

SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT
699 Old Orchard Drive, Danville, California 94526

DATE: May 20, 2014

**TOPIC: CONSIDERATION OF THE ACCEPTANCE OF THE ANNUAL MEASURE D
FACILITIES OVERSIGHT AND ADVISORY COMMITTEE REPORT**

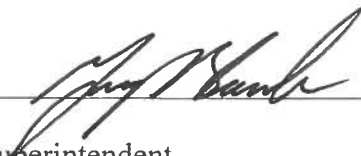
DISCUSSION: The Facilities Oversight and Advisory Committee (FOAC) reviewed and accepted the Annual Measure D Facilities Oversight and Advisory Committee Report at its May 14, 2014 meeting in a motion of 9 ayes and 0 noes, as contained in the attached report.

RECOMMENDATION: The FOAC and Staff recommend acceptance of the Annual Measure D Facilities Oversight and Advisory Committee Report.

BUDGET IMPLICATIONS: None



Richard A Lowell
Director of Facilities Development



Gary Black
Assistant Superintendent
Business Services and Facilities Development

Mary Shelton
Superintendent

Item Number

**Annual Report to the
SRVUSD Board of
Education**

**Measure D
Facilities Oversight and
Advisory Committee**

May 2014

Facilities Oversight & Advisory Committee

The Facilities Oversight & Advisory Committee (the Committee) was chartered by the SRVUSD Board as a result of the passage of Measure D the \$260 million local school facilities bond measure which was approved by voters in November 2012. The measure passed with a "super majority" of over 55 percent of voters in favor in keeping with the requirements of Proposition 39.

Proposition 39 was passed by California voters in 2000 and one of its provisions was to reduce the threshold to pass a facilities bond from two-thirds to fifty-five percent. However, the lower threshold for passage mandates that a citizen's bond oversight committee be chartered to ensure that bond funds are properly expended. Proposition 39 also requires yearly independent financial and performance audits.

After passage of Measure D, the SRVUSD Board solicited applicants to be on the Committee. The goal was to have a diverse group of people who represented various segments of the community including:

- A member who is active in a business organization within the SRVUSD
- A member active in a senior citizen's organization;
- A member active in a bona fide taxpayers association;
- A parent/guardian of a child currently enrolled in SRVUSD and active member of a parent/teacher organization such as PTA or school site council.

The Board approved the following applicants on January 29, 2013 and the Committee's first meeting was on February 13, 2013. The Committee decided to create three subcommittees to deal with issues in their expertise areas. They are the Design Committee, Communications Subcommittee and Finance Subcommittee.

Name	Subcommittee
Don Birnbaum*	Design & Communications
Jonathan Buckley*	Communications & Finance
Terence Church	Communications
Jay S. Clark	Finance
Brian Corley	Finance
Margie Hart – Vice Chairperson	Design
Steven J. Hart	
Donald Hofer	Finance
Chad Johnson	Design
Swamy Lokannadham	Design
Jonathan Lui-Kwan	Design
Karen McNamara*	Design
Steve Mick* - Chairperson	
Michael Smith*	Communications & Finance
Dwight Winn	Finance

*Member of previous FOAC

SRVUSD Board Charge to the Committee:

- Provide oversight of Measure D projects and expenditures
- Review current and future SRVUSD facilities plans, including master plans, and provide recommendations to the Board and district management on the priority of implementation
- Review and make recommendations related to district standards for its facilities that reflect facility modifications in order to better align with the needs of 21st Century teachers and learners
- Work with the facilities and business staff on the development of a comprehensive list of facilities priorities that would require additional revenue sources
- Review and recommend solutions for the proper protection of the community's investment in facilities and maintenance.

A complete list of Measure D projects is attached to the body of this report.

Committee Training and Education

SRVUSD Facilities staff are to be highly commended for their efforts to ensure that the Committee members were introduced to the intricacies of school facility administration as well as proper procedures for the expenditure of public funds.

Staff presented a comprehensive introduction to the Brown Act, California's open meeting law and to the legal Requirements of Proposition 39, the School Facilities Local Vote Act of 2000. Committee members were provided with the 2012 Contra Costa Grand Jury Report, *"School Bond Oversight Committees - Raising the Bar."* A presentation was made on the advantages and disadvantages of construction delivery methods: Design-Bid-Build vs. Lease-Leaseback. (Lease-Leaseback will be discussed later in this report.)

There was a Committee Study Session July 31 to address various questions and issues regarding the duties of the FOAC. There were two on-site school tour days. The Committee visited Creekside Elementary School on June 6, 2013 and Stone Valley Middle School, San Ramon Valley High and Twin Creeks Elementary on July 12, 2014. In addition, the Committee Chair has attended the 2013 and 2014 annual California League of Bond Oversight Committees (CALBOC) Statewide Conferences.

The Measure D General Obligation Bond

District facilities staff and the Committee are at the very beginning of a multi-year process to expend the bond proceeds so as to provide the most cost-effective learning environment for students. The first of four bond sales was completed in February 2013 with net proceeds of \$75 million. Very little of this amount has been expended, however as facilities construction ramps up, the amount of expenditures will greatly increase. Bond sales will occur in four stages over the next 6 to 8 years.

