

RESOLUTION NO. 13-004

RESOLUTION OF THE GOVERNING BOARD OF THE
GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT
ORDERING AN ELECTION AND ESTABLISHING SPECIFICATIONS
OF THE ELECTION ORDER

WHEREAS, the Governing Board (the "Board") of the Grossmont-Cuyamaca Community College District (the "District") has determined that certain East County educational facilities and equipment within the boundaries of the Grossmont-Cuyamaca Community College District, located in San Diego County ("San Diego County"), need to be constructed, renovated, acquired and equipped in a fiscally prudent manner, to enable the District to maintain Grossmont College and Cuyamaca College as valuable community resources that provide an affordable, local East County education, and increase the educational opportunities of the local students, veterans and active military in the East County who desire to learn in-demand job skills or transfer to four-year universities; and

WHEREAS, since the costs of attending a U.C. and State college are becoming so expensive, more than six times that of attending a community college, more students are relying on community colleges, such as Grossmont College and Cuyamaca College, and the high quality, affordable college options they provide; and

WHEREAS, in today's tough economic times and competitive job environment, the District must continue providing important training and education for local East County residents entering the workforce for new professions and income opportunities for local students to earn college credits, certifications and job skills at a reasonable price; and

WHEREAS, East County has a tradition of supporting our military and our Iraq, Afghanistan and other war veterans, many of whom need better access to job placement programs and facilities, to be trained and retrained as they re-enter the civilian workforce; and

WHEREAS, the State of California (the "State") has reduced District funding by millions of dollars over the last four years while fixed costs have increased significantly over the same period, and the Board can no longer rely on Sacramento to fund our two East County colleges; and

WHEREAS, notwithstanding ongoing efforts to obtain sufficient facility money from the State, the State has been unable to provide the District with enough money for the District to adequately improve each of Grossmont College and Cuyamaca College for all their students and that State facility funding is increasingly conditioned on the District's ability to locally fund a portion of the costs of college campus upgrades in a fiscally prudent manner; and

WHEREAS, the Board has overseen the development of the Grossmont-Cuyamaca Community College District Educational Master Plan 2012, the 2012 Facilities Master Plan, and the Technology Plan 2012-2017 (together, the "Master Plans") which set the long-term strategic goals for Grossmont College and Cuyamaca College; and

WHEREAS, the Board has received information regarding the feasibility of a local bond measure and the District's bonding capacity; and

WHEREAS, a local East County measure will help provide funds that cannot be taken away by the State to support local East County college and job training efforts and help offset State budget cuts; and

WHEREAS, such local measure will include mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent as promised; and

WHEREAS, the Board and District has solicited stakeholder and community input on priorities from students, faculty, staff, business and civic leaders, and the community; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional funding to implement the Master Plans, especially preparing East County students and veterans for transfer to four-year colleges and universities, and/or successful jobs and careers, by means of general obligation bonds, issued in a financially prudent manner, and that such projects be undertaken in compliance with all laws relating to open and public bidding; and

WHEREAS, Proposition 46, approved by the voters of the State of California on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIII A of the California Constitution by adding a provision which exempts from the 1% of full cash value limitation, those ad valorem taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which, as of its effective date, reduced the voter threshold for *ad valorem* tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a community college district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight which are contained in Proposition 39 and the Act; and

WHEREAS, the Board determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39, which prohibit any bond money to be used for administrator salaries and other operating expenses of the District shall be strictly enforced by the District's Citizens' Oversight Committee; and

WHEREAS, the Board desires to establish the importance of identifying funding sources for the ongoing maintenance costs of projects constructed with the proceeds of a general obligation bond; and

WHEREAS, the Board further desires to establish procedures to ensure that all projects funded by the proceeds of a general obligation bond shall be undertaken by contractors who are qualified to bid on the work and complete such projects; and

WHEREAS, the Board further determines to establish and enforce a labor compliance program for projects funded by the proceeds of a general obligation bond which includes requirements relating to the payment of prevailing wages and compliance with all applicable state and federal labor and public contract laws; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Section 9400 *et seq.* of the Elections Code of the State of California (the "Elections Code") requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; 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; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on November 6, 2012, and to request the San Diego County Registrar of Voters to perform certain election services for the District; and

WHEREAS, in the judgment of the Board, it is advisable to request the San Diego County Registrar of Voters to call an election pursuant to Proposition 39 on the question of whether general obligation bonds shall be issued and sold on behalf of the District for purposes set forth below.

