

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

**RESOLUTION NO. 43-1920
RESOLUTION OF THE BOARD OF EDUCATION OF
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
ORDERING AN ELECTION TO AUTHORIZE THE
ISSUANCE OF GENERAL OBLIGATION BONDS, ESTABLISHING SPECIFICATIONS
OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION
WITH OTHER ELECTIONS OCCURRING ON MARCH 3, 2020**

WHEREAS, the West Contra Costa Unified School District (the “**District**”) wishes to keep our schools safe, drug-free and gang-free by providing comparable learning communities throughout the District, which are accessible to all students, including the physically disabled; and

WHEREAS, the District wishes to increase post-secondary access for local students to college preparation, career education and technical job training programs that will enable them to learn valuable job skills and obtain rewarding, high-paying jobs; and

WHEREAS, the educational goals of the District can only be met by providing local students with high quality classrooms, with access to current technology, internet and networking systems; and

WHEREAS, upgrades and repairs to, among other facilities, science labs, classrooms, learning centers, libraries, restrooms, plumbing and roofs, and the removal of hazardous materials at District facilities are needed in order to protect the health and safety of students; and

WHEREAS, certain District schools must be replaced or repaired in order to meet seismic standards and new accessibility requirements; and

WHEREAS, notwithstanding past and ongoing efforts by the District to obtain sufficient moneys from the State of California (the “**State**”) for the maintenance, construction, repair and equipping of our schools, in order to provide an effective learning environment for all students, the State has been unable to do so; and

WHEREAS, the District may qualify for significant State matching facility improvement funds if it were able to contribute to the cost of upgrading its school and classroom facilities; and

WHEREAS, the Board hereby determines that it is necessary and advisable to seek additional facility funding to both repair and upgrade District schools and qualify for additional State funding; and

WHEREAS, in the judgment of the Board, it is advisable to call an election to submit to the electors of the District the question of whether bonds of the District shall be issued and sold for the purpose of funding the construction, reconstruction, rehabilitation and replacement of school facilities, including the furnishing or equipping of school facilities, or the acquisition or lease of real property for school facilities and paying costs incident thereto; and

WHEREAS, pursuant to the provisions of Proposition 39, adopted by the voters of the State of California (the “**State**”) on November 7, 2000 (“**Proposition 39**”), comprising Article XIII A, Section 1, paragraph (b) of the California Constitution (“**Article XIII A**”), the District may incur bonded indebtedness upon the vote of fifty-five percent (55%) or more of the qualified electors of the District voting on the proposition; and

WHEREAS, pursuant to California Education Code (“**Education Code**”) Section 15264 *et seq.* (the “**Act**”), the Board is specifically authorized, upon approval by two-thirds (2/3) of the members of the Board, to submit to the electorate of the District the question of whether bonds of the District shall be issued and sold for specified purposes pursuant to paragraph (3) of said subdivision (b) of Section 1 of Article XIII A and subdivision (b) of Section 18 of Article XVI of the California Constitution; and

WHEREAS, the Board desires to make certain findings to be applicable to the within election order and to establish compliance with Proposition 39 and the applicable requirements of the Education Code and the Elections Code of the State (the “**Elections Code**”), as further specified herein; and

WHEREAS, pursuant to Section 10403 *et seq.* of the Elections Code, the Board now deems it appropriate and necessary to request consolidation of the election authorized hereby (the “**Election**”) with any and all other elections to be held on March 3, 2020, and to request the Registrar of Voters (the “**Registrar of Voters**”) of the County of Contra Costa (the “**County**”) to perform certain election services for the District; and

WHEREAS, the Board has determined that, prior to the issuance of a series of general obligation bonds following a successful Election (the “**Bonds**”), the District may need to first apply to the State Board of Education (the “**SBE**”) for a waiver of the limitations on bonded indebtedness set forth in Section 15270 of the Education Code applicable to the District, and if such a waiver is necessary, the Board at such time will determine whether it is necessary and advisable for an application for such a waiver to be filed with the SBE in connection with the issuance of any Bonds under the Election; and

