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Orange Unified School District, Orange Unified School District Classroom & Facility Safety, Modernization and Renovation Measure

To repair and modernize aging high school classrooms, labs and school facilities, including deteriorated roofs, plumbing, and electrical systems, complete earthquake safety retrofits, improve campus safety/security, and upgrade career-training facilities, science labs, libraries, and technology that support student achievement in math, science, engineering and skilled trades, shall Orange Unified School District issue \$288,000,000 in bonds, at legal interest rates, with independent citizen oversight, no money for administrators' salaries, and all money locally-controlled?

What your vote means

YES	NO
A "Yes" vote means the school district may proceed to sell the bonds and levy the related taxes as estimated in the tax rate statement.	A "No" vote on this measure will disapprove the issuance of the bonds and the levy of the taxes for such bonded indebtedness.

For and against

FOR	AGAINST
<p>Bill Campbell Former Orange County Supervisor</p> <p>Teresa "Tita" Smith Mayor of Orange</p> <p>Diana Fascenelli Villa Park City Councilwoman</p> <p>Kris Murray Anaheim City Councilwoman</p> <p>Rick Ledesma Corp. Accounting Mgr. OUSD Board Pres.</p>	<p>Steve Rocco Former OUSD Board Trustee Committee Against the Orange Unified School District Bond</p>



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Full Text of Measure S Orange Unified School District

ORANGE UNIFIED SCHOOL DISTRICT CLASSROOM & FACILITY SAFETY, MODERNIZATION AND RENOVATION MEASURE

This Proposition may be known and referred to as the “Orange Unified School District Classroom & Facility Safety, Modernization and Renovation Measure” or as “Measure S”.

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Orange Unified School District (the “District”) shall be authorized to issue and sell bonds of up to \$288,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed under the heading entitled “BOND PROJECT LIST” below (the “Bond Project List”), and qualify to receive State of California matching grant funds, subject to all of the accountability safeguards specified below.

ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Sections 15264 and following of the California Education Code (the “Education Code”).

Evaluation of Needs. The Board of Education of the District (the “Board”) has reviewed the District’s high school facilities master plans in order to evaluate and address the facilities needs of the District and to determine which projects to finance from a local bond at this time. The Board hereby certifies that it has evaluated safety, class size reduction and information technology needs (including career technical education needs) in developing the Bond Project List.

Limitations on Use of Bonds; Allocation of Proceeds. Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses. Proceeds from the sale of bonds authorized by this proposition shall be expended equally among the high schools listed in the Bond Project List.

Independent Citizens’ Oversight Committee. The Board shall establish an independent citizens’ oversight committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be established prior to 60 days of the date when the results of the election appear in the minutes of the Board. In accordance with Section 15282 of the Education Code, the citizens’ oversight committee shall consist of at least seven members and shall include a member active in a business organization representing the business community located within the District, a member active in a senior citizens’ organization, a member active in a bona fide taxpayers’ organization, a member that is a parent or guardian of a child enrolled in the District, and a member that is both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the citizens’ oversight committee.

Annual Performance Audits. The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for performance audits. The results of these audits shall be made publicly available and shall be submitted to the citizens’ oversight committee in accordance with Section 15286 of the Education Code.

Annual Financial Audits. The Board shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for financial audits. The results of these audits shall be made publicly available and shall be submitted to the citizens’ oversight committee in accordance with Section 15286 of the Education Code.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board no later than January 1 of each year, commencing January 1, 2018, stating (a) the amount of bond proceeds received and expended in that year, and (b) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent of the District shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

Project Labor Agreements. In an effort to increase competition and maintain fairness among all potential contractors, reduce costs of construction, and efficiently apply taxpayer dollars, the District, to the extent doing so is not prohibited by law (including the doctrines of legislative entrenchment and the single subject rule) and does not eliminate any eligibility for potential State or federal funding or financial assistance, hereby declares that it shall not build and maintain bond-financed facilities under a project labor agreement.

State of California Matching Grant Funds. In order to maximize community benefit and efficiently apply taxpayer dollars, the District hereby declares its intention to seek, where practical and economical, State of California matching grant funds for eligible projects.

