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Dr. Kevin Grier, Superintendent
Dr. Billy Martin, Principal

June 22, 2022

Tricia Webber, County Clerk
Santa Cruz County
Santa Cruz County Clerk Department
701 Ocean Street, Rm. 310
Santa Cruz, CA 95060

Re: Loma Prieta Joint Union Elementary School District November 8, 2022 Parcel Tax Election

Enclosed please find the Loma Prieta Joint Union Elementary School District Board of Trustees RESOLUTION NO.22-XXII "RESOLUTION OF THE BOARD OF TRUSTEES OF THE LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT CALLING AN ELECTION FOR VOTER APPROVAL FOR A SCHOOL PARCEL TAX" adopted on May 25, 2022 calling for a November 8, 2022 local parcel tax election.

Please also note that Section 7 of the Resolution includes the full ballot text (Exhibit B), which shall be supplied to each voter in the voter pamphlet, along with the abbreviated 75 word ballot question, which is also included in section 7 (Exhibit A).

The District would like to review proofs of all materials that will be included in the mail ballot sent to voters.

We will be more than happy to provide you with the resolution electronically in order to facilitate your work, or to assist with this process in any other manner.

This letter also authorizes you to contact David Casnocha of Stradling Yocca Carlson & Rauth, our bond counsel, at (415) 283-2241 if you have any questions.

Sincerely,


Kevin Grier
Superintendent

Enclosure
cc: David G. Casnocha

Board of Trustees:
Erin Asheghian, President Ben Abeln, Vice President
Ron Bourque, Member

June 22, 2022

Acknowledgement:

I, _____, of the County Clerk of Santa Cruz, acknowledge receipt of Loma Prieta Joint Union Elementary School District BOARD OF TRUSTEES RESOLUTION NO.22-XXII "RESOLUTION OF THE BOARD OF TRUSTEES OF THE LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT CALLING AN ELECTION FOR VOTER APPROVAL FOR AN SCHOOL PARCEL TAX" adopted on May 25, 2022 calling for a November 8, 2022 election.

Signature

Date

Time

Notice to the County Clerk of Measure to be submitted to the Voters

Loma Prieta Joint Union School District

Name of District/City as it will appear on the ballot

To the County Clerk of Santa Cruz County:

Notice is hereby given that the Loma Prieta Joint Union School District

has approved a measure to be placed on the November 8, 2022 ballot.

- Attached is the 75-word or less ballot question to appear on the November 8, 2022 ballot.
- Also attached is the measure text exactly as it is to be printed in the County Voter Information Guide for the November 8, 2022 election. Cost of printing and distribution of the measure will be paid for by the district/city.
- Do NOT print the measure text in the County Voter Information Guide. Instead, send a copy to voters upon request at the cost of said district/city.

(Seal of the District/City)


Signature (District Secretary/City Clerk)

Dated: 06/21/22

Resolution # XXII

RESOLUTION OF THE BOARD OF TRUSTEES OF THE LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT CALLING FOR A NOVEMBER 8, 2022 ELECTION FOR A SCHOOL PARCEL TAX

WHEREAS, the Loma Prieta Joint Union Elementary School District (the “District”) is devoted to quality, well-rounded public education; and

WHEREAS, our schools foster academic excellence in our community; and

WHEREAS, our school district is among the high achieving in the State of California (the “State”); and

WHEREAS, great teaching is the core of strong academic performance and, to maintain our high standard of excellence, local schools need to continue attracting and retaining highly qualified teachers; and

WHEREAS, we cannot rely on the State for the funding our schools need to maintain core academic programs and provide hands-on instruction; and

WHEREAS, ensuring our great schools can continue preparing local students for bright futures is important for the District and our community; and

WHEREAS, the District has engaged the community about priorities for the future of local elementary school education; and

WHEREAS, the extension of a local education funding measure could help retain qualified teachers, ensure teachers have adequate training and support, keep teacher salaries competitive with surrounding districts and maintain strong academic programs in math, science, reading, technology and the arts; and

WHEREAS, fiscal accountability provisions would remain required by a local education funding measure, including ensuring independent citizen oversight and that all funds stay in our local schools; and

WHEREAS, no funding would be able to be taken by the State or used for administrator salaries; and

WHEREAS, an exemption from the cost of the measure would be available for seniors and people with disabilities; and

