

FULL TEXT OF BOND MEASURE

for

FOWLER UNIFIED SCHOOL DISTRICT

INTRODUCTION

The Fowler Unified School District serves the Fowler, Fresno, and Malaga communities, located generally in south Fresno County, serving more than 2,500 students at three elementary schools, one middle school, and one high school, plus an early learning center, one alternative education school, one continuation school, and one community day school. The District was established in 1889 and since that time has been dedicated to serving the community and offering an excellent education for the community's students.

The District has several aging schools, and it faces other challenges to its capacity to adequately house all of its students. Most of the District's schools were built more than 60 years ago and do not meet modern building and safety codes. Classrooms and science labs are outdated, some of which contain hazardous materials including asbestos and lead pipes, while others require retrofitting for earthquake safety. The District has an ongoing need for facilities and infrastructure, to provide the classrooms, facilities and technology needed to support high-quality instruction in math, science, engineering, and technology; to remove hazardous materials like asbestos and lead pipes from older school sites, where encountered; to improve access for students with disabilities; to upgrade labs and career technical facilities to prepare students for college and in-demand careers in fields like health sciences, engineering, technology, and skilled trades; and to repair or replace deteriorating roofs, and old plumbing, sewer, heating, ventilation, and electrical systems. A much larger, and much longer-term solution to address issues of facilities upgrades and refurbishment of aging facilities, will be consideration of the District asking the voters to approve a General Obligation Bond.

Dedicated funding is required to meet these needs and provide safe, updated classrooms, labs, and facilities needed to support high-quality instruction in math, science, engineering, and technology to all students in our District.

The State of California requires a local match, funded primarily through local, general obligation bonds, for school districts wishing to pursue matching state funds for the upgrade or replacement of school buildings and facilities. The millions of dollars potentially available through the State match allows local taxpayers to benefit from the tax dollars they already pay to Sacramento.

It is imperative that our students are housed in safe schools. In addition, our students would benefit from complete, comprehensive, and efficient schools. We need to act locally to build, upgrade, and refurbish safe and modern schools to ensure our students have the educational opportunities they deserve.

BONDS

To improve school safety and security systems; fix deteriorating roofs, plumbing, and electrical; remove asbestos and lead pipes; and modernize classrooms, labs, and instructional technology to support student achievement and college/career readiness in math, science, technology, engineering, arts and skilled trades; shall Fowler Unified School District's measure be adopted authorizing \$44,000,000 in bonds at legal rates, levying \$50 per \$100,000 assessed value (\$3,000,000 annually) while bonds are outstanding, with independent citizen oversight and all money locally-controlled?

REPAIRING AGING SCHOOLS AND ENSURING STUDENT SAFETY MEASURE

To repair aging schools and ensure student safety, by:

- improving school safety and security systems;
- fixing deteriorating roofs, plumbing, and electrical systems;
- removing asbestos and lead pipes; and
- modernizing classrooms, labs, and instructional technology to support student achievement and college/career readiness in math, science, technology, engineering, arts and skilled trades.

As required by the California Constitution, the proceeds from the sale of the bonds will be used only for the purposes authorized under Article XIII A of the California Constitution, including construction, reconstruction, rehabilitation, or replacement of school facilities, furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, as specifically set forth in this Exhibit A, and costs incident thereto, and not for any other purpose, including salaries and other routine school operating expenses.

The following list describes the specific projects the District proposes to finance with proceeds of the bonds. The scope of specific projects, the order of construction, and their completion is contingent on final project costs and the availability of needed funds. Further, projects on the project list are of the type that issuing the authorized general obligation bonds as stated will not cause the State to reduce any financial hardship contribution that would otherwise be available to the District had these bonds not been authorized, issued, and or expended for their stated purpose.

SCHOOL FACILITIES PROJECTS TO BE FUNDED FROM BOND PROCEEDS

The following list includes both projects that can be completed using the bond proceeds, along with State matching funds and other building funds the District is projected to receive and projects that are planned and needed but whose construction is contingent on the amount of bond funds available, plus the amount of State matching and other building funds the District may receive in the future, which is a function of the State building program rules, passage of

State bonds, and the growth rate of the District. The completion of specific projects is also contingent on final project costs.

All District Sites, including but not limited to:

Marshall Elementary School (grades TK – 2, Built 1949, 1952), located at 142 N. Armstrong, Fowler, California

Fremont Elementary School (grades 3 – 5, Built 1938, 1954), located at 306 E. Tuolumne, Fowler, California

Malaga Elementary School (grades K – 5, Built 1941, 1951), located at 3910 S. Ward, Fresno, California

Sutter Middle School (grades 6 – 8, Built 1998), located at 701 E. Walter Ave., Fowler, California

Fowler High School (grades 9 – 12, Built 1961, 1969), located at 701 E. Main St., Fowler, California

Fowler Academy Schools (grades K – 12, Built 2012), located at 975 E. Adams Ave., Fowler, California

District Support Facilities – Relocate/construct/refurbish District transportation, maintenance, grounds and other facilities.

