Full Text of Measure N Bond Proposition of School Facilities Improvement District No. 2020-1 of the Tustin Unified School District

TUSTIN UNIFIED SCHOOL DISTRICT SAFE AND MODERN CLASSROOM BOND MEASURE

INTRODUCTION

The Tustin Unified School District (District) is committed to providing an innovative educational program that nurtures academic growth in a safe, modern learning environment. Thanks to our supportive community and dedicated parents, teachers and staff, student achievement is among the top in the state.

Many of the District's schools were built more than 50 years ago and need to be repaired and upgraded. In order for our students to succeed in college and careers, they must be skilled in the use of today's technologies and have a solid background in science, math, engineering and technology. Improvements would enhance school safety and security, and upgrade classrooms and labs to meet 21st Century instructional standards. Basic repairs are needed at some aging facilities, including: (i) repairing or replacing deteriorating roofs, outdated plumbing, sewer lines and electrical systems; (ii) creation of flexible, multi-use classrooms to support hands-on science instruction and learning-by-doing; and (iii) upgrades to school security systems including security cameras, emergency communications systems, smoke detectors, fire alarms and sprinklers.

Passage of a school facilities improvement bond measure will provide locally controlled funding that cannot be taken away by the State and must stay here in our local communities to improve local schools. A school facilities improvement bond measure will require strict fiscal accountability requirements, including a citizens' oversight committee, mandatory annual audits and a prohibition against any funds being used for administrators' salaries, pensions or benefits. Passage of a school improvement bond measure will help the District qualify for state matching funds that otherwise may be lost to other school districts.

DISTRICT CAPITAL FACILITIES PLANNING

In order to address the District's educational facility's needs and provide a positive learning environment for community students in an environment geared towards student safety and security, the Board evaluated safety issues, class size reduction, computer and information technology and other factors. The District has prepared a Facilities Master Plan as part of developing the scope and description of the projects to be funded through a bond measure.

The District conducted a facilities evaluation that included public input from over 1400 community members 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.

BOARD FINDINGS

Based on the reviews, community input, the Facilities Master Plan and in consideration of student needs for education and safety, the Board has made certain determinations:

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

- (A) Repair or replace deteriorating roofs, plumbing, sewer and electrical systems, where needed; and
- (B) Upgrade classrooms and career technical education facilities to prepare students for college and good paying jobs in fields like health sciences, engineering and skilled trades; and
- (C) Repair and upgrade aging elementary and middle school classrooms and school facilities to support high quality instruction in science, technology, engineering, arts and math; and
- (D) Strengthen campus health and safety features to help ensure secure campuses; and
- (E) Adhere to specific fiscal accountability safeguards such as:
 - (i) All expenditures must be subject to annual independent financial audits.
 - (ii) No funds can be used for administrators' salaries and pensions.
 - (iii) All money must stay local to support our students and cannot be taken away by the State or used for other purposes.
 - (iv) An independent citizens' oversight committee must be appointed to ensure that all funds are spent only as authorized.

The Board has concluded that protecting the quality of our schools, the quality of life in our community and the value of our homes is a wise investment.

BOND AUTHORIZATION

In order to acquire, construct and reconstruct school facilities, and provide for supporting infrastructure at the existing school sites of the Tustin Unified School District, and in so doing increase health, safety, welfare and educational effectiveness of classrooms and physical education facilities for students, shall the Tustin Unified School District on behalf of School Facilities Improvement District No. 2020-1 be authorized to issue Bonds in an amount not to exceed \$215,000,000, including the furnishing and equipping of school facilities or the acquisition or lease of real property for schools and school facilities listed in Attachment "1" on file at the District office and herein incorporated, which Bonds shall be issued for a term not to exceed the applicable statutory maximum, at an interest rate below the legal maximum, and which Bonds shall be subject to the following provisions:

(A) That proceeds of the Bonds shall be used only for the construction of school facilities and supporting infrastructure, including the furnishing and equipping of school facilities or the acquisition or lease of real property for school facilities pursuant to California

Constitution Article XIIIA, Section 1(b)(3) and further that the proceeds of the Bonds shall be used only for the purposes specified in California Constitution Article XIIIA, Section 1(b)(3) (as amended by Proposition 39) and not for any other purpose, including teacher and non-construction related administrator salaries and any other school operating expenses,

- (B) That a list of the specific school facilities projects to be funded with the proceeds of the Bonds is attached hereto as Attachment "1" and, based upon the adoption of this Resolution, this Board of Education hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the school facilities listed in Attachment "1",
- (C) That the Board of Education of the District shall conduct annual, independent performance audits to ensure that the proceeds from the sale of the Bonds have been expended only on the specific projects listed in this bond proposition,
- (D) That the Board of Education of the District shall conduct annual, independent financial audits of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the school facilities projects identified herein,
- (E) That the Board of Education of the District will, pursuant to the provisions of applicable State law, appoint a citizens' oversight committee, and conduct annual independent audits (as referenced above) to assure that the Bond proceeds are spent only on the school, facilities and classroom improvements, projects and costs identified in Attachment "1" and for no other purposes.

