

# SUNOL GLEN USD BOND MEASURE J

<p><b>J</b> To improve the quality of education facilities; make safety and security improvements; renovate electrical, plumbing and HVAC systems; repair/replace leaky roofs; and construct a technology, engineering, and math lab; shall Sunol Glen Unified School District's measure be adopted authorizing the issuance of \$10,900,000 of bonds at legal interest rates, generating on average \$614,500 annually while bonds are outstanding, at rates of approximately 5.2 cents per \$100 assessed value, with annual audits, citizens' oversight, and no money for salaries?</p>	<b>BONDS YES</b>
	<b>BONDS NO</b>

\$100.00 of assessed valuation, or \$52.10 per \$100,000.00 of assessed valuation. The final fiscal year to collect the tax to fund the bond issue is anticipated to be 2056-57. The best estimate of the total debt service, including principal and interest, that would be required to be repaid if all of the bonds are issued and sold is \$21,763,000.00.

The Governing Board of the District ("Board") will establish an independent citizens' oversight committee to ensure that the bond proceeds are expended only on the types of school facilities projects listed in the measure. The Board will conduct annual, independent performance and financial audits.

If 55% of those voting on this measure do not vote for approval, the measure will fail, and the District will not be authorized to issue the bonds.

This measure is placed on the ballot by the governing board of the District.

s/DONNA R. ZIEGLER  
County Counsel

The above statement is an impartial analysis of Measure J, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you.

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

### ANALYSIS BY THE COUNTY COUNSEL OF THE COUNTY OF ALAMEDA OF A SUNOL GLEN UNIFIED SCHOOL DISTRICT BOND MEASURE

Measure J, a Sunol Glen Unified School District ("District") bond measure, seeks voter approval to authorize the District to issue and sell bonds of up to \$10,900,000.00 in aggregate principal amount. The primary purpose of the bonds is to finance the types of school facilities projects specified in the measure.

Pursuant to California Constitution Section 18 of Article XVI and Section 1 of Article XIII A and California Education Code Section 15274, this measure will become effective upon the affirmative vote of at least 55% of the voters voting on this measure.

California Education Code Section 15100 restricts the use of the proceeds from the sale of the bonds to building school buildings, improving school grounds, and supplying school buildings and grounds with equipment, among other specified uses. In addition, proceeds may only be used for the types of projects listed in the measure. This measure provides that its proceeds will fund the types of projects outlined in the measure as reproduced in the sample ballot pamphlet that include, but are not limited to: repairing or replacing roofs; replacing or upgrading infrastructure; and renovating or replacing plumbing and sewer systems. Proceeds may not be used for any purposes other than those listed in the measure. For example, the proceeds may not be used for administrator salaries.

If 55% of those who vote on the measure vote "yes", the District will be authorized to issue bonds in the amount above. Approval of this measure will authorize a levy on the assessed value of taxable property within the District by the amount needed to pay the principal and interest on these bonds in each year that the bonds are outstanding.

The Tax Rate Statement for Measure J in this sample ballot pamphlet reflects the District's best estimates of the property tax rates required to fund the bonds. The best estimate of the average annual tax rate and the highest tax rate required to be levied to fund the bonds is \$0.0521 per

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**TAX RATE STATEMENT OF BOND MEASURE J  
REGARDING PROPOSED  
SUNOL GLEN UNIFIED SCHOOL DISTRICT  
GENERAL OBLIGATION BONDS**

An election will be held in the Sunol Glen Unified School District (the "District") on November 8, 2022, to authorize the sale of up to \$10,900,000 in bonds of the District to finance school facilities as described in the measure. If such bonds are authorized and sold, principal and interest on the bonds will be payable only from the proceeds of *ad valorem* tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California. Such information is based upon the best estimates and projections presently available from official sources, upon experience within the District, and other demonstrable factors.