WHEREAS, Article XIII A, Section 4 of the California Constitution and Sections 50075 *et seq.*, of the Government Code permit a school district to authorize a parcel tax for specified purposes and to levy such tax following approval by at least two-thirds of the voters voting upon the proposition; and

WHEREAS, the Board of Trustees proposes to place a measure on the November 8, 2022 ballot to implement its school parcel tax upon parcels of land within the District for the purposes set forth in this measure; and

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT AS FOLLOWS:

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

Section 2. This Board hereby proposes the levy of the school parcel tax to provide stable local funding the State cannot take away to be specifically used to help:

- Retain highly qualified and experienced teachers and staff;
- Maintain and protect strong core academic programs in math, science, reading, technology and the arts;
- Support classroom technology; and
- Provide current instructional materials.

Pursuant to Government Code Section 50075.1 the Board determines that the proceeds of the school parcel tax shall only be applied for the purposes stated above.

UNDER NO CIRCUMSTANCES SHALL ANY OF THE PROCEEDS OF THE SCHOOL PARCEL TAX BE USED FOR ADMINISTRATORS' SALARIES, BENEFITS OR PENSIONS.

Section 3. Subject to voter approval, a new \$348 per parcel tax shall be levied, which will commence on July 1, 2023 shall be continued for eight (8) years from that date and expire on June 30, 2031.

As used herein, the term "Parcel" means any parcel of land which lies wholly or partially within the boundaries of the District, for which the Santa Clara County Assessor or the Santa Cruz County Assessor, as applicable, issues a separate tax bill for *ad valorem* property taxes; provided, however, that any such parcels which are (i) contiguous, and (ii) used solely for owner-occupied, single-family residential purposes, and (iii) held under identical ownership, may, by submitting an application of the owners thereof by June 15 of any year to the District be treated as a single parcel for purposes of the levy of this parcel tax.

Section 4. Subject to voter approval as set forth below, the parcel tax shall be levied commencing with the 2023-24 (starting on July 1, 2023) fiscal year of the District, and shall be collected with, and in the same manner and subject to the same interest and penalties as, general *ad valorem* taxes collected by both the Santa Clara County Treasurer and Tax Collector and the Santa Cruz County Tax Collector (together, the "Tax Collector"). In accordance with the requirements of Government Code Section 50075.1(c), the District shall create a separate account into which the proceeds of the special tax shall be deposited.

Section 5. The levy and collection of the parcel tax is not intended to decrease or offset any increase in local, state or federal government funding sources that would otherwise be available to the District at any time during which the parcel tax may be levied. In the event that the levy and collection of the parcel tax does have such an effect, the District shall reduce the parcel tax levy to the extent of any such decrease or offset. Additionally, any persons who are the owners of a Parcel used solely for owner-occupied, single-family residential purposes, and either (a) 65 years of age or older on or before June 30 of the fiscal year immediately preceding the fiscal year in which the tax should apply, or (b) receiving Supplemental Security Income for a disability regardless of age, or (c) 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, may obtain an exemption from the levy of the school parcel tax, by submitting to the District an application of such owners or persons, prior to June 15 of any year.

The District may establish administrative procedures to periodically verify the continued qualification of any previously granted exemption.

Section 6. The Board shall provide in each year (pursuant to Section 7902.1 of the Government Code) for any increase in the District's appropriation limit as shall be necessary to ensure that proceeds of the parcel tax may be spent for the authorized purposes set forth in Section 2 above and Section 7 below.

Section 7. The Board hereby requests that both the Santa Clara County Registrar of Voters and the Santa Cruz County Registrar of Voters submit the Measure attached hereto as Exhibit A to the voters of the District and to print the entire Full Ballot Text (Exhibit B) in the ballot pamphlet to be published and mailed for the election scheduled for Tuesday, November 8, 2022.

The abbreviated text of the ballot proposition with respect to the foregoing measure shall read as shown in Exhibit A hereto.

The District's Superintendent, or designee, is hereby authorized and directed to make any changes to the text of the measure, or to the abbreviated form of the measure, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of elections officials, and requirements of law.

Section 8. The measure set forth in Exhibits A and B shall be submitted to the voters of the District at an election to be held on November 8, 2022. If approved by at least two-thirds of the voters voting on the Measure, the Measure shall take effect on July 1, 2023.

