

Bayshore Elementary School District

Measure C

“To improve the quality of education; replace outdated heating, ventilation and air-conditioning systems; repair deteriorating plumbing systems; modernize classrooms, restrooms and school facilities; repair or replace leaky roofs; upgrade inadequate electrical systems; and improve student access to computers and modern technology; shall the Bayshore Elementary School District issue \$6 million of bonds at legal interest rates, have an independent citizens’ oversight committee and have NO money used for administrative salaries or be taken by the state?”

Full Text

INTRODUCTION

“To improve the quality of education; replace outdated heating, ventilation and air-conditioning systems; repair deteriorating plumbing systems; modernize classrooms, restrooms and school facilities; repair or replace leaky roofs; upgrade inadequate electrical systems; and improve student access to computers and modern technology; shall the Bayshore Elementary School District issue \$6 million of bonds at legal interest rates, have an independent citizens’ oversight committee and have NO money used for administrative salaries or be taken by the state?”

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 \$6.0 million in aggregated principal at interest rates not to exceed the legal limit and to provide financing for the specific 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 detailed facilities needs of the District and has determined which projects to finance from a local bond at this time. 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. The School Board shall establish an Independent Citizens’ Oversight Committee, under Education Code Sections 15278 and following, to ensure bond proceeds are expended only on the school facilities projects listed below. The committee will be established within 60 days of the date when the results of the election appear in the minutes of the School Board.

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

Financial Audits. The School 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 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 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 San Mateo 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 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 TEACHER OR ADMINISTRATOR SALARIES

Proceeds from the sale of bonds authorized by this measure shall be used only for the acquisition, construction, reconstruction, rehabilitation, and/or replacement of school facilities, including the furnishing and equipping of school facilities and/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.

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 School District’s proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

BOND PROJECT LIST

The Bond Project List shown below is a part of the ballot measure and must be reproduced in any official document required to contain the full statement of the bond measure.

Scope of Projects. Bond proceeds will be expended on the acquisition, construction, reconstruction, rehabilitation, and/or replacement of school facilities of the Bayshore Elementary School District, including the furnishing and equipping of such school facilities and/or the acquisition or lease of real property by the Bayshore Elementary School District to be used for school facilities. Whenever specific items are included in the following list, they are presented to provide an example and are not intended to limit the generality of the broader description of the types of authorized projects.

School Facility Projects. The specific school facilities projects to be funded include the following:

- Replace older heating, ventilation, and air conditioning systems with building code compliant, energy efficient systems
- Repair/replace deteriorating plumbing and sewer systems
- Modernize, renovate and expand outdated classrooms, restrooms and school facilities, including replacing deteriorating floors, ceilings, walls, lighting, wiring and plumbing and furnishing and equipping classrooms and related facilities to provide a modern learning environment
- Repair or replace leaky or outdated roofs
- Upgrade inadequate electrical systems
- Improve technology infrastructure and provide for student access to computers and modern technology, including computer labs and equipment

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- Renovate and upgrade multi-purpose room and indoor/outdoor physical education facilities, including improving and resurfacing outdoor facilities
- Provide ongoing 21st century technology needs
- Improve student safety, including upgrading fire alarm and security systems, communication systems upgrades, seismic improvements and installing fencing and lighting
- Seismic retrofitting and upgrades to school facilities to ensure structural safety of schools
- Renovate, repair, expand and/or upgrade the interior and/or exterior of existing classrooms and other school facilities, including infrastructure improvements, new paint, doors, hardware, cabinetry, carpet/tile, curtains/blinds, partitions and exhaust fans, cafeteria and kitchen facilities and equipment and improvements to landscaping and outdoor learning environments
- Improve parking/student drop-off and pick-up areas, including paving, curbside improvements, signage, lighting, fencing and other safety improvements
- Replace temporary portables with permanent classrooms
- Make facility improvements to increase the District's energy efficiency, including installing insulation to roofs and walls and replacing outdated and inefficient lighting and windows
- Make Federal and State-mandated Americans with Disabilities Act (ADA) accessibility upgrades including site access, parking and access to playfields and playgrounds
- Abate and remove hazardous materials identified prior to or during construction

Each project includes the expenses of furnishing and equipping, architectural, engineering, and similar design and planning costs, program/project management expenses (including project management performed by District personnel) and a customary contingency for unforeseen design and construction costs. In the event a project has been financed on an interim basis, the bond project includes the payment of such interim financing. Each bond project includes all work necessary and incidental to the specific projects described above, including but not limited to, demolition of existing structures, rental or construction of storage facilities and other space on an interim basis and interim classrooms for students and school functions or other storage for classroom materials displaced during construction, addressing unforeseen conditions revealed by construction/modernization and other necessary improvements required to comply with existing building codes, including the Field Act, and access requirements of the Americans with Disabilities Act. Some projects may be undertaken as joint use projects in cooperation with other local public or non-profit agencies.