Based upon the foregoing and projections of the District's assessed valuation, the following information is provided:

1. The best estimate of the average annual 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 a projection of assessed valuations available at the time of filing of this statement, is \$0.0521 per \$100 of assessed valuation (or \$52.10 per \$100,000 of assessed value). The final fiscal year in which it is anticipated that the tax will be collected is 2056-57.
2. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on a projection of assessed valuations available at the time of filing of this statement, is \$0.0521 per \$100 of assessed valuation (or \$52.10 per \$100,000 of assessed value). It is estimated that such rate would be levied starting in fiscal year 2024-25 and following.
3. The best estimate 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 approximately \$21,763,000.

Voters should note the estimated tax rate is based on the assessed value (not market value) of taxable property on the County's official tax rolls. In addition, taxpayers eligible for a property tax exemption, such as the homeowner's exemption, will be taxed at a lower effective tax rate than described above. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.

The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which amounts are not maximum amounts or durations and are not binding upon the District. The actual debt service, tax rates and the years in which they will apply may vary from those used to provide the estimates set forth above, due to factors such as variations in the timing of bond sales, the par amount of bonds sold

and market interest rates available at the time of each sale, actual assessed valuations over the term of the bonds, and other factors. The date and amount of bonds sold at any given time will be determined by the District based on the need for project funds and other considerations. The actual interest rates at which the bonds will be sold will depend on conditions in the bond market at the time of sale. Actual future assessed valuations 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.

s/MOLLEEN BARNES  
Superintendent  
Sunol Glen Unified School District

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## ARGUMENT IN FAVOR OF BOND MEASURE J

Sunol Glen School is one of the most important assets in our community and should be a top priority. From higher achieving students, to increased property values, to greater neighborhood safety, quality schools make a difference. Teachers and staff do an excellent job educating students, but many classrooms and buildings in Sunol Glen Unified School District are outdated and inadequate to provide students with the facilities they need to succeed. We need your YES vote on Measure J.

Although well maintained over the years, Sunol Glen School is old, having first been built over 95 years ago with major additions in the 1950s and 1990s. Our school needs significant classroom, facilities, and infrastructure improvements to maintain the quality of education provided to students. Furthermore, it's used extensively by local residents. By improving our neighborhood school, we can meet today's safety, technology, and educational standards and better our community.

### Measure J will:

- Preserve and renovate the main school building, which was constructed in 1925
- Make safety, health, and security improvements
- Repair/replace leaky roofs
- Replace/upgrade infrastructure including electrical, plumbing, and sewer systems
- Construct a new lab for technology, engineering, and math programs
- Modernize/upgrade the 1950's cafeteria for school and community use

### Measure J makes financial sense and protects taxpayers.

- Measure J will not increase the tax rate property owners are paying.
- All funds must be spent locally and cannot be taken by the State.
- By law, an independent citizens' oversight committee must annually audit and review spending.
- Funds can only be spent to improve Sunol Glen school, not for teacher or administrative salaries.

Measure J upgrades and repairs old, inadequate classrooms and facilities, improves the education of local children, and maintains the quality of our community, all without increasing taxes. That's something we can all support. Please join us and **VOTE YES ON MEASURE J!**

s/MICHAEL PICARD

School Board President/Retired Fire Chief

s/DAVID L. HOXIE

Sunol Residence 60 years Director of Maintenance & Operation

s/RYAN JERGENSEN

School Board Member

s/JOAN HALL

Retired Postmaster/Sunol Business Guild

s/CONSTANCE DEGRANGE

Chair, Sunol Citizens' Advisory Council

## REBUTTAL TO ARGUMENT IN FAVOR OF BOND MEASURE J

A bond is not free money. It is a bank loan with half of your taxes paid to investors for loan interest.

The Proponents of this bond failed to identify a single capital expenditure project worthy of a \$22,000,000 bond debt. Their listed repair projects should be financed with a Parcel Tax dedicated to "Repairs & Maintenance."

"Repair or replace leaky roofs" is a vague purpose not a project.

"Repair or replace aging infrastructure" is another vague purpose.

"Renovate aging sewer systems" is also a vague purpose.

This collection of vague purposes is inviting the district to create a bond slush fund. Don't rely on the district to convert this hodgepodge of vague purposes into vital projects.

