

RESOLUTION NO. 07-25-2024

RESOLUTION OF THE BOARD OF EDUCATION OF THE TUSTIN UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION TO AUTHORIZE THE ISSUANCE OF SCHOOL BONDS, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON NOVEMBER 5, 2024

WHEREAS, the Tustin Unified School District (the "District") in Orange County (the "County"), State of California (the "State"), is committed to providing quality education to its students; and

WHEREAS, the District's facilities assessments have identified a pressing need for construction and upgrades of its school facilities, including for repairs and safety improvements, which are critical in order to provide District students with the education they deserve in safe and modern environments; and

WHEREAS, many of the District's elementary and middle schools were built more than 60 years ago and are in need of upgrades and repairs so children can learn in safe, modern classrooms; and

WHEREAS, some schools were built so long ago that they aren't accessible for students with disabilities, some of which may require the removal of old building materials now known to be toxic, such as asbestos and lead pipes, and the infrastructure is failing, causing water leaks and sewage backups, resulting in problems that must be fixed; and

WHEREAS, this measure requires a clear system of accountability to the public, including a project list detailing exactly how the money will be used, a Citizens' Oversight Committee, and independent audits to ensure the money is spent properly; and

WHEREAS, all money raised by the measure will stay local to support our students; it cannot be taken away by the state or used for other purposes, and by law, no money from this measure can be used for administrator salaries or pensions; and

WHEREAS, in order to address these needs, a local funding source must be identified, as the State does not provide the District with funding to address these facilities' needs; and

WHEREAS, the District continues to be a prudent and transparent fiscal steward and has taken every approach to save taxpayer dollars, and the District-wide proposed measure not only addresses the needs of local schools across the District but does so in the most fiscally responsible manner for the entire District; and

WHEREAS, the Board of Education of the District (the "Board") hereby determines that it is necessary to address the foregoing concerns, among others, to ensure that its schools are upgraded, repaired, improved, and equipped; and

WHEREAS, Article XIII A of the California Constitution ("Article XIII A") authorizes the levy of *ad valorem* property taxes for the payment of bonded indebtedness of a school district, community college district or county office of education approved by at least 55 percent of the voters voting on such proposition; and

WHEREAS, in order to address the facilities needs of the District as described herein, in the judgment of the Board, it is advisable to call an election pursuant to California Education Code Section 15264 and following (the "Act") to submit to the electors of the District the question whether bonds of the District shall be issued and sold pursuant to the authority of Article XVI Section 18 of the California Constitution and Article XIII A (together with the Act, the "Law") for the purposes authorized by the Law and as described in Appendix A hereto (the "Full Text of Bond Measure"); and

WHEREAS, under the Act, the election may be ordered at a primary or general election, a regularly scheduled local election at which all of the electors of the District are entitled to vote, or a statewide special election upon a two-thirds vote of the Board; and

WHEREAS, the Board desires to call an election in the District pursuant to the Law on November 5, 2024, which is the date of the statewide general election, and pursuant to Education Code Section 15121 and Elections Code Section 10400 and following, to request consolidation with any and all other elections held in the District on such date, and to request the Orange County Registrar of Voters (the "County Registrar") to perform election services for the District; and

WHEREAS, in connection with the calling of a bond election and in accordance with Education Code Section 15100 subparagraph (c), 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 (if any have been made available); and

WHEREAS, in connection with the calling of a bond election, the Board has been presented with information about related estimated property tax rates, and such information will be presented to District voters in accordance with Elections Code Section 9401 and in the form of the Tax Rate Statement set forth as Appendix C hereto; and

WHEREAS, pursuant to United States Income Tax Regulations Section 1.150-2, the Board desires to declare its official intention at this time that if the measure submitted to voters hereunder is successful and bonds are issued pursuant to such measure, that it intends to reimburse from said bond proceeds expenditures (if any) made by the District prior to the date of issuance of said bonds for the purposes described in the measure;

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

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. 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 maximum principal amount of \$261,000,000 (referred to herein as the "Bonds") for the purposes described in the ballot measure approved under Section 4 and attached hereto as Appendix A (Full Text of Bond Measure) and Appendix B (Abbreviated Text of Bond Measure), and paying all costs incident thereto. This Resolution constitutes the order of the District to call such election and shall constitute the "specifications of the election order" pursuant to Education Code Section 5322.

Section 3. Election Date. The date of the election shall be November 5, 2024, and such bond election shall be held solely within the boundaries of the District. The boundaries of the District have not changed since the District's last election.

