

BOARD OF EDUCATION
SAN DIEGO UNIFIED SCHOOL
DISTRICT SAN DIEGO, CALIFORNIA

RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN)
DIEGO UNIFIED SCHOOL DISTRICT ORDERING A SCHOOL) RESOLUTION
BOND ELECTION, AND AUTHORIZING NECESSARY ACTIONS)
IN CONNECTION THEREWITH)

R E C I T A L S:

WHEREAS, the Board of Education (the "Board") of the San Diego Unified School District (the "District"), within the County of San Diego, California (the "County"), is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the Education Code of the State of California (the "Education Code"); and

WHEREAS, the District is focused on providing a quality school in every neighborhood for District students by upgrading and repairing schools now through voter-approved bonds that provide funds that the State cannot take away and enable the District to take advantage of matching funds and low interest rates and avoid rising construction costs and, by improving energy-efficiency in its classrooms, save money that can be applied to fund core academic classes and retain qualified teachers; and

WHEREAS, approximately 16.5% of students residing in the District are expected to attend charter schools during the 2022-23 school year, and the Board has determined to allocate a portion of the proceeds of the bonds to provide quality charter school facilities located in the District in an amount that reflects the proportion of students expected to attend charter schools in the 2022-23 school year; and

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Education Code Sections 15100 *et seq.*; and

WHEREAS, on November 3, 1998, voters in the District approved Proposition MM ("Proposition MM"), authorizing the District to issue \$1.51 billion in bonds (the "Proposition MM Bonds") to modernize and construct school facilities, and since its approval, Proposition MM Bonds have funded repairs at schools, and financed construction of new schools; and

WHEREAS, the tax rate levied in the District to pay debt service on the Proposition MM Bonds in fiscal year 2007-08 was \$66.70 per \$100,000 of assessed property value; and

WHEREAS, on November 4, 2008, voters in the District approved Proposition S ("Proposition S"), authorizing the District to issue \$2.1 billion in bonds (the "Proposition S

Bonds") to construct, rehabilitate, repair, furnish and equip school facilities, and since its approval,

Proposition S Bonds have funded repairs at schools, and the construction of and equipping of schools; and

WHEREAS, Proposition S contains a limitation with respect to the issuance of Proposition S Bonds such that, in order to issue Proposition S Bonds, the District must project that the tax rate necessary to pay debt service on the proposed Proposition S Bonds, when combined with the tax rate necessary to pay debt service on presently outstanding bonds in each year, will not exceed the rate levied in the 2007-08 fiscal year described above; and

WHEREAS, the Board has determined that, the Proposition S limitation described above applies to bonds issued under Proposition MM and Proposition S and does not apply to bonds of the District authorized and issued pursuant to an election held after the date of approval of Proposition S, and that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued pursuant to the measure authorized hereby is in addition to and not limited by the Proposition S tax rate limit; and

WHEREAS, on November 6, 2012, voters in the District approved Proposition Z ("Proposition Z"), authorizing the District to issue \$2.8 billion in bonds (the "Proposition Z Bonds") to construct, rehabilitate, repair, furnish and equip school facilities, and since its approval, Proposition Z Bonds have funded repairs at schools, and the construction of and equipping of schools; and

WHEREAS, on November 6, 2018, voters in the District approved Measure YY ("Measure YY"), authorizing the District to issue \$3.5 billion in bonds (the "Measure YY Bonds"), to construct, rehabilitate, repair, furnish, and equip school facilities, and since its approval, Measure YY Bonds have funded repairs at schools, and the construction of and equipping of schools; and

WHEREAS, based upon a current projection of assessed property valuation and a proposed schedule of bond issuances, 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 by this measure (excluding Proposition MM Bonds, the Proposition S Bonds, the Proposition Z Bonds, the Measure YY Bonds and any other measures) will not exceed the statutory limit of \$60 per year per \$100,000 of assessed valuation of taxable property, pursuant to Education Code Section 15270; and

WHEREAS, based upon a current projection of assessed property valuation and a proposed schedule of bond issuances, the District observes that the debt service requirements of the bonds proposed to be issued by this measure are expected to be structured on the date of each issuance such that the tax rate levy, in combination with the tax rates levied for the Proposition MM Bonds, the Proposition S Bonds, the Proposition Z Bonds and the Measure YY Bonds, would not exceed the combined tax rates levied in fiscal year 2021-22 for the Proposition MM Bonds, the Proposition S Bonds, the Proposition Z Bonds, and the Measure YY Bonds; and

WHEREAS, the final series of Proposition Z Bonds is expected to be issued in 2022, and the District's facilities needs anticipated be funded pursuant to Proposition Z require additional funding, which funds can be provided by approval of the bond measure proposed pursuant to this Resolution; and

