

MEASURE U

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE U

The Board of Trustees ("Board") of the San Benito High School District has placed Measure U on the ballot, asking voters to approve the issuance and selling of school bonds in order to raise money that would go towards improving, upgrading, and renovating San Benito High School

The bonds would be general obligation bonds in an amount not to exceed \$60,000,000. The Board will establish an Independent Citizen Oversight Committee, an annual performance audit will be conducted, an annual financial audit will be conducted and no money will be spent on administrator's salaries, and all revenue will be deposited in a separate account with annual report. The money raised from the sale of the bonds may only be used for the projects on the project list, including but not limited to:

- Upgrade and make safety repairs to classrooms, science laboratories and other school facilities
- Upgrade classrooms and facilities to ensure all students can access them
- Improve access for students with disabilities
- Upgrade earthquake/fire safety systems
- Remove asbestos and other hazardous materials from campus buildings
- Construct/improve physical education facilities
- Add classrooms to accommodate student enrollment growth
- Complete visual and performing arts facility
- Technology improvements
- Upgrade/replace computers, hardware, wifi and software systems

The Measure would allow the Board to sell the bonds in multiple series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property located within the School District. It is estimated the bonds would require taxes to be levied at \$30 per \$100,000 of assessed value during the fiscal years in 2017-18. If all bonds permitted by this measure are issued and sold it is estimated the principal and interest that would be required to be repaid is \$135,000,000.

A "Yes" vote is a vote to approve the issuance and selling of \$60,000,000 in bonds.

A "No" vote is a vote against the issuance and selling of \$60,000,000 in bonds.

Measure U would be approved, and the bonds would issue, if it receives a Yes vote by 55% of the voters.

/s/ Barbara Thompson
Assistant County Counsel

COMPLETE TEXT OF MEASURE U

EXHIBIT B

SAN BENITO HIGH SCHOOL DISTRICT BOND PROPOSITION FULL BALLOT TEXT

By approval of this proposition by at least 55% of the registered voters voting thereon, the San Benito High School District shall be authorized to issue and sell bonds of up to \$60 million in aggregate principal amount to provide financing for the specific school facilities projects listed below in the Bond Project List, subject to all of the accountability safeguards specified herein.

KEY FINDINGS

The San Benito High School District ("District") has served the community for well over a hundred years. The success of San Benito students is a direct reflection of the great teachers, staff and leadership, challenging academics, and strong community support they receive.

The District has made considerable progress in repairing, upgrading and improving our local high school over the past several years. San Benito High School is more accessible to all students and has upgraded instructional technology, improved student safety and repaired some of the aging school facilities. Despite the significant progress that has been made, there is still work that needs to be completed to ensure local students are ready for college and careers. San Benito High School has an urgent need for up-to-date science classrooms, additional classrooms to reduce overcrowding and accessibility improvements to ensure all students, including those with disabilities, have access to a high-quality education.

The District is committed to continuing a strong educational program for the students it serves, and to attracting and retaining quality staff by providing safe and secure schools that are equipped to support changing educational needs, methods and standards. The Board of Trustees, acknowledging the significant benefit that the Measure G bond program has provided for District students, desires to build upon this success by raising additional funds to address the following needs, as described further herein:

- upgrading science, math and technology classrooms to ensure students are prepared to meet the rigorous standards for college entrance;
- adding twenty-first century instructional and vocational technology to classrooms and labs to help prepare students for future careers;
- renovating existing facilities or constructing additional classrooms to address school overcrowding
- upgrading school facilities for improved student safety and security, and improving access for students with disabilities.

ACCOUNTABILITY MEASURES

The provisions in this section are included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific facilities needs of the District,

COMPLETE TEXT OF MEASURE U-Continued

all 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 section 15264 *et seq.* of the California Education Code).

Evaluation of Needs. The Board of Trustees has evaluated the facilities needs of the District, and determined which projects to finance from a local bond measure at this time. The Board of Trustees hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Independent Citizens' Oversight Committee. The Board of Trustees shall establish an independent Citizens' Oversight Committee to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date when the Board of Trustees enters the results of the election in its minutes.

Annual Performance Audit. The Board of Trustees shall conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List.

Annual Financial Audit. The Board of Trustees shall conduct or cause to be conducted an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects described in the Bond Project List.

