



## Legislation Details (With Text)

**File #:** 21-1035      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 6/14/2021      **In control:** Board of Supervisors

**On agenda:** 6/29/2021      **Final action:** 6/29/2021

**Title:** County Counsel recommending the Board adopt and authorize the Chair to sign Resolution 071-2021 authorizing the Lake Tahoe Community College District to issue and sell, on its own behalf, up to \$14,000,000 of general obligation bonds which were authorized by the voters of the District on November 04, 2014.

**FUNDING:** N/A - Lake Tahoe Community College District to issue bonds.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A- CRS Approved, 2. B- Resolution, 3. Executed Resolution 071-2021

Date	Ver.	Action By	Action	Result
6/29/2021	1	Board of Supervisors	Approved	Pass

County Counsel recommending the Board adopt and authorize the Chair to sign Resolution **071-2021** authorizing the Lake Tahoe Community College District to issue and sell, on its own behalf, up to \$14,000,000 of general obligation bonds which were authorized by the voters of the District on November 04, 2014.

**FUNDING:** N/A - Lake Tahoe Community College District to issue bonds.

### DISCUSSION / BACKGROUND

On November 4, 2014 the voters in the Lake Tahoe Community College District approved the issuance of up to \$55,000,000 in general obligation bonds for purposes set out in Measure F, described as follows: "To upgrade college facilities that prepare local students for jobs and university transfer by modernizing academic and job-training classrooms, science labs, and facilities, expanding access to university courses, creating a Public Safety Training Center, modernizing technology, improving safety and energy efficiency, and improving facilities, sites and equipment." Pursuant to that authorization, on April 27, 2021, the District's Board of Trustees adopted Resolution No. 7 -- 2020-21 authorizing the issuance of bonds in the aggregate principal amount of \$14,000,000.

Historically, California community college district bonds were issued by the county in which the districts were located. However, the California Education Code section 15140(b) now provides an alternative under which the Board of Supervisors can authorize the community college districts to issue and sell bonds in a community college district's own name, subject to certain requirements. The County has received such requests in recent years and County Counsel, the Auditor-Controller, and the Treasurer-Tax Collector have agreed that it is preferable to allow the community college districts to issue bonds in their own names rather than having the county do so and potentially assuming risk or becoming embroiled in any disputes that might arise with respect to the bonds. This approach also avoids some county involvement in the actual preparation of the sale that would consume a

significant amount of staff time.

The Board of Supervisors previously authorized the District to issue, on its own behalf a first series of bonds in the aggregate principal amount of \$19,500,000 (Resolution No. 115-2015) and a second series of bonds in the aggregate principal amount of \$15,500,000 (Resolution No. 012-2018).

### **ALTERNATIVES**

The alternative is for the Board to deny the District's request, decline to adopt the resolution, and instead have the County issue the bonds on behalf of the District, thus incurring administrative costs and potentially getting the County involved in any disputes that might arise related to the bond issuance. This is not a recommended action.

### **PRIOR BOARD ACTION**

The Board of Supervisors previously authorized the District to issue, on its own behalf a first series of bonds in the aggregate principal amount of \$19,500,000 (Resolution No. 115-2015) (legistar #15-0867), and a second series of bonds in the aggregate principal amount of \$15,500,000 (Resolution No. 012-2018), (legistar #18-0170).

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

The County Auditor-Controller and Treasurer-Tax Collector will work with the District to ensure proper collection and disbursement of taxes approved by the voters to fund the bonds.

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

N/A

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

The Clerk of the Board shall transmit one (1) copy of the fully executed and certified Resolution to County Counsel and one (1) copy of the fully executed and certified Resolution to the Lake Tahoe Community College District.

### **STRATEGIC PLAN COMPONENT**

Good Governance.

### **CONTACT**

David A. Livingston, County Counsel