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Dr. Robert M. Silverman
Superintendent / President

Board of Trustees
Donald Nelson, President
Angela Valles, Vice President
Dennis Henderson, Clerk
Bettye Underhill, Member
Joe Range, Member

August 6, 2008

Marie Alfonso
Election Division
Los Angeles County Registrar of Voters
2400 Imperial Hwy., Room 2015
Norwalk, CA 90650

Sachi A. Hamai, Executive Office
Los Angeles County Board of Supervisors
Kenneth Hahn Hall of Administration
500 W. Temple Street
Los Angeles, CA 90012

Re: Victor Valley Community College District November 4, 2008 Bond Measure Election

Enclosed please find the Victor Valley Community College District Board of Trustees "RESOLUTION OF THE BOARD OF TRUSTEES OF THE VICTOR VALLEY COMMUNITY COLLEGE DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER" adopted on August 5, 2008 calling for a November 4, 2008 local bond election.

Also enclosed is our Tax Rate Statement.

We expect Exhibit B to be printed in its entirety in each sample ballot/voter pamphlet.

By this letter we are formally requesting to review a proof of the ballot statement language, the full text of the ballot proposition, impartial analysis and ballot arguments that would appear in the voter pamphlet prior to publishing. Please direct this proof to the undersigned as soon as it is available.

We believe that Education Code Section 15122.5 is applicable and we request that the County include the following "State Matching Funds" language in the ballot or voter pamphlet:

"Approval of Measure _____ does not guarantee that the proposed project or projects in the Victor Valley Community College District that are the subject of bonds under Measure _____ will be funded beyond the local revenues generated by Measure _____. The district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."

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If possible, the District would like to request the measure letter designation of "J." If not possible, the District requests that we not be assigned the letter "X" or "F."

We would be more that happy to provide you with the resolution electronically in order to facilitate your work, or to assist with this process in any other manner.

This letter also authorizes you to contact David G. Casnocha of Stradling Yocca Carlson & Rauth, our bond counsel, at (415) 283-2241 if you have any questions.

Sincerely,

Robert M. Silverman
Superintendent/President

Enclosure
cc: David G. Casnocha

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RESOLUTION OF THE BOARD OF TRUSTEES OF THE VICTOR VALLEY COMMUNITY COLLEGE DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the "Board") of the Victor Valley Community College District (the "District") has determined that the properties and facilities of the Victor Valley College need to be expanded, maintained, acquired, constructed, improved, furnished, and equipped to enable Victor Valley College to respond to the growing community demand for affordable, local higher education which will train and retrain local residents for higher-paying and skilled jobs, and enhance educational opportunities for the students who desire to transfer to four-year universities; and

WHEREAS, due to the age and condition of some of the District's facilities, and due to the congestion on Bear Valley Road, the District has been less able to provide necessary and accessible education programs to meet the total needs of the community, and thus Victor Valley College must act to maintain and expand its classroom capacity in several locations, and provide a balance of job training, particularly in healthcare and public safety fields where there is a shortage of workers, and general education and basic skills classes close to the homes of its students; and

WHEREAS, the Board has determined that the construction of new classrooms and labs for nursing and other health care programs, police, fire, emergency medical technician, and public safety programs; the provision of up-to-date computer technology; the enhancement of access for disabled students; and the improvement of facilities to provide students with more course options close to their homes are also among the highest priorities of the Board; and

WHEREAS, following the completion of the District's Five-Year Facilities Plan, and the updating of its 2007 Educational Master Plan, the importance of establishing local higher education centers such as a Workforce Training and Development Center and a Public Services Academy to better serve the job training and college transfer needs of the community, which has become a cornerstone of the Board's vision for Victor Valley College; and

WHEREAS, notwithstanding concerted and ongoing efforts by the District to obtain sufficient facility money from the State of California (the "State"), the State has been unable to provide the District with enough money for the District to adequately maintain and enhance Victor Valley College for students; and

WHEREAS, if the District passed a local general obligation bond, the Board believes that Victor Valley College would be eligible for over $90 million of additional State matching funds to improve classrooms and labs on the Victor Valley College campus as well as to establish local Workforce Training and Public Service Academy Centers; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional funding for such facility, technology, and safety needs by means of a general obligation bond; and

WHEREAS, Proposition 46, approved by the voters of the State of California on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIIIA of the California Constitution by adding a provision which exempts from the 1% of full cash value limitation, those *ad valorem* taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real

