

**BOARD OF TRUSTEES OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT  
COUNTY OF ALAMEDA, STATE OF CALIFORNIA**

**RESOLUTION NO. 21/22-71**

RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA TO ESTABLISH TAX RATE FOR BONDS OF THE PERALTA COMMUNITY COLLEGE DISTRICT EXPECTED TO BE SOLD DURING FISCAL YEAR 2022-23, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH.

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**WHEREAS**, this Board of Trustees (the “Board”) of the Peralta Community College District (the “District”), located in the County of Alameda, California (the “County”), is authorized to, and intends to, issue one or more series of its bonds for purposes authorized by the voters of the District on November 6, 2018; and

**WHEREAS**, the Board of Supervisors of the County is required to take action pursuant to Section 29100 of the Government Code of the State of California (the “Government Code”) approving a tax rate for payment of indebtedness of the District during fiscal year 2022-23 no later than October 3, 2022, and it is the responsibility of the Auditor-Controller of the County, pursuant to Section 29103 of the Government Code, to calculate the several tax rates for the related Board of Supervisors’ action thereon; and

**WHEREAS**, this Board has determined that it is not possible or advisable to sell the District’s bonds in time to permit the Auditor-Controller of the County to calculate the tax rates necessary to pay debt service on such bonds in order that such tax rates may be reflected on 2022-23 property tax bills of taxpayers in the District; and

**WHEREAS**, Section 15252 of the Education Code of the State of California (the “Education Code”) provides that the board of supervisors of the county, the county superintendent of which has jurisdiction over the district, shall annually, at the time of making the levy of taxes for county purposes, estimate the amount of money required to meet the payment of the principal and interest on bonds of a school district or community college district authorized by the electors of the district and not sold, and which the governing board of the district informs the board of supervisors in their belief will be sold before the next tax levy, and further provides that said board of supervisors shall levy a tax sufficient to pay the principal and interest so estimated; and

**WHEREAS**, this Board deems it necessary and desirable to issue one or more series of the District’s bonds during fiscal year 2022-23, as authorized by the Education Code, and believes that said bonds will be sold during said fiscal year; and

**WHEREAS**, this Board deems it necessary and desirable that the County levy a tax for payment of debt service estimated to come due on such bonds during fiscal year 2022-23, which

is more cost effective than generating capitalized interest for the payment of debt service on such bonds in fiscal year 2022-23;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE PERALTA COMMUNITY COLLEGE DISTRICT:**

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

Section 2. Estimate of Tax Levy. The President of the Board, the Chancellor of the District, the Interim Chancellor of the District, the Interim Deputy Chancellor and Chief Operating Officer, the Interim Chief of Staff, Special Assistant to the Chancellor, the Interim Vice Chancellor of Finance & Administration, the Interim Vice Chancellor of General Services, or such other officer of the District as any authorized officer may designate (collectively, the “Authorized District Representative”) upon consultation with the District’s bond financing consultants, are hereby authorized and directed to prepare an estimate of all payments of principal and interest which shall become due on a series of bonds of the District expected to be sold prior to the making of the tax levy for fiscal year 2022-23, and to cause the debt service schedule so prepared to be provided to the Board of Supervisors of the County and to the officers of the County responsible for preparing the tax levy for bonds of the District and for levying said tax.

Section 3. Request to County to Levy Tax. The Board of Supervisors of the County is hereby requested, in accordance with Section 15252 of the Education Code and Section 29100 of the Government Code, to adopt a tax rate for bonds of the District expected to be sold during fiscal year 2022-23, based upon the estimated debt service schedule prepared by officers of the District upon consultation with the bond financing consultants, and to levy a tax in fiscal year 2022-23 on all taxable property in the District sufficient to pay said estimated debt service. The proceeds of such tax shall be deposited into the interest and sinking fund of the District established pursuant to the Education Code for bonds of the District.

