

FULL TEXT OF BALLOT MEASURE AV

RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY HEALTHCARE DISTRICT DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE CONSTRUCTION, FURNISHING, EQUIPPING, AND SUPPLYING OF A NEW, SAFE, MODERN, STATE-OF-THE-ART GENERAL ACUTE CARE HOSPITAL AND TRAUMA CENTER PROJECT WITH FINANCING THROUGH THE ISSUANCE OF GENERAL OBLIGATION BONDS

WHEREAS, the Antelope Valley Hospital currently does not meet the space, technological, educational, or safety needs of the residents of the Antelope Valley Healthcare District ("District"); and

WHEREAS, the Antelope Valley Hospital was originally built in 1955 and does not currently meet the earthquake safety standards for hospitals and cannot be used as an acute care hospital after 2030; and

WHEREAS, the Antelope Valley Hospital, which is operated by the District, is the region's only not-for-profit hospital. The hospital was originally built in 1955 and does not currently meet the earthquake safety standards for hospitals and cannot be used as an acute care hospital after 2030; and

WHEREAS, if a new hospital that meets state earthquake safety standards is not built by January 1, 2025, the District will have no choice but to close Antelope Valley Hospital and the region's only Level II trauma center, forcing critically injured patients to be transported more than 50 miles to Los Angeles during the crucial moments that could mean life or death; and

WHEREAS, a new Antelope Valley Hospital will provide patients with access to the best possible care, now and for generations to come, with an Emergency Department specifically designed to reduce patient wait times and increase patient privacy; and

WHEREAS, with the latest technology and resources, a new Antelope Valley Hospital will be able to attract and retain highly trained nurses and doctors, and expand senior services including improved privacy and care for stroke patients and preserving access to the hospital's Comprehensive Community Cancer Center and STEMI Receiving Center; and

WHEREAS, the District Board of Directors ("the Board of Directors") has adopted a resolution placing a measure on the March 3, 2010, ballot to seek voter approval of general obligation bonds for the Antelope Valley Hospital Project, and that, as set forth in this resolution, the measure includes comprehensive fiscal accountability and transparency provisions, including independent citizens oversight; and

WHEREAS, the fiscal accountability safeguards in the measure, as set forth in this resolution, will ensure funds are used efficiently, effectively, and as promised to voters; and

WHEREAS, the Antelope Valley Healthcare District (the "District") is authorized to issue general obligation bonds to finance District improvements pursuant to certain provisions of the California Health and Safety Code, commencing with Section 32300 of Chapter 4 of Division 23, and provisions of the California Government Code, commencing with Section 53506 of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 (collectively, the "Bond Law"); and

WHEREAS, the District intends to issue its general obligation bonds (the "Bonds") pursuant to the Bond Law to finance the construction, furnishing, equipping, and similar costs of a safe, modern new Antelope Valley Hospital, that is state-of-the-art and energy efficient, and meets current seismic, fire, and accessibility codes and other related public improvements, as described in the resolution placing a measure on the March 3, 2020, ballot seeking voter approval of the Bonds (the "Antelope Valley Hospital Project"); and

WHEREAS, in order to initiate proceedings under the Bond Law to provide for the financing of the Antelope Valley Hospital Project, the Board of Directors must make certain findings and determinations.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY HEALTHCARE DISTRICT DOES RESOLVE, DECLARE, DETERMINE AND ORDERS AS FOLLOWS:

SECTION 1. Declaration of Necessity to Issue Bonds. That the public interest and necessity demand, and it is the intention of the Board of Directors to require, the construction of the Antelope Valley Hospital Project and to issue the Bonds to finance the cost thereof, subject to completion of the proceedings required by the Bond Law.

SECTION 2. Maximum Amount. That the estimated cost of the Antelope Valley Hospital Project and maximum amount of the Bonds is not to exceed Three Hundred and Fifty Million Dollars (\$350,000,000). The estimated costs include costs incidental to or connected with the acquisition, construction, improving or financing of the Antelope Valley Hospital Project and all engineering, inspection, legal, and fiscal agent's fees, costs of the bond election and of the issuance of such bonds, and all other costs allowable under the Bond Law. The tax rate statement required by the Elections Code for bond measures is attached as Exhibit A.

