

SUBJECT: FACILITIES FINANCING

ORIGINATING OFFICE: ASSISTANT SUPERINTENDENT, BUSINESS SERVICES

EFFECTIVE: OCTOBER 13, 2015

REVISED: **MAY 25, 2021**

The Board of Trustees recognizes its responsibility to identify the most cost-efficient and effective method of financing when purchasing or modifying district facilities. Financing may be necessary when it is determined that school facilities must be built or expanded to accommodate an increased or projected increased enrollment or when safety considerations and educational program improvements require the replacement, reconstruction, or modernization of existing facilities.

The Superintendent or designee shall research funding alternatives and recommend to the Board the method that would best serve district needs as identified in the district's master plan for school facilities.

Funding alternatives may include, but not be limited to:

1. Levying developer fees pursuant to Education Code 17620 and Government Code 65995-65998
2. Forming a community facilities district pursuant to Government Code 53311-53368.3, the Mello-Roos Community Facilities Act
3. Forming a school facilities improvement district pursuant to Education Code 15300-15425
4. Issuing voter-approved general obligation bonds
5. Imposing a qualified parcel tax pursuant to Government Code 50079
6. Using lease revenues for capital outlay purposes from surplus school property
7. Applying for state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30)

The district shall provide reports, maintain records, and provide for audits of the expenditure of state facilities funds as required by law and AR 3460 - Financial Reports and Accountability. (Education Code 41024)

As applicable, the district shall comply with BP 3470 - Debt Issuance and Management.

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
2 CCR 1859-1859.199	<u>Leroy F. Greene School Facilities Act</u>
CA Constitution Article 13D, Sections 1-6	<u>Assessment and property related fee reform</u>
Ed. Code 15100-17059.2	<u>School bonds</u>
Ed. Code 15122.5	<u>Ballot statement</u>
Ed. Code 15300-15327	<u>School facilities improvement districts</u>
Ed. Code 17000-17059.2	<u>State School Building Lease-Purchase Law of 1976</u>
Ed. Code 17060-17066	<u>Joint venture school facilities construction projects</u>
Ed. Code 17070.10-17077.10	<u>Leroy F. Greene School Facilities Act of 1998</u>
Ed. Code 17085-17095	<u>State Relocatable Classroom Law of 1979</u>
Ed. Code 17582	<u>District deferred maintenance fund</u>
Ed. Code 17620-17626	<u>Levies against development projects by school districts</u>
Ed. Code 17621	<u>Procedures for levying fees</u>
Gov. Code 50075-50077	<u>Voter-approved special taxes</u>
Gov. Code 50079	<u>School districts; qualified special taxes</u>
Gov. Code 53175-53187	<u>Integrated Financing District Act</u>
Gov. Code 53311-53368.3	<u>Mello-Roos Community Facilities Act of 1982</u>
Gov. Code 53753	<u>Assessment notice and hearing requirements</u>
Gov. Code 53753.5	<u>Exemptions</u>
Gov. Code 54954.1	<u>Mailed notice to property owners</u>
Gov. Code 54954.6	<u>New or increased tax or assessment; public meetings and hearings; notice</u>
Gov. Code 6061	<u>One time notice</u>
Gov. Code 6066	<u>Two weeks' notice</u>
Gov. Code 65864-65867	<u>Development agreements</u>
Gov. Code 65970-65980.1	<u>School facilities development project</u>
Gov. Code 65995-65998	<u>Payment of fees against a development project</u>
Gov. Code 66000-66008	<u>Fees for development projects</u>
Gov. Code 66016-66018.5	<u>Development project fees</u>
Gov. Code 66020-66025	<u>Protests and audits</u>

State	Description
H&S Code 33445.5	<u>Overcrowding of schools resulting from redevelopment</u>
H&S Code 33446	<u>School construction by redevelopment agency</u>
Uncodified Statutes 17696-17696.98	<u>Greene-Hughes School Building Lease-Purchase Bond Law of 1986</u>
Management Resources	Description
Attorney General Opinion	<u>79 Ops.Cal.Atty.Gen. 149 (1996)</u>
Court Decision	<u>Loyola Marymount University v. Los Angeles Unified School District (1996) 45 Cal.App.4th 1256</u>
Court Decision	<u>Ehrlich v. City of Culver City (1996) 12 Cal.4th 854</u>
Court Decision	<u>Dolan v. City of Tigard (1994) 114 S.Ct. 2309</u>
Court Decision	<u>Canyon North Co. v. Conejo Valley Unified School District (1993) 19 Cal.App.4th 243, 23 Cal.Rptr.2d 495</u>
Court Decision	<u>Garlic Development Co. v. Hayward Unified School District (1992) 3 Cal.App.4th 320, 4 Cal.Rptr.2d 897</u>
Court Decision	<u>Nollan v. California Coastal Commission (1987) 107 S.Ct. 3141</u>
Website	<u>Office of Public School Construction</u>
Cross References	

Code	Description
1330.1	<u>Joint Use Agreements</u>
3100	<u>Budget</u>
3100	<u>Budget</u>
3470	<u>Debt Issuance And Management</u>
7000	<u>Concepts And Roles</u>
7110	<u>Facilities Master Plan</u>
7131	<u>Relations With Local Agencies</u>
7150	<u>Site Selection And Development</u>
7150	<u>Site Selection And Development</u>
7211	<u>Developer Fees</u>
7211	<u>Developer Fees</u>
7212	<u>Mello-Roos Districts</u>
7213	<u>School Facilities Improvement Districts</u>
7214	<u>General Obligation Bonds</u>

7214	Code	Description
9000-B		<u>General Obligation Bonds</u>
		<u>Role Of The Board</u>