



OFFICE OF THE SUPERINTENDENT OF SCHOOLS

Pomona Unified School District

800 South Garey Avenue, P.O. Box 2900, Pomona, California 91769

Phone: (909) 397-4800, Ext. 23882 Fax: (909) 397-4881 Website Address: www.pusd.org

August 1, 2024

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

88 October 8, 2024

A handwritten signature in black ink that reads "Edward Yen".

EDWARD YEN
EXECUTIVE OFFICER

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

Re: Pomona Unified School District
General Obligation Bond Election (55%) - November 5, 2024

Dear Ms. Zavala:

Enclosed is a resolution adopted by the Board of Education of the Pomona Unified School District ordering a general obligation bond election for November 5, 2024. This election is being ordered under Proposition 39 and requires a 55% vote for passage.

In order to comply with Proposition 39 and related statutes, the Board has adopted a full ballot text to be printed in the ballot pamphlet and an abbreviated form of measure (Appendix A and B to the Resolution). We have provided a copy of the Resolution to the County Elections Department for purposes of preparing the bond measure for the ballot.

The Board of Education of the District has requested consolidation of this election with others occurring on the same day, and we acknowledge that the consolidated election will be held and conducted in the manner prescribed in Section 10418 of the Elections Code. We are submitting this resolution to the Board of Supervisors for purposes of consolidation pursuant to Elections Code Section 10403.

Should you have any questions or require any additional information or assistance, please contact our bond attorney Mr. Charles Adams at the email address shown below.

Yours very truly,

A handwritten signature in blue ink that reads "Darren Knowles".

Darren Knowles
Superintendent

Cc: (Via E-mail)

Charles F. Adams
Jones Hall, A Professional Law Corporation
cadams@joneshall.com



Agenda Item Details

Meeting	Jul 31, 2024 - Regular Board Meeting
Category	9. Special Action Items
Subject	9.05 Resolution No. 6 (2024-2025) The Board Of Education Of The Pomona Unified School District Ordering An Election To Authorize The Issuance Of School Bonds, Establishing Specifications Of The Election Order, And Requesting Consolidation With Other Elections Occurring On November 5, 2024
Access	Public
Type	Action

Public Content

It is recommended that the Board of Education approve Resolution No. 06(2024-25), ordering an election to authorize the issuance of school bonds, establishing specifications of the election order, and requesting consolidation with other elections occurring on November 5, 2024.

Rationale:

The District has important school facility improvement needs and the District needs to identify a local funding source such as voter-approved general obligation bonds. November 5, 2024 is the date of the statewide general election, and also is an election date at which local bond measures that provide facilities funding can be placed on the ballot.

The Resolution for Board consideration has been prepared in accordance with all legal requirements and presents a \$385 million bond measure to District voters under Prop. 39 (55% vote) for the purpose of financing projects summarized on the specific Project List attached as Appendix A to the Resolution (Full Text of Measure) which will be printed in the Sample Ballot provided to District voters. Appendix B is the abbreviated statement of the measure and is limited to 75 words or less that will be printed on the ballot label and read by voters at the time of casting their vote. Appendix C presents the Tax Rate Statement which will also be printed in the Sample Ballot which discloses to District voters current expectations regarding the property tax rates and other matters that will apply if bonds are approved and issued.

Fiscal Impact: None to general fund. If the bond the measure receives 55% or more affirmative vote, the District will be able to issue bonds and apply the proceeds to finance important facility construction and improvement projects benefitting students, staff and the community. Costs of issuance are payable from bond proceeds.

Recommendation:

Motion to Adopt Resolution Ordering an Election to Authorize the Issuance of School Bonds.



V2 Resolution 6 Resolution Of The Board Of Education Of The Pomona Unified School District Ordering An Election To Authorize The.pdf (253 KB)

Administrative Content

Executive Content

Extract - Board Meeting of July 31, 2024

The Board of Education approved Resolution No. 6 (2024-2025) The Board Of Education Of The Pomona Unified School District Ordering An Election To Authorize The Issuance Of School Bonds, Establishing Specifications Of The Election Order, And Requesting Consolidation With Other Elections Occurring On November 5, 2024. The item was moved by Dr. Perlman, seconded by Dr. Nashua and unanimously approved by a vote of 5-0.

