BOARD OF EDUCATION

BERKELEY UNIFIED SCHOOL DISTRICT

COUNTY OF ALAMEDA, STATE OF CALIFORNIA

RESOLUTION NO. 10-50
RESOLUTION ORDERING SCHOOL BOND ELECTION,

AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Board of Education (the “Board”) of the Berkeley

Unified School District (the “District”), 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

q.: 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

(1 Election Costs. This Board of Education shall pay all costs of the

election approved by the Board of Supervisors of the County, pursuant to

Education Code Section 5421.

Section 7. No Requirement of State Matching Funds. The District

has determined that the projects to be funded from the proposed bonds will not

require State matching funds for any phase thereof, and that Section 15122.5

of the Education Code does not apply to the proposition, and accordingly, the

Registrar of Voters is directed not to include the disclosure otherwise required

by that section.

Section 8. 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 contained

PASSED AND ADOPTED this day, June 9, 2010, by the following vote:

AYES: Directors Hemphill, Leyva-Cutler, Issel, Riddle and Selawsky

NOES: none

ABSTAIN: none

ABSENT: none

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Clerk of the I3oard of Eductt ii ul the

B rkeley Unified School I)istrict.
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APP VED:

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B,Irke1ey Unified School District

EXHIBIT A
I. ABBREVIATION OF THE MEASURE

To improve school safety and facilities for learning and

teaching, shall Berkeley Unified School District issue

$2 10,000,000 in bonds at interest rates within the

legal limit, to construct new classrooms for growth,

complete seismic upgrades, construct science labs,

II. FULL TEXT OF THE MEASURE

BEGINNING OF FULL TEXT OF ->>>>>>

BOND AUThORIZATION
By approval of this proposition by at least 55% of the registered

voters voting on the proposition, the Berkeley Unified School District (the

District”) shall be authorized to issue and sell bonds of up to S210,000,000 in

aggregate principal amount to provide financing for the specific school facilities

projects listed in the Bond Project List below, and in order to qualify to receive

State matching grant funds, subject to all of the accountability safeguards

specified below.

ACCOUNTABILITY SAFEGUARDS

The provisions in

(pursuant to Education Code Section 15278 and following), to ensure bond

proceeds are spent oniy for the school facilities projects listed in the Bond

Project List. The committee shall be established within 60 days of the date on

which the Board of Education enters the election results on its minutes. The

Board of Education may, but need not, constitute the Citizens’ Oversight

Committee as the existing School Construction Oversight Committee

responsible for reviewing other bonds of the District.
Annual Performance Audits. The Board of Education shall conduct

an annual, independent performance audit to ensure that the bond proceeds

have been expended only on the school lhcilities projects listed in the Bond

Project List.

Annual Financial Audits. The Board of Education

and this proposition hereby specifies and acknowledges that bond funds will or

may be used to fund all or a portion of the local share for any eligible joint-use

projects identified in the Bond Project List or as otherwise permitted by

California State regulations, as the Board of Education shall determine.

Rate of Interest. The bonds shall bear interest at a rate per annum

not exceeding the statutory

Interest. Cal of the

Unless otherwise noted, the projects in the Bond Project List are

authorized to be completed at each or any of the District’s sites, as shall be

approved by the Board of Education:
Berkeley Arts Magnet Cragmont Elementary Emerson Elementary

Elementary

Jefferson Elementary John Muir Elementary LeConte Elementary

Malcolm X Elementary Oxford Elementary Rosa Parks

Elementary

Thousand Oaks Elementary Washington Elementary

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Mi. King Jr. Middle School Longfellow Middle Willard Middle

School School

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Berkeley High School B-Tech High School Berkeley Adult

School

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1810 Hopkins Pre-school Franklin Pre-school King Pre-school

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Oregon/Russell Facility West Campus Facility East Campus Field

Transportation Facility

BOND PROJECT LIST

BERKELEY HIGH SCHOOL COMPLETION

• Complete seismic retrofit of

chairs and classroom furniture, computers and audiovideo production

equipment, science, lab and technical equipment, kitchens and culinary

equipment, gymnasium and physical education equipment, school site

maintenance equipment. moveable partitions, copy machines and other

school office equipment. Furnishing and equipping shall include initial

purchases, and scheduled and necessary replacements, upgrades and

updating technology

• Construct classrooms and classroom buildings, laboratories, libraries,

lecture halls, multipurpose rooms, theaters, art and music instruction and

recital rooms, and other educational facilities, gymnasiums and other

physical education facilities, and maintenance and support facilities, to

meet expanding and changing educational program needs at all grade levels

BUILDING SYSTEMS RENEWAL AND REPLACEMENT AND EXTERIOR

GROUNDS IMPROVEMENT

• Upgrade, replace and install improved building infrastructure systems

and system components, including for plumbing, gas, electrical, lighting,

heating. ventilation and air conditioning systems; water supply, sewer lines

and storm drains, and connections to city systems

• Upgrade, replace and install smoke and fire detection and suppression

systems, and security systems, including cameras, intrusion detection, and

alarm systems: doors and door locks, windows and window locks: public

address, telephones, and emergency communications

• Renovate, replace or construct classrooms that have not yet been

modernized, including doors, windows, walls, ceilings and floors and

finishes, carpets. drapes, window coverings. lighting. sinks, fixtures and

equipment

• Renovate, replace or construct and
and

including

• Install or replace exterior safety lighting, fencing, security monitoring and alarm systems, signage. electronic message boards

• Renovate, replace or construct physical education playgrounds and

athletic fields and associated facilities, including all-weather

• Lease any of the facilities on the Bond Project List or acquire through

1easepurchase or other appropriate financial arrangements; execute

purchase option under

a lease for

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EXHIBIT

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TAX RATE STATEMENT

An election will be

SECRETARY’S CERTIFICATE
I, William Huyett, Secretary of the Board of Education of the

Berkeley Unified School District, County of Alameda, California, hereby certify

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