

SAN BENITO HIGH SCHOOL DISTRICT MEASURE M

To relieve overcrowding at Hollister High and provide local high school students access to safe, quality education, including math, science, engineering, technology, other core academics, hands-on job skills, and career/college readiness; and improve student safety by adding a second local high school, shall San Benito High School District's measure be adopted authorizing \$70,000,000 of bonds at legal rates, averaging \$19/\$100,000 assessed value (\$4,450,000 annually) while bonds are outstanding, with independent oversight and all funds staying local?

Bonds—Yes
Bonds—No

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

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 San Benito High School District (District) has placed on the ballot Measure M authorizing the issuance and sale of up to \$70,000,000 in such bonds for the purposes of constructing a second high school facility. This is one of two bond measures that the Board has placed on the ballot relating to a second high school.

As identified in Measure M, projects to be funded by Measure M may include but are not limited to:

- Acquiring and developing real property for the construction of a second high school;
- Constructing, furnishing, and equipping a new high school; and
- Installing and equipping physical and technological infrastructure, such as parking lots, lighting, and cabling, at the new high school.

If Measure M does not pass, and Measure L passes, Measure L will provide for the construction and equipping of a second high school as described above. If both measures pass, Measure L will provide for additional bond proceeds that will be used for facilities at the second high school.

Project costs may include architectural, engineering, legal, and similar planning costs, as well as staff development and training expenses associated with new bond-funded equipment and systems. 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. Measure M states that the best estimate of the average annual tax rate to be levied to repay the

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE M-Continued

proposed bonds is \$18.50 per \$100,000 of assessed taxable property value, and that the final fiscal year in which the tax is anticipated to be collected will be 2058-59. Measure M states that the best estimate of the total debt service during the life of the bond, including principal and interest, is \$151,000,000.

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 \$70,000,000 of general obligation bonds to fund the construction of a second high school 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 M

Measure M

SAN BENITO HIGH SCHOOL DISTRICT SAFE, FUNCTIONAL, SECOND HIGH SCHOOL MEASURE OF 2024

By approval of this measure by at least fifty-five percent (55%) of the registered voters voting thereon, the San Benito High School District shall be authorized to issue and sell bonds of up to \$70,000,000 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

- San Benito High School District has provided quality education to students in the local community over its long 100-year history, consistent with its mission to educate all students to their highest potential so that they will have the greatest range of personal options upon graduation.
- In the past, local voters have approved school facility bonds to help the District meet critical renovation, modernization, safety, and classroom expansion needs at Hollister High School, and a citizens' oversight committee verified that all funds were spent in accordance with voter-approved priorities.
- Although prior bond revenue helped expand Hollister High, a rapid increase in residential development in the City of Hollister ("City") and County of San Benito ("County") has caused significant growth in school enrollment, leading to campus overcrowding.
- Overcrowded classrooms, common areas, and congestion on campus affects student safety and constrains educational opportunities for students by reducing their access to athletics, arts, clubs, and important career technical education ("CTE") pathways.
- Based on development projections in the City and County, overcrowding at Hollister High will become more severe in the next 5-10 years and will require the District to acquire land, develop and build a second high school to be ready to serve our growing community.
- A large group of parents, community members and stakeholders, and local officials with diverse interests and perspectives came together as a Facility Needs Committee ("FNC") to analyze our need for a second comprehensive high school. The FNC acknowledge our need and helped our district create a vision and ideal design for the second high school.
- Bond revenue is the primary means by which local California school districts are able to acquire, construct and equip school facilities to support growing communities and changing educational standards, methods and approaches.
- In order to deliver a second comprehensive high school like Hollister High, two bond measures are required. Working together, passage of both this measure and the District's \$70 million companion bond measure also held on November 5, 2024, will ensure that the second high school provides the

COMPLETE TEXT OF MEASURE M-Continued

robust program offerings our students have at Hollister High, including college readiness programs and numerous CTE pathways that tie to in-demand jobs identified in the U.S. Labor Market Conditions Index. If only this bond measure is approved, the District will be limited initially to developing a second high school campus with fewer course and program offerings, and with fewer athletics, music and art programs, unless and until additional funds become available.

