

NOTICE OF ELECTION – BALLOT MEASURE

NOTICE OF BALLOT MEASURES TO BE DECIDED UPON. NOTICE OF TIME WITHIN WHICH ARGUMENTS AND REBUTTAL ARGUMENTS FOR OR AGAINST MEASURES MAY BE FILED WITH THE REGISTRAR OF VOTERS. NOTICE OF CENTRAL COUNTING LOCATION.

NOTICE IS HEREBY GIVEN BY OFFICE OF THE REGISTRAR OF VOTERS FOR SAN JOAQUIN COUNTY IN ACCORDANCE WITH THE PROVISIONS OF THE ELECTIONS LAWS OF THE STATE OF CALIFORNIA THAT ON TUESDAY, NOVEMBER 5, 2024, THERE WILL BE A GENERAL ELECTION.

NOTICE IS FURTHER GIVEN THAT AT THE GENERAL ELECTION THE FOLLOWING MEASURE SHALL BE PUT TO A VOTE FOR THE QUALIFIED VOTERS IN THE TRACY UNIFIED SCHOOL DISTRICT.

TRACY UNIFIED SCHOOL DISTRICT BOND MEASURE O

BALLOT QUESTION

The following is an abbreviated form of the bond measure:

Tracy Unified School District Quality Schools Measure. To repair/ upgrade classrooms, science labs, facilities, and technology for quality education in math, science, technology, arts, and engineering; remove hazardous materials like asbestos/ lead; fix deteriorating roofs, plumbing, and electrical systems; and improve school safety/ security, shall Tracy Unified School District School Facilities Improvement District #3's measure authorizing \$190,000,000 in bonds at legal rates be adopted, levying \$50 per \$100,000 assessed value (\$11,700,000 annually) while bonds are outstanding, with independent oversight, audits, and all funds for Tracy schools?

FULL TEXT OF MEASURE

TRACY UNIFIED SCHOOL DISTRICT SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 3 GENERAL OBLIGATION BONDS FULL TEXT OF MEASURE O

BOND AUTHORIZATION

By approval of this measure by at least 55 percent of the registered voters voting on the measure, Tracy Unified School District (the "District") will be authorized to issue and sell bonds with respect to its School Facilities Improvement District No. 3 ("SFID No. 3") in the principal amount of up to \$190,000,000 at interest rates not to exceed legal limits and to provide financing for the specific types of school facilities projects listed in the Bond Project List described below, subject to all the accountability requirements specified below.

FINDINGS MADE IN CONNECTION WITH THIS MEASURE

In deciding to place this measure before voters, the Board of Trustees of the District made certain findings and determinations including that the District strives to provide quality education in a safe and modern learning environment; many District schools were built 30 or more years ago and need repairs and upgrades including to upgrade necessary infrastructure for student safety and to support the ability to provide quality education; some school buildings contain hazardous materials such as asbestos and lead pipes which needs to be addressed; there are 250 portable classrooms that are over 25 years old and need to be replaced; the State does not provide sufficient or dedicated funding for facility improvements and most school districts are required to rely on local voter-approved bond measures to upgrade aging schools; a school improvement bond measure provides locally controlled funding that can only be used to repair and upgrade facilities as described in this measure; this measure requires fiscal accountability protections as described below, including an independent citizens' oversight committee and mandatory annual audits to help ensure all funds are spent as voters intended; and all funds from this measure will be controlled by the District to repair and upgrade its local schools and cannot be taken away by the State.

ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this measure in order that the voters and taxpayers in SFID No. 3 may be assured that their money will be spent wisely. Expenditures to address specific facilities needs of SFID No. 3 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 District Board of Trustees (the "Board") has identified detailed facilities needs of facilities in SFID No. 3 and the Board has determined which projects to finance from a local bond. The Board hereby 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 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 committee will be established within 60 days of the date when the results of the election appear in the minutes of the Board.

Performance Audits. The 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 Board will conduct annual, independent financial audits of the bond proceeds until all of those proceeds have been spent for the types of school facilities projects listed below.