Don't rely on a novice oversight committee to prevail against a countywide system that has developed PRETENDED ACCOUNTABILITY into a standard of practice. The "accountability" provisions for the oversight committee are poor. Typically, a year after a school district spends the bond funds, the district hires a CPA firm to perform an audit. Approximately another year later the audit is shared with the oversight committee. So, the bond expenditures are two years old before the oversight committee even confronts actual expenses. Only the most flagrant violations will be noticed and the school can pay bond money to district lawyers to fight any corrections.

Don't be misled by the Proponents' falsehood "all without increasing taxes." This bond will be paid by imposing higher property taxes! Vote NO on this misleading TAX measure.

s/Libertarian Party of Alameda County  
by ELIZABETH STUMP, Vice Chair

s/Libertarian of California  
by HONOR M. ROBSON, Chair of Libertarian Party of California

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## ARGUMENT AGAINST BOND MEASURE J

How much election cheating are you willing to put up with?

What if it's for an allegedly good cause? Does that change your answer?

Do you know all the public officials with duties related to local measure elections? County supervisors, registrar of voters, county counsel, school board that resolves to put measures on the ballots. A lot of public officials, most of them getting salaries you could never dream of.

Are these public officials corrupt? All of them?

Then how do you explain that at every election they all look the other way or point fingers at each other saying that "It's not my job to enforce measure election laws?"

How is it then, that all these public officials, who you pay, combined, millions of dollars a year, have never (never means not once) put a local measure on the ballot that follows the law?

Officials in counties other than Alameda, at least follow some of the laws. But your school board, registrar of voters, county counsel and supervisors do whatever they please.

It's almost like it's a conspiracy. Because the public officials (school board) who start the ball rolling, violate every meaningful law with the knowledge, apparently, that all the other public officials will go along with their corruption.

There are too many broken laws to mention in 300 words, but you can check it out (<http://bit.ly/ElectionCheating>) for all the gory details.

Bottom line: All the public officials would rather have gullible voters force taxpayers, including themselves, to send every dollar they dream up to some government agency or another. It's more for them. Less for you.

Are you tired of been taken for a chump? Vote HELL NO! on Measure J (\$22,000,000 tax).

Join us: <http://bit.ly/NoSunolGlenBond>

s/Libertarian Party of Alameda County  
by ELIZABETH STUMP, Vice Chair

## REBUTTAL TO ARGUMENT AGAINST BOND MEASURE J

Measure J funds will go right where they're needed—to improve classrooms, upgrade our local school, and support Sunol Glen students.

Don't let the opponents mislead you. They don't have the facts, don't live in our community, and have submitted similar arguments against multiple Alameda County school districts. Generic examples against bonds from someone living in Oakland do not address local issues or solve local problems.

Measure J is a carefully considered, affordable plan that will allow the District to continue providing a quality education and the best learning environment for students. Here are the facts:

- Measure J is locally controlled and every dollar stays here, benefitting our local school, children, and property values.
- For a one school district, our projects are very specific - upgrade the 1950's cafeteria, renovate the original schoolhouse from 1925, make safety and security upgrades, replace our roofs, and address outdated infrastructure including electrical, plumbing and sewer - a local would know this.
- No other source of funding exists to renovate/upgrade our school.
- Measure J has strict accountability and makes financial sense. Measure J will not increase the tax rate, funds must be spent locally and cannot be taken by the State, and an independent citizens' oversight committee of local residents must annually audit and review spending by law. Many of Sunol's most respected community members support Measure J. Let's trust them and not listen to the incorrect statements from an outsider.

Our students deserve a quality education. Join us—vote YES on J.

s/MICHAEL PICARD  
School Board President/Retired Fire Chief

s/RYAN JERGENSEN  
School Board Member

s/JOAN HALL  
Retired Postmaster / Sunol Business Guild

s/CONSTANCE DEGRANGE  
Chair, Sunol Citizens' Advisory Council

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## FULL TEXT OF BOND MEASURE J

### INTRODUCTION

The following is the abbreviated form of the bond measure:

“To improve the quality of education facilities; make safety and security improvements; renovate electrical, plumbing and HVAC systems; repair/replace leaky roofs; and construct a technology, engineering, and math lab; shall Sunol Glen Unified School District’s measure be adopted authorizing the issuance of \$10,900,000 of bonds at legal interest rates, generating on average \$614,500 annually while bonds are outstanding, at rates of approximately 5.2 cents per \$100 assessed value, with annual audits, citizens’ oversight, and no money for salaries?”

