

VOTER INFORMATION PAMPHLET

MEASURES, ANALYSES AND ARGUMENTS

(whichever is applicable to your ballot)

Arguments in support of, or in opposition to, the proposed laws are the opinions of the authors.

WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT

Community College Repair/Job Training Measure:

H To repair/upgrade West Valley and Mission Colleges, improve training/transfer programs, upgrade fire safety, repair leaky roofs, improve disabled access, repair/expand job training classrooms for nurses, police, firefighters, paramedics, upgrade classroom technology for a changing workforce, repair, construct, equip buildings, classrooms, libraries, sites, science/computer labs, shall West Valley-Mission Community College District issue \$235 million in bonds, at legal rates, with annual audits, citizen oversight and no money for administrator's salaries?

FULL TEXT OF BALLOT MEASURE H

Community College Repair/Job Training Measure: "To repair/upgrade West Valley and Mission Colleges, improve job training/transfer programs,

- Upgrade fire safety,
- Repair leaky roofs,
- Improving disabled access,
- Repair/expand job training classrooms for nurses, police, firefighters, paramedics,
- Upgrade classroom technology for a changing workforce,
- Repair, construct, equip buildings, classrooms, libraries, sites, science/computer labs,

shall West Valley-Mission Community College District issue \$235 million in bonds, at legal rates, with annual audits, citizen oversight and no money for administrator's salaries?"

Bonds - Yes Bonds - No

PROJECTS

The Board of Trustees of the West Valley-Mission Community College District, to be responsive to the needs of students and the community, evaluated the District's urgent and critical facility needs, including facility maintenance, safety issues, class offerings, energy cost reduction and information and computer technology, in developing the scope of projects to be funded, as outlined in both the District's West Valley College Educational and Facilities Master Plan, dated February 16, 2001, and as shall be amended from time to time and the Mission College Educational and Facilities Master Plan, dated October 2, 2001, and as shall be amended from time to time (together, the "Education and Facilities Master Plan") including the "Tiered Facilities Priorities For The 2004 Bond Measure" dated and approved by the Board of Trustees on July 22, 2004. In developing the scope of projects the faculty, staff and students have prioritized the key health and safety needs so the most critical needs and the most urgent and basic repairs that will make both campuses the clean and safe for learning are addressed. The Board conducted independent facilities evaluations and received public input and review in developing the scope of college facility projects to be funded, as listed in the Facilities Master Plan. This input of faculty and community leaders concluded that if these needs were not addressed now, the problems would only get worse. **In preparing the Facilities Master Plan, the Board of Trustees made five important determinations:**

(i) In tough economic times, both West Valley College and Mission College must provide programs to retrain people who want to expand their job skills;

(ii) West Valley College and Mission College must provide adequate facilities to offer lifelong learning programs for seniors and other residents;

(iii) West Valley College and Mission College must provide affordable educational opportunities, facilities and classes for academic programs for students who want to transfer to four-year colleges;

(iv) West Valley-Mission Community College District must upgrade and expand job training classrooms to meet the demands of a changing workforce particularly to train police, firefighters, paramedics and nurses who play a critical role in responding to emergencies; and

(v) West Valley-Mission Community College District must help provide a better-educated workforce which will benefit local businesses and stimulate our economy through new classrooms, computer labs and expanded job training programs.

The Educational and Facilities Master Plan is on file and available for review at the District's Chancellor's Office and Public Information Office, as well as at the offices of the Presidents of West Valley College and Mission College, and includes the projects listed below. The District's current estimate is that the projects listed below and marked with an asterisk (*) can be completed with the bond proceeds. The District is pursuing additional State funding, which may allow a substantial portion of the District's Educational and Facilities Master Plan to be completed.