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property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which, as of its effective date, reduced the voter threshold for *ad valorem* tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a community college district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight which are contained in Proposition 39 and the Act; and

WHEREAS, the Board determines that the restrictions in Proposition 39, as interpreted by the Attorney General of the State, which prohibit any bond money to be used for teacher or administrator salaries and expenses, be strictly enforced by a citizens' oversight committee; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per $100,000 of assessed valuation of taxable property; and

WHEREAS, Section 9400 *et seq.* of the Elections Code of the State of California (the "Elections Code") requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on November 4, 2008, and to request that both the Los Angeles County Registrar of Voters and the San Bernardino County Registrar of Voters perform certain election services for the District; and

WHEREAS, in the judgment of the Board, it is advisable to request the Los Angeles County Registrar of Voters and the San Bernardino County Registrar of Voters to call an election pursuant to Proposition 39 on the question of whether general obligation bonds shall be issued and sold on behalf of the District for purposes set forth below;

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE VICTOR VALLEY COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 and Government Code Section 53506, hereby requests both the Los Angeles County Registrar of Voters and the San Bernardino County Registrar of Voters call an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the

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aggregate principal amount not to exceed $297,500,000 (the "Bonds") shall be issued and sold to raise money for the purposes described in Exhibits "A" and "B" hereto.

Section 2. That the date of the election shall be November 4, 2008.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot proposition in Exhibit "A" is subject to the following requirements and determinations:

(a) that the proceeds of the sale of the Bonds shall be used only for the purposes set forth in the ballot measure and not for any other purpose, including teacher or administrator salaries or other operating expenses;

(b) that the Board, in establishing the projects set forth in Exhibit "B," evaluated the safety, class size and offerings, and information technology needs of the District;

(c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys are expended for the projects identified in Exhibit "B" hereto;

(d) that the Board will cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all Bond proceeds have been expended;

(e) that the Board will cause the appointment of a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274; and

(f) that the tax levy authorized to secure the bonds of this election shall not exceed the Proposition 39 limit per $100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIIIA of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.* and 15264 *et seq.* and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Section 5322 of the Education Code.

Section 6. That the Los Angeles County Registrar of Voters, the Los Angeles County Board of Supervisors, the San Bernardino County Registrar of Voters and the San Bernardino County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 4, 2008 within the District.

Section 7. That this Resolution shall stand as the "order of election" to the Los Angeles County Registrar of Voters and the San Bernardino County Registrar of Voters to call an election within the boundaries of the District on November 4, 2008.

Section 8. That the Secretary of the Board is hereby directed to deliver an original or a certified copy of this Resolution to the Los Angeles County Registrar of Voters and the San Bernardino Registrar of Voters no later than August 8, 2008.

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Section 9. That the maturity of any Bonds issued pursuant to Section 15100 of the Education Code, and Bonds issued pursuant to Section 53506 of the Government Code shall not exceed the maturity limits set forth therein, respectively. The maximum interest rate on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

Section 10. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by any body or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

Section 11. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Boards of Supervisors of both Los Angeles County and San Bernardino County are requested to permit the Registrar of Voters of each respective County to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse both Los Angeles County and San Bernardino County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 5th day of August, 2008.

BOARD OF TRUSTEES OF THE VICTOR
VALLEY COMMUNITY COLLEGE DISTRICT

By _____
Board President

Attest:

_____
Secretary

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STATE OF CALIFORNIA)
)ss
LOS ANGELES COUNTY)

I, Dennis Henderson, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, which was duly adopted by the Board of Trustees of the Victor Valley Community College District at the meeting thereof held on the 5th day of August, 2008, and that it was so adopted by the following vote:

AYES: 5

NOES: 0

ABSENT:

ABSTENTIONS:

By _____
Secretary

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EXHIBIT A

"**Victor Valley College Public Safety/Health Care/Job Training Measure.** To improve education, prepare students for well-paying jobs/university transfer/qualify for State matching funds, shall Victor Valley Community College District improve classrooms, science labs, educational buildings, establish a Workforce Training Center/Public Safety Academy for nursing, healthcare, emergency medical, police, firefighting/business careers, upgrade infrastructure, acquire sites, equipment, construct/repair buildings, by issuing $297,500,000 in bonds, with legal rates, independent citizens' oversight/no money for administrators' salaries?"

