

# San Marino Unified School District

ADMINISTRATIVE OFFICES  
TELEPHONE: (626) 299-7000  
FAX: (626) 299-7010

1665 WEST DRIVE  
SAN MARINO, CALIFORNIA 91108-2594

## VIA MAIL

July 1, 2024

Mr. Dean C. Logan  
Registrar-Recorder/County Clerk  
Election Coordination Unit  
12400 Imperial Highway, Room 2013A  
Norwalk, CA 90650

Ms. Celia Zavala, Executive Officer, Board of Supervisors  
Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 383  
Los Angeles, CA 90012

Re: **San Marino Unified School District** -- Specifications Order for Bond Election to be Held on November 5, 2024

Dear Mr. Logan:

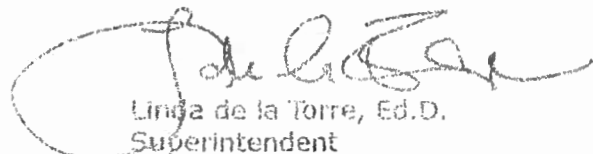
Enclosed please find Resolution No. 15 adopted on June 25, 2024 by the Board of Education of the San Marino Unified School District (the "District"), ordering that a school bond election be called on November 5, 2024, and requesting that the Los Angeles County Board of Supervisors consolidate the bond election with the Statewide presidential general election occurring on that date.

Please note that attached to the Resolution is the Ballot Label (Exhibit A), Full Ballot Text (Exhibit B), and signed Tax Rate Statement (Exhibit C). Please delete the Exhibit references from each of these documents for the printing of the respective election materials. We can provide these documents to you via email, in electronic form (both as Word documents and PDF), upon request for your ease of printing in the voter guide and ballots. If you have any questions about these materials or how they are organized or should be printed, please contact me.

Finally, please also find enclosed the Bailot Letter Designation Form. We would like to respectfully request that the Registrar of Voters assign letters "SM" as a first choice or "M" as a second choice. We request that the Registrar of Voters not assign the letters "D", "E", "F", "N" or "T" to the measure. We appreciate your consideration in this regard.

If you have any questions regarding the Resolutions or the parameters of the election, please contact me.

Best Regards,




Linda de la Torre, Ed.D.  
Superintendent  
San Marino Unified School District

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

87 September 24, 2024



EDWARD YEN  
EXECUTIVE OFFICER



11/5/24

ELECTION DATE

San Marino Unified School District – General Bond Election

JURISDICTION AND MEASURE NAME

County of LA Official Use Only: Date Received Time Received

LETTER DESIGNATION FORM

Please complete this form in order to select your first, second, and third letter designation choice for your jurisdiction's measure to appear on the ballot. In the event your 1st, 2nd, or 3rd choice is unavailable, then please select the letter(s) designations that the jurisdiction DOES NOT want selected for its measure. The 3rd option for letter designations would be to create a unique letter designation that is not identified below using less than three letters of the alphabet. For example: County of Los Angeles USD Facilities Improvement measure could use unique letter designations such as CL, LA, LU, UC, LS.

Select your first, second, and third letter designation choice by checking / off and listing the designated letters below:

A B C D E F G H I J K L M
N O P Q R S T U V W X Y Z
AA BB CC DD EE FF GG HH II JJ KK LL MM
NN OO PP QQ RR SS TT UU VV WW XX YY ZZ

CHOICES

1st 2nd M 3rd

Select the letters that your jurisdiction DOES NOT want assigned to its measure by marking the letter with an X:

A B C D E F G H I J K L M
N O P Q R S T U V W X Y Z
AA BB CC DD EE FF GG HH II JJ KK LL MM
NN OO PP QQ RR SS TT UU VV WW XX YY ZZ

List the Letters here: D, E, F, N, T

In the event that your jurisdiction's measure letter designation is not available, then you can select a unique letter designation not shown above:

UNIQUE CHOICE

1st SM 2nd 3rd

The last day jurisdictions may request in writing specific letter designations for its measure is e-83. The letter designation selections will be approved and communicated to the jurisdictions by e-81. Letter designations are on a first come first serve basis in the order received by the Registrar-Recorder County Clerk Department, Election Coordination Unit, 12400 Imperial Highway, Second Floor, Suite 2013A, Norwalk, California 90650.