WEST VALLEY COLLEGE

- **Upgrade, Maintain, Equip, and/or Replace, Obsolete Classrooms, Science and Computer Labs, Library, Instructional Facilities, Sites and Utilities; Meet Demands of Changing Workforce; Improve Accessibility for Disabled:**

Upgrade math/science buildings to include educational equipment and laboratories*; provide state-of-the-art computer technology capability for students*; repair, build upgrade and/or replace leaky roofs*, decaying walls*, old ceiling tiles and flooring*, plumbing*, sewer*, drainage*, inefficient electrical systems*, wiring*, unsanitary and run down bathrooms*, heating*, ventilation and cooling systems*, telecommunication systems*, classrooms*, learning resource center*, fields and grounds, science laboratories*, technology center*, adaptive physical education lab for disabled students*, and dance studio*, language arts/social service building*, campus center*, lecture halls*, public safety*, records*, counseling buildings*, and other instructional facilities*; wire classrooms for computers and technology*, increase safety*, increase energy efficiency*, acquire equipment*, reduce fire hazards*, reduce operating costs so more classes and job training can be offered*, improve academic instruction, and meet legal requirements for disabled access.

- **Technology Upgrades:**

Upgrade Internet access and cable technology*; create "smart classrooms"*; upgrade telecommunication systems*; campus-wide technology upgrades*, computers*; replace outdated equipment*.

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

- **Disabled Access; Safety Improvements; Asbestos Removal:**

Remove all harmful asbestos*; upgrade existing fire alarms*, sprinklers*, smoke detectors*, intercoms and fire doors*; install security systems*, exterior lighting*, emergency lighting*, signage*, door locks and fences*, erosion controls*, repair uneven sidewalk and walkways*, improve accessibility for the disabled*.

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• **Expand Classroom and Facility Capacity, Upgrade Classrooms/Labs For Nursing and Emergency Medical and Public Safety Services; Library-Research-Learning Center:**

Increase permanent classroom and facility capacity for academic and job training classes*, including math, health care, science labs, student services, physical and health education facilities, graphic, fine and performing arts*; child development center*; applied arts and sciences*; campus technology*; construct "smart classrooms" for enhanced distance learning*.

• **Improve Emergency Access and Evacuation Routes:**

To improve student safety*, improve campus road network and surfacing*, reduce gridlock*, improve pedestrian safety and increase access for emergency vehicles*.

MISSION COLLEGE

• **Technology Upgrades:**

Provide state-of-the-art technology facilities, upgrade Internet access and cable technology*; create "smart classrooms*" to improve distance learning; upgrade telecommunication systems; campus-wide technology*, computers*; replace outdated equipment*, upgrade wiring*.

• **Repair, Upgrade, Equip, and/or Replace Obsolete Classrooms, Science and Computer Labs, Instructional Facilities, Sites and Utilities; Meet Demands of Changing Workforce:**

Repair, upgrade and/or replace leaky roofs*, decaying walls*, old ceiling tiles and flooring*, plumbing*, sewer*, drainage*, electrical systems*, wiring*, unsanitary and run down bathrooms*, heating*, ventilation and cooling systems*, telecommunication systems*, classrooms*, fields and grounds, library, science laboratories*, physical and health education lecture halls*, fire fighting facilities* and other faculty, administrative and instructional facilities*; wire classrooms for computers and technology*, increase safety*, increase energy efficiency*, acquire equipment*, reduce fire hazards, reduce operating costs so more classes and job training can be offered*, improve academic instruction, and meet legal requirements for disabled access*.

• **Improve Emergency Access and Evacuation Routes; Improve Access for Disabled:**

To improve student safety*, improve campus road network to eliminate unsafe conditions*, reduce gridlock, improve pedestrian safety and increase access for emergency vehicles*; link and add parking areas; provide improved disabled access*; add parking to accommodate increasing student population and reduce congestion.

• **Disabled Access; Safety Improvements; Asbestos Removal, Seismic Upgrades:**

Remove all harmful asbestos; upgrade existing gas lines, pipes, sewer system*, storm drains*, fire alarms*, sprinklers, smoke detectors*, intercoms and fire doors; install security systems*, exterior lighting*, emergency lighting*, signage*, door locks and fences*, erosion controls, repair uneven sidewalk and walkways*; upgrade facilities for earthquake safety*.

• **Repair, Replace and Upgrade Electrical and Mechanical Systems and Central Plant to Reduce Energy Consumption and Utility Bills and Accommodate Computer Technology, Internet Access and Communications Systems.**

• **Build Classrooms, Science Labs and Facilities:**

Upgrade the capacity for academic and job training classes*, including basic education classes such as math and English, science labs, fine arts, contract education; humanities/fine art classrooms, conference rooms and labs*.

