



## BALLOT MEASURE SUBMITTAL FORM

Official Use Only  
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Alameda County

DEC 08 2023

Reg. of Voters

All fields with an \* are required.

### BALLOT MEASURE QUESTION

Jurisdiction Name\*: Hayward Unified School District

Election Date\*: March 5, 2024

Note: The information as it appears within the text box will be printed on the ballot and voter guide.

Insert ballot question text here\*:

*Hayward School Improvement Measure. To upgrade aging local classrooms, labs, career training facilities, learning technology, art/ music classrooms, fields; improve earthquake/ fire safety/ emergency communications/ school security; improve accessibility for students with disabilities; update plumbing/ electrical/ heating/ cooling systems, shall Hayward Unified School District's measure be adopted authorizing \$550,000,000 in bonds at legal rates, levy approximately \$60 per \$100,000 of assessed value, raising approximately \$35,200,000 annually while bonds are outstanding, with independent oversight/ all funds staying local?*

#### TYPE OF MEASURE\*

- ☐ Regular Measure    ☐ Parcel Tax  
☒ Bond Measure    ☐ Charter Amendment

#### PERCENTAGE NEEDED TO PASS\*

- ☐ 50% + 1    ☐ 66.6667%    ☐ 2/3  
☒ Other: 55%

#### FULL-TEXT OPTION\*

Full Text to be printed in the Voter Information Pamphlet:

- ☒ YES (note: must provide an MS Word file)  
☐ NO – Do not print, but it's accessible at: Click or tap here to enter text.

#### AUTHORIZED REPRESENTATIVE/CONTACT PERSON\*

(office use)

Print Name

Signature:

Phone #:

Email:

#### CONTACT INFORMATION

(public use)

Phone #: 510-784-2600

Email: [agarde@husd.k12.ca.us](mailto:agarde@husd.k12.ca.us)

Website: [www.husd.us](http://www.husd.us)

## **COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE I**

### **ANALYSIS BY THE COUNTY COUNSEL FOR THE COUNTY OF ALAMEDA OF A HAYWARD UNIFIED SCHOOL DISTRICT BOND MEASURE**

Measure I ("Measure"), a Hayward Unified School District ("District") bond measure, seeks voter approval to authorize the District to issue and sell bonds of up to \$550,000,000 in aggregate principal amount at interest rates within the legal limits.

Pursuant to provisions of the California Constitution and the California Education Code, if 55% of those who vote on the Measure vote "yes," the District will be authorized to issue bonds in the amount noted above. Approval of this Measure will authorize a levy on the assessed value of taxable property within the District by an amount needed to pay the principal and interest on these bonds in each year that the bonds are outstanding.

If approved, the District's best estimate of the tax rates required to be levied to fund the bond issue is as follows: the average annual tax rate estimate and the highest tax rate estimate are 6 cents per \$100 (\$60 per \$100,000) of assessed valuation. The final fiscal year anticipated to collect the tax is 2057/58, and the total debt service estimate to repay all of the bonds (including principal and interest) is \$1,160,000,000.

California Education Code Section 15100 restricts the use of the proceeds from the bond sale to items such as building school buildings, improving school grounds, and supplying school buildings and grounds with equipment. In addition, proceeds may only be used for the projects listed in the Measure and not for any other purpose, such as teacher and administrator salaries.

This Measure provides that its proceeds will fund projects set forth in the full text of the Measure printed in this sample ballot that include, among others: HVAC, plumbing, and electrical improvements; earthquake-safety seismic upgrades for school sites; and replacing or repairing portable classrooms.

Certain accountability measures apply, such as establishing an account to deposit the proceeds from the sale of the bonds. To ensure that the proceeds are spent only for the projects listed in the Measure, it provides for an Independent Citizens' Oversight Committee, an annual independent performance audit, and an annual financial audit. Finally, the Superintendent shall file a report no later than January 1 of each year after the sale of the first series of bonds, stating the amount of the bond proceeds received and expended and the status of any project funded from the proceeds.

This Measure is placed on the ballot by the governing board of the District.

DONNA R. ZIEGLER  
County Counsel

The above statement is an impartial analysis of Measure I, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you. You may also access the full text of the measure on the Alameda County website at the following address: [www.acvote.org](http://www.acvote.org).

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Argument in Favor of Measure I  
Hayward Unified School District Bond Measure  
300 Words

**Vote YES on I for safe and modern classrooms for ALL HUSD students**

Most of Hayward's schools were **built more than 60 years ago** and need urgent repairs and upgrades.

Many HUSD schools have deteriorating sewers, plumbing, heating and cooling systems. Aging portable classrooms are falling apart and need to be replaced. Science labs and equipment need upgrades to support current instructional standards.

While some HUSD schools have been upgraded, others have not. Voting **Yes on I** provides locally controlled funding to repair and upgrade local schools so **all students attend class in safe and up-to-date schools.**

Measure I will:

- Repair aging school facilities including deteriorating plumbing, sewers, heating, ventilation, and electrical systems
- Improve earthquake safety, especially at schools near the Hayward Fault
- Remove hazardous materials like asbestos and lead pipes
- Provide modern science labs, job training facilities and equipment so students are prepared for college and good jobs
- Protect student and staff safety, security and to improve access for students with disabilities
- Replace aging portable classrooms with modern, permanent classrooms
- Keep classroom technology up-to-date

**Measure I Requires Strict Fiscal Accountability**

- Not one penny can be taken away by the State
- An Independent Oversight Committee and annual audits ensure funds are spent properly
- Public disclosure of all spending is required
- By law, no funds can be used for administrator salaries

Measure I will help **HUSD qualify for state matching funds** that will otherwise go to schools in other communities.

To be prepared for college and the workforce, local students must graduate with a strong foundation in math and science. Voting **Yes on I** will ensure **ALL HUSD students** have safe and up-to-date classrooms, labs and technology for a **high quality education.**

**Please join local parents, teachers, staff, longtime residents, elected leaders and business leaders in voting YES on I for HUSD schools.**



BALLOT MEASURE ARGUMENT  
SUBMISSION FORM

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Submission of: (select one)



Argument in Favor  
(300 words or less)



Argument Against  
(300 words or less)

Measure letter: I

Title of Election: Primary

Jurisdiction: Hayward Unified School District

Election Date: March 5, 2024

Submitted by: (select one)



The Governing Body of Alameda County, a school district, or a special district

A governing board member who signs an argument must be authorized to do so by the governing board.



Bona Fide Organization

Arguments from a bona fide organization must be signed by one of the principal officers. The individual signing an argument on behalf of a bona fide organization does not have to be a registered voter in the jurisdiction.



Individual(s) eligible to vote on the measure

Individual(s) signing an argument must be registered voters eligible to vote on the measure.

Indicate County Board Member or Specific District: (if applicable)

Name of Organization/Association: (if applicable)

Contact Person's Printed Name:

Title:

Phone #:

Fax #:

E-Mail:

Permission to Post Contact Information on Internet

☒ Grant ☐ Deny

Permission to the Alameda County Registrar of Voters to post the below listed information on the Alameda County Registrar of Voters internet site.