A handwritten signature in black ink, appearing to read "Darren Knowles". The signature is written in a cursive style with a long, sweeping underline.

Darren Knowles
Superintendent of Schools

**POMONA UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 6 (2024-2025)**

**RESOLUTION OF THE BOARD OF EDUCATION OF THE POMONA
UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION TO
AUTHORIZE THE ISSUANCE OF SCHOOL BONDS,
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER,
AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS
OCCURRING ON NOVEMBER 5, 2024**

WHEREAS, the Pomona Unified School District (the "District") in Los Angeles County (the "County"), State of California (the "State"), is committed to providing quality education to its students; and

WHEREAS, the educational facilities of the District are in need of construction and modernization including for repairs, upgrades, and safety improvements in order to provide the education District students deserve in a safe and modern environment, including classroom repair and renovation projects; and

WHEREAS, the District has undertaken a facilities assessment and master planning process to provide a roadmap for making future improvements at schools across the District; and

WHEREAS, a local funding source is needed to enable the District to provide said facilities for its present and future students; and

WHEREAS, the Board of Education of the District (the "Board") has determined that it is necessary to address the foregoing concerns, among others, to ensure that its schools are upgraded, repaired, improved and equipped; and

WHEREAS, Article XIII A of the California Constitution ("Article XIII A") allows for the levy of *ad valorem* property taxes for the payment of bonded indebtedness of a school district, community college district or county office of education approved by at least 55 percent of the voters voting on such proposition; and

WHEREAS, in order to address the facilities needs of the District as described herein, in the judgment of the Board, it is advisable to call an election pursuant to the Strict Accountability in Local School Construction Bond Act of 2000, being California Education Code Section 15264 and following (the "Strict Accountability Act") to submit to the electors of the District the question whether bonds of the District shall be issued and sold pursuant to the authority of Article XVI Section 18 of the California Constitution and Article XIII A (together with the Strict Accountability Act, the "Law") for the purposes authorized by the Law and as described in Appendix A hereto (the "Full Text of the Bond Measure"); and

WHEREAS, in developing the facilities projects set forth in the Full Text of the Bond Measure, in accordance with the Law the Board has evaluated safety, class size reduction, and information technology needs of the District; and

WHEREAS, a measure presented to District voters pursuant to the Law will have transparency in spending in the form of annual independent financial and performance audits, and independent citizens oversight and public reporting; and

WHEREAS, under the Strict Accountability Act, the election may be ordered at a primary or general election, a regularly scheduled local election at which all of the electors of the District are entitled to vote, or a statewide special election, upon a two-thirds vote of the Board; and

WHEREAS, the Board wishes to call an election in the District pursuant to the Law on November 5, 2024, which is the date of the statewide general election, and pursuant to Education Code Section 15121 and Elections Code Section 10400 and following, to request consolidation with any and all other elections held in the District on such date, and to request the Los Angeles County Registrar of Voters (the "County Registrar") to perform election services for the District; and

WHEREAS, in connection with the calling of a bond election and in accordance with Education Code Section 15100 subparagraph (c), the Board has obtained reasonable and informed projections of assessed property valuations that take into consideration projections of assessed property valuations made by the Los Angeles County Assessor; and

WHEREAS, the District has prepared a Tax Rate Statement in the form attached as Appendix C hereto to provide voters with information about estimated tax rates and other factors in accordance with Elections Code Section 9400 and following; and

WHEREAS, pursuant to United States Income Tax Regulations Section 1.150-2, the Board wishes to declare its official intention at this time that if the measure submitted to voters hereunder is successful and bonds are issued pursuant to such measure, that it intends to reimburse from said bond proceeds any expenditures made by the District prior to the date of issuance of said bonds for the purposes described in the measure;

NOW, THEREFORE, the Board of Education of the Pomona Unified School District does hereby resolve, determine and order as follows:

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Call for Election. The Board hereby orders an election and submits to the electors of the District the question of whether general obligation bonds of the District shall be issued and sold in the maximum principal amount of \$385,000,000 for the purposes described in the ballot measure approved under Section 4 and attached hereto as Appendix A (Full Text of Bond Measure) and Appendix B (Abbreviated Text of Bond Measure), and paying all costs incident thereto. This Resolution constitutes the order of the District to call such election and shall constitute the "specifications of the election order" pursuant to Education Code Section 5322.

