

**BEFORE THE BOARD OF TRUSTEES OF THE  
COTATI-ROHNERT PARK UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. \_\_\_\_-\_\_**

**RESOLUTION OF THE GOVERNING BOARD OF THE COTATI-ROHNERT PARK  
UNIFIED SCHOOL DISTRICT OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA,  
CALLING AN ELECTION FOR APPROVAL OF AN EDUCATION PARCEL TAX,  
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING  
CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON JUNE 5, 2012**

**RESOLVED** by the Governing Board ("Board") of the Cotati-Rohnert Park Unified School District ("District"), a District of the County of Sonoma, State of California, that:

**WHEREAS**, the District is committed to offering a high-quality educational program to all students in the District; and

**WHEREAS**, families choose to move to communities with excellent local schools, which helps to protect property values; and

**WHEREAS**, an adequately funded and high performing public education program provides numerous benefits and advantages to all of the residents of the community; and

**WHEREAS**, the District seeks to maintain excellent schools at a time when the California Legislature is repeatedly unable to ensure adequate funding for the operation of the schools in the District; and

**WHEREAS**, the State has cut \$8.4 million, a 27% reduction, from our local schools over a 4-year period, causing drastic reductions to teachers and academic programs, and Cotati-Rohnert Park schools may lose another \$2 million dollars in next year's State budget; and

**WHEREAS**, to balance its budget in the face of severe state cuts, the District has been forced to close 2 elementary schools and 1 middle school, cut more than 75 teaching positions, reduce salaries and benefits, increase class sizes, shorten the school year, close school libraries, cut programs, and eliminate maintenance and administrative staff; and

**WHEREAS**, having already cut teachers, counselors, librarians, nurses, school psychologists, office staff, campus supervisors, custodians, maintenance and grounds staff, there is nothing left to cut but core academic instruction; and

**WHEREAS**, a local funding measure would establish a temporary annual levy on properties in our school district that would provide stable and predictable funding that our schools can count on to protect the most essential instructional programs for students; and

**WHEREAS**, great teachers are essential to an excellent education and stable local funding will help our neighborhood schools retain experienced and well-trained teachers, ensuring our local students receive the quality education they need to get into top colleges and compete for good jobs in today's tough economy; and

**WHEREAS**, local funding would enhance local control of Cotati-Rohnert Park schools, make our schools less dependent on Sacramento, and provide vital funding to support students and education at a time when they need it most; and

**WHEREAS**, by law, all funds from this local funding measure must be used to protect the specified programs in Cotati-Rohnert Park schools and cannot be taken away by Sacramento; and

**WHEREAS**, this local funding measure requires strict accountability including independent citizen oversight and annual audits, to ensure funds are spent as promised; and

**WHEREAS**, California Constitution, Article XIII A, section 4 and Government Code sections 50075 et seq. authorizes the District, upon approval of 2/3rds of the electorate, to levy qualified special taxes on property in the District for the purpose of providing quality educational programs in the District and other lawful purposes of the District; and

**WHEREAS**, in the judgment of this Board, following a public hearing and comment, it is advisable to request that the Sonoma County Superintendent of Schools call an election and submit to the voters of the District the question whether the District shall levy a special tax within the District, for the purpose of raising additional revenue for the District; and

**WHEREAS**, pursuant to Education Code section 5342 and applicable Elections Code sections, such election shall occur on June 5, 2012, and pursuant to Elections Code sections 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, IT IS DETERMINED AND ORDERED** as follows:

**Section 1. Recitals.** This Board hereby finds and determines that the foregoing recitals are true and correct.

**Section 2. Order of Election.** This Resolution shall stand as the order to the Sonoma County Superintendent of Schools to call an election within the boundaries of the District on June 5, 2012, for approval of a measure which will be presented to voters in the form attached hereto as **Exhibit A**, ("Measure") containing the question of whether the District shall impose a special tax for the educational purposes stated therein. In addition, the full text of the Measure ("Full Ballot Text") shall appear in the ballot pamphlet in substantially the form attached hereto as **Exhibit B**. The authority for the specifications of this election order is contained in sections 5304 and 5322 of the California Education Code, and the authority for ordering the election is contained in and section 50075 et seq. of the California Government Code and Section 4 of Article XIII A of the California Constitution.

**Section 3. Senior Citizen and Persons with Disabilities Exemption.** An exemption from payment of the special tax may be granted on any parcel owned by one or more persons 65 years of age or over who occupies said parcel as a principal residence, upon application for exemption ("Senior Citizen Exemption") and on any parcel owned by one or more persons receiving Supplemental Security Income for a disability, regardless of age, who occupies said parcel as a principal residence ("SSI Exemption").