INFORMATION TO BE POSTED:

Name: (Print)

Lisa Cote

Address:

25852 Eldridge Avenue

Phone #:

(510) 566-1355

Fax #:

N/A

E-Mail Address:

Lmcote78@sbcglobal.net

Website Address:

N/A

Date:

December 13, 2023



# Argument/Rebuttal Signatures

Submitted by:

Name

Phone

Email

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No more than five signatures shall appear with any argument submitted. If more than five are submitted, only the first five will appear on the voter information pamphlet.

Names and titles listed will be printed in the order that they are listed in below.

## DECLARATION BY AUTHOR(S) OF ARGUMENTS OR REBUTTALS (Election Code Section 9600)

The undersigned author(s) of the argument:

Measure 1 Election Date: March 5, 2024 Jurisdiction: Hayward Unified School District

☒ Argument in Favor  
(300 words or less)

☐ Argument Against Measure  
(300 words or less)

☐ Rebuttal to Argument Against  
(250 words or less)

☐ Rebuttal to Argument in Favor  
(250 words or less)

Hereby state that such argument is true and correct to the best of (his/her/their) knowledge and belief.

The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1. Print Name: Alysse Castro Title: Alameda County Superintendent of Schools

Residence Address:

Signature:

Date:

December 12, 2023



2. Title:

Residence Address:

Signature:

Date:



3. Print Name: Title:

Residence Address:

Signature:

Date:



4. Print Name: Title:

Residence Address:

Signature:

Date:



5. Print Name: Title:

Residence Address:

Signature:

Date:



# Argument/Rebuttal Signatures

Submitted by:

Name:

Phone#:

Email:

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(250 words or less)

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The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1. Print Name: Mark Salinas Title: Mayor of the City of Hayward

Residence Address:

Date:

December 12, 2023



2. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



3. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



4. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



5. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



# Argument/Rebuttal Signatures

Submitted by:

Name:

Phone#

Email:

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(300 words or less)

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(250 words or less)

☐ Rebuttal to Argument in Favor  
(250 words or less)

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The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1. Print Name: Elisa Márquez Title: Alameda County Board of Supervisors

Residence Address:

Signature:

Date:

December 12, 2023

2. Print Name:

Title:

Residence Address:

Signature:

Date:

3. Print Name:

Title:

Residence Address:

Signature:

Date:

4. Print Name:

Title:

Residence Address:

Signature:

Date:

5. Print Name:

Title:

Residence Address:

Signature:

Date:



# Argument/Rebuttal Signatures

Submitted by:

Name:

Phone:

Email:

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☒ Argument in Favor  
(300 words or less)

☐ Rebuttal to Argument Against  
(250 words or less)

☐ Argument Against Measure  
(300 words or less)

☐ Rebuttal to Argument in Favor  
(250 words or less)

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The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual(s) eligible to vote on the  
measure

1. Print Name: Peter Bufete Title: Board President of Hayward Unified School District

Residence Address: [Redacted]

Signature: [Redacted]

Date:

December 12, 2023



2. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



3. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



4. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



5. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_





# Argument/Rebuttal Signatures

Submitted by:

Name

Phone

Email

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(300 words or less)

☐ Argument Against Measure  
(300 words or less)

☐ Rebuttal to Argument Against  
(250 words or less)

☐ Rebuttal to Argument in Favor  
(250 words or less)

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The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1. Print Name: Seana Condit-Gordon Title: Longtime Resident & Middle School Principal

Residence Address: [REDACTED]

Signature: [REDACTED]

Date:

December 12, 2023

☐☐☒

2. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

☐☐☐

3. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

☐☐☐

4. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

☐☐☐

5. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

☐☐☐

HUSD proposes \$550,000,000 of school construction bonds, but imperils the program by proposing funding unallowed expenditures.

Buried deep in the ballot measure package, the very last item of the list of "District Wide Projects" is "Acquisition and/or construction of teacher and/or workforce housing and related facilities ..."

We have reason to believe that workforce housing may be far closer to the top of HUSD's priority list than the bottom.

California voters approved 2000's Proposition 39 (California Constitution Article XIII A), which authorized school districts to sell construction bonds with a 55% majority 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 ..." requiring that this funding "used only for the purposes specified ... and not for any other purpose, including teacher and administrator salaries and other school operating expenses."

No one disputes that teachers are low paid, ~~have great difficulty in finding housing,~~ that school districts are authorized to provide workforce housing, ~~and that some educational institutions have been successful in attracting and retaining teachers with such programs.~~ However, such use of Prop. 39 funds for housing appears clearly contrary to the ~~specified and~~ limited purposes the voters approved.

Yes, there have been other districts that have passed such measures, but, when anyone undertakes actions clearly not authorized in the California Constitution, they are extremely vulnerable to litigation that could reasonably result in such expenditures being disallowed, leaving the district taxpayers to repayment from other taxes ~~that were to fund school operations.~~

~~We support better treatment of our vital teachers,~~ but we must protest the use of funds for unauthorized purposes that would expose HUSD taxpayers and students to great risk of adverse consequences.

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# Argument/Rebuttal Signatures

Submitted by:

Name		Phone	
Email			

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**DEC 18 2023**

**Reg. of Voters**

## DECLARATION BY AUTHOR(S) OF ARGUMENTS OR REBUTTALS (Election Code Section 9600)

The undersigned author(s) of the argument:

Measure 1 Election Date: 3/5/2024 Jurisdiction: Hayward USD

☐ Argument in Favor  
(300 words or less)

☐ Rebuttal to Argument Against  
(250 words or less)

☐ Argument Against Measure  
(300 words or less)

☒ Rebuttal to Argument in Favor  
(250 words or less)

Hereby state that such argument is true and correct to the best of (his/her/their) knowledge and belief.

The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1.	Print Name:	Marcus Crawley	Title:	President-ACTA
Residence Address:				
Signature:				
Date:				
12/16/2023				

☐☒☐

2.	Print Name:	Thomas Rubin	Title:	Vice president-ACTA
Residence Address:				
Signature:				
Date:				
12/17/2023				

☐☒☐

3.	Print Name:		Title:	
Residence Address:				
Signature:				
Date:				

☐☐☒

4.	Print Name:		Title:	
Residence Address:				
Signature:				
Date:				

☐☐☐

5.	Print Name:		Title:	
Residence Address:				
Signature:				
Date:				

☐☐☐



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Argument Against Measure I – Hayward USD

Vote NO on Measure I. **Stop this \$1.16 Billion Dollar Tax Increase!**

The Tax Rate Statement warns, “District voters have previously approved three bond measures with bonds that are still outstanding.” *You’re now paying \$450 a year for every \$500,000 of your home’s assessed value.*

In 2008, Hayward Unified School District voters approved a tax increase to cover \$205,000,000 in school bonds. In 2014, HUSD voters approved another \$229,000,000 bond measure, followed by another \$854,067,102 tax increase for bonds in 2018. *We will be paying those off those bonds in the year 2050.* Now, just six years later, HUSD wants **another billion dollars** of *your* money.

**Measure I is a NEW \$1,160,000,000.00 property tax** over 33 years. This taxes Hayward *ANOTHER* \$35,200,000.00 every year!

This means, on average, **each and every annual residential property tax bill will INCREASE by \$682.55** until 2058.

