

RESOLUTION NO. 17-023

RESOLUTION REQUESTING BOARD OF SUPERVISORS OF SANTA CRUZ COUNTY TO ESTABLISH TAX RATE FOR BONDS OF SCOTTS VALLEY UNIFIED SCHOOL DISTRICT EXPECTED TO BE SOLD DURING FISCAL YEAR 2017-18, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH

WHEREAS, a duly called municipal election was held in the Scotts Valley Unified School District (the “District”), Santa Cruz County (the “County”), State of California, on June 3, 2014 (the “Election”) and thereafter canvassed pursuant to law;

WHEREAS, at the Election there was submitted to and approved by the requisite fifty-five percent or more vote of the qualified electors of the District a question (“Measure A”) as to the issuance and sale of general obligation bonds of the District for the various purposes set forth in the ballot submitted to the voters, in the maximum amount not-to-exceed \$35,000,000, payable from the levy of an *ad valorem* tax against the taxable property in the District;

WHEREAS, this Board of Education (the “Board”) of the District is authorized to, and intends to, issue the second series of general obligation bonds for the purposes authorized by Measure A;

WHEREAS, the Board of Supervisors of the County (the “Board of Supervisors”) is required to take action approving a tax rate for payment of indebtedness of the District during Fiscal Year 2017-18, and it is the responsibility of the Auditor-Controller of the County to calculate the several tax rates for the Board of Supervisors’ action thereon;

WHEREAS, this Board has determined that it is not possible or advisable to sell the District’s bonds in time to permit the Auditor-Controller of the County, or other appropriate County official, to calculate the tax rates necessary to pay debt service on such bonds in order that such tax rates may be reflected on Fiscal year 2017-18 property tax bills of taxpayers in the District;

WHEREAS, the Education Code of the State of California provides that the Board of Supervisors of the County shall annually, at the time of making the levy of taxes for County purposes, estimate the amount of money required to meet the payment of the principal of and interest on the bonds authorized by the electors of the District and not sold, and which the Board of Education of the District informs the Board of Supervisors in their belief will be sold before the next tax levy, and further provides that said Board of Supervisors shall levy a tax sufficient to pay the principal and interest so estimated; and

WHEREAS, this Board deems it necessary and desirable to issue a series of the District’s bonds during Fiscal Year 2017-18, as authorized by the Government Code, and that the County levy a tax for payment on debt service estimated to come due on such bonds during Fiscal Year 2017-18, and believes that said bonds will be sold during said Fiscal Year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF SCOTTS VALLEY UNIFIED SCHOOL DISTRICT:

Section 1. Recitals. All of the above recitals are correct.

Section 2. Estimate of Tax Levy. The Superintendent or Chief Business Official of the District or such other officer of the District as either authorized officer may designate (each, an “Authorized District Representative”), are hereby authorized and directed to prepare, or cause the underwriter with respect to the bonds to prepare, an estimate of all payments of principal and interest which shall become due on a series of bonds of the District expected to be sold prior to the making of the tax levy for Fiscal Year 2017-18, and to cause the debt service schedule so prepared to be provided to the Board of Supervisors and the Auditor-Controller of the County and to any other officers of the County responsible for preparing the tax levy for bonds of the District and for levying said tax. The District estimates that the sale of its next series of bonds shall be in an estimated amount of \$20,000,000, an amount within the District’s authorized but unissued bond allowance under Measure A, and are expected to be issued in August 2017.

Section 3. Request to County to Levy Tax. The Board of Supervisors of the County is hereby requested, in accordance with Education Code Section 15252-15254, to adopt a tax rate for bonds of the District expected to be sold during Fiscal Year 2017-18, based upon the estimated debt service schedule prepared by officers of the District, and to levy a tax in Fiscal Year 2017-18 on all taxable property in the District sufficient to pay said estimated debt service. The proceeds of such tax shall be deposited into the debt service fund of the District established pursuant to the Education Code for bonds of the District.

Section 4: Application of Tax Proceeds. In the event that the bonds of the District are not sold during Fiscal Year 2017-18, or sold in such amount and on such terms that the proceeds of the tax requested in Section 3 hereof, or any portion thereof, are not required for payment of debt service due on the bonds, or payment of other outstanding bonds of the District payable from the debt service fund of the District, this Board hereby requests that the Auditor-Controller, or other appropriate official of the County, cause the remaining proceeds of the tax to be held in the debt service fund and applied to debt service on outstanding bonds of the District coming due in Fiscal Year 2017-18.

Section 5. Filing of Resolution. The Secretary to this Board is hereby authorized and directed to file forthwith a certified copy of this Resolution with the Clerk of the Board of Supervisors of the County, and to cause copies of this Resolution to be delivered to the Auditor-Controller and the Treasurer-Tax Collector of the County.

Section 6. Further Authorization. The Authorized District Representatives, each alone, shall be and are hereby authorized and directed, to take such additional actions consistent with the intent of this Resolution in connection with the sale of the bonds of the District, which any of them deem necessary and desirable to accomplish the purpose hereof.

Section 7. Effective Date. This resolution shall take effect from and after its adoption.

PASSED AND ADOPTED this 23rd day of May, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Michael Shulman
President of the Board of Education of the
Scotts Valley Unified School District

Attest:

Tanya Krause, Superintendent
Secretary of the Board of Education of the
Scotts Valley Unified School District