

RESOLUTION NO. ____**RESOLUTION OF THE BOARD OF EDUCATION OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the Los Angeles Unified School District (“Los Angeles Unified” or “District”), located in the County of Los Angeles (the “County”), is committed to ensuring all its local public-school students have access to updated and safe school facilities that support 21st century learning; and

WHEREAS, Los Angeles Unified’s singular goal is to ensure all its students graduate ready for the world – to thrive in college, career, and life; and

WHEREAS, modernizing school and technological infrastructure to maximize student learning, prioritized by areas of need, is critical to achieving this goal; and

WHEREAS, today’s economy requires new skills, knowledge, and experience; therefore, our students need updated facilities so that they can get hands-on learning to prepare them for college and careers; and

WHEREAS, more than 24,100 rehabilitation, modernization, and replacement projects have been completed at Los Angeles Unified schools; and

WHEREAS, these improvements have benefited our students, teachers, staff, and community as well as our local economy and workforce with the generation of thousands of jobs, including local union construction jobs, and put hundreds of millions of dollars back into our local economy; and

WHEREAS, notwithstanding considerable investments, the needs of our schools are substantial – more than 60 percent of school buildings are over 50 years old and desperately in need of upgrades, which means most of our students are attending school in deteriorating and aging facilities; and

WHEREAS, current estimates show that collectively Los Angeles Unified schools have over \$80 billion of unfunded school facility needs, and those needs grow every year; and

WHEREAS, approximately 525 school buildings may need to be retrofitted, modernized, or replaced for earthquake safety; and

WHEREAS, over 500 school sites need to be fully modernized -- old buildings need to be upgraded and/or replaced to meet today’s building and safety standards; and

WHEREAS, approximately 100 sites need a secure entry system to help mitigate potential threats; and

WHEREAS, 50,000 heating, ventilation, and air conditioning units (HVAC) at District school sites need replacement now; and

WHEREAS, 18 million square feet of school roofs need replacement now; and

WHEREAS, two million square feet of plumbing piping at schools requires replacement now; and

WHEREAS, 47 million square feet of paving across Los Angeles Unified schools needs to be replaced now; and

WHEREAS, 6,390 Los Angeles Unified classrooms are located in temporary relocatable buildings; and

WHEREAS, the District is committed to upgrading schools to ensure and maintain full compliance with the Americans with Disabilities Act (“ADA”) and meet the needs of all students, staff and members of the community; and

WHEREAS, nearly 580 schools require accessibility enhancements to support full implementation of the Self-Evaluation and Transition Plan to comply with ADA Title II program accessibility requirements; and

WHEREAS, in September 2022, the Board of Education of Los Angeles Unified (“Board”) adopted the *Green Schools for All: Equitable Funding and Expansion of Green Spaces across District Campuses* (Res-002-22/23) Resolution, and in doing so adopted the minimum standard of 30 percent green/natural space on playgrounds for all District schools by 2035; and

WHEREAS, approximately 475 school sites need upgrades to meet the District’s goal of ensuring that at least 30 percent of each school’s schoolyard is comprised of safe and sustainable green space, and just over 100 of these are elementary school sites with less than 10 percent green/natural space; and

WHEREAS, there are approximately 1,000 play structures located at approximately 580 Los Angeles Unified early education centers and elementary schools that are not covered by a shade structure; and

WHEREAS, in May 2022, the Board adopted the *Arts Justice: Access and Equity Across the Disciplines and the District* (Res-028-21/22) Resolution; and

WHEREAS, certain arts disciplines necessitate dedicated spaces, specific classroom features/design, specific equipment and/or technology, and

WHEREAS, approximately 500 new or upgraded science labs are needed to support secondary school A-G requirements; and

WHEREAS, students can get hands-on learning to prepare them for careers and college through the District’s robust Career Technical Education (“CTE”) and Linked Learning pathways; and

WHEREAS, there are more than 40 career pathways in approximately 155 school serving nearly 58,000 students; and

WHEREAS, more than 100 existing CTE programs identified needs for upgraded facilities to align with instructional programs; and

WHEREAS, More than 24,000 4-year-old students are enrolled in Universal Transitional Kindergarten (“UTK”) and California State Preschool Programs at elementary schools and early education centers, and many of these youngest students do not have access to age-appropriate facilities to meet their developmental needs; and