Section 3. Election Date. The date of the election shall be November 5, 2024, and such bond election shall be held solely within the boundaries of the District. The boundaries of the District have not changed since the District's last election.

Section 4. Purpose of Election; Ballot Measure. The purpose of the election shall be for the voters in the District to vote on a bond measure, a full copy of which is attached hereto as Appendix A and marked "Appendix A – Full Text of Bond Measure," containing the question of whether the District shall issue general obligation bonds for the purposes stated therein, together with the accountability requirements of Article XIII A and the requirements of Section 15272 of the Strict Accountability Act. The Full Text of the Bond Measure, which commences with the heading "FULL TEXT OF BOND MEASURE" and includes all of the text thereafter on Appendix A, shall be printed in the voter information pamphlet provided to voters, with such measure designation as is assigned to the measure by the County elections official.

As required by Education Code Sections 5322 and 15122, Elections Code Section 13247, and in accordance with Elections Code Section 13119, the abbreviated statement of the measure to appear on the ballot is attached hereto as Appendix B and is marked as "Appendix B – Abbreviated Form of Bond Measure." The form of ballot label set forth in Appendix B is hereby incorporated into this Resolution by reference, as if set forth herein in full. The abbreviated form of the measure is merely an abbreviation of the Full Text of the Bond Measure and is subject to a word count limitation of seventy-five words or less. The Board urges voters to review the Full Text of the Measure and the Tax Rate Statement (see Section 11) to obtain a complete understanding of the terms of the measure including the financial projections and estimates upon which the measure is based.

The President of the Board and the Superintendent are hereby separately authorized and directed to make any changes to the text of the bond measure as described herein to conform to any requirements of the Law or the County Registrar, to changes in applicable legal provisions, to address word count limitations, and upon the advice of its legal counsel. Any such changes shall be directed in writing by the Superintendent to the County Registrar.

Section 5. Authority for Election. The authority for ordering the election is contained in Section 15264 *et. seq.* of the Education Code, Article XVI Section 18(b) of the California Constitution and paragraph (b) subsection (3) of Article XIII A. The authority for the specification of this election order is contained in Section 5322 of the Education Code. The vote passage requirement for the measure is least 55 percent of the voters voting on the measure.

Section 6. Proceeds for School Facilities Projects. The Board certifies that the proceeds from the sale of the bonds will be used only for the purposes specified in Article XIII A, Section 1(b)(3) as further specified in Appendix A, and not for any other purpose, including teacher and administrator salaries and other school operating expenses. Further, as required by Article XIII A, the Board hereby certifies that it has evaluated safety, class size and information technology needs in developing the list of school facilities projects set forth in Appendix A.

Section 7. Covenants of the Board upon Approval of the Bonds by the Electorate; Accountability Measures. As required by Article XIII A, Section 15278 of the Strict Accountability Act, and Government Code Section 53410, in the event 55 percent of the voters voting in the District approve of the Bonds, the Board shall:

- (a) conduct an annual, independent performance audit to ensure that the funds have been expended only on the projects listed in Appendix A;
- (b) conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the school facilities projects listed in Appendix A;
- (c) establish and appoint members to an independent citizens' oversight committee in accordance with Sections 15278, 15280, and 15282 of the Strict Accountability Act;
- (d) apply the Bond proceeds only to the specific purposes stated in the ballot proposition;
- (e) cause the creation of accounts into which bond proceeds shall be deposited; and
- (f) cause the preparation of an annual report pursuant to Government Code Sections 53410 and 53411.

Section 8. State Matching Funds. The Board hereby finds that some of the projects identified on the Full Text of the Bond Measure may require state matching funds for completion. As such, the statement required by Education Code Section 15122.5 has been included in the Full Text of the Bond Measure attached hereto which shall be reproduced in the sample ballot. The Board will prioritize the facilities projects and cannot guarantee that funds raised by this measure and state matching funds, if such funds become available, will be sufficient to address each of the identified projects.