DISTRICT-WIDE PROJECTS

• **Provide greater access to technology, upgrading electrical wiring, fiber optics and infrastructure for computers and telecommunication systems at both West Valley College and Mission College campuses*.**

• **Refinance existing lease obligations to save expense and increase funds available for student instruction*.**

• **Replace District-wide heating, ventilation and air conditioning systems to realize energy cost savings*.**

• **Install security alarm systems, video cameras and keyless entry systems to ensure student safety*.**

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, and a customary contingency for unforeseen design and construction costs. 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 will be delayed or may not be completed. In such case, bond money will be spent on only the most essential of the projects listed above.

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 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 ALLOWED 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 ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF COLLEGE FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF COLLEGE FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES. BY LAW, ALL FUNDS CAN ONLY BE SPENT ON REPAIR AND IMPROVEMENT PROJECTS; PROVIDED, HOWEVER, NO BOND PROCEEDS SHALL BE SPENT AT WEST VALLEY COLLEGE ON THE FOOTBALL/TRACK, STADIUM/FIELD.

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TAX RATE STATEMENT FOR BOND MEASURE H

West Valley - Mission Community College District

An election will be held in the West Valley – Mission Community College District (the “District”) on November 2, 2004, for the purpose of submitting to the electors of the District the question of incurring a bonded indebtedness of the District in a principal amount not to exceed \$235 million. If such bonds are authorized and sold, the principal thereof and interest thereon will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information regarding tax rates is given to comply with Section 9401 of the California Elections Code. Such information is based upon the best estimates and projections presently available from official sources, upon experience with the District, and other demonstrable factors.

Based upon the foregoing and projections of the District’s assessed valuation, and assuming the entire debt service will be paid through property taxation:

1. The best estimate of the tax rate that would be required to be levied to fund the bond issue during the first fiscal year after the sale of the first series of bonds based on estimated assessed valuations available at the time of filing of this statement is 1.4 cents per \$100 of assessed valuation (or \$14.00 per \$100,000 of assessed valuation) for fiscal year 2005-06.
2. The best estimate of the highest tax rate that would be required to be levied to fund the bond issue during the first fiscal year after the sale of the last series of bonds based on estimated assessed valuations available at the time of filing of this statement is 1.4 cents per \$100 assessed valuation (or \$14.00 per \$100,000 of assessed valuation) for fiscal year 2011-12.
3. The best estimate of the tax rate that would be required to be levied to fund the bond issue, and an estimate of the years in which that rate will apply, based on estimated assessed valuations available at the time of the filing of this statement is again 1.4 cents per \$100 of assessed valuation (or \$14.00 per \$100,000 of assessed valuation), which is projected to be the same in every fiscal year that the bonds remain outstanding.

Attention to all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which are not binding upon the District. The actual timing of bond sales and the amount of bonds sold at any given time will be governed by the needs of the District, the state of the bond market, and other factors. The actual interest rates on any bonds sold will depend upon market conditions and other factors at the time of sale. The actual assessed valuations in future years will depend upon the value of property within the District as determined in the assessment and equalization process. Therefore, the actual tax rates and the years in which such rates are applicable may vary from those presently estimated as stated above.

s/ Stan R. Arterberry
Chancellor
West Valley-Mission Community College District

IMPARTIAL ANALYSIS BY COUNTY COUNSEL MEASURE H

The Board of Trustees of the West Valley – Mission Community College District (“District”) has ordered an election to submit to the voters a measure to authorize the District to incur a bonded indebtedness in an aggregate principal amount not to exceed \$235,000,000. In order for this bond measure to pass, it must be approved by at least fifty-five percent of those voting on the measure.

The proceeds of the bonds would be used to repair and upgrade West Valley and Mission Colleges and improve job training and transfer programs by upgrading fire safety, repairing leaky roofs, improving disabled access, repairing and expanding job training classrooms for nurses, police, firefighters, and paramedics, upgrading classroom technology for a changing workforce, and repairing, constructing, and equipping buildings, classrooms, libraries, sites, and science and computer labs. The District would not use any of the proceeds of the bonds for administrators’ salaries.