NOW THEREFORE, THE GOVERNING BOARD OF THE GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, Sections 15264 *et seq.* and Government Code Section 53506, hereby requests the San Diego County Registrar of Voters to call an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$398,000,000 (the "Bonds") shall be issued and sold to raise money for the purposes described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter sample ballot pamphlet.

Section 2. That the date of the election shall be November 6, 2012.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot proposition in Exhibit "A" is subject to the following requirements and determinations:

(a) the proceeds of the sale of the Bonds shall only be used for the purposes set forth in the ballot measure and not for any other purpose, including faculty and administrator salaries and other college operating expenses;

(b) that the Board, in compliance with Proposition 39, and in establishing the projects set forth in Exhibit "B", evaluated the safety, enrollment trends, class size, class availability, information technology and the job training needs of the District;

(c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys get expended for the projects identified in Exhibits "A" and "B" hereto;

(d) that the Board will cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended and accounted for;

(e) that the Board will cause the appointment of a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274. The Citizens' Oversight Committee shall initially consist of at least seven (7) members and at no time consist of less than seven (7) members, with the possible exception of brief periods to fill any unexpected vacancies. The Citizens' Oversight Committee may not include any employee or official of the District or any vendor, contractor or consultant of the District. The Citizens' Oversight Committee shall include all of the following: One (1) member who is active in a business organization representing the business community located within the District; One (1) member who is active in a senior citizens' organization; One member who is active in a bona fide taxpayer association. In furtherance of its specifically enumerated purposes, the Citizens' Oversight Committee may engage in any of the following activities relating solely and exclusively to the expenditure of the Proposition 39 bond proceeds:

(i) Receive and review copies of the annual, independent financial and performance audits performed by independent consultant(s);

(ii) Inspect District facilities and grounds to ensure that Proposition 39 bond revenues are expended in compliance with applicable law;

(iii) Receive and review copies of all deferred maintenance proposals or plans developed by the District;

(iv) Review efforts of the District to maximize Proposition 39 bond revenues by implementing cost-saving programs;

(f) that the tax levy authorized to secure the bonds of this election shall not exceed the Proposition 39 limits per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution;

(g) that prior to the issuance of bonds for the construction of new projects set forth in Exhibit "B", the Board would have received and approved a report from the Chancellor, stating that the District had identified sufficient financial resources to pay for the ongoing maintenance of such

projects, and that such a report shall be made available to the Citizens' Oversight Committee for review;

(h) that the Board must approve a short-term plan to eliminate deferred maintenance using general fund revenues, and, if necessary, with a limited reliance on bond revenues; prepare an major maintenance plan to ensure that both new and renovated facilities do not become maintenance deferred once the backlog has been eliminated, and the plan should be made available to the Citizens' Oversight Committee;

(i) that in order to maximize community benefit and efficiently apply taxpayer dollars, the District should pursue all practical opportunities to expand community joint use facilities in every new or expanded school construction project. In pursuing joint use, the District's goal is to maximize the use of District facilities to the broader community, without adversely impacting District operations or finances. Examples of appropriate joint use provisions for incorporation into construction plans include, but are not limited to, additional and expanded library facilities, recreational/physical-education facilities, computer labs, meeting rooms and childcare and health care facilities.

If the bond measure is approved by the voters, the Board will direct staff to implement the following procedures:

- Prior to the obligation of funds for new facilities or facilities expansion construction that likely would be appropriate for joint use, a joint use implementation certification shall be presented in writing to the Citizens' Oversight Committee and approved by the Board.
- The joint use implementation certification shall include the following minimum information:
 - Project description.
 - List and description of joint use elements that could potentially be incorporated into the project.
 - List of agencies and organizations contacted regarding potential joint use elements, including description of how agencies and organizations were contacted.
 - For each agency or organization contacted:
 - Joint use development criteria discussed or developed for the project.
 - Equity of contribution considerations discussed or developed for the project.
 - Description of joint use elements that will be incorporated into the project.