**Section 4. Collection of the Tax.** The special tax shall be placed on the tax roll immediately following the adoption of the Measure by the County of Sonoma Treasurer-Tax Collector ("County Tax Collector") and shall be levied for a period of five (5) years. The special tax shall be collected by at the same time, in the same manner, and subject to the same penalties as *ad valorem* property taxes collected by the County Tax Collector. Unpaid special taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid.

The special tax shall be levied on all parcels of taxable real property in the District. "Parcel of Taxable Real Property" shall be defined as any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector's Office. All property that is otherwise exempt from or upon which are levied no *ad valorem* property taxes in any year shall also be exempt from the special tax in such year.

Multiple parcels which are contiguous, under common ownership, and that constitute one economic unit, meaning that they have the same primary purpose as the principal parcel and are not separate and distinct properties that may be independently developed or sold, shall comprise a single Parcel of Taxable Real Property for purposes of the parcel tax.

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 and SSI Exemption, the decision of the District shall be final and binding.

#### **Section 5. Reporting and Oversight**

- (a) *Specific Purpose.* The proceeds of the special tax shall be applied only to the specific purposes identified in the Full Ballot Text. 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.
- (b) *Annual Report.* No later than January 1 of each year while the special tax is in effect, the District shall prepare and file with the Board a report/audit detailing the amount of funds collected and expended, and the status of any project authorized to be funded by this Measure.
- (c) *Independent Citizens' Oversight Committee.* The Board shall provide for the creation of an independent citizens' oversight committee to oversee the special taxes collected pursuant to the Measure to ensure that moneys raised under this Measure are spent only for the purposes described in this Measure. The Board shall provide by resolution for the composition, duties, funding, and other necessary information regarding the committee's formation and operation.

**Section 6. Filing of Order of Election.** The Secretary of the Board is ordered to cause certificated copies of this Resolution and order to be delivered not later than March 7, 2012, to the Sonoma County Superintendent of Schools, the Sonoma County Registrar of Voters ("Registrar"), and the Clerk of the Board of Supervisors of Sonoma County.

**Section 7. Formal Notice.** The Sonoma County Superintendent of Schools is hereby requested to prepare and execute a Formal Notice of Parcel Tax Election and consolidation order in substantially the form attached hereto as **Exhibit C** (the "Formal Notice"), and to call the election by causing the Formal Notice to be posted in accordance with section 5362 of the California Education Code no later than March 7, 2012, or to otherwise cause the notice to be published as permitted by law. The Secretary of the Board, on behalf of and as may be requested by the Sonoma 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 8. Conduct of Election.**

- (a) *Request to Registrar.* Pursuant to section 5303 of the California Education Code, the Registrar is requested to take all steps to hold the election on June 5, 2012, in accordance with law and these specifications.
- (b) *Voter Pamphlet.* The Registrar is hereby requested to reprint the Measure in its entirety in the voter information pamphlet to be distributed to voters pursuant to section 13307 of the California Elections Code. In the event the Measure in **Exhibit B** will not be reprinted in the voter information pamphlet in its entirety, the Registrar is hereby requested to print, immediately below the impartial analysis of the Measure, in no less than 10-point boldface type, a legend substantially as follows:

“The above statement is an impartial analysis of Measure\_\_\_\_\_. If you desire a copy of the measure, please call the Sonoma County Registrar of Voters at (\_\_\_\_\_) and a copy will be mailed at no cost to you.”

- (c) *Consolidation.* The Sonoma County Superintendent of Schools and the Board of Supervisors of Sonoma County are requested to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.
- (d) *Canvass of Results.* The Board of Supervisors of Sonoma County is authorized to canvass the returns of the election pursuant to section 10411 of the California Elections Code.

**Section 9. Appropriations Limit.** The Board shall provide in each year for an increase in the District’s appropriations limit as shall be necessary to ensure that the proceeds of the special tax may be spent for its authorized purposes.

**Section 10. Ballot Arguments.** The President of the Board, or any member or members of the Board as the President shall designate, is hereby authorized, but not directed, to prepare and file with the Registrar a ballot argument in favor of the proposition contained herein, within the time established by the Registrar, which shall be considered the official ballot argument of the Board as sponsor of the proposition.

**Section 11. Official Actions.** The District Superintendent, President of the Board, or their designees are hereby authorized to execute any other document and to perform all acts necessary to place the Measure on the ballot, including making alterations to the Measure and Full Ballot Text stated in Exhibits A and B hereto to comply with requirements of law and election officials or which are, in the judgment of the Superintendent, in the best interests of the District.

