

# SOUTH BAY UNION SCHOOL DISTRICT

## Proposition X

(This proposition will appear on the ballot in the following form.)

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### PROP X

To improve the quality of education, renovate and modernize classrooms, restrooms, and school facilities; make health and safety improvements; upgrade electrical systems, improve access to computers and technology; repair and replace roofs, plumbing, heating, ventilation, and air-conditioning systems; and qualify the District for \$17,000,000 in State matching grants, shall South Bay Union School District issue \$59,400,000 of bonds at lowest possible interest rates, with no money for teacher/administrator salaries, and spending reviewed by an independent oversight committee?

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This proposition requires approval by 55%  
of the voters voting on the proposition.

Full text of this proposition follows the argument in favor.

### COUNTY COUNSEL IMPARTIAL ANALYSIS

This proposition, if approved by 55% of the voters voting on the proposition, would authorize the South Bay Union School District ("District") to issue and sell up to \$59,400,000 in general obligation bonds. The sale of these bonds by the District will raise money for the District, and represents a debt of the District. In exchange for the money received from the bondholders, the District promises to pay the bondholders an amount of interest for a certain period of time, and to repay the loan on the maturity date.

Proceeds from the sale of bonds authorized by this proposition may be used by the District only for the construction, reconstruction and/or rehabilitation of its school facilities, including the furnishing and equipping of its school facilities, acquisition, or lease of real property for its school facilities and construction management by District personnel.

The interest rate on any bond, which is established at the time of bond issuance, cannot exceed 12% per annum. The final maturity date of any bond could be no later than 25 years after the date of bonds issued pursuant to the Education Code or not later than 40 years after the date of bonds issued pursuant to the Government Code. Principal and interest on the bonds would be paid by revenue derived from an annual tax levied on taxable property within the District in an amount sufficient to pay the interest as it becomes due and to provide a fund for payment of the principal on or before maturity.

California Constitution Article XIII A exempts from the one percent property tax rate limitation ad valorem taxes to pay the interest and redemption charges on any bonded indebtedness for the acquisition or improvement of real property, including the furnishing and equipping of school facilities, when approved by 55% of the voters if: (a) the proceeds from the sale of the bonds are used only for the purposes specified, (b) the District, by evaluating safety, class size reduction, and information technology, has approved a list of specific projects to be funded, (c) the District will conduct an annual, independent performance audit, and (d) the District will conduct an annual, independent financial audit. If a bond measure is approved by 55% of the voters, state law requires the governing board of the District to establish an independent citizens' oversight committee. The District has made this ballot proposition subject to these requirements.

A "yes" vote is a vote in favor of authorizing the South Bay Union School District to issue and sell \$59,400,000 in general obligation bonds.

A "no" vote is a vote against authorizing the South Bay Union School District to issue and sell \$59,400,000 in general obligation bonds.

## TAX RATE STATEMENT

An election will be held in South Bay Union School District (the "District") on November 4, 2008 to authorize the sale of \$59,400,000 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 \$.0300 per \$100 (\$30.00 per \$100,000) of assessed valuation in fiscal year 2009-10.
2. 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 last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$.0300 per \$100 (\$30.00 per \$100,000) of assessed valuation in fiscal year 2021-22.
3. 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 \$.0300 per \$100 (\$30.00 per \$100,000) of assessed valuation.

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.

Dated July 15, 2008

Scott Buxbaum  
Assistant Superintendent, Business Services  
South Bay Union School District

## ACCOUNTABILITY MEASURES

As required by Section 53410 of the Government Code, the following accountability measures are hereby made a part of the District's Bond Proposition X (the "Proposition"):

- (a) The specific purpose of the bonds is set forth in the Full Text of the Proposition;
- (b) The proceeds from the sale of the District's bonds will be used only for the purposes specified in the Proposition, and not for any other purpose;
- (c) The proceeds of the Bonds will be deposited into a Building Fund to be held by the San Diego County Treasurer, as required by the California Education Code; and
- (d) The Superintendent of the District shall cause an annual report to be filed with the Board of Trustees 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 the Proposition, as required by Sections 53410 and 53411 of the Government Code.

### STATEMENT REQUIRED BY EDUCATION CODE SECTION 15122.5

Approval of Proposition X does not guarantee that the proposed project or projects in the South Bay Union School District that are the subject of bonds under Proposition X will be funded beyond the local revenues generated by Proposition X. The District's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

## ARGUMENT IN FAVOR OF PROPOSITION X

Quality elementary schools are essential to a thriving community. Quality schools make a difference in student achievement, student and community safety, and improved property values.

Many schools in the South Bay Union School District are no longer adequate to provide students with the environment and learning tools they need to succeed. While facilities have been well maintained over the years, the average age of our schools is over 44 years. Emory School, our oldest, was first constructed in 1931! Our classrooms and school facilities require major upgrades and improvements to meet today's safety, technological, and educational standards.