WHEREAS, pursuant to a two-thirds vote of the school district board and subject to Section 15100 of the Education Code, under paragraph (3) of subdivision (b) of Section 1 of Article XIII of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution, and Section 15266 of the Education Code, school districts may seek approval of bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of the voters of the district voting on the proposition for the purposes hereinafter specified, provided certain accountability requirements are included in the proposition, including (a) that the proceeds from the sale of the bonds be used only for the purposes specified in Article XIII, Section 1(b)(3) of the California Constitution, and not for any other purpose, including teacher and administrator salaries and other school operating expenses, (b) a list of the specific school facilities projects to be funded and certification that the school district board has evaluated safety, class size reduction, and information technology needs in developing that list, (c) that the school district board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed, and (d) that the school district board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects; and

WHEREAS, the Board deems it necessary and advisable to submit such a bond measure to the electors, which, if approved by 55% of the votes cast, would permit the District to issue its bonds; and

WHEREAS, the Board has evaluated the facilities needs of the District in order to determine which projects to finance from a local bond at this time; and

WHEREAS, in order to address the facilities needs of the District, the Board deems it necessary and advisable to fund the specific school facilities projects listed under the heading entitled "BOND PROJECT LIST" included in the full text of the bond measure set forth in Exhibit A attached hereto (the "Bond Project List"); and

WHEREAS, the Board has determined that the projects listed on the Bond Project List are authorized to be financed with bonds of the District under subsection (a) of Section 15100 of the Education Code and are for purposes specified in Article XIII, Section 1(b)(3) of the California Constitution, and not for any other purpose, including teacher and administrator salaries and other school operating expenses; and

WHEREAS, in accordance with paragraph (3) of subdivision (b) of Section 1 of Article XIII of the California Constitution, and as provided in the full text of the bond measure, the Board has evaluated safety, class size reduction and information technology needs in developing the Bond Project List; and

WHEREAS, in accordance with paragraph (3) of subdivision (b) of Section 1 of Article XIII of the California Constitution, and as provided in the full text of the bond measure,

annual, independent performance and financial audits shall be required as part of the bond proposition; and

WHEREAS, pursuant to Section 15278 of the Education Code, if a bond proposition is authorized in accordance with paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution, the governing board of the school district shall establish and appoint members to an independent citizens' oversight committee to ensure that (a) bond revenues are expended only for the purposes specified in Article XIII A, Section 1(b)(3) of the California Constitution, and (b) that no funds are used for any teacher or administrative salaries or other school operating expenses; and

WHEREAS, a bond election authorized pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution, must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election at which all of the electors of the District are entitled to vote, as required by Section 15266 of the Education Code; and

WHEREAS, on November 8, 2022, a statewide general election is scheduled to be conducted throughout the District; and

WHEREAS, subsection (c) of Section 15100 of the Education Code provides that, before the governing board of a school district may order an election pursuant to Education Code Sections 15100 *et seq.*, it shall obtain reasonable and informed projections of assessed property valuations that take into consideration projections of assessed property valuations made by the County Assessor; and

WHEREAS, although the County Assessor does not make projections of assessed property valuations, the Board has been presented with projections of assessed property valuations of the property within the boundaries of the District in connection with developing the bond measure that take into consideration, among other things, the long-term historical average growth rates of assessed property valuations of the property within the boundaries of the District and the Board finds those projections to be reasonable and informed; and

WHEREAS, the Board has determined that, based upon such projections of assessed property valuation and a proposed schedule of bond issuances, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued pursuant to this measure will not exceed the maximum tax rate permitted by Section 15270 of the Education Code; and

WHEREAS, Section 9400 *et seq.* of the California Elections Code (the "Elections Code") requires that a tax rate statement be contained in all official materials, including any voter information guide 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 bond measure to be submitted to the voters at the election; and

WHEREAS, if a project or projects to be funded by the bonds will require State of California matching grant funds for any phase, the sample ballot must contain a statement, in the form prescribed by law, advising the voters that such project is subject to the approval of State matching funds and, therefore, passage of the bond measure is not a guarantee that the project will be completed, and the Board finds that completion of all or a portion of certain of the projects listed in the Bond Project List will require State matching grant funds;

NOW, THEREFORE, be it resolved, found, determined and ordered by the Board of Education of the San Diego Unified School District as follows:

Section 1. Recitals. All of the above recitals are true and correct.

Section 2. Specifications of Election Order; Required Certification.

Pursuant to Education Code Sections 5304, 5322, 15100 *et seq.*, and 15266, and paragraph (3) of subdivision (b) of Section 1 of Article XIII of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution, a special election shall be held within the boundaries of the District on November 8, 2022, for the purpose of submitting to the registered voters of the District the bond measure contained in Exhibit A attached hereto and incorporated herein. In accordance with paragraph (3) of subdivision (b) of Section 1 of Article XIII of the California Constitution, and as provided in the full text of the bond measure, the Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Section 3. Conduct of Election. (a) *Request to County Officers.* Pursuant to Section 5303 of the Education Code, the Registrar of Voters of the County (the "Registrar of Voters") is required to, and is hereby requested to, take all steps to hold the election in accordance with law and these specifications.

