

**SOQUEL UNION ELEMENTARY SCHOOL DISTRICT  
SANTA CRUZ COUNTY, CALIFORNIA**

**RESOLUTION NO. 8**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE SOQUEL UNION  
ELEMENTARY SCHOOL DISTRICT CALLING AN ELECTION FOR VOTER  
APPROVAL OF AN EDUCATION PARCEL TAX, ESTABLISHING  
SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING  
CONSOLIDATION WITH THE STATEWIDE PRIMARY ELECTION ON  
MARCH 3, 2020**

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**RECITALS**

**WHEREAS**, the Soquel Union Elementary School District (the “District”), located in Santa Cruz County, California (the “County”), is dedicated to providing high-quality public education to ensure that each student develops the skills and confidence needed for lifelong achievement and to prepare students to make a positive contribution to our community and world; and

**WHEREAS**, the District acknowledges that great teachers are essential for student achievement, and yet due to the District being located in one of the most expensive areas in the country, while California ranks towards the bottom in per-pupil funding by state, many of our teachers and school staff struggle to afford to live in our community; and

**WHEREAS**, state and federal funding are inadequate to provide a level of support to the District’s educational programs that the residents of the District expect, and the students of the District need; and

**WHEREAS**, the Board of Trustees of the District (the “Board”) believes that a parcel tax measure (“Measure”) authorized by the voters is necessary to maintain quality education for the students of the District; and

**WHEREAS**, the District has relied on local Home & School Club contributions to help fund academic programs, which is not sustainable long-term; and

**WHEREAS**, without a dedicated source of locally controlled funding to support District schools, our students and teachers will face deep cuts to academic programs, teacher layoffs, and increased class sizes; and

**WHEREAS**, a stable source of funding is needed to maintain strong academic programs, including in reading, writing, math, science, technology, arts and music; and

**WHEREAS**, maintaining small class sizes helps ensure that each student gets the individual attention they need from their teachers; and

**WHEREAS**, local funding will help support teachers by keeping teacher salaries competitive with neighboring school districts; and

**WHEREAS**, keeping our schools safe, clean, and well-maintained will provide a nurturing educational environment that promotes learning for our children; and

**WHEREAS**, the Board believes that funding from a local school parcel tax measure will help avoid cuts to vital educational programs and sustain excellence in local elementary and middle schools; and

**WHEREAS**, all funds from a school parcel tax measure would be locally controlled and would benefit the District's elementary and middle schools only and could not be taken away by the State; and

**WHEREAS**, the proposed Measure would automatically expire after a period of six (6) years unless renewed by the voters of the District; and

**WHEREAS**, the proposed Measure would allow exemptions for seniors and low-income people with disabilities to ensure the cost of the Measure is not a burden to those on fixed incomes; and

**WHEREAS**, the Measure will require strict fiscal accountability protections, including an independent Citizens' Oversight Committee and annual audits ensuring that all funds are spent for educational purposes as promised and that no funds go toward administrators' salaries or benefits; and

**WHEREAS**, Section 4 of Article XIII A of the California Constitution, and Government Code sections 50075 *et seq.*, 50079, and 53722 *et seq.*, authorize a school district, upon approval by two-thirds of the electorate voting on the Measure, to levy an education parcel tax (a "qualified special tax" under Government Code section 50079 on all taxable, non-exempt real property within the District, with exemptions for (a) persons who are 65 years of age or older, (b) persons receiving Supplemental Security Income for a disability, regardless of age, and (c) persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services, for education purposes following notice and a public hearing; and

**WHEREAS**, the Board has conducted a noticed public hearing on whether to request that the District's voters authorize funding to continue the programs identified in the Measure authorized herein and now wishes to call the election as provided for herein.

**NOW THEREFORE, THE BOARD OF TRUSTEES OF THE SOQUEL UNION ELEMENTARY SCHOOL DISTRICT HEREBY RESOLVES, DETERMINES AND ORDERS AS FOLLOWS:**

**Section 1.** The foregoing recitals are true and correct and the Board so finds and determines.

**Section 2.** The Board has determined in its best judgment that in order to maintain quality education within the District, an election is advisable and on that basis hereby requests the County elections officials to call and conduct an election and submit to the voters of the District the question of whether to adopt an education parcel tax in order to maintain the quality of the District's public education for the benefit of all students and citizens.

**Section 3.** The education parcel tax shall be in the amounts and for the purposes set forth in the attached Exhibit A, assessed against each parcel of taxable land located wholly or partly in the District, beginning as of July 1, 2020. A parcel shall be defined as any unit of land located wholly or partly in the District that now receives a separate tax bill for *ad valorem* property taxes from the County tax collector.

