



# BALLOT MEASURE SUBMITTAL FORM

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Alameda County

JUL 30 2012

Reg. of Voters

<b>BALLOT MEASURE QUESTION</b>	
Jurisdiction Name: <b>Oakland Unified School District</b>	Election Date: <b>November 6, 2012</b>
<p><b>Note:</b> The information as it appears within the measure question text box will be printed on the ballot.</p> <p>Insert ballot question text here:</p> <p>To improve the quality of Oakland schools and school facilities to better prepare students for college and jobs, to upgrade science labs, classrooms, computers and technology, improve student safety and security, repair bathrooms, electrical systems, plumbing and sewer lines, improve energy efficiency and earthquake safety, shall the Oakland Unified School District be authorized to issue \$475 million in bonds, with an independent citizens oversight committee and annual audits to guarantee funds are spent properly to benefit Oakland children?</p>	
<b>PERCENTAGE NEEDED TO PASS</b>	
Fifty-five (55%) Percent	
<b>FULL TEXT OPTION</b>	
Full Text to be printed in the Voter Information Pamphlet:	
<input checked="" type="checkbox"/> YES ( <i>note: must submit separate copy of Full Text along with this form</i> )	
<input type="checkbox"/> NO	
<b>AUTHORIZED REPRESENTATIVE</b>	
Print Name: Edgar Rakestraw, Jr., Secretary of the Governing Board	Date: <b>July 30, 2012</b>
Signature: [REDACTED]	
<b>CONTACT INFORMATION (for office use)</b>	<b>CONTACT INFORMATION (for public)</b>
Phone #: [REDACTED]	Phone #: <b>510/879-8199</b>
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## COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE J

### ANALYSIS BY THE COUNTY COUNSEL OF AN OAKLAND UNIFIED SCHOOL DISTRICT BOND MEASURE

Measure J, an Oakland Unified School District ("District") bond measure, seeks voter approval to authorize the District to issue and sell bonds of up to four hundred seventy-five million dollars (\$475,000,000.00) in aggregate principal amount. The primary purpose of the bonds is to finance school facilities projects as specified in the measure.

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

California Education Code Section 15100 restricts the use of the proceeds from the bonds sale to construction, reconstruction, rehabilitation or replacement of school facilities, and the acquisition of real property for school facilities. In addition, proceeds may only be used for the projects listed in the measure. This measure provides that its proceeds will fund projects outlined in the measure (reproduced in the sample ballot pamphlet) that include district-wide and site specific projects. The district-wide projects include, among others, repairing existing school sites, seismic retrofits, upgrading school facilities, and improving energy efficiency. The site-specific projects include similar improvements at specific schools throughout the district. Proceeds may not be used for any other purpose, such as administrator salaries.

If 55% of those who vote on the measure vote "yes", the District will be authorized to issue bonds of up to four hundred seventy-five million dollars (\$475,000,000.00). Approval of this measure will authorize a levy on the assessed value of taxable property within the District by an amount needed to pay the principal and interest on these bonds in each year that the bonds are outstanding.

The Tax Rate Statement for Measure J in this sample ballot pamphlet reflects the District's best estimates, based upon currently available data and projections, of the property tax rates required to service the bonds. The best estimate of the maximum tax rate required to be levied to fund the bonds after the sale of the first series is no more than 3.9¢ (three and nine-tenths cents) per \$100.00 (one hundred dollars), which is \$39.00 (thirty-nine dollars) per \$100,000.00 (one hundred thousand dollars), of the assessed valuation in fiscal year 2013-2014. The best estimate of the maximum tax rate required to be levied to fund the bonds after the sale of the last series is no more than 6¢ (six cents) per \$100.00 (one hundred dollars), which is \$60.00 (sixty dollars) per \$100,000.00 (one hundred thousand dollars), of the assessed valuation in fiscal year 2019-2020.

An independent citizens' oversight committee will monitor the bond expenditures.

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

DONNA R. ZIEGLER  
County Counsel

The above statement is an impartial analysis of Measure J, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you. You may also access the full text of the measure on the Alameda County website at the following address: [www.acgov.org/rov/](http://www.acgov.org/rov/).

