

LOS ALTOS SCHOOL DISTRICT MEASURE EE

To upgrade aging neighborhood schools, enhance science, technology, engineering, and math classrooms/labs, fix leaky roofs/windows, improve school traffic safety, update aging heating, cooling/plumbing, and construct facilities needed to preserve small neighborhood schools; shall Los Altos School District's measure authorizing \$350,000,000 of bonds at legal rates be adopted, levying an average \$30 per \$100,000 assessed value (approximately \$20,300,000 annually) while bonds are outstanding, with citizens' oversight, annual audits, all funds for local elementary/junior high schools?

Bonds—Yes
Bonds—No

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

California law permits school districts to issue bonds with the approval of 55% of district voters. Such bonds may be used only for construction, reconstruction, rehabilitation, or replacement of school facilities, including furnishing and equipping those facilities, or the acquisition or lease of real property for school facilities.

The Board of Trustees (Board) of the Los Altos School District (District) has placed on the ballot a Measure authorizing the issuance and sale of up to \$350,000,000 in such bonds for the purposes of constructing, renovating, and updating school facilities.

As identified in the Measure, the types of projects may include but are not limited to:

- Constructing and updating elementary and junior high school classrooms, labs, restrooms, multi-purpose rooms, kitchen and food preparation areas, and other facilities;
- Repairing or replacing leaky roofs and windows;
- Repairing or replacing heating, ventilation, air-conditioning, plumbing, electrical, sewer, and water systems;
- Making health, safety, and security improvements;
- Performing disability-access upgrades;
- Replacing or removing temporary portable buildings;
- Constructing a new school and related facilities;
- Constructing, improving, or upgrading paved surfaces, technology infrastructure, and electrical systems and wiring;
- Constructing recreation facilities; and
- Installing or improving physical education and playground facilities and other outdoor spaces.

Project costs may include architectural, engineering, legal, and similar planning costs, as well as staff training expenses. As state law requires, the Measure prohibits bond proceeds from being used for teacher or administrator salaries or other school operating expenses.

These general obligation bonds will be payable from ad valorem taxes levied on taxable real property within the District. The Measure states that

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE EE-Continued

the best estimate of the average annual tax rate to be levied to repay the proposed bonds is \$30 per \$100,000 of assessed value, and that the final fiscal year in which the tax is anticipated to be collected will be 2060-2061. The Measure states that the best estimate of the total debt service during the life of the bond, including principal and interest, is \$730,800,000.

State law requires the District to take certain steps to account for the bond proceeds. Accordingly, the District has listed in the Measure the specific projects to be funded, including a certification that, in developing the list, the Board evaluated safety, class size reduction, and information technology needs. Additionally, the District will direct the proceeds be deposited into a special account, appoint an independent citizens' oversight committee, conduct annual independent performance and financial audits, and prepare annual reports on funds collected and expended and the status of any funded project.

A "yes" vote is a vote to authorize the issuance and sale of up to \$350,000,000 of general obligation bonds to fund school facilities projects as described in the Measure.

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

Tony LoPresti
County Counsel

By: Jamila Benkato
Deputy County Counsel

COMPLETE TEXT OF MEASURE EE

BOND AUTHORIZATION

By approval of this measure by at least 55% of the registered voters voting on the measure, the Los Altos School District (the "District") will be authorized to issue and sell bonds of up to \$350,000,000 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 included 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.)

The Bonds may be issued under the provisions of the California Education Code (starting at Section 15100), under the provisions of the California Government Code (starting at Section 53506), or under any other provision of law authorizing the issuance of general obligation bonds by school districts. The Bonds may be issued in series by the District, from time to time, and each series of Bonds shall mature within the legal limitations set forth in the applicable law under which the Bonds are issued.

Evaluation of Needs. The Board of Trustees of the District (the "Board") has identified detailed facilities needs of the District, and has determined which projects to finance from a local bond. The Board hereby certifies that it has evaluated safety, class size reduction, enrollment growth, and information technology needs in developing the Bond Project List described below.

Independent Citizens' Oversight Committee. Following approval of this measure, the 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 Board.

Performance Audits. The 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 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 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 Education Code, and (4) the Superintendent of the District shall cause an annual report to be filed with the Board of the District not later than January 1 of each year,

COMPLETE TEXT OF MEASURE EE-Continued

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), specifically 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 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 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 or projections in the bond measure or ballot materials, including relating to estimated tax rates, the duration of issued bonds and related tax levies and collections are provided as informational only. Such amounts are estimates and are not maximum amounts or limitations on the terms of the bonds, the tax rate 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. As such, while such estimates and approximations are provided based on information currently available to the District and its current expectations, such estimates and approximations are not limitations and are not binding upon the District. In addition, the abbreviated and condensed statement of the bond measure presented to voters which is subject to a word count limitation imposed by State law does not limit the scope and complete meaning of the measure provided in this Full Text of Bond Measure and related ballot materials.

