

FILED

AUG 25 2016

APPENDIX A

FULL TEXT OF BOND MEASURE

FRESNO COUNTY CLERK  
By [Signature] DEPUTY

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**INTRODUCTION**

**CARUTHERS ELEMENTARY SCHOOL CLASSROOM REPAIR/STUDENT SAFETY MEASURE.** To upgrade/provide additional classrooms/technology, retain/attract quality teachers by repairing outdated electrical wiring, water, sewer lines, air conditioning, fire alarms; improving cafeteria/disabled access/water conservation; providing space for music programs; removing lead paint/asbestos; constructing/equipping school facilities/sites; shall Caruthers Unified School District K-8 School Facilities Improvement District issue \$6,000,000 in bonds at legal rates, requiring independent audits, citizens' oversight, no money for administrators' salaries or pensions?

**BOND AUTHORIZATION**

By approval of this measure by at least 55 percent of the registered voters of the Caruthers Unified School District K-8 School Facilities Improvement District (the "Improvement District") voting on the measure, the Caruthers Unified School District (the "District") will be authorized to issue and sell bonds of the Improvement District in an amount of up to \$6.0 million in aggregate principal amount at interest rates not to exceed legal limits and to provide financing for the specific types of school facilities projects listed in the Bond Project List described below, subject to all the accountability requirements specified below.

**ACCOUNTABILITY REQUIREMENTS**

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

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

**Performance Audits.** The Board of Trustees will conduct annual, independent performance audits to ensure that the bond proceeds have been expended only on the school facilities projects listed below.

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

**Government Code Accountability Requirements.** As required by Section 53410 of the Government Code, (1) the specific purpose of the bonds is set forth in this Full Text of the Measure, (2) the proceeds from the sale of the bonds will be used only for the purposes specified in this measure, and not for any other purpose, (3) the proceeds of the bonds, when and if issued, will be deposited into a building fund to be held by the Fresno County Treasurer, as required by the California Education Code, and (4) the Superintendent of the District shall cause an annual report to be filed with the 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 this measure, as required by Sections 53410 and 53411 of the Government Code.

#### **NO TEACHER OR ADMINISTRATOR SALARIES**

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

#### **STATE MATCHING FUNDS**

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



## **BOND PROJECT LIST**

**Scope of Projects.** Bond proceeds will be expended on the modernization, renovation, expansion, acquisition, construction, reconstruction, rehabilitation, and/or replacement of school facilities of the Caruthers Unified School District within the Improvement District, including the furnishing and equipping of such school facilities. Authorized projects may be undertaken at the current and any future sites serving Caruthers Elementary School students located within the Improvement District.

**School Facility Project List.** The projects summarized on the following list are the types of projects to be financed with voter-approved bond proceeds within the Improvement District. The specific examples included on this list are not intended to limit the generality of the broader types of projects described and authorized by this measure. The types of projects authorized are:

- Basic health and safety improvements to deteriorating classrooms and restrooms, including the removal of lead paint and asbestos, the repair, replacement and/or upgrade of outdated water pipes, wiring, sewer lines, heating and air conditioning systems, security systems, fire alarms, and communications systems;
- Upgrade technology infrastructure to provide students with access to technology needed for a 21st Century economy;
- Repair and upgrade outdated electrical wiring;
- Ensure handicapped accessibility;
- Construct, modernize, expand and equip quality classrooms, library, school support and community-use areas;
- Construct, expand and/or upgrade existing facilities to accommodate music programs;
- Replace, renovate and/or expand kitchen, cafeteria and multi-purpose room;
- Construct, renovate and equip special education facilities in order that students' unique academic, social or physical needs can be met, and ensure all school and support facilities comply with ADA requirements;
- Upgrade, modernize and/or expand the existing pre-school facility;
- Commence construction of improvements to undeveloped land for school and community use, including as joint use projects;
- Incorporate sustainable site design, alternative energy, water conservation and energy efficiency into building projects and repairs;
- Site work to improve access by students, parents, visitors and the community;
- Acquisition of any of the facilities on this list through temporary lease or lease-purchase arrangements; and
- Make interior and exterior site improvements including upgrade of infrastructure and major building systems; replace water, sewer, plumbing, electrical and irrigation systems; repaint facilities; upgrade sidewalks, paths and walkways; construct, renovate and improve outdoor facilities, playfields and community-use

areas, including acquiring/installing play and other structures to facilitate outdoor activities and education.

Each of the bond projects described in this Bond Project List include the costs of furnishing and equipping such facilities, and all costs incidental but directly related to the specific projects described above. Examples of such costs include, but are not limited to: costs of design, engineering, architect and other professional services, inspections, site preparation, utilities, landscaping, construction management and other planning and permitting, legal, accounting and similar costs; independent annual financial and performance audits; a customary construction contingency; demolition and disposal of existing structures; rental or construction of storage facilities and other space on an interim basis for materials and other equipment and furnishings displaced during construction; interim classrooms and facilities for students, administrators, and school functions, including modular facilities; addressing unforeseen conditions revealed by construction/modernization and other necessary improvements required to comply with existing building codes, including the Field Act; access requirements of the Americans with Disabilities Act; costs of the election; bond issuance costs; and project administration during the duration of such projects, as permitted by law.

Bond proceeds may also be expended to acquire real property (or any interest in real property) within the Improvement District as needed for future educational and support facilities serving Caruthers Elementary School students. The scope and nature of any of the specific projects described above may be altered by the District as required by unforeseen conditions that may arise during the course of design and construction. In the event that a modernization or renovation project will result in higher costs than relocation and construction, this bond measure authorizes land acquisition, relocation and reconstruction, and all costs relating thereto, for said reasons or based on other considerations deemed in the best interest of the District by the Board of Trustees.

This measure authorizes the District to spend bond funds on facility/school site improvements to encourage community-wide use of school facilities, buildings and fields. This includes entering into agreements with other public agencies or nonprofit organizations for joint use of any projects financed in whole or in part with bond funds, in accordance with the Education Code. The District may seek matching funds or State grants for eligible joint-use projects if available and as permitted by law, and bond funds may be used to fund all or a portion of the District's share of such eligible projects as determined by the Board of Trustees.

Approval of the District's bond measure does not guarantee that all of the identified projects within this Bond Project List will be funded beyond what can be completed with local funds generated by the bond measure. The District plans to pursue funds from the State of California, if available, to complete certain of the identified facilities projects. In addition, the issuance of bonds pursuant to this measure depends in part on the assessed valuation of properties in the Improvement District and as a result issuance may require approval from the State Department of Education for a waiver of bonding capacity.

The order in which school facilities projects are listed above does not suggest an order of priority. Project priorities will be determined by the Board of Trustees. The District is unable to anticipate all unforeseen circumstances which may prevent some of the projects listed above from being undertaken or completed.