



## J

### Tustin Unified School District, Classroom Repair/Safety/Quality Education Measure

To repair/upgrade aging classrooms, science labs, school and career-training facilities supporting college/career readiness in math, science, technology/skilled trades; fix roofs, plumbing, and electrical; improve school safety/security; remove asbestos/lead; shall Tustin Unified School District’s measure authorizing \$261,000,000 in bonds at legal rates be adopted, levying 3¢ per \$100 assessed value (raising \$18,000,000 annually) while bonds are outstanding, with citizen oversight, audits, and all money locally controlled?

#### What your vote means

YES	NO
A “YES” vote is a vote in favor of authorizing the District to issue and sell up to \$261,000,000 in general obligation bonds.	A “NO” vote is a vote against authorizing the District to issue and sell up to \$261,000,000 in general obligation bonds.

#### For and against

FOR	AGAINST
<p>Rick Nelson 52-year resident, President, Foothill Comm. Association, Retired Engineering Professor</p> <p>Melani Meekhof Parent, TUSD Teacher of the Year, TUSD Alumni</p> <p>Tammis Berkheimer 40-year resident, Rotary Club, Tustin Comm. Foundation, Tustin Area Council for Fine Arts</p> <p>Tom Zeigler 45-year resident, Parent Volunteer, Attorney</p> <p>Tim O’Donoghue Career Educator, 23-year Principal, 47-year Youth Coach</p>	<p><b>No argument against this measure was submitted.</b></p>



# Ballot Measures-J

## Full Text of Measure J Tustin Unified School District

### **BOND AUTHORIZATION**

By approval of this measure by at least 55 percent of the registered voters voting on the measure, the Tustin Unified School District (the "District") will be authorized to issue and sell general obligation bonds in the aggregate principal of up to \$261,000,000 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 imposed by law and specified below, including oversight by an independent citizens' oversight committee and annual performance and financial audits conducted by an independent auditor.

### **ACCOUNTABILITY REQUIREMENTS**

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

**Evaluation of Needs.** The Board of Education of the District (the "School Board") 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 School Board 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 Oversight Committee will be established within 60 days of the date when the results of the election appear in the minutes of the School Board.

**Performance Audits.** The School Board 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 School Board 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 Orange County Treasurer, as required by the California Education Code, and (4) the Superintendent of the District shall at least one time per year cause an annual report to be filed with the District Board, which report shall contain 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 each of the proposed 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 or require the receipt of additional funds such as State matching funds, which, if available, could be subject to appropriation by the Legislature or approval of a statewide bond measure.

### **INFORMATION ABOUT ESTIMATES AND PROJECTIONS INCLUDED IN BALLOT**

Voters are informed that any estimates or projections in this bond measure and related ballot materials, including relating to estimated rates of *ad valorem* property taxes, the duration of issued bonds until fully repaid and related levies and collections of *ad valorem* property taxes are provided as informational only. Such amounts are estimates and are not maximum amounts or limitations on the terms of the bonds, the tax rate required to fully amortize the bonds or the duration of the levy supporting repayment of issued bonds. Such estimates depend on numerous variables which are subject to variation and change over the term of the District's overall facilities and bond financing plan, including but not limited to the amount of bonds issued and outstanding at any one time, the interest rates applicable to issued bonds, market conditions at the time of sale of the bonds, when bonds mature, timing of project needs and changes in assessed valuations in the District. While each of the estimates and approximations relating to this bond measure are provided based on information currently available to the District and its current expectations, all such estimates and approximations are not limitations nor maximums on the terms of the bonds nor on the related tax levies. In addition, the abbreviated and condensed statement of the bond measure presented to voters on the ballot label which is subject to a 75-word count limitation imposed by State law does not limit the scope and broader, more complete meaning of the measure provided in this Full Text of Bond Measure and related ballot materials.

### **BOND PROJECT LIST**

**Scope of Projects.** In compliance with California Constitution Article XIII A, Section 1(b)(3), bond proceeds will be expended on the construction, reconstruction, rehabilitation, or replacement, or otherwise improve school facilities of the District, including furnishing and equipping, and the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries or other school operating expenses.



# Ballot Measures-J

The projects set forth on this Bond Project List are authorized to be completed at any current and future properties and sites of the District.

**School Facility Project List.** The types of projects authorized to be funded with bond proceeds are set forth below. Specific examples included on this project list of the more general types of projects are not intended to limit the broader types and scope of projects described and authorized by this measure.