NOTE: PLEASE USE ONE (1) FORM PER MEASURE

# SAN MARINO UNIFIED SCHOOL

## RESOLUTION NO. 15

### RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN MARINO UNIFIED SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION ON NOVEMBER 5, 2024, REQUESTING CONSOLIDATION WITH OTHER MEASURES OCCURRING ON NOVEMBER 5, 2024, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH

**WHEREAS**, the San Marino Unified School District ("District") has provided high quality education to students in the local community over its long history, consistent with its mission to provide District students with the knowledge to recognize their significance and potential; allowing them to use their 21st century learning experiences to thrive as tomorrow's leaders, workers and democratic citizens;

**WHEREAS**, our local schools have urgent needs that must be addressed to maintain academic excellence, and to enable the District to achieve its vision that District students are tomorrow's leaders, workers, and citizens;

**WHEREAS**, aging education facilities, some schools built over 50 years ago, need basic safety, technology and educational upgrades to meet modern academic and safety standards;

**WHEREAS**, some schools and classrooms have outdated electrical wiring and require updates to science and engineering labs; and this past year, schools were flooded due to the heavy rains, and some classrooms didn't have sufficient heat on some days or air-conditioning on others;

**WHEREAS**, the District has placed a priority on ensuring all schools have up-to-date technology, as well as safe, secure campuses to protect students and staff, and to provide modern classrooms that will attract and retain the best teachers and staff;

**WHEREAS**, the District conducted and adopted a comprehensive Facilities Master Plan that identified the upgrades needed at each school site in order to meet modern safety and security standards, meet the District's goals for supporting current academic standards, and address specific priorities at individual school sites;

**WHEREAS**, bond revenue is the primary means by which the District is able to keep its school buildings and classrooms in good repair, safe, designed and equipped to support changing educational standards, methods and approaches;

**WHEREAS**, the District cannot rely on the State of California to fund school facility improvements and the limited state dollars available for facility upgrades often require local matching funds that could be provided by a local bond measure;

**WHEREAS**, the Board is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the California Education Code ("Education Code") and is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Section 15100 *et seq.* of the Education Code;

**WHEREAS**, pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution (also known as "Proposition 39"), and Section 15266 of the Education

reimburse the County Registrar and the County for costs associated with the election as required by law.

**Section 3. Consolidation of Election and Canvass of Vote.**

- (a) Pursuant to Section 5342 of the Education Code and Section 10400 et seq. of the Elections Code, the election is requested to be consolidated with other elections occurring on November 5, 2024.
- (b) The Board of Supervisors is authorized and requested to canvass the returns of the election, as necessary, pursuant to Section 10411 of the California Elections Code.

**Section 4. Abbreviation of Proposition/Ballot Label.** Pursuant to Sections 13119 and 13247 of the California Elections Code and Section 15122 of the Education Code, the Board hereby directs the County Registrar to use the ballot measure summary ("Ballot Label") that is attached hereto as **Exhibit A**. The Ballot Label shall function merely as an abbreviation of the Full Ballot Text and does not stand alone as a complete and binding statement of the measure, nor is it possible for the Ballot Label to contain all of the project and financial information a voter might wish to consider in casting a vote. Voters are urged to review the Full Ballot Text and the Tax Rate Statement to obtain a complete understanding of the measure, including all of the financial projections and estimates upon which the measure is based.

**Section 5. Voter Pamphlet/Sample Ballot.** The County Registrar is hereby requested to take the following actions with regard to the Voter Information Pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code:

- (a) To print the Full Ballot Text (**Exhibit B** hereto), without Exhibit references, in the Voter Information Pamphlet in its entirety. In the event the Full Ballot Text is not reprinted in the voter information pamphlet in its entirety, the County Registrar is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

*"The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of the measure, please call the Los Angeles County Registrar of Voters at \_\_\_\_\_ and a copy will be mailed at no cost to you."*

- (b) In accordance with Education Code Section 15122.5, to print in the Voter Information Pamphlet the following statement:

*"Approval of Measure \_\_\_\_\_ does not guarantee that the proposed project or projects in the San Marino Unified School District that are the subject of bonds under Measure \_\_\_\_\_ will be funded beyond the local revenues generated by Measure \_\_\_\_\_. The school 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."*

Exhibits that are filed with the County Registrar by a District Representative shall constitute the final, binding ballot measure of the District.

*Section 12.* Effective Date. This Resolution shall take effect upon its adoption.

**EXHIBIT A**

BALLOT LABEL

**San Marino School Safety and Repair Measure.** To maintain/ repair local schools with no tax rate increase, including leaky roofs; restrooms, heating/ cooling, security, fire safety, electrical systems; ensure safe drinking water; update technology/ classrooms/ labs that support college/ career readiness, shall San Marino Unified School District's measure authorizing \$200,000,000 in bonds at legal rates, levying \$60 per \$100,000 of assessed value (\$11,900,000 annually) while bonds are outstanding be adopted, with independent oversight, annual audits, all funds for San Marino Schools?

