

## **FULL TEXT OF BALLOT MEASURE M**

### **SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 2 (MALIBU SCHOOLS)**

This measure may be known as the “**Malibu Classroom Repair and Twenty-First Century Education Bond**” or “**Measure M.**”

#### **BOND AUTHORIZATION**

By approval of this measure by at least 55 percent of the registered voters voting on the measure, the Santa Monica-Malibu Unified School District will be authorized to issue and sell bonds with respect to its School Facilities Improvement District No. 2 (Malibu Schools) of up to \$195 million in aggregate principal amount at interest rates not to exceed legal limits and to provide financing for the specific types of school facilities projects listed in the Bond Project List described below, subject to all the accountability requirements specified below.

#### **ACCOUNTABILITY REQUIREMENTS**

The provisions in this section are specifically included in this measure in order that the voters and taxpayers in the Improvement District may be assured that their money will be spent wisely. Expenditures to address specific facilities needs of the Improvement District will be in compliance with the requirements of Article XIII A, Section 1(b)(3), of the State Constitution and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following.)

**Evaluation of Needs.** The School Board has identified detailed facilities needs of facilities in School Facilities Improvement District No. 2 (Malibu Schools) and the District has determined which projects to finance from a local bond. The School 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 School Board will establish an Independent Citizens’ Oversight Committee, under Education Code Sections 15278 and following, to ensure bond proceeds are expended only on the types of school facilities projects listed below. The committee will be established within 60 days of the date when the results of the election appear in the minutes of the School Board.

**Performance Audits.** The School Board will conduct annual, independent performance audits to ensure that the bond proceeds have been expended only

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on the school facilities projects listed below.

**Financial Audits.** The School Board will conduct annual, independent financial audits of the bond proceeds until all of those proceeds have been spent for the 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 Los Angeles County Treasurer, as required by the California Education Code, and (4) the Superintendent of the District shall cause an annual report to be filed with the Board of Education of the District 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.

### **USE OF ESTIMATES AND PROJECTIONS**

Any estimates or projections in the bond measure or ballot materials, such as relating to estimated tax rates, the duration of issued bonds and related tax levies and collections are provided as informational only. Such amounts are

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estimates and are not maximum amounts or limitations on the terms of the bonds, the tax rate or 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.

### **BOND PROJECT LIST**

**Scope of Projects.** Bond proceeds will be expended on the modernization, renovation, expansion, acquisition, construction/reconstruction, rehabilitation, leasing and/or replacement of school facilities of the Santa Monica-Malibu Unified School District within School Facilities Improvement District No. 2 (Malibu Schools), including the furnishing and equipping of such school facilities. This measure authorizes bond projects to be undertaken at all current and future education and support sites within School Facilities Improvement District No. 2 (Malibu Schools).

**School Facility Project List.** The items presented on the following list are the types of projects authorized to be financed with voter-approved bond proceeds. Specific examples included on this list are not intended to limit the broad types of projects described and authorized by this measure. The types of projects authorized to be undertaken in School Facilities Improvement District No. 2 (Malibu Schools) are:

1. **School Safety and Security Upgrades.** Improvements, upgrades and/or repairs or replacements of District systems and facilities to achieve a safe, secure and accessible learning environment. Authorized projects include:
  - Security and access control systems including surveillance systems, fire alarms, sprinkler systems, alarm systems, communication systems and public address systems
  - Security/perimeter fencing and gates, security cameras, signage and site lighting
  - Replacement/repair of damaged or non-compliant playground equipment
  - Resurfacing playgrounds, walkways and parking areas