The types of projects authorized pursuant to this measure are:

## 1. Upgrading School Safety, Security and Emergency Response Systems.

Authorized projects include:

- Security and access, point of entry, control systems including surveillance camera systems and other items to secure buildings and campuses
- Fire alarms, fire sprinkler systems, door hardware, alarm systems.
- Repairing or replacing failing asphalt and concrete pavement.
- Replacement/removal of old building materials known or discovered to be toxic such as asbestos and lead.
- Public address and communication systems.
- Replacing damaged or non-compliant playground equipment.
- Exterior and interior lighting systems.
- All code compliance upgrades.
- Other safety upgrades including improvements to parking lots and student drop-off/pick-up areas, improved signage, repairing sidewalks and curbsides and other paths of travel.

## 2. Construct, Upgrade and Modernize Aging Schools to Ensure Safe and Modern Learning and Teaching Environments.

Authorized projects include:

- Repair or replace aging, failing and/or leaky roofs.
- HVAC: Upgrade/repair and/or replace heating, ventilation and air conditioning systems.
- Construct or expand/rehabilitate/reconfigure school facilities to provide adequate classrooms, labs, shops and other learning and gathering spaces to enable the District to deliver all of its programs for all grade levels and needs including spaces supporting programs in math, science, engineering, technology, performing and visual arts, and supporting college/career-readiness and skilled trades.
- Address all needed structural repairs and upgrades to building envelope including for energy efficiency such as updated insulation, doors and windows.
- Address aging or failing portable structures: replace with buildings or other permanent structures including modular structures and/or replace with modern and improved portable structures.
- Repair/upgrade restroom facilities
- Remove any hazardous materials
- Address interior finish needs, renovations and upgrades such as: paint, ceiling and wall finishes, window coverings, flooring, lighting systems, casework and other finish materials.
- Upgrades to campus and building exteriors including paint, landscaping and irrigation.
- Ensure safe and sufficient paths of travel both interior and exterior.

## 3. Ensure Barrier Free Access to all Facilities.

Authorized projects include:

- Improvements to ensure barrier-free access and compliance with all requirements of the American with Disabilities Act (ADA) and similar laws and regulations at all facilities in the District.

## 4. Upgrade, Repair and Provide Adequate Infrastructure Serving School and Other Support Sites.

Authorized projects include:

- Water, sewer, gas, and related utility systems.
- Electrical systems, including lighting, power distribution and control systems, including renewable energy systems.
- Updated plumbing including fixtures and repairs to sewer and water distribution systems.
- Improvements and upgrades to support modern technology such as connectivity and network infrastructure including replacement of switches and servers.

## 5. Improvements and Upgrades to Facilities Related to and Serving School Sites.

Authorized projects include:

- Parking improvements, including resurfacing, expansion/acquisition of new sites for parking, lighting and signage.
- Upgrading, modernizing, equipping and furnishing kitchens, centralized production, food prep areas, cafeterias, serving areas, and multi-purpose rooms.
- Upgrade and modernize auditoriums, multi-purpose rooms, libraries, and other meeting and gathering spaces both indoor and outdoors.
- Upgrades, modernization and construction of administration facilities, offices, counselling spaces, nutrition services, health services, and similar support spaces.
- Upgrades to all campus, school and other site exteriors including landscaping and irrigation.

## 6. Improvements to Ensure a Healthy Learning and Teaching Environment.

- Authorized projects include:
- Outdoor spaces: Improve or create outdoor classrooms, learning and gathering spaces, including installing shade structures.
  - Water bottle stations and modern and compliant drinking fountains.
  - Construct or expand/rehabilitate/upgrade facilities to address health and wellness needs

## 7. Improvements to Play Areas and Yards, Fields and Other Physical Education and Athletic Facilities and Spaces.

- Authorized projects include:
- Resurfacing and repaving play yards and fields.
  - Acquire and install new playground and fitness equipment and install safe surface treatments.

# Ballot Measures-J

- Construction, improvements, repairs and upgrades of indoor and outdoor tracks, courts, stadiums, aquatics and other facilities for physical education and sports teams including all related improvements such as locker rooms, restrooms, seating, concessions, sound systems, parking and lighting.

**Furnishing and Equipping; Incidental Expenses.** Each of the bond projects described in this Bond Project List include the costs of furnishing and equipping such facilities, and all costs which are incidental but directly related to the types of projects described above.

