



OFFICE OF THE SUPERINTENDENT

602 Orchard Street, Arroyo Grande CA 93420
Tel 805.474.3000 Ext. 1080 | Fax 805.481.1398
www.LuciaMarSchools.org

June 12, 2024

Registrar of Voters
County of San Luis Obispo Clerk-Recorder
Office
1055 Monterey Street
San Luis Obispo, CA 93408

Clerk of the Board
San Luis Obispo County Board of Supervisors
1055 Monterey Street
San Luis Obispo, CA 93408

Re: Lucia Mar Unified School District November 5, 2024 Bond Election

Enclosed please find the Lucia Mar Unified School District Board of Education RESOLUTION NO. A-2324-26 "RESOLUTION OF THE BOARD OF EDUCATION OF LUCIA MAR UNIFIED SCHOOL ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER" adopted on June 11, 2024, calling for a November 5, 2024 local bond election.

Please note that the Resolution contains the 75-word ballot measure shown as Exhibit A.

The Resolution also contains a Full Ballot Text, shown as Exhibit B of the Resolution, which shall be printed in the Sample Ballot/Voter Pamphlet.

Also enclosed is our Tax Rate Statement.

By this letter we are formally requesting to review a proof of the ballot statement language, the full text of the ballot proposition, and ballot arguments that would appear in the voter pamphlet prior to publishing. Please direct this proof to the undersigned as soon as it is available.

We believe that Education Code Section 15122.5 is not applicable and we request that the County not include the following "State Matching Funds" language in the ballot or voter pamphlet:

"Approval of Measure "A", "B", or "E" does not guarantee that the proposed project or projects in the Lucia Mar Unified School District that are the subject of bonds under Measure "A", "B", or "E" will be funded beyond the local revenues generated by Measure "A", "B", or "E". The district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."

The District would like to request the letters "A", "B", or "E" for a measure's designation, and that it not be assigned the letters "F" or "D", "I", or "N".

We would be more than happy to provide you with the Resolution, the 75-word statement, or the Full Ballot Text electronically in order to facilitate your work, or to assist with this process in any other manner.

This letter also authorizes you to contact David G. Casnocha of Stradling Yocca Carlson & Rauth, our bond counsel, at (415)265-9927, or at DCasnocha@stradlinglaw.com if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. Facwett".

Paul Facwett, Ed. D.,
Superintendent

Enclosures

LMUSD Resolution A-2324-26

Exhibit A: 75-word ballot measure

Exhibit B: Full Ballot Text

Tax Rate Statement

June 12, 2024

Acknowledgement:

I, Tami Bisantz, of the Elections Office of the San Luis Obispo County Registrar of Voters acknowledge receipt of LUCIA MAR UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION RESOLUTION NO. A-2324-26 "RESOLUTION OF THE BOARD OF EDUCATION OF LUCIA MAR UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER" adopted on June 11, 2024, calling for a November 5, 2024 election.

Tami Bisantz
Signature

6/12/24
Date

9:21am
Time

RESOLUTION NO. A-2324-26

RESOLUTION OF THE BOARD OF EDUCATION OF LUCIA
MAR UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION,
AND ESTABLISHING SPECIFICATIONS OF THE ELECTION
ORDER

WHEREAS, the Board of Education (the "Board") of the Lucia Mar Unified School District (the "District") is devoted to improving the quality of education in our local public schools by providing modern labs, classrooms, career technical education facilities and upgraded technology to support high quality instruction in core subjects like math, science, engineering, technology and skilled trades; and

WHEREAS, since many District schools were built more than 60 years ago, they do not meet modern safety codes and some have hazardous materials like asbestos and lead pipes which need to be removed; and

WHEREAS, there are 93 portable classrooms at our schools that are at least 20 years old, in varying states of disrepair, too expensive to keep repairing, and need to be replaced with modern permanent classrooms; and

WHEREAS, the Board has determined that schools within the District need to be upgraded, repaired, expanded, improved, modernized and better equipped in a fiscally prudent manner to enable the District to meet current health and building codes, and provide proper access for students with disabilities; and

