



Local Ballot Measure: A

Full Text of Measure A

MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT MEASURE A FULL TEXT OF MEASURE

INTRODUCTION; BOARD FINDINGS

For over 60 years, the Monterey Peninsula Unified School District (the “District”) has served the communities of Del Rey Oaks, Marina, Monterey, Sand City, and Seaside. While some of the schools have been updated over the years, many are still over 50 years old and the Board of Trustees of the District has determined that they are in need of safety, security, technology, classroom, and campus updates. The District has determined that there is a need to create secured entry points, update security cameras, doors, and communication systems to ensure that students stay safe in an emergency. Many teachers and school staff are leaving the area to teach in places with lower costs of living. The District has declared its commitment to providing educator housing to give its schools what they need to attract and retain dedicated teachers and improve the quality of education in its schools.

BOND AUTHORIZATION

By approval of this measure by at least 55 percent of the registered voters voting on the measure, the District will be authorized to issue and sell bonds of up to \$340 million 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 has identified facilities needs of the District and has determined projects to finance from a local bond. 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. The School Board may determine that its existing Oversight Committee which oversees the expenditure of bond proceeds of prior bond measures of the District shall simultaneously serve as the Oversight Committee for this bond measure.

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 Education of the District not later than January 1 of 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 ADMINISTRATOR OR TEACHER 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 acquisition, construction, reconstruction, rehabilitation or replacement of school facilities and rental housing for teachers and employees of the District, including the furnishing and equipping thereof and the acquisition or lease of related



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property, 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 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 to repair, modernize, upgrade, renovate, remodel, construct, acquire, replace, equip, furnish, rebuild and otherwise improve educational and support facilities within the District. Projects described below may include all related and incidental costs, including their share of the costs of the election and bond issuance and costs of design, engineering, architect and other professional services, design review, inspections, site preparation, utilities, landscaping, construction management and other planning, regulatory, legal, accounting and similar costs, independent annual financial and performance audits, a customary construction contingency, and other costs incidental to and necessary for completion of the projects.

Bond proceeds may also be expended to acquire real property (or any interest in real property) for future educational and support facilities and to acquire and install furniture, fixtures and equipment at any classrooms and other educational and support facilities within the District. The District may alter the scope and nature of any of the specific projects described below as required by conditions that arise during the course of design and construction.

School Facility Project List. Whenever specific items are included in the following list, they are presented to provide examples and are not intended to limit the generality of the broader description of authorized projects. The order in which projects are listed is not intended to indicate priority for funding or completion. This measure authorizes bond projects to be undertaken at all current and future District sites.

PROJECTS THAT MAY BE FINANCED FROM BOND FUNDS

Bond proceeds will be expended to modernize, replace, renovate, acquire, construct, install, equip, furnish, and otherwise improve any or all of the following schools as well as educational and support facilities within the District. Specific projects include any or all of the following improvements:

Modernization/Renovation/Construction Facility Improvements

- Modernize, expand, and construct career technical education classrooms and buildings to better prepare students for jobs after high school.
- Modernize outdated classrooms, restrooms and school facilities, including libraries.
- Acquire/install/upgrade/repair/replace district and classroom technology including computers, electronic tablets, network and internet infrastructure and associated electrical systems.
- Upgrades to building infrastructure systems including repair and/or installation of roofs, plumbing, sewer, air conditioning, electrical, technology and lighting.



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- Make energy-efficiency improvements to reduce utility costs, including installing solar panels and EV charging stations, purchase electric school buses and vehicles, and install energy efficient windows and insulation.
- Upgrade P.E. fields and athletic facilities for school and community use.
- Construct or renovate support facilities including multi-purpose rooms and cafeterias.
- Construct or renovate performing arts theaters and centers, including new lighting and sound systems.
- Provide equity among our high schools with similar athletic fields and facilities throughout the district, including swimming pools, tennis courts, track and field, baseball, and softball fields.
- Construct and/or acquire rental housing units for teachers and staff of the District, including furnishings, equipment, parking, utilities and related facilities and improvements.
- Necessary preparation/restoration 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 (such as gas lines, water lines, electrical lines, sewer lines, and communication lines), trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property.
- Rental or construction of storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatable buildings) for students and school functions or other storage for classroom materials displaced during construction.
- Build new classrooms/facilities to replace portables, and to accommodate enrollment changes and growth, expanded programs, and student support services.
- All work necessary and incidental to specific projects described above, including demolition of existing structures.

Health, Safety and Security

- Make health, safety and security improvements including fencing, cameras, and communication systems.
- Renovate and construct classrooms to support student wellness programs.
- Construct, renovate, or repair school and district kitchens to support fresh, healthy, nutritious meal preparation and distribution.
- Repair, renovation or construction of gymnasiums, locker rooms, aquatic facilities and athletic fields.
- Upgrade parking lot pick-up and drop-off to improve flow & student safety.
- Create or renovate outdoor classrooms and practice fields.
- Improve site drainage.
- Renovate existing child-care centers.
- Remove, repair, and refinish building and site areas damaged by dry rot, water, termites and other causes.
- Abate and remove hazardous materials identified prior or during construction.
- Repair, replace and/or upgrade paved surfaces, turf, and other grounds to eliminate safety hazards and improve outside instructional areas.
- Other improvements required to comply with existing building codes, including the Field Act, and handicapped access requirements of the Americans with Disabilities Act.

Furnishing and Equipping; Incidental Expenses. The bond projects described in this Bond 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



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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.

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.