**Section 12. Effective Date.** This Resolution shall take effect from and after its adoption.

The foregoing resolution was introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_, and adopted on March 6, 2012 by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

**WHEREUPON**, the President declared the foregoing resolution adopted, and

**SO ORDERED.**

\_\_\_\_\_  
Board President

**EXHIBIT A**

**Summary of Measure**

The Measure shall be summarized in the following form, and the County of Sonoma Registrar of Voters is requested to cause this summary of the Measure to appear on the ballot:

**Cotati-Rohnert Park USD Quality Teacher and  
Academic Instruction Preservation Measure**

To protect quality education with local funding that cannot be taken by the State, shall Cotati-Rohnert Park Unified School District preserve reading/writing/math/science programs; keep school libraries open/available for students; protect art/music/vocational instruction; and attract/retain qualified teachers, by levying \$89 per parcel annually for five years, with exemptions for senior citizens, independent citizen oversight, no money for administrators' salaries, and all funds staying local?

**EXHIBIT B**

**FULL BALLOT TEXT**

**COTATI-ROHNERT PARK UNIFIED SCHOOL DISTRICT**

**COTATI-ROHNERT PARK USD QUALITY TEACHER AND  
ACADEMIC INSTRUCTION PRESERVATION MEASURE**

**Measure \_\_**

*[letter designation to be assigned by Sonoma County Registrar of Voters]*

**RECITALS**

The Governing Board ("Board") of the Cotati-Rohnert Park Unified School District ("District") has established the goals of improving academic performance and the quality of education for all children in the District so that they are prepared for college and to compete for good jobs. Furthermore, the District aims to enhance local control of our schools and reduce our dependence on the State of California for education funding.

Over the last four years, the State has cut \$8.4 million, or 27% of funding for our local schools in Cotati and Rohnert Park. This has caused drastic reductions to teachers and academic programs, and Cotati-Rohnert Park schools may lose another \$2 million dollars in next year's state budget.

To balance its budget in the face of severe state cuts, the District has been forced to close 2 elementary schools and 1 middle school, cut more than 75 teaching positions, reduce salaries and benefits, increase class sizes, shorten the school year, close school libraries, cut programs, and eliminate maintenance and administrative staff. Having already cut teachers, counselors, librarians, nurses, school psychologists, office staff, campus supervisors, custodians, maintenance and grounds staff, there is nothing left to cut but core academic instruction.

The Cotati-Rohnert Park Quality Teacher and Academic Instruction Preservation Measure would provide stable and predictable funding that our schools can count on to protect the most essential instructional programs for students from further budget cuts.

This measure would enhance local control of Cotati-Rohnert Park schools, make our schools less dependent on Sacramento, and provide vital funding to support students and education at a time when they need it most.

By law, all funds from this local funding measure must be used to protect the specified programs in Cotati-Rohnert Park schools and cannot be taken away by the State. Strict accountability is mandatory, including independent citizen oversight and annual audits to ensure funds are spent as promised.

**TERMS**

To protect quality education with local funding that cannot be taken by the State, shall Cotati-Rohnert Park Unified School District preserve reading/writing/math/science programs; keep school libraries open/available for students; protect art/music/vocational instruction; and attract/retain qualified teachers, by levying \$89 per parcel annually for five years, with exemptions for senior citizens, independent citizen oversight, no money for administrators' salaries, and all funds staying local?

Moneys raised under this Measure shall be authorized to be used only for the following purposes in accordance with priorities established by the Board and to the extent of available funds:

- Preserve reading and writing programs
- Preserve math and science programs
- Keep school libraries open and available for students
- Attract and retain qualified and experienced teachers
- Protect art and music instruction for a well-rounded education
- Provide 21<sup>st</sup> century vocational education to prepare graduates for a competitive job market
- Minimize class size increases to ensure students receive individual attention from teachers
- Minimize further budget cuts resulting from reductions in state funding for local schools

No parcel tax funds will be spent on administrative salaries.

**A. Amount and Basis of Tax**

The parcel tax shall be \$89 per Parcel of Taxable Real Property and shall be placed on the tax roll immediately following the adoption of the Measure and shall be levied for a period of five (5) years. The District shall provide the County of Sonoma Treasurer-Tax Collector ("County Tax Collector") a report indicating the parcel number and amount of tax for each Parcel of Taxable Real Property.

"Parcel of Taxable Real Property" is defined as any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector's Office. All public property that is otherwise exempt from or upon which no *ad valorem* property taxes are levied in any year shall also be exempt from the special tax in such year.

