

OAK GROVE SCHOOL DISTRICT MEASURE P

To modernize classrooms, increase student access to technology, upgrade science labs, make school safety and security improvements at all sites, improve support facilities, and provide a local match for State grants, shall Oak Grove School District's measure to issue \$236,000,000 in bonds at legal rates, raising on average \$13 million annually, with levies projected at 3 cents/\$100 of assessed valuation, with citizen oversight, annual audits, no funds for administrator salaries, and all for local schools, be adopted?

BONDS—YES
BONDS—NO

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

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE P

California law permits school districts to issue bonds with the approval of 55 percent of the voters. Such bonds may only be used for 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. These bonds are required to be paid by the levy of *ad valorem* taxes—a tax on the assessed value of property within a district.

The Board of Trustees (Board) of the Oak Grove School District (District) proposes to issue such bonds in the amount of up to \$236 million for the purposes of modernizing classrooms, increasing student access to technology, upgrading science labs, making school safety and security improvements at all sites, improving support facilities, and providing a local match for State grants.

As identified in the measure, projects may include but are not limited to:

- Modernize, upgrade, and reconfigure classrooms, science labs, restrooms, common areas, buildings, and school support facilities including libraries and multipurpose rooms.
- Upgrade, acquire and install technology equipment, fixtures, and infrastructure.
- Acquire, improve and install security systems, networks, fixtures, infrastructure, and equipment including fencing, security gates, access controls, exterior lighting, fire detection and suppression, alarm, video surveillance, emergency and communication systems.
- Replace, upgrade, install, or repair building systems, equipment, and infrastructure, including heating, ventilation and cooling, plumbing, and energy management.
- Renovate, upgrade, construct, acquire, and install and improve play areas, play fields, physical education and athletic performance spaces.
- Reconfigure, renovate, resurface, improve, and expand roads, sidewalks, pathways, walkways, driveways, paved areas, parking lots and pick-up/drop-off areas, including landscaping and irrigation.
- Acquire, construct, expand and replace classrooms, including transitional kindergarten and kindergarten classrooms.

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE P-Continued

Project costs include the costs of furnishing and equipping facilities, and all costs that are incidental, but directly related, to the types of projects described in the measure.

The Board has certified that it has evaluated safety, class size reduction, and information technology needs in developing its project list.

Under the California Constitution, these bond funds cannot be used for teacher and administrator salaries or other school operating expenses. The District also must conduct independent annual performance and financial audits. State law requires the District to have an independent citizens' oversight committee to help make sure bond funds are spent only for projects included in the measure.

The District's stated best estimate of the highest tax rate to be levied to repay the proposed bonds is \$30 per \$100,000 of assessed value. The District estimates that the total debt service during the life of the bond, including principal and interest, will be approximately \$460,056,362.

Measure P was placed on the ballot by the Board.

A "yes" vote is a vote to authorize the issuance of the bonds in the amount of up to \$236 million to be secured by the levy of *ad valorem* taxes on property located within the District.

A "no" vote is a vote to not authorize the issuance of the bonds.

James R. Williams
County Counsel

By: Mary E. Hanna-Weir
Deputy County Counsel

COMPLETE TEXT OF MEASURE P

FULL TEXT OF BOND MEASURE FOR OAK GROVE SCHOOL DISTRICT

INTRODUCTION

The following is the abbreviated form of the bond measure:

"To modernize classrooms, increase student access to technology, upgrade science labs, make school safety and security improvements at all sites, improve support facilities, and provide a local match for State grants, shall Oak Grove School District's measure to issue \$236,000,000 in bonds at legal rates, raising on average \$13 million annually, with levies projected at 3 cents/\$100 of assessed valuation, with citizen oversight, annual audits, no funds for administrator salaries, and all for local schools, be adopted?"

BOND AUTHORIZATION

By approval of this Measure by at least 55 percent of the registered voters voting on the measure, the Oak Grove School District will be authorized to issue and sell bonds of up to \$236,000,000 in aggregate principal amount at interest rates not to exceed legal limits, and to provide financing for the specific types of 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. 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. Following approval of this measure, the School Board will establish an Independent Citizens' Oversight Committee, under Education Code Sections 15278 and following, to ensure bond proceeds are expended only on the types of 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 will conduct annual, independent performance audits to ensure that the bond proceeds have been expended only on the school facilities projects listed below.