## **ARGUMENT IN FAVOR OF MEASURE J**

Measure J is about one thing: Improving the Quality of Oakland schools.

While there has been significant progress in the quality of our local schools over the past few years, the facts remain that many of Oakland's schools need improvement and not every Oakland child has a safe school and a well-functioning classroom.

The average age of Oakland schools is 71 years. Schools built years ago need significant updating; classrooms are inadequate, roofs need repair, plumbing and heating systems are deteriorating, and many classrooms have inadequate lighting, wiring and electrical outlets.

When repairs involve breaking through walls and ceilings, asbestos is often found, making even minor problems expensive to fix.

Measure J has been placed on the ballot to address the most pressing needs. Measure J will provide funding to upgrade classrooms, computer systems and science labs. Measure J insures that our schools have the facilities needed to provide career training and advanced courses in math, science and technology.

All money raised by Measure J will stay in our community to benefit Oakland children. No money can be taken by the state or used for other purposes. Cost of Measure J is tax deductible. Independent audits ensure money will be spent as promised. Measure J will help qualify our community for state matching funds, when available.

Among the projects that will be completed:

- Seismic upgrades of schools and classrooms to reduce danger from earthquakes
- Asbestos and lead paint removal
- Upgrade science labs, classrooms, computers and technology
- Repair bathrooms and unsafe playground areas
- Upgrade kitchen facilities to improve nutrition and nutritional education

Improving our local schools is essential for our children and to attract jobs and stimulate economic growth in Oakland. Business, labor, teachers, parents, principals, community and religious leaders are all supporting Measure J. Please vote YES on Measure J.

## **Argument In Favor of Measure J**

### **Signers**

1. Renee Swayne

Retired Teacher & Chair, Measure B Oversight Committee

2. Beverly Rivas

Executive Director, Oakland Builders Alliance

3. Jonathan Klein

Executive Director, Great Oakland Public Schools

4. Ruth Woodruff

Parent and Co-Founder, Oakland School Food Alliance

5. Jesus Nieto-Ruiz

Pastor

## II. FULL TEXT OF THE MEASURE

BEGINNING OF FULL TEXT OF MEASURE----->>>>>

### **BOND AUTHORIZATION**

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Oakland Unified School District (the “District”) shall be authorized to issue and sell bonds of up to \$475,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List below, and in order to qualify to receive State matching grant funds, subject to all of the accountability safeguards specified below.

### **ACCOUNTABILITY SAFEGUARDS**

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

Evaluation of Needs. The Board of Education hereby certifies that it has evaluated the facilities needs of the District, and the priority of addressing each of these needs. The results of the Board of Education’s evaluation and its priorities are articulated in the District’s Facilities Master Plan, adopted by the Board and dated May 22, 2012. In the course of its evaluation, the Board of Education took safety, class size reduction and information technology needs into consideration while developing the Facilities Master Plan and the Bond Project List.

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

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

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

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

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Education shall take actions necessary pursuant to Government Code Section 53410 and following to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent or the Deputy Superintendent, Business Services and Operations of the District (or such other employee as may perform substantially similar duties) shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31, 2012, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as such officer shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

### **FURTHER SPECIFICATIONS**

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

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

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

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

### **BOND PROJECT LIST**

The Bond Project List below describes the specific projects the Oakland Unified School District proposes to finance with proceeds of the bonds. Listed projects will be completed as needed at a particular school site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. Certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Until all project costs and funding

sources are known, the Board of Education cannot determine the amount of bond proceeds available to be spent on each project, nor guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Completion of some projects may be subject to further government approvals by State officials and boards, to local environmental review, and to input from the public. For these reasons, inclusion of a project on the Bond Project List is not a guarantee that the project will be funded or completed. The Board of Education may make changes to the Bond Project List in the future consistent with the projects specified in the proposition.

**Part I:** District-wide authorization: the projects in this part are authorized to be completed at each or any of the District's sites, as shall be approved by the Board of Education. The examples under each project type do not form an exhaustive list.