WHEREAS, the Board may elect to apply certain proceeds of sale of the Bonds, or certain other moneys available to the District, to establish a tax rate stabilization fund for the benefit of the taxpayers within the District, to act as a reserve for certain outstanding general obligation bonds of the District, under certain circumstances;

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

Section 1. Call for Election. The Board hereby orders an election and submits to the electors of the District the question of whether general obligation bonds of the District shall be issued and sold in one or more series from time to time in the aggregate principal amount not to exceed \$575 million for the purpose of raising money for construction, reconstruction, rehabilitation, refinancing and replacement of school facilities, including the furnishing or equipping of school facilities, or the acquisition or lease of real property for school facilities and paying costs incident thereto, as set forth more fully in a ballot proposition approved pursuant to Section 4 below.

Section 2. Order of Election. This Resolution shall stand as the order to the Registrar of Voters to call the Election within the boundaries of the District on March 3, 2020. The Registrar of Voters is hereby requested, pursuant to Section 5322 of the Education Code, to take all steps to call and hold the Election in accordance with law and these specifications.

Section 3. Election Date and Consolidation. The date of the Election shall be March 3, 2020, and the Election shall be held solely within the boundaries of the District. Pursuant to Section 15121 of the Education Code and Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Board of Supervisors of the County is requested to order consolidation of the school bond election ordered herein 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.

Section 4. Purpose of Election; Ballot Proposition. The purpose of the Election shall be for the voters of the District to vote on a proposition, a full copy of which is attached hereto as **Exhibit A** (the “**Bond Measure**”), and incorporated by reference herein, containing the question of whether the District shall issue the Bonds for the purposes stated therein, together with the accountability requirements of Article XIII A and the requirements of Section 15272 of the Act. The Registrar of Voters is hereby requested to reprint **Exhibit A** hereof in its entirety in the voter information pamphlet to be distributed to voters. As required by Elections Code Section 13247, the abbreviated form of the Bond Measure to appear on the ballot is attached hereto as **Exhibit B**. The District’s Superintendent and Associate Superintendent, Business Services (or the designee of either of them) is hereby authorized and directed to make any changes to the text of the proposition or its abbreviated form as required to comply with the intent of this Resolution, the requirements of election officials, and requirements of law.

Section 5. The Bonds. (i) The maturity of any bonds issued pursuant to the Bond Measure and under Chapter 1.5, Part 10, Division 1, Title 1 of the Education Code (commencing with Section 15264), as amended, and Article XIII A shall not exceed twenty-five (25) years and shall bear or accrete interest at a rate not to exceed the maximum legal interest rate per annum, and (ii) the maturity of any bonds issued pursuant to the Bond Measure and under Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, as amended, applicable provisions of the Education Code and Article XIII A of the California Constitution shall not exceed forty (40) years, or, in the case of bonds, the interest on which is compounded, twenty-five (25) years, and shall bear or accrete interest at a rate not to exceed the maximum legal interest rate per annum.

Section 6. Authority for Election. The authority for ordering the Election is contained in the Act, Article XIII A, Section 1, paragraph (b), subsection (3) of the California Constitution,

and Section 53506 *et seq.* of the California Government Code. The authority for the specification of this election order is contained in Education Code Section 5322.

Section 7. School Facilities Projects. A list of the specific school facilities projects (the “**Projects**”) to be funded from the proceeds of the Bonds is set forth in **Exhibit A** (the “**Project List**”). As required by Article XIII A, the Board hereby certifies that it has evaluated facilities repair and replacement needs, safety, class-size reduction, and information technology needs of the District in developing the list of school facilities projects set forth in **Exhibit A**. The District understands that costs of managing construction projects and costs of issuance of the Bonds shall be lawful charges against proceeds of sale of the Bonds, and certain costs of administering the election will be lawful charges against the District’s general fund.