- The District cannot rely on the State of California to fund school facility improvements, and the limited state dollars available for new school construction require local matching funds that could be provided by a local bond measure.
- This bond measure will benefit local schools only, and no funds can be taken away by the State or other school districts. By law, no money may be used for administrator salaries or pensions.
- This bond measure requires strict fiscal accountability protections including mandatory annual audits and an independent citizens' oversight committee comprised of local residents to ensure funds are managed and spent properly.

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 has identified projects to finance from a local bond measure at this time. The Board of Trustees has certified that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Independent Citizens' Oversight Committee. The Board of Trustees shall appoint an independent Citizens' Oversight Committee in accordance with Education Code sections 15278-15282 and applicable Board policy, to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be established within sixty (60) days of the date when the Board of Trustees enters the results of the election in its official 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.

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

COMPLETE TEXT OF MEASURE M-Continued

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 fiscal year, and (2) the status of any project funded or to be funded from bond proceeds. The report may be incorporated into the annual budget, annual financial report, 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 specific projects the District proposes to finance with proceeds of the bonds. All information contained within this "Section III: Bond Project List" comprises the list and description of permissible projects and expenses that may be paid from bond proceeds.

In order to meet all identified facility needs, the District intends to complete projects using a combination of funding sources, including joint use funds or contributions, development impact fees, and state funding (if available). The District will pursue state matching funds if and when they become available, and if received, they will be used for projects on the Bond Project List or other high priority capital outlay expenditures as permitted by law. Approval of this measure does not guarantee that all projects on this Bond Project List 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, as well as passage of a \$70 million companion bond measure held on the same date as this measure. Bond funds may be used to meet any matching share contribution requirements.

Proceeds from the sale of bonds authorized by this measure shall be used only for the construction, reconstruction, rehabilitation, replacement, furnishing and equipping of school facilities, and the acquisition or lease of real property for school facilities, all as listed on the Bond Project List. All projects to be financed with bonds authorized by this measure listed on the Bond Project List have been determined by the District to be "school facilities" as that term is used in the California Constitution. "School facilities" include all classroom and non-classroom buildings, facilities and service systems which are necessary for, and related to, the delivery of high-quality education services.

Specific projects to be funded by this bond measure include the following:

• DEVELOP AND CONSTRUCT A SAFE, FUNCTIONAL, SECOND HIGH SCHOOL TO PROVIDE CORE ACADEMIC INSTRUCTION

Develop and construct a safe, functional second high school to provide core academic instruction, including, without limitation, the following:

1. Acquire, prepare, develop and improve real property for the construction of a second high school;
2. Construct, furnish and equip a new high school to include:
 - Classrooms; science and career technical education training labs; and academic learning studios that support high quality instruction in math, science, engineering, technology, other core academics,

COMPLETE TEXT OF MEASURE M-Continued

including special education resource rooms and support spaces;

- Administrative offices, restrooms, meeting rooms, and teacher support space;
 - Library and student support/services buildings and facilities;
 - Kitchen, food service, and dining facilities;
 - Physical education facilities and structures, including gym, tennis courts, basketball courts and multiuse field;
 - Outdoor learning spaces that support educational programs including agriculture industry programs;
 - Multipurpose music room for visual and performing arts performance, classes and rehearsals.
3. Install hardscaping and landscaping;
 4. Construct parking lots, drop-off areas, and pedestrian walkways and access points;
 5. Acquire, construct, install and equip school facilities with electrical, lighting, plumbing, heating, cooling and ventilation systems and other physical infrastructure; Install energy efficiency equipment and systems, including solar energy systems, to improve energy efficiency and implement sustainability and best/green energy practices;
 6. Acquire and install enhanced school security features and equipment, including classroom intrusion alarms, video surveillance cameras, safety locks on classroom doors, fencing, gates, and exterior lighting for student safety;
 7. Acquire, install and equip school facilities with technology and communication infrastructure, including, without limitation, cabling and wireless infrastructure, network hardware and software, servers, and other shared access equipment such as digital whiteboards, document cameras, projectors, and printers; acquire and upgrade software, computers, and other classroom instructional equipment.

Listed projects, repairs, improvements, rehabilitation projects and upgrades will be completed only as needed, and the listing of projects does not imply a particular prioritization among such improvements. Projects may be done in phases, based on Board of Trustee priorities and available funding. Listed projects may be completed at any District school, site, property (whether owned, leased or yet to be acquired) and education buildings where such project is determined necessary.