WHEREAS, 1,000 kindergarten/UTK classrooms do not have adjoining restrooms; and

WHEREAS, 34 Los Angeles Unified Early Education Centers do not have an outdoor learning classroom; and

WHEREAS, Los Angeles Unified Adult Education programs serve over 70,000 students; and

WHEREAS, 11 Adult and Career Education Centers need upgraded school facilities that are safe, functional and include specialized facilities that align with regional industry sectors and career pathways, such as: healthcare, automotive, building/construction trades, transportation, hospitality; and

WHEREAS, more than 50 Los Angeles Unified high schools have outdated athletic facilities that need to be upgraded, including 70 fields that do not have field lights, severely limiting certain students’ access and involvement in extracurricular sports activities especially during the fall and winter months; and

WHEREAS, all UTK-12 school sites have outdated public address speakers and need updated school audio enhancements, including speakers, master clocks and mass notification systems now; and

WHEREAS, approximately 485 school sites have outdated fire alarm dialers that need to be replaced now to improve reliability, speed, and efficiency of fire alarm notifications; and

WHEREAS, nearly 400 school sites need a new video camera system installed to enhance campus safety now; and

WHEREAS, nearly 400 school sites have an outdated intrusion alarm system that needs to be replaced now to enhance campus safety; and

WHEREAS, approximately 260 school sites have an information technology (“IT”) network infrastructure system that has reached or exceed its useful life and requires replacement now to ensure reliability; and

WHEREAS, all UTK-12 school sites need new access control safety systems now to help ensure campus safety; and

WHEREAS, schools, students and teachers rely on individual computing devices as a necessary learning tool, and nearly 700 Los Angeles Unified schools need to be furnished and equipped now with approximately 64,150 new computing devices that no longer perform as needed to support teaching and learning; and

WHEREAS, in December 2019, the Board adopted the *Transitioning Los Angeles Unified School District to 100% Clean, Renewable Energy Resulting in Healthier Students and More Sustainable, Equitable Communities* (Res-018-19/20) Resolution, and in doing so, committed to the goals of achieving 100% clean, renewable energy in the District's electricity sector by 2030 and in all other energy sectors including HVAC, cooking, and transportation, by 2040 working in collaboration with the LADWP's Sustainable City pLAn by 2040; and

WHEREAS, the District is making progress towards converting its schools' energy systems, however the electrical infrastructure at approximately 300 school sites needs to be modernized and upgraded to support the new electrical demand required for the conversion to electric boilers and water heaters; and

WHEREAS, Los Angeles Unified has a total of 56 electric school buses and estimates an additional 1,000 ESBs are needed to meet the electrification goals of the Board's resolution; and

WHEREAS, there's still more work to be done and a new bond measure would provide much needed funding to upgrade our aging schools, so they are safe, secure, efficient, and welcoming environments that our students need to graduate ready for the world -- to thrive in college, career and life; and

WHEREAS, a new bond measure will create thousands of local jobs benefitting the region's economy; and

WHEREAS, all District bond measures are subject to strict oversight and accountability, all expenditures are reviewed by an independent citizens' oversight committee, and all bond projects and contracts may be subject to review and/or audit by the Office of the Inspector General; and

WHEREAS, the Board recognizes the need to continue investing in the school facilities and technology needs of its students; and

WHEREAS, the Board is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the California Education Code; and

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes authorized pursuant to California Education Code Sections 15100 *et seq.*; and

WHEREAS, under paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the Constitution of the State of California (the "California Constitution") and subdivision (b) of Section 18 of Article XVI of the California Constitution, and Section 15266 of the California

Education Code, the Board is further authorized, pursuant to a two-thirds vote and subject to Section 15100 of the California Education Code, to seek approval of bonds and levy an *ad valorem* tax to repay those bonds upon 55% approval by the voters of the District voting on the measure for the purposes hereinafter specified, provided certain accountability requirements are included in the measure, including (a) that the proceeds from the sale of the bonds be used only for the purposes specified in Article XIII A, Section 1(b)(3) of the California Constitution, and not for any other purpose, including teacher and administrator salaries and other school operating expenses, (b) that a list of the specific school facilities projects to be funded be included and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list, (c) that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed, and (d) that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects; and

WHEREAS, the Board deems it necessary and advisable to submit such a bond measure to the electors, which, if approved by at least 55% of the votes cast, would permit the District to issue its bonds; and

