

**Full Text of Measure K
Fullerton Joint Union High School District**

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$310,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A, subject to all of the accountability safeguards specified below. Bonds will be issued in one or more series.

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 the specific facilities needs of the District, 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 section 15264 *et seq.* of the California Education Code).

Evaluation of Needs. The Board has updated its Facilities Master Plan in order to evaluate and address all of the facilities needs of the District, and to determine which projects to finance from a local bond at this time. The Board hereby certifies that it has evaluated safety, class size reduction and information technology and other needs in developing the Bond Project List contained in Exhibit A.

Independent Citizens' Oversight Committee. The Board shall establish an independent Citizens' Oversight Committee (section 15278 *et seq.* of the California Education Code), to ensure bond proceeds are expended only for the school facilities projects listed in Exhibit A. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board.

Annual Performance Audits. The Board shall cause an annual, independent performance audit to be conducted to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A.

Annual Financial Audits. The Board shall cause an annual, independent financial audit of the bond proceeds to be conducted until all of those proceeds have been spent for the school facilities projects listed in Exhibit A.

BOND PROJECT LIST

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

The Bond Project List, which is an integral part of this proposition, lists the specific projects the District proposes to finance with proceeds of the Bonds. Listed repairs, rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of costs of the election and bond issuance, architectural, engineering, and similar planning costs, construction management, and a customary contingency for unforeseen design and construction costs. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Therefore the Board cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects.

FURTHER SPECIFICATIONS

No Administrator Salaries. Proceeds from the sale of bonds authorized by this proposition 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 (except for personnel to manage the bond projects) and other school operating expenses.

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

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest will 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 25 years (if issued pursuant to the provisions of the California Education Code) or 40 years (if issued pursuant to the provisions of the California Government Code) from the date borne by that bond.

SCHOOL BOND CRITERIA

In consideration of the criteria suggested by the Orange County Taxpayers Association, the Board certifies that:

1. There is a clear need to build or modernize facilities, documented in the Project List of specific problems to be corrected and specific projects to be completed.
2. The bond initiative tells voters specifically how the bond funds will be spent.
3. The projects to be funded are capital facilities. The bonds will pay for land, construction, safety improvements, and modernization, but not maintenance, operations, or salaries, except for personnel to manage the bond projects.
4. The facilities will have useful lives at least as long as the terms of the bonds, so that future property taxpayers will realize benefit from their taxes. Bonds will not pay for computers, vehicles, audio-visual aids, or other equipment that will wear out or become obsolete while the bond debt is outstanding.
5. Bonds will be issued incrementally, in response to the District's needs and prevailing interest rates, not necessarily all at once.

6. The bonds' interest rates will be no higher than current market rates for municipal debt.

7. A "sinking fund," equivalent to 2%-4% of the value of the bonds issued, will be set aside (from the district's general fund, not from bond money) in an interest-earning account for future construction and repair by funding the Deferred Maintenance Fund (Fund 14) or equivalent.

8. The district will budget 2%-3% of its operating funds (not bond money) for maintenance of facilities by maintaining funding of the Routine Restricted Maintenance Account or equivalent.

9. The District will maintain a reserve of 2%-3% of general funds (not bond money) for economic uncertainties by meeting the state required minimum Reserve for Economic Uncertainties.

10. There will be an annual outside audit of bond proceeds and expenditures.

11. The District will appoint a citizens' oversight committee of property taxpayers to verify that bond funds are spent as approved by voters. No member of the committee may be an employee of, or do business with, the District.

12. Projects to be funded will be eligible for State of California matching funds, if available.

EXHIBIT A

FULLERTON JOINT UNION HIGH SCHOOL DISTRICT

BOND PROJECT LIST

The Board of Trustees of the Fullerton Joint Union High School District evaluated the District's urgent and critical facility needs, including safety issues, enrollment trends, the desire to preserve neighborhood schools, and computer and information technology, in developing the scope of projects to be funded. Teachers, staff, community members and the Board of Trustees have prioritized the key health and safety needs so that the most critical facility needs are addressed. The Board concluded that if these needs are not addressed now, the problems will only become more pressing. Therefore, in approving this Project List, the Board of Trustees determines that the District will use bonds funds to provide up to date classrooms, renovate athletic fields and related facilities, replace underground water sewer and gas lines, and replace old and inefficient electrical, lighting, heating, plumbing and ventilation systems. In addition, all schools are in need of updated instructional technology as well as ongoing repairs and renovations to keep the schools safe and secure.

The Fullerton Joint Union High School District will use bonds funds to provide up to date classrooms, renovate athletic fields and related facilities, replace underground water sewer and gas lines, and replace old and inefficient electrical, lighting, heating, plumbing and ventilation systems. In addition, all schools are in need of updated instructional technology as well as renovations to keep the schools safe and secure.