Housing costs go up! Rents will be raised! Measure I provides **NO SENIOR EXEMPTION!**

**Measure I is unnecessary.** Student enrollment in HUSD schools is down by more than 10 percent since 2017.



The Federal and State government gave HUSD more than \$90,000,000 in COVID funds.

You also already pay an \$88.00 per year parcel tax to HUSD. That existing tax gives HUSD \$3,500,000 annually.

**Measure I contains** only one specific project, Workforce Housing. Hayward USD want to get into the housing business.

Schools get only 47.4% of the \$1,160,000,000.00 pot. Rich bondholders get much more: 52.6%. That is **\$610,000,000.00 drained from *our* pockets directly to Wall Street.**

HUSD has no business engaging in a **RISKY OVER LEVERAGING of our HOMES** with this **MASSIVE DEBT!**

So-called “**accountability requirements**” are a joke.

A cabal of construction industry and **Wall Street “snake oil”** salesmen are trying to fool **Hayward voters**. *Don't take their bait.*

Vote NO!



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**DEC 13 2023**  
**Reg. of Voters**

Submission of: (select one)

☐ Argument in Favor  
(300 words or less)

☒ Argument Against  
(300 words or less)

Measure letter: I  
Title of Election: Presidential Primary  
Jurisdiction: Hayward USD  
Election Date: 3/5/2024

Submitted by: (select one)

☐ The Governing Body of Alameda County, a school district, or a special district

A governing board member who signs an argument must be authorized to do so by the governing board.

☒ Bona Fide Organization

Arguments from a bona fide organization must be signed by one of the principal officers. The individual signing an argument on behalf of a bona fide organization does not have to be a registered voter in the jurisdiction.

☐ Individual(s) eligible to vote on the measure

Individual(s) signing an argument must be registered voters eligible to vote on the measure.

Indicate County Board Member or Specific District: (if applicable)

Name of Organization/Association: (if applicable)

**Alameda County Taxpayers' Association, Inc.**

Contact Person's Printed Name:

Title:

Phone #:

Fax #:

E-Mail:

Permission to Post Contact Information on Internet

☒ Grant ☐ Deny

Permission to the Alameda County Registrar of Voters to post the below listed information on the Alameda County Registrar of Voters internet site.

INFORMATION TO BE POSTED:

Name:(Print)

**Marcus Crawley**

Address:

**3492 Robinson Drive, Oakland, CA 94602**

Phone #:

**510-531-4548**

Fax #:

**none**

E-Mail Address:

**mcprose@att.net**

Website Address:

**actaxpayers.org**

Signature:

Date:

**12/12/2023**

Argument/Rebuttal Signatures				Official Use Only: Date Stamp		
Submitted by:				<div style="color: red; font-weight: bold; font-size: 1.2em;">RECEIVED</div> <div style="color: red; font-weight: bold; font-size: 1.2em;">Alameda County</div> <div style="color: red; font-weight: bold; font-size: 1.2em;">DEC 13 2023</div> <div style="color: red; font-weight: bold; font-size: 1.2em;">Reg. of Voters</div>		
Name: [REDACTED]		Phone: [REDACTED]				
Email: mcprose@att.net						
<p>No more than five signatures shall appear with any argument submitted. If more than five are submitted, only the first five will appear on the voter information pamphlet.</p> <p>Names and titles listed will be printed in the order that they are listed in below.</p>						
<b>DECLARATION BY AUTHOR(S) OF ARGUMENTS OR REBUTTALS</b> (Election Code Section 9600)				<div style="writing-mode: vertical-rl; transform: rotate(180deg); font-size: 0.8em;">The Governing Body of Alameda County, a school district, or a special district</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-size: 0.8em;">Bona Fide Organization</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-size: 0.8em;">Individual (s) eligible to vote on the measure</div>		
The undersigned author(s) of the argument: Measure <u>I</u> Election Date: <u>3/5/24</u> Jurisdiction: <u>Hayward USD</u>						
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Argument in Favor (300 words or less)           </div> <div> <input checked="" type="checkbox"/> Argument Against Measure (300 words or less)           </div> </div> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Rebuttal to Argument Against (250 words or less)           </div> <div> <input type="checkbox"/> Rebuttal to Argument in Favor (250 words or less)           </div> </div> <p>Hereby state that such argument is true and correct to the best of (his/her/their) knowledge and belief.</p>						
<div style="display: flex;"> <div style="width: 5%; text-align: center;">1.</div> <div style="width: 35%;">Print Name: <u>Marcus Crawley</u></div> <div style="width: 35%;">Title: <u>President -ACTA</u></div> <div style="width: 25%;"></div> </div>				<div style="display: flex; justify-content: space-around;"> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> <div style="width: 30%; text-align: center;"><input checked="" type="checkbox"/></div> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> </div>		
Residence Address: [REDACTED]						
Signature: [REDACTED] Date: <u>12/12/2023</u>						
<div style="display: flex;"> <div style="width: 5%; text-align: center;">2.</div> <div style="width: 35%;">Print Name: <u>Thomas Ruben</u></div> <div style="width: 35%;">Title: <u>Vice President - ACTA</u></div> <div style="width: 25%;"></div> </div>				<div style="display: flex; justify-content: space-around;"> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> <div style="width: 30%; text-align: center;"><input checked="" type="checkbox"/></div> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> </div>		
Residence Address: [REDACTED]						
Signature: [REDACTED] Date: <u>12/13/2023</u>						
<div style="display: flex;"> <div style="width: 5%; text-align: center;">3.</div> <div style="width: 35%;">Print Name: [REDACTED]</div> <div style="width: 35%;">Title: [REDACTED]</div> <div style="width: 25%;"></div> </div>				<div style="display: flex; justify-content: space-around;"> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> </div>		
Residence Address: [REDACTED]						
Signature: [REDACTED] Date: [REDACTED]						
<div style="display: flex;"> <div style="width: 5%; text-align: center;">4.</div> <div style="width: 35%;">Print Name: [REDACTED]</div> <div style="width: 35%;">Title: [REDACTED]</div> <div style="width: 25%;"></div> </div>				<div style="display: flex; justify-content: space-around;"> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> </div>		
Residence Address: [REDACTED]						
Signature: [REDACTED] Date: [REDACTED]						
<div style="display: flex;"> <div style="width: 5%; text-align: center;">5.</div> <div style="width: 35%;">Print Name: [REDACTED]</div> <div style="width: 35%;">Title: [REDACTED]</div> <div style="width: 25%;"></div> </div>				<div style="display: flex; justify-content: space-around;"> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> <div style="width: 30%; text-align: center;"><input type="checkbox"/></div> </div>		
Residence Address: [REDACTED]						
Signature: [REDACTED] Date: [REDACTED]						

DEC 18 2023

Reg. of Voters

Rebuttal to the Argument Against Measure I  
Hayward Unified School District  
250 Words

The two opponents don't live in our community and don't understand the needs of our schools. Their facts are wrong. Here's the truth:

**FACT:** Since 2006, HUSD has implemented a comprehensive plan to upgrade aging classrooms and schools, many of which are over 60 years old. Independent audits and oversight reports confirm past bonds were spent as promised. **Measure I is the next step to upgrade aging schools.**

**FACT:** While some HUSD schools have been upgraded, many have not. Outdated classrooms and labs need updates for science, technology, engineering and math instruction. Schools have deteriorating sewers, plumbing, heating and ventilation systems. Aging portable classrooms are deteriorating. **Voting YES on I ensures all students learn in safe and up-to-date classrooms.**

**FACT:** Upgrades to local schools are urgent. For example, Bret Harte Middle School lies on the Hayward Fault, is not seismically safe and must be relocated. **We need Measure I now to keep students safe.**

**FACT:** The opponents exaggerate the cost of Measure I. Thanks to careful fiscal management, Measure I will upgrade local schools without increasing tax rates beyond the total already approved by voters in 2018. Plus, HUSD saved taxpayers over \$350,000,000 by taking advantage of low interest rates.

