

BEFORE THE BOARD OF TRUSTEES OF THE  
RIVERBANK UNIFIED SCHOOL DISTRICT

**RESOLUTION NO. 17-18-13**

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RESOLUTION ORDERING AN ELECTION TO AUTHORIZE THE  
ISSUANCE OF SCHOOL BONDS, ESTABLISHING SPECIFICATIONS OF THE  
ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH ANY OTHER  
ELECTIONS OCCURRING ON NOVEMBER 6, 2018

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**WHEREAS**, in the judgment of the Board of Trustees (the “Board”) of the Riverbank Unified School District (the “District”), it is advisable to call an election to submit to the electors of the District the question of whether the bonds of the District shall be issued and sold for the purpose of raising money for the improvement, upgrade, and renovation of the District’s existing schools and the acquisition and construction of additional classrooms and school facilities; and

**WHEREAS**, involving extensive stakeholder and community engagement, and developed and published entirely by District staff, the District adopted a Facilities Master Plan on October 3, 2017 (“FMP”), representing the most comprehensive and significant facilities master plan in the history of the District; and

**WHEREAS**, the FMP identified the current and future needs to improve, modernize, and maintain our existing schools, and the resources necessary to preserve and maintain the District’s capital assets and provide additional facilities to accommodate future projected enrollment growth, including a General Obligation Bond measure to meet the substantial facility needs over the next decade and beyond; and

**WHEREAS**, schools, classrooms, and facilities within the District are aging and in need of expansion, replacement, repair, or upgrading to ensure the health and safety of pupils, staff, and community, and to provide for adequate housing for the District’s pupils; and

**WHEREAS**, schools and facilities within the District are in need of renovation, reconstruction, and repair with respect to aging classrooms, labs, performing arts venues, physical education facilities, and other instructional and support facilities in order to provide learning environments that will meet current and future standards, support academic and career pathways, and reinforce learning and teaching; and

**WHEREAS**, antiquated facilities systems throughout the schools are both ineffective and costly to operate and need to be updated; and

**WHEREAS**, District schools need technology infrastructure and tools to meet curricular requirements and prepare and equip students to compete and succeed in the 21st century economy; and

**WHEREAS**, Elections Code section 13119, pursuant to Assembly Bill 195 (Stats. 2017, Ch. 105, Sec. 1. (“AB 195”) Effective January 1, 2018) requires a school district, when submitting a general obligation bond measure for voter approval, to provide on the ballot the amount of money to be raised annually and the rate and duration of the tax to be levied; and

**WHEREAS**, Senate Bill 863 (“SB 863”), currently under consideration by the Legislature, would exempt school district general obligation bond measures from the aforementioned requirements of Elections Code section 13119 until July 1, 2020; and

**WHEREAS**, while it is anticipated that Senate Bill 863 will be chaptered and effective before the November 6, 2018 election, this occurrence is not guaranteed; and

**WHEREAS**, without a local school bond, the District will lose the opportunity to receive state matching funds which will then be awarded to other school districts; and

**WHEREAS**, as a result of the approval of Proposition 39 on November 7, 2000, Article XIII A, Section 1, paragraph (b) of the California Constitution (“Article XIII A”) provides an exception to the limit on *ad valorem* property taxes on real property for bonded indebtedness incurred by a school district that has been approved by fifty-five percent (55%) of the voters of the District voting on the proposition; and

**WHEREAS**, pursuant to subdivision (c) of California Education Code section 15100, the Board has obtained reasonable and informed projections of assessed property valuations that take into consideration projections of assessed property valuations made by the County Assessor; and

**WHEREAS**, pursuant to California Education Code section 15264 et seq. (the “Act”), this Board is specifically authorized, upon approval by two-thirds (2/3) of the Board, to submit to the electorate of the District the question of whether bonds of the District shall be issued and sold for specified purposes, upon a fifty-five percent (55%) vote of the electorate in favor on the question, pursuant to paragraph (3) of said subdivision (b) of Section 1 of Article XIII A and subdivision (b) of Section 18 of Article XVI of the California Constitution; and

**WHEREAS**, pursuant to California Elections Code section 10403 et seq., it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 6, 2018, and to request the election officials of Stanislaus County (the “County”) to perform certain election services for the District.

**NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE RIVERBANK UNIFIED SCHOOL DISTRICT HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:**

1. **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 principal amount not to exceed \$19,100,000 for the purpose of raising money for the improvement, upgrade, renovation, and replacement of the District’s existing schools, facilities, and improvements, and the acquisition and construction of additional schools,

facilities, and improvements, and paying costs incident thereto, as set forth more fully in a ballot proposition approved pursuant to Section 3 below. This Resolution constitutes the order of the District to call such election.

2. **Election Date.** The date of the election shall be November 6, 2018, and the election shall be held solely within the boundaries of the District.

3. **Purpose of Election; Ballot Proposition.** The purpose of the election shall be for the voters of the District to vote on a proposition, a full copy of which is attached hereto as ***Exhibit A-1*** and, alternatively, as ***Exhibit A-2***, containing the question of whether the District shall issue the Bonds for the purposes stated therein, together with the accountability requirements of Article XIII A and the requirements of section 15272 of the Act. As required by California Elections Code section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto as ***Exhibit B-1*** and, alternatively, as ***Exhibit B-2***. The District's Superintendent (or designee) is hereby authorized and directed to make any changes to the text of the proposition or its abbreviated form as required to comply with the intent of this Resolution, the requirements of elections officials, and requirements of law.

4. **Senate Bill 863 Alternative.** In addition to that general authorization and direction specified by Section 3 of this Resolutions, if SB 863 is chaptered and becomes effective prior to November 6, 2018, the District's Superintendent (or designee) is hereby authorized and directed to use and deliver ***Exhibits A-2, B-2, and C-2*** in the place of ***A-1, B-1, and C-1***.

5. **Authority for Election.** The authority for ordering the election is contained in California Education Code section 15264 et seq. and Article XIII A, Section 1, paragraph (b), subsection (3) of the California Constitution. The authority for the specification of this election order is contained in California Education Code section 5322.

6. **School Facilities Projects.** A list of the specific school facilities projects and uses to be funded from the proceeds of the bonds is set forth in ***Exhibit A-1*** and, alternatively, ***Exhibit A-2***. As required by Article XIII A, the Board hereby certifies that it has evaluated safety, class-size reduction, and information technology needs of the District in developing the list of school facilities projects and uses set forth in ***Exhibit A-1*** and, alternatively, ***Exhibit A-2***.

7. **Covenants of the Board upon Approval of the Bonds by the Electorate.** As required by Article XIII A and section 15272 of the Act, if fifty-five percent (55%) of the voters of the District voting on the measure approve of the bonds, the Board shall:

(a) Use the bond proceeds only for the purposes authorized under Article XIII A, including construction, reconstruction, rehabilitation, or replacement of school facilities, furnishing and equipping of school facilities, and the acquisition or lease of real property for school facilities, as specifically set forth in ***Exhibit A-1*** or, alternatively, ***Exhibit A-2***, and costs incident thereto, and not for any other purpose, including salaries and other routine school operating expenses;

(b) Conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the projects and uses listed in ***Exhibit A-1*** or, alternatively, ***Exhibit A-2***;

(c) Conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for school facilities projects and uses listed in ***Exhibit A-1*** or, alternatively, ***Exhibit A-2***; and

(d) Establish and appoint members to an independent citizens' oversight committee in accordance with sections 15278, 15280, and 15282 of the Act.

8. **Delivery of this Resolution.** The Clerk of this Board is hereby authorized and directed to send or hand deliver a copy of this Resolution to the County Superintendent of Schools and the County Registrar of Voters by no later than August 8, 2018.

