

COMPLETE TEXT OF MEASURE S

FULL TEXT BALLOT PROPOSITION OF THE MOUNT PLEASANT ELEMENTARY SCHOOL DISTRICT BOND MEASURE ELECTION NOVEMBER 5, 2024

The following is the full proposition presented to the voters by the Mount Pleasant Elementary School District:

"SCIENCE & TECHNOLOGY. With funds that cannot be taken by the State, shall Mount Pleasant Elementary School District's measure to expand Science, Technology, Engineering, Arts and Mathematics classrooms; and update classroom technology and emergency communication systems at August Boeger Middle, Ida Jew Academy, Mount Pleasant Elementary, Robert Sanders Elementary, and Valle Vista Elementary be adopted, authorizing \$28 million of bonds with legal rates, audits, average levies below \$29 per \$100,000 of assessed valuation (generating \$1.7 million annually) while outstanding, citizen oversight, and full public disclosure of all spending?"

Bonds—Yes

Bonds—No

PROJECT LIST

This Project List, which is an integral part of this measure, describes the specific projects the Mount Pleasant Elementary School District proposes to finance with proceeds of the bonds. All information contained within this section comprises the Project 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 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 Project List at all listed sites will be funded beyond the local revenues generated by this measure. The District's proposal for the projects assumes the receipt of some state matching funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure. 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 Project List. All projects to be financed with bonds authorized by this measure listed on the Project List have been determined by the District to be "school facilities" as that term is used in the California Constitution. "School facilities" include projects at school sites as well as administrative and teacher/staff support facilities which are necessary for, and related to, the delivery of high-quality education services. Projects listed below may be completed at any and all properties, school sites and facilities where such project is determined necessary, and projects are authorized to be performed at each and all of the District's schools, sites and facilities, including administrative and ancillary support facilities, whether owned, leased or yet to be acquired.

Specific projects to be funded by the bond measure include, without limitation, the following:

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- Expand, Renovate and revitalize existing or construct new classrooms, labs and school facilities for Science, Technology, Engineering, Arts, and Math ("STEAM") instruction
- Replace, repair, modernize deteriorating roofs, leaking pipes, outdated plumbing, sewer and gas lines, waterlines, storm drains and valves, heating, cooling, ventilation systems and electrical systems
- Improve, upgrade and expand student and staff access to updated and modern technology, including acquiring and installing all necessary network infrastructure and connections, internet, wi-fi, wiring, hardware, software, computers, devices, classroom technology tools, data backup systems and remote learning software
- Construct, renovate, modernize and relocate school administration offices, workrooms, conference rooms and other spaces for teacher collaboration and District support services
- Design, acquire and construct rental housing units for teachers and staff including all related amenities and facilities
- Renovate and modernize classrooms and school facilities including flooring, windows, window coverings, doors, lighting, interior and exterior finishes, and paint
- Develop, construct, install and improve outdoor areas including playgrounds, play structures, outdoor learning and meeting areas, hardscaping, landscaping, irrigation improvements, and building/installing shade structures and seating
- Renovate and modernize school libraries and media centers
- Renovate, expand and modernize classroom, workroom, office and conference room spaces for mental health, wellness and counseling
- Construct and equip new transitional kindergarten classrooms, learning spaces and play areas
- Provide adequate furniture and equipment for all classrooms
- Renovate, repair, replace, expand, construct and/or install playfields, turf fields, running tracks, gyms, courts, playgrounds, play surfaces, other indoor and outdoor physical activity and athletic facilities, locker rooms and all related improvements and equipment
- Acquire, install and/or upgrade campus safety and security systems, including intercom and emergency communications systems, fire hydrants, lighting systems, bell systems, video surveillance systems, intrusion and panic alarms, install additional fencing and gates, pedestrian access, walkways, lighting, reconfigure entrances and drop-off/pickup locations, point of entry access and upgrade door locks
- Renovate and repair restrooms and drinking fountains

