

**LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT
RESOLUTION #08-V
RESOLUTION ORDERING SPECIAL TAX ELECTIONS
AND CONSENT TO CONSOLIDATION THEREOF**

WHEREAS, Section 4 of Article XIII A of the California Constitution and Government Code Sections 50075, 50076, 50077, 50079, and 53720 et seq., authorize school districts to levy a “special tax” to raise funds for the purpose of operating the schools and to increase the Gann Appropriations Limit; and

WHEREAS, the voters approved a special tax and increased the Gann Appropriations Limit by the amount of revenue generated by that special tax on March 2, 2004; and

WHEREAS, in the judgment of the Board of Trustees of the Loma Prieta Joint Union Elementary School District, it is advisable to call an election and submit to the voters of the District the question of whether the Gann Appropriations Limit increase approved by the voters on March 2, 2004, shall be continued for four years; and

WHEREAS, pursuant to Education Code Section 5342 and Elections Code Section 10400, 10402 and 10403 such election may be completely or partially consolidated with any other election held on the same day and in the same territory or territory that is in part the same.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Education Code Section 5320 and 5322, a Special Tax election is hereby ordered to be held in the Loma Prieta Joint Union Elementary School District in accordance with the Specifications of the Election Order, hereinafter set forth.

SPECIFICATIONS OF THE ELECTION ORDER

1. The election shall be held on Tuesday, February 5, 2008.
2. The purpose of the election is to submit to the voters of the District the following:

“Shall the Loma Prieta Joint Union Elementary School District continue for four years (July 1, 2008 to June 30, 2012) the Gann Appropriations Limit increase approved by the voters in 2004, thus allowing the district to continue to use the revenue generated by the existing special tax of \$150 per parcel?”

The tax will continue at the current annual rate for 2008-2012. The revenue generated will again be used to improve and maintain the quality of education in the district. All current exemptions will continue.

3. This Governing Board hereby requests the governing body of any other political subdivision, or any officer or body so authorized by law, to completely or partially consolidate this election with any other election held on the same day in the same territory, or in territory that is in part the same; and this Board consents to any such consolidation.
4. The Superintendent of Schools of Santa Clara County is hereby requested to call said election accordance with the provisions of Education Code Section 5325.

5. Pursuant to Education Code Section 5303, the County Registrar of Voters is requested to perform the duties incident to the preparation for, and holding of, said election.
6. Pursuant to Article 13B, Section 4 of the California Constitution, Elections Code Section 15400, and such other applicable provisions of law, the measure contained herein shall become effective upon the affirmative approval of a majority of the qualified electors voting at the elections.
7. The costs of the election shall be paid by this District, or shared proportionately with other jurisdictions in the event of consolidation of election, as provided by Article 8, Chapter 3, Part 4 of Division 1 (commencing at Section 5420) of the Education Code.
8. The vice-president of the District is directed, not less than 88 days prior to the date set for the election, to deliver one certified copy of this Resolution and Order of Election to the County Superintendent of Schools and one certified copy to the Registrar of Voters.
9. The Superintendent, the Chief Business Official, the President and the Vice-President of the Board, or such other official of the School District as may be designated by the Board (each an "Authorized Official") are hereby authorized and directed to execute and deliver any documents and instruments, including any certificates, and other instruments and to perform all acts necessary to place the measure on the ballot including making any revisions, corrections or alterations to the language of the ballot measure to comply with requirements of law and election officials.

PASSED AND ADOPTED by the Board of Trustees of Loma Prieta Joint Union Elementary School District this _____

AYES:
NOES:
ABSTAIN:
ABSENT:

I, the undersigned, President of the Board of Trustees of the Loma Prieta Joint Union Elementary School District in Santa Clara County, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the governing Board at a meeting thereof held at its regular place of meeting on the date shown above and by the vote above stated, which resolution is on file in the office of said Board.

Date:

Tricia Rasmussen, President of the Board