WHEREAS, the Board believes that if kids want to succeed in college and careers they must be skilled in using today's technology and have advanced classes in science, math, engineering and technology; and

WHEREAS, the State of California (the "State") has been unable to provide the District with enough money for the District to adequately repair schools and upgrade classrooms to provide an optimal learning environment for all students and District students deserve to have the same educational opportunities as others in the region; and

WHEREAS, the District has completed a comprehensive Facilities Master Plan and has identified the most pressing needs in each of the District's schools to provide safe and modern classroom environments for all students; and

WHEREAS, even if you do not have school-age children, supporting a local bond measure is a wise investment, as good schools improve the quality of life in our community and protect the value of our homes; and

WHEREAS, the Board has received information regarding the possibility of a local bond measure and its bonding capacity; and

WHEREAS, a local measure will help provide funds, that are locally controlled and cannot be redirected by the State, to upgrade aging schools and protect student safety; and

NOW THEREFORE, THE BOARD OF EDUCATION OF THE LUCIA MAR UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506, hereby requests the San Luis Obispo County Registrar of Voter to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$143,220,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the projects described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter pamphlet. The District's Superintendent, or designee, is hereby authorized and directed to make any changes to the text of the measure, or to the abbreviated form of the measure, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of election officials, and requirements of law.

Section 2. That the date of the election shall be November 5, 2024.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A," incorporated by reference herein, and containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 policies of the Board and the Act, the ballot propositions in Exhibits "A" and "B" are subject to the following requirements and determinations:

(a) that the proceeds of the sale of the Bonds shall be used only for the purposes set forth in the ballot measure and not for any other purpose, including teacher or administrator salaries or other school operating expenses;

(b) that the Board, in establishing the projects set forth in Exhibit "B," evaluated the safety, class size reduction, classroom, educational and information technology needs of the District as well as the importance of the projects to improve student learning in core subjects like math, science, engineering, the arts and technology;

(c) that the Board shall cause an annual, independent performance audit to be conducted to ensure that the Bond monies get spent only for the projects identified in Exhibit "B" hereto;

(d) that the Board shall cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;

(e) that the Board shall appoint a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274; and

(f) that the tax levy authorized to secure the Bonds of this election shall not exceed the Proposition 39 limits per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506.

Section 10. Pursuant to Education Code Section 5303 and Elections Code Section 10002, the Board of Supervisors of San Luis Obispo County are requested to permit their Registrar of Voters to render all services specified by Elections Code Section 10418 relating to the election, for which services the District agrees to reimburse San Luis Obispo 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 Elections Code Section 9401) pursuant to the terms of Education Code Section 5363 and Elections Code Section 12112.

ADOPTED, SIGNED AND APPROVED this 11th day of June, 2024.

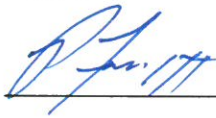
BOARD OF EDUCATION OF THE LUCIA MAR
UNIFIED SCHOOL DISTRICT

By



President

Attest:



Secretary

EXHIBIT A

“To repair and improve aging neighborhood schools; fix deteriorating roofs, plumbing, electrical; remove asbestos/ lead pipes; repair, construct/ acquire classrooms, labs, sites, facilities and equipment; support student achievement and college/career readiness in math, science, technology, engineering, arts and skilled trades; shall Lucia Mar Unified School District's measure authorizing \$143,220,000 in bonds at legal rates be adopted, levying 2¢ per \$100 assessed value (\$9,030,000 annually) while bonds are outstanding, with citizen oversight, independent audits, and all money locally-controlled?”

Bonds – Yes

Bonds – No

The Project List includes the following types of upgrades and improvements at District schools, facilities and sites:

UPGRADE AGING SCHOOLS, CLASSROOMS, LABS AND SCHOOL FACILITIES TO IMPROVE STUDENT PREPARATION FOR COLLEGE AND IN-DEMAND CAREERS

School Repair and Upgrade Projects

Goals and Purposes:

Most schools were built in the 1960s or earlier, are over 60 years old. Most classrooms, labs and school facilities have not been upgraded in over 20 years. For example, thousands of students attend class in 93 portable classrooms that are decades old, are falling apart and most have structural damage or water leaks. Older schools have hazardous materials like asbestos and lead pipes. Most schools do not meet current health codes, building safety codes or provide full access for students with disabilities. This measure will remedy these problems.