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- Construct, modernize, retrofit central kitchen, cafeteria, serving and indoor and outdoor dining areas
- Construct, repair or replace deteriorating asphalt, concrete, sidewalks, parking lots, driveways and walkways
- Modernize, upgrade, renovate existing classrooms and construct new classrooms
- Make health and safety improvements, such as installing necessary seismic reinforcements, repairing termite damage and repairing and/or replacing aging building materials including removal of hazardous materials identified either prior to or during construction
- Federal and State-mandated Americans with Disabilities Act (ADA) accessibility upgrades district-wide including site access, walkways, parking, staff and student restrooms, relocation of some existing electrical devices, drinking fountains, playground equipment and classrooms

Listed projects, repairs, improvements, rehabilitation projects and upgrades will be completed only as needed, and the listing of projects does not imply a particular prioritization among such improvements. Projects may be done in phases, based on Board of Education priorities and available funding. Listed projects may be completed at any and all District schools, sites, properties (owned, leased or yet to be acquired) and education buildings where such project is determined necessary. Bond projects are anticipated to provide benefit to all users of school facilities, sites and buildings, including charter schools that occupy school campuses, community members and other organizations.

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. Where terms such as "renovate," "upgrade," "replace," "improve" and "repair" are used in the Project List, the Board of Trustees has the discretion to determine the best method for accomplishing the project's objective, including the use of new construction. For any listed project involving renovation or modernization of a building or the major portion of a building, the District may proceed with new replacement construction instead (including any necessary demolition), if the District determines that replacement and new construction is more practical than renovation, considering the building's age, condition, expected remaining life, comparative cost and other relevant factors. In addition, 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. Where feasible, projects may be completed in partnership with other public or private agencies on a joint use basis using bond proceeds, subject to federal tax rules and regulations.

Each project is assumed to include its share of costs of bond issuance, architectural, engineering, legal, accounting and similar planning costs and professional services; 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

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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, storage and relocation costs for dislocated programs or activities caused or necessitated by projects on the Project List are permissible bond expenditures. Land may be acquired for any project, and all projects may be furnished and equipped using bond proceeds to ensure the functionality and usability of facilities and sites constructed or reconstructed with bond proceeds. Bond proceeds may be used to retire any interim funding incurred to advance fund projects described on the Project List. The upgrading of technology infrastructure listed above 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 and software.

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.

The Board of Trustees 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 of Trustees 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.

Implementation of Construction Program. 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 Trustees priorities. Listed projects may be completed at any and all District schools, sites and education buildings where such project is determined necessary. Decisions regarding the scope, timing, prioritization or other facets of project implementation will be made solely by the Board of Trustees by subsequent action. Where terms such as "renovation," and "repair," are used in the foregoing Project List for the Bond Measure, the Board of Trustees shall determine the best method for accomplishing the project's objective. For any listed project involving renovation or repair of all or a portion of a building, the District may proceed with new replacement construction instead (including any necessary demolition), if the District determines that replacement and new construction is more practical than renovation or repair, considering the building's age, condition, expected remaining life, comparative cost, and other relevant factors.

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The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded 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.

FISCAL ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers in the District may be assured that their money will be spent only to address specific facilities needs of the District 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 Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the project list contained in this ballot proposition.

Independent Citizens' Oversight Committee. The Board shall establish an Independent Citizens' Oversight Committee pursuant to Education Code Section 15278 and following to ensure bond proceeds are expended only on the projects listed in this ballot proposition. The committee shall 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 shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the projects listed in this ballot proposition.

Financial Audits. The Board shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the projects listed in this ballot proposition.

Special Bond Proceeds Account: Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited which will be a Building Fund to be held by the Santa Clara County Treasurer, as required by the California Education Code. As long as any proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board annually stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine and may be incorporated in the annual budget, audit, or another appropriate routine report to the Board.

ADDITIONAL SPECIFICATIONS

Terms of the Bonds. The bonds may be issued and sold in several series in accordance with the financing plan determined by the Board of Trustees. Bonds may be issued pursuant to the Education Code or the Government Code in the discretion of the Board of Trustees at interest rates not exceeding the legal limits.