Bonds – Yes \_\_\_\_\_

Bonds – No \_\_\_\_\_

- The District cannot rely on the State of California to fund school facility improvements and the limited state dollars available for facility upgrades often require local matching funds that could be provided by a local bond measure.
- This bond measure will benefit local schools only and no funds can be taken away by the State or other school districts, and by law, no money can be used for administrator salaries or pensions.
- This bond measure requires strict fiscal accountability protections including mandatory annual audits and an independent citizens' oversight committee comprised of local residents to ensure funds are managed and spent properly.

## **SECTION II: ACCOUNTABILITY MEASURES**

The provisions in this section are 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 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 Section 15264 *et seq.* of the California Education Code).

***Evaluation of Needs.*** The Board of Education has evaluated the facilities needs of the District and has identified projects to finance from a local bond measure. The Board of Education has certified that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

***Independent Citizens' Oversight Committee.*** The Board of Education shall appoint a new or empower an existing independent Citizens' Oversight Committee in accordance with Education Code sections 15278-15282 and applicable Board policy, to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be established within sixty (60) days of the date when the Board of Education enters the results of the election in its official minutes.

***Annual Performance Audit.*** The Board of Education shall conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List.

***Annual Financial Audit.*** The Board of Education shall conduct or cause to be conducted an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent.

***Annual Report to Board.*** Upon approval of this measure and the sale of any bonds approved, the Board of Education shall take actions necessary 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 shall cause a report to be filed with the Board of Education no later than January 1 of each year, commencing on the first January 1 after bonds have been issued and proceeds spent, stating (1) the amount of bond proceeds received and expended in the past fiscal year, and (2) the status of any project funded or to be funded from bond proceeds. The report may be incorporated into the annual budget, annual financial report, or other appropriate routine report to the Board.

## **SECTION III: BOND PROJECT LIST**

This Bond Project List, which is an integral part of this measure, describes the specific projects the District proposes to finance with proceeds of the bonds. All information contained

- Construct, modernize, furnish and equip library facilities, student support and counseling facilities, including school facilities for psychology, speech, and Individual Education Plan (IEP) conferences.
- Construct, modernize, furnish and equip middle school and high school facilities, including elective spaces, CTE Career Tech facilities, physical education and athletic facilities, including gymnasiums, locker rooms, and pools, and performing arts facilities.
- Pay or prepay interim or prior financing, such as certificates of participation relating to facilities projects and or/equipment previously financed for the types of projects included on the project list.
- Construct, modernize, furnish and equip multipurpose room (MPR) facilities and food service facilities, including lunch shelters.
- Construct, modernize, furnish and equip administration office and staff support.
- Construct, modernize, furnish and equip outdoor learning environments and gathering spaces, including quads.
- Construct, repair, replace, equip and/or upgrade exterior student play spaces, playfields and hardcourts.
- Acquire and install next-generation flexible furniture.

Listed projects, repairs, improvements, rehabilitation projects and upgrades will be completed only as needed, and the listing of projects does not imply a particular prioritization among such improvements. Projects may be done in phases, based on Board of Education priorities and available funding. Listed projects may be completed at any and all District schools, sites, properties (owned, leased or yet to be acquired) and education buildings where such project is determined necessary. Bond projects are anticipated to provide benefit to all users of school facilities, sites and buildings, including charter schools that occupy school campuses, community members and other organizations.

Decisions regarding the scope, function, timing, location, prioritization or other facets of project implementation for school facility projects listed on the Bond Project List will be made solely by the Board of Education by subsequent action, including the interpretation, meaning and intent of each listed project. Where terms such as "renovate," "upgrade," "replace," "improve" and "repair" are used in the Bond Project List, the Board of Education has the discretion to determine the best method for accomplishing the project's objective, including the use of new construction. For any listed project involving renovation or modernization 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 District determines that replacement and new construction is more practical than renovation, considering the building's age, condition, expected remaining life, comparative cost and other relevant factors. 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. Where feasible, projects may be completed in partnership with other public or private agencies on a joint use basis using bond proceeds, subject to federal tax rules and regulations.

requirements of law. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum and with a maximum term not exceeding the statutory maximum, provided that the average useful life of bonds sold will not exceed one hundred twenty percent (120%) of the average life of the projects being financed or as otherwise provided by federal tax law. Bond funds may be used to reimburse the District for Bond Project List expenditures incurred prior to the election and bond issuance, in accordance with federal tax law.

Attention of all voters is directed to the fact that the financial information contained in this measure is based upon the District's projections and estimates only, which are not binding upon the District, nor are the summary or average payment estimates, if any, provided in the Ballot Label. The actual tax rates, debt service 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 of bonds sold and 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 and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be 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.

In preparing this information, the District obtained reasonable and informed projections of assessed property valuations that took into consideration projections of assessed property valuations made by the County Assessor, if any, in accordance with Education Code Section 15100(c).

