

## **MEASURES**

### **SCHOOL DISTRICT**

#### **WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOND MEASURE J**

To continue repairing all school facilities, improve classroom safety and technology, and relieve overcrowding shall the West Contra Costa Unified School District issue \$400 million in bonds at legal interest rates, with annual audits and a citizens' oversight committee to monitor that funds are spent accordingly, and upon receipt of a waiver of the District's statutory debt limit from the State Board of Education, if required?

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#### **COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF BOND MEASURE J**

Under California law, school districts are authorized to incur bonded indebtedness to construct, reconstruct, rehabilitate, replace, furnish, and equip school facilities, or to acquire or lease real property for school facilities, if approved by the voters. By resolution, the Board of Education of the West Contra Costa Unified School District has proposed that the District incur bonded indebtedness.

This ballot measure would authorize bonded indebtedness not to exceed four-hundred-million dollars (\$400,000,000) with interest not to exceed the maximum legal rate. In exchange for money received from a holder of the bonds, the District will promise to pay to the holder interest for a certain period of time and to repay the loan on the expiration date. Bonds will have a maturity date (the date the District has to pay back the money it borrowed) not to exceed thirty years.

The money raised would be used for continuing to repair all school facilities, improving classroom safety and technology, and relieving overcrowding. The specific projects are set forth in the Bond Project List attached to the Board of Education's resolution. The Board of Education evaluated safety, class size reduction, and information technology needs in developing the Bond Project List. The money raised would only be used for the listed projects.

The ballot measure also calls for the establishment of an independent citizens' oversight committee to ensure that the money raised is expended only on the listed projects. In addition, the Board of Education will be required to conduct an annual independent performance audit to ensure that the funds are expended only on the listed projects, and to conduct an annual independent financial audit of the money raised until it has been spent on the listed projects.

To pass, 55% of those voting on the measure must approve the measure.

A "yes" vote is in favor of authorizing the bonded indebtedness.

A "no" vote is against authorizing the bonded indebtedness.

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#### **TAX RATE STATEMENT FOR BOND MEASURE J**

An election will be held in the West Contra Costa Unified School District (the "District") on November 8, 2005, to authorize the sale of up to \$400,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to sell the bonds in seven (7) series. 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 9400-9404 of the California Elections Code.

1. 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 first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 3.11 cents per \$100 (\$31.10 per \$100,000) of assessed valuation in fiscal year 2006-2007.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the 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 5.99 cents per \$100 (\$59.90 per \$100,000) of assessed valuation in fiscal year 2013-2014.
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 6.00 cents per \$100 (\$60.00 per \$100,000) of assessed valuation in fiscal year 2020-2021 through fiscal year 2035-2036.

The average tax rate is expected to be 5.55 cent per \$100 (\$55.50 per \$100,000) of assessed valuation over the life of the bonds.

Voters should note that estimated tax rate is 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.

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.

Gloria Johnston  
Superintendent  
West Contra Costa Unified School District

Dated: July 13, 2005

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### ARGUMENT IN FAVOR OF BOND MEASURE J

As the State continues to wrestle with budget cuts and political infighting, our schools and our students continue to suffer. That's why such a broad coalition of parents, teachers, principals, and business leaders have joined together in support of Measure J.

By law, Measure J funds can only be used in our community to repair, upgrade, and build school facilities. Measure J funds cannot be used for downtown administrator salaries or benefits. We believe Measure J is well balanced, and sorely needed – that's why we're asking for your support.

Here are some specific items that Measure J will pay for in our community's schools:

- Repairing leaking roofs, decaying walls and ceilings
- Repairing deteriorating restrooms
- Upgrading classrooms and elementary schools
- Reducing overcrowding by adding new classrooms
- Replacing portables with permanent classrooms

Schools in every part of the district will benefit from Measure J, and Measure J will complete a program of repairs and upgrades which have been overwhelmingly supported by our community in the past. These upgrades have, and will continue to benefit our students, our neighborhoods, and our community.

A Yes vote on Measure J will also secure an additional \$40 million for our schools from the State of California. Without Measure J, these funds will be given to schools outside of our district – schools in Alameda County, San Diego and Los Angeles.

In addition to requiring Measure J funds to be used only for local school facilities, an independent citizens oversight committee will make sure that the money from the bond is spent properly.

Please join parents, teachers, and principals in support of our community's children, by supporting our community's schools. Vote Yes on Measure J.