Limit on Use of Bond Proceeds. Proceeds from the sale of bonds authorized by this proposition may be used only for the construction, reconstruction, rehabilitation or replacement of school facilities including the furnishing and equipping of school facilities or acquisition or lease of

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real property for school facilities and not for any other purpose, including teacher and administrator salaries not related to oversight of the projects to be constructed with the bonds and other school operating expenses. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to the projects being financed.

TAX RATE STATEMENT

MOUNT PLEASANT ELEMENTARY SCHOOL DISTRICT GENERAL OBLIGATION BONDS MEASURE S

An election will be held in Mount Pleasant Elementary School District (the "District") on November 5, 2024 for the purpose of submitting to the electors of the District the question of incurring bonded indebtedness of the District in the principal amount of \$28,000,000. If such bonds are authorized and sold, the principal thereof and interest thereon will be payable from the proceeds of taxes levied on the taxable property in the District. The following information regarding tax rates is given in compliance with Section 9401 of the California Elections Code. This 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 assessed valuations of taxable property in the District, and assuming the entire debt service on the bonds will be paid through property taxation:

1. The best estimate of the average annual tax rate that would be required to be levied to fund the bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of the filing of this statement, or a projection based on experience within the same jurisdiction or other demonstrable factors is \$28.31 per \$100,000 of assessed valuation of all property to be taxed. It is estimated that the final fiscal year in which the tax is anticipated to be collected is fiscal year 2055-56.

2. The best estimate of the highest tax rate that would be required to be levied to fund the bond issue, and an estimate of the year in which that rate will apply, based on estimated assessed valuations available at the time of the filing of this statement, or a projection based on experience within the same jurisdiction or other demonstrable factors, is \$30.00 per \$100,000 of assessed valuation of all property to be taxed for fiscal years 2025-26 through and including 2051-52.

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 \$52.6 million.

Attention of voters is directed to the fact that the foregoing information is based upon projections and estimates only. The actual timing of sales of the bonds and the amount to be sold at any time will be governed by the needs of the District and other factors. The actual interest rates at which the bonds will be sold, which will not exceed the maximum permitted by law, will depend upon the bond market at the time of sale. The actual assessed valuations in future years will depend upon the value of property within the District as determined in the assessment and the equalization process. Assessed valuation is not the same as market price of real property. Therefore, the actual tax rates and the years in which those tax rates will be applicable may vary from those presently estimated and stated above.

TAX RATE STATEMENT-Continued

Voters should note that estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, *not* on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Dated: May 28, 2024

Elida MacArthur
Dr., Superintendent
Mount Pleasant Elementary School District

ARGUMENT IN FAVOR OF MEASURE S

The future success of our children depends on the quality of our local elementary and middle schools. Modern classrooms with relevant and up-to-date technology are critical in preparing our children for high school and opening doors for their future success. Mt. Pleasant Elementary School District needs our help to guarantee our children have the resources necessary to succeed. High-quality schools and classrooms for our children must remain our top priority.

Vote YES vote on Measure S to upgrade classrooms at our local public schools—August Boeger Middle, Ida Jew Academy, Mount Pleasant Elementary, Robert Sanders Elementary, and Valle Vista Elementary—and to improve student safety and school security.

Projects funded by Measure S include:

- Expanding Science, Technology, Engineering, Arts and Math (STEAM) classrooms for advanced education
- Improving classroom technology and computer network infrastructure
- Upgrading emergency communications and security systems to ensure rapid responses
- Improving school safety by controlling unauthorized school entry with campus-wide security cameras, intrusion alarms, lighting, fencing and point-of-entry access systems

Measure S also provides strict safeguards to protect local taxpayers, including:

- Full public disclosure of all spending to maintain **transparency and accountability**
- Legal guarantees that funds **cannot be taken by the state and spent elsewhere**
- Qualifying for **state matching funds**, providing additional resources
- Annual review of all expenditures by an independent citizens' oversight committee and third-party auditors, **ensuring that all funds go to school improvements**
- **Prohibiting funds from going to administrators' salaries, pensions or benefits**

Vote YES on Measure S to provide our students with the safe, modern, and well-equipped schools they deserve. Join teachers, parents, community leaders, and neighbors to build a brighter future for our children and our community!