Section 9. This Resolution shall stand as the order to both the Santa Clara County Registrar of Voters and the Santa Cruz Registrar of Voters to call an election within the boundaries of the District on November 8, 2022. This Board requests that the District election be consolidated with any and all elections to be held within the boundaries of the District on November 8, 2022. Pursuant to Elections Code Section 10403 the Board

acknowledges that the consolidation election will be held and conducted in the manner prescribed in Elections Code Section 10418.

Section 10. The Board hereby requests that both the Santa Clara County Registrar of Voters and the Santa Cruz County Registrar of Voters or other appropriate election officials of such counties, take all actions which are necessary or appropriate in connection with the election, including, but not limited to, printing and mailing sample ballots, arguments and applications for absentee ballots, canvassing election returns and certifying the results of the election to the Board. The Board hereby agrees to reimburse both Santa Clara County and Santa Cruz County in full for any services performed for the District upon presentation of invoices to the District.

Section 11. The Secretary of the Board is hereby authorized and directed to deliver a copy of this Resolution to the Santa Clara County Superintendent of Schools by August 9, 2022 and the Registrars of Voters of Santa Clara County and Santa Cruz County, as well as their respective Clerks of the Board of Supervisors of Santa Clara County and Santa Cruz County, not later than August 12, 2022, and to give notice of the election by causing both Registrars of Voters to publish the text of the Measure and other items, not later than 15 days before the date of the election. The Secretary of the Board is hereby further authorized and directed to post a copy of this Resolution on or near the doors of the District Office and in three public places within the District for at least two weeks before the date of the election.

Section 12. If any section, subsection, phrase or clause of this Resolution is for any reason found to be invalid, such section, subsection, phrase or clause shall be severed from, and shall not affect the validity of, all remaining portions of this Resolution which can be given effect without the severed portion.

Section 13. The members of the Board are hereby authorized, but not directed, to prepare and file with both the Santa Clara County Registrar of Voters and Santa Cruz County Registrar of Voters a ballot argument in favor of the proposition contained in Section 7 hereof, within the time established by such Departments.

Section 14. Subject to two-thirds approval of the District's voters, the parcel tax shall be collected by the Tax Collector, at the same time and manner and shall be subject to the same penalties as *ad valorem* property taxes collected by the Tax Collector. The parcel tax shall bear interest at the same rate for unpaid *ad valorem* property taxes until paid.

Section 15. The chief fiscal officer of the District shall, pursuant to Government Code Section 50075.3, file an annual report to the Board of Trustees as provided herein accounting for the parcel tax revenues collected and the manner in which they have been spent.

Section 16. The officers of the District are, and each of them acting alone is, hereby directed to take such other actions and to execute such other documents as are necessary to carry out the purposes of this Resolution.

Section 17. Pursuant to Elections Code Section 10400 the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the

canvass be made by anybody or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

The foregoing Resolution was adopted by the Board of Trustees of the Loma Prieta Joint Union Elementary School District at a regular meeting held on May 25, 2022 by the following vote:

AYES: 4

NOES: 0

ABSTAIN: 0

ABSENT: 0

/s/ Erin Adelstein
President, Board of Trustees
Loma Prieta Joint Union Elementary
School District

ATTEST:

/s/ [Signature]
Clerk, Board of Trustees
Loma Prieta Joint Union Elementary School
District

EXHIBIT A

ABBREVIATED BALLOT TEXT

“To provide Loma Prieta neighborhood elementary/middle school students with stable funding for current instruction in math, science, reading, technology, arts and other core curriculum; retain/recruit highly qualified teachers, and continue to support classroom technology needs, shall Loma Prieta Joint Union Elementary School District’s measure be approved establishing an annual parcel tax of \$348 for 8 years, raising approximately \$640,000 a year, with senior exemptions, independent citizen oversight, no funds for administrator’s salaries, all funds staying in our local schools?”

Yes _____

No _____

EXHIBIT B

START OF FULL BALLOT TEXT

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT School Parcel Tax Measure __

INTRODUCTION AND PURPOSE

To support academic excellence to retain and attract quality teachers and staff, and to provide local reliable funding for local schools that cannot be taken by the State, with no proceeds used for administrators' salaries, benefits and pensions, the Loma Prieta Joint Union Elementary School District ("District") proposes a voter approved school parcel tax for a period of eight (8) years, starting on July 1, 2023, at a rate of \$348 per parcel per year, with an exemption available for senior citizens and certain disabled persons, and to implement accountability measures, including citizen oversight, to ensure the funds are used to help:

- Retain highly qualified and experienced teachers and staff;
- Maintain and protect strong core academic programs in math, science, reading, technology and the arts;
- Support classroom technology.
- Provide current instructional materials.

