

## SAN BENITO HIGH SCHOOL DISTRICT

### MEASURE L

To strengthen student safety by installing secure school entrances, fencing/cameras; to construct a multipurpose building/cafeteria for assembly, nutrition and healthy meals to support learning; and to install solar panels for clean energy and lower utility costs, shall the San Benito High School District measure authorizing \$30,000,000 in bonds at legal rates be adopted, levying approximately 1.3 cents per \$100 assessed value (\$1,650,000 annually) while bonds are outstanding, with citizen oversight, annual audits, and all funds staying local?

**BONDS—YES**  
**BONDS—NO**

### COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE L

The San Benito High School District ("District") Board of Trustees ("Board") placed Measure L on the ballot to authorize the issuance of Thirty Million Dollars (\$30,000,000.00) in bonds to finance construction, reconstruction, rehabilitation, or replacement of school facilities. Projects to be funded are specified on a District-approved bond project list, that is available for review with the full text of the measure, and those Projects may include but are not limited to:

- Installing advanced security features to ensure student safety, including new gate systems, security cameras, lighting, signage, and fencing.
- Constructing a new multi-purpose building with a student union and cafeteria to provide students and community members with a gathering space, create a common space for students to eat, study and collaborate, and provide space for the District's healthy meals program.
- Installing photovoltaic panels to generate clean energy and reduce utility costs.

Bonds are financial instruments used to borrow money with the principal and interest repaid by a property tax levy over the term of the bonds. By law, the maximum rate of interest on the bonds is eight percent (8%) and the maximum term is twenty-five (25) years. The actual interest rate on the bonds is determined by market rates at the time of issuance and sale. Bonds authorized by Measure L may be issued in a series over time as funds are needed for specific projects, so the duration of the tax needed to pay the bonds is dependent upon when the last series is issued. Some of the projects may require state matching funds for completion.

According to a tax rate statement prepared by the District, the estimated average annual tax needed to repay the principal and interest on the bonds would be one and three tenths cent (\$.013) per \$100 of assessed value (\$13.00 per \$100,000), generating \$1,650,000 annually. The estimated maximum tax rate is two cents (\$.02) per \$100 of assessed valuation (\$20 per \$100,000). The final fiscal year in which the tax is anticipated to be collected is 2049-50. The District estimates that the total amount repayable during the life of the bond, including principal and interest, will be approximately \$49,500,000.

Use of the bond proceeds is restricted to projects on the approved bond project list, and is subject to annual performance and financial audits, review by the Board, and oversight by an independent citizens' oversight committee. No administrator or teacher salaries may be paid from bond proceeds.

## COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE L-Continued

If fifty-five percent (55%) of all voters casting ballots in the District in both San Benito and Santa Clara Counties vote "Bonds—Yes" the bond issuance will be approved.

If less than fifty-five percent casting ballots vote "Bonds—Yes" the bond issue fails.

James R. Williams  
County Counsel, County of Santa Clara

By: Mary E. Hanna-Weir  
Deputy County Counsel

Approval of Measure L does not guarantee that the proposed project or projects in the San Benito High School District that are the subject of bonds under Measure L will be funded beyond the local revenues generated by Measure L. 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.

## COMPLETE TEXT OF MEASURE L

### 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 \$30 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.

#### SECTION I: 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.
- School safety and security is a high priority for the District and additional school improvements are needed in order to better secure the high school campus to ensure the safety of students.
- 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 a multi-use support space to allow for student and community gatherings, events, and performing arts as well as a central location for the student nutrition program.
- 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 and Measure U bond programs have provided for District students and the community, desires to build upon this success by raising additional funds to address the following needs, as described further herein:
  - install advanced security features to ensure student safety, including new gate systems, security cameras, lighting, signage, and fencing;
  - Construct a new multi-purpose building with a student union and cafeteria to provide students and community members with a gathering space, create a common space for students to eat, study and collaborate, and provide space for the District's healthy meals program; and
  - Install photovoltaic panels to generate clean energy and reduce utility costs.

