposes of the levy of this special tax.

EXEMPTION OF SENIORS

Pursuant to the California Government Code Section 50079 (b), any owners who are 65 years of age or older of a Parcel used solely for owner-occupied, single-family residential purposes may obtain an exemption from the special tax by submitting an application annually to the Board of Education of the San Marino Unified School District in accordance with rules and regulations adopted by the Board.

REDUCTION IN TAX IF RESULT IS LESS OTHER GOVERNMENT SUPPORT

The collection of the special parcel tax is not intended to decrease or offset any increase in local, state or federal government sources that would otherwise be available to the San Marino Unified District during the period of the special tax. In the event that the levy and collection does have such an effect, the San Marino Unified School District shall cease the levy or shall reduce the special tax to the extent that such action would restore the amount of the decrease or offset.

- (b) The text of the ballot proposition with respect to the foregoing measure shall read as follows:

"In order to continue funding quality educational programs and classroom instruction, prevent increases in class sizes and reductions in teaching positions, attract and retain high quality teachers and employees, and support educational programs that enhance student achievement, shall San Marino Unified School District extend its expiring school parcel tax for six years at \$295 per parcel with an exemption for seniors, adjustment for inflation and all money staying in our community to benefit local schools?"

Section 8. The measure set forth in Section 6 shall be submitted of the voters of the District at an election to be held on March 6, 2007. If approved by at least two-thirds of the voters voting on the measure, the measure shall take effect on July 1, 2007.

Section 9. This Resolution shall stand as the order to the County Registrar to call an election within the boundaries of the District on March 6, 2007. This Board requests that the District election be consolidated with any and all elections to be held within the boundaries of the District on March 6, 2007.

Section 10. The Board hereby requests that the Los Angeles County Registrar-Recorder take all actions which are necessary or appropriate in connection with the election, including, but not limited to, printing and mailing sample ballots, arguments and applications for absentee ballots, canvassing elections returns and certifying the results of the election to the Board. The Board hereby agrees to reimburse the County of Los Angeles in full for any services performed by the Registrar of Voters for the District upon presentation of an invoice to the District.

Section 11. The Secretary of the Board is hereby authorized and directed to deliver a copy of this Resolution to the Los Angeles County Superintendent of Schools and the Los Angeles County Registrar-Recorder not later than November 30, 2006, and to give notice of the

election by publishing a copy of this Resolution in a local newspaper of general circulation within the District once, not later than 15 days before the date of the election. The Secretary of the Board is hereby further authorized and directed to post a copy of this Resolution on or near the doors of the District's Office and in three public places within the District for at least two weeks before the date of the election.

Section 12. If any section, subsection, phrase or clause of this Resolution is for any reason found to be invalid, such section, subsection, phrase or clause shall be severed from, and shall not affect the validity of, all remaining portions of this Resolution which can be given effect without the severed portion.

Section 13. The members of the Board are hereby authorized, but not directed, to prepare and file with the County Registrar-Recorder a ballot argument in favor of the proposition contained in Section 7 hereof, within the time established by the Registrar-Recorder.

Section 14. The Board shall, pursuant to Government Code Section 50075.3 file an annual report as provided herein accounting for the parcel tax revenues collected and the manner in which they have been spent.

Section 15. The officers of the District are, and each of them acting alone is, hereby directed to take such other actions and to execute such other documents as are necessary to carry out the purposes of this Resolution.

The foregoing Resolution was adopted by the Board of Education of the San Marino Unified School District on November 28, 2006.

C. Joseph Chang
C. Joseph Chang
President of the Board of Education

Jack R. Rose
Jack R. Rose, Superintendent
and Secretary of the Board of Education

This motion made of Mr. Chris Norgaard and seconded by Mrs. Jeanie Caldwell.

5 Ayes
0 Noes

EXHIBIT A

FORMAL NOTICE OF PARCEL TAX ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of the San Marino Unified School District of Los Angeles County, California, that in accordance with the provisions of the Government Code of the State of California, an election will be held on March 6, 2007, at which election the following proposition shall be submitted to the qualified electors of the District and voted upon:

“In order to continue funding quality educational programs and classroom instruction, prevent increases in class sizes and reductions in teaching positions, attract and retain high quality teachers and employees, and support educational programs that enhance student achievement, shall San Marino Unified School District extend its expiring school parcel tax for six years at \$295 per parcel with an exemption for seniors, adjustment for inflation and all money staying in our community to benefit local schools?”

By execution of this formal Notice of Election the County Superintendent of Schools of Los Angeles County orders 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.

The County Superintendent of Schools of Los Angeles County, by this Notice of Election, has called the election pursuant to a Resolution of the Board of Education of the San Marino Unified School District, adopted November 28, 2006, in accordance with the provisions of Education Code Sections 5302, 5325 and 5361.

IN WITNESS WHEREOF, I have hereunto set my hand this day,
November 28, 2006.

County Superintendent of Schools Los Angeles County, California.