In addition, it is the intention of the Board to make official, policy level contacts with overlapping public jurisdictions, in order to make joint-use and the efficient application of taxpayers dollars a priority of all agencies serving within the District boundaries. Agencies contacted should include, but not be limited to all public agencies within the District's service area, as well as San Diego County, public school districts, and transit agencies;

(j) that prior to the issuance of the bonds, the District shall apply and continue to enforce a prequalification of bidders procedure on all new projects set forth in Exhibit "B" so that the District can be confident that all contractors, at all times, are qualified to bid on, work on, and complete such projects; however, the District will promote fair and open competition for all District construction projects so that all contractors and workers, whether union or non-union, are treated equally in the bidding and awarding of District construction contracts;

(k) that prior to the issuance of the bonds, the District shall initiate and enforce a labor compliance program which requires that (i) all contracts contain appropriate language concerning public works; (ii) federal and state labor laws are fully disclosed to all bidders; (iii) weekly payroll records of each contractor and subcontractor be available for District review; (iv) all contractors and subcontractors comply with applicable prevailing wage laws; (v) the District may withhold contract payments if any of the other requirements have not been satisfied. Data on outreach efforts and results to attract bidders to District projects shall be reported periodically to the Citizens' Oversight Committee. The information to the Citizens' Oversight Committee shall include statistical data, such as total number of bidders per project, but shall not include confidential information about specific bids and bidders; and

(l) that in connection with the establishment of a Citizens' Oversight Committee, the Board shall comply with Education Code Sections 15278 *et seq.*, and beyond the requirements set forth therein, the Board shall appoint persons such that a majority of the members of the Citizens' Oversight Committee possess expertise in one or more of the following areas:

- (i) large scale construction operations;
- (ii) municipal/public finance matters;
- (iii) multiple years expertise with agency/entity budgeting (which may include public agency or public entity budgeting);
- (iv) construction related project management; and
- (v) real estate acquisition or sales.

(m) that in connection with the sale of any bonds, the District shall avoid selling capital appreciation bonds (CABs) with maturities greater than 25 years. CABs with maturities of 25 years or less should only be pursued if it can be demonstrated that their use will result in less debt service than other bond structures or other financial alternatives. Other financing options that should be compared to the potential use of CABs include additional voter approved tax increases. Defensible assumptions for growth in assessed value shall be used for development of any proposed financing method.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15340 *et seq.* and 15264 *et seq.* and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Section 5322 of the Education Code.

Section 6. That the San Diego County Registrar of Voters and the San Diego County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 6, 2012 within the District.

Section 7. That this Resolution shall stand as the "order of election" to the San Diego County Registrar of Voters to call an election within the boundaries of the District on November 6, 2012.

Section 8. That the Secretary of the Board is hereby directed to send a certified copy of this Resolution to the San Diego County Registrar of Voters no later than August 10, 2012.

Section 9. That the maturity of any Bonds issued pursuant to Section 15300 *et seq.* of the Education Code hereto shall have a maturity not exceeding twenty-five (25) years, and Bonds issued pursuant to Section 53506 of the Government Code shall have a maturity of not exceeding forty (40) years. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531. The Board approves the filing of a Tax Rate Statement and primary and rebuttal arguments, as appropriate, and directs their publication in accordance with the requirements of the Elections Code.

Section 10. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by any body or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

Section 11. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of San Diego County is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse San Diego County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 7th day of August, 2012.

GOVERNING BOARD OF THE
GROSSMONT-CUYAMACA COMMUNITY
COLLEGE DISTRICT

By _____
Bill Garret, Governing Board President

Attest:

Edwin Hiel, Governing Board Clerk

STATE OF CALIFORNIA)
)ss
SAN DIEGO COUNTY)

I, Edwin Hiel, do hereby certify that the foregoing is a true and correct copy of Resolution No. 13-004, which was duly adopted by the Governing Board of the Grossmont-Cuyamaca Community College District at meeting thereof held on the 7th day of August 2012, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By _____
Edwin Hiel, Governing Board Clerk

EXHIBIT A

EAST COUNTY, GROSSMONT COLLEGE AND CUYAMACA COLLEGE STUDENTS, ACTIVE MILITARY AND VETERANS AFFORDABLE EDUCATION AND JOB TRAINING MEASURE. “To prepare local students/veterans for college/career success, shall Grossmont-Cuyamaca Community College District upgrade career training facilities for science, medical, public safety, in-demand fields, create a Veterans Support Center on each campus, modernize technology in classrooms, libraries, science labs, improve disabled persons access, upgrade, construct, acquire classrooms, facilities, sites/equipment, by issuing \$398,000,000 in bonds, at legal rates, with independent citizen oversight, no money for pensions/administrators, and all money staying local, benefiting East County community colleges?”

