

RESOLUTION NO. 19-20-07

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RESOLUTION OF THE BOARD OF TRUSTEES BOF & MATEO UNION HIGH SCHOOL DISTRICT ORDERINGDEPUTYCLERK AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the "Board") of the San Mateo Union High School District (the "District") is devoted to improving the quality of education in our local public schools by providing classrooms, facilities and upgraded technology to support high quality instruction in core subjects like math, science, engineering, and technology; and

WHEREAS, the Board has determined that schools within the District need to be upgraded, repaired, expanded, improved and better equipped in a fiscally prudent manner to enable the District to improve student safety and campus security with updated fire and carbon monoxide alarm systems and security systems which enable school campuses to securely lockdown in case of an emergency; and

WHEREAS, since many of the District classrooms and facilities were built decades ago, additional resources are necessary to make basic improvements, including the repair of deteriorating walls and the removal of hazardous materials like asbestos; and

WHEREAS, aging infrastructure needs to be updated and current heating, cooling and lighting systems will need to be replaced with energy efficient equipment, to both reduce costs as well as the District's carbon footprint; and

WHEREAS, the Board believes that since academic standards are rising for what it takes to compete a competitive global economy, it is in the best interest of the District to address facility improvements now and provide classrooms, science and engineering labs and updated technology needed to ensure local students are prepared for college and in-demand careers; and

WHEREAS, the rising cost of housing in San Mateo County has made it difficult to attract and retain quality teachers and staff and it is in the best interest of the District to assist in the construction of affordable housing dedicated to District employees; and

WHEREAS, the State of California (the "State") does not provide the District with enough money for the District to adequately construct and repair schools to provide an optimal learning environment for all students and keep pace with other top-performing districts; and

WHEREAS, the District has completed a facilities assessment with extensive community engagement to identify the most pressing needs in each of the District's schools to provide safe and modern classroom environments for all students; and

WHEREAS, the Board has received information regarding the possibility of a local bond measure and its bonding capacity; and

WHEREAS, a local measure will help provide funds that cannot be taken away by the State to upgrade schools, protect student safety and help the District qualify for State matching funds; and

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WHEREAS, such measure will include mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent as promised; and one of the committee and mandatory are spent as

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which reduced the voter threshold for *ad valorem* tax levies used to pay for debt service on bonded indebtedness to 55% of the votes cast on a school 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 that are contained in Proposition 39 and the Act; and

WHEREAS, the Board and District has solicited stakeholder and community input on school priorities from parents, teachers, staff, the community and civic leaders; and

WHEREAS, the Board desires to authorize the submission of a proposition to the District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities which will improve the health, safety and quality of education for students in the District; and

WHEREAS, the Board hereby determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for inappropriate administrative salaries or other operating expenses of the District shall be enforced strictly by the District's 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 increase the current tax rates for school facilities and not exceed the Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

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

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

WHEREAS, pursuant to the Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, March 3, 2020, and to request the San Mateo County Registrar of Voters to perform certain election services for the District.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE SAN MATEO UNION HIGH SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 et seq., 15264 et seq., and Government Code Section 53506, hereby requests the San Mateo County Registrar of Voters conduct 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 aggregate principal amount of \$385,000,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the projects described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter pamphlet. The District's Superintendent, or designee, is hereby authorized and directed to make any changes to the text of the measure, or to the abbreviated form of the measure, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of election officials, and requirements of law.

Section 2. That the date of the election shall be March 3, 2020.

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," incorporated by reference herein, and 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 policies of the Board and the Act, the ballot propositions in Exhibits "A" and "B" are 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 school operating expenses;
- (b) that the Board, in establishing the projects set forth in Exhibit "B," evaluated the safety, class size reduction, classroom, educational and information technology needs of the District as well as the importance of the projects to improve student learning in core subjects like math, science, engineering, the arts and technology;
- (c) that the Board shall cause an annual, independent performance audit to be conducted to ensure that the Bond monies get spent only for the projects identified in Exhibit "B" hereto;
- (d) that the Board shall cause an annual, independent financial audit of the proceeds from sale of Bonds to be conducted until all of the Bond proceeds have been expended;
- (e) that the Board shall appoint 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 limits 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., 15264 et seq., and Government Code Section 53506.