(b) *Abbreviation of Proposition.* Pursuant to Sections 13119 and 13247 of the Elections Code and Sections 5322 and 15122 of the Education Code, the Board hereby directs the Registrar of Voters to use as the abbreviation of the bond measure to be titled the "San Diego Student Safety, Health, and School Repair Measure" on the ballot the abbreviation contained in Exhibit C hereto which reads as follows:

"To improve all public schools by:

- Repairing leaky roofs/plumbing;
- Providing safe drinking water;
- Removing asbestos, lead paint, mold;
- Improving classroom security/communications systems, cameras, door locks to protect against school shootings;
- Upgrading career, science, technology, engineering, math classrooms;

shall San Diego Unified School District's measure authorizing \$3,200,000,000 in bonds at legal rates, levying approximately 6 cents per \$100 of assessed value, averaging \$330,000,000 annually while bonds are outstanding, requiring public spending disclosure, audits, citizens oversight, be adopted?"

[74 words]

(c) *Voter Pamphlet.* The Registrar of Voters is hereby requested to reprint the full text of the bond measure as set forth in Exhibit A in its entirety in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code.

(d) *State Matching Funds.* The District hereby requests that the Registrar of Voters include the following statement in the ballot pamphlet, pursuant to Section 15122.5 of the Education Code:

"Approval of Measure does not guarantee that the proposed project or projects in the San Diego Unified School District that are the subject of bonds under Measure will be funded beyond the local revenues generated by Measure_. 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."

(e) *Consolidation Requirement.* Pursuant to Section 15266(a) of the Education Code, the election shall be consolidated with the statewide general election on November 8, 2022, and pursuant to Education Code Section 5342 and Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrar of Voters and the Board of Supervisors of the County are hereby requested to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same. The District hereby acknowledges that the consolidated election will be held and conducted in the manner prescribed by Section 10418 of the Elections Code.

(f) *Canvass of Results.* The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to Section 10411 of the Elections Code.

(g) *Required Vote.* Pursuant to Section 18 of Article XVI and Section 1 of Article XIII of the California Constitution, the bond measure shall become effective upon the affirmative vote of at least 55% of the voters of the District voting on the measure.

(h) *Election Costs.* The District shall pay all costs of the election approved by the Board of Supervisors of the County pursuant to Education Code Section 5421.

Section 4. Delivery of Order of Election to County Officers. The Board Action Officer of the Board of the District is hereby directed to cause to be filed as soon as practicable, and in any event no later than August 12, 2022 (which date is not fewer than 88 days prior to

the date set for the election), one copy of this Resolution to the Registrar of Voters, including the tax rate statement attached hereto as Exhibit B, containing the information required by Elections Code Section 9400 *et seq.*, completed and signed by the Superintendent of the District, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the County. With respect to the tax rate statement attached hereto as Exhibit B, the Board hereby adopts the procedures set forth in Election Code Section 9405.

Section 5. Ballot Arguments. The President of this Board, or any member or members of this Board as the President shall designate, are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the bond measure and a rebuttal argument to the argument against the bond measure, if any, within the time established by the Registrar of Voters, which shall be considered the official ballot argument of this Board as sponsor of the bond measure.

Section 6. Further Authorization. (a) *General.* The members of this Board, the Superintendent, the Chief Business Officer, the Controller, the Executive Director, Financial Planning and Development and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution in accordance with the terms hereof and of applicable provisions of law.

Section 7. Effective Date; Required Vote. This Resolution shall take effect upon its adoption by a vote of at least two-thirds of the members of this Board.

PASSED AND ADOPTED this day July 26, 2022, by the following
vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA)
) SS
COUNTY OF SAN DIEGO)

I, the undersigned authorized officer, Board of Education, San Diego Unified School District, do hereby certify that the foregoing is a true copy of a resolution adopted by said Board at a meeting thereof held on the day and by the vote stated above, which resolution is on file with the minutes of said meeting.

Board Action Officer

Legality and Form Approved:

Andra M. Greene, General Counsel
San Diego Unified School District

EXHIBIT A

FULL TEXT OF BOND PROPOSITION

SAN DIEGO STUDENT SAFETY, HEALTH, AND SCHOOL REPAIR MEASURE

This proposition may be known and referred to as the "San Diego Student Safety, Health, and School Repair Measure" or as "Measure __". *[designation to be assigned by County Registrar of Voters]*

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the voters of the San Diego Unified School District (the "District") voting on the proposition, the District shall be authorized to issue and sell bonds of \$3.2 billion in aggregate principal amount to provide financing for the specific school facilities projects listed under the heading entitled "BOND PROJECT LIST" below (the "Bond Project List"), and qualify to receive State of California matching grant funds, subject to all of the accountability safeguards specified below.