9. **Declaration of Official Intent.** The District hereby declares its official intent, subject to the further approval of this Board, to use up to the maximum amount permitted by law of the proceeds of the proposed bonds to reimburse itself for payments it has made for any eligible costs of the projects and uses listed in ***Exhibit A-1*** or, alternatively, ***Exhibit A-2***. It is intended that this Resolution shall, among other things, constitute a declaration of "official intent" within the meaning of Section 1.150-2 of the Treasury Regulations promulgated under Section 150 of the Internal Revenue Code of 1986, as amended.

10. **Ballot Arguments; Tax Rate Statement.** Any and all members of this Board are hereby authorized to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument. The Superintendent, President of the Board, or their designees, are hereby authorized to execute any Tax Rate Statement or other document and to perform all acts necessary to place the bond measure on the ballot.

11. **Consolidation of Election; Election Services.** The County Registrar of Voters and the County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 6, 2018 within the District. Pursuant to section 5303 of the Education Code and section 10002 of the Elections Code, the County Board of Supervisors is requested to permit the County Registrar of Voters, and other appropriate officials of the County, to render all services necessary in connection with the bond election including, but not limited to, publication of a Formal Notice of School Bond Election pursuant to Education Code section 5363 and related law (the proposed form of which is attached hereto as ***Exhibit C-1*** or, alternatively, ***Exhibit C-2***), the mailing of the sample ballot and tax rate statement (described in section 9401 of the Elections Code), the opportunity to submit ballot arguments in connection with the bond election, the canvassing and certification of the returns of the election, and other ballot requirements pursuant to Elections Code section 15123, for which services the District agrees to reimburse the County as required by law.

12. **Severability.** If any section, subsection, phrase or clause of this Resolution, or its application to any person or circumstance, is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution, or their application to

any other person or circumstance. The Board declares that it would have adopted this Resolution and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, sentences, phrases or clauses, or their application to any person or circumstance, shall be declared invalid.

13. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

\* \* \* \* \*

**PASSED AND ADOPTED** on June 19, 2018, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

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

By: \_\_\_\_\_  
President, Board of Trustees of the  
Riverbank Unified School District

ATTEST:

\_\_\_\_\_  
Clerk, Board of Trustees of the  
Riverbank Unified School District

## ***EXHIBIT A-1***

### **[AB 195 Compliant Language]**

#### **FULL TEXT OF BOND MEASURE**

for

#### **RIVERBANK UNIFIED SCHOOL DISTRICT**

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### **INTRODUCTION**

The Riverbank Unified School District serves the Riverbank and Oakdale communities, located generally in the northern-central part of Stanislaus County, with a population approaching 2,875 students in six schools, serving kindergarten through twelfth grade. The District has several aging schools, the oldest of which was built in 1941, and most of which were built over 40 years ago. The District has an ongoing need for facilities and infrastructure, and is in need of additional classroom space to accommodate a projected increase in enrollment. Specifically, based on current and planned home development within the District, projected student enrollment over the next seven years will outgrow the capacity of the District's existing schools. At least five additional classrooms are needed at the elementary schools in order to accommodate the anticipated student population, and significant modernization is needed at all District sites to accommodate the existing and future student populations, including updates to classrooms and facilities at all school levels to accommodate required curricula, refurbishing basic amenities at all sites such as lighting, storage, and fire alarms, construction of a performing arts center/multi-purpose facility, and renovation of aging facilities to facilitate both student and staff safety. The District also has a need for expanding its technology infrastructure for future needs and increased capacity. A long-term solution is needed to address these issues, which requires the District to ask its voters to approve a General Obligation Bond.