Financial Audits. The School Board will conduct annual, independent financial audits 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

COMPLETE TEXT OF MEASURE P-Continued

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 Santa Clara 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 School Board 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 purposes specified in Article XIII A, Section 1(b)(3), those being for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and the acquisition or lease of 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 District's proposal for the project or projects described below may assume the receipt of matching state funds, which, if available, could be subject to appropriation by the Legislature or approval of a statewide bond measure.

INFORMATION ABOUT ESTIMATES AND PROJECTIONS INCLUDED IN BALLOT

Voters are informed that any estimates, averages or projections in the bond measure, ballot materials and ballot label, including relating to estimated or average tax rates, the duration or term of issued bonds and related tax levies and money raised annually from tax levies to repay issued bonds are provided as informational only. Such amounts are estimates and are not maximum amounts, caps or limitations on the terms of the bonds, the tax rates or duration of the tax supporting repayment of issued bonds. Such estimates depend on numerous variables which are subject to variation and change over the term of the District's overall facilities and bond financing plan, including but not limited to the amount of bonds issued and outstanding at any one time, the interest rates applicable to issued bonds, market conditions at the time of sale of the bonds, when bonds mature, timing of project needs and changes in assessed valuations in the District. However, estimates and approximations provided as part of this measure are based on information currently available to the District and its current expectations, and such estimates and approximations are not limitations or maximums on the terms of bond, durations or tax rates required to amortize issued bonds.

BOND PROJECT LIST

Scope of Projects. Bond proceeds will be expended on the Modernization, construction, reconstruction, or replacement of classrooms and school facilities of the Oak Grove School District, including furnishing and equipping of school facilities, and not for any

COMPLETE TEXT OF MEASURE P-Continued

other purpose, including teacher and administrator salaries or other school operating expenses, all in compliance with California Constitution Article XIII A, Section 1(b)(3). This measure authorizes bond projects to be undertaken at all District properties, sites and campuses.

Specific School Facility Project List. The items presented on the following list provide the types of school facilities projects authorized to be financed with voter-approved bond proceeds. Specific examples included on this list are not intended to limit the types of projects described and authorized by this measure. The following types of projects are authorized:

- **Modernizing, Upgrading and Reconfiguring Facilities:** Modernize, upgrade, and reconfigure classrooms, science labs, restrooms, common areas, buildings, and school support facilities including libraries and multipurpose rooms.
- **Improving Access to Modern Learning with Technology and Classroom Upgrades:** Upgrade, acquire and install technology equipment, fixtures, and infrastructure, including computers, mobile devices, interactive educational technology, audio/visual systems, digital projectors, document cameras, smartboards, computer science tools and equipment, monitors, 3D printers, copiers, scanners, announcement displays, and network equipment.
- **Furnishings and Equipment:** Furnish and equip classrooms and other school facilities, including the initial purchase and scheduled replacements and updates.
- **School Security and Life Safety Improvements:** Acquire, improve and install security systems, networks, fixtures, infrastructure, and equipment including fencing, security gates, access controls, exterior lighting, fire detection and suppression, alarm, video surveillance, emergency and communication systems.
- **Upgrades to Buildings and Infrastructure Including HVAC Systems:** Replace, upgrade, install, or repair building systems, equipment, and infrastructure, including heating, ventilation and cooling, plumbing, and energy management.
- **Upgrades to Outdoor Spaces for Learning, P.E. and Related Programs:** Renovate, upgrade, construct, acquire, and install and improve play areas, play fields, physical education and athletic performance spaces including shade structures, sitting areas, lighting and outdoor learning areas.
- **Site Exterior Improvements/Upgrades:** Reconfigure, renovate, resurface, improve, and expand roads, sidewalks, pathways, walkways, driveways, paved areas, parking lots and pick-up/drop-off areas, including landscaping and irrigation.
- **Classroom Expansion and Acquisition:** Acquire, construct, expand and replace classrooms, including the construction or acquisition of transitional kindergarten and kindergarten classrooms as mandated by the State.
- **Site Preparation and Restoration Projects:** Establish necessary onsite and offsite preparation or restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable

COMPLETE TEXT OF MEASURE P-Continued

buildings or other temporary buildings, including demolition of structures, installing irrigation, drainage, utility lines, trees and landscaping and relocating fire access roads or ingress/egress pathways.