Pursuant to Government Code Section 50075.1, the proceeds of the school parcel tax shall only be applied for the purposes stated above. The proceeds of the parcel tax shall be deposited into a separate account created by the District.

UNDER NO CIRCUMSTANCES SHALL ANY OF THE PROCEEDS OF THE SCHOOL PARCEL TAX BE USED FOR ADMINISTRATORS' SALARIES, BENEFITS OR PENSIONS.

DEFINITION OF "PARCEL"

For purposes of the parcel tax, the term "Parcel" means any parcel of land which lies wholly or partially within the boundaries of the Loma Prieta Joint Union Elementary School District that receives a separate tax bill for *ad valorem* property taxes from either the Santa Clara County Assessor or the Santa Cruz County Assessor, as applicable. 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 parcel tax in such year.

For purposes of this parcel tax, any such "Parcels" which are (i) contiguous, and (ii) used solely for owner-occupied, single-family residential purposes, and (iii) held under identical ownership may, by submitting to the District an application of the owners thereof by June 15 of any year, be treated as a single "parcel" for purposes of the levy of the school parcel tax.

EXEMPTION FOR SENIORS AND SSI RECIPIENTS

Pursuant to Government Code Section 50079(b)(1), any owner of a Parcel used solely for owner-occupied, single-family residential purposes and who are either (a) 65 years of age or older on or before June 30 of the fiscal year immediately preceding the year in which the tax would apply, or (b) persons receiving Supplemental Security Income for a disability, regardless of age, or (c) 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, may obtain an exemption from the parcel tax by submitting an application therefore, by June 15 of any year, to the District.

The District may establish administrative procedures to periodically verify the continuance of any previously granted exemption.

With respect to all general property tax matters within their respective jurisdictions, either the Santa Clara County or the Santa Cruz County Treasurer and Tax Collector or other appropriate county tax officials, 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 school parcel tax, including any exemptions and the classification of property for purposes of calculating the tax, the decisions of the District shall be final and binding.

REDUCTION IN TAX IF RESULT IS LESS OTHER GOVERNMENT SUPPORT

The collection of the parcel tax is not intended to decrease or offset any increase in local, state or federal government revenue sources that would otherwise be available to the District during the period of the parcel tax. In the event that the levy and collection does have such an effect, the District may cease the levy or shall reduce the parcel tax to the extent that such action would restore the amount of the decrease or offset in other revenues that would otherwise occur.

ACCOUNTABILITY MEASURES

In accordance with the requirements of California Government Code Sections 50075.1 and 50075.3, the following accountability measures, among others, shall apply to the parcel tax levied in accordance with this Measure: (a) the specific purposes of the parcel tax shall be those purposes identified above; (b) the proceeds of the parcel tax shall be applied only to those specific purposes identified above; (c) a separate, special account shall be created into which the proceeds of the parcel tax must be deposited; and (d) an annual written report shall be made to the Board of Trustees of the District showing (i) the amount of funds collected and expended from the proceeds of the school parcel tax and (ii) the status of any projects or programs required or authorized to be funded from the proceeds of the parcel tax, as identified above; and (e) the District will establish a parcel tax oversight committee to review the expenditure of parcel tax revenues.

End of Full Ballot Text of Measure

EXHIBIT C

FORMAL NOTICE OF PARCEL TAX ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of the Loma Prieta Joint Union Elementary School District that in accordance with the provisions of the Government Code of the State of California, an election will be held on November 8, 2022, at which election the following proposition shall be submitted to the qualified electors of the District and voted upon:

“To provide Loma Prieta neighborhood elementary/middle school students with stable funding for current instruction in math, science, reading, technology, arts and other core curriculum; retain/recruit highly qualified teachers, and continue to support classroom technology needs, shall Loma Prieta Joint Union Elementary School District’s measure be approved establishing an annual parcel tax of \$348 for 8 years, raising approximately \$640,000 a year, with senior exemptions, independent citizen oversight, no funds for administrator’s salaries, all funds staying in our local schools?”

The Santa Clara County Superintendent of Schools, by this Notice of Election, has called the election pursuant to a Resolution of the Board of Trustees of the Loma Prieta Joint Union Elementary School District, adopted on May 25, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of June,
~~2020~~: 2022.



Santa Clara County Superintendent of
Schools