### BOND AUTHORIZATION

By approval of this measure by at least 55 percent of the registered voters voting on the measure, the Sunol Glen Unified School District will be authorized to issue and sell bonds of up to \$10,900,000 in aggregate principal amount at interest rates not to exceed legal limits and to provide financing for the specific types of school facilities projects listed in the Bond Project List described below, subject to all the accountability requirements specified below.

### ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this measure in order that the voters and taxpayers in the District may be assured that their money will be spent wisely. Expenditures to address specific facilities needs of the District will be 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 School Board has identified detailed facilities needs of the District and has determined which projects to finance from a local bond. The School Board hereby certifies that it has evaluated safety, class size reduction, enrollment growth, and information technology needs in developing the Bond Project List shown below.

**Independent Citizens’ Oversight Committee.** Following approval of this measure, the Governing Board will establish an Independent Citizens’ Oversight Committee, under Education Code Sections 15278 and following, to ensure bond proceeds are expended only on the types of school facilities projects listed below. The committee will be established within 60 days of the date when the results of the election appear in the minutes of the School Board.

**Performance Audits.** The School Board will conduct annual, independent performance audits to ensure that

the bond proceeds have been expended only on the school facilities projects listed below.

**Financial Audits.** The School Board will conduct annual, independent financial audits of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed below.

**Government Code Accountability Requirements.** As required by Section 53410 of the Government Code, (1) the specific purpose of the bonds is set forth in this Full Text of the Measure, (2) the proceeds from the sale of the bonds will be used only for the purposes specified in this measure, and not for any other purpose, (3) the proceeds of the bonds, when and if issued, will be deposited into a building fund to be held by the Alameda County Treasurer, as required by the California Education Code, and (4) the Superintendent of the District shall cause an annual report to be filed with the Governing Board of the District not later than January 1 of each year, which report shall contain pertinent information regarding the amount of funds collected and expended, as well as the status of the projects listed in this measure, as required by Sections 53410 and 53411 of the Government Code.

### NO TEACHER OR ADMINISTRATOR SALARIES

Proceeds from the sale of bonds authorized by this measure shall be used only for the purposes specified in Article XIII A, Section 1(b)(3), those being for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and the acquisition or lease of school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

### STATE MATCHING FUNDS

The following statement is included in this measure pursuant to Education Code Section 15122.5: Approval of this measure does not guarantee that the proposed project or projects that are the subject of bonds under this measure will be funded beyond the local revenues generated by this measure. The District’s proposal for the project or projects described below may assume the receipt of matching state funds, which, if available, could be subject to appropriation by the Legislature or approval of a statewide bond measure.

### INFORMATION ABOUT ESTIMATES AND PROJECTIONS INCLUDED IN BALLOT

Voters are informed that any estimates, averages or projections in the bond measure, ballot materials and ballot label, including relating to estimated or average tax rates, the duration or term of issued bonds and related tax levies and money raised annually from tax levies to repay issued bonds are provided as informational only. Such amounts are estimates and are not maximum amounts, caps or limitations on the terms of the bonds, the tax rates or duration of the tax supporting repayment of issued bonds. Such estimates depend on numerous variables which are subject to variation and change over the term of the District’s overall facilities

and bond financing plan, including but not limited to the amount of bonds issued and outstanding at any one time, the interest rates applicable to issued bonds, market conditions at the time of sale of the bonds, when bonds mature, timing of project needs and changes in assessed valuations in the District. The District currently expects that due to scheduled amortization of existing bonded debt, that the annual property tax rate estimated to be required to be levied for bonds issued pursuant to this measure will not at the time of said levy increase tax rates from the rates required to service outstanding bonds authorized by voters in 1999, being in the projected range of \$52, which represents the tax rate in fiscal year 2021-22, to \$56 per \$100,000 of assessed value, which represents the projected tax rates for the next two years. However, estimates and approximations provided as part of this measure are based on information currently available to the District and its current expectations, and such estimates and approximations are not limitations or maximums on the terms of bond, durations or tax rates required to amortize issued bonds.