Bonds - Yes

Bonds – No

EXHIBIT B
FULL TEXT BALLOT PROPOSITION
GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT
BOND MEASURE ELECTION NOVEMBER 6, 2012

EAST COUNTY, GROSSMONT COLLEGE AND CUYAMACA COLLEGE STUDENTS, ACTIVE MILITARY AND VETERANS AFFORDABLE EDUCATION AND JOB TRAINING MEASURE. “To prepare local students/veterans for college/career success, shall Grossmont-Cuyamaca Community College District upgrade career training facilities for science, medical, public safety, in-demand fields, create a Veterans Support Center on each campus, modernize technology in classrooms, libraries, science labs, improve disabled persons access, upgrade, construct, acquire classrooms, facilities, sites/equipment, by issuing \$398,000,000 in bonds, at legal rates, with independent citizen oversight, no money for pensions/administrators, and all money staying local, benefiting East County community colleges?”

Bonds - Yes

Bonds – No

PROJECTS

The Board of Trustees of the Grossmont-Cuyamaca Community College District, to be responsive to the needs of its community, evaluated each of Grossmont College’s, and Cuyamaca College’s urgent and critical facility needs, and its capacity to provide students, active military and Veterans with an affordable education and prepare them for success in college and careers. Safety issues, class size and offerings, and information and computer technology were each considered, in developing the scope of projects to be funded, as outlined in both the District’s Educational Master Plan 2012, the 2012 Facilities Master Plan, and the Technology Plan 2012-2017 each incorporated herein by reference in their entirety (together, the “Master Plans”), and available for review on the District’s website (www.gcccd.edu). In developing the scope of projects, the faculty, staff, students and community have prioritized career training, technology used for job training and facilities available to support an affordable education, so that the most critical needs that will make the East County Colleges an effective place for learning, would be addressed. In the course of developing the Master Plans, public input was received from hundreds of constituents. It was concluded that if these facility needs were not addressed now, the East County colleges would be unable to remain competitive in preparing students for jobs in high demand industries and university transfer. The Board concluded that the longer they waited to repair and upgrade Grossmont and Cuyamaca Colleges, the more expensive it would be. **In implementing the Master Plans, the Board of Trustees determines that Grossmont College and Cuyamaca College MUST:**

- (i) **Ensure East County students have access to AFFORDABLE, LOW-COST, HIGH-QUALITY EDUCATION and technologies they need to successfully transfer to four-year colleges and universities, and compete for good paying jobs;**
- (ii) **Upgrade technology to keep pace with technology in academic classrooms, libraries and science labs, and facilitate the use of online learning, as appropriate;**
- (iii) **CREATE A VETERANS CENTER ON EACH CAMPUS TO PROVIDE CAREER TRAINING AND SUPPORT SERVICES TO VETERANS AND MILITARY PERSONNEL SEEKING JOB-TRAINING OR RETRAINING; AND**

- (iv) **Repair and replace aging and outdated career and job-training classrooms, labs and equipment to provide students with career training in science, medical, public safety and other in-demand jobs; and**
- (v) **Adhere to stringent FISCAL ACCOUNTABILITY safeguards including:**
 - (a) **Prohibit Sacramento from taking any of the funds raised,**
 - (b) **All expenditures will be subject to annual independent financial audits,**
 - (c) **No funds will be used for administrators' salaries and pensions,**
 - (d) **ALL FUNDS WILL BE SUBJECT TO LOCAL CONTROL AND WILL STAY IN EAST COUNTY,**
 - (e) **An independent citizens' oversight committee will be appointed to ensure that all funds are spent only as authorized.**

The Master Plans are available for review at the Chancellor's office. The following types of projects are authorized to be undertaken at Grossmont College and Cuyamaca College:

**Academic Facility and Technology Upgrade Projects To Help Students,
Active Military and Veterans Transfer To Four-Year
Universities Or Be Trained For Good Jobs**

Goal and Purpose: Ensuring students, active military and veterans are either prepared for transfer to University of California or State college systems or trained for in-demand, good paying jobs are major objectives of both Grossmont College and Cuyamaca College. In the past four years, the State has cut millions of dollars intended for East County community colleges while fixed costs have increased significantly over the same period and Grossmont College and Cuyamaca College can no longer rely on Sacramento to adequately fund their programs. Thus they require FUNDS that ARE LOCALLY CONTROLLED to improve academic facilities and technology implementations which will allow them to continue providing access to affordable, high quality education to local students, active military and veterans:

- **Upgrade and expand facilities for career training in well-paying careers and transfer to universities.**
- Expand course opportunities, classrooms and instructional facilities in math, science, writing, Liberal Arts, Performing and Fine Arts, and other core academic classes.
- **Create a Veterans Center to provide career training and support services to returning veterans seeking training or retraining to reenter the workforce.**
- Install additional electrical service capacity to improve computer technology and Internet access.
- Upgrade outdated job-training classrooms, labs and equipment to provide students with opportunities to learn job skills.
- Upgrade support facilities for Veterans and currently active military personnel.
- Upgrade and replace existing information technology infrastructure and network systems to improve efficiency and increase capacity.