- Section 5. That the authority for the specifications of this election order is contained in Education Code Section 5322. In connection with ordering the election pursuant to the provisions cited above, the District has obtained reasonable and informed projections of assesses property valuations that have taken into consideration projections of assessed property valuations made by the County assessor that are available to the District.
- Section 6. That the San Mateo County Registrar of Voters and the San Mateo County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on March 3, 2020 within the District. As provided in Elections Code Section 10403, the District acknowledges that the consolidation election will be conducted in the manner described in Elections Code Section 10418.
- Section 7. That the Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the San Mateo County Registrar of Voters no later than December 6, 2019.
- Section 8. That Bonds may be issued pursuant to Education Code Section 15264 et seq. or Government Code Section 53506. The maximum rate of interest 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 9. 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 of the returns of the election be made by any body or official authorized by law to canvass such returns, and that the Board consents to such consolidation. The Board further authorizes the submission of a tax rate statement and primary and rebuttal arguments, as appropriate, to be filed with the San Mateo County Registrar of Voters by the established deadlines.

Pursuant to Education Code Section 5303 and Elections Code Section 10002, Section 10. the Board of Supervisors of San Mateo County is requested to permit the San Mateo County Registrar of Voters to render all services specified by Elections Code Section 10418 relating to the election, for which services the District agrees to reimburse San Mateo 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 Elections Code Section 9401) pursuant to the terms of Education Code Section 5363 and Elections Code Section 12112.

ADOPTED, SIGNED AND APPROVED this 14th day of November, 2019.

BOARD OF TRUSTEES OF THE SAN MATEO UNION HIGH SCHOOL DISTRICT President Atte Secretary

STATE OF CALIFORNIA))ss SAN MATEO COUNTY)

I, Kevin Skelly, do hereby certify that the foregoing is a true and correct copy of Resolution No. 19-20-07, which was duly adopted by the Board of Trustees of the San Mateo Union High School District at the meeting thereof held on the 14th day of November, 2019, and that it was so adopted by the following vote:

AYES: Greg Land, Marc Friedman, Robert Griffin, Peter Hanley, Linda Lees Dwyer

NOES: 0

ABSENT: 0

ABSTENTIONS: 0

By _____ Secretary

FILED IN THE OFFICE OF THE CHIEF ELECTIONS OFFICER OF SAN MATEO COUNTY, CALIF.

EXHIBIT A

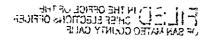
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"SAN MATEO UNION HIGH SCHOOL DISTRICT BY CLASSROOM, REPAIR TECHNOLOGY MEASURE. To upgrade local high schools that prepare students for college and today's competitive global job market; improve school safety; provide modern to classroom technology; acquire, construct, repair classrooms, facilities, sites/equipment; update classrooms/labs for science, math/engineering instruction; shall San Mateo Union High School District's measure authorizing \$385,000,000 in bonds at legal rates, levying \$15.55 //o \$100,000 assessed value (\$27,200,000 annually) while bonds are outstanding, be adopted, If requiring oversight/audits, and no money for administrators' salaries?"

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Bonds - Yes

Bonds - No



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EXHIBIT B

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The following is the full proposition presented to the voters by the San Mateo Union High School District.

"SAN MATEO UNION HIGH SCHOOL DISTRICT CLASSROOM REPAIR/TECHNOLOGY MEASURE. To upgrade local high schools that prepare students for college and today's competitive global job market; improve school safety; provide modern classroom technology; acquire, construct, repair classrooms, facilities, sites/equipment; update classrooms/labs for science, math/engineering instruction; shall San Mateo Union High School District's measure authorizing \$385,000,000 in bonds at legal rates, levying \$15.55 / \$100,000 assessed value (\$27,200,000 annually) while bonds are outstanding, be adopted, requiring oversight/audits, and no money for administrators' salaries?"

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PROJECT LIST

The Board of Trustees of the San Mateo Union High School District is committed to improving the quality of education in local public schools by providing safe, secure, upgraded classrooms, labs and technology needed to support high quality instruction in math, science, engineering and technology. To that end, the Board evaluated the District's urgent and critical facility needs, including safety issues, class size reduction, basic repairs, computer and information technology in developing the types of projects to be funded by this measure as described below. The District conducted a facilities evaluation and received public input in developing this Project List. Teachers, staff, community members and the Board have prioritized the key health and safety needs so that the most critical facility needs are addressed.

