

MEASURE K
COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE K
<p>Upon approval of 55% of the votes cast by voters in an election, California law permits school districts to issue bonds, secured by the levy of ad valorem taxes on property within a district, for the purpose of construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities.</p> <p>The Board of Trustees of the Moreland Elementary School District proposes issuing bonds in the amount of \$55,000,000. As identified in the measure, bond proceeds would be used to renovate, repair, upgrade, and make energy efficient, facilities at six school sites, and upgrade wiring and instructional technology District-wide. Proposed projects include: replacing water, sewer and plumbing systems to meet current codes and reduce water consumption; improve and upgrade computer labs; upgrading, replacing and equipping science laboratories; replacing existing windows with more energy efficient ones; upgrading emergency communications; and upgrading and replacing computers, hardware and software systems. The District states that a project list is on file at the District Office of the Superintendent.</p> <p>Proceeds of the bonds could not be used for teacher and administrator salaries or other school operating expenses. The District would conduct performance and financial audits and appoint an independent citizens' oversight committee to ensure bond proceeds are expended only for the purposes set forth in the measure.</p> <p>The District estimates that the tax rate resulting from this bond issue combined with other outstanding general obligation bond issues will not exceed \$65.70 per \$100,000 of assessed value—a rate that was previously approved by voters at the March 5, 2002 bond election. The District's best estimate of the tax rate to be levied to fund the proposed bond issue is \$0 per \$100,000 during the first fiscal year after the sale of the first series of bonds (2011-12). The District's best estimate of the tax rate to be levied to fund the proposed bond issue is \$0 per \$100,000 during the first fiscal year after the sale of the last series of bonds (2020-21). The District's best estimate of the highest tax rate that would be required to be levied to fund this bond issue is \$30 per \$100,000 during fiscal year 2032-33. The issuance of bonds will likely extend the existing tax levy in order to complete payment of outstanding debt.</p> <p>A "yes" vote is a vote to authorize the issuance and sale of the bonds in the amount of \$55,000,000, to be secured by the levy of ad valorem taxes on property located within the district.</p> <p>A "no" vote is a vote not to authorize the issuance and sale of the bonds in the amount of \$55,000,000, to be secured by the levy of ad valorem taxes on property located within the district.</p> <p>Miguel Marquez County Counsel</p> <p>By: /s/ Steve Mitra Deputy County Counsel</p>

COMPLETE TEXT OF MEASURE K
FULL TEXT BALLOT PROPOSITION OF THE MORELAND ELEMENTARY SCHOOL DISTRICT BOND MEASURE ELECTION NOVEMBER 2, 2010
<p>The following is the full proposition presented to the voters by the Moreland Elementary School District.</p> <p>"Without increasing current tax rates and to continue providing high quality education for local students by upgrading science labs, updating computer learning technology, maximizing energy efficiency and water conservation to save money, acquiring, constructing, repairing, equipping classrooms /sites /facilities /equipment, upgrading fire and security systems, and improving disabled access, shall Moreland Elementary School District issue \$55,000,000 in bonds at legal rates, with citizen oversight, annual audits, no funds for administrators' salaries and all funds staying in local schools?"</p> <p>PROJECT LIST</p> <p>The Board of Trustees of the Moreland Elementary School District evaluated the District's urgent and critical facility needs, including safety issues, class size reduction, and computer and information technology, in developing the scope of projects to be funded. The District conducted a facilities evaluation and received public input and review in developing this Project List, and has prepared a Facilities Assessment &amp; Master Plan approved by the Board of Trustees on October 13, 2009, and which is incorporated herein and on file in the Office of the Superintendent. Teachers, staff, community members and the Board have prioritized the key health and safety and sustainability needs so that the most critical facility needs are addressed. The Board concluded that if these needs are not addressed now, the problems will only become more pressing. <b>Therefore, in approving this Project List, the Board of Trustees determines that:</b></p> <p>(i) since a high quality education depends on attracting and retaining high quality teachers, making sure our classrooms are up-to-date will help to ensure that the top teachers will want to teach at Moreland; and</p> <p>(ii) updated science labs and science equipment is critical to maintaining a quality education; and</p> <p>(iii) investing in our local schools will help maintain high property values in our community; and</p> <p>(iv) establishing a technology endowment fund will provide updated learning technology needed for a 21<sup>st</sup> Century education; and</p> <p>(v) the District should apply for all available State matching funds; and</p> <p>(vi) investing in energy efficiency and solar panels will reduce the District's annual energy costs and save money which can be invested in academic programs and instruction;</p> <p>(vii) the District should improve access to schools for student and teachers with disabilities.</p> <p>The Project List is on file at the District Office of the Superintendent and includes the following types of projects at the following school sites:</p>