BOND PROJECT LIST

Scope of Projects. Bond proceeds will be expended on the modernization, renovation, expansion, acquisition, construction/reconstruction, rehabilitation, and/or replacement of school facilities of the District, including the furnishing and equipping of school facilities, at all current and future sites and properties.

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

COMPLETE TEXT OF MEASURE EE-Continued

list are not intended to limit the types of projects described and authorized by this measure. The types of projects described in the District's Facilities Master Plan, as updated and amended from time to time, and the projects listed below, are authorized at all existing sites of the District and all sites that may be acquired by the District in the future:

- Construct and update elementary and junior high school classrooms, labs, restrooms, multi-purpose rooms, kitchen and food preparation areas, and other school facilities
- Repair or replace leaky roofs and windows
- Repair or replace heating, ventilation and air-conditioning, plumbing, electrical, sewer and water systems
- Make health, safety and security improvements
- Make accessibility upgrades for students with disabilities
- Replace and/or remove temporary portables
- Construct a new school site and all related facilities
- Construct or improve paved surfaces, including pick-up/drop-off areas, traffic circles and parking lots to improve traffic flow and safety around schools
- Improve, and upgrade technology infrastructure, electrical systems and wiring
- Construct recreation facilities for school and community use
- Install, replace or improve physical education fields, surfaces and structures and playground areas, including shade structures, lighting, bleachers and other seating, press boxes, and pool facilities
- Repair, replace and/or upgrade paved surfaces, tracks, turf, grounds and outdoor areas, including lighting, to eliminate safety hazards and to facilitate outdoor instruction and gathering spaces

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, painting, bond project construction management, administration and other planning and permitting, legal, accounting and similar costs; independent annual financial and performance audits; a customary construction contingency; abatement, demolition and disposal of existing structures; the costs of interim housing and storage during construction including relocation and construction costs incurred relating to interim facilities; the preparation or restoration of construction, renovation or remodeling; 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 facilities; federal and state-mandated safety upgrades; addressing unforeseen conditions revealed

COMPLETE TEXT OF MEASURE EE-Continued

by construction/modernization and other necessary improvements required to comply with existing building codes, including the Field Act; access requirements of the Americans with Disabilities Act; and costs of the election; bond issuance costs; and project administration during the duration of such projects, as permitted by law.

Furnishing and Equipping. Each project is assumed to include its share of furniture, fixtures, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed projects stated above, the list also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the list; installation of signage and fencing; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects. The upgrading of technology infrastructure includes, but is not limited to, computers, projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, printers, digital white boards, document projectors, telephone system, call manager and network security/firewall, wireless technology systems and other miscellaneous equipment.

Alternations to Scope: Acquisition of Real Property. The scope and nature of any of the specific projects described above may be altered by the District as required by 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 said new construction including 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. For any project involving rehabilitation or renovation of a building or the major portion of a building, the District shall be authorized to proceed with new construction instead, if the Board determines that replacement and new construction is more economically practical than rehabilitation and renovation, considering the building's age, condition, expected remaining life, and other relevant factors.

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.

Interim Financing Included: Joint Use Projects Authorized. Authorized projects include paying and/or prepaying interim or previously obtained financing for the types of projects included on the Bond Project List, such as bond anticipation notes, and includes prepayment of lease payments to acquire title to facilities and/or equipment previously financed. Projects may also be undertaken on a joint use basis with other public entities.

Bond Project List Not in Order of Priority; Board Determines Prioritization. Approval of this bond measure does not guarantee that the proposed projects will be funded beyond the local revenues generated by the measure. The District's capital needs currently exceed the amount of bonds the voters are being asked to authorize. The order in which

COMPLETE TEXT OF MEASURE EE-Continued

particular projects are listed is not intended to suggest priority for funding or completion, and itemization of projects in the list above does not guarantee that all such projects will be undertaken. Project priorities will be determined by the Board. The ability of the District to undertake and complete the listed projects is subject to numerous variables including the adequacy and availability of sufficient funding sources. The District is unable to anticipate all unforeseen circumstances which may prevent some of the projects listed above from being undertaken or completed.