- Upgrade and expand telecommunications, Internet and network connections.
- Upgrade and build academic buildings to expand classrooms for career training in science, medical, public safety and other in-demand jobs.
- Upgrade and replace technology, computers, hardware and software systems, used for job training and retraining programs.
- Create an East County Workforce Solutions & Training Center that will develop skilled workers and help local businesses.

**Basic Repair and Construction Projects To
Provide Greater Access to an Affordable Education**

Goal and Purpose: Since the cost of attending a public university has risen to as much as six (6) times that of attending Grossmont College or Cuyamaca College, students rely on Grossmont and Cuyamaca to save as much as \$35,000 in tuition on their way to a four-year degree. Therefore, keeping Grossmont's and Cuyamaca's facilities upgraded will best serve local East County students, military and Veterans who can earn college credits, certificates and job skills at a reasonable price:

- Repair or replace all worn-out roofs, floors, walkways, lighting and electrical systems.
- Construct more classroom space.
- Upgrade campus facilities to provide improved access, including road and parking upgrades to improve safety, access and traffic flow around both colleges.
- Improve heating, ventilation, insulation, doors, lighting, and windows to increase energy efficiency and save money.
- Upgrade outdated electrical systems and wiring for computer technology and Internet access.
- Renovate, repair or replace outdated laboratories, classrooms, training centers and support facilities.
- Upgrade and replace classroom instructional equipment.
- Improve student safety, emergency preparedness, and security systems, including lighting, fencing, smoke detectors, fire alarms and sprinklers.

* * *

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. In addition to the listed projects stated above, authorized projects also include 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 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

college activities caused by construction projects. In addition to the projects listed above, repair, renovation and construction projects may include, but not be limited to, some or all of the following: renovation of student and staff restrooms; replace aging electrical and plumbing systems; repair and replacement of heating and ventilation systems; upgrade of facilities for energy efficiencies, including photovoltaic/solar installations; repair and replacement of worn-out and leaky roofs, windows, walls doors and drinking fountains; removal of outdated buildings and construction of new classrooms and support buildings; installation of wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; upgrade facilities to meet current earthquake safety standards; repair and replacement of fire alarms, emergency communications and security systems; upgrading, resurfacing, replacing or relocating of hard courts, fields, turf and irrigation systems; upgrade classrooms; build or upgrade facilities for math, physical sciences, fine arts, theatre arts, and horticulture; upgrade existing parking lots/garages; repair, upgrade and install interior and exterior lighting systems; replace water and sewer lines and other plumbing systems; upgrade and expand foreign language, humanities buildings, physical education facilities, administrative offices, maintenance yard/warehouse, student service and instructional buildings; upgrade to sustainable landscaping; improve water conservation and energy efficiency; replace elevators; replace outdated security systems; replace existing window systems with energy-efficient systems to reduce costs; improve insulation, weatherproofing and roofs to reduce costs; improve access for the disabled; install and repair fire safety equipment, including alarms, smoke detectors, sprinklers, emergency lighting, and fire safety doors; replace broken concrete walks, deteriorated asphalt; replace/upgrade existing signage, bells and clocks; demolition of unsafe facilities; install new security systems, such as security (surveillance) cameras, outdoor lighting, fencing, gates and classroom door locks; replace sewer lines and improve drainage systems to prevent flooding; upgrade roadway and pedestrian paths for improved safety and access for emergency vehicles, site parking, utilities and grounds. The upgrading of technology infrastructure includes, but is not limited to, the funding of a technology endowment, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, information systems, printers, digital white boards, upgrade voice-over-IP, communication systems, call manager and network security/firewall, Internet connectivity, wireless systems, technology infrastructure, 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. Some projects, such as physical education facilities, may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. 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 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. 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.

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 SCHOOL FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND COLLEGE ADMINISTRATOR SALARIES, PENSIONS 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' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION 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' OVERSIGHT COMMITTEE.