**Section 4.** The date of the election shall be March 3, 2020.

**Section 5.** The purpose of the election shall be for the voters in the District to vote on a ballot measure, a full copy of which is attached hereto and marked Exhibit A and incorporated by reference herein for inclusion in the ballot pamphlet. As required by Elections Code section 13247, the abbreviated form of the Measure to appear on the ballot is attached hereto as Exhibit B.

**Section 6.** The Board has the authority for ordering the election.

**Section 7.** The authority for the specifications of this election order is contained in Education Code sections 5304 and 5322, and Government Code section 50079.

**Section 8.** This Resolution shall stand as the order to the County elections officials to call an election within the current boundaries of the District on March 3, 2020.

**Section 9.** The Secretary of the Board, or authorized designee, is hereby directed immediately to send a certified copy of this Resolution to the County elections officials, the County Board of Supervisors, and the County Superintendent of Schools so that said Superintendent receives it no later than December 4, 2019.

**Section 10.** The County Superintendent of Schools is hereby requested to deliver this Resolution, which constitutes the order of election, and a formal notice of the election to the County elections officials. The County Superintendent of Schools is hereby requested to perform the duties called for under Education Code section 5302, to call the election, prepare recommendations, statements, or arguments for the election as required, and to receive petitions, as necessary.

**Section 11.** The County Superintendent of Schools is hereby requested to prepare and execute a formal notice of school parcel tax election containing the information specified in Education Code section 5361, in substantially the form attached hereto as Exhibit C (the

“Notice”) and to timely call the election, by publishing and posting the Notice as required by law. The Secretary of this Board, or authorized designee, on behalf of and as may be requested by County Superintendent of Schools, is authorized to cause all notices required by law in connection herewith to be published and posted, as the case may be.

**Section 12.** Pursuant to Education Code section 5303, the County elections officials are hereby requested to take all steps incidental to the preparation for and the holding of the election in accordance with law and these specifications. The Board requests that the County elections officials deliver a copy of all published notices to the Secretary of this Board pursuant to Elections Code section 12113. The District will reimburse the County for election services as required by law.

**Section 13.** The Board of Supervisors of the County is authorized to canvass the returns of the election pursuant to Elections Code section 10411 and, as such, held in all respects as if there were only one election, and using only one form of ballot.

**Section 14.** In accordance with Education Code section 5342 and Elections Code section 10402.5, it is hereby requested that the election to be held hereunder be consolidated by the County elections officials and the County Board of Supervisors for all purposes, with any and all other elections also called to be held on March 3, 2020, insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the District.

**Section 15.** The Board shall provide in each year, pursuant to Government Code section 7902.1 or any successor provision of law, for any increase in the District’s appropriations limit as shall be necessary to ensure that proceeds of the special tax may be spent for the authorized purposes.

**Section 16.** Subject to approval by two-thirds of the voters, the special tax shall become effective as of July 1, 2020, and be collected by the County Tax Collector at the same time and in the same manner as and along with, and shall be subject to the same penalties as, general *ad valorem* property taxes collected by the County Tax Collector. The tax and penalty shall bear interest until paid at the same rate as the rate for unpaid *ad valorem* property taxes. With respect to all general property tax matters within its jurisdiction, the County Tax Collector shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax, including the senior citizen exemption for persons who are 65 years of age or older, the exemption for persons receiving Supplemental Security Income for a disability regardless of age, and the exemption for persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services, the decisions of the District shall be final and binding.

**Section 17.** The members of the Board, the Superintendent of the District, the Assistant Superintendent, Business Services, or either of their designees (collectively, “Authorized Officers”) are hereby authorized and directed, individually and collectively, to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem

necessary or advisable in order to effectuate the purposes of this Resolution, including, without limitation, to prepare and submit for inclusion in the voter information pamphlet an argument in favor of passage of the ballot measure, and any rebuttal argument, within the time established by the County elections officials, which shall be considered the official ballot argument of this Board as sponsor of the proposition. All actions heretofore taken by any Authorized Officer and agents of the District that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

**Section 18.** The Authorized Officers are hereby requested and directed, individually and collectively, to provide accountability measures, including but not limited to those required pursuant to Government Code sections 50075.1 and 50075.3, and additionally including a Citizen's Oversight Committee, not required by law:

(a) *Specific Purpose.* The proceeds of the special tax shall be applied only to the specific purposes identified in the Full Text of Special Tax Measure (attached hereto as Exhibit A).

(b) *Separate Fund.* The proceeds of the special tax shall be deposited into a fund, which shall be kept separate and apart from other funds of the District.

(c) *Annual Report.* No later than January 1 of each year while the tax is in effect, the chief fiscal officer of the District shall prepare and file with the Board a report detailing the amount of funds collected and expended, and the status of any project authorized to be funded by this Measure.

