

SOUTHWESTERN COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 1581

**RESOLUTION OF THE GOVERNING BOARD OF THE
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
ORDERING AN ELECTION, AND ESTABLISHING
SPECIFICATIONS OF THE ELECTION ORDER**

WHEREAS, the Governing Board (the "Board") has determined that certain college classrooms, buildings, properties and facilities within the Southwestern Community College District (the "District") need to be maintained, acquired, constructed, improved, furnished and equipped to enable Southwestern College and its local education centers in Chula Vista, National City, and Otay Mesa, to provide affordable, local higher education, to train and retrain local residents for higher-paying and skilled jobs, and to enhance the accessibility of excellent educational opportunities for the students in the District who desire to transfer to four-year universities; and

WHEREAS, since Southwestern College serves the growing South Bay population of San Diego County where workforce salaries are on average the lowest in the County and enrollment is expected to grow from 19,000 currently to 35,000 by the year 2020, and due to the age and condition of many of the District's outdated college buildings, and the overcrowding on its new campus, the District must continue to maintain and expand its facilities to increase opportunities for local students to earn college credits, certifications, and career/job training skills at a reasonable price with skills that support a middle-class salary; and

WHEREAS, Southwestern Community College District is the primary source for training local police officers and firefighters, nurses and the emergency response personnel who keep our local communities safe, and must upgrade its firefighting/police training academy to train more personnel and first responders; and

WHEREAS, many Southwestern College classrooms were built nearly 50 years ago and are outdated, deteriorating and do not meet today's health and safety requirements, and the Board has determined that the upgrading and replacement of aging classrooms, buildings, laboratories and instructional equipment and the construction of additional classrooms and labs for nursing and other health care programs, police, fire and public safety programs; the provision of up-to-date computer technology; the installation of fire safety equipment; the improvement of electrical, lighting, ventilation, fire detection systems in existing classrooms and to increase energy efficiency to reduce costs; the enhancement of access for disabled students; and the improvement of college buildings to provide students with more course options close to their homes are also among the highest priorities of the Board; and

WHEREAS, notwithstanding concerted and ongoing efforts by the District to obtain sufficient money from the State of California (the "State"), the State has been unable to provide the District with enough money for the District to adequately maintain and enhance Southwestern College and its education centers for students; and

WHEREAS, if the District passed a local general obligation bond, the Board believes that Southwestern College would be eligible for over \$75 million of additional State matching funds for Southwestern College education improvements; and

WHEREAS, after much consideration, discussion and public input, the Board has approved the Southwestern College Educational & Facilities Master Plan (the "Master Plan") which sets forth not only the long range strategy plans for Southwestern College, but also prioritizes its most immediate and critical project needs; and

WHEREAS, as the Board identifies critical need school improvements to be funded with a local general obligation bond, the Board intends to consider incorporating into each such project, regardless of whether it is a new construction or a repair, and upgrade project Leadership in Energy and Environmental Design ("LEED") environmental and sustainability criteria to the extent feasible, such as improving student performance and staff health through daylighting, use of non toxic-emitting materials and sound insulation or isolation to minimize noise and enhance acoustical quality in the classroom; reduce operating costs, through energy and water efficiency; and minimize the impact of District operations on the environment, through, for example, the installation of purchase of renewable energy resources; and

WHEREAS, in the judgment of the Board, it is advisable to provide additional funding for such facility, technology, and safety needs as described in the Master Plan by means of a general obligation bond; and

WHEREAS, Proposition 46, approved by the voters of the State of California on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIII A of the California Constitution by adding a provision which exempts from the 1% of full cash value limitation, those *ad valorem* taxes used to pay for debt service of any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which, as of its effective date, reduced the voter threshold for *ad valorem* tax levies used to pay for debt service or bonded indebtedness to 55% of the votes cast on a community college district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight which are contained in Proposition 39 and the Act and this Resolution; and