- **Ensure Facilities Compliance with all Laws, Codes and Acts:** Acquire or construct other improvements required to comply with building codes, including seismic safety requirements, the Field Act, and access requirements and any rights-of-way, easements, licenses and real property made necessary, or lease of real property made necessary by the listed bond projects.

Furnishing and Equipping; Incidental Expenses. Each of the bond projects described in this Bond Project List include the costs of furnishing and equipping such facilities, and all costs which are incidental but directly related to the types of projects described above. Examples of incidental costs include, but are not limited to: costs of design, engineering, architect and other professional services, facilities assessments, inspections, site preparation, utilities, landscaping, construction management and other planning and permitting, legal, accounting and similar costs; independent annual financial and performance audits; a customary construction contingency; demolition and disposal of existing structures; the costs of interim/temporary housing and storage during construction including for materials and equipment and students and personnel, and including relocation and construction costs incurred relating to interim facilities; rental or construction of storage facilities and other space on an interim basis for materials and other equipment and furnishings displaced during construction; costs of relocating facilities and equipment as needed in connection with the projects; interim classrooms and facilities for students, administrators, and school functions, including modular and parking facilities; federal and state-mandated safety upgrades; addressing unforeseen conditions revealed by construction/modernization and other necessary improvements required to comply with existing building codes, including the Field Act and addressing plumbing or gas line breaks, dry rot, seismic needs and structural deficiencies; access requirements of the Americans with Disabilities Act and any other applicable acts, codes or regulations; costs of the election; bond issuance costs; and project administration during the duration of such projects, as permitted by law.

Alterations to Scope; New Construction. The scope and nature of any of the specific projects described above may be altered by the District as required by unforeseen conditions that may arise during the course of design and construction. In the event that a modernization or renovation project is more economical for or otherwise determined by the Board to be in the best interests of the District to be undertaken as new construction, this bond measure authorizes land acquisition, relocation and construction at a new or alternative site, and/or demolition and reconstruction and/or repurposing on the original site, including an expanded site, and all costs relating thereto. In addition, this measure authorizes the acquisition of real property, including necessary rights of ways or other real property interests, required to expand District facilities, to provide access to school or other District facilities, or to provide additional school or related facilities. This measure also authorizes the consolidation of schools into a single campus or related campuses.

Interim Financing Included; Joint Use Projects Authorized. In addition, authorized projects include reimbursements for paid project costs and paying and/or prepaying interim or previously obtained financing for the types of projects included on the project list, such as bond anticipation notes or lease financings including certificates of

COMPLETE TEXT OF MEASURE P-Continued

participation relating to projects and/or equipment previously financed or undertaken as gap financing. Finally, projects on this list may be undertaken and used as joint use projects with other public agencies.

Other Funding Sources; Bonding Capacity. Approval of the District's bond measure does not guarantee that all of the identified projects within this Bond Project List will be funded beyond what can be completed with funds generated by this bond measure. The District plans to pursue matching funds from the State of California, if available, to provide additional funding to complete certain of the identified facilities projects. In addition, the District will pursue a waiver of bonding capacity from the State Board of Education, if needed, to ensure that any proposed bond issuance is compliant with all applicable restrictions on bonding capacity.

Unforeseen Circumstances. Many factors which the District cannot predict or control may impact its ability to address each of the projects, including but not limited to construction cost issues, supply chain issues which can cause project delays, labor shortages, and unknown environmental factors or site conditions, among others. The District is unable to anticipate all unforeseen circumstances which may prevent some of the projects listed above from being undertaken or completed.

Project List Not in Order of Priority; Board Determines Prioritization. The order in which projects are listed in the foregoing Bond Project List does not suggest an order of priority. Project prioritization is vested in and will be determined by the District Board.

TAX RATE STATEMENT

TAX RATE STATEMENT REGARDING PROPOSED OAK GROVE SCHOOL DISTRICT GENERAL OBLIGATION BONDS

An election will be held in the Oak Grove School District (the "District") on November 8, 2022, to authorize the sale of up to \$236,000,000 in bonds of the District to finance school facilities as described in the measure. If such bonds are authorized and sold, principal and interest on the bonds will be payable only from the proceeds of *ad valorem* 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.