As noted, Proposition 39 requires yearly independent financial and independent performance audits. The firm of Vavrinek, Trine, Day & Co., LLP was engaged to conduct these audits. Their reports were presented to the Committee on February 13, 2014.

In summary, the **financial audit** was conducted in conformity with generally accepted accounting principles. There were no findings or questioned costs. The **performance audit** was conducted in accordance with the standards applicable to performance audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.. There were no findings or questioned costs. The Committee voted to approve these audits.

In addition, the Committee has reviewed and approved all budget changes proposed by the district staff.

Enrollment projections

The firm of Davis Demographics & Planning, Inc. (DDP) was commissioned to provide a report on enrollment projections for the 2013 to 2020 time frame. This tasking required the creation of mapping database, performing a mobility study, ascertaining area development projects and plans, factoring in birth rate data and then developing the projections. The DDP enrollment report was presented to the Committee in January 2014.

The enrollment report is highly detailed. The 2013 student enrollment (TK-12) is 31,377. The projected 2020 enrollment is 36,765. This is an increase of 5,388 students.

DDP's summary states that enrollment is projected to continue to increase over the timeframe. Growth is expected district-wide with the largest growth in residential areas. Over 4000 homes are expected to be built and occupied over the projection timeframe. It was recently announced that the Faria Preserve development has been approved by the San Ramon Planning Commission. This development will add 740 new homes to San Ramon.

Growth in the district is driven by the simple fact that families want to move here in large part because of the stellar reputation of the school district. In point of fact, as this report was being prepared, twelve elementary schools in the SRV District had been announced as 2014 California Distinguished Schools. In addition, U.S. News & World Report released

its annual list of the nation's best public schools. The four SRV high schools ranked in the top 300 state-wide with Dougherty Valley ranked at No. 67.

Stone Valley Middle School Modernization

The modernization of Stone Valley Middle School has been on the "to do" list for a number of years. It is recognized as one of the schools in the district where major remodeling is a clear requirement. Staff has addressed this situation and current plans are to perform a major upgrade divided into three phases. This modernization is a high priority to the district.

A Design Kickoff meeting was held April 23, 2014 attended by some members of the Committee. They report that the meeting was positive with many issues being resolved to their satisfaction.

Dougherty Valley High School

The Dougherty Valley continues to attract families in significant numbers. The pace of school enrollments dictated that new facilities be addressed in the bond description. To this end, Measure D included projects listed specifically for Dougherty Valley High School.

One is classroom additions, the other is a Green Technology and Alternative Energy" (GTAE) classroom that is funded up to 50% through a state grant. Although listed as two separate projects, district staff has been able to combine them in one building that will result in savings on construction costs.

In addition, students will have the use of 12 new relocatable classrooms that will be set on the basketball courts near the baseball fields and will accommodate increased enrollment anticipated over the next two or three years. Once the new addition is completed, it is expected that the relocatables will stay to address future enrollments.

New Elementary School in Dougherty Valley

Grading has begun on the District's newest elementary school located in the Dougherty Valley. The designation of the land is a result of a three-way partnership between the City of San Ramon, Toll Brothers, Inc. and SRVUSD. Toll Brothers, Inc. is providing the land to the School District, with the play fields also serving as permanent parkland for the City of San Ramon. This partnership resembles the shared joint use cooperative between the City and the School District that exists at all of the other school sites in San Ramon, and has become a model for other communities.

Facilities staff invited members of the Committee to participate in the interview panel for the two firms that were finalists for the construction of the new school.

Construction funding for the new elementary school is by means of the lease-leaseback mechanism. This process has received a certain amount of publicity recently so it is important that the public be made aware of its structure (below).

Lease-Leaseback (LLB)

The basic structure agreement of LLB:

The school district leases real property to a developer through a site lease for \$1 per year. The developer constructs the facility and then leases it back to the district through a facility lease. Improvement payments (during construction) and lease payments (after construction) are made by the district for construction costs. Title to the property vests to the district as lease payments are made.

Advantages of LLB:

LLB allows portions of the project to start earlier than normal and allows more control over the contractors and subcontractors. The time saving is especially important for a high priority project such as the new elementary school in Dougherty Valley.

Disadvantages of LLB:

LLB has a smaller pool of contractors and the pool is typically of higher cost (and higher quality). There is a perception that LLB bypasses the low bid process and increases costs. However, the process is legal and is used by many school districts. Refer to California Education Code § 17406 (a). It must be noted that there is current litigation on the use of LLB in two California districts. The Committee will continue to monitor this issue.

As always, the SRVUSD district has earned a well-deserved reputation for fairness and transparency and therefore uses the Lease Leaseback Delivery Method very cautiously with the full knowledge of the Committee. The district staff has discussed the LLB method in detail at a public school board meeting held March 11, 2014.

Summary

In the opinion of the Committee, the District staff continues to adhere not only to the intent, but also to the spirit, of Measure D and exercises diligent stewardship of the bond funds. The Committee also appreciates the support and commitment of the community to help provide quality higher education for our students.