**FACT:** Measure I's fiscal accountability protections are strict. By law, all funds must stay local to be used only for school upgrades listed in the project list printed in your voter pamphlet. Priority projects reflect extensive community input and needs. Annual audits and independent oversight are required.

**Don't be misled. Join respected local leaders and vote YES on I.**



# Argument/Rebuttal Signatures

Submitted by:

Name:

Phone:

Email:

Official Use Only: Date Stamp

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Alameda County

DEC 18 2023

Reg. of Voters

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Names and titles listed will be printed in the order that they are listed in below.

## DECLARATION BY AUTHOR(S) OF ARGUMENTS OR REBUTTALS (Election Code Section 9600)

The undersigned author(s) of the argument:

Measure 1 Election Date: March 5, 2024 Jurisdiction: Hayward Unified School District

☐ Argument in Favor  
(300 words or less)

☐ Argument Against Measure  
(300 words or less)

☒ Rebuttal to Argument Against  
(250 words or less)

☐ Rebuttal to Argument in Favor  
(250 words or less)

Hereby state that such argument is true and correct to the best of (his/her/their) knowledge and belief.

The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1. Print Name: Liz Ortega Title: California Assemblymember

Residence Address:

Signature:

Date:

12/18/23



2. Print Name: Title:

Residence Address:

Signature:

Date:



3. Print Name: Title:

Residence Address:

Signature:

Date:



4. Print Name: Title:

Residence Address:

Signature:

Date:



5. Print Name: Title:

Residence Address:

Signature:

Date:



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DEC 18 2023

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(300 words or less)

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(250 words or less)

☐ Argument Against Measure  
(300 words or less)

☐ Rebuttal to Argument in Favor  
(250 words or less)

Hereby state that such argument is true and correct to the best of (his/her/their) knowledge and belief.

The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1. Print Name: The Rev. Dr. Arlene K. Nehring Title: Senior Minister & Executive Director

Residence Address: [REDACTED]

Signature: [REDACTED]

Date:

12/18/23

☐☒☐

2. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

☐☐☐

3. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

☐☐☐

4. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

☐☐☐

5. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

☐☐☐

# Argument/Rebuttal Signatures

Submitted by:

Name

Phone

Email

Official Use Only: Date Stamp

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**Alameda County**

**DEC 18 2023**

**Reg. of Voters**

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(300 words or less)

☒ Rebuttal to Argument Against  
(250 words or less)

☐ Rebuttal to Argument in Favor  
(250 words or less)

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The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1. Print Name: Hayes Morehouse Title: HUSD Bond Oversight Committee Chair

Residence Address: [REDACTED]

Signature: [REDACTED]

Date:

12/18/23



2. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



3. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



4. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



5. Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



# Argument/Rebuttal Signatures

Submitted by:

Name: **Larry Ratto**

Phone#: **510-917-0577**

Email: **larryratto@gmail.com**

No more than five signatures shall appear with any argument submitted. If more than five are submitted, only the first five will appear on the voter information pamphlet.

Names and titles listed will be printed in the order that they are listed in below.

Official Use Only: Date Stamp

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Alameda County

**DEC 18 2023**

**Reg. of Voters**

## DECLARATION BY AUTHOR(S) OF ARGUMENTS OR REBUTTALS (Election Code Section 9600)

The undersigned author(s) of the argument:

Measure **1** Election Date: **March 5, 2024** Jurisdiction: **Hayward Unified School District**

☐ Argument in Favor  
(300 words or less)

☒ Rebuttal to Argument Against  
(250 words or less)

☐ Argument Against Measure  
(300 words or less)

☐ Rebuttal to Argument in Favor  
(250 words or less)

Hereby state that such argument is true and correct to the best of (his/her/their) knowledge and belief.

The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1. Print Name: **Larry Ratto**

Title: **Former HUSD Principal and Current Bond Oversight Member Former Hayward City Council member**

Residence Address:

Signature:

**12/18/23**



2. Print Name:

Title:

Residence Address:

Signature:

Date:



3. Print Name:

Title:

Residence Address:

Signature:

Date:



4. Print Name:

Title:

Residence Address:

Signature:

Date:



5. Print Name:

Title:

Residence Address:

Signature:

Date:





# Argument/Rebuttal Signatures

Submitted by:

Name

Phone#:

Email:

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Alameda County

DEC 18 2023

**Reg. of Voters**

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Measure 1 Election Date: March 5, 2024 Jurisdiction: Hayward Unified School District

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(300 words or less)

☒ Rebuttal to Argument Against  
(250 words or less)

☐ Argument Against Measure  
(300 words or less)

☐ Rebuttal to Argument in Favor  
(250 words or less)

Hereby state that such argument is true and correct to the best of (his/her/their) knowledge and belief.

The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1. Print Name: Lisa Cote

Title: Former PTA Leader and long-time resident



12/18/23

2. Print Name: [Redacted] Title:

Residence Address:

Signature:

Date:



3. Print Name: Title:

Residence Address:

Signature:

Date:



4. Print Name: Title:

Residence Address:

Signature:

Date:



5. Print Name: Title:

Residence Address:

Signature:

Date:



# Release of Signatures for Rebuttal Arguments

Submitted by:

Name:

Pho

E-Mail Address

Official Use Only: Date Stamp

**RECEIVED**  
Alameda County

DEC 18 2023

Reg. of Voters

Measure 1 Election Date: March 5, 2024 Jurisdiction: Hayward Unified School District

The undersigned author(s) of the direct argument

☒ In Favor

☐ Against

The original signers were:

1.

Print Name:

Alysse Castro

Signature:

Date:

12.12.23

2.

Print Name:

Signature:

Date:

3.

Print Name:

Signature:

Date:

4.

Print Name:

Signature:

Date:

5.

Print Name:

Signature:

Date:

# Release of Signatures for Rebuttal Arguments

Submitted by:

Official Use Only: Date Stamp

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Alameda County

DEC 18 2023

Reg. of Voters

Measure 1 Election Date: March 5, 2024 Jurisdiction: Hayward Unified School District

The undersigned author(s) of the direct argument

☒ In Favor

☐ Against

The original signers were:

1.

Print Name:

Mark Salinas

Signature:

Date:

December 12, 2023

2.

Print Name:

Signature:

Date:

3.

Print Name:

Signature:

Date:

4.

Print Name:

Signature:

Date:

5.

Print Name:

Signature:

Date:

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Official Use Only: Date Stamp

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Alameda County

DEC 18 2023

Reg. of Voters

Submitted by:

Measure 1 Election Date: March 5, 2024 Jurisdiction: Hayward Unified School District

The undersigned author(s) of the direct argument

☒ In Favor

☐ Against

The original signers were:

1.