Section 8. Covenants of the Board Upon Approval of the Bonds by the Electorate. As required by Article XIII A and Section 15278 of the Act, if fifty-five percent (55%) or more of the voters of the District voting on the Bond Measure approve the Bond Measure, the Board shall:

- (a) Use the Bond proceeds only for the purposes of construction, reconstruction, rehabilitation, refinancing, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, as specifically set forth in **Exhibit A**, and not for any other purpose, including teacher and administrator salaries and other school operating expenses;
- (b) Conduct an annual, independent performance audit to ensure that the Bond proceeds have been expended only on the projects listed in **Exhibit A**;
- (c) Conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for school facilities projects listed in **Exhibit A**;
- (d) Establish and appoint members to an independent citizens’ bond oversight committee in accordance with Sections 15278, 15280, and 15282 of the Act; and
- (e) Limit the amount of Bonds issued pursuant to the Bond Measure so that the tax rate on taxable property located within the District required to repay such bonds will not, based on the District’s reasonable expectations, exceed \$60 per \$100,000 of assessed value.

Section 9. Delivery of this Resolution. The Clerk of this Board is hereby authorized and directed to send or hand-deliver a completed and certified copy of this Resolution to each of the Superintendent of Schools of the County, the Clerk of the Board of Supervisors of the County and the Registrar of Voters no later than December 5, 2019.

Section 10. Tax Rate Statement; Ballot Arguments. Any one of the Superintendent, the President of the Board, or their designees, is hereby authorized to execute the Tax Rate Statement relating to the Election, substantially in the form appended hereto as **Exhibit C** and any other required documents and to perform all other acts necessary to place the Bond Measure on the ballot. The Tax Rate Statement shall be delivered to the Registrar of Voters on or before December

5, 2019. Any member of the Board is hereby authorized to act as an author of or signer to any ballot argument prepared in connection with the Election, including a rebuttal argument.

Section 11. Consolidation of Election; Election Services. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors is requested to permit the Registrar of Voters, or other appropriate officials of the County, to render all services necessary in connection with the Election including, but not limited to, publication of a Formal Notice of School Bond Election pursuant to Education Code 5363 and related law, the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code), the opportunity to submit ballot arguments in connection with the Election, the canvassing and certification of the returns of the Election, and other ballot requirements pursuant to Education Code Section 15123, for which services the District agrees to reimburse the County as required by law.

Section 12. Reimbursement of Qualified Project Expenditures. The Board presently intends and reasonably expects to have tax-exempt obligations (the “**Obligations**”) issued on its behalf no later than 18 months of (i) the date of the expenditure of moneys, if any, made with respect to the Projects outlined in the Project List or (ii) the date upon which the Project for which expenditures are to be reimbursed is placed in service or abandoned, whichever is later (but in no event more than 3 years after the date the original expenditure of such moneys is paid), and to allocate an amount of the proceeds thereof, not exceeding \$575,000,000, to reimbursable expenditures in connection with the Project, as may be qualified under the provisions of Section 1.150-2 of the Treasury Regulations of the Internal Revenue Service (the “**Reimbursable Expenditures**”). All of the Reimbursable Expenditures covered by this Section were paid not earlier than 60 days prior to the date of this Resolution or constitute preliminary expenditures within the meaning of Section 1.150-2 of the Treasury Regulations. The Board intends to allocate within 30 days after the date of issue of the Obligations, the proceeds therefrom to reimburse the District for the Reimbursable Expenditures. With respect to the proceeds of the Obligations allocated to reimburse the District for prior expenditures, the Board hereby covenants not to employ an abusive device under Treasury Regulation Section 1.148-10, including using within one year of the reimbursement allocation, the funds corresponding to the proceeds of the Obligations in a manner that results in the creation of replacement proceeds, as defined in Treasury Regulation Section 1.148-1, of the Obligations or another issue of tax-exempt obligations.