In approving this Project List, the Board of Trustees determines that the District must:

- (i) Remove hazardous asbestos from older classrooms and facilities; and
- (ii) Provide classrooms, facilities and technology needed to support high quality instruction in math, science, engineering and technology for both college and competitive global economy jobs; and
- (iii) Attract and retain quality teachers and staff by promoting affordable housing dedicated to school employees; and
- (iv) Keep computer systems and instructional technology up-to-date to ensure our students have access to latest learning methods; and
- (v) Upgrade aging infrastructure, including deteriorating restrooms, leaky roofs, outdated electrical, lighting, heating and fire safety systems; and
- (vi) Adhere to specific fiscal accountability safeguards:

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- (a) All expenditures subject to annual independent financial audits.
- (b) No money taken by the State. All funds stay local.
- (c) All expenditures reviewed by an independent citizen oversight committee to ensure that funds are spent only as authorized.

The Project List includes the following types of upgrades and improvements at District schools, facilities and sites:

IMPROVE AGING CLASSROOM INFASTRUCTURE AND SUSTAINABILITY

School Repair and Upgrade Projects Which Promote Student Achievement

Goals and Purposes: Many of the District classrooms and school facilities were built decades ago, and as a result many are aging and need basic health and safety upgrades. This measure will fund the repair of deteriorating restrooms and leaky roofs, replace outdated electrical, lighting, heating, and air conditioning systems, as well as update fire alarm and sprinkler systems.

The rising cost of housing in San Mateo County makes it hard to retain and attract quality teachers and staff. Some commute from as far as Tracy because they cannot afford to live nearby, and many others leave to work in more affordable areas. This measure will assist in the construction of affordable housing dedicated to school employees, so the District can attract and retain high-quality teachers and staff.

This measure is a smart investment as it will improve energy efficiency and sustainability by renovating buildings; improving heating, ventilation, and air conditioning; and installing turf fields that do not need water. These improvements will reduce energy and water use, makes our schools more sustainable, and save money that can be redirected back into the classroom.

- Repair or upgrade aging and leaky plumbing and drinking water systems.
- Repair deteriorating walls and facilities containing asbestos.
- Provide or convert classrooms, labs and educational facilities to accommodate student population increases.
- Repair deteriorating electrical, wiring, heating, cooling and ventilation systems to increase energy efficiency and reduce utility bills.
- Remove hazardous materials like asbestos.
- Update science, technology and computer labs, including spaces for students to conduct hands-on science, technology and engineering education.
- Repair older facilities' walls to prevent rats and mice from entering classrooms.

STUDENT SAFETY AND ACHIEVEMENT: LOCAL SCHOOL FUNDING TO SUPPORT HIGH QUALITY INSTRUCTION IN MATH, SCIENCE, ENGINEERING AND TECHNOLOGY

Projects That Improve Student Safety and Success

Goals and Purposes: Many of our high schools are lacking the up-to-date technology students need to succeed. Some classroom technology hasn't been updated in over 25 years, which is before Google and Facebook even existed and before most people had cell phones. This measure will upgrade classrooms, and science labs and computer labs, as well as improve electrical systems and wiring for computers and internet access, to ensure our students will have equal access to exemplary learning.

This measure will upgrade classrooms, computer systems, and science labs to improve student learning and achievement. These investments will provide students with the technology and skills they need to compete in an increasingly advanced and competitive economy.

Many of our local high schools have outdated and insufficient security features that do not meet current standards or reflect modern safety challenges and risks. This measure will make campus access improvements and other security system upgrades for emergencies to provide safe learning environments for students.

Schools will benefit from a variety of safety and achievement projects, such as:

- Update fire and carbon monoxide alarm systems that meet current safety standards.
- Provide educational facilities which better prepare students for a competitive global economy.
- Provide the classrooms and facilities needed to support high quality instruction in math, science, engineering, and technology.
- Replace out-of-date classroom and instructional technology.
- Provide the classrooms and facilities needed to support high quality instruction.
- Enable campuses to securely lockdown in emergencies.

In addition to the projects listed above, the repair and renovation of each of the existing school facilities may include, but not be limited to, some or all of the following: add or renovate student and staff restrooms; repair and replace electrical, plumbing, heating, ventilation and air conditioning systems; upgrade of facilities for energy efficiencies; repair and/or replace worn-out and deteriorated roofs, boilers, chillers, windows, walls, floors, doors, water lines and drinking fountains; construct or renovate offices and facilities for professional development of teachers, more efficient administration and multi-purpose learning spaces; install wiring and electrical systems to safely accommodate computers, technology and other electrical devices; upgrade or construct classrooms and support facilities including administrative, maker spaces, student union/activity centers, physical education facilities, gyms, tennis courts, music rooms, classrooms or facilities, science and computer labs/classrooms, libraries and buildings, covered eating areas, maintenance facilities and yards; repair and replace fire alarms, emergency communications, public address and security systems; improve facilities to satisfy ADA requirements; resurface or replace asphalt, broken