Based upon the foregoing and projections of the District's assessed valuation, the following information is provided:

1. The best estimate of the average annual tax rate which would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on a projection of assessed valuations available at the time of filing of this statement, is \$0.027 per \$100 of assessed valuation (or \$27 per \$100,000 of assessed value). The final fiscal year in which the tax is anticipated to be collected is 2049-50.
2. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on a projection of assessed valuations available at the time of filing of this statement, is \$0.030 per \$100 of assessed valuation (or \$30 per \$100,000 of assessed value). It is estimated that such rate would be levied starting in fiscal year 2045-46 and following.
3. The best estimate 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 is approximately \$460,056,362.

Voters should note the estimated tax rate is based on the assessed value (not market value) of taxable property on the County's official tax rolls. 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. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.

The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which amounts are not maximum amounts and are not binding upon the District. The actual debt service, tax rates and the years in which they will apply may vary from those used to provide the estimates set forth above, due to factors such as variations in the timing of bond sales, the par amount of bonds sold and market interest rates available at the time of each sale, actual assessed valuations over the term of the bonds, and other factors. The date and amount of bonds sold at any given time will be determined by the District based on the need for project funds and other considerations. The actual interest rates at which the bonds will be sold

TAX RATE STATEMENT-Continued

will depend on conditions in 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.

By: José L. Manzo
Superintendent
Oak Grove School District

ARGUMENT IN FAVOR OF MEASURE P

Quality schools improve neighborhood safety and the value of our homes. With seventeen of our schools having earned the prestigious California Distinguished School Award, Oak Grove School District is one of the top performing districts in the County.

While most schools are now over 50 years old, the District has effectively used prior voter-approved measures to repair and upgrade buildings to keep them safe and functioning. However, our classrooms, science labs, and other learning spaces have not kept pace with advances in learning and technology and must now be improved.

Measure "P" makes investments in modernizing and upgrading all classrooms, science and computer labs, and other learning spaces so our students get the world-class education they deserve. Measure "P" also provides equity across all schools, and improves student safety and security districtwide.

Because our residents struggle with rising costs, the District designed Measure "P" to NOT increase the tax rates for its bonds above current rates.

Measure "P" will:

- Modernize classrooms and improve student and teacher access to computers and modern technology to better prepare students for high school, college, and careers
- Improve student safety through classroom and school security enhancements including improved lighting, secure fencing, and controlled access to classrooms and school sites
- Upgrade science labs and construct learning spaces to support robotics, engineering, visual/performing arts, and STEAM education
- Provide facilities to support and enhance District education programs

Taxpayer Safeguards are in Place and Require:

- A citizens' oversight committee to protect taxpayer funds
- Annual independent audits on all Measure "P" expenditures
- No money for administrator salaries

Whether or not you have school-age children, Measure "P" is a critical investment in our community's future. Our children deserve to have high-quality classrooms and schools so that every student has the opportunity to succeed.

Carla Hernandez
Board President

Beija Gonzalez
Board Vice President

Mary Noel
Retired Board Member/Educator

Maria M. Medrano
District Advisory Committee President/Parent

Sergio Jimenez
City Councilmember

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE P

In 2020, voters rejected Oak Grove Elementary School District's (OGESD) "temporary" parcel tax of \$1,188.

Did OGESD hear your message: "**NO MORE TAXES!**"?

Clearly not, because they are diverting district funds to today's election, to impose on homeowners/renters a whopping \$236,000,000 debt—while **enrollment is steadily declining.***

California has an estimated \$97 billion surplus! Has OGESD sought its share of what California should distribute to schools?

Let 's check students' academic performance:

- **46.11% tested below grade level in English!**
- **53.68% tested below in math!***

(Those are 2018-19's results—the latest reported. Why aren't OGESD's 2020-21 results published? We suspect because they worsened while **children suffered learning loss during shutdowns.**)

Whether or not those illustrate being "among the best in the state," it isn't what OGESD children deserve.

Proponents boast: 17 schools won California Distinguished School Awards. Well... only three won since 2012; the others' last accolades were 1999-2006.