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

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

### **BOND MEASURE**

“Without increasing current tax rates, shall Riverbank Unified School District improve campus security and student safety; renovate, construct, equip, repair and improve classrooms and

school facilities; repair/ replace leaky roofs; and replace and upgrade electrical wiring to meet current fire safety codes by issuing \$19.1 million in bonds with legal rates, an average tax levy of 5.5 cents per \$100 of assessed valuation while the bonds are outstanding (averaging \$1.1 million/year), annual audits, and independent taxpayer oversight?”

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

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

### **SCHOOL FACILITIES PROJECTS TO BE FUNDED FROM BOND PROCEEDS**

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

### **PROJECT LIST**

#### **All District Sites:**

- Maintain, repair, replace, and install certain technology, alarms, surveillance systems, equipment, and infrastructure and safety upgrades and refurbishments, and classroom or other essential facilities additions;
- Repair and replace leaky roofs;
- Install energy efficient lighting systems that conserve electricity;
- Replace outdated plumbing, HVAC, and sewer systems;
- Provide additional classrooms and science labs;
- Modernize or replace athletic facilities and play structures;
- Improvements and rehabilitation to grounds;
- Repair, replace and upgrade deteriorating portable classrooms;
- Repair/upgrade bathrooms and drinking fountains;

- Expand teacher training/meeting/classroom preparation areas;
- Paint school buildings; and
- Various modernization improvements or facility replacements.

**Cardozo Middle School** (grades 6-8, Built 1941), located at 3525 Santa Fe St, Riverbank, CA 95367 – rehabilitation, reconstruction, or replacement of classrooms, facilities, and improvements specifically including, but not limited to:

- Maintain, repair, replace, and install certain technology, surveillance systems, equipment, and infrastructure and safety upgrades and refurbishments, and classroom or other essential facilities additions;
- Provide additional classrooms and science labs;
- Renovate classrooms and school buildings;
- Modernize or replace athletic facilities;
- Improvements and rehabilitation to grounds;
- Repair, replace and upgrade deteriorating portable classrooms; and
- Repair/upgrade bathrooms and drinking fountains.

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

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

### **ACCOUNTABILITY MEASURES**

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

- (a) Use the bond proceeds only for the purposes authorized under Article XIII A of the California Constitution, including construction, reconstruction, rehabilitation, or replacement of school facilities, furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities and related uses, as specifically set forth in this Measure, and costs incident thereto, and not for any other purpose, including salaries and other routine school operating expenses;
- (b) Conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the projects and uses listed in this Measure;



- (c) Conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for school facilities projects and uses listed in this Measure; and
- (d) Establish and appoint members to an independent citizens' oversight committee to ensure the bonds are used only for the projects and uses listed in this Measure.

### **STATE MATCHING FUNDS**

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

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

### **ANNUAL TAX AMOUNT, RATE, AND DURATION**

The bonds shall bear interest at an annual rate not exceeding the statutory maximum. The maturity of the bonds shall not exceed the maximum term allowed by law at the time of issuance (currently 25 years if issued under Education Code section 15140, or 40 years if issued under Government Code section 53508, so long as the bonds are not capital appreciation bonds (“CABs,” which CABs are limited to 25 years)). Accordingly, as further set forth in the tax rate statement, the *ad valorem* tax will be levied at such rates and for so long as may be required to meet the debt service needs of the bonds proposed to be issued, including such bonds that may be issued to refund any approved bonds. It is the District’s current plan to structure the proposed bonds so that the tax rate necessary to pay debt service on those bonds, when combined with the tax rate necessary to pay debt service on currently outstanding bonds in each year, will not exceed the rate levied in the current fiscal year (fiscal year 2017-18) to pay debt service on the currently outstanding bonds alone.

\* \* \*

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, and a customary contingency for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates,

environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects.

The construction of facilities included in the project list above is assumed to include the construction of new schools, classrooms and support sites, including the acquisition of land, necessary furnishings, equipment, technology, and installation of site infrastructure, as needed to accommodate continued growth or shifts in student population and provide additional learning facilities or replace aging facilities.