Examples of incidental costs include, but are not limited to: costs of design, engineering, architect including DSA fees, legal and other professional and consultant services including fees relating to litigation, facilities assessments, inspections, site preparation, utilities, landscaping, construction management by third parties, general contractors and/or District personnel, and other planning and permitting, environmental review, rezoning and municipal license fees if any, legal, accounting and similar costs; independent annual financial and performance audits; a customary construction contingency; demolition and disposal of existing structures; the costs of interim housing and storage during construction including relocation and construction costs incurred relating to interim facilities; rental or construction of storage facilities and other space on an interim basis for materials and other equipment and furnishings displaced during construction; costs of relocating facilities and equipment as needed in connection with the projects; interim classrooms and facilities for students, administrators, and school functions, including modular facilities; all federal, state and locally-mandated safety upgrades; the costs of new or expanded infrastructure; the cost of providing parking and other facilities to accommodate new or expanded facilities; addressing any unforeseen conditions revealed by construction/modernization and other necessary improvements required to comply with existing building codes, including the Field Act; complying with all access requirements of the Americans with Disabilities Act and similar laws and regulations; costs of the election including other costs arising directly from the bond measure; litigation costs; project construction oversight, management and administration during the duration of such projects including by District personnel, and bond issuance costs.

**Alterations to Scope and Nature; New Construction.** The School Board is hereby authorized to alter the scope and nature of any of the specific projects described above as required or recommended by new conditions, discoveries or any other factors including economic factors that may become apparent during the course of planning, design and construction. In the event that the School Board determines that a modernization or renovation project is in the best interests of the District and its students to be undertaken as new construction based on cost or safety considerations or other compelling factors, this bond measure authorizes said project to be undertaken in whole or in part as new construction, including land acquisition, relocation and construction at a new or alternative site, and/or demolition and reconstruction and/or repurposing on the original site, including an expanded site, and all costs relating thereto. In addition, to accomplish any of the projects included on the above list, this measure authorizes the acquisition of real property, including necessary rights of ways or other real property interests.

**Interim Financing Included; Joint Use Projects Authorized.** In addition, authorized projects include reimbursements for paid project costs and paying and/or prepaying interim or previously obtained financing for the types of projects included on the project list, such as bond anticipation notes or lease financings including certificates of participation relating to facilities projects and/or equipment previously financed. Finally, projects on this list may be undertaken and used as joint use projects with other public agencies.

**Limited Funding Sources; Unforeseen Circumstances.** Many factors will impact the District's ability to address and fund the projects described herein, and it is not anticipated that the limited funds raised pursuant to this bond measure will be sufficient to address all of the facilities needs projects that are identified on the project list. There is no guarantee that all projects will be undertaken. Project prioritization is vested with the School Board. Circumstances that may arise and impact the District's project implementation plans and budgets include construction costs, supply chain issues which can cause project delays, labor shortages, unknown environmental factors or site conditions, overall facilities needs and related costs which exceed available bond funding sources, among others. The District plans to pursue additional funding such as State matching funds, if available, to address its facilities needs.

**Project List Not in Order of Priority; Board Determines Prioritization.** The order in which projects are listed in the foregoing Bond Project List does not suggest an order of priority. Project prioritization is vested in and will be determined by the District Board.

**Interpretation.** The terms of this Bond Measure 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. Words used in the Project List such as repair, improve, upgrade, expand, modernize, renovate, and reconfigure are used to describe school facilities projects in plain English but are not intended to expand the nature of such projects beyond what is authorized by law. The Bond Project List does not authorize, and shall not be interpreted to authorize, expending proceeds of the sale of bonds authorized by this measure for expenses relating to current maintenance, operation or repairs.

**Severability.** The District Board hereby declares, and the voters by approving this Bond Measure concur, that every section and part of this bond proposition has independent value, and the District Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this 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.



# Ballot Measures-J

## Tax Rate Statement Tustin Unified School District Measure J

An election will be held in the Tustin Unified School District (the "District") on November 5, 2024, to authorize the sale of up to \$261,000,000 in bonds of the District to finance school facilities as described in the measure. If such bonds are authorized and sold, principal and interest on the bonds will be payable only from the proceeds of *ad valorem* tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California. Such information is based upon the best estimates and projections presently available from official sources, upon experience within the District, and other demonstrable factors.

Based upon the foregoing and projections of the District's assessed valuation, the following information is provided:

1. The best estimate of the average annual tax rate which would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on a projection of assessed valuations available at the time of filing of this statement, is \$29.82 per \$100,000 (2.982¢ per \$100) of assessed valuation. The final fiscal year in which the tax is anticipated to be collected is 2054-55.
2. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on a projection of assessed valuations available at the time of filing of this statement, is \$29.85 per \$100,000 (2.985¢ per \$100) of assessed valuation. It is estimated that such rate would be levied initially in fiscal year 2027-28.
3. The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all the bonds are issued and sold is approximately \$539,105,123.

Voters should note the estimated tax rate is based on the assessed value (not market value) of taxable property on Orange County's official tax rolls. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.

