

**SCHOOL FACILITIES IMPROVEMENT DISTRICT (LEMOORE AREA) OF THE
WEST HILLS COMMUNITY COLLEGE DISTRICT
BOND MEASURE L
FULL TEXT OF MEASURE**

To renovate, equip/construct classrooms/college facilities, upgrade computer/technology systems for student access, and reduce overall borrowing costs, shall \$12,655,000 of West Hills Community College District School Facilities Improvement District No. 3 bonds, approved by voters in November 2008, be reauthorized through issuance of new bonds, with no increase in total authorized District debt, interest rates below legal limits, independent citizen oversight, no money for any salaries, and all funds spent locally and not taken by the State?

Bonds—Yes

Bonds—No

BOND AUTHORIZATION

By approval of this measure by at least 55 percent of the registered voters voting on the measure, the West Hills Community College District will be authorized to issue and sell bonds of up to \$12.655 million in aggregated principal at interest rates not in excess of the legal limit and to provide financing for the specific school facilities projects listed in the Bond Project List described below, subject to all the accountability requirements specified below.

The Bonds may be issued under the provisions of the California Education Code (starting at Section 15100), under the provisions of the California Government Code (starting at Section 53506), or under any other provision of law authorizing the issuance of general obligation bonds by community college districts. The Bonds may be issued in series by the District from time to time, and each series of Bonds shall mature within the legal limitations set forth in the applicable law under which the Bonds are issued.

School Facility Improvement District No. 3 (Lemoore Area) voters previously approved Measure E at an election held in the Improvement District on November 4, 2008. However, due to State law limitations imposed on the issuance of bonds under Measure E, the District estimates that it will be unable to issue any additional Measure E Bonds in the immediate future. The Board of Trustees of the District has found and determined that there continues to be an urgent need in the Improvement District for the completion of the educational projects approved by Improvement District voters under Measure E, and that no other District resources are available to finance such projects. If the Bonds are approved and issued, the Board of Trustees of the District has covenanted that it will cancel and shall not authorize the issuance of Measure E Bonds in a like amount.

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. As required by Article XIII A of the California Constitution, the Board of Trustees of the District has certified that it has evaluated safety, and information technology needs in developing the list of facilities projects shown below.

Independent Citizens' Oversight Committee. The Board of Trustees shall establish an Independent Citizens' Oversight Committee under Education Code Section 15278 and following to ensure that bond proceeds are expended only on the 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 Board of Trustees.

Performance Audits. The Board of Trustees shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed below.

Financial Audits. The Board of Trustees shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed below.

FURTHER SPECIFICATIONS

No Administrator Salaries. Proceeds from the sale of bonds authorized by this measure shall be used only for the construction, reconstruction and/or rehabilitation of school facilities including the furnishing and equipping of school facilities or acquisition or lease of real property for school facilities and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

BOND PROJECT LIST

Projects Subject to Available Funding. The following list of projects is subject to the availability of adequate funding to the District. Approval of the bond measure does not guarantee that the proposed projects in the District that are the subject of bonds under the measure will be funded beyond the local revenues generated by the bond measure. The District's proposal for the projects does assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure. Partners and additional funding sources will be sought to leverage additional facility funds.

Scope of Projects. Bond proceeds will be expended to modernize, replace, renovate, construct, equip, furnish and otherwise improve District facilities as described below. The specific facilities projects which are described below include all related and incidental costs, including costs of design, engineering, architect and other professional services, site preparation, utilities, landscaping and other incidental costs, and construction management. Bond proceeds may also be expended to acquire and install furniture, fixtures and equipment at any classrooms and other facilities of the District. The District may alter the scope and nature of any of the specific projects, which are described below as required by conditions that arise during the course of design and construction, including unforeseen conditions such as dry rot, mold and faulty engineering.

**RENOVATION, MODERNIZATION, AND REPAIR OF EXISTING
SCHOOLS AND FACILITIES**

Bond proceeds will be expended to modernize, replace, renovate, equip, rebuild and furnish the District's educational and joint-use facilities. Such projects may consist of the following:

- Make health, safety, and security upgrades, including increased lighting systems and video surveillance equipment to ensure adequate security
- Install instructional technology infrastructure to improve student access to computers and modern technology

- Make energy conservation improvements, including but not limited to installation of solar panels to reduce utility costs and be more environmentally responsible
- Make maintenance and infrastructure improvements throughout the campus

ACQUISITION AND CONSTRUCTION OF NEW FACILITIES

Bond proceeds will also be expended to construct new classrooms, restrooms, teaching labs, and other educational and joint-use facilities, including site improvements, acquisition of land, furniture and equipment, and technology upgrades. Such projects may consist of the following:

- Construct a University Center to house the university classes for completing advanced college degrees
- Construct a Student Union building, including meeting spaces for activities, bookstore, cafeteria, and counseling
- Construct a Performing Arts Center for college and community use
- Provide educational facilities in Avenal
- Provide Riverdale with educational facilities
- Construct additional instructional buildings
- Construct or develop sport fields, recreation areas, and facilities for student and community use

STATE MATCHING FUNDS

Approval of Measure L does not guarantee that the proposed project or projects in School Facilities Improvement District No. 3 of the West Hills Community College District that are the subject of bonds under Measure L will be funded beyond the local revenues generated by Measure L. The District's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

IMPARTIAL ANALYSIS BY COUNTY COUNSEL

In 2008, the voters approved Measure E, which authorized the issuance of Thirty One Million Dollars (\$31,000,000.00) in general obligation bonds (the "Measure E Bonds"). Of the Measure E Bonds, two series of general obligation bonds were issued in the aggregate amount of Eighteen Million, Three Hundred and Forty Three Thousand, Seven Hundred and Forty Four Dollars and Ninety Cents (\$18,343,744.90), leaving Twelve Million Six Hundred and Fifty Six Thousand, Two Hundred and Fifty Five Dollars and Ten Cents (\$12,656,255.10) in authorized, unissued, Measure E Bonds (the "Unissued Measure E Bonds"). However, the governing board of the West Hills Community College District (the "District") estimates that the Unissued Measure E Bonds cannot be issued in the immediate future without incurring borrowing costs the governing board deems excessive.

Voter approval of this measure will re-authorize the governing board of the District to issue and sell new general obligation bonds (the "Reauthorized Bonds") in the maximum amount of Twelve Million Six Hundred and Fifty Five Thousand Dollars (\$12,655,000.00), bearing interest at legal rates, within School Facilities Improvement District No. 3 (Lemoore Area).

If this measure is approved, the governing board of the District has covenanted that it will take all required future actions so that the aggregate original principal amount of all the Measure E bonds which are issued by the District, together with the aggregate original principal amount of the Reauthorized Bonds which are issued by the District, shall not exceed \$31,000,000, being the original amount of the Measure E Bonds.

The Reauthorized Bonds proceeds will be used within School Facilities Improvement District No. 3 (Lemoore Area) for construction, reconstruction and/or rehabilitation of school facilities, which may include projects to renovate/ equip/construct classrooms/ college facilities, and upgrade computer / technology systems for student access, or acquisition or lease of property for school facilities, but will not be used for any salaries, or other school operating expenses.

s/ KEVIN B. BRIGGS
County Counsel