



**RESOLUTION NO. 24-06-728**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
ORANGEVALE RECREATION & PARK DISTRICT  
MAKING DETERMINATIONS AND CALLING AN ELECTION TO  
AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS,  
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER,  
AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS  
OCCURRING ON NOVEMBER 5, 2024**

**WHEREAS**, the Orangevale Recreation & Park District (the “District”) is located in Sacramento County (the “County”), State of California (the “State”), and is a special district formed in 1983, and organized and operating independently since January 4, 1988, all pursuant to the Recreation and Park District Law, commencing with Section 5780 of the State Public Resources Code (the “Park District Law”); and

**WHEREAS**, as provided in the Park District Law, recreation and park districts are authorized to provide recreation programs, local parks, and open spaces, serving the diversity of their communities and residents, with broad statutory authority as a class of special districts that provides community recreation, park, and open-space facilities and recreation services within specified boundaries and under local control, aimed at improving a community’s quality of life; and

**WHEREAS**, District staff routinely undertakes and evaluates the District’s parks and capital facilities needs and reports to the Board of Directors (the “Board”) on its findings; and

**WHEREAS**, the Board has determined that current funding sources of the District are insufficient to address the parks and facilities improvement needs that exist in the District in order to provide the community with spaces, facilities and programs to improve the quality of life of those living in the community; and

**WHEREAS**, under the Park District Law, including specifically Public Resources Code Section 5790 and following, the Board is authorized to adopt a resolution making determinations and calling an election on a proposition to incur indebtedness which election shall be conducted pursuant to the Uniform District Election Law, commencing with Section 10500 and following of the State Elections Code, and in accordance with California Constitution Article XIII A Section 1 paragraph (b)(2), which proposition will be successful if two-thirds or more of voters voting on the proposition are in favor of the indebtedness and the issuance of bonds; and

**WHEREAS**, in the judgment of the Board, it is advisable to call an election and submit to the electors of the District the question whether bonds of the District shall be issued and sold for the purpose of raising money for the acquisition or improvement of real property in the District, which projects are more particularly delineated on Appendix A hereto; and

**WHEREAS**, Article XIII A, Section 1, paragraph (b)(2), of the California Constitution (“Article XIII A”) provides an exception to the limit on ad valorem property taxes on real property for bonded indebtedness incurred by a district approved by two-thirds of the voters of the district voting on the proposition; and



**WHEREAS**, the Board is specifically authorized, upon approval by a majority vote of the Board, to pursue the authorization and issuance of bonds by a two-thirds vote of the electorate on the question whether bonds of the District shall be issued and sold for specified purposes, pursuant to the Park District Law and including, with respect to bond issuance, Section 53506 et seq. of the California Government Code (collectively with the Park District Law, the “Act”); and

**WHEREAS**, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 5, 2024, and to request the Registrar of Voters for Sacramento County (the “Registrar of Voters”) to perform certain election services for the District; and

**WHEREAS**, furthermore, Assembly Constitutional Amendment No. 1 (“ACA1”) has qualified for the November 5, 2024 Statewide ballot and would, among other things, change existing law to authorize a city, county, city and county, or special district, including the District, to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure if the proposition proposing that tax is approved by at least 55% of the voters of the city, county, city and county, or special district, as applicable, provided that the proposition includes certain accountability requirements; and

**WHEREAS**, if ACA1 is approved at the November 5, 2024 Statewide ballot, its terms would apply to any proposition authorizing general obligation bonds of a city, county, city and county, or special district that is submitted at the same election as ACA1, including the District’s bond proposition described herein; and

**WHEREAS**, the Board hereby declares that it intends for the proposition to approve the Bonds to comply with all of the provisions of ACA1 so that, if ACA1 is approved on November 5, 2024, approval of the Bonds would require the lower amount of at least 55% of the voters in the District voting on the proposition to vote in favor, instead of at least two-thirds of voters in the District voting on the proposition;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE ORANGEVALE RECREATION & PARK DISTRICT AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals are true and correct.

**Section 2. Call for Election.** The Board hereby orders an election and submits to the electors of the District the question of whether general obligation bonds of the District shall be issued and sold in the maximum principal amount of \$24,000,000 for the purpose of raising money to finance improvements and property of the District, and paying costs incident thereto, as set forth more fully in the ballot proposition approved pursuant to Section 4. This Resolution constitutes the order of the District to call such election. An affirmative vote of at least two-thirds of the voters voting in the District on the proposition is required for passage; provided, however, that if ACA1 is approved by voters on the same election date identified in Section 3, it is the intent of the Board that this proposition



be in compliance with ACA1, and as such, this proposition shall become effective upon an affirmative vote of at least 55% of voters voting on the proposition.

**Section 3. Election Date.** The date of the election shall be November 5, 2024, and the election shall be held solely within the boundaries of the District. The District Administrator is hereby authorized to provide County officials with the current boundary map of the District for purposes of conducting the election.

**Section 4. Purpose of Election; Ballot Proposition.** The purpose of the election shall be for the voters in the District to vote on a proposition, a full copy of which is attached hereto and marked Exhibit A and incorporated herein by reference, containing the question of whether the District shall issue the Bonds for the purpose stated therein, together with the accountability requirements identified in Section 6. The Registrar of Voters is requested to print the Full Text of Measure contained on Exhibit A in the sample ballot pamphlet.

As required by Elections Code Section 13247 and in accordance with the matters required by Elections Code Section 13119, the abbreviated form of the measure to appear on the ballot label is attached hereto and marked as Exhibit B.

