RESOLUTION NO. 19-33

RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN LEANDRO UNIFIED SCHOOL DISTRICT CONFIRMING SUCCESSFUL PARCEL TAX ELECTION AND DIRECTING COUNTY AUDITOR-CONTROLLER TO LEVY VOTER-APPROVED PARCEL TAX

WHEREAS, at an election held on November 6, 2018, the San Leandro Unified School District ("District") was successful in obtaining more than two-thirds voter approval to levy a qualified special tax known as Measure I (the "Parcel Tax" or "Measure I") within the District pursuant to Section 4 of Article XIIIA of the California Constitution and California Government Code Sections 50079 et seq. and 50075 et seq. (the "Law"), as evidenced by the Certificate of Election Results received from the Alameda County Elections Official, which is attached hereto as Exhibit A; and

WHEREAS, the Board of Trustees desires at this time to request that the Alameda County Auditor-Controller enter the Parcel Taxes on the tax roll for collection and distribution by the Alameda County Treasurer-Tax Collector for each year that such Parcel Tax has been authorized, commencing with fiscal year 2019-20;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. **Recitals.** The foregoing recitals are true and correct.

Section 2. **Direction to County Auditor to Levy and Collect Parcel Tax in Each Year on an Ongoing Basis Commencing with Fiscal Year 2019-20.** It is hereby certified that the proceedings in connection with the November 6, 2018 Parcel Tax election have been accomplished in accordance with law. As such, the County Auditor-Controller is directed to include the Parcel Tax on the tax rolls, commencing in fiscal year 2019-20. The voter-approved Parcel Tax has no end or termination date. The Parcel Tax shall be levied in accordance with the terms of Measure I.

Section 3. **Not Special Benefit Assessment; No New Taxing Area.** The Parcel Tax is a special tax approved by more than two-thirds of the voters of the District voting on the measure, as authorized by California Constitution Article XIIIA, Section 4 and California Government Code Section 50079 and 50075 and following. The procedures applicable to special benefit assessments, fees and charges set forth in California Constitution Article XIIID do not apply to the Parcel Tax. In addition, the parcel Tax shall be levied within the boundaries of the existing District. No new taxing area will be formed for purposes of the levy of the Parcel Tax.

Section 4. **Actions to Facilitate Levy of Tax.** The Superintendent is hereby authorized to take in each year any such further actions as may be required to facilitate the successful levy and collection of the Parcel Tax in the District each year, including, but not limited to, each year providing the County Auditor with a list of parcels upon which the Parcel Tax shall be levied, a list of parcels which are exempt from the Parcel Tax or are to be treated as a single parcel for the purpose of levying the Parcel Tax, the amount of the Parcel Tax taking into account the cost-of-living adjustment described in Measure I, and to respond to any further requests of the County Auditor with respect to such Parcel Tax.

Section 5. Certification and Delivery by Clerk of the Board. The Clerk of the Board shall certify as to the passage and adoption of this Resolution, and shall make minutes reflecting the passage and adoption of this Resolution in the records of the proceedings of the Board of Trustees of the District in the minutes of the meeting at which the same is passed and adopted. In addition, following such certification, the Clerk of the Board shall cause certified copies of this Resolution to be delivered to the County Clerk of the Board and the County Auditor-Controller, with a copy to the County Treasurer-Tax Collector and County Counsel.

Section 6. Effective Date. This Resolution shall take effect on and after its adoption. This Resolution amends and restates in its entirety Resolution No. 19-03 previously adopted by the Board.

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The foregoing Resolution was adopted by the Board of Trustees of the San Leandro Unified School District of Alameda County, being the Board authorized by law to make the designations therein contained by the following vote, on June 11th, 2019.

Adopted by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
President of the Board

Attest:

_____
Clerk of the Board

EXHIBIT A

COUNTY CERTIFICATE CONFIRMING ELECTION RESULTS

REGISTRAR OF VOTERS

ALAMEDA COUNTY • CALIFORNIA

TIM DUPUIS
REGISTRAR OF VOTERS

CYNTHIA CORNEJO
DEPUTY REGISTRAR OF VOTERS

December 6, 2018

Mike McLaughlin, Ed.D., Superintendent
San Leandro Unified School District
14735 Juniper St.
San Lorenzo, CA 94579

Dear Mr. McLaughlin:

Enclosed is the Certificate of Election Results and a copy of the Official Canvass for the San Leandro Unified School District at the General Election held on Tuesday, November 6, 2018.

If you have any questions, please contact me at (510) 272-6933.

Sincerely,

Tim Dupuis
Registrar of Voters
Alameda County

Enclosures

1225 FALLON STREET • OAKLAND, CALIFORNIA 94612-4283 • (510) 272-6973 • FAX (510) 272-6982 • TDD (510) 208-4967

STATE OF CALIFORNIA }
ss.
COUNTY OF ALAMEDA }

I, **TIM DUPUIS**, Registrar of Voters for the County of Alameda, State of California, having canvassed the returns of all votes cast in the **San Leandro Unified School District** at the General Election held on Tuesday, **November 6, 2018**, do hereby certify the following to be a full, true and correct Statement of the Results of all the votes cast, to which this certificate is attached, at said election for and against **Measure I**.

I hereby set my hand and my official seal this **6th day** of **December 2018**.

TIM DUPUIS
Registrar of Voters
Alameda County
State of California