BOND DIRECTIVES REGARDING BONDS:

The Board of Education of the District directs as follows with respect to the authorization of the Bonds:

- The District will make all reasonable efforts to secure State funding for District capital projects if such State funding is available.
- Bonds issued pursuant to this Bond Measure shall be issued and sold as current interest bonds and/or current interest term bonds and not as Capital Appreciation Bonds (CABs) or bonds with a compounding interest feature.

TAXPAYER PROTECTIONS:

The following taxpayer protections are specifically provided in this Bond Measure and by law:

- Bond funds shall be used only for the school capital facilities projects identified herein, and **not for any other purpose.**
- Requirements of the California Government Code concerning **the use of, and accounting for, the expenditure of bond proceeds** shall be complied with as directed by the Board of Education of the District.
- As required by law, an **Independent Citizen's Oversight Committee** shall oversee expenditures of bond funds, and related matters, and shall report to the Board of Education and communicate with the public on such expenditures.
- As required by law, the School District shall conduct **annual financial audits and performance audits** (using independent auditors) for all bond funds.
- Bond Funds shall not be used for teacher or non-construction related administrator salaries or other non-construction related operating expenses.

See voter guide for tax rate information.

ATTACHMENT "1"

SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 2020-1 OF THE TUSTIN UNIFIED SCHOOL DISTRICT SCHOOL FACILITIES PROJECT LIST

Proceeds of the general obligation bonds of the School Facilities Improvement District No. 2020-1 of the Tustin Unified School District ("District") would be used to finance the design, modernization, restoration and construction of public schools and school facilities and providing facilities improvements and upgrades, and related facilities costs, including, but not limited to, financing the following: modernizing, repairing and rehabilitating existing school facilities and adding certain new school facilities to meet current health, safety and instructional standards which will improve the overall educational experience for all students in the District. Such projects include, but are not limited to, upgrading school libraries to contemporary media centers; renovating or adding bathroom facilities at each District school campus; upgrading, installing or replacing shade structures; upgrading student support facilities; renovate or new multi-purpose rooms (MPR); and reconstruction, renovation, modernization and construction of classrooms, upgrading classrooms, innovation/hands-on labs, playground surfacing/equipment, plumbing and electrical resulting from upgrades or new construction, electrical support for network infrastructure, and related projects. Project costs for expansion of existing facilities may include, but are not limited to, some or all of the following: site preparation, infrastructure and related expenses; and construction, acquisition or lease of temporary, portable to, some or all of the following: desks and tables; window and floor covering; kitchen equipment, improvement may include, but are not limited to, some or all of the following: desks and tables; window and floor covering; kitchen equipment, improvements and furnishings; instructional sound system; science laboratory equipment; and other electronic equipment.

The following projects are identified as projects on which the bond funds may be expended:

MASTER PLAN FACILITIES PROJECTS AND OBJECTIVES

Provide modern facilities needed for core courses and repair and upgrade/replace outdated classrooms:

- Install, add, and upgrade Security/Safety systems and infrastructure to meet needs for Student Safety and Campus Security
- > Ensure safety and structural integrity of buildings for student and employee safety by making seismic and safety upgrades and retrofits, if

required

- Improve energy efficiency to reduce costs and energy consumption (producing reductions on environmental impacts), through the use/ installation of energy-efficient facilities including the installation/use of LED lighting and construction/installation of solar energy facilities
- > Upgrade and modernize District schools to provide for compliance with Americans with Disabilities Act (ADA)
- Renovate, upgrade, replace, install, and provide repairs to site infrastructure (Electrical, Utilities, Communications, and Security Networks).
- Replace, update and improve selected drop-off/pick-up access and parking facilities with the goal of reducing traffic congestion in the vicinity of District schools, and for improved student pedestrian safety

RENOVATION, MODERNIZATION AND REPAIR OF EXISTING DISTRICT NEIGHBORHOOD SCHOOLS AND SCHOOL FACILITIES

NEIGHBORHOOD SCHOOL PROJECTS

The Neighborhood School Projects include preparation, planning, design and architectural work, acquisition, construction and installation projects (as further described below) and furnishings and equipment (as further described below) for the following neighborhood school sites and projects:

