

**RESOLUTION NO. 1920-23**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
CAPISTRANO UNIFIED SCHOOL DISTRICT ORDERING  
FORMATION OF SCHOOL FACILITIES IMPROVEMENT DISTRICT  
NO. 3 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT  
(SFID No. 3 – “Western Region”)**

**WHEREAS**, the Board of Trustees (“Board”) of the Capistrano Unified School District (“District”) is committed to maintaining the District’s high quality of education; and

**WHEREAS**, more than 30% of the District’s schools within the Western Region are over 30 years old, more than 70% are over 20 years old, and all need repairs and improvements to meet current District and State of California standards; and

**WHEREAS**, the District must repair, construct, acquire or equip classrooms, sites, and facilities to maintain and improve their safety and security, and help ensure that all students have access to updated 21<sup>st</sup> century classrooms, labs and school facilities; and

**WHEREAS**, the District has prepared a Facility Condition Assessment and solicited stakeholder and community input on school facility needs from parents, teachers, staff, and the community; and

**WHEREAS**, the Board is authorized pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution (also known as “Proposition 39”) and Education Code section 15100 et seq. to order elections for the purpose of submitting to the electors in the District the question of whether bonds shall be issued and sold for the purpose of raising money for the construction, reconstruction, improvement, rehabilitation, or replacement of school facilities, including the furnishing and equipping of such school facilities, and the acquisition or lease of real property for such school facilities; and

**WHEREAS**, Education Code Section 15300 et seq. (“SFID Law”) provides an additional method for financing facilities that will benefit a specific area within the District, and permits the District to seek authorization to issue Proposition 39 general obligation bonds within an area designated as a “school facilities improvement district” (“SFID”), such bonds to be paid from *ad valorem* property taxes levied upon property within the boundaries of the SFID; and

**WHEREAS**, on July 17, 2019, the Board adopted Resolution No. 1920-04, titled “Resolution of the Board of Trustees of the Capistrano Unified School District of Intention to Form a School Facilities Improvement District” (“Resolution of Intention”), stating its intention to form School Facilities Improvement District No. 3 (“SFID No. 3”) of the District pursuant to the SFID Law; and

**WHEREAS**, the Resolution of Intention identified the territory within the District to be included within SFID No. 3 by reference to a boundary map that was made available for public review at the District office; and

**WHEREAS**, the Resolution of Intention identified and set September 18, 2019 as the date for a public hearing to be held on the formation of SFID No. 3; and

**WHEREAS**, in accordance with the Resolution of Intention, notice of such public hearing was published on September 4, 2019 and September 11, 2019 in the *Orange County Register* pursuant to Section 6066 of the California Government Code; and

**WHEREAS**, on September 18, 2019, the Board conducted the public hearing, during which time the testimony of all interested persons was heard on the formation of SFID No. 3, including any persons owning lands within the District, or in proposed SFID No. 3.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Capistrano Unified School District as follows:

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

**Section 2.** The Board hereby orders the formation of SFID No. 3 for the purposes and within the boundaries described in the Resolution of Intention.

**Section 3.** The School Facilities Improvement District is hereby designated "School Facilities Improvement District No. 3 of the Capistrano Unified School District" ("SFID No. 3"). For purposes of discussion, SFID No. 3 has been and may continue to be referred to as the "Western Region SFID."

**Section 4.** The estimated cost of carrying out the purpose described in the Resolution of Intention, namely, financing school facilities improvement projects consisting of the construction, reconstruction, improvement, rehabilitation, or replacement of school facilities in SFID No. 3, including the furnishing and equipping of such school facilities, and the acquisition or lease of real property for such school facilities, for the benefit of the area of land within SFID No. 3, is \$300,000,000, including costs incidental to the issuance of bonds.

**Section 5.** The map ("Boundary Map") showing the exterior boundaries of SFID No. 3, and specifically identifying property located within the District that is not located within SFID No. 3, is on file with the Board and in the office of the School District Superintendent. The Superintendent or Deputy Superintendent, Business and Support Services, or a designee thereof, is hereby directed to file, or cause to be filed, a copy of the Boundary Map with the Orange County Registrar of Voters with any approved order of bond election. The Superintendent or Deputy Superintendent, Business and Support Services, or a designee thereof, is hereby further directed to file the Boundary Map with the County Auditor, County Assessor, the County Superintendent of Schools, the State Board of Equalization and any other required local or State agency, a certified copy of this Resolution, the Boundary Map, a legal description of SFID No. 3, and any other documents required by Section 54902 of the Government Code.

**Section 6.** The President of the Board, the Superintendent, and the Deputy Superintendent, Business and Support Services or their designees are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

**Section 7.** This Resolution shall take effect immediately upon its adoption.


**PASSED AND ADOPTED** this 18th day of September, 2019, by the following vote of the Board of Trustees of the Capistrano Unified School District:

**AYES:** 7  
**NOES:** 0  
**ABSENT:** 0  
**ABSTAIN:** 0

CAPISTRANO UNIFIED SCHOOL DISTRICT

By:   
President of the Board of Trustees

ATTEST:

By:   
Secretary to the Board of Trustees