# San Marino Unified School District

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1665 WEST DRIVE  
SAN MARINO, CALIFORNIA 91108-2594

**VIA MAIL**

July 1, 2024

Mr. Dean C. Logan  
Registrar-Recorder/County Clerk  
Election Coordination Unit  
12400 Imperial Highway, Room 2013A  
Norwalk, CA 90650

Ms. Celia Zavala, Executive Officer, Board of Supervisors  
Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 383  
Los Angeles, CA 90012

RECEIVED

2024 JUL -8 PM 12:21

Re: **San Marino Unified School District** – Specifications Order for Bond Election to be Held on November 5, 2024

Dear Mr. Logan:

Enclosed please find Resolution No. 15 adopted on June 25, 2024 by the Board of Education of the San Marino Unified School District (the "District"), ordering that a school bond election be called on November 5, 2024, and requesting that the Los Angeles County Board of Supervisors consolidate the bond election with the Statewide presidential general election occurring on that date.

Please note that attached to the Resolution is the Ballot Label (Exhibit A), Full Ballot Text (Exhibit B), and signed Tax Rate Statement (Exhibit C). Please delete the Exhibit references from each of these documents for the printing of the respective election materials. We can provide these documents to you via email, in electronic form (both as Word documents and PDF), upon request for your ease of printing in the voter guide and ballots. If you have any questions about these materials or how they are organized or should be printed, please contact me.

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If you have any questions regarding the Resolutions or the parameters of the election, please contact me.

Best Regards,



Linda de la Torre, Ed.D.  
Superintendent  
San Marino Unified School District

## **SAN MARINO UNIFIED SCHOOL**

### **RESOLUTION NO. 15**

#### **RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN MARINO UNIFIED SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION ON NOVEMBER 5, 2024, REQUESTING CONSOLIDATION WITH OTHER MEASURES OCCURRING ON NOVEMBER 5, 2024, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH**

**WHEREAS**, the San Marino Unified School District ("District") has provided high quality education to students in the local community over its long history, consistent with its mission to provide District students with the knowledge to recognize their significance and potential; allowing them to use their 21st century learning experiences to thrive as tomorrow's leaders, workers and democratic citizens;

**WHEREAS**, our local schools have urgent needs that must be addressed to maintain academic excellence, and to enable the District to achieve its vision that District students are tomorrow's leaders, workers, and citizens;

**WHEREAS**, aging education facilities, some schools built over 50 years ago, need basic safety, technology and educational upgrades to meet modern academic and safety standards;

**WHEREAS**, some schools and classrooms have outdated electrical wiring and require updates to science and engineering labs; and this past year, schools were flooded due to the heavy rains, and some classrooms didn't have sufficient heat on some days or air-conditioning on others;

**WHEREAS**, the District has placed a priority on ensuring all schools have up-to-date technology, as well as safe, secure campuses to protect students and staff, and to provide modern classrooms that will attract and retain the best teachers and staff;

**WHEREAS**, the District conducted and adopted a comprehensive Facilities Master Plan that identified the upgrades needed at each school site in order to meet modern safety and security standards, meet the District's goals for supporting current academic standards, and address specific priorities at individual school sites;

**WHEREAS**, bond revenue is the primary means by which the District is able to keep its school buildings and classrooms in good repair, safe, designed and equipped to support changing educational standards, methods and approaches;

**WHEREAS**, the District cannot rely on the State of California to fund school facility improvements and the limited state dollars available for facility upgrades often require local matching funds that could be provided by a local bond measure;

**WHEREAS**, the Board is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the California Education Code ("Education Code") and is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Section 15100 *et seq.* of the Education Code;

**WHEREAS**, pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution (also known as "Proposition 39"), and Section 15266 of the Education

Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a fifty-five percent (55%) vote of those voting on a proposition for that purpose, provided certain accountability measures are included in the proposition; and

**WHEREAS**, a bond measure will benefit the District's local schools only, and no funds may be taken away by the State or other school districts;

**WHEREAS**, any Proposition 39 local bond measure proposed by the District is legally required to include mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent as promised and that none of the money is spent on school operating expenses such as administrators' salaries or pensions;

**WHEREAS**, the Board deems it necessary and advisable to submit such a bond proposition to the electors to be approved by fifty-five percent (55%) of the votes cast;

**WHEREAS**, such a bond election must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election, as required by Section 15266 of the Education Code, and on November 5, 2024, a statewide general election is scheduled to occur throughout the District;

**WHEREAS**, pursuant to Section 15270 of the Education Code, if the measure is approved by the voters, bonds may only be issued if the tax rate levied to meet the debt service requirements would not exceed sixty dollars (\$60) per year per one hundred thousand dollars (\$100,000) of taxable property when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution and the current estimated and projected average annual tax rate and highest tax rate, is not expected to exceed permissible levels;

**WHEREAS**, the estimated tax rates, duration of tax collection, and total estimated amount of debt service, is described in the Tax Rate Statement contained in **Exhibit C** hereto;

**WHEREAS**, Section 9400 *et seq.* of the California Elections Code requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

**WHEREAS**, the Board now desires to authorize the filing of ballot arguments in favor of the proposition to be submitted to the voters at the election.