Multiple parcels which are contiguous, under common ownership, and that constitute one economic unit, meaning that they have the same primary purpose as the principal parcel and are not separate and distinct properties that may be independently developed or sold, shall comprise a single Parcel of Taxable Real Property for purposes of the parcel tax.

**B. Exemptions for Seniors and People with Disabilities**

An exemption from payment of the special tax may be granted on any parcel owned by one or more persons 65 years of age or over who occupies said parcel as a principal residence, upon application for exemption and on any parcel owned by one or more persons receiving Supplemental Security Income for a disability, regardless of age, who occupies said parcel as a principal residence ("SSI Exemption").

**C. Claims / Exemption Procedures**

With respect to all general property tax matters within its jurisdiction, the County Tax Collector or other appropriate County tax official 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 tax, including the Senior Citizen Exemption and the SSI Exemption and the appropriate tax classification, the decisions of the District shall be final and binding. The procedures described herein, and any additional procedures



established by the Board shall be the exclusive claims procedure for claimants seeking an exemption, refund, reduction, or re-computation of the special tax by the District. Whether any particular claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County as necessary. Taxpayers wishing to challenge any determination of the County Tax Collector must do so under the procedures for correcting a misclassification of property pursuant to Part 9 of Division 1 of the California Revenue and Taxation Code or other applicable procedures. Taxpayers seeking a refund of any tax paid shall follow the procedures applicable to property tax refunds pursuant to the California Revenue and Taxation Code.

**D. Appropriations Limit**

Pursuant to California Constitution article XIII B and applicable laws, the appropriations limit for the District will be adjusted periodically by the aggregate sum collected by levy of this special tax.

**E. Mandatory Accountability Protections**

1. ***Independent Citizens' Oversight Committee.*** The Board shall provide for the creation of an independent citizens' oversight committee to oversee the special taxes collected pursuant to the Measure to ensure that moneys raised under this Measure are spent only for the purposes described in this Measure. The Board shall provide by resolution for the composition, duties, funding, and other necessary information regarding the committee's formation and operation.

2. ***Annual Audits.*** Upon the levy and collection of the education parcel tax, the Board shall cause an account to be established for deposit of the proceeds, pursuant to Government Code Section 50075.1. For so long as the tax is in effect, the Superintendent or the chief financial officer of the District shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31, 2012, stating (1) the amount collected and expended in such year, and (2) the status of any projects or description of any programs funded. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as said officer shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board.

3. ***Specific Purposes.*** All of the purposes named in the Measure shall constitute the specific purposes of the education parcel tax, and proceeds thereof shall be applied only for such purposes.

**F. Protection of Funding**

Current law forbids any decrease in State or federal funding to the District resulting from the adoption of an education parcel tax. However, if any such funding is reduced or affected because of the adoption of this local funding measure, then the Board may reduce the amount of the special taxes levied as necessary in order to restore such State or federal funding and/or maximize the District's fiscal position for the benefit of the educational program. As a result, whether directly or indirectly, no funding from this measure may be taken away by the State or federal governments.

**G. Severability**

The Board hereby declares, and the voters by approving this Measure concur, that every section and part of this Measure has independent value, and the Board 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 of the Measure or taxing formula be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the Measure or taxing formula hereof shall remain in full force and effect to the fullest extent allowed by law.

**EXHIBIT C**

**FORMAL NOTICE OF SPECIAL TAX ELECTION**

NOTICE IS HEREBY GIVEN to the qualified electors of the Cotati-Rohnert Park Unified School District of Sonoma County, California, that in accordance with the provisions of the Education Code and the Government Code of the State of California, an election will be held on June 5, 2012, for the purpose of submitting to the qualified electors of the District the measure summarized as follows:

**Cotati-Rohnert Park USD Quality Teacher and Academic Instruction Preservation Measure**

To protect quality education with local funding that cannot be taken by the State, shall Cotati-Rohnert Park Unified School District preserve reading/writing/math/science programs; keep school libraries open/available for students; protect art/music/vocational instruction; and attract/retain qualified teachers, by levying \$89 per parcel annually for five years, with exemptions for senior citizens, independent citizen oversight, no money for administrators' salaries, and all funds staying local?

By execution of this formal Notice of Election the Sonoma County Superintendent of Schools orders consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

The Sonoma County Superintendent of Schools, by this Notice of Election, has called the election pursuant to a Resolution and Order of the Governing Board of the Cotati-Rohnert Park Unified School District adopted March 6, 2012, in accordance with the provisions of Education Code Sections 5302, 5325 and 5361.

IN WITNESS WHEREOF, I have hereunto set my hand this day, \_\_\_\_\_,  
2012.

\_\_\_\_\_  
County Superintendent of Schools  
Sonoma County, California