**BOND PROJECT LIST**

**Scope of Projects.** Bond proceeds will be expended on the construction, reconstruction, rehabilitation, or replacement of school facilities of the Sunol Glen Unified School District, including furnishing and equipping, and the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries or other school operating expenses, in compliance with California Constitution Article XIII A, Section 1(b)(3).

**School Facility Project List.** The items presented on the following list provide are the types of projects authorized to be financed with voter-approved bond proceeds. Specific examples included on this list are not intended to limit the types of projects described on this list and authorized by this measure. The types of projects authorized at Sunol Glen School (first built in 1925) are:

- Repair or replace leaky roofs
- Replace or upgrade aging infrastructure
- Upgrade inadequate and outdated electrical systems
- Renovate or replace aging plumbing and sewer systems
- Provide a new lab for technology, engineering, and math programs
- Modernize, upgrade, and renovate aging classrooms and restrooms
- Make security, safety, and handicapped accessibility improvements
- Make energy efficiency improvements including windows, lighting, and heating, ventilation, air conditioning systems
- Upgrade and renovate cafeteria/multi-purpose room

for school and community use

- Preserve and renovate the main school building, which was constructed in 1925

Each of the bond projects described in this Bond Project List include the costs of furnishing and equipping such facilities, and all costs which are incidental but directly related to the types of projects described above.

Examples of incidental costs include, but are not limited to: costs of design, engineering, architect and other professional services, facilities assessments, inspections, site preparation, utilities, landscaping, construction management and other planning and permitting, legal, accounting and similar costs; independent annual financial and performance audits; a customary construction contingency; demolition and disposal of existing structures; the costs of interim housing and storage during construction including relocation and construction costs incurred relating to interim facilities; rental or construction of storage facilities and other space on an interim basis for materials and other equipment and furnishings displaced during construction; costs of relocating facilities and equipment as needed in connection with the projects; interim classrooms and facilities for students, administrators, and school functions, including modular facilities; federal and state-mandated safety upgrades; addressing unforeseen conditions revealed by construction/modernization and other necessary improvements required to comply with existing building codes, including the Field Act; access requirements of the Americans with Disabilities Act; costs of the election; project construction oversight, management and administration during the duration of such projects, including by District personnel, and bond issuance costs.

Unforeseen conditions may arise during the course of planning, design and construction resulting in the scope and nature of any of the specific projects described above being altered by the District. In the event that the District determines that a modernization or renovation project identified on the list is more economical for the District or otherwise in the District’s best interests to be undertaken as new construction, this bond measure authorizes said new construction, including land acquisition, relocation, expansion and construction and/or reconstruction, and all costs relating thereto. In addition, this measure authorizes the acquisition of real property, including necessary rights of ways or other real property interests, required to expand District facilities, to provide access to other District sites and facilities, or to provide additional school or related facilities. Further, authorized projects include reimbursements for project costs previously paid by the District, and the payment or prepayment of interim or previously obtained financing for the types of projects included on the project list, such as bond anticipation notes and capital leases relating to projects and/or equipment previously financed. Finally, projects on this list may be undertaken and used as joint use projects with other public agencies.

The order in which projects are listed in the foregoing Bond Project List does not suggest an order of priority. Project

prioritization is vested in and will be determined by the District Governing Board.

Approval of the District's bond measure does not guarantee that all of the identified projects within this Bond Project List will be funded beyond what can be completed with funds generated by this bond measure. The District plans to pursue funds from the State of California, if available, to complete certain of the identified facilities projects. The District is unable to anticipate all unforeseen circumstances which may prevent some of the projects listed above from being undertaken or completed.

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