Government Code Accountability Requirements. As required by Section 53410 of the Government Code, (1) the specific purpose of the bonds is set forth in this Full Text of the Measure, (2) the proceeds from the sale of the bonds will be used only for the purposes specified in this measure, and not for any other purpose, (3) the proceeds of the bonds, when and if issued, will be deposited into a building fund to be held by the San Joaquin 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 Trustees of the District not later than January 1 of 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 the bond measure or 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 rate or the duration of the tax 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 which is subject to a word count limitation of not to exceed 75 words 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, reconstruction, rehabilitation, or replacement, or otherwise improve school facilities of the Tracy Unified School District's School Facilities Improvement District No. 3, 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). The projects in the Bond Project List are authorized to be completed at any current and future District properties and sites located in or serving the Improvement District.

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

The types of projects authorized pursuant to this measure are:

SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 3

- 1. Construct, Upgrade and Modernize Aging Schools to Ensure Safe and Modern Learning and Teaching Environments. Authorized projects include: Repair or replace aging, failing and/or leaky roofs. HVAC: Upgrade/repair and/or replace heating, ventilation and air conditioning systems. Construct or expand/rehabilitate/reconfigure school facilities to provide adequate classrooms, labs, shops and other learning and gathering spaces to enable the District to deliver all its programs including spaces supporting programs in high quality instruction in math science, technology, arts and engineering. Address all needed structural repairs and upgrades to building envelope including for energy efficiency such as updated insulation, doors and windows. Address aging or failing portable structures: replace with buildings or other permanent structures including modular structures and/or replace with modern and improved portable structures. Address -interior finish needs, renovations and upgrades such as: paint, ceiling and wall finishes, window coverings, flooring, lighting systems, casework and other finish materials. Upgrades to campus and building exteriors including paint, landscaping and irrigation. Ensure safe and sufficient paths of travel both interior and exterior. Provide modern learning equipment including technology equipment such as computers, other learning and teaching devices, and classroom furnishings. Remove and replace/retrofit existing technologies for improved learning environment and approach. 2. Upgrading and Replacing Obsolete School Safety, Security and Emergency Response Systems. Authorized projects include: Fire alarms, fire sprinkler systems, door hardware, alarm systems. Repairing or replacing failing asphalt and concrete pavement. Replacement/removal of old building materials known or discovered to be toxic. Public address and communication systems. Security and access, point of entry, control systems including surveillance camera systems and other items to secure buildings and campuses including fencing. Replacing damaged or non-compliant playground equipment. Exterior and interior lighting systems. All code compliance upgrades. Other safety upgrades including improvements to parking lots and student dropoff/pick-up areas, improved signage, repairing sidewalks and curbsides and other paths of travel. 3. Ensure Barrier Free Access to all Facilities. Authorized projects include: Improvements to ensure barrier-free access and compliance with all requirements of the American With Disabilities Act (ADA) and similar laws and regulations at all facilities in the Improvement District. 4. Upgrade, Repair and Provide Adequate Infrastructure Serving School and Other Support Sites. Authorized projects include: Water, sewer, gas, and related utility systems. Electrical systems, including lighting, power distribution and control systems, including renewable energy systems. Updated plumbing including fixtures and repairs to sewer and water distribution systems. Improvements and upgrades to support modern technology such as connectivity and network infrastructure including replacement of switches and servers. 5. Improvements and Upgrades to Facilities Related to and Serving School Sites. Authorized projects include: Parking improvements, including resurfacing, expansion/acquisition, lighting and signage. Upgrading, modernizing, equipping and furnishing kitchens, food prep areas, cafeterias, and multi-purpose rooms. Upgrade and modernize auditoriums, multi-purpose rooms, libraries, and other meeting and gathering spaces. Upgrades, modernization and construction of administration, office, counselling spaces, nutrition services, health welfare and similar spaces. Upgrades to site exteriors including landscaping and irrigation. 6. Improvements to Ensure a Healthy Learning and Teaching Environment. Authorized projects include: Removal of hazardous materials such as asbestos and lead. Address air quality including: Filtration, ventilation, and purification. Outdoor spaces: Improve or create outdoor classrooms, learning and gathering spaces, including shade structures. Water bottle stations and modern and compliant drinking fountains. Facilities to address health needs/nursing stations. 7. Improvements to Play Areas and Yards, Fields and Other Physical Education and Athletics Spaces. Authorized projects include: resurfacing and repaving play yards, courts and fields. Provide new playground and fitness equipment and install safe surface treatments. Construction, improvements, repairs and upgrades of tracks, courts and other physical education facilities including all related improvements such as locker rooms, restrooms, seating, sound systems and lighting.

