

**RESOLUTION NO. 6-11**

**RESOLUTION OF THE RICHMOND CITY COUNCIL IN SUPPORT OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT'S APPLICATION TO THE BOARD OF EDUCATION OF THE STATE OF CALIFORNIA FOR A WAIVER REQUEST FROM EDUCATION CODE SECTIONS 15106 & 15270 (A) REGARDING STATUTORY BONDING CAPACITY**

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**WHEREAS**, the District is in the midst of a \$1.3 billion facility improvement program that began in earnest in November 2000, and that the purpose the program is to bring all District facilities to a common standard with regard to seismic/structural safety, upgrades to building systems, new classrooms, technology upgrades, and safety/security; and

**WHEREAS**, the program has had an extremely positive impact on student safety and on the teaching and learning environment at the sites that have been improved, and we expect that the program will have a similar impact on the sites to be improved; and

**WHEREAS**, the program has broad community support as evidenced by the four successful bond elections that the District has held since November 2000, including 2010 Measure D – a \$380 million bond authorization approved by 63% of voters in June of this year; and

**WHEREAS**, without a wavier from Education Code Sections 15106 & 15270 (a), a limitation will prevent the District from issuing bonds under 2010 Measure D, perhaps for a significant number of years, despite the fact that voters only recently approved the bond measure and did so with full knowledge that issuing bonds under the measure would require that the District request a waiver of the Education Code's statutory bonding capacity limitation; and

**WHEREAS**, thirty-five separate tax rates have been established on behalf of the District over the past twelve years in connection with four separate bond authorizations and that each of those thirty-five tax rates have been below targeted maximums; and

**WHEREAS**, the District's financing plan indicates that, assuming that a waiver is granted and the District can move forward under its proposed plan, the District will be able to issue all \$380 million of 2010 Measure D bonds without causing tax rates to exceed the targeted maximums and that the District Board of Education will consider adjusting the pace and structure of the bond issues in order to meet these tax rate targets if necessary; and

**WHEREAS**, Approval of the waiver will provide immediate benefit to our schools and our community;

**THEREFORE BE IT RESOLVED**, that the Richmond City Council supports the West Contra Costa Unified School District's waiver request to the State Board of Education from Education Code sections 15106 & 15270 (a) regarding statutory bonding capacity; and

**BE IT FURTHER RESOLVED**, that the Richmond City Council directs the City Manager to send a copy of this resolution to Dr. Bruce Harter to include in the West Contra Costa Unified School District's waiver request.

I certify that the foregoing resolution was passed and adopted by the members of the Richmond City Council at a joint meeting held on Tuesday, January 4, 2011, by the following vote:

AYES: Councilmembers Bates, Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES  
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE MCLAUGHLIN  
Mayor

Approved as to form:

RANDY RIDDLE  
City Attorney

State of California            }  
County of Contra Costa        } : ss.  
City of Richmond                }

I certify that the foregoing is a true copy of **Resolution No. 6-11**, finally passed and adopted by the City Council of the City of Richmond at a joint meeting held on January 4, 2011.