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. The District is unable to anticipate all unforeseen circumstances which may prevent some of the projects listed above from being undertaken or completed.

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Tax Rate Statement

An election will be held in the Bayshore Elementary School District (the "District") on June 3, 2014 to authorize the sale of \$6,000,000 in general obligation bonds. The following information is submitted in compliance with Sections 9400-9404 of the California Elections Code.

The best estimate of the tax rate that would be required 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 \$.0300 per \$100 (\$30.00 per \$100,000) of assessed valuation in fiscal year 2014-15.

The best estimate of the tax rate that would be required 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 \$.0300 per \$100 (\$30.00 per \$100,000) of assessed valuation in fiscal year 2017-18.

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 \$.0300 per \$100 (\$30.00 per \$100,000) of assessed valuation.

These estimates are based on projections derived from information obtained from official sources. 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 timing of the bond sales and the amount of bonds sold at any given time will be determined by the needs of the District. Actual assessed valuations will depend upon the amount and value of taxable property within the District as determined in the assessment and the equalization process.

/s/ **Audra Pittman** February 2, 2014
Superintendent, Bayshore Elementary School District

Impartial Analysis of Measure C

Education Code Section 15100 authorizes a school district to issue bonds for specified purposes if voters first approve the issuance of the bonds at an election. Education Code Section 15266 provides the measure passes if 55% of those voting on it vote for the measure.

The Board of Trustees of the Bayshore Elementary School District proposes this measure, which would authorize the District to issue bonds in an amount not to exceed \$6 million. The bonds will have an interest rate not exceeding the legal maximum and will mature in a maximum of 25 or 40 years from their date of issuance, depending on how the bonds are issued. The District's best estimate of the average annual tax rate levy per \$100,000 of assessed valuation to fund this bond is \$30.00 for fiscal year 2014-2015 and also for fiscal year 2017-2018. The District's best estimate of the highest average annual tax rate levy per \$100,000 of assessed valuation to fund this bond is \$30.00.

The California Constitution requires the listing of specific school facilities projects to be funded from the bond revenue and certification that the District governing board has evaluated safety, class size reduction, and information technology needs in the development of that list. The District's "Project List" for the bond is attached to the full text of the measure and lists projects including: replacing heating, cooling, and ventilation systems; improving plumbing/sewer, electrical, and roofing systems; modernizing, renovating, and expanding classrooms, bathrooms, and other facilities; improving technology infrastructure and equipment; improving multipurpose rooms and physical education facilities; seismic retrofitting; improving the interior and exterior of classrooms and other facilities; improving parking and student drop-off and pick-up areas; replacing temporary classrooms with permanent ones; improving energy efficiency; improving accessibility upgrades per the Americans with Disabilities Act; and proper handling of hazardous materials. The Project List should be reviewed for further specifics.

The California Constitution and Education Code require the District to take certain steps to account for the proceeds from the bonds. Accordingly, the District will direct the funds to be deposited into a special account, appoint a citizens' oversight committee, conduct annual independent performance and financial audits to assure that funds are spent only on the listed improvements and for no other purposes, and prepare annual reports listing the amount of funds collected and expended and the status of any funded project.

A "yes" vote on this measure would authorize the Bayshore Elementary School District to issue bonds in an amount not to exceed \$6 million for the purposes listed in the "Project List."

A "no" vote would prevent the Bayshore Elementary School District from issuing the bonds.

This measure passes if 55% of those voting on the measure vote "yes".

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Arguments in support of or in opposition to the proposed laws are the opinions of the authors.

Argument in Favor of Measure C

Our schools are the most important assets in our community and should be our number one priority. From higher achieving students, to greater neighborhood safety and improved property values, quality schools make a difference. While our teachers and staff do a great job in educating our children, many classrooms and school facilities at the Bayshore Elementary School District are outdated and inadequate to provide students with the facilities they need to succeed. This is why our children need your **YES vote on Measure C!**

Although our schools have been well maintained over the years, aging classrooms and facilities must be upgraded since many do not meet 21st century standards. Many of the buildings our children use are between 30-50 years old! Measure C would allow the District to improve our schools and the quality of education provided to local students. By investing in our schools, we can meet today's safety, technological, and educational standards and better our community.

If passed, Measure C will provide funding to make facility improvements at Bayshore schools including:

- Replacing outdated heating, ventilation and air-conditioning systems
- Repairing deteriorating plumbing and sewer systems
- Modernizing outdated classrooms, restrooms, and school facilities
- Repairing or replacing leaky roofs
- Upgrading inadequate electrical systems

Measure C makes financial sense and protects taxpayers.

- All funds must be spent locally and cannot be taken by the State.
- By law, spending must be reviewed and annually audited by an independent citizens' oversight committee.
- Funds can only be spent to improve local elementary schools, not for teacher or administrator salaries.

