

# **LYNWOOD UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION AGENDA**

## **LYNWOOD UNIFIED SCHOOL DISTRICT Board of Education RESOLUTION NO. 18-19/03**

### **AUTHORIZING A REQUEST FOR WAIVER FROM THE STATE BOARD OF EDUCATION RELATIVE TO STATUTORY GENERAL OBLIGATION BOND DEBT LIMITATIONS AS PROVIDED BY SECTIONS 15102 AND 15268 OF THE EDUCATION CODE**

**WHEREAS**, the issuance of up to \$93,000,000 of general obligation bonds of the Lynwood Unified School District (the "District"), was authorized by the voters of the District at an election held on November 6, 2012, at which the requisite 55% of the voters of the District voting on a proposition authorizing the issuance of such bonds ("Measure K"), the proceeds of which are to be used to acquire, construct, repair and equip school facilities as described in Measure K and as approved by such voters; and

**WHEREAS**, the issuance of up to \$65,000,000 of general obligation bonds of the District was authorized by the voters of the District at an election held on November 8, 2016, at which the requisite 55% of the voters of the District voting on a proposition authorizing the issuance of such bonds ("Measure N"), the proceeds of which are to be used to acquire, construct, repair and equip school facilities as described in Measure N and as approved by such voters; and

**WHEREAS**, Sections 15102 and 15268 of the California Education Code (the "Education Code") provides that a California unified school district, such as the District, with authorized general obligation bonds may only issue such bonds in an amount not to exceed 2.50% of the assessed value of property within the District; and

**WHEREAS**, based on the current amount of outstanding bonded indebtedness of the District, the District has a need to issue and sell authorized general obligation bonds in an amount in excess of the limitation set forth in Sections 15102 and 15268 of the Education Code, in order to finance needed school facilities within the District; and

**WHEREAS**, Section 33050 of the Education Code allows the State Board of Education ("SBE") to waive (the "Waiver") any provisions of the Education Code, following public hearing on the matter, except for those provisions therein specified as not being subject to such a Waiver, which are not applicable hereto; and

**WHEREAS**, the provisions of Education Code Sections 15102 and 15268 are subject to a Waiver by the SBE; and

**WHEREAS**, pursuant to SBE requirements for a Waiver, the District has consulted with the exclusive representatives of employees, including (i) Lynwood Teachers Association (LTA), (ii) California School Employees Association (CSEA), and (iii) Service Employees International Union (SEIU), and invited their participation in the development of the Waiver prior to a public hearing on the matter; and

**WHEREAS**, the District has provided prior notice of a public hearing to be held on August 23, 2018, and inviting public comment on the Waiver, and a public hearing on the Waiver was held on such date.

**NOW, THEREFORE, THE BOARD OF EDUCATION OF THE LYNWOOD UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1.** The foregoing recitals are true and correct and are hereby incorporated by this reference.

**Section 2.** That the District has provided notice stating the time, place and date of the public hearing to be held on August 23, 2018, and the notice specifically invited public comment on the Waiver.

**Section 3.** A public hearing was held on August 23, 2018, at which time all persons desiring to be heard on all matters pertaining to the Waiver were heard and all information was duly considered.

**Section 4.** That the District has satisfied all applicable procedural requirements necessary to submit a Waiver to the SBE.

**Section 5.** That the District Superintendent and Chief Business Official, or a designee thereof, is directed to cause a request for the Waiver to be submitted to the California Department of Education for consideration in regard to authorizing the District to exceed the statutory general obligation bond debt limitation set forth in Sections 15102 and 15268 of the Education Code such that bonds of Measure K and Measure N may be issued so long as the current bonded indebtedness of the District not exceed 4.50% of the assessed value of property within the District.

**Section 6.** All actions heretofore taken by officers and consultants of the District with respect to the within-referenced Waiver are hereby approved, confirmed and ratified, and the Superintendent, Chief Business Official, or designee(s) thereof are hereby authorized and directed to execute all documents and to take all actions necessary to cause or facilitate the within-referenced Waiver.

**ADOPTED, SIGNED AND APPROVED** this 23rd day of August, 2018 by the Board of Education of the Lynwood Unified School District.

BOARD OF EDUCATION OF THE LYNWOOD UNIFIED  
SCHOOL DISTRICT

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President

Attest:

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Clerk of the Board of Education

STATE OF CALIFORNIA

LOS ANGELES COUNTY

I, Gudiel R. Crosthwaite, Ph.D., do hereby certify that the foregoing is a true and correct copy of Resolution No. 18-19/03, which was duly adopted by the Board of Education of the Lynwood Unified School District at meeting thereof held on the 23rd day of August, 2018, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By \_\_\_\_\_  
Secretary of the Board of Education  
of the Lynwood Unified School District