COMPLETE TEXT OF MEASURE K - Continued
<p>County Lane Elementary School Easterbrook Discovery School George C. Payne Elementary School Gussie M. Baker Elementary School Leory Anderson Elementary School Moreland Middle School</p> <p><u>School Renovation, Repair and Upgrade Projects</u></p> <p><b>Goal and Purpose:</b> To maintain our neighborhood schools, schools will benefit from the renovation, repair and upgrade of outdated school buildings, science labs, classrooms, computer learning centers and school libraries and equipment, allowing all children have the resources they need to learn and stay up-to-date with the latest advances in education:</p> <ul style="list-style-type: none"><li>• Replace existing water, sewer and plumbing systems to meet current codes and reduce water consumption, including the elimination of lead-containing fixtures.</li><li>• Additional electrical service capacity to relieve overloaded electrical systems and accommodate technology.</li><li>• Replace, as needed, inefficient windows, ceilings, heating, ventilation, air conditioning and lighting systems with building code compliant, energy efficient systems which will save money on operating costs.</li><li>• Provide improved, upgraded computer labs.</li><li>• Upgrade and replace and equip classrooms, science labs, multipurpose rooms and educational support spaces.</li><li>• Classroom interiors will receive new paint, carpet/vinyl tile/asbestos abatement, white markerboards, tackable surfaces, storage-for instructional materials and equipment.</li><li>• Federal and State-mandated Americans with Disabilities Act (ADA) accessibility upgrades including site access, ramps, parking, staff and student restrooms and relocation of some existing electrical devices.</li><li>• Replace old, portable classrooms and construct new classrooms and facilities.</li><li>• Repair aging schools.</li><li>• Install skylights and replace windows for improved lighting in classrooms.</li></ul> <p><u>School Health and Safety and Energy Efficiency School Projects</u></p> <p><b>Goal and Purpose:</b> To ensure that our local schools are safe for students and teachers and energy efficient, schools and school sites will benefit from a variety of health and safety projects, such as:</p> <ul style="list-style-type: none"><li>• Upgrade to schools to meet handicap accessibility requirements.</li><li>• Inspect for/repair gas pipe leaks.</li><li>• Replace/upgrade existing phone system, signage, bells and clocks.</li></ul>

COMPLETE TEXT OF MEASURE K - Continued
<ul style="list-style-type: none"><li>• Replace/upgrade existing security systems, including solar panels, to reduce energy/utility costs and return the savings to educational programs.</li><li>• Install energy efficient systems.</li><li>• Replace existing window systems with energy efficient systems.</li><li>• Upgrade emergency communication systems.</li><li>• Upgrade site playground equipment and hard court surfaces to meet current safety standards.</li><li>• Relocate or improve student drop-off areas for safety, including a separate area for buses.</li><li>• Inspect and improve play area fields for safety, drainage and water conservation.</li><li>• Upgrade school site parking, utilities and grounds.</li></ul> <p><b>District-Wide Wiring and Instructional Technology For Effective Learning Environment Projects</b></p> <p><b>Goal and Purpose:</b> To improve both current instruction methods by applying modern technology infrastructure:</p> <ul style="list-style-type: none"><li>• Provide and maintain upgraded technology, data and communication equipment.</li><li>• Upgrade and expand wireless systems, telecommunications, Internet and network connections.</li><li>• Upgrade and replace computers, hardware and software systems.</li><li>• Upgrade and replace classroom furniture, equipment and instructional aids.</li><li>• Upgrade media and audio/visual equipment.</li></ul> <p>***</p> <p>The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program management, staff training expenses and a customary contingency, and escalation for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the payment of the costs of preparation of all facility planning, facility assessment reviews, environmental studies, construction documentation, inspection and permit fees, and temporary housing of dislocated District activities caused by bond projects. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, call manager and network security/firewall, and other miscellaneous equipment and software. Included in the Project List are the acquisition of school buses, the upgrade or construction of multi-purpose/assembly rooms, educational support facilities, classrooms, lunch shelters, gyms and performing arts facilities, kitchens and similar projects both at current school sites and those which may be currently leased for other purposes and the refinancing of outstanding lease obligations or bridge loans to provide interim funding for projects. The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project. In the</p>

COMPLETE TEXT OF MEASURE K - Continued
<p>absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District may not be able to complete some of the projects listed above. 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 are finalized, construction bids 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 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 enhanced and operationally efficient campuses. Necessary site preparation/restoration and landscaping, 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, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property.</p> <p>Bond proceeds shall be expended only for the specific purposes identified herein. 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 the bond projects. 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.</p> <p><b>FISCAL ACCOUNTABILITY:</b> IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF TRUSTEES 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 MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. 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.</p> <p><b>NO ADMINISTRATOR SALARIES:</b> 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.</p>

