Exhibit B.1

ITEM 7.4
AUGUST 7, 2018
ACTION ITEM

PREPARED BY: ED MADULI

APPROVED BY: PATRICK SCHMITT

SUBJECT: RESOLUTION ORDERING AN ELECTION AND ESTABLISHING SPECIFICATION OF THE ELECTION ORDER

CHANCELLOR'S RECOMMENDATION:
That the Board of Trustees approve Resolution No. 18080702 ordering an election and establishing specifications of the election order.

Funding Source/Fiscal Impact
The District will be charged by the Counties of Santa Clara and Santa Cruz for a proportionate share of the cost incurred to conduct the election.

References
This item is associated with the implementation of the West Valley College and the Mission College Educational and Facilities Master Plans and the District Five-Year Capital Outlay Plan.

Background/Alternatives
The Board has held several regular and special Board meetings to consider College and District Services facilities needs. The Board received and discussed a feasibility study to determine the likelihood that voters would approve a Proposition 39 bond measure for the District. At its April 3, 2018 meeting, the Board directed staff to prepare a resolution calling for an educational facility bond election in the amount of $698 million to be held on November 6 2018.

The resolution before the Board calls an election within the District for the purpose of approving general obligation bonds, requests that the Santa Clara County Registrar of Voters conduct the election on behalf of the District, and authorizes the preparation of election materials, including ballot arguments and tax rate statement, to be included in the ballot pamphlet.

State law requires the Board of Trustees to order community college district bond elections. The Registrar of Voters will conduct the election on behalf of the District, including publishing all required notices. This resolution meets the statutory requirements for describing the projects to be funded with the proceeds of the bonds, which are included as Exhibit B to the resolution. A 75-word summary of the measure, as it will appear on the ballot, is also included in the resolution as Exhibit A. The resolution also authorizes the preparation and filing of a tax rate statement, which must be included in the ballot pamphlet and describes the anticipated rates of tax throughout the life of the bond issue. The resolution also authorizes, but does not commit, the Board and/or individual members of the Board to prepare and sponsor a ballot argument in support of the bond measure. No more than five (5) persons may sign the ballot argument.

This election will be called under constitutional and statutory provisions that require fifty-five percent (55%) voter approval, and certain accountability requirements, including annual independent financial and performance audits of how funds are spent, and the formation of a Citizens' Bond Oversight Committee

The resolution was prepared by the legal firm of Stradling Yocca Carlson and Rauth.

Coordination

The Chancellor, Presidents, and Vice Chancellor reviewed the attached resolution. Additionally, the resolution and comprehensive facilities planning material have been reviewed with District Council on several occasions. The existing Citizens' Bond Oversight Committee and the West Valley-Mission Foundation have also received periodic reports on this subject.

Follow-up/Outcome

Following adoption, the resolution (including the signed tax rate statement) must be delivered to the Registrar of Voters and the Board of Supervisors. State law requires that 2/3rd of community college board support the resolution calling an election requiring 55% voter approval. At least five (5) Board members must vote "Yes" in order to call the election.