Section 4. Purpose of Election; Ballot Measure. The purpose of the election shall be for the voters in the District to vote on a bond measure, a full copy of which is attached hereto as Appendix A and marked "Appendix A – Full Text of Bond Measure" (the "Full Text of the Measure"), containing the question of whether the District shall issue general obligation bonds for the purposes stated therein, together with the accountability requirements of Article XIII A and the requirements of Section 15272 of the Act. The Full Text of the Measure, which commences with the heading "FULL TEXT OF BOND MEASURE" and includes all of the text thereafter on Appendix A, shall be printed in the voter information pamphlet provided to voters, with such measure designation as is assigned to the measure by the County elections official.

As required by Education Code Sections 5322 and 15122, Elections Code Section 13247, and in accordance with Elections Code Section 13119, the abbreviated statement of the measure to appear on the ballot label is attached hereto as Appendix B and is marked as "Appendix B – Abbreviated Form of Bond Measure."

The President of the Board and the Superintendent are hereby separately authorized and directed to make any changes to the text of the bond measure as described herein to conform to any requirements of the Law or the County Registrar, to changes in applicable legal provisions, to address word count limitations, and as otherwise needed upon the advice of its legal counsel. Any such changes shall be directed in writing by the Superintendent to the County Registrar.

Section 5. Authority for Election. The authority for ordering the election is contained in Section 15264 *et. seq.* of the Education Code, Article XVI Section 18(b) of the California Constitution and paragraph (b) subsection (3) of Article XIII A. The authority for the specification of this election order is contained in Section 5322 of the Education Code. The vote passage requirement for the measure is least 55 percent of the voters voting on the measure.

Section 6. Proceeds for School Facilities Projects. The Board certifies that the proceeds from the sale of the Bonds will be used only for the purposes specified in Article XIII A, Section 1(b)(3) as further specified in Appendix A, and not for any other purpose, including teacher and administrator salaries and other school operating expenses. Further, as required by Article XIII A, the Board hereby certifies that it has evaluated safety, class size and information technology needs in developing the list of school facilities projects set forth in Appendix A.

Section 7. Covenants of the Board upon Approval of the Bonds by the Electorate; Accountability Measures. As required by Article XIII A, Section 15278 of the Act, and Government Code Section 53410, in the event 55 percent of the voters voting in the District approve of the Bonds, the Board shall:

- (a) conduct an annual, independent performance audit to ensure that the funds have been expended only on the projects listed in Appendix A;
- (b) conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the school facilities projects listed in Appendix A;

- (c) establish and appoint members to an independent citizens' oversight committee in accordance with Sections 15278, 15280, and 15282 of the Act;
- (d) apply the Bond proceeds only to the specific purposes stated in the ballot proposition;
- (e) cause the creation of accounts into which Bond proceeds shall be deposited; and
- (f) cause the preparation of an annual report pursuant to Government Code Sections 53410 and 53411.

Section 8. State Matching Funds. The Board hereby finds that some of the projects identified on the Full Text of Measure may require state matching funds for completion, which the District intends to pursue. As such, the statement required by Education Code Section 15122.5 has been included in the Full Text of Measure attached hereto which shall be reproduced in the sample ballot.

Section 9. Delivery of this Resolution. The Secretary or Clerk of the Board is hereby directed to send a copy of this Resolution to (1) the County Registrar, and (2) the Orange County Clerk of the Board of Supervisors (the "Clerk of the Board") for purposes of consolidation pursuant to Elections Code Section 10403. The Resolution shall be received by the County Registrar and the Clerk of the Board no later than 88 days prior to the election date, unless otherwise permitted by law.

The County Registrar is hereby requested to print the full text of the ballot measure in the ballot materials as it appears on Appendix A hereto and to provide all required notices of the election and other notices related thereto.

Section 10. Consolidation of Election; Request to Provide Services. The County Registrar and the Orange County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 5, 2024 within the District.

Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Orange County is requested to permit the County Registrar to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Orange County in full upon presentation of a bill from the County, such services to include the publication of a formal Notice of School Bond Election (see Section 9 herein) and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code).

Section 11. Approval of Tax Rate Statement. Pursuant to Elections Code Section 9400 and following, a tax rate statement has been prepared in the form attached hereto as Appendix C, which form of Tax Rate Statement is hereby approved for inclusion in the sample ballot. The President of the Board, the Superintendent, or any written designee of the foregoing, are hereby separately authorized and directed to execute the tax rate statement, and to file said Statement with the County Registrar, in accordance with Section 9 hereof.

Section 12. Ballot Arguments. As provided in Elections Code Section 9501, the Board or any member or members of the Board, are hereby authorized to (but not required nor directed to) act as an author and signatory of any ballot argument prepared in connection with the election, including a rebuttal argument, each of which if filed shall be filed within the time frame established by the County Registrar.

Section 13. Maturity Limit of Bonds. The Bonds may be issued in one or more series by the District from time to time, and each series of Bonds shall mature not more than the legal limit at the time of such issuance thereof. The Bonds shall be issued under the Act, under the provisions of Section 53506 *et seq.* of the California Government Code, or under any other provision of law authorizing the issuance of general obligation bonds by school districts.