Other Accountability Safeguards. To the extent doing so is not prohibited by law (including the doctrines of legislative entrenchment and the single subject rule), (i) the District shall continue to budget from its general fund a reserve for economic uncertainties at the legal requirement, currently 3 percent of general fund expenditures, (ii) the District shall continue to contribute the legally required amount to its routine restricted maintenance account from non-bond proceeds, currently 3 percent of general fund expenditures, (iii) the District shall issue the bonds incrementally in



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response to the District’s needs, (iv) the District shall structure the bonds to mature in compliance with Section 147(b) of the Internal Revenue Code (or any successor thereto), and (v) the District shall set aside from non-bond funds, and deposit in an interest-earning account, an amount at least equal to 2% of the authorized amount of bonds sought under this proposition for future construction and repair of District facilities.

FURTHER SPECIFICATIONS

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and proceeds of the bonds shall be spent only for such purpose, pursuant to California Government Code Section 53410.

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest shall be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than the statutory maximum number of years from the date borne by that bond.

BOND PROJECT LIST

The Bond Project List below lists the specific projects the District proposes to finance with proceeds of the bonds. The Bond Project List shall be considered a part of the bond proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition. Listed projects will be completed as needed at a particular school or facility site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. Any authorized repairs shall be capital expenditures. The project list does not authorize non-capital expenditures. Each project is assumed to include its share of construction-related costs, such as project and construction management, architectural, engineering, inspection and similar planning and testing costs, demolition and interim housing costs, legal, accounting and similar fees, costs related to the independent annual financial and performance audits, a contingency for unforeseen design and construction costs, and other costs incidental to and necessary for completion of the listed projects (whether the related work is performed by the District or third parties). The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources have not yet been secured. Therefore, the Board cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Alternatively, if the District obtains unexpected funds from non-bond sources with respect to listed projects, including State of California grant funds for eligible projects, such projects may be enhanced, supplemented or expanded to the extent of such funds. Some projects may be subject to further government approvals, including by State officials and boards and/or local environmental or agency approval. Inclusion of a project on the Bond Project List is not a guarantee that the project will be completed (regardless of whether bond funds are available).

The specific projects authorized to be financed with proceeds of the bonds under this proposition are as follows:

SAFETY, MODERNIZATION AND RENOVATION PROJECTS	
The following projects are authorized to be financed at the District’s high schools:	
Canyon High School Orange High School	El Modena High School Villa Park High School
CORE INFRASTRUCTURE	
Update core infrastructure and utility systems. Repair or replace leaky roofs, old rusty plumbing and faulty electrical systems.	
<ul style="list-style-type: none"> • Renovate, replace, upgrade, acquire, install and/or integrate major site/building/utility systems, equipment and related infrastructure and housing, including lighting, plumbing, electrical (including wiring and related infrastructure for modern technology), heating, refrigeration, cooling and ventilation, water, sewer, gas, irrigation, drainage, and energy efficiency/management monitoring systems, networks, fixtures, equipment and controls. • Repair, renovate and/or replace roofing. • Inspect buildings and other structures and renovate, replace and/or improve such structures to eliminate/mitigate any structural deficiencies or dry rot, termite, mold or similar damage or hazards. 	
INSTRUCTIONAL FACILITIES	
Provide modern classrooms and labs for academic, career education and STEM (science, technology engineering, math) courses that support careers in health sciences, engineering, technology and skilled trades. Provide modern science labs for advanced courses required by colleges and universities for admission.	



