

February 25, 2019

Riverside School District
3380 14th St.
Riverside, CA 92501

Jason Hunter
3681 Sunnyside Dr. #20629
Riverside, CA 92516

Dear Esteemed Members of the Board:

I am a current member of the Measure O Independent Citizens' Bond Oversight Committee. As I'm certain you are aware, the Committee is charged with ensuring that bond revenues are expended only for the purposes described in paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution. Further, Education Code Section 15264 states, "It is the intent of the Legislature that the **members** of the oversight committees appointed pursuant to this chapter promptly alert **the public** to any waste or improper expenditure of school construction bond money."

Hence as a precaution, I am reaching out to you to express a concern I raised at our most recent Committee meeting, which has been heightened by even more recent events: specifically, the Board's decision last Tuesday to enter into an agreement for the purchase of 9.83 acres located at 7351 Lincoln Avenue for the price of \$7,750,000.00 (aka, the Casa Blanca neighborhood school).

Under normal circumstances, I would prefer to first vet the issue through the full Committee, accommodating the full public and staff input that comes with that process; and indeed, I had just asked staff to bring back some information for our next regularly-scheduled meeting. However, because the Committee only meets quarterly, I believe it would be almost operationally impossible to accomplish a proper discussion of the topic without the risk in the meantime of the Board potentially putting the District in a financially disadvantageous position; and the Board, the Committee and staff at risk individually of other consequences.

Article XIII A, Section 1, b(3)B reads in relevant part:

Bonded indebtedness incurred by a school district, community college district, or county office of education for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, approved by 55 percent of the voters of the district or county, as appropriate, voting on the proposition on or after the effective date of the measure adding this paragraph. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(A) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in Article XIII A, Section 1(b) (3), and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

(B) A list of the specific school facilities projects to be funded and certification that the school district board, community college board, or county office of education has evaluated safety, class size reduction, and information technology needs in developing that list.

I am particularly concerned about the language I have highlighted above. Reading the full proposition presented to the voters by the Riverside Unified School District in November 2016, I see the following to satisfy that requirement:

To that end, the Board evaluated the District's urgent and critical facility needs, including safety issues, class size, computer and information technology, enrollment trends and prepared a Facilities Master Plan (approved by the Board on February 1, 2016) which is incorporated herein in its entirety, in developing the scope of projects to be funded.

Checking the 2016 Facilities Master Plan I see a myriad of projects, **but no mention of any new school sites like the one proposed within the Casa Blanca neighborhood.** Nor do I see the mention of new school sites (even allowing for a broad interpretation) within the Measure O ballot question itself, the impartial analysis offered by Riverside County Counsel, nor anywhere else within the full text of the measure.

Upon additional research I found *Foothill-De Anza Community College Dist. v. Emerich*, 158 Cal. App. 4th (2007), which contains, "The voters approved the bond proposition that was printed in the voter information pamphlet," as it pertains to the specificity of project lists.

What concerns me from a risk perspective is Education Code Section 15284, which reads in relevant part:

(a) An action to obtain an order restraining and preventing any expenditure of funds received by a school district or community college district through the sale of bonds authorized by this chapter pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution may be maintained against any officer, agent, or other person acting on behalf of, that school district or community college district, by a citizen residing in the school or community college district who is assessed and is liable to pay an ad valorem tax on real property within the school or community college district, or who has paid an ad valorem tax on real property within the school or community college district within one year before the commencement of the action if it appears by the complaint or affidavits that any of the following conditions are present:

(3) That an expenditure in violation of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution will be made or will continue to be made during the litigation that would produce waste or great or irreparable injury.

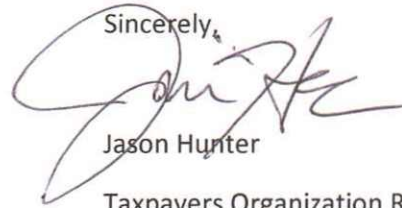
Further Education Code Section 15288 states:

It is the intent of the Legislature that upon receipt of allegations of waste or misuse of bond funds authorized in this chapter, appropriate law enforcement officials shall expeditiously pursue the investigation and prosecution of any violation of law associated with the expenditure of those funds.

While I have the deepest sympathies towards the Casa Blanca community and their desire for a neighborhood school, which I also believe is long overdue (and not forgetting the other proposed new schools' proponents), as an appointee charged with the duties I have previously mentioned, and given the rather harsh civil and perhaps even criminal punishments available through the code referenced above, I **feel I have an obligation to state that I do not see the nexus that leads me to reasonably believe that these specific projects can be paid for with Measure O funds.**

Once again, **as a precaution**, I request a timely response from the District towards my allegations of the potential misuse of Measure O bond funds before the District expends any more monies towards the new school site projects.

Sincerely,



Jason Hunter

Taxpayers Organization Representative

Measure O Independent Citizens' Bond
Oversight Committee

Dist: RUSD School Board of Education:
Dr. Angelov Farooq
Mrs. Kathy Y. Allavie
Mr. Tom Hunt
Mr. Brent Lee
Mrs. Patricia Lock-Dawson
Cc: Superintendent Dr. David Hansen