

AUG 02 2018

**RESOLUTION #18-07-01**

MA [REDACTED]  
By [REDACTED]  
DEPUTY CLERK

**RESOLUTION OF THE BOARD OF TRUSTEES OF SAN BRUNO PARK SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION ON NOVEMBER 6, 2018 AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the Board of Trustees ("Board") of the San Bruno Park School District ("District"), within the County of San Mateo, California 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 ("Education Code");

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 Section 15100 *et seq.* of the Education Code;

WHEREAS, pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution (also known as "Proposition 39"), and Section 15266 of the Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a fifty-five percent (55%) vote of those voting on a proposition for that purpose, provided certain accountability measures are included in the proposition;

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors to be approved by fifty-five percent (55%) of the votes cast;

WHEREAS, such a bond election must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election, as required by Section 15266 of the Education Code, and on November 6, 2018, an election is scheduled to occur throughout the District;

WHEREAS, in the judgment of the Board, it is advisable to request that the San Mateo County Registrar of Voters ("County Registrar") act as the election official and call an election and submit to the registered voters of the District the full ballot proposition as detailed below, in coordination with each other as necessary;

WHEREAS, it is the recommendation of District staff that the District retain bond counsel and a financial advisor to assist the District with the process of calling a bond election and, if the bond election is successful, with the subsequent structuring and documenting of a bond issuance for the purposes set forth herein; and

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

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Trustees of the San Bruno Park School District as follows:

Section 1. Specifications of Election Order. Pursuant to Sections 5304, 5322, 15100 *et seq.*, and Section 15266 of the Education Code, an election shall be held within the District on November 6, 2018, for the purpose of submitting to the registered voters of the District the full ballot proposition contained in **Exhibit B** ("Full Ballot Text"), which Full

Ballot Text is hereby approved. The County Registrar shall provide for the performance of its duties in accordance with Education Code section 5303.

**Section 2. Abbreviation of Proposition.** Pursuant to Section 13247 of the California Elections Code and Section 15122 of the Education Code, the Board hereby directs the County Registrar to use the abbreviation of the Full Ballot Text that is attached hereto as **Exhibit A.**

**Section 3. Voter Pamphlet.** The County Registrar is hereby requested to reprint the Full Ballot Text 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 Ballot Text is not reprinted in the voter information pamphlet in its entirety, the County Registrar 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 San Mateo  
County Registrar of Voters at \_\_\_\_\_ and a copy will be  
mailed at no cost to you.”

**Section 4. Accountability Measures.** Pursuant to legal requirements, and as specified in the Full Ballot Text, the Board certifies that the District:

- (a) Has evaluated the facilities needs of the District and has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in the Full Ballot Text;
- (b) Will establish an Independent Citizens’ Oversight Committee to ensure that bond proceeds are expended only for the school facilities projects described in the Bond Project List, in accordance with Education Code section 15278 et seq.;
- (c) Will conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List;
- (d) Will conduct or cause to be conducted an annual independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects described in the Bond Project List; and
- (e) Shall take all actions to establish an account in which proceeds of the sale of the bonds will be deposited, and to cause a report to be filed with the Board no later than each January 1 identifying proceeds received and expended in the past fiscal year and the status of any project funded or to be funded with bond proceeds. The first report shall be due no later than January 1 of the first year after which bonds have been issued and proceeds spent.

**Section 5. Required Vote.** Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the State Constitution, the above proposition shall become effective upon the affirmative vote of at least fifty-five percent (55%) of those voters voting on the proposition.

✓ Section 6. Request to County Officers to Conduct Election/Cost of Election. The County Registrar is hereby requested, pursuant to section 5322 of the California Education Code, to take all steps to call and hold the election in accordance with law and these specifications. The District will reimburse the Registrar and the County for costs associated with the election as required by law.

✓ Section 7. Consolidation of Election and Canvass of Vote.

(a) Pursuant to Section 15266(a) of the Education Code, the election shall be consolidated with the election on November 6, 2018.

✓ (b) The Board of Supervisors of San Mateo County is authorized and requested to canvass the returns of the election, as necessary, pursuant to Section 10411 of the California Elections Code.

✓ Section 8. Delivery of Order of Election to County Officers. The Clerk of the Board is hereby directed to deliver or cause to be delivered, no later than August 10, 2018, (which date is 88 days prior to the date set for the election), one copy of this Resolution to the County Registrar with the completed Tax Rate Statement (in substantially the form attached hereto as **Exhibit C**), completed and signed by the Superintendent or his designee, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of San Mateo County.

Section 9. Ballot Arguments. The members of the Board are hereby authorized to prepare and file, or cause to be prepared and filed, with the County Registrar a ballot argument in favor of the proposition contained in Section 1 hereof, within the time established by the County Registrar.