The above provisions are made solely for the purpose of establishing compliance with the requirements of said Section 1.150-2 of the Treasury Regulations. This provision does not bind the District or the Board to make any expenditure, incur any indebtedness, or proceed with the financing, acquisition or construction of the Projects.

Section 13. Bond Consultants. The Board hereby approves the retention of Nixon Peabody LLP as bond counsel and KNN Public Finance, a Limited Liability Company, as its municipal advisor in connection with the Election.

Section 14. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED, SIGNED AND APPROVED this 20th day of November, 2019.

**BOARD OF EDUCATION OF WEST CONTRA
COSTA UNIFIED SCHOOL DISTRICT**

By: _____
President

Attest:

By: _____
Secretary

STATE OF CALIFORNIA)
)
CONTRA COSTA COUNTY) ss.

I, _____, do hereby certify that the foregoing is a true and correct copy of Resolution No. 43-1920, which was duly adopted by the Board of Education of the West Contra Costa Unified School District at a regular meeting thereof held on the _____ day of _____, 2019, in Richmond, California, in a location freely accessible to the public, at which a quorum was present and acting throughout, and that it was so adopted by the following roll-call vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTENTIONS: _____

By: _____
Secretary

EXHIBIT A

FULL TEXT BALLOT PROPOSITION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOND MEASURE ELECTION FOR MARCH 3, 2020

“WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT CLASSROOM MODERNIZATION AND SAFETY UPDATE MEASURE. To repair, upgrade neighborhood schools, shall West Contra Costa Unified School District modernize core classrooms; provide safe, secure school environments, including updated technology and air conditioning, that improve academic achievement and provide relevant career pathways for all students, by issuing \$575 million of bonds, at legal rates, averaging \$34.48 million annually while bonds are outstanding, at 6¢ per \$100 assessed value, with strict citizens’ oversight, annual audits and all money for local schools?”

PROJECT LIST

The Board of Education of the West Contra Costa Unified School District certifies that it has evaluated the District’s urgent and critical school needs, including school and student safety issues, enrollment trends, class size reduction, student capacity, energy efficiency and information technology, seismic safety requirements, and aging, outdated or deteriorating school buildings in developing the scope of projects to be funded. In developing the scope of projects, the District has prioritized the key health and safety and sustainability needs so that the most critical school site needs are addressed. The District conducted an evaluation of its school sites, and this study concluded that if these needs were not addressed now, the problem would only get worse and more expensive to address in the future. In approving this Project List, the Board of Education determines that the District should:

- (i) Upgrade classrooms to support the core academics of math, science, reading and writing.
- (ii) Upgrade technology and science labs.
- (iii) Provide safe and secure school sites.
- (iv) Upgrade and install air conditioning to classrooms.
- (v) Provide classrooms for job training to prepare students for the workforce.
- (vi) Qualify for millions of dollars of State matching funds.
- (vii) Adhere to specific **FISCAL ACCOUNTABILITY** safeguards such as these:
 - (a) Sacramento will be prohibited from taking any of the funds raised.
 - (b) All expenditures will be subject to annual independent financial and performance audits.

- (c) No funds will be used for administrators' salaries or pensions.
 - (d) All funds will be subject to local control and provide improvements at all of our schools.
 - (e) An independent citizens' oversight committee will be appointed to ensure that all funds are spent only as authorized.
- (viii) Develop a method of using proceeds of the Bonds in part to provide for a tax rate stabilization fund with the County, to insure that target tax rates for property owners within the District on this and prior Bond Measures supporting the Bond Construction Program of the District can be stabilized.