ACCOUNTABILITY SAFEGUARDS

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

Evaluation of Needs. The Board of Education of the District (the "Board") has evaluated the facilities needs of the District at each campus and facility to determine which projects to finance from a local bond at this time. In order to address the facilities needs of the District, the Board deems it necessary and advisable to fund the specific school facilities projects listed in the Bond Project List. The Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Limitations on Use of Bonds. Proceeds from the sale of bonds authorized by this measure shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses. More specifically, the Bond Project List provides for the specific projects the District proposes to finance with proceeds from the sale of bonds authorized by this measure and such proceeds shall be applied only to those specific purposes.

Bond Issuance Limitation. The District is required by law to make its best estimates of the *ad valorem* property tax rate required to be levied on all taxable property in the District to pay debt service on the proposed bonds. The District's tax rate estimates appear in the Tax Rate Statement that the Registrar is required to provide in the Voter Information Pamphlet mailed to voters in connection with the election. The limitation contained in Proposition S, approved by voters on November 4, 2008, does not extend to bonds of the District authorized and issued pursuant to an election held after the date of approval of Proposition S, and the tax rate levied to meet the debt service requirements of the bonds proposed to be issued pursuant to this measure, as estimated in the Tax Rate Statement, shall be in addition to and not included in projections related to the Proposition S tax rate limit.

Independent Citizens' Oversight Committee. In accordance with and pursuant to Education Code Section 15278 *et seq.*, the Board shall establish an independent citizens' oversight committee, within 60 days of the date that the Board enters the election results on its minutes pursuant to Section 15274 of the Education Code, to ensure that (a) bond revenues are expended only for the purposes specified in Article XIII A, Section 1(b)(3) of the California Constitution, and (b) that no funds are used for any teacher or administrative salaries or other school operating expenses. In accordance with Section 15282 of the Education Code, the citizens' oversight committee shall consist of at least seven members and shall include a member active in a business organization representing the business community located within the District, a member active in a senior citizens' organization, a member active in a bona fide taxpayers' organization, a member that is a parent or guardian of a child enrolled in the District, and a member that is both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization. The committee may be comprised of the same members of the citizens' oversight committees for other District bond measures. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the citizens' oversight committee.

Annual Performance Audits. In compliance with the requirements of Article XIII A, Section 1(b)(3)(C) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000, the Board shall conduct an annual, independent performance audit to ensure that the proceeds from the sale of bonds authorized by this measure have been expended only on the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for performance audits. The results of these audits shall be made publicly available and shall be submitted to the citizens' oversight committee in accordance with Section 15286 of the Education Code.

Annual Financial Audits. In compliance with the requirements of Article XIII A, Section 1(b)(3)(D) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000, the Board shall conduct an annual, independent financial audit of the proceeds from the sale of bonds authorized by this measure until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for financial audits. The results of these audits shall be made publicly available and shall be submitted to the citizens' oversight committee in

accordance with Section 15286 of the Education Code.

Special Bond Proceeds Account; Annual Report to Board. In compliance with the requirements of California Government Code Section 53410 and following, upon approval of this measure and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds authorized by this measure shall be deposited. In compliance with the requirements of California Government Code Section 53411, as long as any proceeds of the bonds remain unexpended, the chief fiscal officer of the District shall cause a report to be filed with the Board at least once a year, stating (a) the amount of funds collected and expended in that year, and (b) the status of any project required or authorized to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the chief fiscal officer of the District shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

ESTIMATED BALLOT INFORMATION

The District is required by law to include in the statement of the bond proposition to be voted on estimates of the amount of money to be raised annually to repay the bonds and the rate and duration of the tax to be levied for the bonds. As of the time this proposition was placed on the ballot, the District estimated that, while the bonds are outstanding (estimated to be approximately 39 years) the average tax rate levy (for bonds authorized pursuant to this measure and excluding bonds authorized by any other measure) would be approximately 3.3 cents per \$100 of assessed valuation (averaging approximately \$181 million annually) and the highest tax rate levy (for bonds authorized pursuant to this measure and excluding bonds authorized by any other measure) would be approximately 6 cents per \$100 of assessed valuation (and, if levied for the full term of the bonds, would average approximately \$330 million annually). Attention of all voters is directed to the fact that such information is based upon the District's projections and estimates only, which are not binding upon the District. The amount of money to be raised annually and the rate and duration of the tax to be levied for the bonds may vary from those presently estimated due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for project funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

BOND PROJECT LIST

The Bond Project List below lists the specific projects the District proposes to finance with proceeds of the bonds. The Bond Project List shall be considered a part of this bond proposition and shall be reproduced in any official document required to contain the full

statement of the bond proposition. Listed projects will be completed as needed at a particular school or school facility site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain project funds expected from non-local bond sources, including State of California grant funds for eligible projects, have not yet been secured. Therefore, the Board cannot guarantee that the bond proceeds will provide sufficient funds to allow completion of all listed projects. Alternatively, if the District obtains unexpected funds from non-local bond sources with respect to listed projects, such projects may be enhanced, supplemented or expanded to the extent of such funds. Some projects may be subject to further government approvals, including by State officials and boards and/or local environmental or agency approval. Inclusion of a project on the Bond Project List is not a guarantee that the project will be completed (regardless of whether bond funds are available). For purposes of the Bond Project List, none of the language is intended to restrict the project delivery method. The Board has found and determined that all projects listed below are capital expenditures.