WHEREAS, the Board determines that the restrictions in Proposition 39, as interpreted by the Attorney General of the State of California, which prohibit any bond money to be used for administrator salaries and expenses, be strictly enforced by a citizens' oversight committee; and

WHEREAS, the Board desires to establish the importance of identifying funding sources for the ongoing maintenance costs of projects constructed with the proceeds of a general obligation bond; and

WHEREAS, the Board further desires to establish procedures to ensure that all projects funded by the proceeds of a general obligation bond shall be undertaken by contractors who are qualified to bid on the work and complete such projects; and

WHEREAS, the Board further determines to establish and enforce a labor compliance program for projects funded by the proceeds of a general obligation bond which includes requirements relating to the payment of prevailing wages and compliance with all applicable state and federal labor and public contract laws; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on November 4, 2008, and to request that the San Diego County Registrar of Voters perform certain election services for the District; and

WHEREAS, in the judgment of the Board, it is advisable to request the San Diego County Registrar of Voters to call an election pursuant to Proposition 39 on the question of whether general obligation bonds shall be issued and sold on behalf of the District for purposes set forth below;

WHEREAS, after the adoption of this Resolution, the District will limit its expenditures of public funds in connection with this measure to certain "educational efforts"; and

NOW THEREFORE, THE GOVERNING BOARD OF THE SOUTHWESTERN COMMUNITY COLLEGE DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 and Government Code Section 53506, hereby requests the San Diego County Registrar of Voters call an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount not to exceed \$389 million (the "Bonds") shall be issued and sold to raise money for the purposes described in Exhibits "A" and "B" hereto.

Section 2. That the date of the election shall be November 4, 2008.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A" and incorporated by reference herein, containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot proposition in Exhibit "A" is subject to the following requirements and determinations:

(a) that the proceeds of the sale of the Bonds shall only be used for the purposes set forth in the ballot measure and not for any other purpose, including teacher or administrator salaries or other operating expenses;

(b) that the Board, in establishing the projects set forth in Exhibit "B," evaluated the safety, class size and offerings and information technology needs of the District;

(c) that the Board will cause to be conducted an annual, independent performance audit to ensure that the Bond moneys are expended for the projects identified in Exhibit "B" hereto;

(d) that the Board will cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all Bond proceeds have been expended;

(e) that the Board will cause the appointment of a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274. The Citizens' Oversight Committee shall initially consist of at least seven (7) members and at no time consist of less than seven (7) members, with the possible exception of brief periods to fill any unexpected vacancies. The Citizens' Oversight Committee may not include any employee or official of the District or any vendor, contractor or consultant of the District. The Citizens' Oversight Committee shall include all of the following: One (1) member who is active in a business organization representing the business community located within the District; One (1) member who is active in a senior citizens' organization; One (1) member who is active in a bona fide taxpayer association. In furtherance of its specifically enumerated purposes, the Citizens' Oversight Committee may engage in any of the following activities relating solely and exclusively to the expenditure of the Proposition 39 bond proceeds:

(i) Receive and review copies of the annual, independent financial and performance audits performed by independent consultant(s);

(ii) Inspect District facilities and grounds to ensure that Proposition 39 bond revenues are expended in compliance with applicable law;

(iii) Receive and review copies of all deferred maintenance proposals or plans developed by the District;

(iv) Review efforts of the District to maximize Proposition 39 bond revenues by implementing cost-saving programs; and

(f) that the tax levy authorized to secure the bonds of this election shall not exceed the Proposition 39 limit per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution;

(g) that prior to the issuance of bonds for the construction of new projects set forth in Exhibit "B", the Board would have received and approved a report from the Superintendent/President, stating that the District had identified sufficient financial resources to pay for the ongoing maintenance of such projects, and that such a report shall be made available to the Citizens' Oversight Committee for review;