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- Modernize, upgrade, renovate, rehabilitate, re-configure, construct, expand, upgrade and equip classrooms, classroom buildings, laboratories, restrooms, common areas and school support facilities, including library, multipurpose room/auditorium, food storage, preparation and service, cafeteria, music, theater, dance and other arts, career and technical education, operations and maintenance, and office, staff and administrative support facilities, whether permanent, portable or modular, including interior and exterior (as applicable) doors, windows, door and window hardware, roofs, rain gutters and downspouts, walls, ceilings and floors and finishes, paint, siding, insulation, casework, cabinets, secured storage, carpets, drapes, window coverings, infrastructure, lighting, sinks, drinking fountains, fixtures, signage, fencing, landscaping, furniture and equipment.
- Replace portable classroom buildings with permanent, portable or modular classroom buildings.
- Furnish and equip classrooms and other school facilities, including, but not limited to, desks, chairs and classroom furniture, science and lab equipment, school-site maintenance equipment, "cubicle" partitions, chairs, storage units and school office equipment, including initial purchases and replacement of equipment and furniture as needed.

EDUCATIONAL TECHNOLOGY

Update instructional technology throughout high school campuses. Upgrade academic classrooms, career-training facilities, and science labs to keep pace with advancing technology.

- Acquire and install technology equipment, fixtures and infrastructure, including interactive educational technology, digital projectors and cameras, monitors, audio systems, video systems, network equipment (including servers, network interface devices, network switches and routers, wireless network equipment, firewalls, software, network security equipment, racking, power and cooling equipment, wiring and uninterruptible power supplies), etc.; rehabilitate and replace such equipment, fixtures and infrastructure as needed. Technology equipment, fixtures and infrastructure including existing technology equipment, fixtures and infrastructure as well as technology equipment, fixtures and infrastructure developed in the future.

ENERGY EFFICIENCY

Improve energy efficiency and reduce utility costs, install renewable energy and/or energy-saving systems. Improve heating, ventilation, insulation, doors, and windows for increased energy efficiency.

- Acquire, install, upgrade and/or construct renewable energy and/or energy-saving systems, improvements and equipment, including electricity generation and distribution systems and/or water heating systems, natural light improvements, upgraded insulation and roofing, efficient lighting, windows and window coverings, shade structures, energy management and conservation systems, and other passive technologies, and structures to support such systems, improvements and equipment and related infrastructure. Renewable energy and/or energy-saving systems include existing systems as well as systems developed in the future.

SAFETY & SECURITY

Retrofit older school buildings for earthquake safety. Improve student safety and campus security systems, including security lighting, cameras, emergency communications systems, smoke detectors, fire alarms, and sprinklers. Remove hazardous materials from school sites. Improve access to school facilities for students with disabilities.

- Improve, correct, restore or renovate grounds, buildings and structures or portions thereof to eliminate or mitigate health and safety risks to students, faculty, staff, parents and the public or comply with local, state and federal building, health, safety, access and other related requirements, including seismic safety requirements, Field Act requirements and access requirements of the Americans with Disabilities Act (ADA).
- The inspection, sampling and analysis of grounds, buildings and building materials to determine the presence of hazardous materials or substances, including asbestos, lead, etc., and the encapsulation, removal, disposal and other remediation or control of such hazardous materials and substances.
- Construct, improve, replace, renovate and rehabilitate internet or other network access systems, and telephone, radio, fire alarm, public address, intrusion alarm and surveillance and other security systems.

MISCELLANEOUS

All listed bond projects include the following as needed:

- Planning, designing and providing temporary housing necessary for listed bond projects.
- Necessary onsite and offsite preparation or restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable buildings, including demolition of structures; removing, replacing, or installing irrigation, drainage, utility lines (gas, water, sewer, electrical, data and voice, etc.), trees and landscaping; relocating fire access roads; and acquiring any necessary easements, licenses, land or rights of way made necessary by listed bond projects.
- Address other unforeseen conditions revealed by construction, renovation or modernization (including plumbing or gas line breaks, dry rot, seismic and structural deficiencies, etc.).
- Acquire or construct storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction.
- All other costs and work necessary and incidental to the listed bond projects.



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Impartial Analysis Orange Unified School District Measure S

The California Constitution provides that school districts may issue general obligation bonds for the construction, reconstruction, rehabilitation or replacement of school facilities, including the furnishing and equipping of school facilities or the acquisition or lease of real property for school facilities, with the approval of 55% of the voters of the district, voting at an election for that purpose. The California Constitution further provides that the bond measure must include a requirement that the bond proceeds will be used only for the permitted purposes and other requirements designed to ensure accountability.