Annual Report to Board. Upon approval of this measure and the sale of any bonds approved, the Board of Trustees shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent shall cause a report to be filed with the Board of Trustees no later than January 1 of each year, commencing January 1, 2017, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

BOND PROJECT LIST

This Bond Project List, which is an integral part of this proposition, describes the specific projects the District proposes to finance with proceeds of the bonds.

Proceeds from the sale of bonds authorized by this measure shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and **not** for any other purpose, including teacher and administrator salaries and other school operating expenses.

In order to meet all identified facility needs, the District intends to complete the following projects using a combination of funding sources. Other anticipated sources may include joint-use funds, development impact fees, state funds, and other available funds. The District will pursue state matching funds if and when they become available, and if received, they will be used for and mainly applied to projects on the Bond Project List or other high priority capital outlay expenditures as permitted in Education

COMPLETE TEXT OF MEASURE U-Continued

Code section 17070.63(c). Although the District will pursue additional funds, no project is dependent on the receipt of additional funds.

Specific projects to be funded by the bond measure may include, without limitation, and in no particular order, the following:

Category 1: Basic Upgrades to Keep Schools Safe, Clean, and Well Maintained and to Improve Access to Educational Opportunities

Goal and Purpose: To provide clean, safe and well maintained facilities that support educational programs and improved school site safety, as follows:

- Upgrade and perform essential safety repairs and improvements on classrooms, science laboratories, and other school and physical education facilities;
- Upgrade classrooms and school facilities to ensure all students can access modern classrooms and educational tools;
- Improve access for students with disabilities and ensure ADA compliance on campus;
- Upgrade earthquake and fire safety systems and fire alarms and install emergency communications systems;
- Remove asbestos and any similar substances throughout campus buildings;
- Replace outdated electrical systems and wiring to improve efficiency and safety;
- Renovate, repair, paint and improve school campuses and grounds;
- Acquire and install energy efficiency systems, such as solar energy equipment, to reduce energy/utility costs and return savings to educational programs; and
- Construct, improve or renovate physical education facilities if needed for student welfare, community use and/or to accommodate other school improvements.

Category 2: Preparing Our Students for the 21st Century with Classroom and Facility Upgrades and Improved Technology

Goal and Purpose: To provide our teachers and students with facilities that support current teaching and learning tools, and to prepare students for college and careers:

- Add classrooms to accommodate student enrollment growth and to ensure adequate teaching space for college-preparatory courses;
- Construct or reconfigure existing classrooms to meet special education program needs;
- Complete visual and performing arts facility;
- Modernize and upgrade existing classrooms for technology improvements;
- Remove, replace or repurpose old buildings, facilities and classrooms;
- Upgrade and improve science labs;
- Add, upgrade and replace computers, hardware, wifi and software systems; and
- Add, upgrade and replace classroom instructional equipment

COMPLETE TEXT OF MEASURE U-Continued

Listed projects, repairs, improvements, rehabilitation projects and upgrades will be completed only as needed, and the listing of projects does not imply a particular prioritization among such improvements. Projects may be done in phases, based on Board of Education priorities. Listed projects may be completed at any and all buildings where such project is determined necessary. Decisions regarding the scope, timing, prioritization or other facets of project implementation will be made solely by the Board of Trustees by subsequent action. Where terms such as "renovate," "upgrade," "repurpose" and "improve" are used in the Bond Project List, the Board of Trustees shall determine the best method for accomplishing the project's objective. For any listed project involving renovation or modernization of a building or the major portion of a building, the District may proceed with new replacement construction instead (including any necessary demolition), if the District determines that replacement and new construction is more practical than renovation, considering the building's age, condition, expected remaining life, comparative cost, and other relevant factors. In addition, where feasible, projects may be completed in partnership with other agencies on a joint use basis using bond proceeds.

Each project is assumed to include its share of costs of bond issuance, architectural, engineering, and similar planning costs, construction management, bond project staff and consultants, staff development and training expenses associated with learning construction techniques and approaches, new bond-funded equipment and systems, and a customary contingency for unforeseen design and construction costs. In addition to the projects listed above, the Bond Project List also includes payment of the costs of preparation of all facilities planning and project implementation studies, feasibility and assessment reviews, master planning, environmental studies, permit and inspection fees, and temporary housing and relocation costs for dislocated programs or activities caused or necessitated by construction projects.

The final cost of each project will be determined as plans are finalized 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. Necessary site preparation/grading/restoration may occur in connection with new construction, modernization, 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, leases, licenses, or rights of way to the property.