Section 9. Delivery of this Resolution. The Clerk of the Board is hereby directed to send a copy of this Resolution to (1) the County Registrar, and (2) the Los Angeles County Clerk of the Board of Supervisors (the "Clerk of the Board") for purposes of consolidation pursuant to Elections Code Section 10403. The Resolution shall be received by the County Registrar and the Clerk of the Board no later than 88 days prior to the election date, unless otherwise permitted by law.

The County Registrar is hereby requested to print the Full Text of the Bond Measure in the ballot materials as it appears on Appendix A hereto and to provide all required notices of the election and other notices related thereto. With respect to the Tax Rate Statement attached as Appendix C, in accordance with Elections Code Section 9405, the Board of Education adopts the procedures identified in said Section. The County Registrar is hereby requested to provide a copy of the bond measure to the Los Angeles County Counsel as provided in Elections Code Section 9500.

Section 10. Consolidation of Election; Request to Provide Services. The County Registrar and the Los Angeles County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 5, 2024 within the District.

Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Los Angeles County is requested to permit

the County Registrar to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Los Angeles County in full upon presentation of a bill from the County, such services to include the publication of a formal Notice of School Bond Election and the mailing of the sample ballot and Tax Rate Statement (described in Section 9401 of the Elections Code).

Section 11. Approval of Tax Rate Statement. Pursuant to Elections Code Section 9400 and following, a Tax Rate Statement has been prepared in the form attached hereto as Appendix C, which form of Tax Rate Statement is hereby approved for inclusion in the sample ballot. The President of the Board, the Superintendent, or any written designee of the foregoing, are hereby separately authorized and directed to execute the Tax Rate Statement, and to file said Statement with the County Registrar.

Section 12. Ballot Arguments. As provided in Elections Code Section 9501, any and all members of this Board are hereby authorized, at their option, to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument, each of which if filed shall be filed within the time frame established by the County Registrar.

Section 13. Maturity Limit of Bonds. The Bonds may be issued in one or more series by the District from time to time, and each series of Bonds shall mature not more than the legal limit at the time of such issuance thereof. The Bonds shall be issued under the Strict Accountability Act, under the provisions of Section 53506 *et seq.* of the California Government Code, or under any other provision of law authorizing the issuance of general obligation bonds by school districts.

Section 14. Estimates Included in Ballot Materials. The measure authorized by this Resolution includes information presented to voters with respect to the estimated amount of money required to repay issued bonds, the estimated rate of the approved tax per \$100,000 of assessed valuation (*ad valorem* tax), and the estimated duration through which the proposed tax supporting bond repayment will be levied and collected, among others. Any such estimates have been provided by the District in good faith based upon information currently available to the District, but depend on numerous variables which are subject to variation and change over the term of the District's overall facilities and bond financing plan. Such estimates and approximations are not intended by the Board, and shall not be interpreted or construed as additional restrictions on the District's bond program, bond issuances and related tax rate, and, other than the total principal amount of bonds authorized to be issued by the bond measure, do not represent legal maximums or additional limitations beyond applicable legal requirements. Furthermore, the abbreviated and condensed statement of the bond measure set forth in Appendix B, limited by State law to 75 words or less, does not limit the scope and complete meaning provided in the Full Text of the Bond Measure, set forth in Appendix A.

Section 15. Engagement of Professional Services. The firm of Isom Advisors, A Division of Urban Futures, Inc. is hereby designated to act as financial advisor to the District, and the firm of Jones Hall, A Professional Law Corporation, is hereby designated as bond counsel to the District, in connection with the election proceedings authorized under this Resolution and the issuance of any bonds in the event such election is approved by the requisite percentage of voters. Said firms shall be engaged upon the terms and conditions upon which they have been engaged in connection with prior general obligation bond issues of the District.

Section 16. Official Actions. The President of the Board, the Superintendent and the Assistant Superintendent of Business Services are hereby separately authorized and directed to execute and deliver to County officials any directions, requisitions or other writings, and to make any changes to the texts of the measure as described herein and in the Tax Rate Statement, to conform to any legal requirements or the County Registrar, in order to cause the election to be held and conducted in the District.