The Board of Education of the Orange Unified School District has proposed to the voters within the Orange Unified School District that general obligation bonds be issued in an amount up to \$288,000,000 and that *ad valorem* taxes be levied upon taxable property within the Orange Unified School District to repay the bonded indebtedness.

The measure provides that proceeds from the sale of the bonds will generally be used to modernize, repair and upgrade school facilities within the Orange Unified School District, including updating classrooms, science labs, and restrooms; improving instructional technology, security equipment and infrastructure safety; and installing energy efficient systems. Bond proceeds may only be spent on the projects set forth in the measure.

The measure provides that a citizens' oversight committee will be established to ensure that bond proceeds are properly expended within Orange Unified School District. In addition, annual performance and financial audits will be conducted. The measure also requires the Superintendent of the Orange Unified School District to submit a yearly report to the Board of Education as long as the proceeds of the bond remain unexpended. The measure further provides that bond proceeds will not be used for teacher or administrator salaries or other school operating expenses.

The Board of Education of the Orange Unified School District has called the election for the purpose of submitting the measure to the voters within the school district. If 55% of the voters within Orange Unified School District voting on the measure vote "yes," the school district may proceed to sell the bonds and levy the related taxes as estimated in the tax rate statement. A "no" vote on this measure will disapprove the issuance of the bonds and the levy of the taxes for such bonded indebtedness.



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Tax Rate Statement Orange Unified School District Measure S

An election will be held in the Orange Unified School District (the "District") on November 8, 2016, to authorize the sale of up to \$288,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to issue the Bonds in multiple series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400 through 9404 of the California Elections Code.

1. The best estimate of the tax which would be required to be levied to fund this 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 2.90 cents per \$100 (\$29 per \$100,000) of assessed valuation in fiscal year 2017-18.
2. The best estimate of the tax rate which would be required to be levied to fund this 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 2.90 cents per \$100 (\$29 per \$100,000) of assessed valuation in fiscal year 2022-23.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 2.90 cents per \$100 (\$29 per \$100,000) of assessed valuation and is expected to remain approximately the same in each year during the term of repayment of the bonds.
4. The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all of the bonds are issued and sold is \$590,400,000. Pursuant to California Education Code Section 15144.1, the ratio of total debt service to principal for each bond series shall not exceed 4 to 1, and the best estimated ratio of total estimated debt service to principal if all of the bonds are issued is 2.05 to 1.

Voters should note that estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, not on the property's market value, which could be more or less than the assessed value. In addition, taxpayers eligible for a property tax exemption, such as the homeowner's exemption, will be taxed at a lower effective tax rate than described above. Certain taxpayers may also be eligible to postpone payment of taxes. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply, and the actual total debt service, may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors, including the legal limitations on bonds approved by a 55% affirmative vote. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: July 21, 2016

s/ Michael L. Christensen
Superintendent of Schools
Orange Unified School District



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Argument in Favor of Measure S

Yes on Measure S

Excellent schools are critically important to our communities' quality of life. From higher student achievement to training for future jobs and increased home values, quality High Schools make a difference for students, homeowners, and local businesses.

Canyon, El Modena, Orange and Villa Park High Schools have earned a reputation for educational distinction, however they are 40- 60 years old and have never been renovated or modernized.

Measure S will:

- **Update classrooms and labs** to accommodate the career and technology education classes that prepare students for college and well-paying jobs in fields including health science, engineering, technology and skilled trades
- **Repair or replace** leaky roofs, old plumbing and faulty electrical systems
- **Upgrade instructional technology** infrastructure for improved student learning in core subjects such as math and science
- **Retrofit school buildings** to protect against the effects of earthquakes and reduce the risk of injury or damage during natural disasters
- **Modernize aging science labs** to meet 21st Century requirements
- **Improve campus safety**, including better access for disabled students

Strict Fiscal Accountability:

- Independent Citizens' Oversight Committee and annual audits are required
- Funds cannot be used for teacher/administrator salaries, benefits or pensions
- Funds cannot be taken by the State
- Each High School will receive an equal share of bond funds to make essential repairs, upgrades and safety updates from Measure S

Passing Measure S qualifies OUSD to receive our share of matching money from the November State bond. Without Measure S, that State money will go to other school districts that have passed local measures.