Section 10. Reimbursement of Qualified Project Expenditures. The Board presently intends and reasonably expects to have tax exempt obligations (the "Obligations") issued on its behalf within 18 months of the date of the expenditure of moneys on the projects outlined in the foregoing Bond Project List or the date upon which a project 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 not to exceed 10% of the proceeds thereof to the 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 Resolution were paid not earlier than 60 days prior to the date of this Resolution. The Board intends to allocate within 30 days after the date of issue of the Obligations the proceeds there from 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 issuer of tax exempt obligations.

The above provision is 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 Project.

*Section 11. Further Authorization.* The members of this Board, the Superintendent, 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, including modification of the Full Ballot text, ballot measure summary or Tax Rate Statement if he or she determines such modifications are necessary and in the District's best interests. Any such modifications shall be ratified thereafter by the Board.

*Section 12. Effective Date.* This Resolution shall take effect upon its adoption.


PASSED AND ADOPTED this 23<sup>rd</sup> day of July, 2018, by the following vote:

AYES:  
NAYS:  
ABSTAIN:  
ABSENT:

APPROVED: 

  
\_\_\_\_\_  
President of the Board of Trustees of the  
San Bruno Park School District

Attest:

  
\_\_\_\_\_  
Clerk of the Board of Trustees of the  
San Bruno Park School District

Ballot Questions Starts

**EXHIBIT A**

**SUMMARY OF BALLOT MEASURE**

To upgrade classrooms, science labs, technology, and school facilities to support student achievement and college readiness, improve student and school safety/security and repair deteriorating roofs, plumbing and electrical systems, shall San Bruno Park Elementary School District issue \$79 million at legal interest rates, levying 3 cents per \$100 of assessed valuation while bonds are outstanding, raising an average \$4 million annually to improve/repair our aging schools, with citizen oversight with all money benefitting our local community?

Ballot Questions Ends

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**FILED** IN THE OFFICE OF THE  
CHIEF ELECTIONS OFFICER  
OF SAN MATEO COUNTY, CALIF.

AUG 02 2018

MARK MURPHY, Chief Elections Officer  
By [Redacted] DEPUTY CLERK

Please see amendment  
(District amended the Ballot Question)

AUG 02 2018

By: [Redacted] Office:  
DEPUTY CLERK

Full Text  
starts

EXHIBIT B

SAN BRUNO PARK SCHOOL DISTRICT BOND PROPOSITION  
FULL BALLOT TEXT

ACCOUNTABILITY MEASURES

The provisions in this section are included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Section 15264 *et seq.* of the California Education Code).

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

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

**Annual Performance Audit.** The Board of Trustees shall conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List.

**Annual Financial Audit.** The Board of Trustees shall conduct or cause to be conducted an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects described in the Bond Project List.

**Annual Report to Board.** Upon approval of this measure and the sale of any bonds approved, the Board of Trustees shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent shall cause a report to be filed with the Board of Trustees no later than January 1 of each year, commencing on the first January 1 after bonds have been issued and proceeds spent, stating (1) the amount of bond proceeds received and expended in the past fiscal year, and (2) the status of any project funded or to be funded from bond proceeds. The report may be incorporated into the annual budget, annual financial report, or other appropriate routine report to the Board.

## **BOND PROJECT LIST**

Bond proceeds will be expended to modernize, replace, renovate, expand, construct, acquire, equip, furnish and otherwise improve the classrooms and school facilities of the District.

The school facilities projects to be funded include, but shall not be limited to:

### **Allen Elementary School**

Allen Elementary School was built over 77 years ago. Given the age of the buildings on this school site, the deteriorating condition of the existing infrastructure and the challenges posed by the existing site configuration, this school needs to be replaced. The intent will be to build a school that meets the District's needs for the next generations of San Bruno children.

- Demolition of all existing buildings on the campus.
- Construction of classrooms, specialty classrooms, including for art and science curriculum, kindergarten classrooms and special education classrooms.
- Construction of a new multi-purpose building to accommodate the entire student body for assemblies and lunch and flex space for small pull-out classes and after school programs.
- Construction of a Library
- Counseling and administrative spaces with collaborative work areas, divisions for private and public spaces for student support.

### **Parkside Middle School Science, Library, Multi-purpose/Performing Arts Replacement and Traffic Improvements:**

Parkside is one of our community's oldest schools, built in 1954. Although much of the school has been renovated the existing science classrooms are inadequate for instruction in science. Our goal is to replace the "science wing" with modern facilities. In addition, much of the performing arts programs are in portables that are inadequate. Along with an older multi-purpose building, these buildings will be replaced with a new flexible facility that supports the performing arts educational programs. Finally, the traffic conditions must be improved. This will require extensive re-working of the front of the school that will include a replacement for the main office to provide additional support spaces for teachers and students.