To ensure that the bond monies are expended for the stated purposes, the Board of Trustees of the District will cause an annual independent performance audit to be conducted, as well as an independent financial audit, and it will cause appointment of a Citizens’ Oversight Committee.

The tax rate on real property within the District will be increased in order to pay off the bonds. The District’s Tax Rate Statement printed in this ballot pamphlet estimates that the highest annual tax rate required to fund the bond issue will be \$14.00 per \$100,000 of assessed valuation. However, the precise effect of the bonds upon the property tax rate would only be determined after the bonds are sold. State law will limit the maximum rate of interest paid on any bonds issued, as well as the maximum term to maturity.

A “yes” vote is a vote to authorize the issuance and sale of the bonds in the amount of \$235,000,000, secured by the levy of ad valorem taxes on property located within the West Valley – Mission Community College District, for the uses specified.

A “no” vote is a vote not to authorize the issuance and sale of the bonds.

Dated: August 18, 2004

s/ DANA McRAE
COUNTY COUNSEL

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ARGUMENT IN FAVOR OF MEASURE H

Voting YES on this bond for the West Valley-Mission Community College District means:

- YES to upgrading training programs and classrooms for firefighters, nurses and Emergency Medical Technicians (EMTs);
- YES to giving students an affordable and high quality education locally;
- YES to re-training people to expand their job skills, which benefits local businesses and stimulates our economy;
- YES to replacing 35 year old portable classroom buildings that are in disrepair.

To ensure bond funds are spent appropriately an independent annual audit will be conducted. A Citizens' Oversight Committee will be created and NO BOND FUNDS will be used for salaries or regular operating budget expenses.

This bond will allow the colleges to:

- Repair and rebuild antiquated laboratories and other science facilities to train nurses, biology and chemistry majors and computer students.
- Upgrade technology in the library and for distance learning courses.
- Fix buildings and infrastructure now, before problems get more expensive.
- Improve campus safety.

In these tough economic times, as CSU and UC become more expensive and selective, community colleges are an affordable and accessible way to get an education.

West Valley and Mission are among the best community colleges in California, but lack of state funding and deferred maintenance are endangering two of our community's most valuable assets. Crowded classrooms, leaking roofs, aging heating and cooling systems, and inadequate fire alarm systems are badly in need of fixing. These bond funds will enable us to fix these problems.

We urge a YES vote on Measure H in order to ensure that we can continue to train our community's first responders and that our students can keep receiving a first-class education. A vote for better community college education is a vote for our future.

s/ Laurie Smith, Sheriff

s/ Jim Cunneen, President and CEO, San Jose Silicon Valley Chamber of Commerce

s/ Carl Guardino, President and CEO, Silicon Valley Manufacturing Group; Member, County Superintendent's Blue Ribbon Task Force on Education

s/ Kellie Raczowski, Student Trustee, Mission College

s/ John A. DiQuisto, Retired San Jose Fire Captain

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE H

- Bonds are creatively labeled to hide the fact they're **another** property tax!
- Nonresident graduates (20% **AREN'T** citizens) do not benefit our community because they take their new job skills **elsewhere**!
- Where are West Valley-Mission Community College District's reserves? Responsible public stewards budget capital reserves for facilities maintenance! With property taxes, plus millions in bonds, West Valley-Mission Community College District **shouldn't be rewarded for irresponsibility**! Why hasn't the District budgeted funds to fix serious safety concerns? What did it think was more important?
- Only residents vote, whether or not they are homeowners. It's unfair for tenants (41% of the electorate) who **WON'T** be repaying these bonds to vote for more property taxes!
- The promise of "citizen oversight" is illusory. West Valley-Mission Community College District will handpick the committee, and it will "oversee" rather than prevent waste!
- Measure H requires a mere 55% voter approval. "Special" taxes require 66-2/3%. To stack the odds of success, West Valley-Mission Community College District has called for a bond election simply because it can! Don't ratify this "foot-loose and fancy-free" **\$365,000,000 waste** of taxpayers' money!

Measure H:

- Adversely affects those on fixed incomes who can least afford it.
- Taxes homeowners with higher assessed valuations (\$30/year/\$100,000) more.
- Increases everyone's cost of living.
- Makes the homeownership dream more unattainable.