PART ONE:

Projects For All School Facilities. Unless otherwise noted, the following projects are authorized to be completed as needed at each or any of the District's sites (including newly acquired or leased sites as authorized hereunder):

School Security, Student Health, and Safety Improvements

- Improve classroom security/communications systems and cameras,
- Improve or install door locks and controlled-entry points to protect against school shootings and implement other critical life safety improvements,
- Remove, remediate and abate asbestos, mold, and other potentially dangerous substances,
- Replace plumbing containing lead based solder,
- Replace obsolete fire alarms/sprinklers and update emergency communications systems,
- Provide school site security improvements, including increased lighting, fencing, and vandalism and intrusion safeguards,
- Install filtered drinking water bottle fillers,
- Improve the seismic structural integrity of school buildings to better protect students and staff in the event of an earthquake,
- Improve and expand student food service areas and kitchens as required to improve student access to a variety of nutritious meals,
- Nurses' office improvements,
- Provide playground shade shelters for students,
- Vehicular/pedestrian circulation safety & parking improvements,
- Install or upgrade school security systems,
- Reconfigure second floor exiting to improve the safety of ingress and egress for students, and
- Install drinking water filtration systems.

Universal Transitional Kindergarten School Facilities

- Construct and furnish new specialized school facilities to support universal transitional kindergarten,
- Renovate, repair, and upgrade existing classrooms and restrooms to facilitate universal transitional kindergarten, and
- Provide playground spaces and equipment to accommodate universal transitional kindergarten.

Major Repairs Rennovation and Modernization of School Facilities

- Repair or replace leaky roof systems,
- Repair, replace worn or damaged doors and windows,
- Replace or upgrade outdated electrical systems, aging wiring, electrical panels, and lighting,
- Repair or replace deteriorating plumbing and underground sewer systems,
- Replace deteriorated interior and exterior finishes and fixtures,
- Repair or replace cracked or damaged building foundations and slabs,
- Repair or replace outdated, inefficient heating, ventilation, and air cooling systems to save energy and reduce maintenance costs,
- Repair or replace cracked and broken concrete sidewalks, hardscape and exterior infrastructure,
- Complete major electrical, infrastructure, plumbing, sewage, structural systems, HVAC, and landscaping renovation, upgrades, and renovations to school sites,
- Resurface, repair, or upgrade asphalt parking lots and playground areas,
- Replace or upgrade auditorium sound, intercom systems, lighting, and public address systems,
- Repair or replace playground equipment,
- Replace or resurface track and turf surfaces as needed,
- Repair or replace deteriorated cabinets and casework,
- Repair or restore classroom and building interior and exterior finishes and fixtures,
- Repair or replace damaged or broken hardscape surfaces and exterior infrastructure, and
- Replace current facilities with new buildings, in coordination with other capital projects.

Classroom Technology and STEAM facilities to Improve Student Academic Achievement

- Provide or upgrade school facilities to support education pathways, including science, technology, engineering, arts, and mathematics (STEAM) labs, robotics labs, maker spaces, and dual language immersion,
- Upgrade wired and wireless infrastructure and equipment as needed to support technology systems with potential federal and State matching funds for school technology programs,
- Provide classroom and instructional technology required for 21st-century student learning and teaching,
- Upgrade, furnish, equip, acquire and/or install up-to-date classroom and instructional

technology in classrooms and related school facilities,

- Upgrade and expand enterprise information systems and technology throughout the District to support 21st-century classrooms, efficient operations, student, and parent services,
- Provide or expand online education facilities and technology innovation centers,
- Create innovative, interactive, and collaborative outdoor learning spaces,
- Provide, expand or improve facilities for special education students,
- Provide and improve special education support spaces, motor labs, sensory rooms, adaptive physical education facilities, and play structures, and
- Construct collaborative learning spaces, maker spaces, and labs.

School Accessibility & Code Compliance Upgrades

- Improve accessibility for disabled persons to comply with the Americans with Disabilities Act (ADA) and Title 24,
- Improve, renovate, and expand restrooms to improve accessibility to all students,
- Provide, renovate, and expand locker rooms to improve accessibility to all students,
- Repair aging portable classrooms to comply with code requirements,
- Provide gender neutral locker rooms, changing rooms, and restrooms, and
- Modernize and renovate physical education facilities, locker rooms, restrooms, playgrounds, and fields to comply with Title IX gender equity requirements.

Energy Efficiency and Sustainability

- Purchase and install solar panels and other devices to generate electricity from sunlight,
- Install energy-efficient (LED/fluorescent) lighting systems with occupancy sensors,
- Install solar lighting systems,
- Increase building insulation and dual-pane windows,
- Replace older inefficient mechanical and central controls systems with energy-efficient systems,
- Install innovative systems to produce energy, store energy and/or reduce consumption,
- Provide battery energy storage systems,
- Connect and install irrigation systems to reclaimed water supplies for irrigation purposes where feasible,
- Install water-saving efficient toilets and fixtures,
- Acquire clean energy student transportation vehicles or systems, including electric vehicles and support infrastructure, and
- Install electric vehicle and electrical equipment charging systems.