The public is encouraged to visit the SRVUSD website and review the wealth of information on the Measure D Bond projects and on the activities of the Committee. The public is also invited to attend and speak at the Committee meetings.

Reference documents

Grand Jury Report 1208 "School Bond Oversight Committees - Raising the Bar" is available on the Contra Costa County website: www.cc-courts.org

The California Legislative Analyst's Proposition 39's ballot description is available at: <http://vote2000.sos.ca.gov/VoterGuide/pdf/39.pdf>

Financial and Performance Audits are available on the SRVUSD website: http://www.srvusd.net/measure_d

San Ramon Valley Unified School District
Measure D Master Program Budget



FUNDING									
Fiscal Period	Local Funding			State Funding				Interest Income	Total Per Fiscal Year
	Measure D Bond	Developer Fee	Other Local	State Match	CTE Grant	Prop 39	Other State	Interest Income	Total Per Fiscal Year
Prior Fiscal Years									
Fiscal Year 2012-2013	74,995,000							85,831	75,080,831
Fiscal Year 2013-2014								170,948	170,948
Fiscal Year 2014-2015	60,000,000								60,000,000
Fiscal Year 2015-2016									
Fiscal Year 2016-2017	65,000,000								65,000,000
Fiscal Year 2017-2018									
Fiscal Year 2018-2019									
Fiscal Year 2019-2020									
Fiscal Year 2020-2021	60,005,000								60,005,000
Anticipated									
Total Funding	\$ 260,000,000	\$ -	\$ -	\$ -	\$ 922,910	\$ 4,300,000	\$ -	\$ 3,612,888	\$ 269,092,577

BUDGETS through 5/7/14 - EXPENDITURES through 5/7/14

Proj ID	Project	Measure D Funding	State Funding	Other Funding	Preliminary Budget	Revised Budget	Unspent Encumbrance	Expensed To Date	Remaining Budget	Percentage Complete
0504	Dougherty Valley New School	28,583,312			28,583,312	28,583,312	739,501	963,097	26,880,714	3%
0523	SRVHS Bleachers	2,116,801			2,116,801	2,116,801	467,441	1,361,621	287,739	64%
0505	DVHS Classroom Building	9,916,277			9,916,277	9,916,277	390,238	281,248	9,244,791	3%
0506	DVHS GTAE	922,910	922,910		1,845,820	1,845,820	-	-	1,845,820	0%
0521	Upgrade Electrical Multiple Sites	609,205			609,205	609,205	7,359	17,144	584,702	3%
0518	Neil Armstrong Seismic	2,463,354			2,463,354	2,463,354	194,024	254,757	2,014,572	10%
0519	MVHS Seismic	1,550,062			1,550,062	1,550,062	75,924	148,744	1,325,394	10%
0528	SRVHS Pool Solar	308,950			308,950	308,950	2,991	43,855	262,103	14%
0522	Del Amigo Replace Fire Alarm and Intercom	266,740			266,740	266,740	-	-	266,740	0%
0525	Cal High Bleachers	1,494,200			1,494,200	1,494,200	52,169	57,788	1,384,243	4%
0524	MVHS Bleachers	1,826,800			1,826,800	1,826,800	200	3,181	1,823,419	0%
0532	Los Cerros Renovate Restrooms	757,080			757,080	757,080	-	-	757,080	0%
0533	DVMS Special Ed Restroom	271,600			271,600	271,600	-	-	271,600	0%
0534	Tassajara Hills Relocalable Renovation	243,880			243,880	243,880	-	-	243,880	0%
0536	Cal High Pedestrian Bridge	293,600			293,600	293,600	3,150	-	290,450	0%
0501	SVMS	36,657,470	750,000		37,407,470	37,407,470	-	-	37,407,470	0%
0517	Walt Disney Seismic	1,560,642			1,560,642	1,560,642	-	44,900	1,515,742	3%
0531	Cal Modernize Commons and Kitchen	2,145,800			2,145,800	2,145,800	1,257	243	2,144,300	0%
0509	Twin Creeks Modernization	7,953,747	300,000		8,253,747	8,253,747	35,444	175,028	8,043,275	2%
0510	Vista Grande Modernization	4,773,077	250,000		5,023,077	5,023,077	-	-	5,023,077	0%
0511	Rancho Romero Modernization	6,801,148	250,000		7,051,148	7,051,148	-	-	7,051,148	0%
0508	Cal High Science Modernization	4,457,197	300,000		4,757,197	4,757,197	-	-	4,757,197	0%
0512	Golden View Modernization	9,951,160	300,000		10,251,160	10,251,160	-	-	10,251,160	0%
0513	Montevideo Modernization	8,405,162	300,000		8,705,162	8,705,162	-	-	8,705,162	0%
0530	Alamo Modernize Two Classrooms	417,900			417,900	417,900	-	-	417,900	0%
0514	Green Valley Modernization	5,963,537	300,000		5,963,537	5,963,537	-	-	5,963,537	0%
0515	Sycamore Valley Modernization	9,356,114	300,000		9,656,114	9,656,114	-	-	9,656,114	0%
0516	Charlotte Wood Modernization	10,887,598	300,000		11,187,598	11,187,598	-	-	11,187,598	0%
0507	SRVHS Classroom Building Phase 1	25,443,202	250,000		25,693,202	25,693,202	-	-	25,693,202	0%
0537	ADA Upgrades District-Wide	1,175,770			1,175,770	1,175,770	32,940	-	1,142,830	0%
0529	Energy Management Systems	1,405,050	300,000		1,705,050	1,705,050	-	-	1,705,050	0%
0527	Security Cameras	1,010,400			1,010,400	1,010,400	-	-	1,010,400	0%
CRTECH	CR and Infrastructure Technology	7,500,000			7,500,000	7,500,000	117,226	756,675	6,626,099	10%
0520	SRVHS Replace Fire Alarm	654,350			654,350	654,350	-	-	654,350	0%
0535	Tassajara Hills Land Purchase	684,250			684,250	684,250	-	-	684,250	0%
0540	Proposition 39 Energy Projects	-	400,000		400,000	400,000	-	-	400,000	0%
0538	SRVHS Classroom Building Phase 2	20,000,000			20,000,000	20,000,000	-	-	20,000,000	0%
0539	MVHS Classroom Building	-			-	-	-	-	-	0%
Projects Subtotal		\$ 218,528,345	\$ 5,222,910	\$ -	\$ 223,751,255	\$ 223,751,255	\$ 2,119,866	\$ 4,108,282	\$ 217,523,107	2%
0500	Measure D Program Expense	13,065,250			13,065,250	13,065,250	28,115	206,419	12,830,716	2%
	Construction Cost Escalation	32,203,000			32,203,000	32,203,000	-	-	-	-
	Program Loss Reserve									
Program Expenses Subtotal		\$ 45,268,250	\$ -	\$ -	\$ 45,268,250	\$ 45,268,250	\$ 28,115	\$ 206,419	\$ 12,830,716	
Total Project & Program		\$ 263,796,595	\$ 5,222,910	\$ -	\$ 269,019,505	\$ 269,019,505	\$ 2,147,980	\$ 4,314,701	\$ 230,353,823	
Program Balance (Unassigned Budgets)					\$ 73,072					
Contingency projects - If funds are available										

SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT
699 Old Orchard Drive, Danville, California 94526

DATE: August 7, 2012

TOPIC: CONSIDERATION OF ADOPTION OF RESOLUTION NO. 01/12-13,
RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN RAMON
VALLEY UNIFIED SCHOOL DISTRICT ORDERING A SCHOOL BOND
ELECTION, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION
THEREWITH

DISCUSSION:

Purpose: To call an election within the District for the purpose of approving school bonds, to request the Registrar of Voters of the County of Contra Costa to conduct the election on behalf of the District, and to authorize the preparation of election materials including ballot arguments and tax rate statement, to be included in the ballot pamphlet.

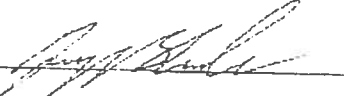
Background: State law requires the Board of Education to order school district elections. The County Registrar of Voters will conduct the election on behalf of the District, including publishing all required notices. This resolution must contain the exact language of the bond proposition in the "specifications of the election order." Under Proposition 39, which permits passage of the measure upon a 55% "yes" vote, certain additional matters must be addressed in the bond measure, including a specific project list to be funded from the bonds. A 75-word summary of the measure, to appear on the ballots, is included in the resolution.

The resolution also contains a form of "tax rate statement," which must be included in the ballot pamphlet, describing the anticipated rates of tax throughout the life of the bond issue. The resolution also authorizes, but does not commit, the Board and individual members of the Board to prepare and sponsor a ballot argument in support of the bond measure. No more than 5 persons may sign the ballot argument.

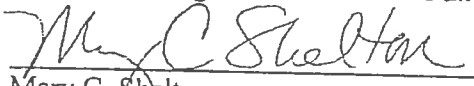
Following adoption, the resolution must be delivered to the County Registrar of Voter and the Clerk of the County Board of Supervisors. The election will be consolidated with the statewide general election to be held on November 6, 2012.

RECOMMENDATION: Staff recommends adoption of the resolution.

BUDGET IMPLICATIONS: Election costs are estimated at \$54,000 and can be paid from the proceeds; in the event that the bond measure fails costs will be charged to the General Fund.