Print Name:

Elisa Márquez

Signature:

Date:

12/12/23

2.

Print Name:

Signature:

Date:

3.

Print Name:

Signature:

Date:

4.

Print Name:

Signature:

Date:

5.

Print Name:

Signature:

Date:



# Release of Signatures for Rebuttal Arguments

Submitted by:

Name

Phone

E-Mail

Official Use Only: Date Stamp

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Alameda County

DEC 18 2023

Reg. of Voters

Measure 1 Election Date: March 5, 2024 Jurisdiction: Hayward Unified School District

The undersigned author(s) of the direct argument

☒ In Favor

☐ Against

The original signers were:

1.

Print Name:

Peter Bufete

Signature:

Date:

December 12, 2023

2.

Print Name:

Signature:

Date:

3.

Print Name:

Signature:

Date:

4.

Print Name:

Signature:

Date:

5.

Print Name:

Signature:

Date:

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Submitted by:

Name

Phone

E-Mail

Official Use Only: Date Stamp

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Alameda County

DEC 18 2023

Reg. of Voters

Measure I Election Date: March 5, 2024 Jurisdiction: Hayward Unified School District

The undersigned author(s) of the direct argument



In Favor



Against

The original signers were:

1.

Print Name:

Seana Condit-Gordon

Signature:

Date:

December 12, 2023

2.

Print Name:

Signature:

Date:

3.

Print Name:

Signature:

Date:

4.

Print Name:

Signature:

Date:

5.

Print Name:

Signature:

Date:



## Made in Hayward

**WHEREAS**, locally controlled funding from a school facilities improvement bond measure would be used to provide modern classrooms, labs, visual and performing arts centers, library spaces, career training facilities, technology and equipment to support high quality instruction in math, science, engineering, and technology and help ensure graduates are prepared for college and in-demand careers in fields like health sciences, engineering, the arts, technology, and skilled trades; and

**WHEREAS**, local funding from a school facilities improvement bond measure would be used to upgrade older schools to meet current health codes, building safety codes and improve access for students with disabilities, as well as improve student safety and campus security systems including security fencing, security cameras, and emergency communications systems; and

**WHEREAS**, the school facilities improvement bond measure presented herein requires a clear system of fiscal accountability including a detailed bond project list indicating the projects that may be funded by the measure, a citizens' bond oversight committee and independent audits to review the use of funds and required public disclosure of all spending; and

**WHEREAS**, all funds from such school facility improvement bond measure must stay local and may only be used to upgrade classrooms and school facilities in the District and no funds may be taken away by the State; and

**WHEREAS**, funds from a local school facility improvement bond measure could be used to help the District compete for State matching funds that would otherwise go to other school districts; and

**WHEREAS**, District voters have previously approved three bond measures with bonds that are still outstanding, and the tax rate for the previous three measures totaled 9 cents per \$100 (\$90 per \$100,000) of assessed value for fiscal year 2023-24; and

**WHEREAS**, District voters have previously approved an aggregate tax levy authorization totaling \$168.30 per \$100,000 of assessed value for the three previously approved bond measures; and

**WHEREAS**, the District regularly monitors interest rates and over the past five years implemented \$350 million in savings of the actual total net debt service on its general obligation bonds compared to the original estimates provided to voters at the time of each election, by lowering the overall borrowing costs to taxpayers; and

**WHEREAS**, the District anticipates that the issuance of bonds under a new school facilities improvement bond measure to continue repairing and upgrading local school facilities will not result in an increase in the tax rate above the level already approved by voters for past bond measures, totaling \$168.30 per \$100,000 of assessed value; and

**WHEREAS**, the Board is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the Education Code of the State of California (the "Education Code"); and

**WHEREAS**, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Education Code Sections 15100 et seq.; and





## Made in Hayward

**WHEREAS**, pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, and Section 15266 of the Education Code, school districts may seek approval of bonds and levy an ad valorem tax to repay those bonds upon a 55% vote of those voting on a proposition for the purposes hereinafter specified, provided certain accountability requirements are included in the proposition, including (a) that the proceeds from the sale of the bonds be used only for the purposes specified in Article XIII A, Section 1(b)(3) of the Constitution, and not for any other purpose, including teacher and administrator salaries and other school operating expenses, (b) that a list of the specific school facilities projects to be funded be included, which the school district board has certified that it has evaluated safety, class size reduction and information technology needs in developing, and (c) that performance and financial audits be required and there be oversight by an independent citizens' oversight committee to ensure that all funds are spent properly and as promised to the voters; and

**WHEREAS**, the Board has prepared and is approving an updated Facilities Master Plan (the "Facilities Master Plan") on the date hereof, 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, and the Facilities Master Plan is hereby incorporated by reference; and

**WHEREAS**, the Board deems it necessary and advisable to submit such a bond proposition to the electors which, if approved by 55% of the votes cast, would permit the District to issue its bonds; and

**WHEREAS**, such a bond election must be conducted concurrent with a statewide primary election, general election, or special election, or at a regularly scheduled local election at which all of the electors of the District are entitled to vote, as required by Section 15266 of the Education Code; and

**WHEREAS**, on March 5, 2024, a statewide primary election is scheduled to be conducted throughout the District; and

**WHEREAS**, subsection (c) of Section 15100 of the Education Code provides that, before the governing board of a school district may order an election pursuant to Education Code Sections 15100 et seq., it shall obtain reasonable and informed projections of assessed property valuations that take into consideration projections of assessed property valuations made by the county assessor; and

**WHEREAS**, although the County Assessor does not make projections of assessed property valuations, the Board has been presented with projections of assessed property valuations of the property within the boundaries of the District in connection with developing the bond proposition that take into consideration, among other things, the long-term historical average growth rates of assessed property valuations of the property within the boundaries of the District and the Board finds those projections to be reasonable and informed; and

**WHEREAS**, the Board has determined that, based upon such projections of assessed property valuation, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the maximum tax rate permitted by Section 15270 of the Education Code; and

**WHEREAS**, current estimates place the maximum projected tax rate levied to meet the debt service requirements of the bonds at approximately \$60 per year per \$100,000 of assessed valuation of taxable property; and





## Made in Hayward

**WHEREAS**, Section 9400 et seq. of the Elections Code of the State of California (the “Elections Code”) requires that a tax rate statement be contained in all official materials, including any voter information guide prepared, sponsored or distributed by the District, relating to the election; and

**WHEREAS**, the Board now desires to authorize the filing of a ballot argument in favor of the bond proposition to be submitted to the voters at the election; and

**WHEREAS**, if a project or projects to be funded by the bonds will require State matching grant funds for any phase, the sample ballot must contain a statement, in the form prescribed by law, advising the voters of that fact, and the Board finds that completion of all or a portion of certain of the projects listed in the bond proposition set forth herein will require State matching grant funds for any phase thereof; and

**WHEREAS**, the Board finds that completion of all or a portion of certain projects listed in the bond project list may require State matching funds not yet received by the District;