Following 2014's approval of the \$89,800,000 bond debt, OGESD seemed to neglect **their ONE JOB: delivering a quality education.**

Could that be why **enrollment is declining**? It's down 1,223 students (11.16%) since 2016-17.*

Parents know reward poor behavior; get more poor behavior.

Should voters and taxpayers reward OGESD when half its children lag in the vital subjects?

If not, please **vote NO.** Tell OGESD:

*Don't rest on your laurels. **Focus on academics**; don't come begging before there's **drastic academic improvement and cost cutting of nonessentials.***

Vote NO on Measure P.

More information: www.SVTaxpayers.org

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE P-Continued

* Source: www.Ed-Data.org

Joe Dehn

Chair: Libertarian Party of Santa Clara County

Mark W.A. Hinkle

President: Silicon Valley Taxpayers Association

Honor M. Robson

Chair, Libertarian Party of California

Jonathan Fleming

CEO and Executive Director, Silicon Valley Public Accountability Foundation

ARGUMENT AGAINST MEASURE P

In 2020, voters rejected the district's proposed so-called **"temporary"** parcel tax of \$1,188.

Did Oak Grove Elementary School District hear you, and get the message?

Clearly not, because they are spending district funds on this election, to impose on homeowners (or tenants) a whopping \$236,000,000 bond—even as **enrollment has been steadily declining.***

State government has an estimated \$97 billion surplus (our money!).

Has Oak Grove sought its share of what California should distribute to each district?

Let's check the district's academic performance (2018—19, latest available):

- **46.11% of students tested below grade level in English.**
- **53.68% tested below grade level in math.***

Over half the kids lag in math, nearly half lag in English!

Following voters granting them an \$89,800,000 bond in 2014, the district seemed not to properly **prioritize their ONE JOB:** delivering children a quality education.

Could that be why **enrollment is steadily declining**? It's down 1,223 students (11.16%) since school year 2016-17.*

Parents know: if you reward poor behavior, you get more poor behavior.

Should voters and taxpayers reward Oak Grove when half its children lag in the vital subjects?

If you answered "no," we urge you to **vote NO.**

The district spends \$13,510/student per year. Average California private-school tuition is only 82% of that, yet the district wants more of your hard-earned money to pad their salaries and fat pension plans.

Proponents say Measure P's funds won't be spent on administration. But that's an empty promise: funds generated **separately** from this bond **can** be used for administration, without limit. Don't be fooled by the shell game.

Vote NO, to direct Oak Grove Elementary School District to prioritize academics over begging us at election time.

You can be FOR children, FOR teachers, FOR schools—and AGAINST costly bond debt.

Please vote NO on Measure P.

ARGUMENT AGAINST MEASURE P-Continued

For more information: SVTaxpayers.org

*Source: Ed-Data.org

Mark W.A. Hinkle

President: Silicon Valley Taxpayers Association

Joe Dehn

Chair: Libertarian Party of Santa Clara County

REBUTTAL TO ARGUMENT AGAINST MEASURE P

There are two facts you should know about Measure "P"

- Every penny from Measure "P" will be spent to improve local schools for our children and teachers.
- Measure "P" does NOT raise Oak Grove school bond tax rates beyond what voters are already paying.

The opponent of Measure "P" is an outside entity that opposes ALL school improvement measures in the region. They know the Measure "P" program is separate from State funds and the District's operational budget, and that NO money can be used for administrator salaries under State law. Further, the measure was carefully designed to issue bonds only as prior debt is paid off and to not increase Oak Grove school bond tax rates.

Our local schools have served many generations of students and have been recognized for their academic achievements by the State. While the buildings are functional and well-maintained, our classrooms, science labs and other learning spaces now need major modernization and renovations to keep pace with advances in learning and technology. We also must further improve student and teacher safety and security at each of our schools.

Measure "P" will achieve this by:

- Modernizing all permanent classrooms in the District
- Improving safety and security at all schools with lighting, fencing and better access control to classrooms
- Providing enhanced learning spaces and computer technology for science, technology, engineering and the arts

Please join us in voting YES on Measure "P" to transform our 50-year-old classrooms into modern learning spaces.

Carla Hernandez
Board President

Beija Gonzalez
Board Vice President

Sergio Jimenez
City Councilmember

Maria M. Medrano
District Advisory Committee President/Parent

Mary Noel
Retired Board Member/Educator