Gary Black
Assistant Superintendent, Business Services
and Facilities Development



Mary C. Shelton
Superintendent

ITEM NUMBER

RESOLUTION NO. 01-12/13

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN
RAMON VALLEY UNIFIED SCHOOL DISTRICT ORDERING
A SCHOOL BOND ELECTION, AND AUTHORIZING
NECESSARY ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Board of Education (the "Board") of the San Ramon Valley Unified School District (the "District"), located within the County of Contra Costa, California (the "County"), has determined that it is essential that all students in the District have access to safe and modern classrooms equipped with technology infrastructure to support 21st century learning; and

WHEREAS, clean, safe, well-maintained schools are a priority for the community, the District and the Board; and

WHEREAS, the academic achievement of District students attracts many families to the District and has increased the number of students enrolling in the District; and

WHEREAS, it is the District's priority to emphasize 21st-century learning, including the utilization of current technology and science labs, to help students excel in the competitive global economy; and

WHEREAS, additional classrooms are required to help ensure that children can attend their neighborhood schools and prevent overcrowding due to the increased enrollment; and

WHEREAS, local schools are a source of community pride, with high test scores, excellent teachers and strong academic programs, and the Board has determined that a bond proposition will provide our local schools with the safe and modern classrooms necessary to continue providing our local students with a great education; and

WHEREAS, the Board is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the California Education Code (the "Education Code"); and

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Education Code Sections 15100 *et seq.*; and

WHEREAS, pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, and Section 15266 of the Education Code, school districts may seek approval of bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition, including performance and financial audits and oversight by an independent

citizens oversight committee to ensure that all funds are spent properly and as promised to the voters; and

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors, which, if approved by 55% of the votes cast, would permit the District to issue its bonds; and

WHEREAS, since fiscal accountability is one of the Board's top priorities, the bond proposition will include all of such accountability measures; and

WHEREAS, such a bond election must be conducted concurrent with a statewide primary, general or special election, or at a regularly scheduled local election, as required by Section 15266 of the Education Code; and

WHEREAS, on November 6, 2012, a statewide general election is scheduled to be conducted throughout the District; and

WHEREAS, the Board has determined that, based upon a projection of assessed property valuation, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the maximum tax rate permitted by Section 15270 of the Education Code; and

WHEREAS, Section 9400 *et seq.* of the California Elections Code (the "Elections Code") requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the bond proposition to be submitted to the voters at the election; and

WHEREAS, it is the Board's desire to maximize all funding from the bond proposition by applying for State matching grant funds whenever possible for fiscal efficiencies; and

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Education of the San Ramon Valley Unified School District as follows:

Section 1. Recitals. All of the above recitals are true and correct.

Section 2. Specifications of Election Order; Required Certification. Pursuant to Education Code Sections 5304, 5322, 15100 *et seq.*, and 15266, a special election shall be held within the boundaries of the District on November 6, 2012, for the purpose of submitting to the registered voters of the District the bond proposition contained in Exhibit A attached hereto and incorporated herein. In accordance with Section 1 of Article XIII A of the California Constitution, and as provided in the text of the bond proposition, the Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the bond project list set forth in the bond proposition.

Section 3. Conduct of Election. (a) *Request to County Officers.* Pursuant to Section 5303 of the Education Code, the Registrar of Voters of the County (the "Registrar of

Voters”) is required to, and is hereby requested to, take all steps to hold the election in accordance with law and these specifications.

(b) *Abbreviation of Proposition.* Pursuant to Section 13247 of the Elections Code and Section 15122 of the Education Code, the Board hereby directs the Registrar of Voters to use the following abbreviation of the bond proposition on the ballot:

“To improve local elementary, middle and high school classrooms, labs and learning facilities by adding classrooms to prevent school overcrowding; upgrading fire, security and earthquake safety; updating science labs, and instructional technology infrastructure for 21st-century learning; improving energy efficiency; and renovating, constructing and equipping schools, facilities and classrooms, shall San Ramon Valley Unified School District issue \$260 million in bonds, at legal rates, with citizens’ oversight, annual audits, no funds for administrators’ salaries and all funds benefitting local schools?”

(c) *Voter Pamphlet.* The Registrar of Voters is hereby requested to reprint the full text of the bond proposition as set forth in Exhibit A in its entirety in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. In the event the full text of the bond proposition is not reprinted in the voter information pamphlet in its entirety, the Registrar of Voters is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

“The above statement is an impartial analysis of Measure __. If you desire a copy of the measure, please call the Contra Costa County Registrar of Voters at {phone number} or the San Ramon Valley Unified School District at 925-552-2933, and a copy will be mailed at no cost to you. Measure __ is also available on the Internet at <http://www.srvusd.k12.ca.us/>.”

(d) *Accountability Safeguards.* In the event the full text of the bond proposition is not reprinted in the voter information pamphlet in its entirety, the Registrar of Voters is hereby requested to include the following statement in the ballot in compliance with Section 15272 of the Education Code:

“If Measure __ is approved, the Board of Education of the San Ramon Valley Unified School District will appoint a citizens’ oversight committee and conduct annual independent audits to assure that bond funds are spent only on the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and for no other purposes.”

(e) *State Matching Funds.* The District has determined that the projects to be funded from the proposed bonds will not require State matching funds for any phase thereof, and that Section 15122.5 of the Education Code does not apply to the bond proposition, and accordingly, the Registrar of Voters is directed not to include the disclosure otherwise required by Section 15122.5 of the Education Code.

(f) *Consolidation Requirement.* Pursuant to Section 15266(a) of the Education Code, the election shall be consolidated with the statewide general election on November 6, 2012, and pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrar of Voters and the Board of Supervisors of the County are hereby requested to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

(g) *Canvass of Results.* The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to Section 10411 of the Elections Code.

