

**RESOLUTION REQUESTING THE BOARD OF SUPERVISORS
OF FRESNO COUNTY TO CANCEL A PORTION OF THE
UNISSUED GENERAL OBLIGATION BONDS OF SCHOOL FACILITIES
IMPROVEMENT DISTRICT NO. 3 (LEMOORE AREA) OF WEST HILLS COMMUNITY
COLLEGE DISTRICT
WHICH HAVE BEEN PREVIOUSLY AUTHORIZED**

WHEREAS, at an election held on November 6, 2012, more than 55% of the voters of the School Facilities Improvement District No. 3 (Lemoore Area) of West Hills Community College District approved Proposition L, a ballot proposition approving the issuance of general obligation bonds of the District in the amount of \$12,655,000 (the "Proposition L Bonds"); and

WHEREAS, pursuant to the Resolution adopted by the Board of Trustees of the District calling said election, upon the issuance of any series of Proposition L Bonds the District is required to initiate proceedings for the cancellation of a like principal amount of remaining general obligation bonds which were authorized under Proposition E at an election held on November 4, 2008 (the "Proposition E Bonds"); and

WHEREAS, the Board of Trustees of the District has adopted its resolution authorizing the issuance and sale of a series of the Proposition L Bonds in the aggregate principal amount of not to exceed \$12,655,000; and

WHEREAS, the Board of Trustees wishes to take action at this time for the purpose of formally requesting the Board of Supervisors of Fresno County to cause the Proposition E Bonds to be canceled in a principal amount equal to the principal amount of the Proposition L Bonds which are issued by the District;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the West Hills Community College District as follows:

Section 1. Request. The Board of Trustees hereby requests the Board of Supervisors of Fresno County to initiate, undertake and complete proceedings for the cancellation of Proposition E Bonds in the aggregate principal amount of not to exceed \$12,655,000. Such proceedings shall be taken pursuant to the provisions of Sections 15200-15205 of the Education Code of the State of California.

Section 2. Approval of Petition. In accordance with Section 15200 of the Education Code of the State of California, the Board of Trustees hereby approves a petition to the Board of Supervisors, in the form on file with the Clerk of Board, together with any changes which are approved by the Chancellor upon the advice of Jones Hall, A Professional Law Corporation, as bond counsel to the District. At such time following the adoption of this Resolution as the exact principal amount of the Proposition L Bonds has been determined, a majority of the members of the Board of Trustees shall complete and execute such petition for and on behalf of the District. Following the completion and execution of such petition, the Clerk of the Board shall cause this Resolution and the signed petition to be filed with the Clerk of the Board of Supervisors.

Section 3. Payment of Costs. All costs and expenses incurred by the Board of Supervisors to publish notice of a hearing on the cancellation of Proposition E Bonds shall be borne by the District, and shall be paid from a portion of the proceeds of the Proposition L Bonds.

Section 4. Non-Issuance of Proposition E Bonds. Under any circumstances, including but not limited to a failure to cancel a portion of the Proposition E Bonds in accordance with this Resolution, the Board of Trustees shall not authorize the issuance of any additional Proposition L Bonds and Proposition E Bonds if such issuance would cause the aggregate original principal amount of all of the Proposition L Bonds which are issued by the District, together with the aggregate original principal amount of the Proposition E Bonds which are issued by the District, to exceed \$31,000,000.

Section 5. Effective Date. This Resolution shall take effect on and after its adoption

I hereby certify that the foregoing Resolution was passed and adopted by the Board of Trustees of the West Hills Community College District at a regular meeting thereof duly held on November 17, 2015, by a vote of a majority of its members.

Adopted by the following votes:

AYES: 6 (Oxborrow, Minniti, Levensen, Cantu, Falter, Maldonado)

NOES: 0

ABSENT: 1 (McKean)


Clerk of the Board of Trustees of the West
Hills Community College District