

RESOLUTION NO. _____

Sonoma County
Administration Building
Santa Rosa, California

Date: _____

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SONOMA AUTHORIZING THE WINDSOR
UNIFIED SCHOOL DISTRICT TO ISSUE QUALIFIED SCHOOL
CONSTRUCTION BONDS DIRECTLY IN ACCORDANCE WITH
EDUCATION CODE SECTION 15140**

WHEREAS, California Education Code Section 15140(b) authorizes a county board of supervisors to adopt a resolution providing that, in specified circumstances, the governing board of any school district or community college district over which the county superintendent of schools has jurisdiction may issue and sell bonds on its own behalf and without further action by the board of supervisors or other officers of the county; and

WHEREAS, the Windsor Unified School District (the "District") has received an allocation from the California Department of Education to issue qualified school construction bonds ("Qualified School Construction Bonds"), in accordance with the qualified tax credit bond program set forth in Section 54A of the Internal Revenue Code of 1986, as amended, in the aggregate principal amount of \$9,000,000; and

WHEREAS, the District has informed the Board of Supervisors that it intends to issue the Qualified School Construction Bonds in the form of general obligation bonds of the District, and the Board of Supervisors has determined that it is in the best interests of the District and the County for the District to issue such general obligation bonds directly in its own name in accordance with the provisions of Section 15140(b) of the California Education Code;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AS FOLLOWS:

Section 1. Authorization to Issue Bonds Directly. The governing board of the Windsor Unified School District, which has not received a qualified or negative certification in its most recent interim report, may issue and sell the Qualified School Construction Bonds in the form of general obligation bonds on its own behalf pursuant to Chapter 1 of Part 10 of Division 1 of Title 1 of the Education Code without further action of the Board of Supervisors or other officers of the County of Sonoma, in an amount not to exceed \$9,000,000 and in accordance with all of the provisions and limitations of the bond measure approved by the voters of the District on February 5, 2008.

The District shall transmit a copy of the following documents to the County Auditor and the Treasurer-Tax Collector of the County in sufficient time to permit them to establish tax rates and necessary funds or accounts for the bonds: (a) the District resolution authorizing the issuance and sale of the bonds; and (b) the final debt service schedule for the bonds reflecting the principal amounts and interest rates of the bonds as determined in the sale of the bonds.

Section 2. Limited Liability of County. The County, its officers, agents and employees shall have no responsibility for the proceedings for sale and issuance of the bonds of the District; nor for establishing a tax rate for any new issue of school bonds or reducing a tax rate for any outstanding issue of bonds that may have been refunded in any year in which the information required by Section 1 of this Resolution is delivered to the County Auditor and the Treasurer-Tax Collector of the County later or other than as specified by those County officers.

Section 3. Levy of Tax for Bonds. The County will levy and collect taxes, pay monies sufficient to pay principal of and interest, accreted value and redemption premium, if any, on the Bonds to the paying agent and bond registrar, and hold the Bond proceeds and tax funds pursuant to Chapter 1 of Part 10, Division 1, Title 1 (commencing with Section 15100) of the Education Code for the bonds issued and sold.

Section 4. Official Actions. County officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they may deem necessary or advisable in order to enable the District to proceed with the issuance of the Bonds, and otherwise carry out, 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.

Section 5. Effective Date of Resolution. This Resolution shall take effect from and after the date of its passage and adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of Sonoma, State of California, on October 27, 2009, by the following vote:

SUPERVISORS:

Brown_____Kerns_____Zane_____Carrillo_____Kelley_____

Ayes ____ Noes ____ Abstain ____ Absent ____

SO ORDERED