Peter Ortiz
San Jose City Council Member

William Derek Grasty
Board President, Mt. Pleasant Elementary School District

Rachel McCauley
Teacher

Lissa Oros
Community Member

Judith Valenti
Senior Citizen

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE S

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 Mt. Pleasant Elementary School District deliver exceptional education or **reverse declining enrollment.**

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

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

Schools might borrow from lenders **who decide whether their plan makes sense.** Nonprofit schools would seek **voluntary contributions**—like all charities—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, MPESD trustees should utilize them!

Rather than **borrowing \$28 MILLION—plus interest, plus Measure T's \$24 MILLION and its interest!**—to cover mostly predictable, routine expenses, trustees could encourage families to switch to alternative providers, consolidate existing facilities—accommodating those students who remain in our public schools—and acknowledge declining enrollment and take advantage of it 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 its resultant, overwhelming taxes.

Vote NO on Measure S.

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 S

Just 12 years ago, voters approved \$25 million in bond debt that increased your property taxes or rent, to "repair leaking roofs."

Just 6 years ago, voters approved \$27.5 million in bond debt that increased your property taxes or rent, to "repair leaking roofs."

Just 4 years ago, voters approved \$12 million in bond debt (Measure Q) that increased your property taxes.

Want to guess why?

This year, Mt. Pleasant Elementary School District placed this \$28 million bond (debt) Measure S on the ballot, plus **a SECOND tax increase for another \$24 million bond!!!** (Measure T)

Tax and spend, tax and spend....

MPESD's **enrollment declined from 2,229** students during the 2018-19 school year, **to 1,648** during 2022-23. A whopping ADA decline of 581 students.

Source: Education Data Partnership (Ed-Data.org)

Why "expand" new classrooms when enrollment is down to 1,648 children??

Those two bond obligations equal \$31,553 per student—plus decades of interest payments.

Since the number of students is way down, expenses should be way down, too. That should allow more funds from the current budget to be applied to basic maintenance of the schools.

In fact, don't we take care of our homes, our condos, and even our apartments out of our yearly budgets?

Why can't Mt. Pleasant Elementary School District do the same?

School bonds are much like mortgages: they must be paid back, in full—plus interest. Lots and lots of interest (at rates of up to 12%)—interest payments that do not go to teachers, libraries, computers, maintenance, or fixing leaky roofs.

Is this the best use of your and your neighbors' money?

If your answer is "no," please vote NO on Measure S.

You can be for schools, for students, for teachers, and against Measure S.

For more information: 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 S

We understand that increasing taxes can be challenging, but investing in our schools is crucial for our children's future and our community's well-being. Measure S addresses current educational needs while considering our community's future financial success.

Measure S will improve August Boeger Middle, Ida Jew Academy, Valle Vista Elementary, Mt. Pleasant Elementary and Robert Sanders Elementary and enhance our children's education by:

- Expanding STEAM classrooms for advanced learning
- Updating classroom technology
- Upgrading emergency communication systems
- Improving school safety
- Providing teacher-staff rental housing to retain and attract highly qualified educators

Key Facts:

- **Measure S is tailored to meet our schools' needs while respecting financial constraints.**
- **Mt. Pleasant Elementary School District recently earned an impressive A+ rating from Standard & Poor's, reflecting our strong financial stewardship.**
- **Measure S will make our district more competitive in attracting and retaining highly qualified teachers and staff by developing teacher-staff housing, allowing them to live in the community they serve.**

Transparency and Accountability:

- **Full public disclosure of all spending is required.**
- **Measure S funds cannot be taken by the state and spent elsewhere.**
- Independent citizen oversight and third-party auditors will ensure the appropriate use of funds.
- No funds will be used for administrators' salaries, benefits or pensions.

Don't be fooled by the so-called "taxpayer representative" who opposes Measure S. He's a **wealthy outsider** who thinks he knows what's best for our children and our community.

Let's invest in our future together by voting **YES on Measure S!**

Peter Ortiz
San Jose City Council Member

Wm. Derek Grasty
Board President, Mt. Pleasant Elementary School District

Rachel McCauley
Teacher

Lissa Oros
Community Member

Judith Valenti
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