SECTION 3. Findings. That the Board of Directors hereby finds and determines that the above recitals are true and correct and incorporated herein, and that the costs of the Antelope Valley Hospital Project requires an expenditure by the District greater than the amount allowed for it by the annual revenues of the District. The principal amount of the Bonds will not exceed the estimated cost set forth above for the Antelope Valley Hospital Project.

SECTION 4. Issuance of the Bonds. That this Resolution is adopted, and the Bonds, if approved by two-thirds of all qualified voters voting on the issuance of the Bonds, are to be issued pursuant to the Bond Law. The Bonds shall be issued in one or more series, in the maximum amount and for the objects and purposes set forth above. The Bonds will be general obligations of the District payable from and secured by taxes levied and collected in the manner prescribed by laws of the State of California. All of the Bonds are to be equally and ratably secured, without priority, by the taxing power of the District. The maximum rate of interest to be paid on the Bonds shall be 8% per annum. Said interest shall be payable semiannually or annually except that interest for the first year after the date of the Bonds may be made payable at the end of said year.

SECTION 5. Accountability Measures. That in accordance with Sections 53410 and 53411 of the California Government Code, the Board of Directors hereby adopts the following accountability requirements relating to the Bonds:

(a) A separate account shall be created and held by the District, into which the proceeds of the Bonds are deposited.

(b) The chief financial officer of the District shall file a report with the Board of Directors no later than the first January 1 following initial issuance of the Bonds and at least once a year thereafter, showing the amount of Bond proceeds collected and expended, and the status of the Antelope Valley Hospital Project to be financed from the proceeds of the Bonds.

(c) The chief financial officer of the District shall also file the annual report described in the preceding paragraph to a bond oversight committee, as described in this resolution, to be established by the Board of Directors.

(d) Each year, as part of the audit of the District's financial statements, the District's independent auditors shall complete a report reviewing the collection, management, and expenditure of revenue from the Bonds. The report shall be reviewed by the bond oversight committee with the report from the District's chief financial officer.

(e) The Board of Directors shall establish a bond oversight committee, which will review the reports described in this section to ensure that Bond proceeds are being expended in compliance with the purposes of the measure and the Antelope Valley Hospital Project. Members of the bond oversight committee shall be residents of the District or District taxpayers, as determined by the Board of Directors. The qualifications, terms, and responsibilities of the bond oversight committee, in addition to those listed in this resolution, shall be established by the District Board of Directors.

SECTION 6. Effective Date. That this Resolution shall take effect upon its adoption by two-thirds of all members of the Board of Directors.

SECTION 7. Certification of Adoption. That the District Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY HEALTHCARE DISTRICT, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL DISTRICT ELECTION ON TUESDAY, MARCH 3, 2020, FOR SUBMISSION OF A MEASURE TO THE QUALIFIED VOTERS OF THE DISTRICT TO APPROVE GENERAL OBLIGATION BONDS AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSENT TO AND ORDER THE CONSOLIDATION OF ELECTIONS AND TO RENDER SPECIFIED SERVICES RELATED TO THE ELECTION.

WHEREAS, on November 20, 2019, the Board of Directors adopted a resolution determining that the public interest and necessity demand the issuance of general obligation bonds of the District for the construction, furnishing, equipping, and supplying of a safe, modern general acute-care hospital (the "Antelope Valley Hospital Project" or "Project") (Resolution No. 112019A, "the Resolution"); and

WHEREAS, the Resolution was passed by a two-thirds vote of the Board as required by law; and

WHEREAS, pursuant to the California Constitution and applicable provisions of the Health and Safety Code and Government Code, the Resolution must be approved by a vote of the voters of the District; and