"Whether you have school-age children or not, protecting quality local schools, home values and our quality of life is a wise investment"
– Trevor O'Neil, Business Owner, Past Chairman – Orange Chamber of Commerce

Join parents, elected leaders and the business community supporting Measure S.

Vote Yes on Measure S.

[www. YesonS2016.org](http://www.YesonS2016.org)

s/ Bill Campbell
Former Orange County Supervisor

s/ Teresa "Tita" Smith
Mayor of Orange

s/ Diana Fascenelli
Villa Park City Councilwoman

s/ Kris Murray
Anaheim City Councilwoman

s/ Rick Ledesma
Corp. Accounting Mgr.
OUSD Board Pres.



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Argument Against Measure S

Yet, again?

It seems to be a yearly ritual that the OUSD puts a bond on the ballot?

The dysfunctional board is in agreement, with only one thing: they want your money!

I was replaced by a real estate agent. The rest are either ORANGE CHAMBER OF COMMERCE members or taken money from them.

The district had thousands to spend to gerrymander the district, so that I couldn't run. They have over \$50,000,000 in surplus.

On 7-21-2005, Kathy Moffat and Superintendent Tom Godley visited Jim Doti to destroy Rocco. One result was the Californian's AWARE suit. Joined by the "all" Chapman U team of John Moorlach's (Mario Mainero, Kathy Moran, Fred Smoller) a lien was put on my home and my wages garnished. The OUSD "made" \$83,000. Their allies include the OC REGISTER. Dr. Villanueva/Pathologist has said that "there is an assembly line of murder and theft coming from the political/medical infrastructure."

Do you really want your taxes raised?

Homeowners are not safe.

Mr. Rocco's home was invaded by an Orange city detective, a neighbor of TONY RACKAUCKAS. Todd Spitzer's neighbor is Kim Nichols. Lynn Nichols headed the failed Rocco Recall.

The deaths of Mr. Rocco's family have been called murder by Dr. Villanueva.

You don't want OUSD to have this "play money" that they will dole out to political cronies. In the end, you will be cheated by their "paid" strategists to implement this.

Remember, that you are being victimized.

Students are not being cheated! YOU ARE!

s/ Steve Rocco
Former OUSD Board Trustee
Committee Against the Orange Unified School District Bond

Rebuttal to Argument Against Measure S

YES on Measure S.

OUSD High Schools are outdated, unsafe and unequipped for today's educational needs.

Measure S will fund critical repairs and upgrades. Over 8,600 students attend Canyon, El Modena, Orange and Villa Park High Schools each day. Our students deserve the same facilities and educational opportunities that all other Orange County communities have provided to their students. We need to invest today to allow our kids to compete for college and jobs tomorrow.

Measure S is the solution to a serious problem:

Our opponents want you to believe that the solution to our aging schools is to deny the problem, while the cost and consequences of repair grow more severe. **We would not ignore faulty electrical, aging roofs or deteriorating plumbing in our homes – we should not in our schools.**

SETTING THE RECORD STRAIGHT:

- Property values are linked to the quality of schools. Nearby communities who passed bonds have superior school facilities, enjoy increased housing demand and generate higher real estate prices.
- Our public schools represent an investment in our students, our property values and community.
- SAFETY MATTERS! Measure S ensures that our science lab equipment and buildings will be updated to meet current safety codes.

Over the past 15 years, the District has exceeded the state required contribution into the upkeep of our facilities. Maintenance dollars were **never intended to provide updated and modernized facilities.**

Join the vast majority of the community who support our students, our schools, and our future.

Yes on S.

s/ Al Ricci
Businessowner - Ricci Real Estate

s/ Gary W. Remland
Businessowner - Remland Insurance

s/ Arianna Barrios
Governing Board Member, Rancho Santiago Community College
Businessowner

s/ Dennis W. Kuli
Treasurer, City of Villa Park