



Local Ballot Measure: O

Full Text of Measure O

BOND AUTHORIZATION

By approval of this measure by at least 55 percent of the registered voters voting on the measure, the Spreckels Union School District will be authorized to issue and sell bonds of up to \$27,000,000 in aggregate principal amount at interest rates not to exceed legal limits and to provide financing for the specific types of school facilities projects listed in the Bond Project List described below, subject to all the accountability requirements specified below.

ACCOUNTABILITY REQUIREMENTS

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

Evaluation of Needs. The School Board hereby certifies that it has evaluated safety, class size reduction, enrollment growth, and information technology needs in developing the Bond Project List shown below.

Independent Citizens' Oversight Committee. Following approval of this measure, the School Board will establish an Independent Citizens' Oversight Committee, under Education Code Sections 15278 and following, to ensure bond proceeds are expended only on the types of school facilities projects listed below. The Oversight Committee will be established within 60 days of the date when the results of the election appear in the minutes of the School Board. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the Oversight Committee.

Performance Audits. The School Board will conduct annual, independent performance audits to ensure that the bond proceeds have been expended only on the school facilities projects listed below.

Financial Audits. The School Board will conduct annual, independent financial audits of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed below.

Government Code Accountability Requirements. As required by Section 53410 of the Government Code, (1) the specific purpose of the bonds is set forth in this Full Text of the Bond Measure, (2) the proceeds from the sale of the bonds will be used only for the purposes specified in this measure, and not for any other purpose, (3) the proceeds of the bonds, when and if issued, will be deposited into a building fund to be held by the Monterey County Treasurer, as required by the California Education Code, and (4) the Superintendent of the District shall cause an annual report to be filed with the Board of Trustees of the District each year, which report shall contain pertinent information regarding the amount of funds collected and expended, as well as the status of the projects listed in this measure, as required by Sections 53410 and 53411 of the Government Code.

NO TEACHER OR ADMINISTRATOR SALARIES

Proceeds from the sale of bonds authorized by this measure shall be used only for the purposes specified in Article XIII A, Section 1(b)(3), those being for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and the acquisition or lease of school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

STATE MATCHING FUNDS

The following statement is included in this measure pursuant to Education Code Section 15122.5: Approval of this measure does not guarantee that the proposed project or projects that are the subject of bonds under this measure will be funded beyond the local revenues generated by this measure. The District's proposal for the project or projects described below may assume the receipt of matching state funds, which, if available, could be subject to appropriation by the Legislature or approval of a statewide bond measure.

INFORMATION ABOUT ESTIMATES AND PROJECTIONS INCLUDED IN BALLOT

Voters are informed that any estimates or projections in this bond measure and related ballot materials, including relating to estimated rates of *ad valorem* property taxes, the duration of issued bonds and related levies and collections of *ad valorem* property taxes are provided as informational only. Such amounts are estimates and are not maximum amounts or limitations on the terms of the bonds, the tax rate or the duration of the levy supporting repayment of issued bonds. Such estimates depend on numerous variables which are subject to variation and change over the term of the District's overall facilities and bond financing plan, including



Local Ballot Measure: O

but not limited to the amount of bonds issued and outstanding at any one time, the interest rates applicable to issued bonds, market conditions at the time of sale of the bonds, when bonds mature, timing of project needs and changes in assessed valuations in the District. As such, while such estimates and approximations are provided based on information currently available to the District and its current expectations, such estimates and approximations are not limitations and are not binding upon the District. In addition, the abbreviated and condensed statement of the bond measure presented to voters on the ballot label which is subject to a word count limitation imposed by State law does not limit the scope and complete meaning of the measure provided in this Full Text of the Bond Measure and related ballot materials.

BOND PROJECT LIST

Scope of Projects. Bond proceeds will be expended on the construction, modernization, reconstruction, rehabilitation, replacement, or otherwise improve school facilities of the Spreckels Union School District, including furnishing and equipping, and the acquisition or lease of real property for school facilities and not for any other purpose, including teacher and administrator salaries or other school operating expenses, in compliance with California Constitution Article XIII A, Section 1(b)(3). This measure authorizes bond projects to be undertaken at all current and future District sites.

School Facility Project List. The items presented on the following list are the types of projects authorized to be financed with voter-approved bond proceeds. Examples included on this list are not intended to limit the broader types of projects described and authorized by this measure.

The findings and determinations and goals and purposes set forth below have been made by the School Board in connection with placing this measure before voters, and the types of projects authorized to be funded with bond proceeds are set forth below.