Quality Neighborhood Schools

- Renovate or replace existing inadequate buildings, classrooms and support facilities,
- Provide, renovate, and expand school facilities to meet the needs of students experiencing homelessness,
- Improve or construct school buildings, facilities, parking lots, and structures to meet the

needs of neighborhood schools,

- Improve and install playfields, including for student and neighborhood joint-use with the City of San Diego,
- Acquire and construct marine science blue technology-focused education facilities,
- Acquire and construct health science-focused school facilities,
- Acquire and construct teacher and workforce housing and related facilities,
- Develop or improve education, recreation, and/or community resource facilities for joint-use to support students and neighborhood families,
- Construct recreational and swimming facilities, including for joint-use with other public agencies and public benefit non-profit entities,
- Remove or replace old or inadequate buildings with new facilities,
- Remove excess portable classroom buildings to reduce utility and maintenance costs,
- Acquire property for, design, and construct new school administrative facilities and/or renovate existing school administration center facilities,
- Develop and build language education facilities,
- Construct, improve, and expand gymnasiums at middle and high schools,
- Improve, expand, and replace physical education facilities, athletic facilities, and turf fields,
- Install, provide, renovate, or replace athletic field and stadium lighting,
- Improve or expand high school stadiums,
- Expand classroom capacity and school facilities to meet projected area growth needs,
- Expand classroom, science/technology lab capacity, and school facilities to meet projected needs,
- Plan, acquire property for, design, and construct new classrooms and school facilities to accommodate student enrollment in neighborhood schools, including but not limited to, accommodate growth in the following high school cluster areas: Clairemont High School cluster, Crawford High School cluster, Henry High School cluster, Hoover High School cluster, Kearny High School cluster, La Jolla High School cluster, Lincoln High School cluster, Madison High School cluster, Mira Mesa High School cluster, Mission Bay High School cluster, Morse High School cluster, Point Loma High School cluster, San Diego High School cluster, Scripps Ranch High School cluster, Canyon Hills High School cluster and University City High School cluster,
- Construct school facilities on leased property, including on property owned by other public agencies for joint use with other public agencies,
- Expand and develop science education facilities to support students for joint-use, and
- Expand or develop joint-use athletic facilities.

Visual and Performing Arts Education Facilities

- Build specialized school facilities for visual and performing arts education programs,
- Build visual and performing arts schools, theatres, and concert halls,
- Upgrade, renovate, and expand fine arts, crafts, music, and dance classrooms and specialized facilities for arts programs, and
- Improve or expand visual and performing arts facilities and classrooms.

College, Career, and Technical Education Facilities

- Build and furnish specialized school facilities for college and career technical education programs, and
- Upgrade, renovate, furnish, and expand classrooms, labs, and specialized facilities for career and vocational technology programs.

PART TWO:

Specific Charter School Projects. Public charter school projects may include any of the types of facility improvements and other project work described in Part 1 above. In addition, unless otherwise noted, the following projects are authorized to be completed at each or any of charter school sites located within the District:

- Site reconfiguration to better accommodate charter school co-location,
- Development of new facilities for charter schools,
- Consistent with the District's obligation under Proposition 39 (approved by California voters in November 2000) and Section 47614 of the Education Code, provide classroom capacity, including furnishings and equipment, for in-district charter school students at a level comparable to students attending district-run schools, and
- Construction, reconstruction, rehabilitation, or replacement of charter school facilities, including the furnishing and equipping of charter school facilities, or the acquisition or lease of real property for charter school facilities.

The District shall set aside from the proceeds of bonds authorized hereunder [\$528 million] for completion of the projects listed in this Part Two; however, the Board of Education may adjust such amount after the date hereof to reflect a change in the proportion of students residing in the District who attend charter schools. In approving the expenditures for projects listed in this Part Two, the Board of Education shall take into consideration the recommendations of a special committee established by the District for such purpose that is comprised of a majority of representatives of the charter school community.