WHEREAS, the Board of Directors desires to submit the Resolution and a measure to approve the issuance of general obligation bonds to the voters of the District for approval.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY HEALTHCARE DISTRICT DOES RESOLVE, DECLARE, DETERMINE AND ORDERS AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the Bond Laws, as defined in the Resolution, and the Constitution of the State of California, there shall be and the Board of Directors hereby orders to be held in the District, on Tuesday, March 3, 2020, a Special District Election for the purpose of submitting the following measure to the voters of the District:

Shall the measure authorizing the Antelope Valley Healthcare District to issue 30-Year General Obligation Bonds, not to exceed \$350 million at tax rates described in the voter guide, to keep Antelope Valley Hospital and its trauma center from closing by building a new hospital meeting California's Earthquake Standards, improving care by recruiting/retaining trained nurses/physicians, reducing Emergency Room wait times, protecting privacy, expanding senior services and requiring taxpayer oversight for online transparency and accountability, be authorized?	YES
	NO

SECTION 2. That the text of Resolution, to be submitted to the voters, is attached as Exhibit A.

SECTION 3. That the vote requirement for the measure to pass is two-thirds of the votes cast on the measure at the election held on March 3, 2020.

SECTION 4. That the Board of Directors orders that the Special District Election called by this resolution be consolidated with the Presidential Primary Election to be held on the same date and requests that the Los Angeles County Board of Supervisors consents to and orders the consolidation of the Special District Election.

SECTION 5. That the Board of Supervisors acknowledges that the consolidated election will be held and conducted in the manner prescribed in Elections Code Section 10418, and that the election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceeding incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the Presidential Primary Election. The precincts used at the consolidated election shall be those used for the Presidential Primary Election and, where necessary, the Los Angeles County elections official may adjust precinct lines to coincide with the boundaries of the District. The District's boundaries have not changed since its previous election.

SECTION 6. That the Board of Directors requests that, as part of the services to be provided by Los Angeles County related to the election, the Board of Supervisors direct the County Counsel to prepare an impartial analysis of the measure. Any impartial analysis of the measure prepared by the County Counsel shall comply with the requirements of Elections Code section 9160 and be filed with the County election official according to the deadline established by the County elections official. The Board of Directors requests that the impartial analysis include a statement that the measure was placed on ballot by the governing body of the District. The District Clerk shall transmit copies of this resolution and the Resolution to the County Counsel for the purpose of preparing an impartial analysis.

SECTION 7. That the Board of Directors recognizes that Los Angeles County will incur additional costs in conducting the election called by this resolution, agrees to reimburse the County for those costs, and authorizes and directs the Chief Executive Officer or designees to expend the funds necessary to pay for the costs of conducting the election.

SECTION 8. That notice of time and place of holding the election is given and the District Clerk is authorized and instructed and directed to give further or additional notice of the election, in time, form and matter as required by law.

SECTION 9. That the Board of Directors finds that this resolution is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA," and 14 Cal. Code Reg. §§ 15000 et seq., "CEQA Guidelines"). This resolution only submits to the voters of the District the question whether the bonds described by this resolution should be approved to fund the Antelope Valley Hospital Project but does not approve the Project. As such, under CEQA Guidelines section 15378(b)(4), this resolution and the bonds described herein are not a project within the meaning of CEQA because they create a government funding mechanism that does not involve any commitment to any specific project or service that may result in a potentially significant physical impact on the environment. If revenue from the bonds were used for a purpose that would have such effect, the District would undertake the required CEQA review for that particular project at the earliest feasible time prior to approval of such project.

SECTION 10. That the Chief Executive Officer of the District and designees are hereby authorized to execute and deliver any documents and to perform all acts necessary to place the measure on the ballot including making any revisions, corrections, or alterations to the language of the ballot measure or related resolutions of the Board of Directors to correct minor errors or to comply with the requirements of law and the elections officials and to ensure that the applicable requirements of the Elections Code and the Bond Laws are met.

SECTION 11. That the District Clerk is directed to transmit a copy of this resolution to the Los Angeles County Board of Supervisors and the Los Angeles County Registrar-Recorder/County Clerk upon finalization.

SECTION 12. That the District Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.