

**MEASURE SUBMITTED TO THE VOTERS**

**SCHOOL**

**ROSS SCHOOL DISTRICT  
FACILITIES IMPROVEMENT BOND  
MEASURE B**

**B** To provide financing for improvements to elementary classrooms and other facilities at Ross School (many 60+ years old), including (1) mitigating flood risk, (2) meeting current earthquake safety codes, (3) rectifying substandard heating, ventilation, plumbing, roofing and electrical systems, and (4) providing energy efficiency, shall Ross Elementary School District be authorized to issue bonds up to \$15,000,000 at interest rates within the legal limit, with a citizens' oversight committee to monitor bond expenditures and review financial audits?

**ROSS SCHOOL DISTRICT  
FULL TEXT OF MEASURE B**

**ROSS SCHOOL FACILITIES IMPROVEMENT BOND**

This Proposition may be known and referred to as the "Ross School Facilities Improvement Bond" or as "Measure B".

**FINDINGS**

Since March 2004, the Ross Elementary School District has conducted an extensive and thorough fact finding, needs assessment, funding strategy and design process, with input from the community at large, staff, the Board of Trustees, and professional consultants, to address current and future school facility safety and program needs and assist in revising the facilities master plan originally developed in 1998. Significant public process contributed to the evolution of the Board of Trustees' objectives, including:

- The Design Committee, appointed by the Board of Trustees in March, 2004, found that the Kindergarten through 5th grade classrooms and other facilities at Ross School, primarily constructed in the 1940s, were below FEMA Flood Plain and current seismic safety standards for newly constructed schools and in need of major improvements to improve safety for students, staff and the community, and rectify deficient building systems.
- The Funding Committee, appointed by the Board of Trustees in March, 2004, concluded that the costs of the identified improvement projects are beyond the capacity of the community to fund through private voluntary contributions and that a general obligation bond should be pursued.
- The Citizens' Facilities Committee, appointed by the Board of Trustees in April 2005, recommended that the District seek approval of a general obligation bond to provide the least costly financing for the identified improvement projects.
- The Financial Advisory Committee, a Board-appointed committee, concluded that the Citizens' Facilities Committee's recommendation to seek a general obligation bond was prudent for the District.
- The Board of Trustees considered these committee recommendations as well as a Mello-Roos facilities financing alternative and heard comments from its financial advisor, its bond counsel, and numerous citizens in public meetings.

In December 2005, the Ross School sustained significant damage due to storm-related flooding, and needs extensive renovation and/or reconstruction to address flood plain issues and minimize damage from future flooding.

In light of the recommendations to the Board of Trustees of the various committees and professional consultants and public comment, and the storm-related flood damage sustained by the Ross School, the voters of the Ross Elementary School District hereby enact and approve the following Bond Measure.

**BOND AUTHORIZATION**

By approval of this proposition by at least two-thirds of the registered voters voting on the proposition, the Ross Elementary School District shall be authorized to issue and sell bonds of up to \$15 million in aggregate principal amount to provide financing for the school facilities projects listed in the Bond Project List attached hereto as Exhibit A, and in order to qualify to receive State matching grant funds, subject to all of the accountability safeguards specified below.

**ACCOUNTABILITY SAFEGUARDS**

The provisions in this section are specifically included in this proposition in order that the Ross Elementary School District's voters and taxpayers may be assured that their money will be spent prudently to address specific facilities needs of the Ross Elementary School District.

**Citizens' Oversight Committee.** The Board of Trustees shall designate a citizens' oversight committee comprised of such members as the Board shall determine to review bond expenditures and ensure bond proceeds are expended only for the school facilities projects listed in Exhibit A. The citizens' oversight committee shall comply with the Brown Act, including posting of all agendas, conducting open meetings, and approving its meeting minutes.

**Annual Financial Audits.** The Board of Trustees shall cause its annual, independent financial audit to include the bond proceeds until all of those proceeds have been expended for the school facilities projects listed in Exhibit A. The Board shall provide the annual financial audit to the citizens' oversight committee for its review.

**Special Bond Proceeds Account: Annual Report to Board.** Upon approval of this proposition and the sale of any bonds approved, the Board of Trustees shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31, 2006, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

**BOND PROJECT LIST**

The Bond Project List attached to this resolution as Exhibit A shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

The Bond Project List describes the specific projects the Ross Elementary School District proposes to finance with proceeds of the bonds. Listed projects and upgrades will be completed as needed according to Board-established priorities. Each project is assumed to include its share of costs of the election and bond issuance, architectural, engineering, inspection and similar planning and approval costs, construction management (whether performed by third-parties or the District), and a customary contingency for unforeseen design and construction costs, and other costs incidental to and necessary for completion of the listed projects. The actual cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds that may become available from non-bond sources, including individual donors, State grants and Federal disaster relief funds for eligible projects, have not yet been committed or received. The Board of Trustees recognizes that the bonds will not provide sufficient funds to allow completion of all listed projects, and the inclusion of any projects in the Bond Project List is not a guarantee that such projects will be completed or funded from the bonds.

MEASURE B CONTINUED ON NEXT PAGE



### **FURTHER SPECIFICATIONS**

**Purposes.** All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and all the enumerated purposes shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

**Other Terms of the Bonds.** When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest will be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than 25 years from the date borne by that bond.