(h) *Required Vote.* Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, the bond proposition shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

(i) *Election Costs.* The District shall pay all costs of the election approved by the Board of Supervisors of the County pursuant to Education Code Section 5421.

Section 4. Delivery of Order of Election to County Officers. The Clerk of the Board of the District is hereby directed to cause to be filed as soon as practicable, and in any event no later than August 10, 2012 (which date is not fewer than 88 days prior to the date set for the election), one copy of this Resolution to the Registrar of Voters, including the tax rate statement attached hereto as Exhibit B, containing the information required by Elections Code Section 9400 *et seq.*, completed and signed by the Superintendent of the District, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the County.

Section 5. Ballot Arguments. The President of the Board, or any member or members of the Board as the President shall designate, are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the bond proposition, within the time established by the Registrar of Voters, which shall be considered the official ballot argument of the Board as sponsor of the bond proposition.

Section 6. Further Authorization. The members of the Board, the Superintendent of the District, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution in accordance with the terms hereof and of applicable provisions of law.

Section 7. Effective Date. This Resolution shall take effect upon its adoption by a two-thirds vote.

PASSED AND ADOPTED this day, August 7, 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

President of the Board of Education of the
San Ramon Valley Unified School District

Attest:

Clerk of the Board of Education of the
San Ramon Valley Unified School District

EXHIBIT A

FULL TEXT OF BOND PROPOSITION

SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT SCHOOL MODERNIZATION AND IMPROVEMENT MEASURE

This proposition may be known and referred to as the "San Ramon Valley Unified School District School Modernization and Improvement Measure" or as "Measure ___". *[designation to be assigned by County Registrar of Voters]*

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the San Ramon Valley Unified School District (the "District") shall be authorized to issue and sell bonds of up to \$260,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed under the heading entitled "BOND PROJECT LIST" below (the "Bond Project List"), and qualify to receive State of California matching grant funds, subject to all of the accountability safeguards specified below.

ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically 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 California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Sections 15264 and following of the California Education Code (the "Education Code")).

Evaluation of Needs. The Board of Education of the District (the "Board") has prepared an updated capital facilities plan in order to evaluate and address all of the facilities needs of the District at each campus and facility, and to determine which projects to finance from a local bond at this time. The Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Limitations on Use of Bonds. Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, including, to the extent permitted by law, the acquisition or lease of real property in connection with an existing or future financing of the specific school facilities projects listed in the Bond Project List, including the prepayment of existing or future interim lease, certificate of participation or lease revenue

bond financings, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

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 for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board. In accordance with Section 15282 of the Education Code, the citizens' oversight committee shall consist of at least seven members and shall include a member active in a business organization representing the business community located within the District, a member active in a senior citizens' organization, a member active in a bona fide taxpayers' organization, a member that is a parent or guardian of a child enrolled in the District, and a member that is both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the citizens' oversight committee.

Annual Performance Audits. The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for performance audits. The results of these audits shall be made publicly available and shall be submitted to the citizens' oversight committee in accordance with Section 15286 of the Education Code.

Annual 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 school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for financial audits. The results of these audits shall be made publicly available and shall be submitted to the citizens' oversight committee in accordance with Section 15286 of the Education Code.

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. 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 no later than January 1 of each year, commencing January 1, 2014, stating (a) the amount of bond proceeds received and expended in that year, and (b) 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 of the District shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

FURTHER SPECIFICATIONS

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, 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, pursuant to California Government Code Section 53410.

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest shall be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than 30 years from the date borne by that bond.

BOND PROJECT LIST

The Bond Project List below lists the specific projects the District proposes to finance with proceeds of the bonds. The Bond Project List shall be considered a part of the bond proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition. Listed projects will be completed as needed at a particular school or facility site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. Each project is assumed to include its share of costs of the election and bond issuance, construction-related costs, such as project and construction management, architectural, engineering, inspection and similar planning and testing costs, demolition and interim housing costs, legal, accounting and similar fees, costs related to the independent annual financial and performance audits, a contingency for unforeseen design and construction costs, and other costs incidental to and necessary for completion of the listed projects (whether the related work is performed by the District or third parties). The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State of California grant funds for eligible projects, have not yet been secured. Therefore, the Board cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Alternatively, if the District obtains unexpected funds from non-bond sources with respect to listed projects, such projects may be enhanced, supplemented or expanded to the extent of such funds. Some projects may be subject to further government approvals, including by State officials and boards and/or local environmental or agency approval. Inclusion of a project on the Bond Project List is not a guarantee that the project will be completed.

The specific projects authorized to be financed with proceeds of the bonds under this proposition are as follows:

**SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT
SCHOOL MODERNIZATION AND IMPROVEMENT MEASURE**

BOND PROJECT LIST

The following projects are authorized to be financed at all District schools, facilities and sites as needed as determined by the Board.

**TECHNOLOGY INFRASTRUCTURE IMPROVEMENTS
FOR 21ST-CENTURY LEARNING**

- Acquire and install network technology equipment, fixtures and infrastructure, including servers, storage and interface devices, switches, routers, firewalls, security devices, wireless controllers and access points, racking, power and cooling equipment, cabling/wiring and system software; upgrade, rehabilitate, and replace such equipment, fixtures and infrastructure as needed and/or determined by future educational enterprise standards.