(d) *Citizens' Oversight Committee.* The Board shall appoint a Citizens' Oversight Committee for the purpose of reviewing the District's expenditures of proceeds of the special tax to ensure they are expended for the purposes set forth in the Measure, and to report annually to the Board and the public regarding the expenditure of such proceeds.

(e) *Annual Audit.* The Board will conduct an annual financial audit of the proceeds of the special tax ensuring funds are spent for educational purposes.

**Section 19.** Any Authorized Officer, or their designee, is hereby authorized and directed to make any changes to the text of the Measure described in this Resolution, or to the abbreviated form of the Measure, or to the text of this Resolution, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of elections officials, and requirements of law.

**Section 20.** This Resolution shall take effect from and after its adoption.

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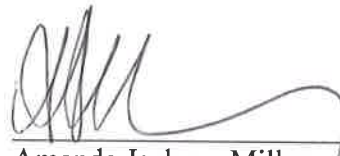
**PASSED AND ADOPTED** by the Soquel Union Elementary School District Board of Trustees on this 20th day of November, 2019, by the following vote:

**AYES:** Amanda Jackson Miller, Ted Donnelly, Phil Rodriguez, Carolyn Freedman, Jennifer Izant Gonzales.

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None



Amanda Jackson Miller,  
President of the Board of Trustees

ATTESTED TO:



Ted Donnelly,  
Vice President and Clerk of the Board of Trustees

**CERTIFICATION**

I, Ted Donnelly, Clerk to the Board of Trustees of the Soquel Union Elementary School District, do hereby certify that the foregoing is a true and correct copy of Resolution No. 8, which was duly adopted by the Board of Trustees of the Soquel Union Elementary School District at its Board meeting held on the 20th day of November, 2019.

Date: 11/20/19



Clerk, Board of Trustees  
Soquel Union Elementary School District

## **EXHIBIT A**

### **FULL TEXT OF SPECIAL TAX MEASURE**

#### **TO PROVIDE EDUCATIONAL PROGRAMS AND SUPPORT SERVICES FOR STUDENTS WITHIN SOQUEL UNION ELEMENTARY SCHOOL DISTRICT**

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#### **INTRODUCTION**

This Measure provides needed funding to continue educational programs and support services for students within the Soquel Union Elementary School District (the “District”).

This Measure will generate revenues to be spent only within District schools and cannot be taken by the State. It calls for an independent Citizen’s Oversight Committee comprised of parents and representatives of the community at large to ensure that the money raised under this Measure is spent only for purposes described in this Measure, and for annual audits that ensure all funds are spent for educational purposes and that no funds go toward administrators’ salaries or benefits. The following persons may request an exemption from paying the parcel tax: (i) persons who are 65 years of age or older, (ii) persons receiving Supplemental Security Income for a disability, regardless of age, and (iii) persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services.

#### **SUMMARY STATEMENT OF THE MEASURE**

“To maintain quality education in local elementary/middle schools by attracting and retaining highly qualified teachers/school staff; preserving strong academic programs in reading, writing, math, science, technology, arts and music; maintaining small class sizes; and providing locally controlled funding that cannot be taken by the State, shall Soquel Union Elementary School District’s measure levying \$96 per parcel annually for 6 years be adopted, raising approximately \$1,500,000 annually with independent oversight, senior exemptions, and all funds benefitting local schools?”

#### **PURPOSE OF THE MEASURE**

Proceeds of the parcel tax may be used to provide local revenue that cannot be taken by the State and to maintain high-quality public education in schools in the District. The District proposes to levy and collect the education parcel tax annually for six years as more fully described below under the heading “RATE AND PROCEDURE,” and to implement accountability measures in connection with the education parcel tax to ensure that funds are used only for the following specific purposes:

- Retain & recruit quality teachers and support staff;

- Student enrichment programs;
- Instruction in the arts focusing on music;
- Hands-on science in life labs (school gardens).

The Board of Trustees will not fund any program other than those listed above from the proceeds of the education parcel tax.

## **RATE AND PROCEDURE**

*Amount of Education Parcel Tax.* Subject to two-thirds approval of the voters, this local funding measure and its parcel tax will be in effect for six years, commencing July 1, 2020. The tax will be levied at the rate of \$96 per parcel of taxable real property (except exempt parcels, as described below), per year. The tax will be collected by the Santa Cruz County Tax Collector (the “Tax Collector”) at the same time as and along with, and will be subject to the same penalties as, general *ad valorem* taxes collected by said Tax Collector. The tax and penalty will bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid. Any tax levied will become a lien upon the properties against which taxes are assessed and collectible as herein provided.