The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which amounts are not maximum amounts or durations and are not binding upon the District. The actual debt service, tax rates and the years in which they will apply may vary from those used to provide the estimates set forth above, due to factors such as variations in the timing of bond sales, the par amount of bonds sold and market interest rates available at the time of each sale, actual assessed valuations over the term of the bonds, and other factors. The date and amount of bonds sold at any given time will be determined by the District based on the need for project funds and other considerations. The actual interest rates at which the bonds will be sold will depend on conditions in the bond market at the time of sale. Actual future assessed valuations will depend upon the amount and value of taxable property within the District as determined by the Orange County Assessor in the annual assessment and the equalization process.

s/ Mark Johnson, Ed.D.  
Superintendent  
Tustin Unified School District

---

## Impartial Analysis Tustin Unified School District Measure J

This measure was placed on the ballot by the governing board ("Board") of the Tustin Unified School District ("District"). This measure, if approved by 55 percent of the votes cast on the measure, will authorize the District to issue and sell up to \$261,000,000 in general obligation bonds. The sale of these bonds by the District represents a debt of the District.

Voter approval of this measure will also authorize an annual tax to be levied on taxable property in the District to generate revenue to pay principal and interest on the bonds. The District's stated best estimate in its tax rate statement of the average annual tax rate required to fund the bonds is \$29.82 per \$100,000 of assessed value. The final fiscal year in which the tax is anticipated to be collected is fiscal year 2054-55. The best estimate of the total debt service, including principal and interest, required to be repaid if all bonds are issued and sold is \$539,105,123. The interest rate and maturity date on any bond shall not exceed the maximums allowed by law.

Proceeds from the sale of bonds authorized by this measure may only be used by the District for the construction, reconstruction, rehabilitation or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of interests in real property for school facilities in the District. A complete list of the projects and allowed expenditures, which bonds proceeds may be spent on, is included in the full text of the measure. The Board has certified that it has evaluated safety, class size reduction, enrollment growth, and information technology needs in developing the project list for this bond measure.

The California Constitution provides that proceeds of school district bond measures cannot be used for teacher or administrator salaries or other operating expenses and requires independent annual performance and financial audits. State law requires the establishment of an independent citizens' oversight committee for ensuring that bond proceeds are expended as specified in the measure and as provided by law.

Approval of Measure J does not guarantee that the proposed project or projects in the District that are the subject of the bonds under Measure J will be funded beyond the local revenues generated by Measure J. 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.

A "YES" vote is a vote in favor of authorizing the District to issue and sell up to \$261,000,000 in general obligation bonds.

A "NO" vote is a vote against authorizing the District to issue and sell up to \$261,000,000 in general obligation bonds.



## Argument in Favor of Measure J

**YOTE YES on Measure J** to maintain Tustin Unified's outstanding quality of education, help local students achieve, and protect your property values and high quality of life.

Our neighborhood schools, among the best in the state and nation, keep our community strong and attractive. Even if you don't have school-age children, voting YES on Measure J is a wise investment, preserving our community reputation for high quality schools.

Many of our schools were built over 50 years ago, and while well-maintained, need repairs and upgrades after decades of use by thousands of students. Moreover, teaching and learning standards have changed, requiring more and different instructional spaces. And all our schools need ongoing safety and security upgrades. **ALL TUSD schools will benefit.**

Measure J provides a prudent, responsible plan reflecting input from hundreds of community members to address these critical Tustin Unified School District needs. NO other funding exists to complete these improvements.

### A YES vote on Measure J will:

- Upgrade classrooms and labs to meet current teaching standards, providing hands-on learning spaces.
- Improve campus safety with new fencing, security cameras, and emergency systems, ensuring a secure environment for our students.
- Fix deteriorating roofs, plumbing, and electrical systems, assuring safe and functional school buildings.

### Mandatory Taxpayer Protections

- Every penny stays in Tustin Unified to support local schools
- Funds cannot be taken away by the State or used for other purposes
- An independent citizens' oversight committee and annual audits are required
- No funds may be used for administrator salaries

Measure J will qualify TUSD for state matching funds, making this investment even more cost-effective. Otherwise, our share of state taxes goes elsewhere.

Great schools improve student success, protecting your investment in our community. Please Join local teachers, parents, civic leaders, and residents **VOTING YES on Measure J** to ensure safe, desirable Tustin schools.

s/ Rick Nelson  
52-year resident, President, Foothill Comm. Association,  
Retired Engineering Professor

s/ Melani Meekhof  
Parent, TUSD Teacher of the Year, TUSD Alumni

s/ Tammis Berkheimer  
40-year resident, Rotary Club, Tustin Comm. Foundation,  
Tustin Area Council for Fine Arts

s/ Tom Zeigler  
45-year resident, Parent Volunteer, Attorney

s/ Tim O'Donoghue  
Career Educator, 23-year Principal, 47-year Youth Coach

**No argument against this measure was submitted.**