

PERALTA COLLEGES UPGRADES MEASURE

This Proposition may be known and referred to as the “Peralta Colleges Upgrades Measure” or as “Measure G”.

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the voters of the Peralta Community College District (the “District”) voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$800,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed under the heading entitled “BOND PROJECT LIST” below (the “Bond Project List”), and qualify to receive State of California matching grant funds, subject to all of the accountability safeguards specified below.

ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific school facilities needs of the District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Sections 15264 *et seq.* of the California Education Code (the “Education Code”)).

Evaluation of Needs. The Board of Trustees of the District (the “Board”) has prepared a facilities master plan in order to evaluate and address all of the facilities needs of the District at each campus and facility, and to determine which projects to finance from a local bond at this time. The Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Limitations on Use of Bonds. Proceeds from the sale of bonds authorized by this proposition shall be used only 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, including, to the extent permitted by law, the acquisition or lease of real property in connection with an existing or future financing of the specific school facilities projects listed in the Bond Project List, including the prepayment of existing or future interim lease, certificate of participation or lease revenue bond financings, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

Independent Citizens’ Bond Oversight Committee. The Board shall establish an independent citizens’ bond oversight committee (pursuant to Education Code Section 15278 *et seq.*), to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be

established within 60 days of the date that the Board enters the election results on its minutes pursuant to Section 15274 of the Education Code. In accordance with Section 15282 of the Education Code, the citizens' bond oversight committee shall consist of at least seven members and shall include a member active in a business organization representing the business community located within the District, a member active in a senior citizens' organization, a member active in a bona fide taxpayers' organization, a member that is a student who is both currently enrolled in the District and active in a community college group, such as student government, and a member that is active in the support and organization of a community college or the community colleges of the District, such as a member of an advisory council or foundation. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the citizens' bond oversight committee. The citizens' bond oversight committee shall be representative of the constituent base of the District.

Annual Performance Audits. The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for performance audits. The results of these audits shall be made publicly available and shall be submitted to the citizens' bond oversight committee in accordance with Section 15286 of the Education Code.

Annual Financial Audits. The Board 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 in the Bond Project List. These audits shall be conducted in accordance with the Government Auditing Standards issued by the Comptroller General of the United States for financial audits. The results of these audits shall be made publicly available and shall be submitted to the citizens' bond oversight committee in accordance with Section 15286 of the Education Code.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board shall take those actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Chancellor of the District shall cause a report to be filed with the Board no later than January 1 of each year, commencing on the first January 1 after the sale of the first series of bonds, stating (a) the amount of bond proceeds received and expended in that year, and (b) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Chancellor of the District shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

FURTHER SPECIFICATIONS

Joint-Use Projects. The District may enter into agreements with other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board shall determine.

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and proceeds of the bonds shall be spent only for such purpose, pursuant to California Government Code Section 53410.

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest shall be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than the statutory maximum number of years from the date borne by that bond as determined by the law in effect when the bonds are issued or when the bonds were approved by voters, whichever is longer.

ESTIMATED BALLOT INFORMATION

The District is required by law to include in the statement of the measure to be voted on estimates of the amount of money to be raised annually to repay the bonds and the rate and duration of the tax to be levied for the bonds. As of the time this proposition was placed on the ballot, the District estimated \$44.2 million would be raised annually for the repayment of the authorized bonds for approximately 40 years at a projected tax rate of 2.45 cents per \$100 of assessed valuation. Attention of all voters is directed to the fact that such information is based upon the District's projections and estimates only, which are not binding upon the District. The amount of money to be raised annually and the rate and duration of the tax to be levied for the bonds may vary from those presently estimated due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as

determined by the County Assessor in the annual assessment and the equalization process.

BOND PROJECT LIST

The Bond Project List below lists the specific projects the District proposes to finance with proceeds of the bonds. The Bond Project List shall be considered a part of the bond proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition. Listed projects will be completed as needed at a particular school or facility site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. Any authorized repairs shall be capital expenditures. The Bond Project List does not authorize non-capital expenditures. Each project is assumed to include its share of costs of the election and bond issuance, construction-related costs, such as project and construction management, architectural, engineering, inspection and similar planning and testing costs, demolition and interim housing costs, legal, accounting and similar fees, costs related to the independent annual financial and performance audits, a contingency for unforeseen design and construction costs, and other costs incidental to or necessary for completion of the listed projects (whether the related work is performed by the District or third parties). The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State of California grant funds for eligible projects, have not yet been secured. Therefore, the Board cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Alternatively, if the District obtains unexpected funds from non-bond sources with respect to listed projects, such projects may be enhanced, supplemented or expanded to the extent of such funds. Some projects may be subject to further government approvals, including by State officials and boards and/or local environmental or agency approval. Inclusion of a project on the Bond Project List is not a guarantee that the project will be completed (regardless of whether bond funds are available). Each project listed below may require 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 as may be determined by the Board at the time the project is undertaken. All or portions of the projects listed below may be used as joint-use projects within the meaning of Section 17077.42(c) of the Education Code (or any successor provision).