In addition to the projects listed above, the repair and renovation of each of the existing school facilities may include, but not be limited to, some or all of the following: renovate student and staff restrooms; upgrade or install signage, clocks and fencing; repair and replace heating and ventilation systems; upgrade of facilities for energy efficiencies; repair and replace worn-out and deteriorated roofs, windows, walls, doors and drinking fountains; upgrade public address systems; install wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; meet earthquake safety standards; improve water conservation; upgrade or construct support facilities, including administrative, physical education (including upgrading gyms, stadiums, athletic facilities, tracks, bleachers, lockers and equipment rooms), and agricultural education classrooms and labs and performing arts and music classrooms; repair and replace fire alarms, emergency communications and security systems; resurface or replace hard courts, turf; irrigation and drainage systems and campus landscaping; replace asphalt and broken pavement; expand or improve parking lots and drop-off areas; replace portable classrooms; interior and exterior painting, floor covering and tile replacement; upgrade or expand school cafeterias; construct various forms of storage and support spaces and classrooms; repair, upgrade and install interior and exterior lighting systems; improve athletic fields and shade structures; replace or upgrade outdated security fences, gates and security systems (including access control systems); and upgrade heating, ventilation and air conditioning systems. The upgrading of technology infrastructure includes, but is not limited to, servers, switches, routers, modules, sound projection systems, call manager and network security/firewall, wireless technology systems, and other miscellaneous equipment. Some projects throughout the District may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code section 53410.

## ***EXHIBIT A-2***

### **[SB 863 Compliant Language]**

#### **FULL TEXT OF BOND MEASURE**

for

#### **RIVERBANK UNIFIED SCHOOL DISTRICT**

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### **INTRODUCTION**

The Riverbank Unified School District serves the Riverbank and Oakdale communities, located generally in the northern-central part of Stanislaus County, with a population approaching 2,875 students in six schools, serving kindergarten through twelfth grade. The District has several aging schools, the oldest of which was built in 1941, and most of which were built over 40 years ago. The District has an ongoing need for facilities and infrastructure, and is in need of additional classroom space to accommodate a projected increase in enrollment. Specifically, based on current and planned home development within the District, projected student enrollment over the next seven years will outgrow the capacity of the District's existing schools. At least five additional classrooms are needed at the elementary schools in order to accommodate the anticipated student population, and significant modernization is needed at all District sites to accommodate the existing and future student populations, including updates to classrooms and facilities at all school levels to accommodate required curricula, refurbishing basic amenities at all sites such as lighting, storage, and fire alarms, construction of a performing arts center/multi-purpose facility, and renovation of aging facilities to facilitate both student and staff safety. The District also has a need for expanding its technology infrastructure for future needs and increased capacity. A long term solution is needed to address these issues, which requires the District to ask its voters to approve a General Obligation Bond.

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

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

## **BOND MEASURE**

“Without increasing current tax rates, shall Riverbank Unified School District improve campus security and student safety; renovate, construct, equip, repair and improve classrooms and school facilities; repair/ replace leaky roofs; and replace and upgrade electrical wiring to meet current fire safety codes by issuing \$19.1 million in bonds with legal rates, annual audits, and independent taxpayer oversight so long as all funds are spent locally and not taken by the state and used elsewhere?”

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

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

### **SCHOOL FACILITIES PROJECTS TO BE FUNDED FROM BOND PROCEEDS**

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

## **PROJECT LIST**

### **All District Sites:**

- Maintain, repair, replace, and install certain technology, alarms, surveillance systems, equipment, and infrastructure and safety upgrades and refurbishments, and classroom or other essential facilities additions;
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- Provide additional classrooms and science labs;
- Modernize or replace athletic facilities and play structures;

- Improvements and rehabilitation to grounds;
- Repair, replace and upgrade deteriorating portable classrooms;
- Repair/upgrade bathrooms and drinking fountains;
- Expand teacher training/meeting/classroom preparation areas;
- Paint school buildings; and
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- Modernize or replace athletic facilities;
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- Repair, replace and upgrade deteriorating portable classrooms; and
- Repair/upgrade bathrooms and drinking fountains.