(h) that the District must have a Governing Board approved short-term plan to eliminate deferred maintenance using general fund revenues, and, if necessary, with a limited reliance on bond revenues; and an approved major maintenance plan to ensure that both new and renovated facilities do not become maintenance deferred once the backlog has been eliminated. The plan should be made available to the Citizens' Oversight Committee;

(i) that in order to maximize community benefit and efficiently apply taxpayer dollars, the District should pursue all practical opportunities to expand community joint use facilities in every new or expanded school construction project. In pursuing joint use, the District's goal should be to maximize the use of District facilities to the broader community, without adversely impacting

District operations or finances. Examples of appropriate joint use provisions for incorporation into construction plans include, but are not limited to, additional and expanded library facilities, recreational/physical-education facilities, computer labs, meeting rooms and childcare and health care facilities. Appropriate joint-use should take into consideration that the college and centers have many facilities that operate and offer classes from 6 a.m. to 10 p.m., with the evening programs serving about the same number of students as the day programs.

The Governing Board shall direct staff to implement the following procedures:

- Prior to the obligation of funds for new facilities or facilities expansion construction that likely would be appropriate for joint use, a joint use implementation report shall be presented in writing to the Citizens' Oversight Committee and approved by the Governing Board.
- The joint use implementation report shall include the following minimum information:
 - Project description
 - List and description of joint use elements that could potentially be incorporated into the project
 - List of agencies and organizations contacted regarding potential joint use elements, including description of how agencies and organizations were contacted
 - For each agency or organization contacted:
 - Joint use development criteria discussed or developed for the project
 - Equity of contribution considerations discussed or developed for the project

In addition, it is the intention of the Governing Board to make official, policy level contacts with overlapping public jurisdictions, in order to make joint use and the efficient application of taxpayers dollars a priority of all agencies serving District boundaries. Agencies contacted should include, but not be limited to all public agencies within the District's service area, as well as the County of San Diego, public school districts, and transit agencies;

(j) that prior to the issuance of the bonds, the District shall apply and continue to enforce a prequalification of bidders procedure on all new projects set forth in Exhibit "B" so that the District can be confident that all contractors, at all times, are qualified to bid on, work on, and complete such projects;

(k) that prior to the issuance of the bonds, the District shall initiate and enforce a labor compliance program which requires that (i) all contracts contain appropriate language concerning public works; (ii) federal and state labor laws are fully disclosed to all bidders; (iii) weekly payroll records of each contractor and subcontractor be available for District review; (iv) all contractors and subcontractors comply with applicable prevailing wage laws; (v) the District may withhold contract payments if any of the other requirements have not been satisfied. Data on outreach efforts and results to attract bidders to District projects shall be reported periodically to the Citizens' Oversight Committee. The information to the Citizens' Oversight Committee shall include statistical data, such as total number of bidders per project, but shall not include confidential information about specific bids and bidders; and

(l) that in connection with the establishment of a Citizens' Oversight Committee, the Governing Board shall comply with Education Code Sections 15278 *et seq.*, and beyond the requirements set forth therein, the Governing Board shall appoint persons such that a majority of the

members of the Citizens' Oversight Committee possess expertise in one or more of the following areas:

- (i) large scale construction operations;
- (ii) municipal/public finance matters;
- (iii) multiple years expertise with agency/entity budgeting (which may include public agency or public entity budgeting);
- (iv) construction-related project management; and
- (v) real estate acquisition or sales.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.* and 15264 *et seq.* and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Section 5322 of the Education Code.

Section 6. That the San Diego County Registrar of Voters and the San Diego County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 4, 2008 within the District.

Section 7. That this Resolution shall stand as the "order of election" to the San Diego County Registrar of Voters to call an election within the boundaries of the District on November 4, 2008.

Section 8. That the Secretary of the Board is hereby directed to deliver an original or a certified copy of this Resolution to the San Diego County Registrar of Voters no later than August 8, 2008.