The Board may adopt such additional or supplemental procedures as it deems necessary or convenient for the administration of the education parcel tax.

*Definition of Parcel.* A “parcel of taxable real property” is defined as any unit of real property within the District’s boundaries that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector.

*Exemptions.* All property that is otherwise exempt from property taxes levied in any year will also be exempt from the education parcel tax in such year.

In addition, exemptions shall be available to the following persons, upon application to the District:

- persons who are 65 years or older;
- persons receiving Supplemental Security Income for a disability regardless of age; or
- persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services.

Persons qualifying for such exemptions must apply to the District for such exemption under procedures established by the District or otherwise as required by law or by the Santa Cruz County Tax Collector.

When an exemption has been granted to a parcel, an application for exemption will not have to be re-submitted for such exempt parcel annually, if the facts are such that said parcel continues to qualify for the exemption described in this Measure.



The District will annually provide to the Tax Collector or other appropriate County tax officials a list of parcels that the District has approved for an exemption as provided for herein.

## **ACCOUNTABILITY AND COMPLIANCE MEASURES**

In accordance with California Government Code sections 50075.1 and 50075.3, and as proscribed by the Board of Trustees of the District, the following accountability measures shall apply to the education parcel tax levied in accordance with this Measure:

- (a) The proceeds of the education parcel tax shall be applied only to the specific purposes identified under the heading "PURPOSE OF THE MEASURE," above.
- (b) The proceeds of the special tax shall be deposited into a fund, which shall be kept separate and apart from other funds of the District.
- (c) No later than January 1 of each year while the education parcel tax is in effect, the chief fiscal officer of the District shall prepare and file with the Board of Trustees of the District a report detailing the amount of funds collected and expended, and the status of any project, programs, or purposes identified under the heading "PURPOSE OF THE MEASURE," above.
- (d) The Board shall appoint a Citizens' Oversight Committee for the purpose of reviewing the District's expenditures of proceeds of the education parcel tax to ensure they are expended for the purposes set forth under the heading "PURPOSE OF THE MEASURE," above, and to report annually to the Board and the public regarding the expenditure of such proceeds.
- (e) The Board will conduct an annual financial audit of the proceeds of the special tax ensuring funds are spent for educational purposes.

## **SEVERABILITY**

The Board of Trustees of the District hereby declares, and the voters by approving this Measure concur, that every section, paragraph, sentence and clause of this Measure has independent value, and the Board of Trustees and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this Measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law.

**EXHIBIT B**

**ABBREVIATED FORM OF SPECIAL TAX MEASURE\***

**FOR SOQUEL UNION ELEMENTARY SCHOOL DISTRICT**

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“To maintain quality education in local elementary/middle schools by attracting and retaining highly qualified teachers/school staff; preserving strong academic programs in reading, writing, math, science, technology, arts and music; maintaining small class sizes; and providing locally controlled funding that cannot be taken by the State, shall Soquel Union Elementary School District’s measure levying \$96 per parcel annually for 6 years be adopted, raising approximately \$1,500,000 annually with independent oversight, senior exemptions, and all funds benefitting local schools?”

Tax - Yes

Tax – No”

\*Limited to 75 words pursuant to California Elections Code section 13247

**EXHIBIT C**

**FORMAL NOTICE OF PARCEL TAX ELECTION**  
**SOQUEL UNION ELEMENTARY SCHOOL DISTRICT**

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**NOTICE IS HEREBY GIVEN** to the qualified electors of the Soquel Union Elementary School District of Santa Cruz County, California, that in accordance with the provisions of the Education Code of the State of California, an election will be held on March 3, 2020, at which election the following measure shall be submitted to the qualified electors of the District and voted upon:

“To maintain quality education in local elementary/middle schools by attracting and retaining highly qualified teachers/school staff; preserving strong academic programs in reading, writing, math, science, technology, arts and music; maintaining small class sizes; and providing locally controlled funding that cannot be taken by the State, shall Soquel Union Elementary School District’s measure levying \$96 per parcel annually for 6 years be adopted, raising approximately \$1,500,000 annually with independent oversight, senior exemptions, and all funds benefitting local schools?”

Tax – Yes

Tax – No

All of the purposes enumerated in the foregoing measure shall be united and voted upon as one single measure.

The Santa Cruz County Superintendent of Schools, by this Notice of Election, has called the election pursuant to a Resolution of the Board of Trustees of the Soquel Union Elementary School District, adopted November 20, 2019, in accordance with the provisions of Education Code sections 5325 and 5361.

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_ day of \_\_\_\_\_, 2019.

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Dr. Faris Sabbah,  
Santa Cruz County Superintendent of Schools