Section 17. Effective Date. This resolution shall take effect on and after its adoption.


PASSED, APPROVED AND ADOPTED by the Board of Education of the Pomona Unified School District on this 31st day of July 2024.

**POMONA UNIFIED SCHOOL DISTRICT
PRESIDENT, BOARD OF EDUCATION AND SUPERINTENDENT**

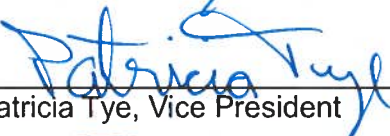
AYES: Lorena Gonzalez, Arturo Jimenez, Roberta Perlman, Patricia Tye, Lisa Nashua

NOES:

ABSENT:



Arturo Jimenez, President




Patricia Tye, Vice President




Roberta Perlman, Member



Lorena Gonzalez, Member



Lisa Nashua, Member



Darren Knowles, Superintendent
and Secretary, Board of Education

APPENDIX A

FULL TEXT OF BOND MEASURE

The full text of bond measure to be printed in the election material begins below the following line. Letter designation of measure shall be assigned and input by the County Registrar.

POMONA UNIFIED SCHOOL DISTRICT MEASURE _____ FULL TEXT OF MEASURE

BOND AUTHORIZATION

By approval of this measure by at least 55 percent of the registered voters voting on the measure, the Pomona Unified School District (the "District") will be authorized to issue and sell bonds of up to \$385,000,000 in aggregate principal amount at interest rates not to exceed legal limits and to provide financing for the specific types of school facilities projects listed in the Bond Project List described below, subject to all the accountability requirements specified below.

ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this measure in order that the voters and taxpayers in the 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. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the Oversight Committee. The School Board may determine that an existing Oversight Committee which oversees the expenditure of bond proceeds of prior bond measures of the District may simultaneously serve as the Oversight Committee for this bond measure.

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 Bond 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 Los Angeles County Treasurer, as required by the California Education Code, and (4) the Superintendent of the District shall cause an annual report to be filed with the Board of Education of the District each year, which report shall contain pertinent information regarding the amount of funds collected and expended, as well as the status of the projects listed in this measure, as required by Sections 53410 and 53411 of the Government Code.

NO TEACHER OR ADMINISTRATOR SALARIES

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

STATE MATCHING FUNDS

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

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 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 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. As such, while such estimates and approximations are provided based on information currently available to the District and its current expectations, such estimates and approximations are not limitations and are not binding upon the District. In addition, the abbreviated and condensed statement of the bond measure presented to voters on the ballot label which is subject to a word count

limitation imposed by State law does not limit the scope and complete meaning of the measure provided in this Full Text of Bond Measure and related ballot materials.

BOND PROJECT LIST

Scope of Projects. Bond proceeds will be expended on the construction, modernization, reconstruction, rehabilitation, replacement, or otherwise improve school facilities of the Pomona Unified School 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, in compliance with California Constitution Article XIII A, Section 1(b)(3).

This measure authorizes bond projects to be undertaken at all current and future District properties and sites.

School Facility Project List. The items presented on the following list are the types of projects authorized to be financed with voter-approved bond proceeds. Examples included on this list are not intended to limit the broader types of projects described and authorized by this measure. The types of projects authorized are:

PROJECTS THAT MAY BE FINANCED FROM BOND FUNDS

- Upgrade/build/renovate/expand/equip classrooms, labs and other school facilities to provide modern and updated learning environments supporting all District programs for all grade levels including spaces supporting vocational/career technical education programs, science, math, engineering and technology programs, and performing and visual arts programs, and facilities furthering support for career and college readiness
- Install/upgrade/repair/replace drinking fountains to provide safe drinking water
- Install/upgrade/repair/replace aging/deteriorating building systems, including leaky/aging roofs, structural, architectural, doors and windows, window security systems, and window coverings
- Install/upgrade/repair/replace heating, ventilation and air conditioning (HVAC) systems, electrical systems, plumbing, water, gas, sewer, irrigation systems and other infrastructure serving District facilities and sites
- Improve school safety and security by installing/improving access and perimeter control, security systems including cameras, fire alarm and suppression systems, student drop-off and pick-up zones, lighting, door locks, storage, fencing and gates, pedestrian improvements, parking areas, and by making repairs to ensure safe buildings and grounds
- Ensure healthy learning and teaching environments with improvements addressing air quality and purification, hand washing stations, water bottle stations, abatement of hazardous materials such as lead, mold, and asbestos whether known or discovered, and provide adequate nurse and wellness stations/offices
- Upgrade/build/renovate/expand/equip restroom facilities for students, staff and visitors
- Build new classrooms/facilities to replace portables, and to accommodate enrollment changes and growth, expanded programs, and student support services for example tutoring or mental wellness and counselling spaces

- Renovate/remove/replace aging/deteriorating portable classrooms with new construction, modulars and/or improved/modern portables
- Upgrade/build/renovate/expand/equip early learning facilities including restrooms
- Upgrade/build/renovate/expand/equip classrooms and support facilities to serve the academic, physical and social-emotional needs of students with disabilities and to promote inclusion and ensure compliance with all legal requirements
- Upgrade/build/renovate/expand/equip facilities that provide individualized education programs to help keep students in school and on target to graduate, including online and personalized learning, credit recovery, independent study, and General Education Diploma programs
- Upgrade/build/renovate/expand/equip libraries, cafeterias and food service spaces/kitchens, theaters, music spaces, performance and lecture spaces, specialty program classrooms, and student support services and administrative offices
- Upgrade/build/renovate/expand/equip facilities, stages, curtains, lighting, and sound systems for visual and performing arts programs
- Upgrade/build/renovate/expand/equip facilities for college and career counseling
- Install/upgrade/repair/replace district and classroom technology including network and internet infrastructure and associated electrical systems
- Install/upgrade/repair/replace emergency and non-emergency communications systems and equipment
- Install/upgrade/repair/replace multimedia systems and equipment
- Provide modern learning equipment including technology equipment such as computers, other learning and teaching devices, and classroom furnishings.
- Perform repairs on a periodic or emergency basis, including but not limited to projects involving heating, ventilation, air conditioning, concrete, asphalt, electrical systems, grounds, flooring, metal trades, painting, paving, plumbing, roofing, signal systems, wall and window systems, structures, and hazardous materials removal/remediation.
- Upgrade/build/renovate/expand/equip athletic fields and facilities, including artificial turf, renovate/improve/expand/replace stadiums, gyms, bleachers, locker rooms, wrestling rooms, weight rooms, dance rooms, swimming pools, indoor and outdoor tennis and other athletic courts, athletic lighting, sound systems, shade covers, storage facilities, classroom and office space, and other related facilities for physical education and athletics
- Upgrade/build/renovate/expand/equip outdoor areas for student assembly and gathering, outdoor learning and teaching spaces, dining and performance spaces, including shade structures, seating, covered walkways, and patios
- Upgrade/build/renovate/expand/equip school-based health and wellness centers
- Upgrade/build/renovate/expand/equip facilities to accommodate and encourage family and community involvement, and to provide opportunities for families and community members to obtain workplace skills and knowledge

- Install/upgrade/repair/replace energy management controls, solar energy devices, and other energy efficiency technology/equipment for increased resource conservation and utility savings
- Build/improve off-site facilities required for District projects including but not limited to streets, approaches, sidewalks, easements, stormwater flood control and sewer system improvements
- Upgrade/build/renovate/expand/equip facilities for community use including green spaces
- Upgrades to campus and building exteriors including walkways, paving, curbing, lighting, paint, landscaping and irrigation
- Upgrade/build/renovate/expand/equip facilities to provide statutory compliance with the Field Act (seismic upgrades), Americans with Disabilities Act (accessibility), and Title IX (gender equity), and other regulatory provisions
- Special education improvements, including facilities for access, inclusion and feeder alignment, confidential student service facilities and social-emotional student support facilities
- Upgrade parking lot and drop off areas to improve traffic flow and student safety including parking lot expansion and construction
- Provide matching funds to leverage state funding for eligible projects through the California School Facility Program or any successor or other state program
- Projects that construct, repair, modernize, upgrade, renovate, remodel, acquire, replace, install, equip, furnish, rebuild, expand and otherwise improve District educational and support facilities

Furnishing and Equipping; Incidental Expenses. 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, legal and other professional services, 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; project construction oversight, management and administration during the duration of such projects, including by District personnel, and bond issuance costs.