Section 14. Estimates Included in Ballot Materials; More Complete Meaning of Measure. The measure authorized by this Resolution includes information presented to voters with respect to the estimated amount of money required to repay issued Bonds, the estimated rate of the approved tax (*ad valorem* tax), and the estimated duration through which the proposed tax supporting bond repayment will be levied and collected, among others. Each of the estimates relating to the Bonds provided herein and in the appendices hereto have been provided by the District in good faith based upon information currently available to the District, but depend on numerous variables which are subject to variation and change over the term of the District's overall facilities and financing plan. Such estimates and approximations are not intended by the Board and shall not be interpreted or construed as additional restrictions on the District's Bond program, Bond issuances and related tax rate, and, other than the total principal amount of Bonds authorized to be issued by the measure described herein, do not represent legal maximums or additional limitations beyond applicable legal requirements.

Finally, the abbreviated and condensed statement of the bond measure set forth in Appendix B, limited by State law to 75 words or less, does not limit the scope and broader and more complete meaning provided in the Full Text of Bond Measure, set forth in Appendix A.

Section 15. Reimbursement. Pursuant to United States Income Tax Regulations Section 1.150-2, the District hereby declares that it may (i) pay certain costs of the projects listed in Appendix A prior to the date of issuance of the Bonds and, in such case, (ii) intends to use a portion of the proceeds of the Bonds for reimbursement of said expenditures for the projects that are paid before the date of issuance of a series of the Bonds.

Section 16. Official Actions. The President of the Board, the Superintendent and the Chief Financial Officer are hereby separately authorized and directed to execute and deliver to County officials any directions, requisitions or other writings, and to make any changes to the texts of the measure as described herein and in the tax rate statement, to conform to any legal requirements or the County Registrar, in order to cause the election to be held and conducted in the District.

Section 17. Effective Date. This resolution shall take effect on and after its adoption.

* * * * *

The foregoing Resolution was adopted by the Board of Education of the Tustin Unified School District of Orange County, being the Board authorized by law to make the designations therein contained by the following vote, on July 22, 2024.

Adopted by the following votes: *[2/3 vote of Board required for approval]*

AYES:

NOES:

ABSENT:

ABSTAIN:

President of the Board

Attest:

Clerk/Secretary of the Board

APPENDIX A

FULL TEXT OF BOND MEASURE

The full text of bond measure to be printed in the election material begins below the following line. Letter designation of measure is requested to be assigned and input into applicable blanks by the County Registrar.

TUSTIN UNIFIED SCHOOL DISTRICT MEASURE FULL TEXT OF BOND MEASURE

BOND AUTHORIZATION

By approval of this measure by at least 55 percent of the registered voters voting on the measure, the Tustin Unified School District (the "District") will be authorized to issue and sell general obligation bonds in the aggregate principal of up to \$261,000,000 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 imposed by law and specified below, including oversight by an independent citizens' oversight committee and annual performance and financial audits conducted by an independent auditor.

ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this measure in order that the voters and taxpayers in the District may be assured that their money will be spent wisely. Expenditures to address specific facilities needs of the 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 Board of Education of the District (the "School Board") 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 Oversight 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 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 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 Orange County Treasurer, as required by the California Education Code, and (4) the Superintendent of the District shall at least one time per year cause an annual report to be filed with the District Board, which report shall contain 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 each of the proposed 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 or require the receipt of additional funds such as State matching 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 this bond measure and related ballot materials, including relating to estimated rates of *ad valorem* property taxes, the duration of issued bonds until fully repaid 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 tax rate required to fully amortize the bonds or the duration of the levy 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. While each of the estimates and approximations relating to this bond measure are provided based on information currently available to the District and its current expectations, all such estimates and approximations are not limitations nor maximums on the terms of the bonds nor on the related tax levies. In addition, the abbreviated and condensed statement of the bond measure presented to voters on the ballot label which is subject to a 75-word count limitation imposed by State law does not limit the scope and broader, more complete meaning of the measure provided in this Full Text of Bond Measure and related ballot materials.

BOND PROJECT LIST

Scope of Projects. In compliance with California Constitution Article XIII A, Section 1(b)(3), bond proceeds will be expended on the construction, reconstruction, rehabilitation, or replacement, or otherwise improve school facilities of the District, 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,.

The projects set forth on this Bond Project List are authorized to be completed at any current and future properties and sites of the 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 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:

1. **Upgrading School Safety, Security and Emergency Response Systems.**

Authorized projects include:

- Security and access, point of entry, control systems including surveillance camera systems and other items to secure buildings and campuses
- 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 such as asbestos and lead.
- Public address and communication systems.
- 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 drop-off/pick-up areas, improved signage, repairing sidewalks and curbsides and other paths of travel.