Interpretation. The terms of this bond measure and the words used in the Bond Project List shall be interpreted broadly to effect the purpose of providing broad and clear authority for the officers and employees of the District to provide for the school facilities projects the District proposes to finance with the proceeds of the sale of bonds authorized by this proposition within the authority provided by law, including Article XIII A, Section 1(b)(3) of the California Constitution, Education Code Section 15000 *et seq.* and the Strict Accountability in Local School Construction Bonds Act of 2000. Words used in the Bond Project List such as repair, improve, upgrade, expand, modernize, renovate, and reconfigure are used to describe school facilities projects in plain English but are not intended to expand the nature of such projects beyond what is authorized by law. As such, in accordance with legal requirements, the Bond Project List does not authorize, and shall not be interpreted to authorize, expending proceeds of the sale of bonds authorized by this proposition for current maintenance, operation or repairs.

Severability. The Board hereby declares, and the voters by approving this Bond Measure concur, that every section and part of this bond proposition has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law, and to this end the provisions of this bond measure are severable.

TAX RATE STATEMENT

An election will be held in the Los Altos School District (the "District") on November 5, 2024, to authorize the sale of up to \$350,000,000 in general obligation bonds. The following information is submitted 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 that would be required to fund this bond issue over the entire duration of the bond debt service, based on estimated assessed valuations available at the time of filing of this statement, is \$30 per \$100,000. It is currently expected that the tax will be collected until fiscal year 2060-61.
2. The best estimate of the highest tax rate that would be required to fund this bond issue, based on estimated assessed valuations available at the time of filing this statement, is \$30 per \$100,000 of assessed valuation. This rate is projected to apply in each fiscal year that bonds are outstanding.
3. The best estimate of total debt service, including principal and interest, that would be required to be repaid if all the bonds are issued and sold will be approximately \$730,800,000.

District voters have previously approved bond measures pursuant to which the District has issued bonds that are still outstanding, in part. The tax rate for the previous measures totaled \$19.50 per \$100,000 of assessed value for fiscal year 2023-24.

These estimates are based on projections derived from information obtained from official sources, and are 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 durations and are not binding upon the District. The actual debt service, tax rates and the years in which they will apply may vary depending on the timing of bond sales, the par amount of bonds sold at each sale and actual increases in assessed valuations. The timing of the bond sales and the amount of bonds sold at any given time will be determined by the District based on the need for project funds and other considerations. Actual 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.

Sandra McGonagle
Superintendent
Los Altos School District

ARGUMENT IN FAVOR OF MEASURE EE

Vote Yes on EE—fund urgent school repairs and preserve small neighborhood schools to protect an excellent education for every local student.

It's hard to agree on much these days, but there's one thing we all know for certain: Los Altos School District has some of the best schools in the country. But you may not know that local schools haven't been upgraded in nearly three decades and are in urgent need of improvements.

Roofs leak and science labs don't meet 21st-century academic standards. Too many students are learning in deteriorating portable classrooms that are well past their useful age and expensive to maintain.

We want to prepare local students to compete in high school, college and their future careers. We need Measure EE to provide the exceptional education our community expects.

We also know that having 10 schools at nine campuses isn't working—with hundreds of students taking classes at overcrowded junior high schools in dilapidated portables. Measure EE provides funding for 10 schools on 10 campuses, relieving overcrowding, restoring small neighborhood schools, and replacing temporary portables with permanent classrooms.

Vote Yes on EE: Local Funding for Urgent Repairs and Small Neighborhood Schools

- Fix leaky roofs and windows
- Enhance science, technology, engineering, and math classrooms and labs
- Modernize aging heating, cooling, plumbing, and electrical systems
- Improve traffic flow and safety around schools
- Preserve small, neighborhood schools and relieve junior high school overcrowding

Every Dollar Under Local Control

- All funds controlled locally and cannot be taken by the State
- No money for administrators' salaries
- Independent citizens' oversight and mandatory annual audits
- Detailed project list outlining the specific use of funds

We live in a special place, with excellent schools, vibrant neighborhoods and strong property values. Let's protect what sets our community apart: excellent neighborhood schools.

Kim Mosley
President, Los Altos Chamber of Commerce

Gary Hedden
Member, Los Altos School District Citizens' Advisory Committee for Finance

Jill Williams
Los Altos School District Teacher

Fred Gallagher
22-Year Los Altos Hills Resident

Uyen Nguyen
Vice President, Los Altos-Mountain View Parent Teacher Association (PTA) Council

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE EE

Government debt is crushing us. The *federal debt alone* exceeds our GDP!

Moreover, the state, cities, and school districts are saddling us with **bond debt, owed by us taxpayers, and our children!**

Endless rounds of bond sales will not help LAESD improve education, raise scores, or reverse falling enrollment.