David Cole  
Mayor of Pinole

Harriet R. Maclean  
Principal

Linda Takimoto  
PTA President

Julio Franco  
Principal

Gail M. Mendes  
Teacher & President of the Union

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### REBUTTAL TO ARGUMENT IN FAVOR OF BOND MEASURE J

With four bond and two tax measures since 1998, WCCUSD evidently believes that money is no object, especially when it's not its own. **Reject their bait-and-switch tactics.**

- **Measure M (\$150 million, 2000) promised "All elementary schools will be repaired and upgraded."**

- **Measure D (\$300 million, 2002) was supposed “To complete repairing all of our schools.”** But Measure J’s generic project list is nearly identical to Measure D’s!
- Being *eligible* for matching State funds doesn’t help **when no such funds are available to “secure.”**
- Despite promising bond funds would not be used for administrator salaries, **District staff currently receive nearly \$1 million annually from the Facilities Bond Program.**
- **Over \$100 million of previous bonds remain to be issued**, so taxpayers do not know the full impact on their taxes. Since landlords also pay these taxes, rents will likely increase.

WCCUSD’s Fiscal Services Office predicts a continuing **“gradual decline in enrollment for the next 10 years.”** WCCUSD’s expanded construction plans require high taxes for decades, ignoring needed flexibility for demographic changes.

Bureaucratic inefficiency, poor facilities planning, and numerous change orders will continue to result in expensive cost overruns — until voters say **“NO.”**

We need to invest in students — not architects and consultants. This \$400 million bond measure won’t pay a dime for teachers, books, tutors, or supplies. **Measure J doesn’t guarantee fair, equitable or responsible spending.**

**Vote NO on J!**

More information: [www.westcountyforum.com](http://www.westcountyforum.com)

**Charlotte McIntire**  
Treasurer, West County Property Owners Alliance, Richmond

**Donald L. Damon**  
Former Councilmember and Mayor, El Cerrito

**Willie R. Cobb, Jr.**  
Parent, Teacher, Richmond

**Greg Engargiola, PhD.**  
Parent, Homeowner, El Cerrito

**Paul Freese,**  
Parent, Homeowner, Hercules

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#### **ARGUMENT AGAINST BOND MEASURE J**

West County voters have already approved *five previous* WCCUSD tax measures. But the District is asking for more money, before all the bonds from the last measure have even been issued. The original \$500 Million facilities improvement plan has grown to over \$1.3 billion. That means Measure J could be the first of more new bond measures.

We were promised that all of our schools would be renovated with previous bonds. **In reality, over 30% of the previous bond funds will be spent on just two schools:**

- **El Cerrito High at nearly \$100 Million**, despite an original budget of \$17 million
- **Helms Middle School at \$54 Million**, despite an original budget of \$12 million

We cannot afford the District’s irresponsible, spendthrift schemes.

The problems with this bond include:

- The District is presenting the same generic list of schools and projects they presented with the previous bond measure, without any budget detail. **They should provide realistic cost estimates for each school.**
- They are significantly overstating matching funds from the State, **which may not even be available.**
- The District is building almost all brick and mortar instead of a sensible modular approach that will allow schools to respond to changing enrollments. **When the District must later close upgraded schools due to shrinking enrollments, the significant dollars spent will be wasted.**

Before we are asked to pass more school bonds, the District **MUST** present specific budgets for ALL proposed projects (not just a generic list of where they “might” spend the money) and 30-year enrollment projections for schools they want our money to build.

**We do not need more \$100 Million and \$50 Million schools. Please vote NO on J.**

**Charlotte McIntire** – Treasurer, West County Property Owners' Alliance, Richmond

**Barbara L. Vigil** – Former Member, WCCUSD Bond Oversight Committee; Retired Council Member and Former Mayor, San Pablo

**Alliance of Contra Costa Taxpayers**  
**Kenneth Hambrick, Chairman**  
(Former Grand Jury Member)

**Thomas E. Lynden** – Parent; Business Owner; Certified Public Accountant, Hercules

**Marilynne Mellander** – Coordinator, Save El Sobrante

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## REBUTTAL TO ARGUMENT AGAINST BOND MEASURE J

Our community needs to continue funding local schools. That's why we strongly support Measure J.

We agree with the coalition of parents, teachers, principals, and community leaders that cutting the existing programs to repair, upgrade, and build classrooms would ultimately cripple our local schools, and undermine our students.

In fact, even the opponents agree that we need more school facilities. However, their solution would have the district build more portables instead of safe modern classrooms and restrooms. We don't agree.