GENERAL PROVISIONS

Each project in the Bond Project List above is assumed to include its share of costs of the election and bond issuance, construction-related costs, such as project and construction management, architectural, engineering, inspection and similar planning and testing costs, demolition and interim housing costs, legal (including litigation), accounting and similar fees, costs related to the independent annual financial and performance audits, a contingency for unforeseen design and construction costs, and other costs incidental to or necessary for the completion of the listed projects (whether the District or third parties perform the related work), including:

- Remove, dispose of, and otherwise remediate hazardous materials, including asbestos, lead, etc., where necessary,

- Address unforeseen conditions revealed by construction or modernization (including plumbing or gas line breaks, dry rot, seismic, structural, etc.),
- Other improvements required to comply with existing building codes, including the Field Act and access requirements of the Americans with Disabilities Act (ADA),
- Necessary or convenient site preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress, egress, parking, and student dropoff, traffic lights and mitigation; demolition of existing structures; removing, replacing, or installing irrigation, drainage, utility lines (gas, water, sewer, electrical, data, and voice, etc.), trees and landscaping; relocating fire access roads; and acquiring any necessary easements, licenses, or rights of way to the property,
- Rent or construct storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction,
- Acquisition of any of the facilities on the Bond Project List through lease or lease-purchase arrangements or execution of purchase options under a lease for any of these authorized facilities,
- Furnishing and equipping of existing and newly constructed, modernized, or rehabilitated classrooms and facilities on an ongoing basis, including replacing worn, broken, or out-of-date furniture and equipment for all classrooms, athletic facilities, and other facilities, as needed or convenient, and
- Repair, upgrade, modify, expand, refinish, replace and construct site improvements, including off-street parking areas, pickup/dropoff, signage, paths, sidewalks and walkways, canopies, hard courts (student play areas), athletic play fields, swimming pools, landscaping, irrigation, permanent athletic field equipment and facilities (including basketball standards, goals and goalposts, backstops), field lighting, etc.

FURTHER SPECIFICATIONS

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

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and the proceeds of the sale of bonds authorized by this proposition shall be spent only for such purpose, pursuant to California Government Code Section 53410.

Bonds may be Issued in Excess of Statutory Bonding Limit. Issuance of all of the authorized bonds might require the outstanding debt of the District to exceed its statutory bonding limit (currently 2.50% of the total assessed valuation of taxable property in the District). In that event, the District intends to seek a waiver of its bonding limit from the State Board of Education, which has the power to waive certain requirements of the Education Code applicable to the District. By approval of this proposition, the voters have authorized the District to seek such a waiver, and to issue authorized bonds in excess of the District's statutory bonding limit as the State Board of Education may approve. No such waiver has yet been sought or granted.

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest shall be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than the statutory maximum number of 40 years from the date borne by that bond.

Sustainability Standards. The Board of Education has currently adopted Guidelines for Sustainable Construction, requiring design professionals and staff to follow California's Collaborative for High Performance Schools (CHPS) standards and best practices for District building projects. These standards incorporate the latest green building practices to reduce operating costs, reduce environmental impact, and increase building life, while creating schools that are healthy, comfortable, well lit and well equipped.

The District intends to incorporate sustainable site design, water conservation, energy efficiency, improving indoor air quality and incorporating sustainable materials and products into the bond projects, emphasizing long term life cycle cost analysis in its design process. It is intended that planned maintenance work will also incorporate improvements to existing facilities with respect to sustainability and energy conservation, whenever feasible.

Renovation/Modernization. For purposes of the Bond Project List, renovation and modernization projects are intended to improve the building systems and infrastructure, weather protections, finishes, and technology, or reallocate and reorganize space, to a condition that will provide a sustainable, functional educational and administrative environment for future years, comparable to new construction. Renovation projects may include, but are not limited to nor necessarily encompass, all of the following, depending upon the age, condition and needs of each particular school facility:

- Upgrade electrical, communication (including data and voice), fire alarm, and similar building systems as well as main power service and distribution, which may include active and passive solar power and heating system acquisition, installation and construction,
- Replace, repair or upgrade plumbing, piping and drainage systems, including gas and water supply, meters, water heating, and wastewater systems, plumbing fixtures and sinks, fire sprinkler systems, etc., within buildings and sites and connections to city supply and drainage systems,
- Replace or modify aging heating, ventilation and air cooling systems with energy-efficient heating and air cooling systems (HVAC), including installing energy management

systems (EMS),

- Replace, modify, upgrade interior lighting and exterior safety/security lighting systems and fixtures, as necessary,
- Repair, modify and construct structural elements of the existing structure as necessary,
- Renovate or restore historical buildings,
- Replace or repair aging roofs with similar materials or District standard materials,
- Replace, repair, install and construct, as necessary, interior spaces: walls, floor and ceiling finishes, doors, door locks, windows, cabinets and casework, and equipment attached to wall surfaces (including whiteboards, marker boards, tack boards, television mounts, scoreboards, fire extinguishers, kitchen cabinets/equipment, etc.),
- Upgrade, modify and construct restroom facilities,
- Comply, as necessary, with Americans with Disabilities Act (ADA) and Title 24 requirements,
- Refinish the exterior finishes of the school (including stucco, wood and metal trims, wood siding, paint, etc.); replace doors and windows,
- Modify, expand, separate, convert and construct school support areas, including staff work and lunch areas, to provide adequate, functional environments, and
- Modify, replace and construct functional components of altered or replaced building components (including rainwater leaders, fascias, mansards, etc.).