The District Administrator or such officer's designee is hereby authorized and directed to make any changes or clarifications to the text of the proposition or this resolution as required to conform to any requirements of Article XIII A, the Act, or the Registrar of Voters.

**Section 5. Authority for Election.** The authority for ordering the election is contained in Section 5790 of the Public Resources Code and Section I, paragraph (b), subsection (2), of Article XIII A of the California Constitution.

**Section 6. Accountability Requirements.** In accordance with ACA1 and Sections 53410 and 53411 of the California Government Code, the Board hereby adopts the following accountability requirements relating to the Bonds:

- a. The proceeds from the sale of the Bonds shall be used only for the Projects specified in this Resolution, and not for any other purpose, including District employee salaries and other operating expenses.
- b. The District hereby certifies that it has evaluated alternative funding sources for the Projects.
- c. The District shall create a separate account into which Bond proceeds shall be deposited.
- d. The District shall conduct or cause an annual, independent performance audit to ensure that the Bond funds are expended in accordance with the Project list, and such audits will be posted in a manner that is easily accessible to the public.
- e. The District shall conduct or cause an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the public infrastructure Projects, and such audits will be posted in a manner that is easily accessible to the public.



- f. The District shall appoint an independent citizens' oversight committee to ensure that Bond proceeds are expended only for the purposes described in the measure approved by the voters.
- g. The District Administrator will file with the Board an annual report as required by Government Code Section 53411 no later than the first December 31 following the first issuance of the Bonds and at least once a year thereafter.

**Section 7. Estimates Included in Ballot Materials; More Complete Meaning of Measure.** The measure authorized by this Resolution includes information presented to voters with respect to the estimated amount of money required to repay issued bonds, the estimated rate of the approved tax per \$100,000 of assessed valuation (ad valorem tax), and the estimated duration through which the proposed tax supporting bond repayment will be levied and collected, among others.

Each of the estimates provided, including in the appendices hereto, have been provided by the District in good faith based upon information currently available to the District, but depend on numerous variables which are subject to variation and change over the term of the District's overall facilities and bond financing plan. Such estimates and approximations are not intended by the Board and shall not be interpreted or construed as additional restrictions on the District's bond program, bond issuances and related tax rate, and, other than the total principal amount of bonds authorized to be issued by the bond measure, do not represent legal maximums or additional limitations beyond applicable legal requirements.

Finally, the abbreviated and condensed statement of the bond measure set forth in Appendix B, limited by State law to 75 words or less, does not limit the scope and broader and more complete meaning provided in the Full Text of Bond Measure, set forth in Appendix A.

**Section 8. Delivery of this Resolution.** The Clerk of the Board is hereby directed to send a copy of this Resolution to the County Registrar and the Clerk of the Board of Supervisors of Sacramento County.

**Section 9. Consolidation of Election.** The County Registrar and the Board of Supervisors of Sacramento County are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 5, 2024, within the District.

**Section 10. Ballot Arguments; Tax Rate Statement.** Any and all members of this Board are hereby authorized (but not required) to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument. The District Administrator, President of the Board, or their designees, are hereby authorized to execute the Tax Rate Statement attached hereto as Exhibit C, or other document and to perform all acts necessary to place the bond measure on the ballot. With respect to the Tax Rate Statement, the Registrar is requested to print it in the voter pamphlet, and, in accordance with Elections Code Section 9405, the Board adopts the procedures identified in said Section 9405.

**Section 11. Elections Code.** Pursuant to Section 10002 of the Elections Code, the Board of Supervisors of Sacramento County is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to



reimburse the County in full upon presentation of a bill, such services to include the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code).

**Section 12. Terms of Bonds.** The Bonds may be issued in one or more series by the District from time to time, and each series of Bonds shall mature not more than the legal limit at the time of such issuance thereof and shall bear interest at a rate or rates per annum not exceeding the statutory maximum applicable at the time of issuance, payable at the time or times permitted by law.

**Section 13. Reimbursement.** Pursuant to United States Income Tax Regulations Section 1.150-2, the District hereby declares that it may (i) pay certain costs of the projects listed in Appendix A prior to the date of issuance of the Bonds and, in such case, (ii) intends to use a portion of the proceeds of the Bonds for reimbursement of said expenditures for the projects that are paid before the date of issuance of the Bonds.

**Section 14. Agreement.** The District Administrator is authorized and directed to execute the agreements on file with Jones Hall, A Professional Law Corporation, which firm is appointed hereby to perform bond and disclosure counsel services in regard to the Bonds, and Isom Advisors, a Division of Urban Futures Inc. which firm is appointed to perform financial advisory services in regard to the Bonds.

**Section 15. Official Actions.** The President of the Board, the District Administrator and the Finance and Human Resources Superintendent are hereby separately authorized and directed to execute and deliver to County officials any directions, requisitions or other writings, and to make and direct any changes to the texts of the measure as described herein and in the tax rate statement, to conform to any legal requirements of the County Registrar, in order to cause the election to be held and conducted in the District in accordance with all legal requirements and be presented to District voters.

**Section 16. Effective Date.** This resolution shall take effect on and after its adoption.

The foregoing Resolution was adopted by the Board of Directors of the Orangevale Recreation & Park District of Sacramento County, being the Board authorized by law to make the designations therein contained on a motion by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, by the following vote, on June 20, 2024.

AYES:

NOES:

ABSENT:

ABSTAIN:



**ORANGEVALE RECREATION & PARK DISTRICT**

APPROVED: \_\_\_\_\_  
Chair, Board of Directors

ATTEST: \_\_\_\_\_  
Clerk of the Board