Changes in Scope; New Construction. The scope and nature of any of the specific projects described above may be altered by the District as required by conditions that may arise during the course of design and construction or based on other factors that the District Board determines require an adjustment to the scope and nature of the projects. Furthermore, the District Board may determine that a project identified as modernization or renovation may be undertaken as new construction if it is more economical for the District or if the Board determines that there are compelling factors that result in new construction being in the best interests of the District and its students. The authority for new construction extends to land acquisition, relocation, expansion and construction and/or reconstruction, similar purchases, and all costs relating thereto. 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. Each of the foregoing sentences has independent value and is not conditioned on any of the other sentences in this section.

Factors Impacting Project Implementation; No Guarantee All Projects Addressed. Many factors which the District cannot predict or control may impact its ability to address each of the projects, including but not limited to construction cost issues, supply chain issues which can cause project delays, labor shortages, and unknown environmental factors or site conditions, among others. The District's facilities needs are greater than the funding available to address those needs. As such, approval of this bond measure does not guarantee nor suggest that all of the projects on the Bond Project List will be funded beyond what can be completed with funds generated by this bond measure. As stated below, the Board is vested with the authority to prioritize which projects will be addressed, within the scope of available funding sources which are limited. The District cannot anticipate all factors which may prevent some of the projects listed above from being undertaken or completed.

Interim Financing Included. Authorized projects include reimbursements for project costs previously paid by the District, 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.

Joint Use Projects Authorized. Projects on this list may be undertaken and used as joint use projects with other public agencies.

Project List Not in Order of Priority; Board Determines Prioritization. Approval of the District's bond measure does not guarantee that all of the identified projects within this Bond Project List will be funded beyond what can be completed with local funds generated by the bond measure and does not guarantee that the projects will be completed in any particular order. The order in which school facilities projects are listed above does not suggest an order of priority. Project priorities 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. As such, in accordance with legal requirements, the Bond Project List does not authorize, and shall not be interpreted to authorize, expending proceeds of the sale of bonds authorized by this proposition for 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.

The Full Text of Bond Measure ends above the line.

APPENDIX B

ABBREVIATED FORM OF BOND MEASURE

POMONA UNIFIED SCHOOL DISTRICT CLASSROOM REPAIR, SAFETY MEASURE. To upgrade classrooms, labs, vocational/career technical education spaces; repair leaky roofs, deteriorated restrooms, plumbing, gas/electrical/sewer systems; provide safe drinking water, remove asbestos, mold, lead paint; improve school safety/security; shall Pomona Unified School District's measure authorizing \$385,000,000 in bonds, at legal rates, levying \$60 per \$100,000 of assessed valuation, raising \$22,500,000 annually while bonds are outstanding, be adopted; requiring citizens' oversight, annual audits, spending disclosure, all funds for Pomona Unified schools?

Bonds—Yes

Bonds—No

APPENDIX C

TAX RATE STATEMENT REGARDING PROPOSED

\$385,000,000 POMONA UNIFIED SCHOOL DISTRICT GENERAL OBLIGATION BONDS

An election will be held in the Pomona Unified School District (the "District") on November 5, 2024, to authorize the sale of up to \$385,000,000 of bonds of the District to finance improvements to educational 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 \$58.68 per \$100,000 of assessed valuation. The final fiscal year in which it is anticipated that the tax will be collected is 2060-2061.
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 \$59.95 per \$100,000 of assessed valuation. It is estimated that such rate would be levied starting in fiscal year 2026-2027 and through 2058-2059.
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 \$833.5 million.

Voters should note the estimated tax rate is based on the assessed value (not market value) of taxable property on the 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 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 County Assessor in the annual assessment and the equalization process.

By: 
Darren Knowles
Superintendent
Pomona Unified School District