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

1. Recitals. All of the above recitals are true and correct, and the Board so finds.
2. Specifications of Election Order. Pursuant to Education Code Sections 5304, 5322, 15100 et seq., and 15266, and Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, a special election shall be held within the boundaries of the District on March 5, 2024, for the purpose of submitting to the registered voters of the District the bond proposition contained in Exhibit A attached hereto and incorporated herein. In accordance with Section 1 of Article XIII A of the California Constitution, and as provided in the text of the bond proposition, the Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the bond project list set forth in the bond proposition.
3. Conduct of Election.
  - a. *Request to County Officers*. Pursuant to Section 5303 of the Education Code, the Registrar of Voters of the County (the “Registrar of Voters”) is required to, and is hereby requested to, take all steps to hold the election in accordance with law and these specifications.
  - b. *Abbreviation of Proposition*. Pursuant to Section 13247 of the Elections Code and Section 15122 of the Education Code, the Board hereby directs the Registrar of Voters to use the following abbreviation of the bond proposition on the ballot:

***“Hayward School Improvement Measure. To upgrade aging local classrooms, labs, career training facilities, learning technology, art/ music classrooms, fields; improve earthquake/ fire safety/ emergency communications/ school security; improve accessibility for students with disabilities; update plumbing/ electrical/ heating/ cooling systems, shall Hayward Unified School District’s measure be adopted authorizing \$550,000,000 in bonds at legal rates, levy approximately \$60 per \$100,000 of assessed value, raising approximately \$35,200,000 annually while bonds are outstanding, with independent oversight/ all funds staying local?”***



## Made in Hayward

As provided above, the Registrar of Voters is hereby requested to include the phrase “See voter guide for tax rate information.” in the statement of the proposition.

- c. *Voter Pamphlet.* The Registrar of Voters is hereby requested to reprint the full text of the bond proposition as set forth in Exhibit A in its entirety in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. In the event the full text of the bond proposition is not reprinted in the voter information pamphlet in its entirety, the Registrar of Voters is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

“The above statement is an impartial analysis of Measure \_\_. If you desire a copy of the measure, please call the Alameda County Registrar of Voters at (\_\_\_\_) \_\_\_\_-\_\_\_\_ or the Hayward Unified School District at (\_\_\_\_) \_\_\_\_-\_\_\_\_, and a copy will be mailed at no cost to you. Measure \_\_ is also available on the Internet at [http://www.\\_\\_\\_\\_.](http://www.____.)”

- d. *Accountability Safeguards.* In the event the full text of the bond proposition is not reprinted in the voter information pamphlet in its entirety, the Registrar of Voters is hereby requested to include the following statement in the ballot in compliance with Section 15272 of the Education Code:

“If Measure \_\_ is approved, the Board of Education of the Hayward Unified School District will appoint a citizens’ oversight committee and conduct annual independent audits to assure that bond funds are spent only on 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, and for no other purposes.”

- e. *State Matching Funds.* The District hereby requests that the Registrar of Voters include the following statement in the ballot pamphlet, pursuant to Section 15122.5 of the Education Code:

“Approval of Measure \_\_ does not guarantee that the proposed project or projects in the Hayward Unified School District that are the subject of bonds under Measure \_\_ will be funded beyond the local revenues generated by Measure \_\_. The District’s proposal for the project or projects assumes the receipt of matching State funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.”

- f. *Consolidation Requirement.* Pursuant to Section 15266(a) of the Education Code, the election shall be consolidated with the statewide primary election on March 5, 2024, and pursuant to Education Code Section 5342 and Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrar of Voters and the Board of Supervisors of the County are hereby requested to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same. The District hereby acknowledges that the consolidated election will be held and conducted in the manner prescribed by Section 10418 of the Elections Code.





## Made in Hayward

- g. *Canvass of Results.* The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to Section 10411 of the Elections Code.
  - h. *Required Vote.* Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, the bond proposition shall become effective upon the affirmative vote of at least 55% of the voters of the District voting on the proposition.
  - i. *Election Costs.* The District shall pay all costs of the election approved by the Board of Supervisors of the County pursuant to Education Code Section 5421.
4. Delivery of Order of Election to County Officers. The Clerk of the Board of the District is hereby directed to cause to be filed as soon as practicable, and in any event no later than December 8, 2023 (which date is not fewer than 88 days prior to the date set for the election), one copy of this Resolution to the Registrar of Voters, including the tax rate statement attached hereto as Exhibit B, containing the information required by Elections Code Section 9400 et seq., completed and signed by the Superintendent of the District, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the County. With respect to the tax information statement attached hereto as Exhibit B, the Board hereby adopts the procedures set forth in Elections Code Section 9405.
  5. Ballot Arguments. The President of the Board, or any member or members of the Board as the President shall designate, are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the bond proposition, within the time established by the Registrar of Voters, which shall be considered the official ballot argument of the Board as sponsor of the bond proposition.
  6. Further Authorization. The members of this Board, the Superintendent of the District, the Assistant Superintendent of Business Services of the District, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution in accordance with the terms hereof and of applicable provisions of law.
  7. Effective Date; Required Vote. This Resolution shall take effect upon its adoption by a two-thirds vote of the Board.

PASSED AND ADOPTED this day, October 11, 2023, by the following vote:

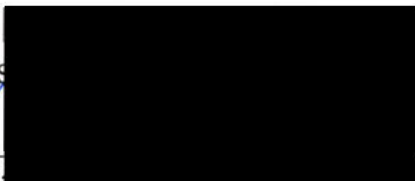
VOTE: 5-0

APPROVED: 



Peter Bufete  
President of the Board of Education of the  
Hayward Unified School District

ATTES



Dr. Jason Remann  
Secretary of the Board of Education of the  
Hayward Unified School District



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**EXHIBIT A**

**FULL TEXT OF THE MEASURE**

FULL TEXT BALLOT MEASURE

OF THE HAYWARD UNIFIED SCHOOL DISTRICT

ELECTION MARCH 5, 2024

**RECEIVED**  
Alameda County  
DEC 05 2023  
**Reg. of Voters**

**This Measure may be known and referred to as the “Hayward Unified School Improvement Measure” or as “Measure \_\_\_\_”. [letter designation to be assigned by County Registrar of Voters]**

**FINDINGS**

Hayward Unified School District (the “District”) strives to provide a quality education for more than 19,000 students from preschool through high school and adult education that prepares them for life beyond the classroom.

The District includes 18 elementary schools, five middle schools, three comprehensive high schools, two alternative schools, an adult education center, and a childcare center for preschoolers that serve students in the City of Hayward and portions of unincorporated Alameda County (the “County”).

Most of the District’s schools were built in the 1950s and 1960s during a period of rapid population growth and 18 of the District’s school sites are over 60 years old and were built for a different era of education when the demands of a 21st century education in science, math, engineering and technology were not anticipated.

Many school facilities in the District have deteriorating sewer, plumbing, electrical, and heating and ventilation systems.

The District has many aging portable classrooms that are beyond their useful life, deteriorating and no longer meet safety and instructional standards.

Some schools in the District are located on or near the Hayward Fault, primarily Bret Harte Middle School, which does not meet current earthquake safety standards, and local funding from a school facilities improvement bond measure would be used to improve earthquake safety to meet current seismic standards for schools.

Starting in 2006, the District partnered with architects and school facility construction experts to conduct a thorough assessment of every classroom, lab and school facility in the District to evaluate conditions and identify needed upgrades, resulting in the District’s comprehensive Facility Master Plan, which has been updated periodically over the years, most recently in 2023.