TAX RATE STATEMENT CONCERNING MEASURE K
<p><b>TAX RATE STATEMENT REGARDING PROPOSED \$55,000,000 MORELAND ELEMENTARY SCHOOL DISTRICT GENERAL OBLIGATION BONDS</b></p> <p>An election will be held in the Moreland Elementary School District (the "District") on November 2, 2010, to authorize the sale of up to \$55,000,000 in bonds of the District to finance projects as described in the measure. Such bonds will be issued to not increase the estimated tax rate above previously authorized levels. All principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California. Such information is based upon the best estimates and projections presently available from official sources, upon experience within the District, and other demonstrable factors.</p> <p>Based upon the foregoing and projections of the District's assessed valuation, and assuming the entire debt service will be paid through property taxation:</p> <ol style="list-style-type: none"><li>The tax rates associated with the 2010 Bond Authorization when combined with the District's outstanding general obligation bond issues, are estimated not to increase the tax rate above the \$65.70 per \$100,000 of assessed value previously approved by voters at the March 5, 2002 bond election.</li><li>The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on projections of assessed valuations, is \$.00 per \$100 (\$0.00 per \$100,000) of assessed value for the fiscal year 2011-2012.</li><li>The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on projections of assessed valuations, is \$.00 per \$100 (\$0.00 per \$100,000) of assessed value for the fiscal year 2020-2021.</li><li>The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on projections of assessed valuations, is \$.03 per \$100 (\$30.00 per \$100,000) of assessed value in fiscal year 2032-2033.</li></ol> <p>Voters should note the estimated tax rate is based on the ASSESSED VALUE of taxable property on the County's official tax rolls, not on the property's market value. In addition, taxpayers eligible for a property tax exemption, such as the homeowner's exemption, will be taxed at a lower effective tax rate than described above. Certain taxpayers may also be eligible to postpone payment of taxes. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.</p> <p>The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to</p>

TAX RATE STATEMENT - Continued
<p>variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The date of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of sale. Actual future assessed valuations will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.</p> <p>/s/ Glen Ishiwata Superintendent Moreland Elementary School District</p>

ARGUMENT IN FAVOR OF MEASURE K
<p>Vote YES on K to continue high quality education in neighborhood schools <u>without increasing voter-approved tax rates</u>. Great local schools are part of what makes this community a desirable place to live, protecting high property values.</p> <p>With great academic programs and highly qualified teachers, local elementary and middle school students in Moreland Elementary School District achieve excellent scores on statewide exams every year.</p> <p>To continue this success, classrooms and science labs require upgrades to provide a safe and modern teaching and learning environment. Additionally, students require updated computer learning technology for a strong 21<sup>st</sup> century education.</p> <p>Continuing high quality education depends on attracting and retaining qualified teachers. Updating local classrooms will ensure our schools continue to attract the best and brightest.</p> <p>Measure K will also invest in energy efficiency and water conservation to save our schools over \$300,000 annually. With ongoing state budget cuts to education, this long-term cost savings will help retain teachers and protect educational programs.</p> <p>Even better, every penny of Measure K will stay right here in our community and cannot be taken away by the state.</p> <p>Vote YES on K.</p> <ul style="list-style-type: none"><li>Provide updated classrooms to retain and attract top teachers</li><li>Complete the renovation of science labs and provide updated science equipment</li><li>Update computer learning technology</li><li>Improve classroom access for students and teachers with disabilities</li><li>Save our schools over \$300,000 annually by investing in water conservation and energy saving renovations</li></ul> <p>Measure K is fiscally sound.</p> <ul style="list-style-type: none"><li><u>No new taxes</u>—Measure K will not increase voter-approved tax rates</li><li>Allows our schools to maximize state and federal matching funds that would not otherwise be available</li><li>Citizen oversight and independent audits will ensure funds are used appropriately</li><li>No funds for administrators' salaries</li></ul>