Bonds - Yes

Bonds – No

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EXHIBIT B

FULL TEXT BALLOT PROPOSITION

OF THE VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
BOND MEASURE ELECTION NOVEMBER 4, 2008

"**Victor Valley College Public Safety, Health Care Job Training Measure.** To improve education, prepare students for well-paying jobs and university transfer and qualify for State matching funds, shall Victor Valley Community College District improve classrooms, labs and educational buildings and establish a Workforce Training Center and Public Safety Academy for nursing, healthcare, emergency medical, police, firefighting and business careers, upgrade aging infrastructure, acquire sites, equipment, construct/repair buildings/science labs, by issuing $297,500,000 million in bonds, at legal rates with independent citizens' oversight/no money for administrators' salaries?"

BOND PROJECTS LIST

The Board of Trustees of the Victor Valley Community College District, to be responsive to the needs of its High Desert students and the community, evaluated the District's urgent and critical educational needs, including providing sufficient classrooms and labs to offer more courses and programs to students close to home, expanding instructional capacity for programs in nursing and vocational training, safety issues, class size and offerings, energy cost reduction and information and computer technology, in developing the scope of projects to be funded. In developing the scope of projects, the faculty, staff and students have prioritized the key health and safety needs so that the most critical needs and the most urgent and basic facility needs and repairs that will make Victor Valley College a contributing partner for learning and community economic growth, are addressed. The Board conducted comprehensive evaluations and considered the public's perspective in developing the scope of college facility projects to be funded as reflected in its Educational Master Plan 2007 and its Five-Year Facilities Plan, approved by the Board of Trustees on June 10, 2008, each of which Plans are incorporated herein. The Board concluded that if these needs were not addressed now, Victor Valley College will be unable to remain competitive in preparing adult learners for current and emerging High Desert workforce needs, and university transfer. **In preparing this Bond Project List, the Board of Trustees determines that Victor Valley College must:**

- **Expand the number of classrooms and labs that will provide affordable, excellent immediate job training for critical professions with a shortage of workers, such as nurses, emergency medical assistants, as well as other health training programs and public safety programs, such as firefighting and police training.**
- **Establish a Public Services (Safety) Academy in partnership with the Apple Valley Fire Protection District to establish programs in Fire Technology, Emergency Medical Services, Police/Criminal Justice, and other law enforcement programs.**
- **Renovate and expand aging, outdated science classrooms and vocational training facilities to insure that they are safe, energy efficient and provide access to up-to-date**

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computers and the instructional technology that is necessary to prepare students to be competitive in the job market.

- **Establish a Workforce Development Center to expand programs in nursing, healthcare, business, real estate, hospitality and general education classes.**
- **Provide safe classroom throughout the High Desert served by Victor Valley College to allow adult learners to receive job training skills, and to enable more local students to transfer to four year universities.**
- **Insure that Victor Valley College is part of the solution to the economic challenges of the region and provide training for employees of attractive profitable businesses in the High Desert.**
- **Insure that all bond funds stay in the local community and that such funds are leveraged to qualify for State matching funds, which would otherwise be granted to other districts.**

The Bond Projects List, the Educational Master Plan 2007 and the Five-Year Facilities Plan are each on file at the office of the President/Superintendent and include the following types of projects:

Classroom Construction and Improvements to Enhance Job Training Projects

Goal and Purpose: To respond to the critical shortage of healthcare workers and to increase opportunities for career training in nursing and healthcare as well as technical and work force job training and to provide more classrooms for classes necessary to transfer to a 4-year university, to be housed within a Workforce Development Center:

- Construct and equip a new Workforce Development Center to provide:
  - Health Services Academy for training/classroom facilities to:
    - train registered nurses
    - train respiratory therapists
    - train certified nursing assistants
    - train medical assistants
    - train certified lab technicians, in pharmacy, medical transcription, medical records, radiology and psychiatry.
  - Business Administration Academy for training/classroom facilities and equipment for jobs in emerging business and industries locating in the High Desert.
  - Hospitality Academy for training/classroom facilities and equipment for job training in the growing food service industries.
  - Logistics Transportation Academy for buildings, programs, and equipment to train students for jobs generated by aviation-related businesses.
  - General Education and basic skills classrooms and equipment for college transfer classes, including math, science, English and technology.

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Classroom Construction and Improvements to Enhance Public Safety Job Training Projects

Goal and Purpose: To respond to the shortage of public safety workers, especially firefighters and law enforcement professionals, as well as emergency medical technicians, by expanding those programs at a new Public Services (Safety) Academy, in partnership with local firefighters and the Apple Valley Fire District.

