

August 20, 2019

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

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

RE: New School Sites and the Improper Expenditure of School Construction Bond Money

Dear Esteemed Members of the Board:

I am in receipt of letters dated May 3, 2019, from David Casnocha of the law firm *Stradling, Yocca, Carlson & Rauth*; and from Terry Tao of the law firm *Tao Rossini* dated August 6, 2019, (that I received just yesterday). The letters are both addressed to RUSD Chief Business Officer, Mays Kakish. Although I was expecting a personal response from the Board of Education itself regarding my missive of February 25, 2019, I will assume for now that these legal opinions are reflective of the Board's opinions until I hear differently from District representatives.

Both legal opinions seem to center upon two distinct arguments: 1) that the ballot summary/statement itself allows for the District to, "acquire sites," and 2) that within the "project list," in the full text of the measure, the District is allowed to, "acquire land," and, "construct new schools". (3) Mr. Tao additionally points out that that the project list also mentions the District proposed, "to build a Center for the Study of Advanced Science, Technology, Engineering, and Math" ("STEM").

While all arguments on their face seem reasonable, a closer examination of the facts reveals otherwise. To wit:

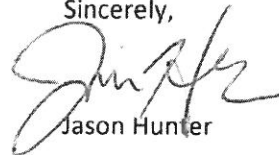
- 1) A ballot summary is not a, "specific project list," as is required under Article XIII A, Section 1, b(3)B of the California Constitution. Once again, the specific project list **must** be included within "the proposition approved by the voters" and **must** accompany, "certification that the school district board [...] has evaluated safety, class size reduction, and information technology needs in developing that list." A quick scan of Measure O reveals the only project list certified in this manner is the Facilities Master Plan ("FMP") adopted by the Board in 2016, which was incorporated into Measure O in its entirety. **This FMP contains no mention of any of the new school sites proposed by the District.**
- 2) The sentence containing the terms, "acquire land," and, "construct new schools," begins with the following, "In addition to the projects listed above, the **repair and renovation of each of the existing school facilities** may include [...] the following". It can be safely assumed a member of the public voting on Measure O would believe, "acquiring land," would be in conjunction with an existing school site footprint expansion and, "construct new schools," with a replacement or capacity expansion on-site. **In fact, the FMP contains many examples of these exact types of proposals.**

- 3) The existing Riverside STEM Academy is included in the FMP. Under the heading, "Anticipated New Additions/Renovations," it states that, "the campus will [...] construct a new multi-story classroom building for grades 9-12 that will include classrooms, science labs, multi-purpose room, food service, administration, and specialty labs." Hence, **the reference to the new STEM center within the Measure O project list is not incompatible with the FMP, which voters would be reasonably led to believe would be located at the existing site on Mt. Vernon Avenue.**

Given my above findings, and without further substantial rebuttal from the District, I remain convinced that any Measure O monies previously, currently, or proposed to be spent on the following projects are improper expenditures to which I am obligated to alert the public: new STEM High School at UCR, Casa Blanca Neighborhood School, Eastside Neighborhood School, and Spring Mountain Ranch School.

Barring a validation action brought by RUSD, my suggestion is that if the District desires to proceed with these projects, it needs to find alternate funding beyond Measure O bonds proceeds. Monies already spent towards these endeavors ideally should be replaced. The risk of not doing so includes potential civil litigation, loss of voter confidence affecting future bond measures, and even criminal prosecution of individuals. Of course, I am open to any other ideas as to how to solve this immediate conflict, am willing to recant should I be presented with a superior argument, and remain available as an asset/sounding board to the District if desired.

Sincerely,



Jason Hunter

Taxpayers Organization Representative

Measure O Independent Citizens' Bond
Oversight Committee

Dist: RUSD School Board of Education:
Dr. Angelov Farooq
Mrs. Kathy Allavie
Mr. Tom Hunt
Mr. Brent Lee
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