Decisions regarding the scope, function, timing, location, prioritization or other facets of project implementation for school facility projects listed on the Bond Project List will be made solely by the Board of Trustees by subsequent action, including the interpretation, meaning and intent of each listed project. The Board of Trustees has the discretion to determine the best method for accomplishing a project's objective. In addition, where feasible, projects may be completed in partnership with other public or private agencies on a joint use basis using bond proceeds,

COMPLETE TEXT OF MEASURE M-Continued

subject to federal tax rules and regulations. Voters are advised that some aspects of the second high school facility may be limited in the event that the District's companion bond measure held on the same election date as this Measure does not achieve the requisite level of voter support for passage.

Each project is assumed to include its share of costs of bond issuance, architectural, engineering, legal and similar planning costs; litigation costs; construction management; bond project 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. Land may be acquired, and all projects may be furnished and equipped using bond proceeds to ensure the functionality and usability of facilities and sites constructed with bond proceeds. Bond proceeds may be used to retire any interim funding incurred to advance fund projects described on the Bond Project List.

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 Operating Expenses. Proceeds from the sale of Bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation or replacement of school facilities on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including teacher or administrator salaries and other school operating expenses in accordance with applicable law.

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 not exceeding the statutory maximum and with a maximum term not exceeding the statutory maximum, provided that the average useful life of bonds sold will not exceed one

COMPLETE TEXT OF MEASURE M-Continued

hundred twenty percent (120%) of the average life of the projects being financed or as otherwise provided by federal tax law. Bond funds may be used to reimburse the District for Bond Project list expenditures incurred prior to the election and bond issuance, in accordance with federal tax law.

Attention of all voters is directed to the fact that the financial information contained in this measure is based upon the District's projections and estimates only, which are not binding upon the District, nor are the summary or average payment 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 San Benito High School District ("District") on November 5, 2024 to authorize the sale of up to \$70 million in bonds to finance school facilities as described in the measure. 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 and a projection based on experience within the same jurisdiction and other demonstrable factors, is estimated to be \$18.50 per \$100,000 of assessed valuation. The final fiscal year in which the tax is anticipated to be collected is 2058-59.

2. The best estimate from official sources of the highest tax rate that would be required to be levied to fund this bond issue, and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of filing this statement, and a projection based on experience within the same jurisdiction and other demonstrable factors, is estimated to be \$20.71 per \$100,000 of assessed valuation first occurring in fiscal year 2026-27.

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 is \$151,000,000.

Voters should note that the estimated tax rate is based on the ASSESSED VALUE of taxable property on the San Benito or Santa Clara County official tax rolls, as applicable, 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 the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates, debt service and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold 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.

Shawn Tennenbaum
Dr., Ed.D., Superintendent

ARGUMENT IN FAVOR OF MEASURE M

Vote Yes on Measures L and M:

**Relieve overcrowding at our beloved Hollister High School
Protect excellent education for local high school students**

Hollister High School is the heart of our community, proudly providing quality education to generations of families. Nearly all of us are Balers or know someone who is.

Unfortunately, Hollister High School enrollment is over maximum capacity: 3,400 students this year, expected to reach 4,300 students within five years.

Overcrowding threatens student and teacher safety and educational opportunities.

Hollister High School is already the second largest high school in Northern California. This serious problem must be addressed now. We must protect quality, safe education for the students and families who already live here.

Not every student is going to college. Hollister High School has a tradition of providing many different career pathways for students who might go straight to work, including our local agricultural industry or skilled trades.

Without funding from Measures L and M, overcrowding limits students' access to quality programs, individual attention, career guidance and educational opportunities, including hands-on practical skills and job training. Effective student supervision becomes more and more challenging.

Vote Yes on L and M:

- Relieve overcrowding at Hollister High School
- Improve student safety and supervision
- Add a second local high school with classrooms and labs for core academics, math, science, engineering, technology, and vocational training, including agricultural programs
- Provide all local high school students access to high-quality education
- Partner with Gavilan Community College to provide college credit/job training for local high school students
- Improve accessibility for students with disabilities

Local Control and Fiscal Accountability

- Funds are locally controlled and cannot be taken by the State
- Independent Citizens' Oversight Committee, annual audits, and public spending disclosures
- No funds can be spent on administrators' salaries or benefits

ARGUMENT IN FAVOR OF MEASURE M-Continued

Join Us! Vote Yes on L and M: continue our 128-year local legacy of excellent high school education.