### **EXHIBIT A**

### **ROSS ELEMENTARY SCHOOL DISTRICT**

#### **BOND PROJECT LIST**

#### **Ross School**

9 Lagunitas Road (at Ross Common)

Facilities and infrastructure improvements to elementary classrooms and other facilities at Ross School as available financing allows, including restrooms, the library, the learning lab, the nurse's room, faculty work/preparation areas, and administrative offices, as follows:

- Mitigate flood risk for elementary classrooms, and other facilities
- Upgrades to meet current earthquake safety codes
- Replace deficient plumbing, electrical, and lighting systems
- Replace antiquated heating, cooling, and ventilation systems with energy-efficient systems
- Replace leaking roofs
- Upgrade restrooms
- Upgrade windows with new, energy-efficient and seismically-safe windows
- Repair, replace, install, and/or upgrade security and fire safety systems including alarms, fire detection systems, computer monitoring, automated lighting, outdoor lighting, fencing, gates, etc.
- Install technology infrastructure
- Improve nurse and faculty workrooms
- Related improvements to Ross School and other facilities identified above as the Board of Trustees shall determine

In the event that the Board of Trustees determines, in consideration of the advice of architects, a District-appointed citizens' design committee and other facilities consultants, that certain repair and rehabilitation projects in this list are not economically practical, the Board is authorized in the alternative to expend bond proceeds to replace existing buildings and facilities with new construction incorporating the features described above (provided that a second story will not be added to any buildings fronting on Allen Avenue).

#### **Other Construction Work in Connection with Approved Projects**

Provide necessary site preparation and restoration in connection with remodeling, renovation or new construction, and installation or removal of relocatable classrooms, including demolition of existing buildings as needed to make way for new construction; ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, and acquiring any necessary easements, licenses, or rights of way to the property; repair and renovation of school grounds, including playground, as needed due to construction activity.

Repair, replace, install and/or renovate utility connections, systems for water, sewer, electrical and gas service, including upgrading the capacity of such infrastructure to accommodate school facilities as needed.

Address unforeseen conditions revealed by construction/modernization (e.g., plumbing or gas line breaks, dry rot, structural damage or deficiencies to buildings and support structures, etc.).

Other improvements required to comply with existing State and local building codes, and access requirements of the Americans with Disabilities Act.

Repair or replace structural damage or deficiencies to buildings and support structures as needed.

Remove or otherwise mitigate any hazardous materials, e.g., asbestos, lead, etc., where necessary.

Provide temporary classrooms (including relocatables) as needed to house students during construction, through rental or acquisition.

### **STATE MATCHING FUNDS**

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

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

### **TAX RATE STATEMENT**

#### **MEASURE B**

An election will be held in the Ross Elementary School District (the "District") on June 6, 2006, to authorize the sale of up to \$15,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to sell the bonds in one series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The information in paragraphs numbered 1-2 below is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 4.692 cents per \$100 (\$46.92 per \$100,000) of assessed valuation in fiscal year 2006-07.
2. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 4.692 cents per \$100 (\$46.92 per \$100,000) of assessed valuation in fiscal year 2006-07 and is projected to decline thereafter.

Voters should note that the estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's 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 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.

Dated: March 8, 2006.

s/ Tammy Murphy  
Superintendent  
ROSS ELEMENTARY SCHOOL DISTRICT



**IMPARTIAL ANALYSIS BY COUNTY COUNSEL  
MEASURE B**

If this Measure is approved by two thirds of the vote, the Ross School District will be authorized to incur bonded indebtedness of Fifteen Million Dollars (\$15,000,000) with an interest rate not to exceed the limit set by law. The proceeds of the proposed bonds must be used for the purposes set forth in the Measure and for no other purposes, and will be subject to oversight by a citizens' oversight committee to assure that the funds are spent only for the school facilities projects listed in the Measure.

Dated: March 13, 2006

s/ Patrick K. Faulkner  
County Counsel

**ARGUMENT IN FAVOR OF MEASURE B**

Ross School has been providing an outstanding education for children in our community for nearly a century, and the school consistently ranks among the best performing schools in the state. Strong support from parents and community members has been critical to the school's success. Ongoing support ensures that our school will continue to provide the highest quality educational programs.

Measure B seeks approval of a \$15,000,000 bond to provide financing for improvements to K-5 classrooms and other facilities at Ross School. Built primarily in the 1940s, these facilities are in need of major infrastructure improvements. In light of the December flood, which caused damages of over \$550,000, mitigating the risk of future flood damage has become an important priority.

Measure B would address the school's facilities needs by:

- Implementing flood mitigation measures
- Upgrading the facilities to meet current earthquake safety codes
- Rectifying substandard heating, ventilation, plumbing, roofing, and electrical systems
- Providing energy efficiencies

Measure B is the culmination of extensive public discussion and analysis by the School Board and many committees, including the Citizens' Facilities Committee. This committee, appointed in April 2005 after Measure C's defeat, was composed of 24 parents and community members: half supported Measure C and half opposed it. The committee reevaluated the district's facilities needs and funding options and concluded that: the school's facilities should be improved; remodeling is preferable to new construction when appropriate; and the district should seek voter approval for a \$15,000,000 general obligation bond (within the district's current legal bonding capacity). The School Board incorporated these recommendations into Measure B, and has included a citizens' oversight committee to monitor bond expenditures and audits.

Measure B is a prudent investment in our school and in our community. Please join us in voting YES on Measure B!

s/ Nancy Wayne Holter, Former President  
Ross School Board of Trustees

s/ Bruce W. Hart, Former Mayor  
Town of Ross

s/ Thomas Gaffney, Co-Chair  
Citizens' Facilities Committee

s/ Tony Vallance, Co-Chair  
Citizens' Facilities Committee

s/ Elizabeth Robbins, MD, President  
Ross School Board of Trustees

**NO ARGUMENT AGAINST THIS  
MEASURE WAS SUBMITTED**

END OF MEASURE B