Priority School Projects

Prior to developing the Project List set forth below, the District has conducted a study, incorporated into the District's Long Range Facilities Master Plan (<https://www.wccusd.net/Page/6945>), to determine the most compelling capital needs among the District's schools. While any Project included on this Project List may be undertaken at any of the District's schools or sites, the District has identified 21 Priority Schools, taking factors such as facility age, years since the last improvements were made, ADA needs, student demographics, capacity and existing technology into account. The Priority Schools include the following:

Early Intervention and Elementary Schools: Cameron School, Chavez Elementary School, Collins Elementary School, Fairmont Elementary School, Grant Elementary School, Highland Elementary School, Lake Elementary School, Ohlone Elementary School, Olinda Elementary School, Riverside Elementary School, Serra/West County Mandarin School, Shannon Elementary School, Stege Elementary School, Valley View Elementary School, and Wilson Elementary School.

Middle Schools, High Schools and Adult Schools: Crespi Middle School, Hercules Middle School, Hercules High School, Kennedy High School, Richmond High School, and Alvarado Adult School.

The Board of Education intends to apply proceeds of the bonds to make improvements included on the below Project List at these Priority Schools and other schools of the District, taking into account the timing of bond issues, school schedules and the most vital needs of the District's students. The Project List was developed based on the District's Long Range Facilities Master Plan, and includes safety upgrades at all schools and the construction, reconstruction, rehabilitation, furnishing and equipping of school facilities at any current or future site in the event of an unforeseen or catastrophic event.

The Project List includes the following types of projects:

School Construction, Renovation, Repair and Upgrade Projects

Goal and Purpose: Schools will benefit from the modernization, renovation, repair, upgrade, construction, furnishing and equipping of deteriorating, outdated school buildings, science labs, classrooms, multipurpose rooms, technical education and school libraries and

equipment, in order to ensure compliance with handicap accessibility requirements and that students and teachers have the resources they need to excel and students are prepared for college and the real world when they graduate, by undertaking the following:

- Repair, upgrade and replace worn-out leaking roofs.
- Replace existing wiring systems to meet current electrical and accessibility codes.
- Additional electrical service capacity to relieve currently overloaded electrical systems.
- Replace existing water, sewer, plumbing and storm drain systems to meet current codes.
- Upgrade aging and deteriorating school restrooms.
- Upgrade and equip classrooms, science and STEAM labs and multipurpose rooms and facilities.
- Comply with Federal and State-mandated Americans with Disabilities Act (ADA) handicap accessibility requirements.
- Upgrade aging schools and replace old portable classrooms with new construction, including potential construction of one or more new schools or reconstruction of existing school sites, or portions thereof.

School Health, Safety and Security, Earthquake Safety and Energy Efficiency School Projects

Goal and Purpose: To ensure that the learning process is not interrupted by gangs and drugs or juvenile crime, to maintain healthy students and improve daily attendance, to help attract and retain excellent teachers, and to deter vandalism, schools and school sites will benefit from a variety of health and safety projects, such as:

Student Safety

- Install new security systems, such as security (surveillance) cameras, outdoor lighting, fencing, gates and classroom door locks.
- Remove or abate asbestos, lead paint, mold and other hazardous materials.
- Upgrade emergency communication systems.
- Upgrade fire alarm systems to automatic systems, repair and replace fire safety equipment, add sprinklers and fire safety doors.
- Upgrades to schools in order to meet handicap accessibility requirements.
- Replace/upgrade existing signage, bells and clocks.

- Upgrade and replace playground equipment and athletic fields to meet current safety standards.

Energy Efficiency—Returning Savings to the Classrooms.

- Install energy-efficient systems, including windows, solar panels, energy-efficient heating, ventilation and cooling systems for cost savings and energy efficiency.
- Upgrade and install classroom air conditioning.
- Replace older ceilings, heating, ventilation, air conditioning and lighting systems with building code-compliant, energy-efficient systems.