- Construct, equip, furnish, repair and rehabilitate existing school sites to create a Full Service Community School District, including:
  - Dedicated space for early childhood development,
  - Private rooms for family counseling,
  - Childhood Development Centers,
  - Clinics for school health centers,
  - Expand and modify sites that accommodate more grade levels,
  - Improved community access to classrooms, auditoriums, multipurpose rooms, and other spaces,
  - Equip spaces for Science, Technology, Engineering and Math (STEM) programs.
- Enhance seismic safety, including:
  - Seismic retrofits.
- Upgrade and modernize school facilities, including mechanical, electrical and structural elements of permanent buildings, and improve safety, building performance, and accessibility including:
  - repairing, rehabilitating and acquiring HVAC systems, roofs, plumbing and electrical systems,
  - upgrading accessibility, improving or acquiring technology and technology infrastructure,
  - acquiring, replacing and upgrading security systems and fire alarm systems,

- removing portable classrooms and replacing them with permanent buildings,
  - improving school grounds,
  - renovating and/or constructing central, on-site, and community kitchens,
  - constructing, renovating, and replacing school playgrounds, educational gardens, tracks and fields;
  - constructing and repairing landscaping and paving, and installing improvements such as sun-shades.
- Improve energy efficiency, renewable power generation, and sustainability including:
    - installation of photovoltaic panels,
    - upgrading lighting, lighting technology, and other lighting control systems,
    - install window shades, or daylighting enhancements,
    - install / upgrade insulation,
    - perform mechanical system repairs, replacements, and upgrades
    - install and/or upgrade automatic control systems,
    - remediate storm water impacts,
    - other resource usage reduction initiatives, and
    - reduce light pollution.
  - Increase utilization of under-used assets, including :
    - redeveloping administrative sites and inactive school sites,
    - reconfiguring inactive school sites for alternative uses such as teacher housing, alternative academics, and training,
    - reconfiguration of sites or parts of sites to house administrative functions, and
    - optimizing active school sites to host community partners.

- Technological and facilities improvements to support student learning & instruction, including:
  - Acquiring, modernizing or replacing classroom and instructional technology required for 21st century student learning and teaching,
  - Upgrading and expanding classrooms, labs, and specialized facilities for career and vocational technology programs,
  - Constructing, rehabilitating and modernizing classrooms, labs, and specialized facilities for high school students, and
  - Upgrading, replacing, repairing or acquiring electrical capacity and aging wiring to support instructional technology.

**Part II:** Site-specific authorization: the following projects are authorized at the specific sites indicated below (and are supplemental to, and do not limit the authorization set forth in, Part I).

- Washington Elementary School (581 6st Street)
  - Expand and modify sites that accommodate more grade levels (K-8),
  - Upgrade and modernize school facilities, including mechanical, electrical and structural elements of permanent buildings, and improve safety, building performance, and accessibility,
  - Enhance seismic safety.
- Roosevelt Middle School (1926 19<sup>th</sup> Avenue)
  - Upgrade and modernize school facilities, including mechanical, electrical and structural elements of permanent buildings, and improve safety, building performance, and accessibility,
  - Improve energy efficiency and renewable power generation, including the installation of solar panels,
  - Enhance seismic safety.
- McClymonds High School (2608 Myrtle Street)
  - Upgrade and modernize school facilities, including mechanical, electrical and structural elements of permanent buildings, and improve safety, building performance, and accessibility,
  - Turf field replacement,
  - Improve energy efficiency and renewable power generation, including the installation of solar panels,

- Enhance seismic safety,
- Equip spaces for Science, Technology, Engineering and Math (STEM) programs.
- Foster Elementary School (2850 West Street)
  - Convert site into a central commissary including a central kitchen, a farm produce receiving and handling center, a demonstration farm, and a food education center,
  - Enhance seismic safety.
- Fremont Federation School (4610 Foothill)
  - Upgrade and modernize school facilities, including mechanical, electrical and structural elements of permanent buildings, and improve safety, building performance, and accessibility,
  - Turf field replacement,
  - Improve energy efficiency and renewable power generation, including the installation of solar panels,
  - Enhance seismic safety.
- Glenview Elementary (4215 La Cresta Avenue)
  - Remove portable classrooms and replace them with permanent buildings,
  - Enhance seismic safety.
- Skyline High School (12250 Skyline Blvd)
  - Upgrade and modernize school facilities, including mechanical, electrical and structural elements of permanent buildings, and improve safety, building performance, and accessibility,
  - Repair and improve paving on roads and paths on campus,
  - Turf field replacement,
  - Improve energy efficiency and renewable power generation, including the installation of solar panels,
  - Enhance seismic safety,