WHEREAS, the Board has evaluated the facilities needs of the District to determine which projects to finance from a local bond at this time; and

WHEREAS, in order to address the facilities needs of the District, the Board deems it necessary and advisable to fund the specific school facilities projects listed under the heading entitled “BOND PROJECT LIST” included in the full text of the bond measure set forth in Exhibit A attached hereto (the “Bond Project List”); and

WHEREAS, the Board has determined that the projects listed on the Bond Project List are authorized to be financed with bonds of the District under subsection (a) of Section 15100 of the California Education Code and are for purposes specified in Article XIII A, Section 1(b)(3) of the California Constitution, and not for any other purpose, including teacher and administrator salaries and other school operating expenses; and

WHEREAS, in accordance with paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, and as provided in the full text of the bond measure, the Board has evaluated safety, class size reduction and information technology needs in developing the Bond Project List; and

WHEREAS, in accordance with paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, and as provided in the full text of the bond measure, annual, independent performance and financial audits shall be required as part of the bond measure; and

WHEREAS, pursuant to Section 15278 of the California Education Code, if a bond measure is authorized in accordance with paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution, the Board must establish and appoint members to an independent citizens’ oversight committee to ensure that (a) bond revenues are expended only for the purposes specified

in Article XIII A, Section 1(b)(3) of the California Constitution, and (b) that no funds are used for any teacher or administrative salaries or other school operating expenses; and

WHEREAS, in accordance with Section 15278 of the California Education Code, and as provided in the full text of the bond measure, an independent citizens' oversight committee shall be required as part of the bond measure; and

WHEREAS, a bond election authorized pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution, must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election at which all of the electors of the District are entitled to vote, as required by Section 15266 of the California Education Code; and

WHEREAS, on November 5, 2024, a statewide general election is scheduled to be conducted throughout the District; and

WHEREAS, subsection (c) of Section 15100 of the California Education Code provides that, before the Board may order an election pursuant to California Education Code Sections 15100 *et seq.*, it shall obtain reasonable and informed projections of assessed property valuations that take into consideration projections of assessed property valuations made by the county assessor; and

WHEREAS, although the County Assessor does not make projections of assessed property valuations beyond the next succeeding tax year, the Board has been presented with projections of assessed property valuations of the property within the boundaries of the District in connection with developing the bond measure that take into consideration, among other things, the long-term historical average growth rates of assessed property valuations of the property within the boundaries of the District and the Board finds those projections to be reasonable and informed; and

WHEREAS, the Board has determined that, based upon such projections of assessed property valuation, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the maximum tax rate permitted by Section 15270 of the California Education Code; and

WHEREAS, Section 9400 *et seq.* of the California Elections Code requires that a tax information statement be contained in all official materials, including any voter information guide prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the bond measure to be submitted to the voters at the election; and

WHEREAS, the District expects to pay certain expenditures (the "Reimbursement Expenditures") in connection with the projects listed in the Bond Project List prior to financing the costs associated with such projects on a long-term basis; and

WHEREAS, the District reasonably expects that proceeds of the bonds proposed to be issued under the bond measure, if approved by voters, will be used to reimburse the Reimbursement Expenditures; and

WHEREAS, Section 1.150-2 of the Treasury Regulations requires the District to declare its reasonable official intent to reimburse prior expenditures for the projects listed in the Bond Project List with proceeds of a subsequent borrowing; and

WHEREAS, if any project to be funded by the bonds will require State of California matching grant funds for any phase, the sample ballot must contain a statement, in the form prescribed by law, advising the voters that such project is subject to the receipt of State matching funds and, therefore, passage of the bond measure is not a guarantee that the project will be completed, and the Board finds that completion of all or a portion of certain projects listed in the Bond Project List may require State matching grant funds for one or more phases thereof;

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Education of the Los Angeles Unified School District as follows:

Section 1. **Recitals.** All of the above recitals are true and correct.

Section 2. **Specifications of Election Order; Required Certification.** Pursuant to California Education Code Sections 5304, 5322, 15100 *et seq.*, and 15266, and paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution, a special election shall be held within the boundaries of the District on November 5, 2024, for the purpose of submitting to the registered voters of the District the bond measure contained in Exhibit A attached hereto and incorporated herein. In accordance with paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, and as provided in the full text of the bond measure, the Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Section 3. **Conduct of Election.** (a) *Request to County Officers.* Pursuant to Section 5303 of the California Education Code, the Registrar of Voters of the County (the “Registrar of Voters”) is required to, and is hereby requested to, take all steps to hold the election in accordance with law and these specifications.