Measure C upgrades and renovates old and inadequate school facilities, improves the education of local children, and maintains the quality of our community. That's something we can all support. Please join us and VOTE YES ON MEASURE C!

/s/ **Martha Padilla** March 12, 2014

/s/ **Su Hu** March 12, 2014

/s/ **Teresa Hinojosa** March 12, 2014

Rebuttal to Argument in Favor of Measure C

When school boards ask voters' permission to go into debt with bonds like Measure C, what are they saying? They are admitting that everything they spend our tax dollars on, **now**, is more important than the projects in this Measure.

Budgets reflect priorities.

Bayshore Elementary School District is saying every education dollar spent today is going to something they prioritize higher than "improv[ing] student access to...modern technology."

Do you agree?

Education Data Partnership (www.Ed-Data.K12.ca.us) shows only about 389 students in Bayshore Elementary School District, so this bond could exceed \$15,400/student -- NOT counting interest and administration expenses.

Would you buy a computer with a useful life of 3-5 years, and pay for it with a 25-year loan?

No? That's what the District is asking you to do.

Which is more important to you?

1. **Paying reasonable amounts for "modern technology" now, by using dollars already in schools' budgets.**
2. **Sending new tax dollars -- through principal and interest payments -- to big banks, investment brokers, and others who buy these bonds as tax shelters.**

If you value children's "access to computers" over funding tax shelters, vote NO on Measure C.

If you value children having access to "modern technology" versus making principal and interest payments for 25 years, vote NO on Measure C.

For more information: www.SVTaxpayers.org/2014-06-bayshore-elementary-sd-bond

/s/ **Mark W. A. Hinkle** March 24, 2014
President: Silicon Valley Taxpayers Association

Bayshore Elementary School District

Arguments in support of or in opposition to the proposed laws are the opinions of the authors.

Argument Against Measure C

When school boards ask voters' permission to go into debt with bonds like **Measure C**, what are they saying? They are admitting that everything they spend our tax dollars on, **now**, is more important than the projects in this Measure.

Budgets reflect priorities. Bayshore Elementary School District is saying **every education dollar spent today is going to something they prioritize higher than "improv[ing] student access to...modern technology."**

Do you agree?

Education Data Partnership (www.Ed-Data.K12.ca.us) shows only about 389 students in Bayshore Elementary School District, so this bond could exceed \$15,400/student -- NOT counting interest and administration expenses.

When we buy homes, truth-in-lending laws require that we're told the real cost of those homes. For example:

Borrowing **\$600,000** at 5% interest for 30 years means **\$38,651/year** in principal and interest -- a lifetime cost of **\$1,159,534**.

Shouldn't consumer protection laws apply to bonds, too? We taxpayers deserve to know the full truth about Measure C. We don't know when this debt will begin, let alone what its interest rate will be.

Who buys computers on a 25-year payment plan? Instead of making loan payments for over two decades, **with a fraction (>1/6)** of the proposed loan, **we could buy enough computers for every child now enrolled** -- and upgrade to new models every 4 years!

Which is more important to you?

1. **Paying reasonable amounts for "modern technology" now, by using dollars already in schools' budgets.**
2. **Sending new tax dollars -- through principal and interest payments -- to big banks, investment brokers, and others** who buy these bonds as tax shelters.

If you value children's "access to computers" over funding tax shelters, vote NO on Measure C.

If you value children learning with "modern technology" over making 25 years' interest payments, vote NO on Measure C.

For more information:

www.SVTaxpayers.org/2014-06-bayshore-elementary-sd-bond

/s/ **Mark W. A. Hinkle**
President: Silicon Valley Taxpayers Association

Rebuttal to Argument Against Measure C

Measure C funds will go right where they're needed—to improve classrooms and support Bayshore students.

Don't let our opponent mislead you. He doesn't have the facts and doesn't live in our community.

Here are the facts:

- Measure C provides safe, modern classrooms that local students need to succeed,
- Measure C is locally-controlled and every dollar stays right here, benefitting local schools, local children, and local property values,
- No other source of funding exists to repair our schools,
- Measure C also improves efficiency and eliminates costly repairs, saving scarce resources to support teachers and classroom programs.

To protect excellent local schools and ensure students have safe and up-to-date classrooms, vote YES on C.

Although our schools do an outstanding job managing shrinking budgets, aging plumbing and sewer systems must be repaired, outdated and inefficient heating, ventilation and air-conditioning systems must be replaced, and classrooms require 21st Century instructional technology to provide Bayshore students modern skills.

Measure C is the only solution for our schools. The longer we wait, the more expensive these improvements will become.

Measure C is simple — it protects quality education in local schools. Strict accountability provisions guarantee that all funds will be spent only on voter-approved projects. No funds can be spent on teachers' or administrators' salaries, benefits or pensions.

Our students deserve a quality education. Join us—vote YES on C.

/s/ **Audra Pittman**
Superintendent

March 17, 2014