Section 9. That the maturity of any Bonds issued pursuant to Section 15100 of the Education Code, and Bonds issued pursuant to Section 53506 of the Government Code shall not exceed the maturity limits set forth therein, respectively. The maximum interest rate on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

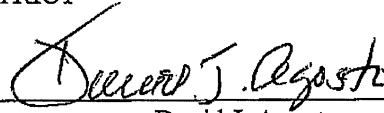
Section 10. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass be made by any body or official authorized by law to canvass the returns of the election, and that the Board consents to such consolidation.

Section 11. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of San Diego County is requested to permit the Registrar of Voters of San Diego County to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse the County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 6th day of August, 2008.

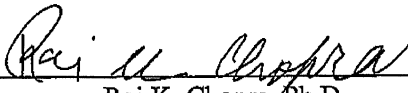
GOVERNING BOARD OF THE
SOUTHWESTERN COMMUNITY COLLEGE
DISTRICT

By



David J. Agosto
Governing Board President

Attest:



Raj K. Chopra, Ph.D.
Secretary to the Governing Board

STATE OF CALIFORNIA)
)
SAN DIEGO COUNTY)

I, Raj K. Chopra, do hereby certify that the foregoing is a true and correct copy of Resolution No. 1581, which was duly adopted by the Governing Board of the Southwestern Community College District at the meeting thereof held on the 6th day of August, 2008, and that it was so adopted by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

ABSTENTIONS: 0

By Raj K. Chopra
Raj K. Chopra, Ph.D.
Superintendent/President
Secretary to the Governing Board
of Southwestern Community College District

EXHIBIT A

"The Southwestern Community College Classroom Repair and Job Training Measure: To improve affordable, South Bay community college education/job training, qualify for state matching grants, upgrade nursing, firefighter/police academy training, repair classrooms, science labs/technology, fix plumbing, bathrooms, roofs, wiring, improve fire/earthquake safety, heating/security systems, remove asbestos; acquire, construct, repair, equip classrooms, sites, facilities, improve handicapped accessibility/energy efficiency to reduce costs; shall Southwestern Community College District issue \$389,000,000 in bonds, at legal rates, required citizen oversight, annual audits and no money for administrators' salaries?"

Bonds - Yes

Bonds - No

EXHIBIT B
FULL TEXT BALLOT PROPOSITION
OF THE SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
BOND MEASURE ELECTION NOVEMBER 4, 2008

“The Southwestern Community College Classroom Repair and Job Training Measure: To improve affordable, South Bay community college education/job training, qualify for state matching grants, upgrade nursing, firefighter/police academy training, repair classrooms, science labs/technology, fix plumbing, bathrooms, roofs, wiring, improve fire/earthquake safety, heating/security systems, remove asbestos; acquire, construct, repair, equip classrooms, sites, facilities, improve handicapped accessibility/energy efficiency to reduce costs; shall Southwestern Community College District issue \$389,000,000 in bonds, at legal rates, required citizen oversight, annual audits and no money for administrators’ salaries?”

Bonds - Yes

Bonds – No

PROJECTS

The Governing Board of the Southwestern Community College District, to be responsive to the needs of students and the community, evaluated the District’s urgent and critical educational needs, including completing essential repairs to classrooms and college buildings constructed nearly 50 years ago to today’s health and safety requirements, and providing sufficient classrooms and labs to offer more career and vocational education courses and programs to students close to home, facility maintenance, safety and security issues, class size and offerings in key disciplines such as firefighter, paramedic, nurse and emergency personnel training, energy cost reduction and information and computer technology, in developing the scope of projects to be funded, as outlined in the Southwestern Community College District Educational & Facilities Master Plan, incorporated herein in its entirety. In developing the scope of projects, the faculty, staff and students have prioritized the key health and safety needs so that the most critical needs and the most urgent and basic needs and repairs that will make the Chula Vista Campus effective and safe for learning and its higher education centers viable, are addressed. The Board conducted comprehensive evaluations and considered community and stakeholders priorities and perspectives in developing the scope of college projects to be funded, as listed in the Master Plan. The Board, faculty and community leaders concluded that if these needs were not addressed now, Southwestern College will be unable to serve a growing student population that will grow from 19,000 today to 35,000 students by Year 2020, or to meet the demands for the career and vocational job training classrooms and equipment that give South Bay students and workers the skills to remain competitive in today’s job market. **In implementing the Master Plan, the Governing Board determines that Southwestern Community College District must:**