2. **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 of its programs for all grade levels and needs including spaces supporting programs in math, science, engineering, technology, performing and visual arts, and supporting college/career-readiness and skilled trades.
- 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.

- Repair/upgrade restroom facilities
 - Remove any hazardous materials
 - 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.
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 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 of new sites for parking, lighting and signage.
 - Upgrading, modernizing, equipping and furnishing kitchens, centralized production, food prep areas, cafeterias, serving areas, and multi-purpose rooms.
 - Upgrade and modernize auditoriums, multi-purpose rooms, libraries, and other meeting and gathering spaces both indoor and outdoors.
 - Upgrades, modernization and construction of administration facilities, offices, counselling spaces, nutrition services, health services, and similar support spaces.
 - Upgrades to all campus, school and other site exteriors including landscaping and irrigation.
6. **Improvements to Ensure a Healthy Learning and Teaching Environment.** Authorized projects include:
- Outdoor spaces: Improve or create outdoor classrooms, learning and gathering spaces, including installing shade structures.
 - Water bottle stations and modern and compliant drinking fountains.
 - Construct or expand/rehabilitate/upgrade facilities to address health and wellness needs
7. **Improvements to Play Areas and Yards, Fields and Other Physical Education and Athletic Facilities and Spaces.** Authorized projects include:
- Resurfacing and repaving play yards and fields.

- Acquire and install new playground and fitness equipment and install safe surface treatments.
- Construction, improvements, repairs and upgrades of indoor and outdoor tracks, courts, stadiums, aquatics and other facilities for physical education and sports teams including all related improvements such as locker rooms, restrooms, seating, concessions, sound systems, parking 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.

Alterations 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 its 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.

Limited Funding Sources; Unforeseen Circumstances. Many factors will impact the District's ability to address and fund the projects described herein, and it is not anticipated that the limited funds raised pursuant to this bond measure will be sufficient to address all of the facilities needs projects that are identified on the project list. There is no guarantee that all projects will be undertaken. Project prioritization is vested with the School Board. Circumstances that may arise and impact the District's project implementation plans and budgets 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 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.

The Full Text of Measure ends above the line.

APPENDIX B

**ABBREVIATED FORM OF BOND MEASURE
FOR BALLOT LABEL**

Tustin Unified School District Classroom Repair/ Safety/ Quality Education Measure. To repair/upgrade aging classrooms, science labs, school and career-training facilities supporting college/career readiness in math, science, technology/skilled trades; fix roofs, plumbing, and electrical; improve school safety/security; remove asbestos/lead; shall Tustin Unified School District's measure authorizing \$261,000,000 in bonds at legal rates be adopted, levying 3¢ per \$100 assessed value (raising \$18,000,000 annually) while bonds are outstanding, with citizen oversight, audits, and all money locally controlled?

Bonds—Yes

Bonds—No

APPENDIX C

TAX RATE STATEMENT REGARDING PROPOSED \$261,000,000 TUSTIN UNIFIED SCHOOL DISTRICT GENERAL OBLIGATION BONDS

An election will be held in the Tustin Unified School District (the "District") on November 5, 2024, to authorize the sale of up to \$261,000,000 in bonds of the District to finance school facilities as described in the measure. 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. Such information is based upon the best estimates and projections presently available from official sources, upon experience within the District, and other demonstrable factors.

Based upon the foregoing and projections of the District's assessed valuation, the following information is provided:

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 of this statement, is \$29.82 per \$100,000 (2.982¢ per \$100) of assessed valuation. The final fiscal year in which the tax is anticipated to be collected is 2054-55.
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 of this statement, is \$29.85 per \$100,000 (2.985¢ per \$100) of assessed valuation. It is estimated that such rate would be levied initially in fiscal year 2027-28.
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 \$539,105,123.

Voters should note the estimated tax rate is based on the assessed value (not market value) of taxable property on Orange County's official tax rolls. Property owners should consult their own property tax bills and tax advisors to determine their property's assessed value and any applicable tax exemptions.

The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which amounts are not maximum amounts or durations and are not binding upon the District. The actual debt service, tax rates and the years in which they will apply may vary from those used to provide the estimates set forth above, due to factors such as variations in the timing of bond sales, the par amount of bonds sold and market interest rates available at the time of each sale, actual assessed valuations over the term of the bonds, and other factors. The date and amount of bonds sold at any given time will be determined by the District based on the need for project funds and other considerations. The actual interest rates at which the bonds will be sold will depend on conditions in the bond market at the time of sale. Actual future assessed valuations

will depend upon the amount and value of taxable property within the District as determined by the Orange County Assessor in the annual assessment and the equalization process.

Mark Johnson, Ed.D.
Superintendent
Tustin Unified School District