The State of California (the “State”) does not provide dedicated funding for school facility repairs and improvements and the only State funding that is available requires local matching funds, therefore the District must look to local funding sources to upgrade and repair of local schools.





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While some of the District's schools have been upgraded with funds from past voter-approved school facility improvement bond measures, others have not, and additional improvements are needed to ensure all students attend class in safe and modern schools.

The Board of Education of the District (the "Board") believes that a school facilities improvement bond measure to provide locally controlled funding is the District's only realistic means to upgrade its local schools.

Locally controlled funding from a school facilities improvement bond measure would be used to provide modern classrooms, labs, visual and performing arts centers, library spaces, career training facilities, technology and equipment to support high quality instruction in math, science, engineering, and technology and help ensure graduates are prepared for college and in-demand careers in fields like health sciences, engineering, the arts, technology, and skilled trades.

Local funding from a school facilities improvement bond measure would be used to upgrade older schools to meet current health codes, building safety codes and improve access for students with disabilities. It would also improve student safety and campus security systems including security fencing, security cameras, and emergency communications systems.

The school facilities improvement bond measure presented herein requires a clear system of fiscal accountability including a detailed bond project list indicating the projects that may be funded by the measure, a Citizens' Oversight Committee and independent audits to review the use of funds and required public disclosure of all spending.

All funds from such school facility improvement bond measure must stay local and may only be used to upgrade classrooms and school facilities in the District and. no funds may be taken away by the State.

Funds from a local school facility improvement bond measure could be used to help the District compete for State matching funds that would otherwise go to other school districts.

District voters have previously approved three bond measures with bonds that are still outstanding. The tax rate for the previous three measures totaled 9 cents per \$100 (\$90 per \$100,000) of assessed value for fiscal year 2023-24.

### **BOND AUTHORIZATION**

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$550 million 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 in order to qualify to receive State 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 District's voters and taxpayers 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 State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Sections 15264 et seq. of the Education Code of California (the "Education Code")).

Evaluation of Needs. The Board of Education of the District (the "Board of Education") hereby certifies that it has evaluated the facilities needs of the District pursuant to its facilities master plan, and the priority of addressing each of these needs. In the course of its evaluation, the Board of Education took safety, class size reduction and information technology needs into consideration while developing the Bond Project List.

Limitation on Use of Bond Proceeds. The State does not have the legal authority to take locally approved school district bond funds for any State purposes. The State Constitution allows proceeds from the sale of bonds authorized by this proposition to be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities listed in this proposition, 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. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff only when performing work necessary or incidental to the bond projects.

Independent Citizens' Oversight Committee. The Board of Education shall establish an independent Citizens' 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 on which the Board of Education 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' 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 parent or guardian of a child enrolled in the District, and a member that is both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization. No employee or official of the District and no vendor, contractor or consultant of the District shall be appointed to the citizens' oversight committee. The District may decide that the current Measure H Oversight Committee shall simultaneously serve as the Oversight Committee for this measure.

Annual Performance Audits. In compliance with the requirements of Article XIII A, Section 1(b)(3)(C) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000, the Board of Education 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' oversight committee in accordance with Section 15286 of the Education Code.





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Annual Financial Audits. In compliance with the requirements of Article XIII A, Section 1(b)(3)(D) of the California Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000, the Board of Education 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' oversight committee in accordance with Section 15286 of the Education Code.

Special Bond Proceeds Account; Annual Report to Board of Education. In compliance with the requirements of California Government Code Section 53410 *et seq.*, upon approval of this proposition and the sale of any bonds approved, the Board of Education shall take 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 Superintendent of the District shall cause a report to be filed with the Board of Education 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 Assistant Superintendent of Business Services of the District (or other officer designated by the Board of Education) shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board of Education.

### **FURTHER SPECIFICATIONS**

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.

Joint Use. The District may enter into agreements with the County of Alameda or 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 of Education shall determine.

Rate of Interest. The bonds shall bear interest at a rate per annum not exceeding the statutory maximum, payable at the time or times permitted by law.

Term of Bonds. The number of years the whole or any part of the bonds are to run shall not exceed the legal limit, though this shall not preclude bonds from being sold which mature prior to the legal limit.





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Bonds may be Issued in Excess of Statutory Bonding Limit. Issuance of all of the authorized bonds might require the outstanding debt of the District to exceed its statutory bonding limit of 2.50% of the total assessed valuation of taxable property in the District. In that event, the District intends to seek a waiver of its bonding limit from the State Board of Education, which has the power to waive certain requirements of the Education Code applicable to the District. By approval of this proposition, the voters have authorized the District to seek such a waiver, and to issue authorized bonds in excess of the 2.50% limit as the State Board of Education may approve. No such waiver has yet been sought or granted.

### **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 of Education-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. To the extent permitted by law, 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 of Education 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). The Board of Education has found and determined that all projects listed below are capital expenditures. Any project listed below may be accomplished by construction, reconstruction, rehabilitation or replacement, as applicable and as determined by the Board of Education, and includes furniture or equipment related thereto. The District may also undertake demolition at a school facility. The District may acquire or replace furniture and equipment in connection with each project as necessary. Headings and subheadings in the Bond Project List are the types of projects the District intends to undertake and the projects that may be undertaken are not limited to the specifically enumerated projects listed thereunder.





### **DISTRICT WIDE PROJECTS**

**The following projects are authorized to be financed at all school facilities sites District wide, including all current or future District sites.**

- Interior improvements including, but not limited to, classrooms, science labs, career training facilities, visual and performing arts spaces, multi-use spaces, computer labs, lighting, fire safety/emergency communication systems and other safety improvements (including, but not limited to security systems, door locking systems, fire alarm and sprinkler systems, fencing, video surveillance systems), facilities for special education students, restrooms, classroom equipment (including fixtures, furnishings and equipment necessary for science and technology education), custodial spaces.
- Exterior improvements including, but not limited to exterior finish and painting, doors and framing, windows, roofs, and compliance with local, state, and federal building, health, safety, access, and other compliance-related laws such as the Field Act and Americans with Disabilities Act.
- HVAC improvements, including, but not limited to systems designed to improve energy efficiency and air quality.
- Plumbing improvements including, but not limited to major systems such as sewers, boilers, pumps, and storage facilities.
- Electrical improvements, including, but not limited to energy management systems and renewable energy systems.
- Information technology improvements including, but not limited to, fixtures and equipment.
- Site improvements, including, but not limited to parking, pick-up and drop-off areas, paving, ramps and stairs, shade and shelter (including but not limited to lunch canopies), lunch tables and benches, drinking fountains, inclusive play and playground equipment, landscaping, drainage, irrigation, fencing, and gates, soil stabilization, mitigation, grass areas, hydration stations.
- Earthquake-safety seismic upgrades for school sites, including but not limited to Bret Harte Middle School.
- Library improvements including, but not limited to technology improvements and additional collections.
- Replacing or repairing portable classrooms.
- Kitchens, including, but not limited to, kitchen fixtures and equipment.
- Administrative areas and buildings.
- Warehouse, storage, mechanical, and yard facilities.
- Athletic facilities improvements, including, but not limited to, fields, tracks, courts, and pools, locker rooms, lockers, gymnasias, and athletic equipment.
- Staff work and lunch room facilities.
- Health offices, including health equipment and fixtures.
- Acquisition of student transportation vehicles or systems, including electric vehicles and support infrastructure.
- Replace older inefficient mechanical and central controls systems with energy-efficient systems, and/or install systems to produce energy, store energy and/or reduce consumption.