- Provide the classrooms, facilities and technology needed to support high-quality instruction in math, science, engineering, and technology
- Remove hazardous materials like asbestos and lead pipes from older school sites, where encountered
- Improve access for students with disabilities and upgrade older schools so they meet current health codes, building safety codes, provide proper access for students with disabilities
- Upgrade labs and career technical facilities to prepare students for college and in-demand careers in fields like health sciences, engineering, technology, and skilled trades
- Repair or replace deteriorating roofs, and old plumbing, sewer, heating, ventilation, and electrical systems
- Create modern, multi-use classrooms to support hands-on science instruction, learning-by-doing
- Upgrade classrooms and computer systems to keep pace with technology
- Replace aging portable classrooms that are expensive to repair and maintain with modern, permanent classrooms
- Construction of a Band and Performing Arts Event Center/, Multi-purpose Room (MPR), including related fixtures, furnishings and parking facilities

- Add classrooms and facilities where needed to reduce overcrowding
- Provide classrooms, facilities needed to support high-quality instruction in music, visual, performing arts
- Improve student safety, campus security incl security fencing, intruder protection, emergency communications, smoke detectors, fire alarms, and sprinklers
- Upgrade physical education, athletic facilities to support student health, fitness, safety

These projects may include participation in the State Facility Program's Joint-Use Program to gain matching funds for teacher education, multi-purpose rooms, gymnasiums, libraries, childcare, and other qualifying Joint-Use facilities. With respect to such joint-use projects, the bond funds authorized by this Measure may be used to pay all of the local share needed to qualify the projects for special State matching funds under the State Facility Program's Joint-Use Program requirements.

The Board of Education hereby certifies that it has evaluated the safety, class-size reduction, and information technology needs of the District in developing this list of school facilities projects.

ACCOUNTABILITY MEASURES

If the bonds are approved, the Board of Education will implement the following accountability measures in accordance with State law:

- (a) Use the bond proceeds only for the purposes authorized under Article XIII A of the California Constitution, including construction, reconstruction, rehabilitation, or replacement of school facilities, furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities and related uses, as specifically set forth in this Exhibit A, and costs incident thereto, and not for any other purpose, including salaries and other routine school operating expenses;
- (b) Conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the projects and uses listed in this Exhibit A;
- (c) Conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for school facilities projects and uses listed in this Exhibit A; and
- (d) Establish and appoint members to an independent citizens' oversight committee to ensure the bonds are used only for the projects and uses listed in this Exhibit A.

STATE MATCHING FUNDS

California Education Code section 15122.5 requires the following statement to be included in this sample ballot:

“Approval of this bond measure does not guarantee that the proposed projects in the Fowler Unified School District that are the subject of bonds under this measure will be funded beyond the local revenues generated by this bond measure. The school district's proposal for certain of the projects assumes the receipt of matching state funds, which are subject to appropriation by the Legislature or approval of a statewide bond measure.”

ANNUAL TAX AMOUNT, RATE, AND DURATION

The bonds shall bear interest at an annual rate not exceeding the statutory maximum. The maturity of the bonds shall not exceed the maximum term allowed by law at the time of issuance (currently 25 years if issued under Education Code section 15140, or 40 years if issued under Government Code section 53508, so long as the bonds are not capital appreciation bonds (“CABs,” which CABs are limited to 25 years)). Accordingly, as further set forth in the tax rate statement, the *ad valorem* tax will be levied at such rates and for so long as may be required to meet the debt service needs of the bonds proposed to be issued, including such bonds that may be issued to refund any approved bonds.

* * *

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.

To the extent permitted by law examples of incidental costs include, but are not limited to: costs of design, engineering, architect and other professional services, facilities assessments, 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; 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; federal and state-mandated safety upgrades; 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; project construction

oversight, management and administration during the duration of such projects, including by District personnel, and bond issuance costs.

Unforeseen conditions may arise during the course of planning, design and construction resulting in the scope and nature of any of the specific projects described above being altered by the District. In the event that the District determines that, with respect to a modernization or renovation project, it is more economical for the District or otherwise in the District's best interests to be undertaken as new construction, this bond measure authorizes said new construction, including land acquisition, relocation, expansion and construction and/or reconstruction, and all costs relating thereto. Conversely, if the District determines that it is more economical or otherwise in the best interests of the District to modernize or renovate District facilities instead of undertaking a new construction project, this bond measure authorizes such a project. In addition, this measure authorizes the acquisition of real property, including necessary rights of ways or other real property interests, required to expand District facilities, to provide access to school or other District facilities, or to provide additional school or related facilities. Further, authorized projects include reimbursements for project costs previously paid and paying and/or prepaying interim financing for the types of projects included on the project list, such as bond anticipation notes. Finally, projects on this list may be undertaken and used as joint use projects with other public agencies.

Approval of the District's bond measure does not guarantee that all of the identified projects within this Bond Project List will be funded. The District plans to pursue funds from the State of California, if available, to complete certain of the identified facilities projects. The District is unable to anticipate all unforeseen circumstances which may prevent some of the projects listed above from being undertaken or completed.

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 of Trustees. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code section 53410.

These projects may include participation in the State Facility Program's Joint-Use Program to gain matching funds for teacher education, multi-purpose rooms, gymnasiums, libraries, childcare, and other qualifying Joint-Use facilities. With respect to such joint-use projects, the bond funds authorized by this Measure may be used to pay all of the local share needed to qualify the projects for special State matching funds under the State Facility Program's Joint-Use Program requirements.

The Board of Trustees hereby certifies that it has evaluated the safety, class-size reduction, and information technology needs of the District in developing this list of school facilities projects.