- Equip spaces for Science, Technology, Engineering and Math (STEM) programs.
- Webster Academy (8000 Birch Street)
  - Childhood Development Center replacement.
- Whittier Elementary School (6328 East 17<sup>th</sup> Street)
  - Expand and modify sites that accommodate more grade levels (K-8),
  - Remove portable classrooms and replace them with permanent buildings,
  - Enhance seismic safety.
- Sobrante Park Elementary School (470 El Paseo Drive)
  - Upgrade and modernize school facilities, including mechanical, electrical and structural elements of permanent buildings, and improve safety, building performance, and accessibility,
  - Enhance seismic safety.
- Madison Middle School (400 Capistrano Drive)
  - Expand and modify sites that accommodate more grade levels (6-12)
  - Construct sports complex.

Each project listed is assumed to include its share of costs of the election and bond issuance and other construction-related costs, such as construction management, architectural, engineering, inspection and other planning costs, legal, accounting and similar fees, independent annual financial and performance audits, a customary construction contingency, and other costs incidental to and necessary for completion of the listed projects (whether work is performed by the District or by third parties), including:

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

Address unforeseen conditions revealed by construction/modernization (including plumbing or gas line breaks, dry rot, seismic, structural, etc.).

Site preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, demolition of existing structures, removing, replacing, or installing irrigation and drainage, utility lines (such as gas lines, water lines, electrical lines, sewer lines, and communication lines), trees and landscaping, relocating fire access roads, traffic lights and mitigation, and acquiring any necessary easements, licenses, or rights of way to the property.

Rental or construction of 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 temporary lease or lease-purchase arrangements, or execute purchase option 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 to replace worn, broken, or out-of-date furniture and equipment for all classrooms, athletic facilities and other facilities, as needed.

For any project involving renovation, modernization, remodeling or rehabilitation of a building or the major portion of a building, the District may 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.

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 MEASURE.

**EXHIBIT B**

**TAX RATE STATEMENT**

An election will be held in the Oakland Unified School District (the "District") on November 6, 2012, to authorize the sale of up to \$475,000,000 in bonds of the District to finance school facilities as described in the measure. If the bonds are approved, the District plans to sell the bonds in 4 series over a period of approximately 6 years. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The information presented in numbered paragraphs 1-3 below is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the maximum tax rate which would be required to be levied 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 no more than three and nine-tenths cents per \$100 (\$39 per \$100,000) of assessed valuation in fiscal year 2013-14.

2. The best estimate of the maximum tax rate which would be required to be levied 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 no more than six cents per \$100 (\$60 per \$100,000) of assessed valuation in fiscal year 2019-20.

3. The best estimate of the highest tax rate which 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, which is estimated to apply in fiscal year 2019-20.

Approval of the ballot measure authorizes the issuance of bonds under certain conditions, and is not approval of a specific tax rate or a specific bond issuance plan. The tax rate estimates in this statement reflect the District's current projection of future assessed values and of future debt service payments, which are based on certain assumptions. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount and repayment structure of bonds sold, 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 of the bonds and the amount and repayment structure of bonds sold at any given time will be determined by the District based on its need for construction funds, its intention to meet the tax rate targets stated above, the legal limitations on bonds approved by a 55% vote, and other factors. The actual interest rates at which the bonds are 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.

Voters should note that the estimated tax rates are based on the ASSESSED VALUE of taxable property in the District as shown on the County's official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Dated: \_\_\_\_\_, 2012.

I attest that the historical assessed value data used  
as a basis of these estimates are accurate.

\_\_\_\_\_  
Assessor  
Alameda County

\_\_\_\_\_  
Superintendent  
Oakland Unified School District