(b) *Abbreviation of Measure.* Pursuant to Sections 13119 and 13247 of the California Elections Code and Sections 5322 and 15122 of the California Education Code, the Board hereby directs the Registrar of Voters to use the following statement of the bond measure on the ballot:

“Local Public Schools Safety and Upgrades Measure: To update school facilities for 21st century student learning and career/college preparedness; improve school facilities for safety, earthquakes and disability access; upgrade plumbing, electrical, HVAC; replace leaky roofs; provide learning technology; and create green outdoor classrooms/schoolyards; shall Los Angeles Unified School District’s measure be adopted authorizing \$9,000,000,000 in bonds at legal rates, levying approximately 2.5¢ per \$100

of assessed valuation (generating \$456,123,000 annually) until approximately 2059, with audits/citizens' oversight?"

(c) *Voter Information Guide.* The Registrar of Voters is hereby requested to reprint the full text of the bond measure as set forth in Exhibit A in its entirety in the voter information guide to be distributed to voters.

(d) *State Matching Funds.* The District hereby requests that the Registrar of Voters include the following statement in the sample ballot, pursuant to Section 15122.5 of the California Education Code:

"Approval of Measure ___ does not guarantee that the proposed project or projects in the Los Angeles Unified School District that are the subject of bonds under Measure ___ will be funded beyond the local revenues generated by Measure ___. The District's proposal for the project or projects may assume the receipt of matching State funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."

(e) *Consolidation Requirement.* Pursuant to Section 15266(a) of the California Education Code, the election shall be consolidated with the statewide general election on November 5, 2024, and pursuant to California Education Code Section 5342 and Part 3 (commencing with Section 10400) of Division 10 of the California Elections Code, the Registrar of Voters and the Board of Supervisors of the County are hereby 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. The District hereby acknowledges that the consolidated election will be held and conducted in the manner prescribed by Section 10418 of the California Elections Code.

(f) *Canvass of Results.* The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to Section 10411 of the California Elections Code.

(g) *Required Vote.* Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, the bond measure shall become effective upon the affirmative vote of at least 55% of the voters of the District voting on the measure.

(h) *Election Costs.* The District shall pay all costs of the election approved by the Board of Supervisors of the County pursuant to California Education Code Section 5420 *et seq.*

Section 4. Delivery of Order of Election to County Officers. The Superintendent of the District is hereby directed to cause to be filed as soon as practicable, and in any event no later than August 9, 2024 (which date is not fewer than 88 days prior to the date set for the election), one copy of this Resolution to the Registrar of Voters, including the tax information statement attached hereto as Exhibit B, containing the information required by California Elections Code Section 9400 *et seq.*, completed and signed by the Superintendent of the District, with such technical corrections or additions as deemed necessary by the Superintendent of the District, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the County. With

respect to the tax information statement attached hereto as Exhibit B, the Board hereby adopts the procedures set forth in California Elections Code Section 9405.

Section 5. **Ballot Arguments.** The Superintendent of the District, or such other officer or employee of the District as the Superintendent may designate, is hereby authorized, but not directed, to prepare and file with the Registrar of Voters, on behalf of the Board, a ballot argument in favor of the bond measure and a rebuttal argument to the argument against the bond measure, if any, within the time established by the Registrar of Voters, which shall be considered the official ballot arguments of the Board as sponsor of the bond measure.

Section 6. **Declaration of Official Intent to Reimburse.** The District hereby declares its official intent to use proceeds of the bonds proposed to be issued under the bond measure to reimburse itself for Reimbursement Expenditures. This declaration is made solely for purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations. This declaration does not bind the District to make any expenditure, incur any indebtedness, or proceed with the projects listed in the Bond Project List.

Section 7. **Further Authorization.** The members of the Board, the Superintendent of the District, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution in accordance with the terms hereof and of applicable provisions of law.

Section 8. **Effective Date.** This Resolution shall take effect upon its adoption by the Board pursuant to a two-thirds vote.

PASSED AND ADOPTED this day, August 7, 2024, by the following vote:

By: _____
Executive Officer of the Board of Education
of the Los Angeles Unified School District