## COMPLETE TEXT OF MEASURE L-Continued

### SECTION II: 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, 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' Bond Oversight Committee.** The Board of Trustees shall establish or empower an existing 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 or empowered 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 on the first January 1 after bonds have been issued and proceeds spent, stating (1) the amount of bond proceeds received and expended in the past year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the 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.

### SECTION III: BOND PROJECT LIST

This Bond Project List, which is an integral part of this measure, describes the projects the District proposes to finance with proceeds of the bonds. All information contained within this "Section III: Bond Project List" (hereinafter "Bond Project List") comprises the list and description of permissible projects and expenses that may be paid from bond proceeds.

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

## COMPLETE TEXT OF MEASURE L-Continued

lease of real property for said school facilities, and **not** for any other purpose, including teacher or 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 Code section 17070.63(c) or as otherwise permitted by law and regulation.

While the District has budgeted to complete specific projects, due to potential cost escalation, unforeseen conditions, and other factors, placement of a project on the Bond Project List is not a guarantee that every project listed will be completed. Furthermore, while no specific project is dependent on the receipt of state funding for completion, approval of this measure does not guarantee that all projects on this Bond Project List at all listed sites will be funded beyond the local revenues generated by this measure. The District's proposal for the projects assumes the receipt of some state matching funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

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

### **Category 1: Projects to Enhance 21<sup>st</sup> Century Learning Environments and Foster Collaboration, Group Learning, and Building Community**

- Abate and demolish old career technical education ("CTE") building to allow for the construction of a new multi-purpose building.
- Construct new multi-purpose building with a student union, cafeteria, restrooms and student quad with outdoor amphitheater, seating, drought-tolerant landscaping, and features to promote assemblies and gatherings.
- Demolish maintenance and operations building to improve safety and circulation of students on campus; relocate and reconstruct maintenance, operations and transportation building, including shop and warehouse building, bus and District vehicle parking and yard, including charging stations for electric school buses, and fencing.
- Demolish old, unused portable classrooms.

### **Category 2: Projects to Improve Student and Campus Safety and Security**

- Install or replace safety and security systems, which may include, without limitation, installation of door locks, controlled access systems, fencing, gates, signage, and security cameras.

## COMPLETE TEXT OF MEASURE L-Continued

### **Category 3: Projects to Modernize Utility Infrastructure and Install Energy Efficiency Systems**

- Install new solar photovoltaic panels and energy efficiency systems to generate clean energy and reduce utility costs.

Listed projects, repairs, improvements, rehabilitation projects and upgrades will be completed as needed. Projects may be done in phases, based on Board of Trustees' priorities. 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," "modernize," "upgrade," and "improve" are used in the Bond Project List, the Board of Trustees has the discretion to 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 and building relocation), 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 public or private agencies on a joint use basis using bond proceeds, subject to federal tax rules and regulations.

Each project is assumed to include its share of costs of bond issuance, architectural, engineering, legal and similar planning costs, construction management, bond project staff and consultants, staff development and training expenses associated with learning construction techniques and approaches and new bond-funded equipment and systems, the furnishing and equipping of all projects, including equipment to maintain facilities in a safe and clean condition, and a customary contingency for unforeseen design and construction costs. Payment of the costs of preparation of facilities planning and project implementation studies, feasibility and assessment reviews, master planning, environmental studies, permit and inspection fees, Division of State Architect (DSA)-related requirements, studies and assessments, including ADA and seismic, and temporary housing and relocation costs for dislocated programs or activities caused or necessitated by projects on the Bond Project List are permissible bond expenditures.

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 or restoration may occur in connection with acquisition of property, new construction, modernization, renovation or remodeling, or installation or removal of modular classrooms, 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.

## **SECTION IV: 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

## COMPLETE TEXT OF MEASURE L-Continued

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.

**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 and with a term not exceeding the statutory maximum. Furthermore, the weighted average maturity of each issue of bonds will not exceed 120 percent (120%) of the average reasonably expected economic life of the projects financed by the bonds, consistent with 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.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District, nor are the summary estimates, if any, provided in the Ballot Label. 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 and 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 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 District as determined by the County Assessor in the annual assessment and the equalization process.