For any project involving renovation, repair or rehabilitation of a building or the major portion of a building, the District shall be authorized to proceed with new replacement construction instead (including any necessary demolition), if the Board of Education determines that replacement and new construction is more practical than rehabilitation and renovation, considering the building's age, condition, expected remaining life, comparative cost, and other relevant factors.

Interpretation. The terms of this bond proposition and the words used in the Bond Project List shall be interpreted broadly to effect the purpose of providing broad and clear authority for the officers and employees of the District to provide for the school facilities projects the District proposes to finance with the proceeds of the sale of bonds authorized by this proposition within the authority provided by law, including Article XIII A, Section 1(b)(3) of the California Constitution, Education Code Section 15000 *et seq.* and the Strict Accountability in Local School Construction Bonds Act of 2000. Without limiting the generality of the foregoing, such words as repair, improve, upgrade, expand, modernize, renovate, and reconfigure are used in the Bond Project List to describe school facilities projects in plain English and are not intended to expand the nature of such projects beyond, or have an effect on, and shall be interpreted to only permit, what is authorized under Article XIII A, Section 1(b)(3) of the California Constitution, Education Code Section 15000 *et seq.* and the Strict Accountability in Local School Construction Bonds Act of 2000. In this regard, the Bond Project List does not authorize, and shall not be interpreted to authorize, expending proceeds of the sale of bonds authorized by this proposition for current maintenance, operation or repairs. The school facilities projects on the Bond Project List only authorize capital expenditures.

Headings. The headings or titles of the sections of the bond proposition, including any headings or titles included in the Bond Project List, are solely for convenience of reference and shall not affect the meaning, construction or effect of the bond proposition.

Severability. The Board hereby declares, and the voters by approving this bond measure concur, that every section and part of this bond measure has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this bond measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law, and to this end the provisions of this bond measure are severable.

The Bond Project List shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

[End of Full Text of Proposition]

EXHIBIT B

TAX RATE STATEMENT

An election will be held in the San Diego Unified School District (the "District") on November 8, 2022, to authorize the sale of \$3.2 billion in bonds of the District to finance school facilities as described in the measure. If the bond measure is approved by at least 55% of the voters of the District voting on the bond proposition, the District expects to issue the bonds in multiple series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400 through 9405 of the California Elections Code.

1. The best estimate of the average annual tax rate that would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of filing of this statement, is 3.3 cents per \$100 (\$33.00 per \$100,000) of assessed valuation. The final fiscal year in which the tax to be levied to fund this bond issue is anticipated to be collected is fiscal year 2061-62.
2. The best estimate of the highest tax rate that would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is six cents per \$100 (\$60 per \$100,000) of assessed valuation in fiscal year 2050-51.
3. The best estimate of the total debt service, including the principal and interest that would be required to be repaid if all of the bonds are issued and sold is approximately \$7,313,000,000.

Voters should note that estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, *not* on the property's market value, which could be more or less than the assessed value. 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. Certain taxpayers may also be eligible to postpone payment of taxes. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The estimates are in addition to, and not inclusive of, other taxes levied by the District to pay bonds authorized at other elections. The average annual tax rate, the highest tax rate, the final fiscal year in which the tax is anticipated to be collected and the year or years in which they will apply, and the actual total debt service, may vary from those presently estimated for a variety of reasons, including, without limitation, due to variations in the timing of bond sales, the amount or amortization of bonds sold, market conditions at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount or amortization of bonds sold at any given time will be determined by the District based on

need for project funds and other factors, including the legal limitations on bonds approved by a 55% affirmative vote. Market conditions, including, without limitation, interest rates, are affected by economic and other factors beyond the control of the District and will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process. The growth or decline in assessed valuation is the result of a number of economic and other factors outside the control of the District.

Dated: _____, 2022.

Superintendent
San Diego Unified School District

EXHIBIT C

ABBREVIATION OF
SAN DIEGO STUDENT SAFETY, HEALTH, AND SCHOOL REPAIR MEASURE
TO APPEAR ON BALLOT

"To improve all public schools by:

- Repairing leaky roofs/plumbing;
- Providing safe drinking water;
- Removing asbestos, lead paint, mold;
- Improving classroom security/communications systems, cameras, door locks to protect against school shootings;
- Upgrading career, science, technology, engineering, math classrooms;

shall San Diego Unified School District's measure authorizing \$3,200,000,000 in bonds at legal rates, levying approximately 6 cents per \$100 of assessed value, averaging \$330,000,000 annually while bonds are outstanding, requiring public spending disclosure, audits, citizens oversight, be adopted?"

[74 words]

BOARD ACTION OFFICER'S CERTIFICATE

I, the undersigned authorized officer of the Board of Education of the San Diego Unified School District, County of San Diego, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly passed and adopted at a regular meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on July 26, 2022, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present. The resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

An agenda of said meeting was posted at least 72 hours before said meeting at 4100 Normal Street, San Diego, California, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office; the foregoing resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered into said minutes; and said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this _____ day of _____, 2022.

Board Action Officer of the Board of Education
San Diego Unified School District,
County of San Diego, California