District-Wide Wiring and Instructional Technology Projects For Effective Learning Environment and Job Training

Goal and Purpose: To upgrade technology, improve both current instruction methods and to expand job training programs by applying modern technology infrastructure:

- Provide and maintain upgraded and updated technology, data and communication equipment.
- Upgrade and expand wireless systems, telecommunications and internet access.
- Upgrade and replace computers, hardware and software systems.
- Upgrade and replace classroom furniture, equipment and instructional aids.
- Upgrade media and audio/visual equipment.
- Expand bandwidth to allow students greater access to the Internet.
- Construct new facilities and install up-to-date learning technology and equipment to be used in job programs.

Listed building, repair and rehabilitation projects and upgrades may be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed repair and construction projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment; the reduction or retirement of outstanding lease or capital facility note obligations, including interim funding incurred to advance fund projects from the Project List, or the reimbursement of the District for such reduction, as well as the refinancing of outstanding general obligation bond debt of the District and creation of a fund to stabilize tax rates levied on District property owners; the construction, reconstruction, remodeling, upgrading and furnishing of new classrooms or schools, if necessary, to serve students; the construction, reconstruction, remodeling, modernization, upgrading and furnishing of performing arts facilities and schools, which may include classrooms, practice rooms, art studios and galleries, a theater with stage, backstage, scene shop, costume shop, dressing rooms, lighting system, sound

system, recording system, orchestra pit, public lobby, box office, and other related services, the acquisition of land and/or the construction, reconstruction, remodeling, upgrading and furnishing of administrative support spaces and district administrative offices; installation of signage and fencing; the payment of the costs of preparation of all facility planning, facility assessment reviews, facility master plan updates, environmental studies (including environmental investigation, remediation and monitoring) and construction documentation; gymnasium and athletic facilities and field upgrades; the acquisition or prepayment of outstanding ground leases, acquiring and leasing of real property for school facilities, including the purchase of leased facilities and the refinancing of outstanding lease obligations; acquiring or leasing of staff parking or transportation lots; paving of parking lots, play areas, and other ground surfaces at schools or school sites; acquiring and leasing of property for temporary housing of dislocated District activities caused by bond projects and the completion of projects authorized under the District's 2010 Measure D and 2012 Measure E projects, previously approved by the voters. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection, card access systems, laser printers, digital white boards, document projectors, upgraded voice-over IP, call manager and network security/firewall, and other miscellaneous equipment and software. Any project on this Project List may be undertaken at any current or future school site, including Priority Schools. In the event an unforeseen catastrophic event occurs in the District, proceeds may be used for the construction, reconstruction, rehabilitation, furnishing and equipping of school facilities at affected sites. The District will pursue the maximum amount of State matching funds available to complete the Projects.

In addition to the projects listed above, the construction, reconstruction, upgrading, repair and renovation of each of the existing school facilities may include, but not be limited to, some or all of the following: renovation of student and staff restrooms; upgrade of facilities to reduce fire risks; repair and replacement of worn-out and leaky roofs, windows, walls, doors and drinking fountains; demolition of unsafe schools or facilities; installation of wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; resurfacing or replacing of hard courts, turf and irrigation systems and campus landscaping; building new and/or renovating existing gymnasiums and high school stadiums; upgrading or replacing inadequate libraries and multi-purpose rooms, or construction of new libraries and multi-purpose rooms; upgrading locker rooms; installing lunch shelters, artificial turf, and bleachers; improving sanitation and recycling; replacing and expanding parking lots; building a new stadium; installing interior and exterior painting and floor covering; installing covered walkways or shelters; adding administrative support spaces; upgrading school site kitchens; repairing rubberized play apparatus surfaces; demolition; and construction of various forms of storage and support spaces; upgrading classrooms; repairing, upgrading and installing interior and exterior lighting systems; and replacing outdated security fences and security systems.