In preparing this information, the District obtained reasonable and informed projections of assessed property valuations that took into consideration projections of assessed property valuations made by the County Assessor, if any, in accordance with Education Code Section 15100(c)

## TAX RATE STATEMENT

An election will be held within the boundaries of the San Benito High School District ("District") on March 3, 2020 to authorize the sale of up to \$30,000,000 in general obligation bonds. If the bonds are approved, the 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 District. The following information is provided in compliance with Sections 9400 to 9404, inclusive, of the California Elections Code.

1. The best estimate from official sources of the average annual tax rate that would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of the election or a projection based on experience within the same jurisdiction or other demonstrable factors, is estimated to be 1.3 cents per \$100 (\$13.00 per \$100,000). The final fiscal year in which the tax is anticipated to be collected is 2049-50.

2. The best estimate from official sources of the highest tax rate that would be required to be levied to fund this bond issue, based on assessed valuations available at the time of filing this statement or a projection based on experience within the same jurisdiction or other demonstrable factors, is estimated to be 2.0 cents per \$100 (\$20 per \$100,000) of assessed valuation, which is projected to be the same in every fiscal year that the bonds remain outstanding.

3. 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 \$49,500,000, considering the assumptions set forth in sub-paragraphs (1) and (2) above. This estimate results in a debt service ratio of 1.65 to 1, which is less than the maximum ratio of 4.0 to 1 allowed by Education Code Section 15144.1.

If the bonds are approved, the duration of the tax levy shall continue until final payment of all bonds issued pursuant to the authorization. The tax shall be levied in an amount each year sufficient to pay the principal of and interest on all outstanding bonds issued pursuant to the authorization. Voters should note that the estimated tax rate is based on the ASSESSED VALUE of taxable property on the Santa Benito County and Santa Clara County 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.

Attention of all voters is directed to the fact that while the foregoing information includes conservative projections and estimates of assessed value, market interest rates, and the timing and amount of bonds issued in the future, the District will only issue bonds if the tax rate is at or below the maximum set forth above. The County Assessor is responsible for determining assessed value, the San Benito County and Santa Clara County Auditor-Controllers are responsible for setting tax rates, and the San Benito County and Santa Clara County Treasurer-Tax Collectors are responsible for the collection of taxes. The actual tax rates may vary over time based on changes in assessed value, and actual debt service may vary based on market interest rates and the timing of when the bonds are issued. The dates 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 bond market conditions at the time of each sale. Actual future assessed valuation will depend upon the amount and value of

## TAX RATE STATEMENT-Continued

taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process. The District is responsible for the timing and amount of bonds to be issued, which the District will only undertake if tax rates meet the parameters set forth in the above tax rate statement.

Shawn Tennenbaum  
Superintendent  
November 12, 2019

## ARGUMENT IN FAVOR OF MEASURE L

**Vote YES on Measure L to provide students with a safe and healthy learning environment.**

Measure L will allow San Benito High School District (SBHSD) to complete the final phase of its facility master plan by improving campus safety and provide a multi-functional and energy-efficient space that will include a centralized cafeteria, serving area, and indoor/outdoor areas for meetings, student activities and community events. Measure L will expand safety measures to provide a safe haven for the campus community to interact in a central location.

San Benito High School is an award-winning school providing high-quality education to students in our community. SBHSD has stewarded voter-approved bond resources to maintain fiscal solvency, maximize state funding, and stretch every dollar through planning and efficiency measures. SBHSD has constructed state-of-the-art classrooms and learning environments to educate all students to their greatest potential upon graduation.

**Measure L will complete the commitment to our community's students by providing the following final phase improvements:**

- Installation of updated safety and security measures including controlled access systems, fencing, gates and signage, to promote a safe environment for all faculty, staff, students and the community.
- Construction of a multi-purpose building to include a student union, cafeteria, and student quad area to promote assemblies and campus gatherings.
- Modernization of utility infrastructure by installing energy efficiency and solar systems that will reduce costs to SBHSD.