**ADDITIONAL CLASSROOMS/FACILITIES TO PREVENT
OVERCROWDING AND BETTER ENSURE THAT STUDENTS CAN
ATTEND NEIGHBORHOOD SCHOOLS**

- Construct or expand and/or acquire and install additional classrooms, classroom buildings, restrooms, common areas and school support facilities (permanent, portable or modular), including library media/technology centers, performing and visual arts (including theaters), dance, band/orchestra, gymnasium, wrestling room, locker room, multipurpose room, food storage, preparation and service, and office staff support facilities, and associated improvements, signage, fencing and fixtures, and furnish and equip such facilities.
- The construction or expansion and/or acquisition and installation of additional classrooms includes laboratory classrooms, including science, computer, math, engineering, shop, art and design lab classrooms, and furnish and equip such classrooms.
- Construct, furnish, and equip a new school in the Dougherty Valley. Construction of the new school and related facilities designed to meet student housing needs includes:
 - Planning, designing, and constructing the school and related facilities, including playgrounds, sports fields and other athletic facilities.
 - Associated onsite and offsite development and other improvements made necessary by construction of such facilities.
 - Acquisition of a site or sites and any easements, licenses, other land or rights of way made necessary for construction of such facilities.
 - Acquisition and installation of furnishings and equipment related to the newly constructed facilities.

MODERNIZATION OF CLASSROOMS, SCIENCE LABS, FACILITIES AND SITES TO SUPPORT INSTRUCTION

- Modernize, upgrade, renovate, rehabilitate, re-configure, expand, and/or upgrade classrooms, classroom buildings, labs, restrooms, common areas and school support facilities (including library/media/technology centers, performing and visual arts, dance, band/orchestra, gymnasium, wrestling room, locker room, multipurpose room, food storage, preparation and service and office:staff support facilities), including interior and exterior (as applicable) doors, windows, door and window hardware, roofs and building envelopes (including replacement thereof), rain gutters and downspouts, walls, ceilings and floors and finishes, paint, siding, insulation, casework, cabinets, carpets, drapes, window coverings, lighting, sinks, drinking fountains, fixtures, signage, fencing, furniture and equipment.
- The modernization, upgrading, renovation, rehabilitation, re-configuration, expansion and/or upgrading of classrooms includes laboratory classrooms, including science, computer, math, engineering, shop, art and design lab classrooms, and furnish and equip such classrooms.
- Complete, renovate, replace, upgrade, acquire, install and/or integrate major site/building/utility systems, equipment and related infrastructure and housing, including lighting, electrical (including wiring and related infrastructure for modern technology), heating, refrigeration, cooling and ventilation, sewer or septic tank, water (including well), gas, irrigation, drainage and energy efficiency/management monitoring systems, networks, fixtures, equipment and controls.

ENERGY EFFICIENCY AND COST-SAVING IMPROVEMENTS

- Acquire, install, upgrade and/or construct renewable energy and/or energy-saving systems, improvements and equipment, including electricity generation and distribution systems and/or water heating systems, natural light improvements, upgraded insulation, efficient lighting, windows and window coverings, shade structures, energy management and conservation systems, and other passive technologies, and structures to support such systems, improvements and equipment and related infrastructure; rehabilitate and replace such systems, improvements and equipment as needed in the future.
- Renewable energy and/or energy-saving systems include existing systems as well systems developed in the future.
- Complete, renovate, replace, upgrade, acquire, install and/or integrate major site/building/utility systems, equipment and related infrastructure and housing, including lighting, electrical (including wiring and related infrastructure for modern technology), heating, refrigeration, cooling and ventilation, water, gas, irrigation, and energy efficiency/management monitoring systems, networks, fixtures, equipment and controls.

FIRE, SECURITY AND EARTHQUAKE SAFETY IMPROVEMENTS

- Complete, renovate, replace, upgrade, acquire, install and/or integrate fire detection and suppression, safety and security (including surveillance, response, emergency locking and intrusion systems), data, voice and audio-visual communication (including public address) systems, networks, fixtures, equipment, controls and related infrastructure.
- Seismic upgrades to grounds, buildings and other structures.