- We want to replace existing portables with new durable classrooms– that's why we're supporting Measure J.
- We want the \$40 million in state matching funds for our community's schools – that's why we're supporting Measure J.
- We want our classrooms and restrooms repaired and upgraded so our students will have clean and safe places to learn – that's why we're supporting Measure J.
- We refuse to fall victim to state budget cuts that routinely penalize our community in order to fund programs in other parts of California – that's why we're supporting Measure J.

Certainly, there are those who believe that our schools can survive if we simply ignore the problem. They call those who support local school funding irresponsible.

Fortunately, there are parents, teachers, principals, and business people willing to stand up and fight for our community's children by fighting for Measure J.

Robert J. Campbell  
Retired State Assemblyman  
Local Resident

Josh Genser  
Parent, Local Attorney  
Local Resident

Erwin Reeves  
Vice President Local Bank  
Local Resident

John Wade  
Local Firefighter  
Local resident

Susan McCloskey  
Local Business Owner  
Local Resident

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## FULL TEXT OF BOND MEASURE J

### BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the West Contra Costa Unified School District shall be authorized to issue and sell bonds of up to \$400,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A, 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 West Contra Costa Unified School District may be assured that their money will be spent wisely to address specific facilities needs of the West Contra Costa Unified School 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 Education has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the West Contra Costa Unified School District, and to determine which projects to

finance from a local bond at this time. The Board of Education hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in Exhibit A.

*Independent Citizens' Oversight Committee.* The Board of Education shall establish an independent Citizens' Oversight Committee (section 15278 *et seq.* of the California Education Code), to ensure bond proceeds are expended only for the school facilities projects listed in Exhibit A. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board of Education.

*Annual Performance Audits.* The Board of Education shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A.

*Annual Financial Audits.* The Board of Education 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 Exhibit A.

*Special Bond Proceeds Account; Annual Report to Board.* Upon approval of this proposition and the sale of any bonds approved, the Board of Education 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 Board no later than January 1 of each year, commencing January 1, 2007, 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 into the annual budget, audit, or other appropriate routine report to the Board.

## **BOND PROJECT LIST**

The Bond Project List attached to this resolution as Exhibit A shall be considered a part of the ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

The Bond Project List, which is an integral part of this proposition, lists the specific projects the West Contra Costa Unified School District proposes to finance with proceeds of the Bonds. Listed repairs, rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of costs of the election and bond issuance, architectural, engineering, and similar planning costs, construction management, and a customary contingency for unforeseen design and construction costs. 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 grant funds for eligible projects, have not yet been secured. Therefore the Board of Education cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects.

## **FURTHER SPECIFICATIONS**

*No Administrator Salaries.* 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, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

*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, pursuant to section 53410 of the California Government Code.

*Other Terms of the Bonds.* When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest will 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. No series of bonds may be issued unless the District shall have received a waiver from the State Board of Education of the District's statutory debt limit, if required.

## **EXHIBIT A WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOND PROJECT LIST**

### **SECTION I**

#### **PROJECTS TO BE COMPLETED AT ALL SCHOOL SITES (AS NEEDED)**

##### **Security and Health/Safety Improvements**

- Modifications and renovations necessary for compliance with Americans with Disabilities Act (ADA).
- Improvements required for compliance with applicable building codes including the Field Act.

- Remove, abate, or otherwise mitigate asbestos, lead-based paint and other hazardous materials, as necessary.
- Install closed circuit television (CCTV) systems, as necessary, to provide secure environment for students, staff, and other users of the facilities.
- Survey, assess and mitigate seismic and structural issues and reinforce or replace existing structures, as necessary.
- Purchase necessary emergency equipment and provide adequate storage for such equipment.