**Our community thrives when it can educate and retain people from within the area:**

- Investing in SBHSD's 100-year legacy to the community will ensure that future generations will continue to benefit.
- No other funding exists to make these critically-needed improvements.
- A safe and healthy learning environment is crucial to student peace of mind and success.

## ARGUMENT IN FAVOR OF MEASURE L-Continued

Please invest in our students' safety, health and well-being. Vote YES on Measure L.

Mark Krause  
President, San Benito High School Teachers Association (SBHSTA)

Mary Damm  
President of the San Benito High School Citizens Oversight Committee

Richard Perez  
President San Benito County League of United Latin American Citizens (LULAC)

Eric Taylor  
Captain, San Benito County Sheriff

William G. Tiffany  
Former San Benito High School District Trustee

## REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE L

How greedy can you get?

Just 6 years ago, voters approved \$42,500,000 in bond debt to "improve school safety" and in 2016 \$60,000,000 in additional debt and "improve access for persons with disabilities" and "repair outdated electrical systems".

Now they want \$30,000,000 to do the same thing all over again???

Do classrooms really need to be upgraded every four years?

Have they even spent the \$42,500,000 from the 2014 bond measure or the \$60,000,000 from 2016?

If not, why are they asking for more of your hard-earned tax dollars?

Budgets set priorities. San Benito High School District is **saying every educational dollar spent today is going to something they consider a higher priority than "student safety"**.

Do you agree?

Proponents say the District is providing "high-quality education". Is that true?

The website: [www.ed-data.org](http://www.ed-data.org) shows the following academic information:

- 2017-18 school year 45.92% are below grade level for English
- 2017-18 school year 67.77% are below grade level for math

The District wants a \$60,000,000 reward for failing students in both English and Math.

Do you agree?

As a taxpayer, you deserved to know the full truth about measure L.

**If you value children's education, health and safety more than funding tax free shelters for bond funds and big banks, then vote NO on Measure L.**

**If you value academic success and school maintenance more than making interest payments for 25-30 years, vote NO on Measure L.**

For more information: [www.svtaxpayers.org](http://www.svtaxpayers.org)

Mark W.A. Hinkle  
President: Silicon Valley Taxpayers Association

## ARGUMENT AGAINST MEASURE L

How greedy can you get?

Just 6 years ago, voters approved \$42,500,000 in bond debt to "improve school safety" and in 2016 \$60,000,000 in additional debt and "improve access for persons with disabilities" and "repair outdated electrical systems".

Now they want \$30,000,000 to do the same thing all over again???

Do classrooms really need to be upgraded every four years?

Have they even spent the \$42,500,000 from the 2014 bond measure or the \$60,000,000 from 2016?

If not, why are they asking for more of your hard-earned tax dollars?

When school boards put bond measures like **Measure L** before the voters, they are admitting that everything they are currently spending your tax dollars on now is more important than the projects for which this tax increase is being sought.

Budgets set priorities. San Benito High School District is **saying every educational dollar spent today is going to something they consider a higher priority than "student safety"**.

Do you agree?

The website: [www.ed-data.org](http://www.ed-data.org) shows at least 3,066 students in the district, which means this bond expense is \$9,784 per student on top of the \$14,579 per student expense from the 2014 bond measure and \$19,933 per student from the 2016 bond and that's not counting interest costs and repayment of principal.

As a taxpayer, you deserved to know the full truth about measure L.

**If you value children's health and safety more than funding tax free shelters for bond funds and big banks, then vote NO on Measure L.**

**If you value school maintenance more than making interest payments for 25-30 years, vote NO on Measure L.**

For more information: [www.svtaxpayers.org](http://www.svtaxpayers.org)

Mark W.A. Hinkle  
President: Silicon Valley Taxpayers Association

**NO REBUTTAL TO ARGUMENT AGAINST MEASURE L WAS SUBMITTED**