**PROJECTS TO KEEP SCHOOLS/FACILITIES/SITES SAFE,
CLEAN AND WELL-MAINTAINED**

- Replace portable buildings with permanent, portable or modular buildings, and furnish and equip such buildings.
- Inspect buildings and other structures and repair, replace and/or improve such structures to eliminate/mitigate any structural deficiencies or dry rot, termite, mold or similar damage or hazards.
- Improve, repair or renovate grounds and facilities as required to make such grounds and facilities accessible to the disabled.
- Reconfigure, renovate, repair, resurface, improve and/or expand roads, sidewalks, bicycle/scooter-skateboard storage facilities, parking and related areas, and pick-up/drop-off and bus areas to improve ingress/egress and safety and increase capacity to meet site usage.
- Safe path of travel and accessibility repairs, replacements, improvements and/or upgrades to roads, sidewalks, walkways (including covered walkways), pedestrian bridges, handrails, guardrails, lifts/elevators, ramps and other path of travel areas and buildings.
- Renovate, repair, replace, resurface, upgrade, expand, construct and/or install and improve paved and other hard surfaces (including playgrounds and courts, roads, parking lots and ramps), benches, bleachers, walls, gates, fencing, playfields, all-weather tracks, synthetic turf and landscaping (including erosion control), and acquire, improve, replace and/or upgrade playground and playfield equipment and fixtures (including lighting poles and fixtures).
- The inspection and analysis of grounds, buildings and structures to assess health and safety risks to students, faculty, staff, parents and the public, and the improvement, correction, repair or renovation of such grounds, buildings and structures or portions thereof identified as such health and safety risks.
- The inspection and analysis of grounds and buildings to assess compliance with, and the improvement, correction, repair or renovation of such grounds and buildings to comply with any local, state or federal regulation, including the California Education Code, the California Health and Safety Code and any building code.

MISCELLANEOUS

In addition, bond projects include the following as needed:

- For any project involving renovation, rehabilitation or repair of a building or the major portion of a building, the District shall be authorized to proceed with new replacement construction/re-construction instead (including any necessary demolition), including the removal of all existing buildings and construction of a new school, including all related facilities, site improvements and playground facilities if the Board determines that replacement and new construction/re-construction is more practical than renovation, rehabilitation and repair, considering the building's age, condition, expected remaining life, comparative cost and other relevant factors.
- Planning, designing and providing temporary housing necessary for listed bond projects.
- The inspection, sampling and analysis of grounds, buildings and building materials to determine the presence of hazardous materials or substances, including asbestos, lead, etc., and the encapsulation, removal, disposal and other remediation or

control of such hazardous materials and substances.

- Address other unforeseen conditions revealed by construction, renovation or modernization (including plumbing or gas line breaks, dry rot, seismic and structural deficiencies, etc.).
- The inspection and analysis of grounds and buildings to assess compliance with, and acquire, install and/or construct other improvements to comply with, local, state and federal building, health, safety, access and other related requirements, including seismic safety requirements, Field Act requirements and access requirements of the Americans with Disabilities Act (ADA).
- Necessary onsite and offsite preparation or restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable buildings, including demolition of structures; removing, replacing, or installing irrigation, drainage, utility lines (gas, water, sewer, electrical, data and voice, etc.), trees and landscaping; relocating ingress and egress points; and acquiring any necessary easements, licenses, land or rights of way to the property.
- Acquisition of any easements, licenses, land or rights of way to complete any of the listed bond projects or to meet capacity or changing enrolment needs.
- Acquire or construct storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction.
- Furnishing and equipping of classrooms and other school facilities; furnishing and equipping shall include initial purchases, and scheduled and necessary replacements, upgrades and updating of technology.
- Acquisition of all or a portion of any school site or facility, or an interest therein, or make lease payments with respect to any school site or facility, encumbered in order to finance or refinance the listed bond projects pursuant to a lease, certificate of participation or lease revenue bond financing.
- All other work necessary and incidental to the listed bond projects.

EXHIBIT B
TAX RATE STATEMENT

An election will be held in the San Ramon Valley Unified School District (the "District") on November 6, 2012, to authorize the sale of up to \$260,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to issue the Bonds in multiple series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400 through 9404 of the California Elections Code.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 1.320 cents per \$100 (or \$13.20 per \$100,000) of assessed valuation in fiscal year 2013-14.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 2.370 cents per \$100 (or \$23.70 per \$100,000) of assessed valuation in fiscal year 2019-20.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 3.890 cents per \$100 (or \$38.90 per \$100,000) of assessed valuation in fiscal year 2026-27.
4. These estimates would result in an average annual tax of 2.775 cents per \$100 (or \$27.75 per \$100,000) of assessed valuation over the life of the bonds.

The tax rates associated with this bond measure, when combined with the tax rates for the District's outstanding bonds from Measure D (approved at an election held on April 14, 1998) and Measure A (approved at an election held November 5, 2002), are expected *not* to be greater than \$75.00 per \$100,000 of assessed value, the tax rate estimated to be levied in 2012-13 for the outstanding Measure D and Measure A bonds alone. After 2030-31, the final year of the Measure A bonds, the aggregate tax rate is expected decline again once only the bonds of this authorization remain.

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, which could be more or less than the assessed value. 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.

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 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.

Dated: _____, 2012.

Superintendent of Schools
San Ramon Valley Unified School
District

CLERK'S CERTIFICATE

I, Rachel Hurd, Clerk of the Board of Education of the San Ramon Valley Unified School District, of the County of Contra Costa, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on August 7, 2012, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present. The resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

An agenda of the meeting was posted at least 72 hours beforehand at 699 Old Orchard Drive, Danville, California, a location freely accessible to members of the public, and a brief description of the adopted resolution appeared on the agenda. A copy of the agenda is attached hereto. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this _____ day of _____, 2012.

Clerk of the Board of Education
San Ramon Valley Unified School District