concrete and improve hard courts, turf, install artificial turf on fields, irrigation, and downspout drainage systems and campus landscaping; install signage and pathway lighting, solar systems and fencing; expand parking and drop-off areas; improve all site utilities; acquire land; construct new school buildings; provide interim funding for the construction of teacher and staff housing; upgrade or replace interior and exterior painting, floor covering (including carpets), and school facades; demolition; upgrade or construct kitchens, food service areas, wellness center, and school cafeterias; construct various forms of storage and support spaces and classrooms; improve outdoor learning environments and quads; repair, upgrade and install interior and exterior lighting systems and backup power generators; improve courtyards, sand volley ball and athletic structures, athletic fields and facilities which support student health, fitness and safety, lockers, stadium and hard court bleachers and exterior lighting; acquire vehicles, trucks and buses; construct; replace outdated security fences and security systems (including access control systems and security cameras), provide lunch shelters, indoor space for assemblies or for rainy day lunch; upgrade music labs, multi-purpose rooms, learning centers and media centers; add or upgrade parking lots. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects.

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The upgrading of technology infrastructure includes, but is not limited to, network rewiring, cabling, computers, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, clock/telephone/ intercom systems, call manager and network security/firewall, wireless technology systems, refresh classroom technology, miscellaneous IT and instructional equipment, data storage, phones, identity cards and the construction and installation of a data center in the cloud for the District's enterprise systems, such as resource planning, websites, domain name systems, cloud applications and information security. 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 and construction documents are finalized, construction bids are received, construction contracts 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 portable classrooms and 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 or drainage systems, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. The listed projects will be completed as Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. 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 types of projects and 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.

FISCAL ACCOUNTABILITY: THIS MEASURE REQUIRES A CLEAR SYSTEM OF ACCOUNTABILITY, INCLUDING A PROJECT LIST DETAILING HOW THE MONEY WILL BE USED, A CITIZEN'S OVERSIGHT COMMITTEE, AND INDEPENDENT AUDITS TO ENSURE MONEY IS SPENT PROPERLY.

IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF EDUCATION WILL APPOINT A CITIZENS' OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON DISTRICT PROJECTS AND FOR NO OTHER PURPOSE. THE EXPENDITURE OF BOND PROJECTS IS SUBJECT TO MONEY ON THESE STRINGENT ACCOUNTABILITY REOUIREMENTS. 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.

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.

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Tax Rate Statement

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An election will be held in the San Mateo Union High School District (Proc. District") on March 3, 2020 to authorize the sale of \$385,000,000 in general obligation bonds. If such bonds are authorized and sold, principal and interest on the bonds will be payable only from the proceeds of tax levies made on the taxable property in the District. These estimates are based on projections derived from information obtained from official sources and other demonstrable factors. The actual tax rates and the years in which they will apply may vary depending on the timing of bond sales, the amount of bonds sold at each sale, and actual increases in assessed valuations. The following information is submitted in compliance with Sections 9400-9404 of the California Elections Code.

- i. The best estimate of the average annual tax rate that would be required to fund this bond issue over the entire duration of bond debt service, based on estimated assessed valuations available at the time of filing of this statement, is 1.555 cents per \$100 (\$15.55 per \$100,000) of assessed valuation.
- ii. The best estimate of the final fiscal year in which the tax required to fund this bond issue is anticipated to be collected is fiscal year 2049-50.
- iii. The best estimate of the highest tax rate that would be required to fund this bond issue, based on estimated assessed valuations available at the time of filing this statement, is 1.555 cents per \$100 (\$15.55 per \$100,000) of assessed valuation, which is projected to be the same in every fiscal year the bonds remain outstanding.
- iv. The best estimate from official sources of the total debt service, including the principal and interest, that would be required to be repaid if all the bonds are issued and sold will be approximately \$815 million.

Based upon the forgoing and projections of the District's assessed valuation, the timing of the bond sales and the amount of bonds sold at any given time will be determined by the needs of the District and other factors. Actual assessed valuations will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the assessment and the equalization process.

Voters should note that the estimated tax rates are based on the ASSESSED VALUE of taxable property in the District as shown on the County's official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Dated: 11/25/19

Kevin Skelly, Ph.D.

Superintendent

San Mateo Union High School District

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