Section 4. Application of Tax Proceeds. In the event that bonds of the District are not sold during fiscal year 2022-23, or sold in such amount and on such terms that the proceeds of the tax requested in Section 3 hereof, or any portions thereof, are not required for payment of debt service due on the bonds, or payment of other outstanding bonds of the District payable from the interest and sinking fund of the District, this Board hereby requests that the Auditor-Controller of the County cause the remaining proceeds of the tax to be held in the interest and sinking fund and applied to debt service on outstanding bonds of the District coming due in fiscal year 2023-24.

Section 5. Filing of Resolution. The Secretary of this Board is hereby authorized and directed to file forthwith a certified copy of this Resolution and the estimated debt service schedule with the Clerk of the Board of Supervisors of the County, and to cause copies of this Resolution and the estimated debt service schedule to be delivered to the Auditor-Controller of the County and the Treasurer-Tax Collector of the County.

Section 6. Further Authorization. The members of this Board, the Chancellor of the District, the Interim Chancellor of the District, the Interim Deputy Chancellor and Chief Operating Officer, the Interim Chief of Staff, Special Assistant to the Chancellor, the Interim Vice Chancellor

of Finance & Administration, the Interim Vice Chancellor of General Services, or such other officer of the District designated for the purpose or such other officer of the District as any authorized officer may designate, shall be and they are hereby authorized and directed to take such additional actions consistent with the intent of this Resolution in connection with the sale of bonds of the District, which any of them deem necessary and desirable to accomplish the purposes hereof.

Section 7. Effective Date. This Resolution shall take effect from and after its adoption.

**PASSED AND ADOPTED** this day, June 14, 2022, by the following vote:

**AYES:** Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin-Polk, Nicky Gonzalez-Yuen, Linda Handy, (Leesa Hogan/Student Advisory Vote), (Sarah Latino/Student Advisory Vote)

**NOES:**

**ABSTAIN:**

**ABSENT:** Julina Bonilla

  
cindi.reiss (Jun 16, 2022 09:13 PDT)

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President of the Board of Trustees  
Peralta Community College District

Attest:



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Secretary of the Board of Trustees  
Peralta Community College District

## SECRETARY'S CERTIFICATE

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I, Dr. Jannett N. Jackson, Secretary of the Board of Trustees of the Peralta Community College District, County of Alameda, California, do hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Trustees of said District duly and regularly held at the regular meeting place thereof on June 14, 2022, and entered in the minutes thereof, at which meeting all of the members of said Board of Trustees had due notice and at which a quorum was present, and said resolution was adopted by the following vote:

**AYES:** Cindi Napoli-Abella Reiss, Bill Withrow, Kevin Jenkins, Dyana Delfin-Polk, Nicky Gonzalez-Yuen, Linda Handy, (Leesa Hogan/Student Advisory Vote), (Sarah Latino/Student Advisory Vote)

**NOES:**

**ABSTAIN:**

**ABSENT:** Julina Bonilla

An agenda of said meeting was posted at least 72 hours before said meeting at 333 East 8<sup>th</sup> Street, Oakland, California, a location freely accessible to members of the public, and was posted on the District's website at least 72 hours before said meeting in accordance with all applicable laws, and a brief description of said resolution appeared on said agenda. A copy of said agenda is attached hereto.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office. Said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this Thursday day of June 16th, 2022.



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Secretary of the Board of Trustees  
Peralta Community College District


# 21\_22-71 Resolution Requesting BoS of CoA to Establish a Tax Rate for Bonds the District Expected to be Sold During FY22\_23 & Authorizing Necessary Actions in Connection Therewith


Final Audit Report


2022-06-16


Created:	2022-06-16
By:	samiri_esig@peralta.edu
Status:	Signed
Transaction ID:	CBJCHBCAABAA8eU2_f5MsDIQes0M7nSq8MsYx1eGo6Zc


## "21\_22-71 Resolution Requesting BoS of CoA to Establish a Tax Rate for Bonds the District Expected to be Sold During FY22\_23 & Authorizing Necessary Actions in Connection Therewith" History


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2022-06-16 - 3:01:38 PM GMT- IP address: 98.45.51.211


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✔ Agreement completed.

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