

MOUNT PLEASANT ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF TRUSTEES OF THE MOUNT PLEASANT ELEMENTARY SCHOOL DISTRICT APPROVING AMENDED AND RESTATED BYLAWS FOR THE MOUNT PLEASANT ELEMENTARY SCHOOL DISTRICT INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE

WHEREAS, on November 6, 2012 the Board of Trustees of the Mount Pleasant Elementary School District (the "District") conducted an election of registered voters within the District for the purpose of voting on a measure for the issuance of bonds of the District in the amount of \$25,000,000 ("Measure L"); and

WHEREAS, based on the Canvass and Statement of Results for the County, more than fifty-five percent of the votes cast on Measure L were in favor of issuing the aforementioned bonds; and

WHEREAS, the Board of Trustees of the District (the "Board") previously has established an independent citizens' bond oversight committee (the "Committee") in connection with issuance of bonds under Measure L; and

WHEREAS, the Board of Trustees of the District previously adopted a resolution requesting Santa Clara County, California (the "County") to call an election for general obligation bonds (the "Bond Election") to be held on November 6, 2018; and

WHEREAS, notice of the Bond Election was duly given; and on November 6, 2018 the Bond Election was duly held and conducted for the purpose of voting on a measure for the issuance of bonds of the District in the amount of \$27,500,000 ("Measure JJ"); and

WHEREAS, based on the Canvass and Statement of Results for the County, more than fifty-five percent of the votes cast on Measure JJ were in favor of issuing the aforementioned bonds; and

WHEREAS, the Board has previously approved Bylaws governing the Committee but now desires to amend and restate such Bylaws, in whole, to make them applicable to both Measure L and Measure JJ (so amended and restated, the "Amended and Restated Bylaws").

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE MOUNT PLEASANT ELEMENTARY SCHOOL DISTRICT DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:

Section 1. Authorization. Measure L and Measure JJ were 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, and in accordance with the requirements of the Strict Accountability In Local School Construction Bonds Act of 2000 (the "Accountability Act").

Section 2. Empowerment of Committee. The Committee is hereby empowered to carry out all the purposes set forth in the Accountability Act as to both Measure L and Measure JJ and with such combined responsibilities.

Section 3. Amended and Restated Bylaws. The Committee shall operate pursuant to the Board of Trustees approved Amended and Restated Bylaws. The Committee shall have only those responsibilities granted to them in the Accountability Act and in the Amended and Restated Bylaws. The Amended and Restated Bylaws, as submitted herewith and attached hereto are hereby approved. The previous Bylaws related to Measure L are rescinded and of no further force and effect.

Section 4. Other Actions. Officers of the Board and members of the Committee referenced hereunder are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

ADOPTED, SIGNED AND APPROVED this 17th day of January, 2019.

BOARD OF TRUSTEES OF THE MOUNT
PLEASANT ELEMENTARY SCHOOL
DISTRICT

President

ATTEST:

Secretary