The allocation of bond proceeds will be affected by the District's receipt of State matching funds and the final costs of each project. Approval of Measure ____ does not guarantee that the proposed Project or Projects within the District that are the subject of bonds under Measure ____ will be funded beyond the local revenues generated by Measure _____. The District's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the

costs of the projects, the District may not be able to complete all of the projects listed above. 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 projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing or installing irrigation, storm drain, and utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Proceeds of the bonds may be used to pay or reimburse the District for the costs of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the specific purposes identified herein. In order to fund the projects and prior to the issuance of any bonds authorized by this Measure, the District may seek one or more waivers from the State Board of Education of the applicable bonding limit requirements of Section 15106 of the Education Code. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

As required by the California Constitution, the proceeds from the sale of the bonds will be used only for the provision of school facilities by construction, reconstruction, rehabilitation, refinancing 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.

The District will conduct an annual, independent performance audit to ensure that the funds have been expended only on projects included in the Project List set forth above.

The District will conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended on projects included in the Project List set forth above.

Pursuant to Section 15772 of the Education Code, the Board will appoint a citizens' oversight committee and conduct annual independent audits to assure that bond proceeds are spent only on projects included in the Project List set forth above and for no other purposes.

NO ADMINISTRATOR SALARIES. PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING PENSIONS, TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.

FISCAL ACCOUNTABILITY. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY

REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE (EDUCATION CODE SECTION 15278 *ET SEQ.*) TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' BOND OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATIVES OF A *BONA FIDE* TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' BOND OVERSIGHT COMMITTEE.

EXHIBIT B

BOND MEASURE

(Abbreviated Form)

“WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT CLASSROOM MODERNIZATION AND SAFETY UPDATE MEASURE. To repair, upgrade neighborhood schools, shall West Contra Costa Unified School District modernize core classrooms; provide safe, secure school environments, including updated technology and air conditioning, that improve academic achievement and provide relevant career pathways for all students, by issuing \$575 million of bonds, at legal rates, averaging \$34.48 million annually while bonds are outstanding, at 6¢ per \$100 assessed value, with strict citizens’ oversight, annual audits and all money for local schools?”	BONDS – YES
	BONDS – NO

EXHIBIT C
TAX RATE STATEMENT FOR
MEASURE __

An election will be held in the West Contra Costa Unified School District (the “District”) on March 3, 2020, to authorize the sale of up to \$575,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District plans to issue the bonds in a number of series over a period of time. Principal of 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 presented is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California. This information is based upon the best estimates and projections presently available from official sources, upon experience within the District and other demonstrable factors.

1. The best estimate from official sources 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 estimated assessed valuations available at the time of the filing of this statement, or on a projection based on experience within the District or other demonstrable factors, is 59.8 cents per \$100 (\$59.80 per \$100,000) of assessed valuation of all property to be taxed. The final year in which the tax is anticipated to be collected is 2052-53.
2. The best estimate from official sources of the highest tax rate which would be required to be levied to fund this bond issue, and an estimate of the year in which that rate will apply, based on estimated assessed valuations available at the time of filing of this statement, or on a projection based on experience within the District or other demonstrable factors, is 60 cents per \$100 (\$60.00 per \$100,000) of assessed valuation on all property to be taxed for fiscal year 2051-52.
3. The best estimate from official sources of the total debt service, including the principal and interest, that would be required to be repaid if all the bonds are issued and sold is \$1,065,871,089.

The tax rate estimates in this statement reflect the District’s current projection of future assessed values and of future debt service payments, which are based on the District’s reasonable assumptions. Approval of the ballot measure authorizes the issuance of bonds under certain conditions and for certain purposes but is not approval of a specific tax rate or a specific plan of bond issuance. 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 and repayment structure of bonds sold, 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 and repayment structure of bonds sold at any given time will be determined by the District based on its need for construction funds, its intention to meet the tax rate targets stated above, the legal limitations on bonds approved by a 55% vote 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.

Voters should note that the estimated tax rates are based on the *ASSESSED VALUE* of taxable property in the District as shown 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: _____, 2019

Superintendent
West Contra Costa Unified School District