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

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

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

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

Unforeseen Circumstances: Limited Funding Sources. Many factors may impact the District's ability to address and fund each of the projects described herein. These may include construction costs, supply chain issues which can cause project delays, labor shortages, unknown environmental factors or site conditions, overall facilities needs and related costs which exceed available bond funding sources, among others. The District is unable to anticipate all circumstances which may prevent some of the projects listed above from being undertaken or completed. Approval of the District's bond measure does not guarantee that all of the identified projects within the Bond Project List will be funded beyond what can be completed with funds generated by this bond measure. The District plans to pursue additional funding such as State matching funds, if available, to address its facilities needs.

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

Interpretation. The terms of this Bond Measure and the words used in the Bond Project List shall be interpreted broadly to effect the purpose of providing broad and clear authority for the officers and employees of the District to provide for the school facilities projects the District proposes to finance with the proceeds of the sale of bonds authorized by this proposition within the authority provided by law, including Article XIII A, Section 1 (b)(3) of the California Constitution, Education Code Section 15000 et seq, and the Strict Accountability in Local School Construction Bonds Act of 2000. Words used in the Project List such as repair, improve, upgrade, expand, modernize, renovate, and reconfigure are used to describe school facilities projects in plain English but are not intended to expand the nature of such projects beyond what is authorized by law. The Bond Project List does not authorize, and shall not be interpreted to authorize, expending proceeds of the sale of bonds authorized by this measure for expenses relating to current maintenance, operation or repairs.

Severability. The District Board hereby declares, and the voters by approving this Bond Measure concur, that every section and part of this bond proposition has independent value, and the District Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law, and to this end the provisions of this bond measure are severable.

ARGUMENTS AND REBUTTALS TIMELINE

Monday, July 29, 2024 at 5:00 p.m. is hereby fixed as the final date and time for the filing of arguments. Arguments for or against the measures listed are not to exceed 300 words in length. The 10-calendar day required public viewing period will be from Tuesday, July 30, through Thursday, August 8, 2024.

Thursday, August 8, 2024 at 5:00 p.m. is hereby fixed as the final date and time for the filing of rebuttal arguments. Rebuttal arguments are not to exceed 250 words in length. The 10-calendar day required public viewing period will be from Friday, August 9, through Sunday, August 18, 2024.

NOTICE IS FURTHER GIVEN that California Elections Code Section 9600 governs the form of said arguments and/or rebuttals. Arguments and/or rebuttals submitted to the San Joaquin County Registrar of Voters' Office must follow E.C. 9600. Authors of said arguments/rebuttals may call the Registrar of Voters' Office at (209) 468-8945 for more information on submitting an argument for or against a measure. To be eligible for printing and distribution as provided by law, such arguments and rebuttals must be received and filed at the Registrar of Voters' Office, 44 N. San Joaquin St. Suite 350, Stockton, CA 95202, no later than said date and time. All arguments and rebuttals must be submitted in block format. Limited use of bolding, underlining, capitalizing, italics or bullets (small solid circle only) is permitted. Arguments and rebuttals that are not in compliance will be reformatted and set in uniform type.

NOTICE IS FURTHER GIVEN that Vote by Mail processing may begin on the 29th day before the election, which is Monday, October 7, 2024. All ballots cast in the November 5, 2024, General Election shall be tallied at the central counting place, the San Joaquin County Registrar of Voters' warehouse located at 7585 Longe Street, Suite 112, Stockton, California. Initial results will be available at 8:15 p.m. on election night and continue until the count is completed. Persons interested in viewing these procedures should contact the San Joaquin County Registrar of Voters' Office at (209) 468-8945 for further information. (EC §§ 12109, 15101, 15104)

Office of the Registrar of Voters San Joaquin County