ADDITIONAL SPECIFICATIONS

No Administrator Salaries. Proceeds from the sale of Bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Section 15100 of the California Education Code, and all the enumerated purposes shall constitute the specific single purpose of the bonds and proceeds of the bonds shall be spent only for such purpose.

COMPLETE TEXT OF MEASURE U-Continued

Other Terms of the Bonds. The bonds may be issued and sold in several series, and in accordance with a financing plan determined by the Board of Trustees pursuant to requirements of law. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum and with a maximum term not exceeding the statutory maximum, provided that the weighted average maturity bonds sold will not exceed one hundred twenty percent (120%) of the average life of the projects being financed or as otherwise provided by federal tax law. Bond funds may be used to reimburse the District for Bond Project list expenditures incurred prior to the election and bond issuance, in accordance with federal tax law.

TAX RATE STATEMENT

EXHIBIT C

TAX RATE STATEMENT

An election will be held within the boundaries of San Benito High School District ("School District") on November 8, 2016 to authorize the sale of up to \$60,000,000 in bonds to finance facilities as described in the proposition. If the bonds are approved, the School District expects to sell the bonds in multiple series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property located within the School District. The following information is provided in compliance with Sections 9400-9404 of the California Elections Code.

1. 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 estimated assessed valuations available at the time of filing of this statement, is \$.030 cents per \$100 (\$30 per \$100,000) of assessed valuation in fiscal year 2017-18.
2. 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 estimated assessed valuations available at the time of filing of this statement, is \$.030 cents per \$100 (\$30 per \$100,000) of assessed valuation in fiscal year 2023-24.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is \$.030 cents per \$100 (\$30 per \$100,000) of assessed valuation in fiscal year 2017-18.
4. The best estimate of total debt service, including principal and interest, which would be required to be repaid if all the bonds are issued and sold, is approximately \$135,000,000.

Voters should note that the estimated tax rate is based on the ASSESSED VALUE of taxable property in the school district on the official tax rolls of the County of San Benito and County of Santa Clara, not on the property's market value, which could be more or less than the assessed value. 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, and certain taxpayers may be eligible for a postponement of their property taxes. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the School District's projections and estimates only, which are not binding upon the School District. The actual tax rates, debt service and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold, market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the School 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 each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the School District as determined by the

TAX RATE STATEMENT-Continued

County Assessor of San Benito and Santa Clara counties in the annual assessment and the equalization process.

/s/ John Perales
Superintendent
August 2, 2016

ARGUMENT IN FAVOR OF MEASURE U

Vote YES on Measure U to improve San Benito High School and prepare students for future success!

San Benito High School has served our community for over 100 years. We have been good stewards of school facilities, maintaining and repairing them as needed. However, some classrooms are over 70 years old and need more than just continued maintenance and repair.

Measure U upgrades and adds the classrooms, science labs and school facilities needed to accommodate college-ready curriculum and reduce overcrowding so that all students receive an appropriate learning environment and the attention they deserve.

Measure U improves classrooms and labs to support career technical education and science programs, and to help develop computer science and sports medicine programs, giving local students the practical skills to prepare them for the real world.

Whether or not you have children in school, investing in our high school makes sense. By keeping our high school strong, we strengthen our entire community and improve the property value of our homes.

Measure U will:

- Improve classrooms and labs to provide job and career readiness programs and to prepare students for college
- Continue repairs to old plumbing and outdated electrical systems
- Improve school access for students with disabilities
- Remove asbestos, lead paint and other hazardous materials throughout campus buildings
- Provide additional classrooms to address overcrowding and continued growth
- Seismically retrofit buildings for earthquake safety

Measure U requires strict fiscal accountability:

- A project list detailing exactly how money will be used
- An independent Citizens' Oversight Committee and annual audits to ensure money is spent properly
- All money raised must stay local to support our students and cannot be taken away by the State
- No money can be used for administrators' salaries, benefits or pensions

ARGUMENT IN FAVOR OF MEASURE U-Continued

Join parents, teachers, elected leaders and business community in voting YES on Measure U!

/s/ Robert Rivas
San Benito County Board of Supervisors

/s/ Robert E. Bernosky
Regional Vice Chair California Republican Party

/s/ Mindy Sotelo
Baler Backers Athletic Org.

/s/ David Westrick
Chief of Police

/s/ Karson Klauer
Local Business Person/Hollister City Councilman

NO ARGUMENT AGAINST MEASURE U WAS SUBMITTED