**NOW, THEREFORE**, be it resolved, determined and ordered by the Board of Education of the San Marino Unified School District as follows:

**Section 1. Specifications of Election Order.** Pursuant to Sections 5304, 5322, 15100 *et seq.*, and Section 15266 of the Education Code, an election shall be held within the District on November 5, 2024, for the purpose of submitting to the registered voters of the District the full ballot proposition contained in **Exhibit B** ("Full Ballot Text"), which Full Ballot Text is hereby approved.

**Section 2. Request to County Officers to Conduct Election; Cost of Election.** The Los Angeles County Board of Supervisors ("Board of Supervisors") is hereby requested to allow and order the Los Angeles County Registrar of Voters ("County Registrar") to provide for the performance of its duties in accordance with Education Code section 5303, and pursuant to section 5303 and 5322 of the California Education Code, to take all steps to call and hold the election in accordance with law and these specifications. The District will

reimburse the County Registrar and the County for costs associated with the election as required by law.

**Section 3. Consolidation of Election and Canvass of Vote.**

- (a) Pursuant to Section 5342 of the Education Code and Section 10400 et seq. of the Elections Code, the election is requested to be consolidated with other elections occurring on November 5, 2024.
- (b) The Board of Supervisors is authorized and requested to canvass the returns of the election, as necessary, pursuant to Section 10411 of the California Elections Code.

**Section 4. Abbreviation of Proposition/Ballot Label.** Pursuant to Sections 13119 and 13247 of the California Elections Code and Section 15122 of the Education Code, the Board hereby directs the County Registrar to use the ballot measure summary ("Ballot Label") that is attached hereto as **Exhibit A**. The Ballot Label shall function merely as an abbreviation of the Full Ballot Text and does not stand alone as a complete and binding statement of the measure, nor is it possible for the Ballot Label to contain all of the project and financial information a voter might wish to consider in casting a vote. Voters are urged to review the Full Ballot Text and the Tax Rate Statement to obtain a complete understanding of the measure, including all of the financial projections and estimates upon which the measure is based.

**Section 5. Voter Pamphlet/Sample Ballot.** The County Registrar is hereby requested to take the following actions with regard to the Voter Information Pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code:

- (a) To print the Full Ballot Text (**Exhibit B** hereto), without Exhibit references, in the Voter Information Pamphlet in its entirety. In the event the Full Ballot Text is not reprinted in the voter information pamphlet in its entirety, the County Registrar is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

*"The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of the measure, please call the Los Angeles County Registrar of Voters at \_\_\_\_\_ and a copy will be mailed at no cost to you."*

- (b) In accordance with Education Code Section 15122.5, to print in the Voter Information Pamphlet the following statement:

*"Approval of Measure \_\_\_\_ does not guarantee that the proposed project or projects in the San Marino Unified School District that are the subject of bonds under Measure \_\_\_\_ will be funded beyond the local revenues generated by Measure \_\_\_\_\_. The school 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."*

**Section 6. Accountability Measures.** Pursuant to legal requirements, and as specified in the Full Ballot Text, the Board certifies that the District:

- (a) Has evaluated the facilities needs of the District and has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in the Full Ballot Text;
- (b) Will appoint a new or empower an existing independent Citizens' Oversight Committee to ensure that bond proceeds are expended only for the school facilities projects described in the Bond Project List, in accordance with Education Code section 15278 *et seq.*;
- (c) Will conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List;
- (d) Will conduct or cause to be conducted an annual independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects described in the Bond Project List; and
- (e) Shall take all actions to establish an account in which proceeds of the sale of the bonds will be deposited, and to cause a report to be filed with the Board no later than each January 1 identifying proceeds received and expended in the past fiscal year and the status of any project funded or to be funded with bond proceeds. The first report shall be due no later than January 1 of the first year after which bonds have been issued and proceeds spent.

**Section 7. Required Vote.** Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the State Constitution, the above proposition shall become effective upon the affirmative vote of at least fifty-five percent (55%) of those voters voting on the proposition.

**Section 8. Delivery of Order of Election to County Officers.** The Clerk of the Board is hereby directed to deliver or cause to be delivered, ***no later than August 9, 2024***, one copy of this Resolution to the County Registrar with the Tax Rate Statement (in substantially the form attached hereto as **Exhibit C**), completed and signed by the Superintendent or her designee, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors.