PROVIDING SAFE AND HEALTHY LEARNING ENVIRONMENTS AND RETAINING AND ATTRACTING QUALITY TEACHERS

GOALS & PURPOSES: All funds from this measure are guaranteed for local school needs and cannot be taken by the County or State government, help the District qualify for state matching funds, and benefit both the elementary and middle school.

Our local schools are aging and in urgent need of basic repairs, and now more than ever, we need to do more to keep children and teachers safe at school. The District must fix leaky roofs, decaying walls, plumbing, bathrooms, and gas lines; and improve school security and emergency systems, among other facilities improvements.

These repairs and upgrades will:

- Help the District retain and attract qualified teachers during a national and statewide teacher shortage.
- Ensure students can learn in a classroom that is safe and clean.
- Allow the District to provide a well-rounded education for students.

SCHOOL FACILITY PROJECT LIST

The types of projects authorized to be funded with bond proceeds pursuant to this measure are:

- **Repair and/or Replace Aging Leaky/Deteriorating Roofs.** Includes replacement and repair of failing, leaky and/or deteriorating roofing.
- **Improvements to Ensure Healthy Learning and Teaching Environments.** Abate and remove hazardous chemicals such as asbestos, lead and mold, ensure continued safe drinking water including new fountains/water bottle stations, and address air quality and outdated heating, ventilation, air conditioning, and HVAC improvements/upgrades.
- **Improvements to Maintain Student and Teacher Safety and Security.** Includes upgrading emergency smoke and fire alarm systems, acquiring and installing security and access control systems, cameras, fencing securing the campuses, surveillance systems, creating controlled points of entry, fire sprinkler systems, earthquake systems, alarm systems including smoke and fire, modern communication systems and public address systems, and interior and exterior emergency/back-up lighting.
- **Repair Unsafe Play Areas and Upgrade and Construction of P.E. and Outdoor Facilities.** Includes upgrading playgrounds to ensure safety and security, new play equipment, field improvements, gym or other indoor spaces for outdoor play and athletics and related bathrooms, changing rooms, seating and other improvements to facilitate physical education and recreation programs.
- **Address and Replace Aging/Deteriorating Portable Structures.** Includes additions or reconfigurations to existing



Local Ballot Measure: O

buildings, new permanent or improved portable or modular facilities, and including all finishes and elements to create a fully functioning improved space.

- **Update Classroom Technology for 21st Century Learning.** Includes updating science and computer labs, installing all necessary infrastructure for connectivity and security, providing modern technology equipment and devices for learning and instruction, and software and hardware.
- **Repair and Improve Necessary Aging Infrastructure Serving the District.** Includes repairs/upgrades to outdated plumbing and sewer systems, electrical, gas lines, upgrades to support modern technology, and other utility upgrades.
- **Update Aging Restrooms.** Ensure restrooms meet all legal and regulatory requirements, replace failing or aging facilities, tiles, sinks, toilets and floors.
- **Expand, Repair and Improve Our Neighborhood Schools to Provide a Well-Rounded Educational Environment for Students.** Includes repairing and/or replacing interior finishes such as floors, carpeting, ceiling finishes, painting, lighting, new doors and windows, window treatments, replacing/repairing casework, walls and wall treatments including white boards and other wall coverings, and acquiring updated furnishings and equipment.
- **Ensure ADA Accessibility and Compliance With All Legal Requirements.** Includes ensuring barrier free access, updates to restrooms, drinking fountains, and other facilities, and upgrades to ensure compliance with all applicable building and other legal codes and standards for school facilities.
- **Improvements and Upgrades to District Support Facilities.** Includes expanding school cafeterias, rehabilitation and modernization of kitchens and eating/food service spaces, administrative spaces, providing space for on-campus school psychologists, mental health counselors, and nurses, and other multi-purpose spaces.
- **Improvements to Building Exteriors, School Grounds and Sitework.** Includes ensuring walkways, pathways, ramps and parking lots are repaired and safe, new paint, lighting, updates to landscaping, irrigation, paving and expansion of parking, and exterior lighting.
- **Furnishing and Equipping of School Facilities.** Includes all related furnishing, equipping and incidental project costs as further described below.

FISCAL ACCOUNTABILITY

This local education bond includes strict fiscal accountability safeguards, including:

- All funds are guaranteed for local schools and cannot be taken by the County or State government.
- Requiring annual independent financial and performance audits, and public disclosure of all spending.
- Oversight of all spending by an independent committee of local citizens.
- No money from this measure will go to administrators' salaries or pensions.