Bond funds will be used in combination with any other received State matching funds. The Fullerton Joint Union High School District will use bond funds for the following school facility improvement projects. All schools listed below will receive bond funds:

School Sites

Buena Park High School
8833 Academy Way
Buena Park, CA 90621

Fullerton Union High School
201 East Chapman
Fullerton, CA 92832

La Habra High School
801 West Highlander Ave.
La Habra, CA 90631

Sonora High School
401 South Palm Street
La Habra, CA 90631

Sunny Hills High School
1801 Warburton Way
Fullerton CA, 92833

Troy High School
2200 East Dorothy Lane
Fullerton, CA 92831

La Vista High School
909 North State College Blvd
Fullerton, CA 92831

La Sierra High School
951 North State College Blvd
Fullerton, CA 92831

Projects Categories

1 Career Technical Education (CTE) Facilities

Renovate/modernize/expand/upgrade existing facilities
& construct new facilities district-wide

Based on programmatic offerings/needs

- Agriculture
- Auto Shop
- Construction
- Cinema Production
- Culinary Arts
- Digital Media
- Engineering
- Medical Careers
- Sports Medicine

2 Computer technology and infrastructure

District-wide network infrastructure/backbone
upgrades and improvements

Core data wiring and support power

- CAT 5e/6 data
- Fiber optic
- 120v supply power
- Hardware
- Increased bandwidth

3 Classrooms/facilities for core educational programs

Renovate/modernize/expand/upgrade existing facilities

District-wide

- Upgrade/update science labs
- Convert/construct additional science labs
- Upgrade/update library
- General classroom upgrades/improvements
- Flex-labs
- JROTC
- Classroom of the future
- New windows

4 Facilities infrastructure and support systems

District-wide

Upgrades and repairs

- Roofing
- HVAC
- Plumbing
- Electrical
- Lighting
- Painting
- Fencing/Block Walls
- Hardscapes
 - Asphalt Slurry
 - Parking Lots (remove/replace, repair, slurry, restripe, improved traffic flow)
 - Concrete - Site Walkways
 - Storm Drains
- Fields
 - Drainage
 - Erosion control
 - Irrigation

5 Accessibility and ADA compliance

Renovate/modernize/expand/upgrade existing facilities
District-wide
Path of Travel
Restrooms
Parking lots

6 Visual and performing arts facilities

Renovate/modernize/expand/upgrade existing facilities
& construct new facilities district-wide
Music, dance, drawing, painting, photo, & digital arts
Modernize Plummer Auditorium at Fullerton Union High School

7 Seismic and earthquake upgrades/retrofits

To be addressed as identified in conjunction with other renovation work on campus building

8 Energy efficiency

District-wide energy efficiency upgrades
Specific projects identified through Prop 39 analysis
Lighting (interior, exterior)
Electrical
HVAC
Energy management
Solar initiatives
Green technology opportunities

9 Security and safety systems

District-wide
Security supporting network upgrades to support increased bandwidth and cameras
Fencing installation/replacement
Doors & door hardware (crash bars/pull plates, locks)
Lighting

10 Hazardous materials (asbestos, lead, etc.)

To be addressed as identified in conjunction with other renovation work on campus building

11 Competitive athletic facilities and physical education

Renovate/modernize/expand/upgrade existing facilities
District-wide
Aquatic facilities/pools
New second gymnasiums
New concession stands
Modernize Fullerton Union High School Athletics
Lights
Sports fields/tracks
All weather tracks
New and/or artificial turf
Field houses
Restrooms
ADA upgrades
Tennis courts
Fencing
Court surface
Baseball/softball fields
Fences
Dugouts
Field /infield renovation
New and/or artificial turf
Fitness centers
Locker rooms/team rooms/dance rooms

12 Campus improvements/landscaping

Renovate/modernize/expand/upgrade existing facilities

District-wide

Landscape

Hardscapes

Fence lines

Street frontage

Exterior covered walkways

Shade structures

Campus Interiors

Hallways

Commons/Quads

Lunch areas

13 Food service facilities (kitchens and cafeterias)

Renovate/modernize/expand/upgrade existing facilities

District-wide

Appliances

Food service equipment

Fixtures

Food stations kiosk

HVAC

Utility and infrastructure upgrades

Network/data/POS

14 Administrative and support facilities

Renovate/construct new/modernize/expand/upgrade existing facilities

District-wide

Front office

Administrative and support

Custodial

Storage

15 Other items not identified above

Renovate/modernize/expand/upgrade existing facilities

District-wide

Site discretionary depending on needs

For any project involving modernization or renovation of a building or the major portion of a building, the District shall be authorized to proceed with new replacement construction if the Board of Trustees determines that replacement and new construction is economically more practical considering the building's age, condition and other relevant factors.

* * *

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program management, staff training expenses and a customary contingency, and escalation for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List, payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by bond projects. The upgrading of technology infrastructure includes, but is not limited to, fiber optic cable and hardware necessary to increase bandwidth.

The allocation of bond proceeds may be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District may not be able to complete some of the projects listed above. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating enhanced and operationally efficient campuses. Necessary site preparation/restoration and landscaping, may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property.

Bond proceeds shall be expended only for the specific purposes identified herein. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to the bond projects, but not for other administrator or teacher salaries. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

FISCAL ACCOUNTABILITY: IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF EDUCATION WILL APPOINT A CITIZENS' OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON DISTRICT PROJECTS AND FOR NO OTHER PURPOSE. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.