#### Major Facilities Improvements

- Provide for required demolition in order to perform all work indicated below as well as the specific school site identified needs.
- Upgrade, install and/or replace, as necessary, intercom, alarm, bell, and clock systems.
- Renovate gymnasiums, or replace, as economically advantageous, and replace or install gymnasium equipment.
- Provide a technology backbone system for voice, data, and video communications to accommodate computer network systems, internet access, and other technology advancements; upgrade or install electrical wiring and power for all systems, and provide computers and other technology equipment.
- Assure that all instructional areas and classrooms are provided with telephone service in order to enhance safety and security.
- Improve, upgrade and/or replace heating, ventilation and air conditioning systems, (including energy management systems).
- Improve, upgrade and/or replace electrical systems and equipment.
- Improve, upgrade and/or replace plumbing lines and equipment.
- Install or upgrade energy efficient systems.
- Improve, replace and/or install new outdoor lighting to improve security, safety and enhance evening educational events or athletic activities.
- Renovate, improve, relocate and/or create adequate trash enclosures.
- Renovate, add, or replace lockers.
- Construct, relocate and/or improve lunch shelters.
- Furnish and/or replace emergency evacuation, building identification and address signage and monument signs.
- Replace doors, hardware, windows and window coverings.
- Construct, renovate and/or improve kitchen areas, including replacement of specialized equipment and furnishings.
- Renovate, upgrade or install library areas, including seismic restraints for shelving.
- Renovate, improve, add, or replace restrooms.
- Renovate, improve or replace roofs.
- Re-finish and/or improve exterior and interior surfaces, including walls, ceilings, and floors.
- Upgrade, improve, install and/or replace indoor lighting systems.
- Provide furnishings and equipment for improved or newly constructed classrooms and administrative facilities.
- Replace worn/broken/obsolete instructional and administrative furniture and equipment, as well as site furnishings and equipment.
- Purchase, rent, or construct temporary classrooms and equipment (including portable buildings) as needed to house students displaced during construction.
- Construct new school facilities, as necessary, to accommodate students displaced by school closures or consolidations.
- Acquire any of the facilities on the Bond Project List through temporary lease or lease-purchase arrangements, or execute purchase options under a lease for any of these authorized facilities.
- Renovate current elementary schools into a K-8 configuration as appropriate.
- Move furniture, equipment and supplies, as necessary, because of school closures or changes in grading configuration.
- As to any major renovation project, replace such facility if doing so would be economically advantageous.

#### Special Education Facilities

- Renovate existing or construct new school facilities designed to meet requirements of student with special needs.

#### Property

- Purchase property, including existing structures, as necessary for future school sites.

#### Sitework

- Complete site work, including sitework in connection with new construction or installation or removal of relocatable classrooms.
- Improve or replace athletic fields, equipment rooms, lighting, and scoreboards.
- Improve, resurface, re-stripe and/or replace damaged asphalt and concrete surfaces.
- Improve or replace storm drain and site drainage systems.

## **SECTION II**

### **ELEMENTARY SCHOOL PROJECTS**

- Complete any remaining Election of November 7, 2000, Measure M, projects. All Elementary Schools may include projects, as necessary, from Section I.

### **SECONDARY SCHOOL PROJECTS**

- Complete any remaining Election of March 5, 2002, Measure D, projects. All Secondary Schools may include projects, as necessary, from Section I.

### **RECONSTRUCTION PROJECTS**

The following projects will be completed as part of the reconstruction program of the district, as funds allow. The reconstruction program includes the following:

#### **Health and Life Safety Improvements**

Code upgrades for accessibility  
Seismic upgrades

#### **Systems Upgrades**

Electrical  
Mechanical  
Plumbing  
Technology  
Security

#### **Technology Improvements**

Data  
Phone  
CATV (cable television)

#### **Instructional Technology Improvements**

Whiteboards  
TV/Video  
Projection Screens

In addition, the reconstruction program includes the replacement of portable classrooms with permanent structures, the improvement or replacement of floors, walls, insulation, windows, roofs, ceilings, lighting, playgrounds, landscaping, and parking, as required or appropriate to meet programmatic requirements and depending on the availability of funding.

<b>PROJECT</b>	<b>SCOPE</b>
De Anza High School	Reconstruction/New Construction
Kennedy High School	Reconstruction/New Construction
Pinole Valley High School	Reconstruction/New Construction
Richmond High School	Reconstruction
Castro Elementary School	Reconstruction
Coronado Elementary School	Reconstruction
Dover Elementary School	Reconstruction
Fairmont Elementary School	Reconstruction
Ford Elementary School	Reconstruction
Grant Elementary School	Reconstruction
Highland Elementary School	Reconstruction
King Elementary School	Reconstruction
Lake Elementary School	Reconstruction
Nystrom Elementary School	Reconstruction
Ohlone Elementary School	Reconstruction/New Construction
Valley View Elementary School	Reconstruction
Wilson Elementary School	Reconstruction

**Approval of Measure J does not guarantee that the proposed project or projects in the West Contra Costa Unified School District that are the subject of bonds under Measure J will be funded beyond the local revenues generated by Measure J. The District's proposal for the project or projects assumes the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.**