**Section 9. Ballot Arguments.** The members of the Board are hereby authorized to prepare and file with the County Registrar a ballot argument in favor of the proposition contained in Section 1 hereof, and or a rebuttal argument, within the time established by the County Registrar.

**Section 10. Intention to Reimburse.** The District may incur costs associated with bond-funded projects described in **Exhibit B** hereto prior to the issuance of bonds. For purposes of establishing compliance with the requirements of Section 1.150-2 of the regulations of the U.S. Treasury Department, the Board hereby declares its official intent to use proceeds of the bond to reimburse itself for lawful expenditures on capital projects as described on the Bond Project List, up to a maximum principal amount of \$200 million.

**Section 11. Further Authorization.** The Superintendent and the Chief Business Official (each, a "District Representative") are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this Resolution, including, without action of the Board, modification of the Full Ballot Text, the Ballot Label, and Tax Rate Statement if either determines such modifications are necessary and in the District's best interests. This Resolution and all of its

Exhibits that are filed with the County Registrar by a District Representative shall constitute the final, binding ballot measure of the District.

*Section 12.* Effective Date. This Resolution shall take effect upon its adoption.

**PASSED AND ADOPTED** this day, [June 25], 2024, by the following vote:

AYES: 5

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

SAN MARINO UNIFIED SCHOOL DISTRICT

By:   
Board President

Attest:

By:   
Board Secretary

**EXHIBIT A**

**BALLOT LABEL**

**San Marino School Safety and Repair Measure.** To maintain/ repair local schools with no tax rate increase, including leaky roofs; restrooms, heating/ cooling, security, fire safety, electrical systems; ensure safe drinking water; update technology/ classrooms/ labs that support college/ career readiness, shall San Marino Unified School District's measure authorizing \$200,000,000 in bonds at legal rates, levying \$60 per \$100,000 of assessed value (\$11,900,000 annually) while bonds are outstanding be adopted, with independent oversight, annual audits, all funds for San Marino Schools?

Bonds – Yes \_\_\_\_\_

Bonds – No \_\_\_\_\_

## **EXHIBIT "B"**

### **FULL BALLOT TEXT**

**Measure \_\_\_\_**

*[Letter designation to be assigned by Registrar of Voters]*

#### **SAN MARINO UNIFIED SCHOOL DISTRICT**

By approval of this measure by at least fifty-five percent (55%) of the registered voters voting thereon, the San Marino Unified School District shall be authorized to issue and sell bonds of up to \$200,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed below in the Bond Project List, subject to all of the accountability safeguards specified herein.

#### **SECTION I: KEY FINDINGS**

- San Marino Unified School District has provided quality education to students in the local community over its long history, consistent with its mission to provide District students with the knowledge to recognize their significance and potential, allowing them to use their 21st century learning experiences to thrive as tomorrow's leaders, workers and democratic citizens.
- Some San Marino schools were built over 50 years ago, and as a result are aging and need basic safety, technology and educational updates and improvements. Some schools and classrooms have outdated electrical wiring and require updates to science and engineering labs.
- This past year, schools were flooded due to the heavy rains, and some classrooms didn't have sufficient heat on some days or air-conditioning on others.
- The District has placed a priority on ensuring all schools have up-to-date technology, as well as safe, secure campuses to protect students and staff, and to provide modern classrooms that will attract and retain the best teachers and staff.
- Bond revenue is the primary means by which all local school districts are able to keep its school buildings and classrooms in good repair, safe, designed and equipped to support changing educational standards, methods and approaches.
- Though past bond funding from nearly 20 years ago made an impact, our local schools still have urgent needs that reach beyond the scope of the District's annual operating budget, such that passing this bond measure provides a guaranteed and necessary source of local funding to maintain and improve the community's local school facilities.
- The District conducted a comprehensive Facilities Master Plan to identify the upgrades needed at each school site in order to meet modern safety and security standards, to meet the District's goals for supporting current academic standards, and to address specific priorities at individual school sites. Making these investments now will help support student achievement and learning in all grades.

- The District cannot rely on the State of California to fund school facility improvements and the limited state dollars available for facility upgrades often require local matching funds that could be provided by a local bond measure.
- This bond measure will benefit local schools only and no funds can be taken away by the State or other school districts, and by law, no money can be used for administrator salaries or pensions.
- This bond measure requires strict fiscal accountability protections including mandatory annual audits and an independent citizens' oversight committee comprised of local residents to ensure funds are managed and spent properly.

## **SECTION II: ACCOUNTABILITY MEASURES**

The provisions in this section are 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 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 Section 15264 *et seq.* of the California Education Code).

***Evaluation of Needs.*** The Board of Education has evaluated the facilities needs of the District and has identified projects to finance from a local bond measure. The Board of Education has certified that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

***Independent Citizens' Oversight Committee.*** The Board of Education shall appoint a new or empower an existing independent Citizens' Oversight Committee in accordance with Education Code sections 15278-15282 and applicable Board policy, to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be established within sixty (60) days of the date when the Board of Education enters the results of the election in its official minutes.