 ELEMENTARY SCHOOL PROJECTS

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>	Modernization of Existing Classrooms To include windows, doors, replace deteriorating roofs, ceilings, casework and interior/exterior work, ADA compliance
>	Safety/SecurityUpgrades To include safety locks, security systems, monitoring systems, fire systems and alarms, communications systems, surveillance systems, signage and fencing
•	Building System Improvements/Upgrades/Renovations To include restrooms, HVAC systems, lighting, communication, wireless communications and data, plumbing, lighting and controls, power/ power conversation systems
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\triangleright	Creation/Retrofit for Innovation/Hands-on Learning Labs
>	Construct/Upgrade/Replace Multi-Purpose Rooms and Kitchen Service Facilities To include food service equipment, lunch shelters and sanitary facilities
>	Repair/Renovate Classrooms, Restrooms, Student Support Facilities and Infrastructure To include Interior and Exterior repairs, renovations, upgrades and modernization projects
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>	Construct/Upgrade/Replace Kitchen Service Facilities To include food service equipment, lunch shelters and sanitary facilities	
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- Construct/Upgrade/Replace Multi-Purpose Rooms and Kitchen Service Facilities To include food service equipment, lunch shelters and sanitary facilities
- Repair/Renovate Classrooms, Restrooms, Student Support Facilities and Infrastructure To include Interior and Exterior repairs, renovations, upgrades and modernization projects

TUSTIN HIGH SCHOOL

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- Site Utilities Improvements/Upgrades/Renovations
 To include natural gas, water, sewer, electrical, storm drain, communications and fire service systems and controls
- Reconfigure/Expand Science/Engineering Wing
 To include facilities and classrooms for STEM and Engineering education and labs and related facilities relocation and construction

ALL DISTRICT SCHOOL SITES WHERE RENOVATION, MAJOR REPAIRS AND/OR NEW CONSTRUCTION TO BE UNDERTAKEN:

- Remove and mitigate hazardous materials (e.g. asbestos, lead, PCB, mold, mildew, etc.) where necessary.
- Improve contingencies as required to comply with existing building codes and state/federal requirements, including access requirements of the ADA.
- Provide adequate furniture and equipment for all classrooms, and spaces to be newly constructed or reconstructed.
- Acquisition of any of the facilities on this School Facilities Project List through temporary lease or lease-purchase arrangements or execute purchase option under lease for any of these authorized facilities.
- Necessary site preparation/restoration in connection with renovation or remodeling, including ingress and egress, removing, replacing, or
 installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of
 ways to property.
- If the Board of Education determines that replacement is more economical than rehabilitation, improvement, or renovation of existing classrooms/ school facilities, in those particular cases replacement/new construction will be explored/pursued.
- Provide temporary (interim) classrooms and other school facilities as needed to accommodate students and school functions displaced during construction, including, but not limited to, relocation costs.
- The costs to demolish/remove facilities when no longer needed and the costs to restore site and utility systems after removal.
- Modernization upgrade or replacement of structures includes permanent, portable, or modular structures.

Project Costs for Furnishings and Equipment

Project Costs for furnishings and equipment for some or all of the within-identified District campuses may include, but are not limited to, some or all of the following: security, safety and communication systems and equipment, storage and casework, school furniture; window, wall, and durable floor coverings (including tiles and carpeting); media recording, distribution and presentation equipment, including, but not limited to, audio systems, kitchen equipment, improvements and furnishings, fire alarm, security; science laboratory equipment; and/or other infrastructure equipment and systems.

Project costs for the above-referenced projects may include installation costs, engineering and design costs, project management/construction management costs, warranty costs, master facilities planning, state or local costs or expenses involving design, planning, site and facilities development costs and charges, environmental review(s) and proceedings, necessary supporting infrastructure costs, relocation costs and expenses, necessary contingency plans and related costs construction and completion of the aforementioned facilities projects, audit costs, direct legal costs and related costs. Project costs may also include the payment or prepayment of existing or future lease payments and/or interim financing costs for lease of authorized facilities, property or buildings, prepayment of lease obligations for facilities purposes (including temporary classroom facilities) and payment of costs and expenses for interim financing of authorized facilities (including, but not limited to, financing delivery 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. Allowable project costs also include: costs of issuing the bonds or other securities (as authorized under California law), informational distribution costs and election costs authorized under State law.

The scope and nature of any of the specific projects described above may be altered by the District as required by unforeseen conditions that may arise during the course of design and accomplishment of the projects. In the event that a modernization or renovation project is more economical for the District to be undertaken as new construction, this bond measure authorizes land acquisition, relocation and construction and/or reconstruction, and all costs relating thereto, for said reason or, alternatively, based on other considerations deemed in the best interest of the District by the Board of Education. 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.

This School Facilities Project List describes the specific facilities and capital projects the District may finance with proceeds of the Bonds. In addition, authorized projects include reimbursements for paid project costs 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, and including payment and prepayment of lease payments relating to projects and/or equipment previously financed. listed projects will be completed as needed at a particular school site according to Board-established priorities, and the order in which such projects appear on this School Facilities Project List is not an indication of priority for funding or completion. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. Certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Until all project costs and funding sources are known, the Board of Education cannot determine the amount of bond proceeds available to be allocated for each project, nor guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Completion of some projects may be subject to further government approvals by State officials and boards, to local environmental review, and to input from the public. For these reasons, inclusion of a project on the Bond Project List is not a guarantee that any specific project listed herein will be funded, completed or completed by a specific date.

In preparing the foregoing list, the Board of Education of the Tustin Unified School District has evaluated safety, class size and information technology needs.