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

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

### **ACCOUNTABILITY MEASURES**

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

- (a) Use the bond proceeds only for the purposes authorized under Article XIII A of the California Constitution, including construction, reconstruction, rehabilitation, or replacement of school facilities, furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities and related uses, as specifically set forth in this Measure, and costs incident thereto, and not for any other purpose, including salaries and other routine school operating expenses;

- (b) Conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the projects and uses listed in this Measure;
- (c) Conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for school facilities projects and uses listed in this Measure; and
- (d) Establish and appoint members to an independent citizens' oversight committee to ensure the bonds are used only for the projects and uses listed in this Measure.

### **STATE MATCHING FUNDS**

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

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

### **ANNUAL TAX AMOUNT, RATE, AND DURATION**

The bonds shall bear interest at an annual rate not exceeding the statutory maximum. The maturity of the bonds shall not exceed the maximum term allowed by law at the time of issuance (currently 25 years if issued under Education Code section 15140, or 40 years if issued under Government Code section 53508, so long as the bonds are not capital appreciation bonds (“CABs,” which CABs are limited to 25 years)). Accordingly, as further set forth in the tax rate statement, the *ad valorem* tax will be levied at such rates and for so long as may be required to meet the debt service needs of the bonds proposed to be issued, including such bonds that may be issued to refund any approved bonds. It is the District’s current plan to structure the proposed bonds so that the tax rate necessary to pay debt service on those bonds, when combined with the tax rate necessary to pay debt service on currently outstanding bonds in each year, will not exceed the rate levied in the current fiscal year (fiscal year 2017-18) to pay debt service on the currently outstanding bonds alone.

\* \* \*

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, and a customary contingency for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the acquisition of a

variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects.

The construction of facilities included in the project list above is assumed to include the construction of new schools, classrooms and support sites, including the acquisition of land, necessary furnishings, equipment, technology, and installation of site infrastructure, as needed to accommodate continued growth or shifts in student population and provide additional learning facilities or replace aging facilities.

In addition to the projects listed above, the repair and renovation of each of the existing school facilities may include, but not be limited to, some or all of the following: renovate student and staff restrooms; upgrade or install signage, clocks and fencing; repair and replace heating and ventilation systems; upgrade of facilities for energy efficiencies; repair and replace worn-out and deteriorated roofs, windows, walls, doors and drinking fountains; upgrade public address systems; install wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; meet earthquake safety standards; improve water conservation; upgrade or construct support facilities, including administrative, physical education (including upgrading gyms, stadiums, athletic facilities, tracks, bleachers, lockers and equipment rooms), and agricultural education classrooms and labs and performing arts and music classrooms; repair and replace fire alarms, emergency communications and security systems; resurface or replace hard courts, turf; irrigation and drainage systems and campus landscaping; replace asphalt and broken pavement; expand or improve parking lots and drop-off areas; replace portable classrooms; interior and exterior painting, floor covering and tile replacement; upgrade or expand school cafeterias; construct various forms of storage and support spaces and classrooms; repair, upgrade and install interior and exterior lighting systems; improve athletic fields and shade structures; replace or upgrade outdated security fences, gates and security systems (including access control systems); and upgrade heating, ventilation and air conditioning systems. The upgrading of technology infrastructure includes, but is not limited to, servers, switches, routers, modules, sound projection systems, call manager and network security/firewall, wireless technology systems, and other miscellaneous equipment. Some projects throughout the District may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property.