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- Construction of school facilities on leased property, including on property owned by other public agencies for joint use with other public agencies.
- Acquisition or lease of real property, including acquiring clean title to leased assets, and/or prepayment of existing or future interim lease, certificate of participation or lease revenue bond financings, including certificates of participation financed through the lease of Dr. Martin Luther King Jr. Middle School and Hayward High School.
- Acquisition and/or construction of teacher and/or workforce housing and related facilities, and/or refinance or retire debt on existing facilities and school sites, including but not limited to lease financing obligations secured by real property.

All or portions of these projects may be used as joint-use projects within the meaning of Section 17077.42(c) of the California Education Code (or any successor provision).

### MISCELLANEOUS

#### **All listed bond projects include the following as needed:**

- Planning, designing and providing temporary housing necessary for listed bond projects.
- The inspection, sampling and analysis of grounds, buildings and building materials to determine the presence of hazardous materials or substances, including asbestos, lead, etc., and the encapsulation, removal, disposal and other remediation or control of such hazardous materials and substances.
- Seismic and historical evaluations, site surveys (including topographic, geological and utility surveys), and infrastructure analyses.
- Necessary onsite and offsite preparation or restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable buildings or other temporary buildings, including demolition of structures; removing, replacing, or installing irrigation, drainage, utility lines (gas, water, sewer, electrical, data and voice, etc.), trees and landscaping; and relocating fire access roads or ingress/egress pathways.
- Address other unforeseen conditions revealed by construction, renovation or modernization (including plumbing or gas line breaks, dry rot, seismic and structural deficiencies, etc.).
- Acquire or construct other improvements required to comply with building codes, including seismic safety requirements, the Field Act, and access requirements.
- Acquisition of any rights-of-way, easements, licenses and/or real property made necessary by listed bond projects, or lease of real property made necessary by the listed bond projects.
- Acquire or construct storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel.
- Furnishing and equipping of classrooms and other school facilities; furnishing and equipping shall include initial purchases, and scheduled and necessary replacements, upgrades and updating of technology.
- Acquisition of all or a portion of any school site or facility, or an interest therein, or make lease payments with respect to any school site or facility, encumbered in order to finance or refinance the listed school facilities projects.
- All other costs and work necessary or incidental to the listed bond projects.





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### **PROJECTS INVOLVING RENOVATION, REHABILITATION OR REPAIR**

For any project involving renovation, rehabilitation or repair of a building or the major portion of a building, the District shall be authorized to proceed with new replacement construction instead (including any necessary demolition) if the Board of Education determines that replacement new construction is more practical than renovation, rehabilitation or repair, considering the building's age, condition, expected remaining life, comparative cost and other relevant factors.

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

#### **Incidental Work Authorized At All Sites**

(at which Projects listed above are undertaken)

Each project listed above includes allocable costs such as election and bond issuance costs to the extent permitted by law; architectural, engineering, inspection and similar planning costs; construction management (whether by the District or a third-party); annual financial and performance audits; a contingency for unforeseen design and construction costs; litigation costs; and other costs necessary, incidental, or related to the completion of the listed projects and otherwise permitted by law, including but not limited to:

Remove hazardous materials, e.g., asbestos, lead, etc., if necessary or desirable.

- Address unforeseen conditions revealed by construction/modernization (e.g., plumbing or gas line breaks, dry-rot, seismic, structural, etc.).
- Other improvements required to comply with building codes.
- Furnishing and equipping:
  - of newly constructed classrooms and facilities,
  - to replace worn/broken/out of date furniture and equipment.
- Acquisition of any of the facilities on the Bond Project List through temporary lease, lease-lease-back, or lease-purchase arrangements, execution of a purchase option under a lease for any of these authorized facilities, or prepayment of lease payments.
- Demolition of existing facilities and reconstruction of facilities scheduled for modernization, if the Board of Education determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses.
- Rental or construction of temporary classrooms (including modular classrooms), and rental or construction of temporary locations, as needed to house students or administrative offices during construction.
- Necessary site preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of modular classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property.

The Bond Project List shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.



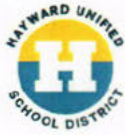
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## GENERAL PROVISIONS

Interpretation. The terms of this bond proposition 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. Without limiting the generality of the foregoing, such words as repair, improve, upgrade, expand, modernize, renovate, and reconfigure are used in the Bond Project List to describe school facilities projects in plain English and are not intended to expand the nature of such projects beyond, or have an effect on, and shall be interpreted to only permit, what is authorized under 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. In this regard, the Bond Project List does not authorize, and shall not be interpreted to authorize, expending proceeds of the sale of bonds authorized by this proposition for current maintenance, operation or repairs.

Severability. The Board of Education hereby declares, and the voters by approving this bond proposition concur, that every section and part of this bond proposition has independent value, and the Board of Education and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this bond proposition 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 proposition are severable.





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**EXHIBIT B**

**TAX RATE STATEMENT**

An election will be held in the Hayward Unified School District (the "District") on March 5, 2024, to authorize the sale of up to \$550 million in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to issue the bonds in multiple series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400 through 9405 of the California Elections Code.

1. The best estimate of the average annual tax rate that would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of filing of this statement, is six cents per \$100 (\$60 per \$100,000) of assessed valuation. The final fiscal year in which the tax to be levied to fund this bond issue is anticipated to be collected is fiscal year 2057-58.
2. The best estimate of the highest tax rate that would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is six cents per \$100 (\$60 per \$100,000) of assessed valuation in fiscal year 2029-30.
3. The best estimate of the total debt service, including the principal and interest, that would be required to be repaid if all of the bonds are issued and sold is approximately \$1,160,000,000.

District voters have previously approved three bond measures with bonds that are still outstanding. The tax rate for the previous three measures totaled 9 cents per \$100 (\$90 per \$100,000) of assessed value for fiscal year 2023-24.

Voters should note that estimated tax rates are based on the ASSESSED VALUE of taxable property on the County's official tax rolls, not on the property's market value, which could be more or less than the assessed value, and that such estimated tax rates are in addition to taxes levied to pay bonds authorized under other measures and other taxes imposed by or on behalf of the District. In addition, taxpayers eligible for a property tax exemption, such as the homeowner's exemption, will be taxed at a lower effective tax rate than described above. Certain taxpayers may also be eligible to postpone payment of taxes. 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 estimated rates presented above apply only to the taxes levied to pay bonds authorized by this measure. Additional taxes will be levied to pay bonds issued pursuant to previous, concurrent, and future authorizations by the District and/or any other local agency with an overlapping tax base.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the year or years in which they will apply, and the actual total debt service, 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



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District based on need for construction funds and other factors, including the legal limitations on bonds approved by a 55% affirmative vote. 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.

Dated: October 11, 2023.



Dr. Jason Reimann  
Secretary of the Board of Education of the  
Hayward Unified School District