- Demolition of the existing science/library building
- Construction of a new building including science labs and a new library
- Construction of a new multi-purpose building that includes performing arts classrooms, an updated stage with sounds and lighting systems for performances and adequate storage and support spaces.
- Construction of a new main office building and improvements to traffic flow at the front of the campus.
- Renovation of the gymnasium and locker rooms.

### **John Muir Elementary School Renovation and Expansion:**

John Muir Elementary School has been a valuable part of our community for over 58 years. Like other schools in our community it is in need of significant renovation and modernization. We need to improve the educational facilities, renovate and restore buildings

with older infrastructure, provide more space for play, improve traffic safely, resolve awkward site conditions to increase security for children. Ultimately the school will have 18 standard classrooms, plus kindergarten classrooms.

- Demolition of the existing multi-purpose building and elimination of all District portables on the site.
- Conversion of the existing main office, workroom and library into standard classrooms
- Construction of a new classroom building on the site of the existing multi-purpose building which will house regular classrooms, specialty classrooms and restrooms
- Construction of a new multi-purpose building (MPB) to accommodate the entire student body for assemblies and facilitate lunch .
- Construction of a new specialty classroom attached to the MPB
- Construction of a Library including breakout spaces for small groups.
- Construction of a new administration building for improved access, services, collaborative spaces and better security .
- Provide access and an improved student pick-up and drop-off .
- Relocation of portables for before and after school programs.

#### **Portola Elementary School Renovation and Expansion:**

Portola Elementary School needs both renovation and reconfiguration to improve safety on the campus and to provide better instructional space. These improvements include a new multi-purpose building and converting the existing office into student support spaces. The existing undersized multipurpose room will be converted into a library.

- Construction of a new multi-purpose building (MPB) to accommodate the entire student body for assemblies and facilitate lunch.
- Conversion of the existing main office, workroom and library into student support spaces.
- Conversion of the existing multi-purpose space into an expanded library and resource center.
- Modernization of all campus buildings
- Construction of a new administrative space.

#### **Belle Air Elementary School Renovation and Expansion:**

The multi-purpose building, pre-school and library date back to 1951 – 67 years old. They are in poor condition and are awkwardly placed on the campus limiting the ability to control entry onto the school site, and providing for a difficult pick-up and drop-off condition. Although a number of the classroom buildings were built as recently as 2001 and are in decent shape they need modernization. , The remaining parts of the school including the Multi-Purpose room, Library building and support offices are all inadequate and need to be demolished.

- Demolition of the existing library, office and multi-purpose buildings.
- Construction of a new multi-purpose building Library and Main Office .
- Construction of a new Health Center
- Conversion of the existing main office to classrooms.
- Removal of portables including the Health Center portable.
- Construction, repair, modernization and improvement of all remaining campus buildings



Projects listed above may be completed at any and all school sites and facilities where such project is determined by the Board to be necessary or required, and projects are authorized to be performed at each and all of the District's schools and sites.

Listed projects, repairs, improvements, rehabilitation projects and upgrades will be completed only as needed, and the listing of projects does not imply a particular prioritization among such improvements. Projects may be done in phases, based on Board of Trustees priorities. Listed projects may be completed at any and all District schools, sites and education buildings where such project is determined necessary. Decisions regarding the scope, timing, prioritization or other facets of project implementation will be made solely by the Board of Trustees by subsequent action. Where terms such as "renovate," "upgrade," "repurpose" and "improve" are used in the Bond Project List, the Board of Trustees shall determine the best method for accomplishing the project's objective. For any listed project involving renovation or modernization of a building or the major portion of a building, the District may proceed with new replacement construction instead (including any necessary demolition), if the District determines that replacement and new construction is more practical than renovation, considering the building's age, condition, expected remaining life, comparative cost, and other relevant factors. In addition, where feasible, projects may be completed in partnership with other agencies on a joint use basis using bond proceeds.

Each project is assumed to include its share of costs of bond issuance, architectural, engineering, and similar planning costs, construction management, bond project staff and consultants, staff development and training expenses associated with learning construction techniques and approaches, new bond-funded equipment and systems, and a customary contingency for unforeseen design and construction costs. In addition to the projects listed above, the Bond Project List also includes payment of the costs of preparation of all facilities planning and project implementation studies, feasibility and assessment reviews, master planning, environmental studies, permit and inspection fees, and temporary housing and relocation costs for dislocated programs or activities caused or necessitated by construction projects.