The specific projects authorized to be financed with proceeds of the bonds under this proposition are as follows:

BERKELEY CITY COLLEGE

The following projects are authorized to be financed at BERKELEY CITY COLLEGE:

- Milvia Street 3rd floor classroom build-out
- Main building reconfigurations
- Additional educational facility, including STEM labs
- Acquisition of real property
- Wi-Fi deployment
- Network upgrades

COLLEGE OF ALAMEDA

The following projects are authorized to be financed at COLLEGE OF ALAMEDA:

- Electrical infrastructure
- HVAC upgrades and renovation
- Central plant renovation or replacement
- Science and administration building replacement (C/D)
- Aviation complex
- Automotive/Diesel complex
- Performing Arts complex
- Student Center (Building F) modernization

LANEY COLLEGE

The following projects are authorized to be financed at LANEY COLLEGE:

- Electrical equipment
- Central plant, including infrastructure
- Hot water system
- Compressed air system
- Water and air piping
- Student and welcome center
- STEAM center
- Library learning resource center
- Design and manufacturing center and outdoor work area canopy
- Performing Arts Center
- Community building and campus green
- Wellness Center

- Local business marketplace and incubator w/ parking garage and pedestrian bridge
- Culinary institute
- Gymnasium

MERRITT COLLEGE

The following projects are authorized to be financed at MERRITT COLLEGE:

- Electrical system/equipment replacements and upgrade
- Civil infrastructure upgrades
- Building A replacement
- Building D, E, F, and R renovation
- Combined Child Care Center & Child Development Center
- Horticulture Complex replacement
- Kinesiology physical fitness addition
- Site and ingress/egress improvements
- Genomics Institute

DISTRICT WIDE PROJECTS (PROJECTS FOR ALL CAMPUSES)

The following projects are supplemental to (although may in some cases duplicate) those described in the District's Facilities Master Plan. The projects identified in the Facilities Master Plan are incorporated by reference herein, except for the estimated costs associated therewith, which are excluded herefrom. The projects listed below and in the Facilities Master Plan are authorized to be financed at all current and future District sites.

- Network / telephony / technology infrastructure and equipment upgrades, including, but not limited to, software systems
- Sewer system repairs
- Power and electrical system repairs
- Water system repairs, including, but not limited to irrigation systems
- Safety and security system replacements and upgrades
- Emergency preparedness
- Landscaping upgrades
- Electric vehicle charging stations
- Renewable energy and energy efficiency projects, including, but not limited to, solar panels
- Signage and wayfinding upgrades
- Roadway, parking, pathways, bike lanes, trails, ingress, and egress improvements
- Upgrades, renovations and improvements to libraries, classrooms, and buildings

- Acquisition of real property
- Furniture and equipment and library materials, including, but not limited to, library digital resources
- Accessibility improvements, including, but not limited to ADA upgrades
- HVAC replacement
- Child care center renovations or replacements
- Athletic facility upgrades
- Veterans Centers
- District office
- Workforce development and continuing education center

MISCELLANEOUS

All listed bond projects include the following as needed:

- Removal of hazardous materials such as asbestos and lead paint as needed.
- Construction and/or installation of access improvements for individuals with disabilities, as required by state and federal law.
- Associated onsite and offsite development, demolition and other improvements made necessary by listed bond projects.
- Planning, designing and providing temporary housing necessary for listed bond projects.
- Purchase of any rights-of-way and/or easements made necessary by listed bond projects.
- Acquisition of all or a portion of any school site or facility, or an interest therein, encumbered in order to finance or refinance the listed school facilities projects.
- Reconstruction and rehabilitation of the abated areas.

THE PERALTA COMMUNITY COLLEGE DISTRICT-WIDE FACILITIES & TECHNOLOGY MASTER PLAN UPDATE DATED MARCH 13, 2018 IS HEREBY INCORPORATED IN ITS ENTIRETY BY REFERENCE SUBJECT TO THE CAVEATS IN THE PARAGRAPH DIRECTLY BELOW THE CAPTION "BOND PROJECT LIST" ABOVE. ALL PROJECTS IN THE FACILITIES AND TECHNOLOGY MASTER PLAN UPDATE ARE AUTHORIZED BUT THE PRIORITIZATION AND COST ESTIMATES IN THE PLAN SHALL NOT BE BINDING UPON THE DISTRICT. A COPY OF THE PLAN IS AVAILABLE FROM THE VICE CHANCELLOR OF FINANCE AND ADMINISTRATION.