***Annual Performance Audit.*** The Board of Education shall conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List.

***Annual Financial Audit.*** The Board of Education shall conduct or cause to be conducted an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent.

***Annual Report to Board.*** Upon approval of this measure and the sale of any bonds approved, the Board of Education shall take actions necessary 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 shall cause a report to be filed with the Board of Education no later than January 1 of each year, commencing on the first January 1 after bonds have been issued and proceeds spent, stating (1) the amount of bond proceeds received and expended in the past fiscal year, and (2) the status of any project funded or to be funded from bond proceeds. The report may be incorporated into the annual budget, annual financial report, or other appropriate routine report to the Board.

## **SECTION III: BOND PROJECT LIST**

This Bond Project List, which is an integral part of this measure, describes the specific projects the District proposes to finance with proceeds of the bonds. All information contained

within this "Section III: Bond Project List" comprises the Bond Project List and description of permissible projects and expenses that may be paid from bond proceeds.

In order to meet all identified facility needs, the District intends to complete projects using a combination of funding sources, including joint use funds or contributions, development impact fees, and state funding (if available). The District will pursue state matching funds if and when they become available and, if received, they will be used for projects on the Bond Project List or other high priority capital outlay expenditures as permitted by law. Approval of this measure does not guarantee that all projects on this Bond Project List at all listed sites will be funded beyond the local revenues generated by this measure. The District's proposal for the projects assumes the receipt of some state matching funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure. Bond funds may be used to meet any matching share contribution requirements.

- Proceeds from the sale of bonds authorized by this measure shall be used only for the construction, reconstruction, rehabilitation, replacement, furnishing and equipping of school facilities, and the acquisition or lease of real property for school facilities, all as listed on the Bond Project List. All projects to be financed with bonds authorized by this measure listed on the Bond Project List have been determined by the District to be "school facilities" as that term is used in the California Constitution. "School facilities" include projects at school sites as well as administrative and teacher/staff support facilities which are necessary for, and related to, the delivery of high-quality education services. Projects listed below may be completed at any and all properties, school sites and facilities where such project is determined necessary, and projects are authorized to be performed at each and all of the District's schools, sites and facilities, including administrative and ancillary support facilities, whether owned, leased or yet to be acquired, including, without limitation, the following: Repair, modernize, and reconfigure existing classrooms and restrooms.
- Install, replace, and upgrade school site utilities and related infrastructure.
- Acquire, install and equip school facilities with technology and communications infrastructure, including, without limitation, fiber optic and backbone networks, cabling and wireless infrastructure, and related fixtures and equipment.
- Replace outdated and inefficient heating, air-conditioning, electrical, plumbing, site infrastructure, lighting, security, water, irrigation, sewer, gas, drainage, mechanical and ventilation systems.
- Repair or replace leaky roofs.
- Construct, modernize, install and improve school facilities for safety and security, including improvements to parking and drop-off areas, and installation of electronic door locks, cameras, lighting and fencing.
- Construct, furnish and equip transitional kindergarten facilities.
- Remove and replace portable buildings.
- Construct, modernize, furnish and equip elementary school facilities, including classrooms and other school facilities for science, technology, engineering, math, art and music.
- Improve safety on school campuses by upgrading and replacing fencing, gates, barriers and signage to improve controlled access.

- Construct, modernize, furnish and equip library facilities, student support and counseling facilities, including school facilities for psychology, speech, and Individual Education Plan (IEP) conferences.
- Construct, modernize, furnish and equip middle school and high school facilities, including elective spaces, CTE Career Tech facilities, physical education and athletic facilities, including gymnasiums, locker rooms, and pools, and performing arts facilities.
- Pay or prepay interim or prior financing, such as certificates of participation relating to facilities projects and or/equipment previously financed for the types of projects included on the project list.
- Construct, modernize, furnish and equip multipurpose room (MPR) facilities and food service facilities, including lunch shelters.
- Construct, modernize, furnish and equip administration office and staff support.
- Construct, modernize, furnish and equip outdoor learning environments and gathering spaces, including quads.
- Construct, repair, replace, equip and/or upgrade exterior student play spaces, playfields and hardcourts.
- Acquire and install next-generation flexible furniture.

Listed projects, repairs, improvements, rehabilitation projects and upgrades will be completed only as needed, and the listing of projects does not imply a particular prioritization among such improvements. Projects may be done in phases, based on Board of Education priorities and available funding. Listed projects may be completed at any and all District schools, sites, properties (owned, leased or yet to be acquired) and education buildings where such project is determined necessary. Bond projects are anticipated to provide benefit to all users of school facilities, sites and buildings, including charter schools that occupy school campuses, community members and other organizations.