Your YES vote on Proposition X will create a lasting, positive impact on the quality of our schools.

### Proposition X will improve classrooms and school facilities by:

- Making health and safety improvements, including removing asbestos, upgrading electrical systems, and replacing outdated fire alarms
- Improving student access to computers and modern technology
- Modernizing classrooms, restrooms and cafeterias
- Making handicap accessibility (ADA) improvements
- Repairing and replacing deteriorating plumbing and sewer systems

### Proposition X makes financial sense and by law has taxpayer protections in place.

- Passing Proposition X will qualify the District for approximately \$17.0 million in matching state funds
- All spending will be annually audited and reviewed by an independent citizens' oversight committee
- Funds can only be spent on school facilities and not for administrative salaries

Proposition X deserves our support. It will not only maintain the quality of our schools and our property values, but also maintain the quality of our community. That's something we can all support. **Please join us and VOTE YES ON PROPOSITION X!**

RALEIGH H. SANDERS  
President, Optimist Club of Imperial Beach

TERRY LOYO  
Parent/Community Leader

CARLOS ROBLEDO  
Parent, Physician and Community Educator

CYNTHIA MELCHER  
Parent/Business Community Leader

JOHN C. O'NEILL  
Chair, San Diego County Taxpayers Association

## ARGUMENT AGAINST PROPOSITION X

No argument against the proposition was filed  
in the office of the Registrar of Voters.

## APPENDIX A

### BALLOT PROPOSITION FULL TEXT

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"To improve the quality of education, renovate and modernize classrooms, restrooms, and school facilities; make health and safety improvements; upgrade electrical systems, improve access to computers and technology; repair and replace roofs, plumbing, heating, ventilation, and air-conditioning systems; and qualify the District for \$17,000,000 in State matching grants, shall South Bay Union School District issue \$59,400,000 of bonds at lowest possible interest rates, with no money for teacher/administrator salaries, and spending reviewed by an independent oversight committee?"

Bonds—Yes

Bonds—No

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#### **BOND AUTHORIZATION**

By approval of this proposition by at least 55 percent of the registered voters voting on the proposition, the District will be authorized to issue and sell bonds of up to \$59.4 million in aggregated principal at interest rates below the legal limit and to provide financing for the specific 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 proposition 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 at this time. 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.** The School Board shall establish an Independent Citizens' Oversight Committee under Education Code Section 15278 and following to ensure bond proceeds are expended only on the 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 shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed below.

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

#### **FURTHER SPECIFICATIONS**

**No Administrator Salaries.** Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction and/or rehabilitation of school facilities including the furnishing and equipping of school facilities or 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.

#### **BOND PROJECT LIST**

The Bond Project List shown below is a part of the ballot proposition and must be reproduced in any official document required to contain the full statement of the bond proposition.

**Evaluation of Needs.** As required by Article XIII A of the California Constitution, the Board of Trustees of the District has certified that it has evaluated safety, class size reduction and information technology needs in developing the list of school facilities projects shown below.

**Projects Subject to Available Funding.** The following list of projects is subject to the availability of adequate funding to the District. Approval of the bond proposition does not guarantee that the proposed projects in the District that are the subject of bonds under the proposition will be funded beyond the local revenues generated by the bond proposition. The District's proposal for the projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond proposition.

**Scope of Projects.** Bond proceeds will be expended to modernize, replace, renovate, construct, equip, furnish, rebuild and otherwise improve District facilities as described below. The specific school facilities projects which are described below include all related and incidental costs, including costs of design, engineering, architect and other professional services, site preparation, utilities, landscaping and other incidental costs, and construction management. Bond proceeds may also be expended to acquire real property for future educational facilities and to acquire and install furniture, fixtures and equipment at any classrooms and other facilities of the District. The District may alter the scope and nature of any of the specific projects, which are described below as required by conditions that arise during the course of design and construction, including unforeseen conditions such as dry rot, mold and faulty engineering.

#### **RENOVATION, MODERNIZATION, AND REPAIR OF EXISTING SCHOOLS AND FACILITIES**

Bond proceeds will be expended to modernize, replace, renovate, construct, equip, rebuild and furnish the District's facilities as described in the following list. Whenever specific items are included in the following list, they are presented to provide an example and are not intended to limit the generality of the broader description of authorized projects. Some of the projects listed have been identified by the District as lower level priority for the use of bond proceeds and these are denoted below in italics. These projects may not be completed unless bond proceeds remain after the completion of higher level priority projects.