Furnishing and Equipping; Incidental Expenses. The bond projects described in this Project List include the costs of furnishing and equipping such facilities, and all costs which are incidental but directly related to the types of projects described above.

Examples of incidental costs include, but are not limited to: costs of design, engineering, architect, legal and other professional services, facilities assessments, inspections, site preparation, utilities, landscaping, construction management by third parties, general contractors and/or District personnel, and other planning and permitting, environmental review, rezoning and municipal license fees if any, legal, accounting and similar costs; independent annual financial and performance audits; a customary construction contingency; demolition and disposal of existing structures; the costs of interim housing and storage during construction including relocation and construction costs incurred relating to interim facilities; rental or construction of storage facilities and other space on an interim basis for materials and other equipment and furnishings displaced during construction; costs of relocating facilities and equipment as needed in connection with the projects; interim classrooms and facilities for students, administrators, and school functions, including modular facilities; all federal, state and locally-mandated safety upgrades; the costs of new or expanded infrastructure; the cost of providing parking and other facilities to accommodate new or expanded facilities; addressing any unforeseen conditions revealed by construction/modernization and other necessary improvements required to comply with existing building codes, including the Field Act; complying with all access requirements of the Americans with Disabilities Act and similar laws and regulations; costs of the election; project construction oversight, management and administration during the duration of such projects, including by District personnel, and bond issuance costs.



Local Ballot Measure: O

Changes in Scope; New Construction. The scope and nature of any of the specific projects described above may be altered by the District as required by conditions that may arise during the course of design and construction or based on other factors that the District Board determines require an adjustment to the scope and nature of the projects. Furthermore, the District Board may determine that a project identified as modernization or renovation may be undertaken as new construction if it is more economical for the District or if the Board determines that there are compelling factors that result in new construction being in the best interests of the District and its students. The authority for new construction extends to land acquisition, relocation, expansion and construction and/or reconstruction, similar purchases, and all costs relating thereto. In addition, this measure authorizes the acquisition of real property, including necessary rights of ways or other real property interests, required to expand District facilities, to provide access to school or other District facilities, or to provide additional school or related facilities. Each of the foregoing sentences has independent value and is not conditioned on any of the other sentences in this section.

Factors Impacting Project Implementation; No Guarantee All Projects Addressed. Many factors which the District cannot predict or control may impact its ability to address each of the projects, including but not limited to construction cost issues, supply chain issues which can cause project delays, labor shortages, and unknown environmental factors or site conditions, among others. The District is unable to anticipate all unforeseen circumstances which may prevent some of the projects listed above from being undertaken or completed. Approval of this bond measure does not guarantee that all of the projects on the Bond Project List will be funded beyond what can be completed with funds generated by this bond measure. As stated below, the Board is vested with the authority to identify project prioritization within the scope of available funding sources.

Interim Financing Included. Authorized projects include reimbursements for project costs previously paid by the District, and paying and/or prepaying interim or previously obtained financing for the types of projects included on the project list, such as bond anticipation notes or lease financings including certificates of participation relating to facilities projects and/or equipment previously financed.

Joint Use Projects Authorized. Projects on this list may be undertaken and used as joint use projects with other public agencies.

Project List Not in Order of Priority; Board Determines Prioritization. Approval of the District's bond measure does not guarantee that all of the identified projects within this Bond Project List will be funded beyond what can be completed with local funds generated by the bond measure and does not guarantee that the projects will be completed in any particular order. The order in which school facilities projects are listed above does not suggest an order of priority. Project priorities will be determined by the District Board.

Interpretation. The terms of this Bond Measure and the words used in the Bond Project List shall be interpreted broadly to effect the purpose of providing broad and clear authority for the officers and employees of the District to provide for the school facilities projects the District proposes to finance with the proceeds of the sale of bonds authorized by this proposition within the authority provided by law, including Article XIII A, Section 1(b)(3) of the California Constitution, Education Code Section 15000 *et seq.* and the Strict Accountability in Local School Construction Bonds Act of 2000. Words used in the Project List such as repair, improve, upgrade, expand, modernize, renovate, and reconfigure are used to describe school facilities projects in plain English but are not intended to expand the nature of such projects beyond what is authorized by law. As such, in accordance with legal requirements, the Bond Project List does not authorize, and shall not be interpreted to authorize, expending proceeds of the sale of bonds authorized by this proposition for current maintenance, operation or repairs.

Severability. The District Board hereby declares, and the voters by approving this Bond Measure concur, that every section and part of this bond proposition has independent value, and the District Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law, and to this end the provisions of this bond measure are severable.