Private alternatives can do **a better job for our children, at lower average costs.** Parents could conceivably afford them—if they weren't repaying bond debts, too!

If schools were private, the funding sources to maintain them would be, too.

Schools might borrow from lenders **who decide if their plan makes sense.** Nonprofit schools would seek **voluntary contributions**—like any other charity—so that capable, if poor, children could secure a good education. And home schoolers don't need to build facilities!

These **alternatives don't involve government bond sales—or the hefty taxation needed to repay the bonds' Wall Street investors.**

Instead of viewing increasingly popular alternatives as threats, LAESD trustees should utilize them!

Rather than **borrow a whopping \$150 million to "upgrade" schools,** trustees could encourage families to switch to alternative providers, so that existing facilities will suffice, in managing those students who remain in our public schools—and acknowledge declining enrollment and take advantage of the declining enrollment to rent out their unneeded facilities.

Great teachers afraid of losing their jobs **can be confident that private schools will hire them.**

JUST SAY NO to endless bond debt and resultant, oppressive taxes.

Vote NO on Measure EE.

SVTaxpayers.org
SCCLP.org

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

Joe Dehn
Chair, Libertarian Party of Santa Clara County

ARGUMENT AGAINST MEASURE EE

Proponents say they want to "upgrade aging neighborhood schools" and yet in 2014 the District in their \$150,000,000 bond said its purpose was "Expand and upgrade schools".

Seems schools need to expand or upgrade every 10 years.

Fact: Enrollment is DECLINING significantly.

From the 2018-19 school year to 2022-23 (latest figures) enrollment has declined by 891 students. Down to 3,355 students.

Does that make any sense to you? NO? **Then please vote NO on EE.**

This bond costs \$104,321 per student and that's before 30+ years of interest expenses at rates up to 12%. Yikes!!!

Will this \$350,000,000 bond debt be spent to hire or train great teachers to improve student academics?

Answer: **NO**, that's not legally permitted.

Let's look at the recent academic performance DECLINE:

- 2022-23 school year results: **15.21% below grade level for English.**
- 2022-23 school year results: **15.9% below grade level for Math.**

The District rewarded students, parents, and taxpayers for the passage of the 2014 bond measure (\$150,000,000) tax by drops in proficiency in English and math!!!

The District rewarded teachers for this performance decline by increasing the average salary of \$86,976 in 2018-19 to \$105,330 (2022-23) plus benefits up to \$25,658 yearly.

Source: California Department of Education Data Partnership — www.ed-data.org

Should you, the voters, reward the district for dropping scores in English and math?

If not, we encourage you to vote **NO on Measure EE.**

If you reward failure, you will get more failure!

Reject failure—Vote No on EE.

For more information, please visit us at www.svtaxpayers.org.

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

Joe Dehn
Chair, Libertarian Party of Santa Clara County

REBUTTAL TO ARGUMENT AGAINST MEASURE EE

Everyone is entitled to their own opinion. Unfortunately, the two individuals who filed the argument against Measure EE seem focused on opposing all school measures, regardless of the need. Perhaps because they don't live in our community, they don't understand the dire need for funding urgent school repairs and persevering small neighborhood schools.

As local parents, teachers and community members, we're supporting Measure EE to protect an excellent education for every local student.

Excellent education is the cornerstone of our community. By voting Yes on Measure EE, we can keep our schools strong, our property values strong and our community strong.

Please consider the facts before voting:

- Every penny of Measure EE stays in Los Altos School District—nothing can be taken by the State.
- Measure EE includes a detailed project list outlining the use of all funds.
- Legally, Measure EE has no money for administrators' salaries and requires an independent citizens' oversight committee with mandatory annual audits.
- Local schools haven't been upgraded in nearly three decades and are in urgent need of improvements.
- Our classrooms need Measure EE to enhance science, technology, engineering, and math classrooms and labs to prepare students for in-demand careers.
- Local elementary and middle schools have leaky roofs, cramped and outdated portables and aging heating and ventilation systems.
- Measure EE will address overcrowding, restoring small neighborhood schools, and replacing temporary portables with permanent classrooms.

Let's ensure that local students can continue to compete for the best high schools, colleges and careers. Vote Yes on EE for an excellent education for every student.

Alex Wang
Local Realtor

Curtis Cole
Longtime Resident

Robin Abrams
Oversight Committee Member

Mike Kasperzak
Former Mayor, City of Mountain View

George K. Tyson
Councilmember, Town of Los Altos Hills