##### **Bayside Elementary – Built in 1956**

- Make health and safety improvements, including removing asbestos and other hazardous materials and installing PA systems/clocks
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing and sewer systems
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Upgrade old playgrounds, playfields, and equipment
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Replace old portable classrooms with new classrooms
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers

##### **Berry Elementary – Built in 1971**

- Make health and safety improvements, including removing asbestos and other hazardous materials and installing PA systems/clocks
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing and sewer systems
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Upgrade old playgrounds, playfields, and equipment*

**Central Elementary – Built in 1952**

- Make health and safety improvements, including the removal of asbestos and other hazardous materials
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing and sewer systems
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Upgrade old playgrounds, playfields, and equipment
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Replace old portable classroom with new classroom*
- *Repair/replace deteriorating roofs*

**Emory Elementary – Built in 1931**

- Make health and safety improvements, including the removal of asbestos and other hazardous materials
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing and storm drains
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Replace old playgrounds, playfields, and equipment*
- *Repair/replace deteriorating roofs*

**Imperial Beach Elementary – Built in 1943**

- Make health and safety improvements, including the removal of asbestos and other hazardous materials
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing and sewer systems
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Replace deteriorating storm drains*
- *Upgrade old playgrounds, playfields, and equipment*
- *Replace old portable classrooms with new classrooms*

**Mendoza Elementary – Built in 1999**

- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Renovate and repair restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade heating, ventilation, and air-conditioning systems to improve energy efficiency
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- *Upgrade old playgrounds, playfields, and equipment*

**Nestor Elementary – Built in 1961**

- Make health and safety improvements, including removing asbestos and other hazardous materials and installing PA systems/clocks
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing and sewer systems, including water lines/stop valves
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Upgrade old playgrounds, playfields, and equipment*
- *Repair/replace deteriorating roofs*
- *Replace old portable classrooms with new classrooms*

**Nicoloff Elementary – Built in 1978**

- Make health and safety improvements, including removing asbestos and other hazardous materials and installing PA systems/clocks
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing including storm drains
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Upgrade old playgrounds, playfields, and equipment*
- *Replace old portable classroom with new classroom*

**Oneonta Elementary – Built in 1959**

- Make health and safety improvements, including removing asbestos and other hazardous materials and installing PA systems/clocks
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing and sewer systems, including storm drains and water lines/top valves
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Upgrade old playgrounds, playfields, and equipment*
- *Repair/replace deteriorating roofs*

**Pence Elementary – Built in 1975**

- Make health and safety improvements, including removing asbestos and other hazardous materials and installing PA systems/clocks
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing and storm drains
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Replace deteriorating water lines/stop valves*
- *Upgrade old playgrounds, playfields, and equipment*

**Sunnyslope Elementary – Built in 1966**

- Make health and safety improvements, including removing asbestos and other hazardous materials and installing PA systems/clocks
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing and sewer systems
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Replace deteriorating sewer storm drains*
- *Upgrade old playgrounds, playfields, and equipment*
- *Replace old portable classrooms with new classrooms*



**VIP Village Preschool – Built in 1991**

- Make health and safety improvements, including installing of PA systems/clocks
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Renovate and modernize outdated classrooms, restrooms, and school facilities
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- *Repair/replace deteriorating roofs*
- *Replace old portable classrooms with new classrooms*

**West View Elementary – Built in 1949**

- Make health and safety improvements, including the removal of asbestos and other hazardous materials
- Upgrade electrical systems and improve student access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements to the school site, including restrooms, classrooms, and playgrounds
- Repair/replace old and deteriorating plumbing and sewer systems
- Renovate and repair outdated restrooms
- Make repairs and improvements to classrooms and school facilities, including the auditorium
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Replace old windows with new windows
- Make upgrades to the kitchen facilities
- Improve student safety by installing additional fencing, security, and monitoring systems
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Upgrade old playgrounds, playfields, and equipment*
- *Repair/replace deteriorating roofs*

**DISTRICT SUPPORT FACILITIES IMPROVEMENTS**

These projects will occur at the District's Education Center, Maintenance, Transportation, Purchasing, and Nutrition facilities. Such projects shall consist of the following:

- Upgrade electrical systems and improve access to computers and modern technology
- Upgrade outdated fire alarm systems
- Make handicap accessibility (ADA) upgrades and improvements
- Repair/replace old and deteriorating plumbing
- Renovate and repair outdated restrooms
- Make repairs and improvements to the facilities, including new paint, doors/hardware, cabinetry, carpet/tile, curtains/blinds, partitions, and exhaust fans
- Upgrade outdated heating, ventilation, and air-conditioning systems to improve energy efficiency
- Replace old windows with new windows
- Install additional fencing, security, and monitoring systems
- Install a new industrial storm water filtration system
- Make general site improvements, including replacing deteriorating concrete sidewalks/steps
- Replace old and deteriorating storage containers
- *Replace deteriorating storm drains*
- *Repair/replace deteriorating roofs*
- *Replace old portable classrooms and buildings with new facilities*