- **Provide our South Bay communities an affordable, local alternative to four-year universities;**
- **Offer specialized job training programs in health, nursing, paramedic, emergency medical service and police and fire fighting so that more local residents can respond to emergencies and wildfires;**

- Upgrade aging, outdated classrooms, science labs and vocational training buildings, some of which were built nearly 50 years ago, to ensure that they are safe, energy efficient and able to accommodate up-to-date computers and instructional technology;
- Upgrade outdated essential campus infrastructure, such as electrical systems and wiring for computer technology and internet access, plumbing, lighting, heating and ventilation systems; upgrade fire safety equipment and security systems including alarms, smoke detectors, sprinklers; and aging roofs.

The Educational & Facilities Master Plan is on file and available for review at the District Superintendent's Office and on-line at www.swccd.edu and includes the type of projects listed below.

SOUTHWESTERN COLLEGE, Chula Vista Campus

- **Repair, Upgrade, Maintain, Equip, and/or Replace Obsolete Classrooms, Science and Computer Labs, Library, Instructional and Job Training Buildings, Facilities, Sites and Outdated Utilities; Meet Demands of Changing Workforce:**

Upgrade buildings to include educational equipment and laboratories, provide up-to-date computer technology capability for students, **repair**, build, upgrade and/or replace leaky roofs, decaying walls, old ceiling tiles and flooring, plumbing, sewer and drainage systems, inefficient electrical systems and wiring, deteriorated restrooms, **heating**, ventilation and cooling systems, foundations, telecommunications systems, classrooms, lecture halls, faculty offices, language labs, playing fields, physical education, athletic and sports facilities, grounds, science and other instructional laboratories and healthcare workforce facilities, technology center, theatre, library and student support spaces, administrative, and other instructional facilities, wire classrooms for computers and other technology, **increase energy efficiency to reduce costs**, acquire equipment, increase safety, reduce fire hazards with alarms, smoke detectors, fire safety doors and sprinklers, reduce operating costs in order for more classes and job training to be offered, improve academic instruction; **and meet legal requirements for disabled access**. Construct a new central power plant to reduce operating costs.

- **Expand Classroom and Facility Capacity, Construct Classrooms, Improve Science Center, Learning Resource Center/Library, Upgrade Classrooms:**

Increase permanent classroom and facility capacity for academic and job training classes, including math, computer technology, science, horticulture, upgrade or replace science labs, maintenance and operations building, physical and health education, and applied arts and sciences facilities, upgrade campus technology, construct "smart classrooms" to improve technology-enhanced learning. Demolish deteriorated buildings and remove aging portable classrooms.

- **Improve Safety and Disabled Access; Remove Asbestos:**

Remove all harmful lead-paint and asbestos, upgrade existing fire alarms, sprinklers, smoke detectors, and fire doors, install security systems, exterior lighting, emergency lighting, emergency communication systems, signage, door locks and fences, and improve accessibility for the disabled.

- **Upgrade Technology:**

Provide up-to-date technology facilities, upgrade Internet access and wireless and cable technology, build “smart classrooms” to improve technology-enhanced and distance learning, upgrade telecommunications systems, upgrade campus-wide technology, replace outdated computers, replace network infrastructure equipment, and install wiring upgrades.

- **Repair, Replace and Upgrade Electrical and Mechanical Systems to Reduce Energy Consumption and Utility Bills and Accommodate Computer Technology, Internet Access and Communications Systems:**

Improve and upgrade electrical and mechanical systems to take advantage of state-of-the-art energy saving technologies to reduce energy bills and have more resources for student learning.

