

## FULL TEXT OF MEASURE K JACOBY CREEK SCHOOL DISTRICT BOND

This proposition may be known and referred to as the Jacoby Creek School District General Obligation Bond of 2016, or Measure K.

### **BOND AUTHORIZATION**

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Jacoby Creek School District (the "District") shall be authorized to issue and sell bonds of up to \$2.7 million in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List below, and in order to qualify to receive State matching grant funds, subject to all of the accountability safeguards specified below.

### **ACCOUNTABILITY SAFEGUARDS**

The provisions in this section are specifically included in this proposition in order that the District's voters and taxpayers may be assured that their money will be spent wisely to address the 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 Education Code Sections 15264 and following).

Evaluation of Needs. The Board of Trustees hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Limitation on Use of Bond Proceeds. The State of California does not have the power to take locally approved school district bond funds for any State purposes. The Constitution allows proceeds from the sale of bonds authorized by this proposition to be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities listed in this proposition, 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. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff only when performing work on or necessary and incidental to the bond projects.

Independent Citizens' Oversight Committee. The Board of Trustees shall establish an independent Citizens' Oversight Committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are spent only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date on which the Board of Trustees enters the election results on its minutes.

Annual Performance Audits. The Board of Trustees shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List.

Annual Financial Audits. The Board of Trustees shall conduct an annual, independent financial audit of the bond proceeds (which shall be separate from the District's regular annual financial audit) until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List.

Special Bond Proceeds Account: Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Trustees shall take actions necessary pursuant to Government Code Section 53410 and following 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 or the Chief Business Official of the District (or such other employee as may perform substantially similar duties) shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31 of the year in which bonds are first issued, 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 such officer shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

### **FURTHER SPECIFICATIONS**

Specific Purposes. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

Joint Use. The District may enter into agreements with the County of Humboldt, or other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board of Trustees shall determine.

Rate of Interest. The bonds shall bear interest at a rate per annum not exceeding the statutory maximum, payable at the time or times permitted by law.

Term of Bonds. The number of years the whole or any part of the bonds are to run shall not exceed the legal limit, though this shall not preclude bonds from being sold which mature prior to the legal limit.

### **BOND PROJECT LIST**

The Bond Project List below describes the specific projects the Jacoby Creek School District proposes to finance with proceeds of the bonds. Listed projects will be completed as needed at a particular school site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. Certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Until all project costs and funding sources are known, the Board of Trustees cannot determine the amount of bond proceeds available to be spent on each project, nor guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Completion of some projects may be subject to further government approvals or appropriation by State officials and boards, to local environmental review, and to input from the public. For these reasons, inclusion of a project on the Bond Project List is not a guarantee that the project will be funded or completed.

Unless otherwise noted, the projects in the Bond Project List are authorized to be completed at each or any of the District's sites, as shall be approved by the Board of Trustees:

- Make health, safety and handicapped accessibility improvements
- Modernize/renovate outdated classrooms, restrooms and schools facilities
- Replace aging temporary portables with permanent classrooms
- Renovate outdated kitchen and improve food preparation areas
- Federal and State-mandated Americans with Disabilities Act (ADA) accessibility upgrades including site access, parking, staff and student restrooms, relocation of some existing electrical devices, drinking fountains, playground equipment, etc.
- Repair or replace outdated heating, ventilation and air-conditioning systems
- Upgrade inadequate electrical systems
- Construct a new multi-purpose/music room
- Increase student access to computers and modern technology
- Repair or replace deteriorating plumbing systems
- Improve P.E. fields and facilities for school and community use
- Abate and remove hazardous materials identified prior to or during construction
- Repair, replace and/or upgrade paved surfaces, turf, and other grounds to eliminate safety hazards and improve outside instructional areas

The listed projects will 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

## IMPARTIAL ANALYSIS OF MEASURE K JACOBY CREEK SCHOOL DISTRICT BOND

This analysis of the general obligation bond measure for the Jacoby Creek Charter School ("District"), Measure K, is prepared pursuant to Elections Code section 9560.

On June 9, 2016, the District's Board of Trustees adopted Resolution #04-2015-16, as authorized by Section 1 of Article XIII A and section 18 of Article XVI of the California Constitution and Education Code sections 15264 *et seq.*, ordering an election to approve the issuance of bonds in the principal amount not to exceed \$2,700,000 and to levy ad valorem taxes on taxable property within the District to finance specified academic facility and technology upgrade projects. Pursuant to Education Code section 15140 the maximum rate of interest to be paid is eight percent (8%) for a term not to exceed 25 years.

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 as described in the full text of the measure (the "Full Text").

The full extent of the projects to be completed will depend on final determination of project costs and the availability of state grant funds or other non-bond sources. Approval of Measure K does not guarantee that the proposed project or projects in the Jacoby Creek Charter School District that are the subject of bonds under Measure K will be funded beyond the local revenues generated by Measure K. The school 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.

The proceeds will not be used for any purpose not identified in the measure, including teacher or administrator salaries. As required by law, the District's Board of Trustees shall establish a citizen's oversight committee to ensure that the proceeds of the bonds are spent only on the projects and sites identified in Measure K. The District is required by law to prepare an annual independent financial and performance audit, and issue an annual report.