Eric Taylor
San Benito County Sheriff

Betsey Lemay
Elementary School Teacher & Facilities Needs Committee Chair

Dara Tobias
Community Member & Parent

Donald Marcus
Hollister High Alum & Local Small Business Owner

Juan Robledo
Retired Hollister High Teacher & SBHSD Board Trustee

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE M

Proponents say they want to "provide high-quality education and instructional opportunities for local students...".

In 2016 voters passed a \$60,000,000 bond (tax increase) to "Improve the quality of local high school education".

Have they?

Let's look at latest academic performance:

2022-23 school year results: **55.63% below grade level for English.**

2022-23 school year results: **81.44% below grade level for Math.**

The title of this measure includes the words "Workforce Readiness".

Do you think failure rates of 55% and 81% are making students "Workforce Ready"???

If not, vote NO on M.

The District rewarded students, parents, and taxpayers for the passage of the 2016 bond measure (\$60,000,000) tax by significant drops in proficiency in English and Math!!!

Nothing in these two \$70M bonds will improve English or Math test scores.

The District rewarded teachers for this dismal performance by increasing the average salary of \$80,955 in 2018-19 to \$86,577 (2022-23) plus benefits up to \$19,246 yearly.

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

Should you, the voters, reward the district for failing scores in English and Math?

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

If you reward failure, you will get more failure!

Reject failure—Vote No on M.

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

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

Reno F. Rodriguez
District Resident

Brandy L. Rodriguez
District Resident

ARGUMENT AGAINST MEASURE M

Proponents say they want to provide "quality education" and "college readiness" for local students..."

In 2016 voters passed a \$60,000,000 bond tax measure to "Improve the quality of local high school education".

Did they?

Let's look at latest academic performance:

2022-23 school year results: **55.63% below grade level for English.**

2022-23 school year results: **81.44% below grade level for math.**

The summary title of this measure includes the words "college readiness".

Do you think failure rates of 55% and 81% are making students "college ready"???

If not, vote NO on M.

The District rewarded students, parents, and taxpayers for the passage of the 2016 bond measure (\$60,000,000) tax by significant drops in proficiency in English and math!!!

The District rewarded teachers for this dismal performance by increasing the average salary of \$80,955 in 2018-19 to \$86,577 (2022-23) plus benefits up to \$19,246 yearly.

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

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

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

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

Reno F. Rodriguez
District Resident

Brandy L. Rodriguez
District Resident

REBUTTAL TO ARGUMENT AGAINST MEASURE M

Our Silicon Valley opponent routinely criticizes school measures across California. He doesn't live in San Benito County.

Those of us who live here know the truth: Hollister High students, teachers, and families deserve our support.

FACT: Overcrowding at Hollister High threatens student and teacher safety.

FACT: Overcrowding limits students' access to individual attention from teachers, important classes, hands-on learning, and extra-curriculars that help at-risk students stay on track.

FACT: Local elementary and middle school students who already live here will reach high school soon—making this problem significantly worse if nothing is done.

FACT: Measures L and M are needed to protect and enhance safety and high-quality education for all students.

FACT: Measures L and M add a safe, modern local high school that will reduce overcrowding at Hollister High.

FACT: Measures L and M provide classrooms and labs to expand student access to math, science, engineering, technology, and career readiness programs.

FACT: Independent Citizen Oversight and annual audits ensure transparency and accountability.

FACT: Every penny of Measures L and M must be spent locally, for these purposes only, and cannot be taken away by the State.

FACT: Investing in our community protects our future. Hollister High is the heart of our community. Providing our students with the best tools for college and careers benefits us all.

Join us—Vote YES on L and M for safer, stronger San Benito high schools for all students.

Josh Buzzetta
Local Firefighter, Hollister Firefighters Association

Michael Martinez
Local Small Business Owner

Patricia Nehme
San Benito High School District Board Trustee

Kevin Medeiros
Principal of Hollister High School

Claire Grissom
Coordinator of College and Career Readiness at SBHSD