Decisions regarding the scope, function, timing, location, prioritization or other facets of project implementation for school facility projects listed on the Bond Project List will be made solely by the Board of Education by subsequent action, including the interpretation, meaning and intent of each listed project. Where terms such as "renovate," "upgrade," "replace," "improve" and "repair" are used in the Bond Project List, the Board of Education has the discretion to determine the best method for accomplishing the project's objective, including the use of new construction. For any listed project involving renovation or modernization 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 District determines that reconstruction and new construction is more practical than renovation, considering the building's age, condition, expected remaining life, comparative cost and other relevant factors. 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. Where feasible, projects may be completed in partnership with other public or private agencies on a joint use basis using bond proceeds, subject to federal tax rules and regulations.

Each project is assumed to include its share of costs of bond issuance, architectural, engineering, legal, accounting and similar planning costs and professional services; litigation costs; construction management; bond project consultants; staff development and training expenses associated with learning construction techniques and approaches and new bond-funded equipment and systems; the furnishing and equipping of all projects, including equipment to maintain facilities in a safe and clean condition; and a customary contingency for unforeseen design and construction costs. Payment of the costs of preparation of facilities planning and project implementation studies, feasibility and assessment reviews, master planning, environmental studies, permit and inspection fees, Division of State Architect (DSA) - related requirements, studies and assessments, including ADA and seismic, and temporary housing, storage and relocation costs for dislocated programs or activities caused or necessitated by projects on the Bond Project List are permissible bond expenditures. Land may be acquired for any project, and all projects may be furnished and equipped using bond proceeds to ensure the functionality and usability of facilities and sites constructed or reconstructed with bond proceeds. Bond proceeds may be used to retire any interim funding incurred to advance fund projects described on the Bond Project List. The upgrading of technology infrastructure listed above includes, but is not limited to, computers, projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, printers, digital white boards, document projectors, telephone system, call manager and network security/firewall, wireless technology systems and other miscellaneous equipment and software.

The final cost of each project will be determined as plans are finalized 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. Necessary site preparation, grading or restoration may occur in connection with acquisition of property, new construction, modernization, renovation or remodeling, or installation or removal of modular classrooms, including ingress and egress, removing, replacing or installing irrigation, utility lines, trees and landscaping, relocating fire access roads and acquiring any necessary easements, leases, licenses or rights of way to the property.

The Board of Education 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 Board of Education 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.

#### **SECTION IV: ADDITIONAL SPECIFICATIONS**

**No Operating Expenses.** Proceeds from the sale of Bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation or replacement of school facilities on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including teacher or administrator salaries and other school operating expenses in accordance with applicable law.

**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 enumerated purposes shall constitute the specific single purpose of the bonds and proceeds of the bonds shall be spent only for such purpose.

**Other Terms of the Bonds.** The bonds may be issued and sold in several series, and in accordance with a financing plan determined by the Board of Education pursuant to

requirements of law. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum and with a maximum term not exceeding the statutory maximum, provided that the average useful life of bonds sold will not exceed one hundred twenty percent (120%) of the average life of the projects being financed or as otherwise provided by federal tax law. Bond funds may be used to reimburse the District for Bond Project List expenditures incurred prior to the election and bond issuance, in accordance with federal tax law.

Attention of all voters is directed to the fact that the financial information contained in this measure is based upon the District's projections and estimates only, which are not binding upon the District, nor are the summary or average payment estimates, if any, provided in the Ballot Label. The actual tax rates, debt service 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 of bonds sold and 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 and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be 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.

In preparing this information, the District obtained reasonable and informed projections of assessed property valuations that took into consideration projections of assessed property valuations made by the County Assessor, if any, in accordance with Education Code Section 15100(c).

**EXHIBIT C**

**TAX RATE STATEMENT**

An election will be held within the boundaries of San Marino Unified School District ("District") on November 5, 2024, to authorize the sale of up to \$200 million in bonds 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 located within the District. The following information is provided in compliance with Sections 9400 to 9404, inclusive, of the California Elections Code. 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 that 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 this statement, is \$60 per \$100,000 of assessed valuation. The final fiscal year in which the tax is anticipated to be collected is 2057-58.

2. The best estimate of the highest tax rate that would be required to be levied to fund this bond issue, based on a projection of assessed valuations available at the time of filing this statement, is \$60 per \$100,000 of assessed valuation. It is estimated that such rate would be levied starting in fiscal year 2025-26 through 2057-58.

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 \$400 million.

Voters should note that the estimated tax rate is based on the ASSESSED VALUE of taxable property on the Los Angeles County 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.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates, debt service 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 of bonds sold and 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 and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be 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.

  
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Superintendent