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- Replacement/removal of old building materials that are now known to be toxic, such as due to asbestos and lead paint
- Ensure safe and barrier-free ADA compliant access at all facilities
- 2. **Repairing, upgrading, modernizing and replacing aging school facilities and buildings in the Malibu Area.** Upgrades, repairs, renovations and/or replacements to facilities, buildings and building systems to address deteriorating, aging, failed or failing facilities, buildings, systems and/or equipment, increase energy efficiency and/or air quality, bring all facilities and systems into current code compliance and provide modern school facilities. Authorized projects include:
  - Structural repairs and upgrades, roofing, replacement of windows, doors and building finish materials
  - Interior finishes: paint, ceiling and wall finishes, window coverings, flooring and casework
  - Heating, ventilation and air conditioning (HVAC) systems
  - Repairing inefficient and potentially faulty electrical systems
  - Repairing or replacing infrastructure including water, sewer, gas and related utility systems
  - Electrical systems, including lighting, power distribution and control systems and other renewable energy systems such as wind turbines, solar panels and microgrids
  - Plumbing including fixtures and repairs to sewer and water distribution systems
  - Upgrading, modernizing, renovating, replacing, equipping and furnishing District classrooms, academies, facilities for fine and performing arts, and other facilities including kitchens, cafeterias, multi-purpose rooms and bathrooms, including constructing additional bathrooms where needed
  - Replacement of temporary and aging portable classrooms with permanent or upgraded facilities
  - Renovating and/or constructing new educational and/or support facilities to replace and/or expand facilities at existing, adjacent and new sites, as the Board of Education may determine is necessary to improve the delivery of the District’s educational programs and/or prevent overcrowding within the School Facilities Improvement District
  - Develop and implement plan to address facilities needs at Malibu Middle and High Schools including renovation, rebuilding and reorganization
- 3. **Technology and Science Modernization Projects.** Acquire, upgrade and install at school sites and District facilities up-to-date technology infrastructure and equipment to facilitate a modern learning environment

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including upgrading and equipping science, math and other project-based learning labs. Authorized projects include:

- Infrastructure such as wiring, switches, routers and wireless access infrastructure
  - Computers, devices and other modern instructional equipment
  - Hardware and software and back-up and recovery and security technologies
  - Science and laboratory modernization, including science equipment and instructional tools
  - Project-based and make space facilities, learning materials and equipment, including specialized career technology educational tools and materials
4. **Renovations, upgrades and improvements to school sites/grounds and physical education/athletic facilities.** Repair, upgrade, renovate and improve school grounds, play fields and physical education facilities, including equipment. Authorized projects include:
- Restoration and upgrade of play fields and playgrounds, including play/fitness equipment and hardtop and asphalt surfaces
  - Repair, upgrade, replace and/or resurface, and equip physical education and athletic facilities, including outdoor tracks, gymnasiums, aquatics, locker rooms, bathrooms and all related facilities
  - Installation of shade structures, traffic control devices, lighting and/or bleachers and other seating
  - Mobility improvements, including drop-off/pick-up. areas, circulation elements, safety/wayfinding/identity signage and parking facility improvements, including resurfacing, expansion, signage and lighting
  - Installation of cost-effective, efficient landscaping and irrigation systems, including drought resistant landscaping
  - Repair, modernize, replace or add bathrooms where needed.

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 and other professional services, facilities assessments, inspections, site preparation, utilities, landscaping, construction management and other planning and permitting, 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

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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 and parking facilities; federal and state-mandated safety upgrades; addressing unforeseen conditions revealed by construction/modernization and other necessary improvements required to comply with existing building codes, including the Field Act; access requirements of the Americans with Disabilities Act; costs of the election; bond issuance costs; and project administration during the duration of such projects, as permitted by law.

The scope and nature of any of the specific projects described above may be altered by the District as required by unforeseen conditions that may arise during the course of design and construction. In the event that a modernization or renovation project is more economical for or otherwise determined by the Board of Education to be in the best interests of the District to be undertaken as new construction, this bond measure authorizes land acquisition, relocation and construction at a new or alternative site, and/or reconstruction and/or repurposing on the original site, including an expanded site, and all costs relating thereto. In addition, this measure authorizes the acquisition of real property, including necessary rights of ways or other real property interests, required to expand District facilities, to provide access to school or other District facilities, or to provide additional school or related facilities. 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, and including payment and prepayment of lease payments relating to projects and/or equipment previously financed.

Approval of the District's bond measure does not guarantee that all of the identified projects within this Bond Project List will be funded beyond what can be completed with local funds generated by the bond measure. The District may pursue funds from the State of California, if available, to complete certain of the identified facilities projects.

The order in which school facilities projects are listed in the foregoing Bond Project List does not suggest an order of priority. Project priorities will be determined by the Board of Education. The District is unable to anticipate all unforeseen circumstances which may prevent some of the projects listed above from being undertaken or completed.

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