All money raised by this measure will stay local to support our students and cannot be taken by the State or used for other purposes.

- **Remove hazardous materials like asbestos and lead pipes from older school sites, where encountered.**
- **Replace aging portable classrooms** that are too expensive to repair and maintain with modern, permanent classrooms.
- **Improve student safety** and campus security systems, including security fencing, security cameras, emergency communications systems, smoke detectors, fire alarms and sprinklers.
- Upgrade older schools so they **meet current health codes**, building safety codes, and provide proper access for students with disabilities.
- **Repair or replace deteriorating roofs, plumbing, gas lines, sewer lines, heating, and electrical systems**, where needed.
- Ensure that children's playground equipment and athletic facilities meet current health codes, safety standards and are **accessible to those with disabilities**.

LOCAL SCHOOL FUNDING TO SUPPORT HIGH QUALITY INSTRUCTION IN MATH, SCIENCE, ENGINEERING AND TECHNOLOGY

Projects That Improve Student Success

Goals and Purposes:

Some schools built so long ago that underground pipes and infrastructure are failing, resulting in gas leaks, water leaks and sewage backups. We need to fix these problems.

rooms, learning centers and media centers; add or upgrade parking lots. 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, DSA oversight, and temporary housing of dislocated District activities caused by construction projects.

The upgrading of technology infrastructure includes, but is not limited to, network rewiring, cabling, computers, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, scanners and copiers, digital white boards, document projectors, upgrade voice-over-IP, clock/telephone/ intercom systems, call manager and network security/firewall, wireless technology systems, refresh classroom technology, miscellaneous IT and instructional equipment, data storage, archiving and preservation, phones, identity cards and the construction and installation of a data center in the cloud for the District's enterprise systems, such as resource planning, websites, domain name systems, cloud applications and information security.

The budget for each project is an estimate and may be affected by factors beyond the District's control. 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 portable classrooms and 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 or modular classrooms, including ingress and egress, removing, replacing, or installing irrigation or drainage systems, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. 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, connection fees, program and project management, staff training expenses and a customary contingency for unforeseen design and construction costs. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District bond audits and staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the types of projects and 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 § 53410.

FISCAL ACCOUNTABILITY: THIS MEASURE REQUIRES A CLEAR SYSTEM OF ACCOUNTABILITY, INCLUDING A PROJECT LIST DETAILING HOW THE MONEY WILL BE USED, A CITIZENS' OVERSIGHT COMMITTEE, AND INDEPENDENT AUDITS TO ENSURE MONEY IS SPENT PROPERLY.

In accordance with Education Code Section 15272, the Board of Education will appoint a citizens' oversight committee and conduct annual independent audits to assure that funds are spent only on District projects and for no other purpose. The expenditure of bond money on these projects is subject to stringent financial accountability requirements. By law, performance and financial audits will be performed annually, and all bond expenditures will be monitored by an independent citizens' oversight committee to ensure that funds are spent as promised and specified. The citizens'

TAX RATE STATEMENT
LUCIA MAR UNIFIED SCHOOL DISTRICT

An election will be held in the Lucia Mar Unified School District (the "District") on November 5, 2024, to authorize the sale of up to \$143,220,000 in bonds of the District to finance improvements to educational facilities as described in the proposition. 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.

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 this statement, is 1.976 cents per \$100 of assessed valuation (or \$19.76 per \$100,000 of assessed valuation). The final fiscal year in which it is anticipated that the tax will be collected is 2059-60.
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 this statement, is 2 cents per \$100 of assessed valuation (or \$20.00 per \$100,000 of assessed valuation). It is estimated that such rate would be levied in fiscal year 2025-26.
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 \$320.6 million.

Voters should note that the estimated tax rate is based on the ASSESSED VALUE of taxable property on the San Luis Obispo County official tax rolls, *not* on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates, debt service and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Lucia Mar Unified School District



Dr. Paul Fawcett
Superintendent