The final cost of each project will be determined as plans are finalized and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Necessary site preparation/grading/restoration may occur in connection with new construction, modernization, renovation or remodeling, including ingress and egress, removing, replacing or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, leases, licenses, or rights of way to the property.

#### **ADDITIONAL 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 on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including teacher 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.

**Other Terms of the Bonds.** The bonds may be issued and sold in several series, and in accordance with a financing plan determined by the Board of Trustees pursuant to requirements of law. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum and with a maximum term not exceeding the statutory maximum, provided that the average useful life of bonds sold will not exceed one hundred twenty percent (120%) of the average life of the projects being financed or as otherwise provided by federal tax law. Bond funds may be used to reimburse the District for Bond Project list expenditures incurred prior to the election and bond issuance, in accordance with federal tax law.

\_\_\_\_\_ Full Text Ends

AUG 02 2018

*Tax Rate Statement  
Starts*

**EXHIBIT C  
TAX RATE STATEMENT**

By: [Redacted] DEPUTY CLERK

An election will be held within the boundaries of San Bruno Park School District (the "District") on November 6, 2018 to authorize the sale of up to \$79,000,000 in bonds to finance facilities as described in the proposition. If the bonds are approved, the District expects to sell the bonds in multiple series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property located within the District. The following information is provided in compliance with Sections 9400-9404 of the California Elections Code.

1. The best estimate of the annual average tax rate which would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on estimated assessed valuations available at the time of filing of this statement, is .0278 cents per \$100 (\$27.78 per \$100,000) of assessed valuation. The final fiscal year in which the tax is anticipated to be collected is 2054-55.
2. 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 .03 cents per \$100 (\$30 per \$100,000) of assessed valuation, which rate would be levied while the bonds are outstanding.
4. The best estimate of total debt service, including principal and interest, which would be required to be repaid if all the bonds are issued and sold is \$163,300,000.

Voters should note that the estimated tax rate is based on the ASSESSED VALUE of taxable property on the County of San Mateo 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, debt service and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Signed: [Redacted]  
Stella M. Kemp, Ed.D., Superintendent  
Dated: July 23, 2018

*Tax Rate  
Statement  
ends*

**EXHIBIT A - Amendment**

**SUMMARY OF BALLOT MEASURE**

\*\*\*\*\* BALLOT MEASURE BEGINS HERE\*\*\*\*\*

To upgrade classrooms, science labs, technology, and school facilities to support student achievement and college readiness, improve student and school safety/security and repair deteriorating roofs, plumbing and electrical systems, shall San Bruno Park School District issue \$79 million at legal interest rates, levying 3 cents per \$100 of assessed valuation while bonds are outstanding, raising an average \$4 million annually to improve/repair our aging schools, with citizen oversight with all money benefitting our local community? &

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Bonds - Yes \_\_\_\_\_

Bonds - No \_\_\_\_\_

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\*\*\*\*\* BALLOT MEASURE ENDS HERE\*\*\*\*\*

Balot Question  
updates Final version

**FILED** IN THE OFFICE OF THE  
CHIEF ELECTIONS OFFICER  
OF SAN MATEO COUNTY, CALIF.

AUG 08 2018

MARK CHURCH, Chief Elections Officer

By: \_\_\_\_\_  
DEPUTY CLERK



August 7, 2018

Michelle Yue, Candidate Filing Officer  
San Mateo County Elections  
40 Tower Road  
San Mateo, California 94402

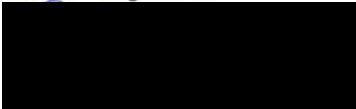
Re: San Bruno Park School District –Corrected 75-Word Ballot Measure

Dear Ms. Yue:

I hereby request that the name of San Bruno Park School District (the "District") be corrected to remove the word "Elementary" in the 75-word ballot measure in connection with District's November 6, 2018 general obligation bond election. The legal name of the District is "San Bruno Park School District" and should appear as such in the 75-word ballot measure.

If you have any questions regarding the 75-word Ballot Measure or the District's election, please contact the District's Bond Counsel, Meredith Johnson of Dannis Woliver Kelly at (213) 291-9144 or [mjohnson@dwkesq.com](mailto:mjohnson@dwkesq.com).

Best Regards,



Stella M. Kemp, Ed.D.  
Superintendent

**FILED** IN THE OFFICE OF THE  
CHIEF ELECTIONS OFFICER  
OF SAN MATEO COUNTY, CALIF.

AUG 08 2018

MARK CHURCH, Chief Elections Officer  
By: \_\_\_\_\_  
DEPUTY CLERK

**BOARD OF TRUSTEES:**

Jennifer M. Blanco • John P. Marinos • Kevin J. Martinez • Andrew T. Mason • Henry Sanchez, M.D.

Stella M. Kemp, Ed.D., *Superintendent*