According to the tax rate statement submitted by Timothy Joseph Parisi, Superintendent of the Jacoby Creek Charter School District, the average estimated ad valorem tax which would be required to be levied on taxable real property to repay the bonds over their term would be \$30.00 per year for property having an assessed value of \$100,000. These calculations, however, are estimates only and are not binding upon the District.

If fifty-five percent (55%) of the qualified electors residing within the District voting on Measure K vote for approval, the District's Board of Trustees would be authorized to issue bonds for the purposes described in the Full Text. If less than fifty-five percent (55%) of the qualified electors voting on the measure vote for approval, the District will not be authorized to issue the bonds.

A "yes" vote is to authorize the issuance of the bonds.

A "no" vote is against authorizing the issuance of the bonds.

JEFFREY S. BLANCK.  
County Counsel

to the listed projects stated above, the list also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the list; installation of signage and fencing; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects. In addition to the projects listed above, the 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; repair and replacement of heating and ventilation systems; upgrade of facilities for energy efficiencies; repair and replacement of worn-out and leaky roofs, windows, walls, doors and drinking fountains; installation wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; upgrades or construction of support facilities, including administrative, physical education/athletic facilities and performing arts buildings and maintenance yards; repair and replacement of fire alarms, emergency communications and security systems; resurfacing or replacing of hard courts, turf and irrigation systems and campus landscaping and play fields; expand parking; install interior and exterior painting and floor covering; demolition; and construction of various forms of storage and support spaces, upgrade classrooms, bleachers, kitchens, repair, upgrade and install interior and exterior lighting systems; replace outdated security fences and security systems. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, call manager and network security/firewall, wireless technology systems and other miscellaneous equipment and software. The allocation of bond proceeds will be affected by the District's receipt of State matching funds and the final costs of each project. 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 will not be able to complete some of the projects listed above. The budget for each project is an estimate and may be affected by factors beyond the District's control. Some projects throughout the District, such as gyms, fields and performing arts facilities, may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. The final costs of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. 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, 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 cost of District staff when performing work on or necessary and incidental to bond projects and the costs of issuing the bonds. Bond proceeds shall only be expended for the specific purposes identified herein. 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.

## TAX RATE STATEMENT FOR MEASURE K JACOBY CREEK SCHOOL DISTRICT

An election will be held in the Jacoby Creek Charter School District (the "District") on November 8, 2016 to authorize the sale of up to \$2,700,000 in general obligation bonds. The following information is submitted in compliance with Sections 9400-9404 of the California Elections Code.

1. The best estimate of the tax rate that would be required 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 \$.03000 per \$100 (\$30.00 per \$100,000) of assessed valuation in fiscal year 2017-18.

2. The best estimate of the highest tax rate that would be required to fund this bond issue, based on estimated assessed valuations available at the time of filing this statement, is \$.03000 per \$100 (\$30.00 per \$100,000) of assessed valuation. This vote is projected to apply in each fiscal year that the bonds are outstanding.

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 will be approximately \$6,000,000.

These estimates are based on projections derived from information obtained from official sources. The actual tax rates and the years in which they will apply may vary depending on the timing of bond sales, the amount of bonds sold at each sale and actual increases in assessed valuations. The timing of the bond sales and the amount of bonds sold at any given time will be determined by the needs of the District. Actual assessed valuations will depend upon the amount and value of taxable property within the District as determined in the assessment and the equalization process.

/s/ Timothy Joseph Parisi  
Superintendent  
Jacoby Creek School District

## ARGUMENT IN FAVOR OF MEASURE K

Everyone knows the importance and value of having quality schools. From higher achieving student, to greater neighborhood safety and improved property values, quality schools make a difference. While our teachers and staff do a great job in educating our children, many classrooms and school facilities at the Jacoby Creek Charter School District are outdated and inadequate to provide children with the facilities they need to succeed. This is why our children need your **YES vote on Measure K!**

Although our elementary school has been well maintained over the years, aging classrooms and facilities must be upgraded since many do not meet 21st century standards. Measure K would allow the District to improve our elementary school and the quality of education provided to children. By investing in our school, we can meet today's safety, technological, and educational standards and better our community.

### **If passed, Measure K will provide funding to make facility improvements at Jacoby Creek School including:**

- Making health, safety and handicapped accessibility improvements
- Modernizing and renovating classrooms, restrooms and school facilities
- Replacing aging temporary portables with permanent classrooms
- Renovating outdated kitchen and food preparation areas
- Repairing or replacing outdated heating, ventilation and air-conditioning systems

### **Measure K makes financial sense and protects taxpayers.**

- All funds must be spent locally and cannot be taken by the State.
- By law, spending must be reviewed and annually audited by an independent citizens' oversight committee.
- Funds can only be spent to improve our local elementary school, not for teacher or administrator salaries.

In 2014, our bond measure only lost by two votes because not enough people came out to vote. Let's not let that happen again. Please join us and VOTE YES ON MEASURE K!

/s/Tom Mangos, Retired Postmaster Bayside  
/s/ Dennis Rael, Business Owner Los Bagels  
/s/ Kerry Mayer, Professor, Communications Studies  
/s/ Michael W Harmon, Radiation Oncologist  
/s/ Luther Cobb MD, Surgeon