ARGUMENT IN FAVOR OF MEASURE K - Continued	REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE K
Please join local leaders, teachers, parents and senior citizens—vote YES on K to continue high quality education in our community.	The \$55 million the Moreland School District wants to borrow must be paid back <u>with interest</u> . Like a home mortgage, the real cost of this bond measure, once interest and principal are paid off, <u>could be \$110 million or more</u> .
/s/ Loretta M. Carter Retired, 17-year Moreland Resident	Why hasn't the Moreland School District made these important repairs (classrooms and equipment, etc.) from their ongoing budgets just like you do for your home or business? If these proposed improvements and repairs are so important, why were they ignored in their annual budgets?
/s/ Nick Perusina Retired Commander Santa Clara County Sheriff's Office	Clearly, everything in their current budget is more important than the projects they are proposing in this bond measure. Budgets are a matter of setting priorities. The board has set its priorities already and they clearly aren't including water conservation or energy savings, etc. Otherwise, those projects would be in their current budget.
/s/ Cathie Watson-Short Moreland District Parent	The \$55 million bond measure divided by the number of students in the district (4,150) is \$13,253 per student, not including interest payments, which doubles the amount. For a small fraction of that amount, they could buy every student a \$600 laptop computer.
/s/ John H. Nickel CEO of Thresher Communication & Productivity	Make your vote count. Remember, we don't have the normal safeguard of requiring a two-thirds vote to pass this bond measure. The Tax and Spenders are counting on you not to vote. We must have 45% to keep the Franklin-McKinley School District accountable.
/s/ Steven M. Lewis Moreland Middle School Teacher	You can be FOR schools, FOR students, and AGAINST Measure K.
	Please vote NO to insure fiscal responsibility.
	Please visit <a href="http://www.SVTaxpayers.org">www.SVTaxpayers.org</a> .
	/s/ Douglas A. McNea President, Silicon Valley Taxpayers' Association
	/s/ Brian S. Darby Chair, Libertarian Party of Santa Clara County

ARGUMENT AGAINST MEASURE K	REBUTTAL TO ARGUMENT AGAINST MEASURE K
The \$55 million that Moreland School District wants to borrow must be paid back <u>with interest</u> . The money to pay off this debt comes from future school budgets and ultimately from you, the taxpayer. Like a home mortgage, <u>the real cost of Measure K</u> , once interest and principal are paid off, <u>could be \$110 million or more</u> . Let's get our priorities straight: help the economy recover by reducing taxes, not by adding more debt. This will serve our children better in the long run.	Measure K's opponents don't live in our neighborhoods and don't understand the importance of protecting the high quality education and updated classrooms local students require to succeed.
Why haven't they made these important repairs (like repairing classrooms and equipment, and keeping fire & security systems up to date) from their on-going budgets just like you do for your home or business? <u>If these proposed improvements and repairs are so important, why are they missing from their annual budget?</u>	Measure K supporters care about providing a first-rate education for local elementary and middle school students, as well as retaining local teachers. By updating classrooms and providing 21 <sup>st</sup> century technology, Measure K will give teachers the tools they need to provide the best education for their students and make our schools desirable places to work.
Budgets are a matter of setting priorities. Clearly, everything in their current budget is more important than the projects they want funded by this bond issue. And clearly, they've been ignoring important needs. Otherwise, those items would be in their current budget.	We all know that our great neighborhood schools maintain strong, safe communities and high property values.
We should use the annual budget to pay for teachers and make important repairs as needed. Vote NO and <u>tell the District that your priorities are students, teachers, and basic, working facilities for learning</u> --not a bloated administration/bureaucracy.	The truth is, Measure K is the only way to upgrade local schools. With ongoing state budget cuts to education, there is no other source of funding available to complete necessary upgrades for our schools and provide the technology needed for a competitive education.
Make your vote count. Remember, we don't have the normal safeguard of requiring a two-thirds' vote to pass school bond measures-- it only takes 55%. We must have 45% to keep the Moreland School District accountable. <u>The tax-and-spenders are counting on you not to vote!</u> And don't be fooled by the phony "citizen oversight" the district board gets to hand-pick.	In fact, the savings from Measure K energy efficiency upgrades will go back into the classroom to help support teachers and protect educational programs—the keys to academic success.
You can be FOR schools, FOR students, and AGAINST Measure K.	<b>And, Measure K will not increase current, voter approved tax rates.</b>
VOTE NO ON MEASURE K!	We are proud that our schools operate with a lean administrative budget. By law, Measure K funds cannot be used for administrators' salaries.
For more information, visit <a href="http://www.SVTaxpayers.org">http://www.SVTaxpayers.org</a> .	Annual audits and citizen oversight by taxpayers and local residents are legally required, providing the fiscal accountability needed to ensure all funds are used to upgrade our schools and continue to improve education in our neighborhoods.
/s/ Douglas A. McNea President, Silicon Valley Taxpayers' Association	Please join us—vote Yes on Measure K.
/s/ Brian S. Darby Chair, Libertarian Party of Santa Clara County	/s/ Warren Campbell President San Tomas West Neighborhood Association
	/s/ Mack A. Johansen Treasurer, Blackford Neighborhood Action Coalition
	/s/ Patty Brooks Recipient Of The 2010 San Jose Mayor's Good Neighbor Award
	/s/ Sandra Kast Black Moreland School District Parent
	/s/ Sarah Flanders Moreland Middle School teacher