- **Improve Access:**

Improve campus road network and walkways, upgrade and expand parking areas and capacity, improve pedestrian safety and increase access for emergency vehicles.

SOUTHWESTERN COLLEGE, Higher Education Center at National City

- **Upgrade Technology:**

Provide up-to-date technology facilities, upgrade Internet access and wireless and cable technology, build “smart classrooms” to improve technology-enhanced learning, upgrade telecommunication systems, upgrade campus-wide technology, replace outdated computers, acquire instructional materials, replace network infrastructure equipment, and install wiring upgrades.

- **Repair, Upgrade, Equip, and/or Replace Obsolete Classrooms, and Other Facilities, Sites and Utilities, Seismic Improvements:**

Construct additional classrooms and science lab buildings, repair, upgrade and/or replace flooring, plumbing, sewer, and drainage systems, inefficient electrical systems and wiring, restrooms, heating, ventilation and cooling systems, telecommunications systems, data center, foundations, grounds, classrooms, lecture halls, labs, other faculty, administrative and instructional facilities, increase safety, increase energy efficiency, acquire safety, ergonomic, instructional and lab equipment, upgrade facilities to meet current earthquake safety codes, reduce fire hazards, add security lighting, reduce operating costs in order for more classes and job training to be offered, improve academic instruction, and meet legal requirements for disabled access.

SOUTHWESTERN COLLEGE, Higher Education Center at San Ysidro

- **Upgrade Technology, Instructional Equipment and Facilities:**

Provide up-to-date technology facilities, upgrade Internet access and wireless and cable technology, build “smart classrooms” to improve technology-enhanced learning, upgrade telecommunication systems, upgrade campus-wide technology, replace outdated computers, acquire instructional materials, replace network infrastructure equipment, and install wiring upgrades. Expand parking capacity and pedestrian crosswalks for student safety.

SOUTHWESTERN COLLEGE, Higher Education Center at Otay Mesa and Eastern/Western Chula Vista Centers

- **Expand Classroom Capacity, Nursing, and Health Care Training Facilities, Public Safety Training Facilities:**

Construct, upgrade and equip classroom, science labs and administrative facilities to allow students to enroll in general education classes, job training programs and public safety, fire fighting, nursing and emergency medical and other health care programs closer to home.

Listed building, repair and rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program management, staff training expenses and a customary contingency for unforeseen design and construction costs. The project list also includes the acquisition of property and the construction of new buildings, if necessary, to accommodate a growing student population. In addition, projects will also include District-wide technology upgrades to provide greater access to technology, Internet access, wireless and cable technology, fiber optics and the purchase of network infrastructure for computers and telecommunication systems. The allocation of bond proceeds will be affected by the District's receipt of State bond funds and the final costs of each project. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed, modified or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for modernization may be undertaken, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410. Necessary site preparation/restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable 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.

FISCAL ACCOUNTABILITY. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND AS SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS' ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS' ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE PERMITTED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

NO ADMINISTRATOR SALARIES. PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE CONSTRUCTION, RECONSTRUCTION, REHABILITATION, ACQUISITION OR REPLACEMENT OF COLLEGE FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF COLLEGE FACILITIES, AND NOT FOR ANY OTHER PURPOSE,

INCLUDING TEACHERS' AND ADMINISTRATORS' SALARIES AND OTHER OPERATING EXPENSES.

PROJECT CONSTRUCTION ACCOUNTABILITY AND SAFEGUARDS. EACH PROJECT PAID FOR WITH BOND MONEY WILL BE SUBJECT TO OVERSIGHT OF A PROFESSIONAL CONSTRUCTION MANAGEMENT FIRM WITH A PROVEN TRACK RECORD OF DELIVERING COLLEGE CONSTRUCTION PROJECTS ON-TIME AND ON-BUDGET TO SAVE TAXPAYER DOLLARS.