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

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***EXHIBIT B-1***

**[AB 195 Compliant Language]**

**BOND MEASURE  
for  
RIVERBANK UNIFIED SCHOOL DISTRICT  
(Abbreviated Form)\***

<p>“Without increasing current tax rates, shall Riverbank Unified School District improve campus security and student safety; renovate, construct, equip, repair and improve classrooms and school facilities; repair/ replace leaky roofs; and replace and upgrade electrical wiring to meet current fire safety codes by issuing \$19.1 million in bonds with legal rates, an average tax levy of 5.5 cents per \$100 of assessed valuation while the bonds are outstanding (averaging \$1.1 million/year), annual audits, and independent taxpayer oversight?”</p>	<p><b>BONDS – YES</b></p>
	<p><b>BONDS – NO</b></p>

\* Limited to 75 words pursuant to California Elections Code section 13247.

***EXHIBIT B-2***

**[SB 863 Compliant Language]**

**BOND MEASURE  
for  
RIVERBANK UNIFIED SCHOOL DISTRICT  
(Abbreviated Form)\***

<p>“Without increasing current tax rates, shall Riverbank Unified School District improve campus security and student safety; renovate, construct, equip, repair and improve classrooms and school facilities; repair/ replace leaky roofs; and replace and upgrade electrical wiring to meet current fire safety codes by issuing \$19.1 million in bonds with legal rates, annual audits, and independent taxpayer oversight so long as all funds are spent locally and not taken by the state and used elsewhere?”</p>	<p>BONDS – YES</p>
	<p>BONDS – NO</p>

\* Limited to 75 words pursuant to California Elections Code section 13247.

***EXHIBIT C-1***

**[AB 195 Compliant Language]**

**FORMAL NOTICE OF SCHOOL BOND ELECTION**

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NOTICE IS HEREBY GIVEN to the qualified electors of the Riverbank Unified School District of Stanislaus County, California, that in accordance with the provisions of the Education Code of the State of California, an election will be held on November 6, 2018 within the District, at which election the following measure shall be submitted to the qualified electors of the District and voted upon:

“Without increasing current tax rates, shall Riverbank Unified School District improve campus security and student safety; renovate, construct, equip, repair and improve classrooms and school facilities; repair/ replace leaky roofs; and replace and upgrade electrical wiring to meet current fire safety codes by issuing \$19.1 million in bonds with legal rates, an average tax levy of 5.5 cents per \$100 of assessed valuation while the bonds are outstanding (averaging \$1.1 million/year), annual audits, and independent taxpayer oversight?”

“Bonds – Yes

Bonds – No”

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

All of the purposes enumerated in the foregoing measure shall be united and voted upon as one single measure, with precincts, places of holding the elections and officers appointed to conduct the elections to be the same as those provided for the statewide gubernatorial general election to be held on November 6, 2018, under the Notice of Election published \_\_\_\_\_.

This election has been called pursuant to a Resolution of the Board of Trustees of the Riverbank Unified School District, adopted on June 19, 2018. The Elections Official of the County of Stanislaus hereby gives formal notice of the election in accordance with the provisions of Education Code section 15120.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 2018.

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Registrar of Voters  
Stanislaus County, California

**EXHIBIT C-2**

**[SB 863 Compliant Language]**

**FORMAL NOTICE OF SCHOOL BOND ELECTION**

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NOTICE IS HEREBY GIVEN to the qualified electors of the Riverbank Unified School District of Stanislaus County, California, that in accordance with the provisions of the Education Code of the State of California, an election will be held on November 6, 2018 within the District, at which election the following measure shall be submitted to the qualified electors of the District and voted upon:

“Without increasing current tax rates, shall Riverbank Unified School District improve campus security and student safety; renovate, construct, equip, repair and improve classrooms and school facilities; repair/ replace leaky roofs; and replace and upgrade electrical wiring to meet current fire safety codes by issuing \$19.1 million in bonds with legal rates, annual audits, and independent taxpayer oversight so long as all funds are spent locally and not taken by the state and used elsewhere?”

“Bonds – Yes

Bonds – No”

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

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IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 2018.

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Registrar of Voters  
Stanislaus County, California