- Construct and equip a Public Services (Safety) Center to provide:
  - Fire Technology Department to expand the training of firefighters and advanced certifications within the fire protection field.
  - Administration of Justice Department to expand the careers in law enforcement, corrections, and security.
  - Paramedic Academy to provide state-of-the-art training in emergency medical services, both as technician and a paramedic.
  - General Education and basic skills classrooms and equipment for college transfer classes, including math, English, science and technology.

Main Campus Renovation and Upgrade Projects

Goal and Purpose: Victor Valley College will benefit from the repair, upgrade and improvement of science buildings, labs, classrooms, and computer learning labs, allowing all students to have the resources they need to learn and compete for jobs in today's competitive and global workforce:

- Expand and equip science buildings to include additional science class laboratories, improved science technology apparatus to provide modern, up-to-date instruction.
- Upgrade science building infrastructure to expand electrical service capacity to relieve aging or overloaded electrical systems, replace existing water, sewer and plumbing systems to meet current codes, eliminate lead-containing fixtures, upgrade aging and deteriorating bathrooms and replace older heating, ventilation, air conditioning and lighting systems with building code compliant, energy efficient systems.
- Retire past funding utilized for campus improvements, making more funding available for instruction and other academic programs.

Listed building, construction, repair and rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed repair and construction projects stated above, the Bond Projects List also includes the acquisition of a variety of instructional, maintenance and operational equipment, the construction of new buildings, if necessary to serve students, the acquisition of land, the payment of the costs of preparation of all facility planning, facility assessment reviews, environmental studies and construction documentation, the acquisition of outstanding ground leases, temporary housing of dislocated District activities caused by bond projects and the leasing or acquisition of a transportation lot for school buses. The

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allocation of bond proceeds will be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District will not be able to complete some of the projects listed above. Certain projects may be undertaken as joint use projects in cooperation with other local public agencies. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

PROJECT CONSTRUCTION ACCOUNTABILITY AND SAFEGUARDS. EACH PROJECT PAID FOR WITH BOND MONEY WILL BE SUBJECT TO OVERSIGHT OF A PROFESSIONAL CONSTRUCTION MANAGEMENT FIRM WITH A PROVEN TRACK RECORD OF DELIVERING COLLEGE CONSTRUCTION PROJECTS ON-TIME AND ON-BUDGET TO SAVE TAXPAYER DOLLARS.

NO ADMINISTRATOR SALARIES. PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.

FISCAL ACCOUNTABILITY. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

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Tax Rate Statement
Victor Valley Community College District
General Obligation Bond Measure

An election will be held in the Victor Valley Community College District (the "District") on November 4, 2008, for the purpose of submitting to the electors of the District the question of issuing bonds of the District in a principal amount not to exceed $297,500,000. If such bonds are authorized and sold, the principal thereof and interest thereon will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information regarding tax rates is given to comply with Section 9401 of the California Elections Code. Such information is based upon the best estimates and projections presently available from official sources, upon experience with the District, and other demonstrable factors.

Based upon the foregoing and projections of the District's assessed valuation, and assuming the entire debt service will be paid through property taxation:

1. The best estimate of the tax rate that would be required to be levied to fund the bond issue during the first fiscal year after the sale of the first series of bonds based on estimated assessed valuations available at the time of filing of this statement is 1.995 cents per $100 of assessed valuation for fiscal year 2009-10.

2. The best estimate of the tax rate that would be required to be levied to fund the bond issue during the first fiscal year after the sale of the last series of bonds based on estimated assessed valuations available at the time of filing of this statement is 1.995 cents per $100 of assessed valuation for fiscal year 2016-17.

3. The best estimate of the highest tax rate that would be required to be levied to fund the bond issue, and an estimate of the years in which that rate will apply, based on estimated assessed valuations available at the time of the filing of this statement is again 1.995 cents per $100 of assessed valuation, which is projected to be the same in every fiscal year that the bonds remain outstanding.

Attention to all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which are not binding upon the District. The actual timing of bond sales and the amount of bonds sold at any given time will be governed by the needs of the District, the state of the bond market, and other factors. The actual interest rates on any bonds sold will depend upon market conditions and other factors at the time of sale. The actual assessed valuations in future years will depend upon the value of property within the District as determined in the assessment and equalization process. Therefore, the actual tax rates and the years in which such rates are applicable may vary from those presently estimated as stated above.

/s/ Dr, Robert Silverman, Ph.D.

Dr. Robert Silverman, Ph.D.
Superintendent/ President
Victor Valley Community College District

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