Tax judiciously or not at all. Tax everyone or no one.

We urge you to vote **NO on Measure H!**

For more information visit <http://www.VoteNoOnH.us>

s/ Allen Hacker, Chair, Libertarian Party of Santa Clara County

s/ Dennis Umphress, President, Silicon Valley Taxpayers' Association

s/ Jack E. Davis, Silicon Valley Taxpayers' Association

s/ Elizabeth C. Brierly, Board Member, Silicon Valley Taxpayers' Assn.

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ARGUMENT AGAINST MEASURE H

This measure deceptively claims to be about education's importance and Sacramento's budget cuts. Instead it's about non-homeowners deciding how much homeowners pay in creatively labeled property taxes, and how that money will be spent.

Although the similar Measure E was defeated two years ago, West Valley-Mission Community College District is back again.

These bonds will be repaid from assessments against property. Property taxes already fund West Valley-Mission Community College District. And last March Proposition 55 authorized \$12,300,000,00 in bonds to build/upgrade new community college facilities.

Responsible public stewards must budget ongoing maintenance from capital reserves. With property taxes plus billions in bonds, West Valley-Mission Community College District shouldn't ask for more when they can't manage what we've already given.

West Valley-Mission Community College District could offer a measure that taxes everyone equitably, but they're afraid because tenants won't vote to tax themselves and tenants are 42% of the population.

Measure H adversely affects senior homeowners the most, although they can afford it the least.

Measure H taxes higher valued parcels disproportionately more than lower-valued parcels.

Nearly 50% of West Valley-Mission Community College District students are nonresidents, and 20% aren't even citizens! Why are local homeowners being asked to supply education facilities for nonresidents?

Measure H adversely makes home ownership less attainable, and contributes to increased local living costs. Tenants who won't pay this tax will find it exponentially harder to afford to pay those taxes as homeowners in the future. Spread the cost more equitably now to keep property taxes lower!

With underwriting, servicing and interest these bonds actually cost \$600,000,000. Parcel/residency taxes requiring 67% of voter approval would cost only \$235,000,000. West Valley-Mission Community College District is holding an election requiring a mere 55% voter approval, even though it wastes \$365,000,000! Its intent is not in homeowners' best interests.

Instruct the district to tax everyone equally or no one; tax fairly or not at all.

See <http://www.VoteNoOnH.us> for more.

s/ Allen Hacker, Chair, Libertarian Party of Santa Clara County

s/ Dennis Umphress, President, Silicon Valley Taxpayers' Association

s/ Jack E. Davis, Silicon Valley Taxpayers' Association

s/ Elizabeth C. Brierty, Board Member-Silicon Valley Taxpayers' Association

REBUTTAL TO ARGUMENT AGAINST MEASURE H

Measure H will provide critical funds to repair and improve West Valley-Mission Community College District's facilities.

These funds will:

- Repair and upgrade facilities to train nurses, firefighters and emergency medical technicians.
- Improve the safety of campus buildings.
- Expand buildings used to re-train local workers who have been laid off.
- Allow local residents to continue to have access to a quality, affordable college education.

These aging campuses desperately need attention now, before the problem worsens and the repairs become even more costly. Passage of this measure will allow our colleges to qualify for additional state funds that they otherwise will not receive.

The District, with the help of the community, has carefully assessed its needs in order to continue to offer a high quality, affordable college education to local residents. These discussions have involved members of the District and the community at large.

Bond funds will be used prudently to help the local community:

- 91% of District students are California residents.
- These funds will only fund capital projects.
- Under state law, no bond funds can go for administrators' or faculty members' salaries.
- A Citizens' Oversight Committee will oversee the funds' use.

Measure H has earned the support of both Republicans and Democrats, as well as law enforcement and firefighters.

We urge you to vote Yes on Measure H. A vote for our community colleges is a vote for our future.

s/ Laurie Smith, Sheriff

s/ Jim Cunneen, President and CEO, San Jose Silicon Valley Chamber of Commerce

s/ Carl Guardino, President and CEO, Silicon Valley Manufacturing Group; Member, County Superintendent's Blue Ribbon Task Force on Education

s/ Kellie Raczkowski, Student Trustee, Mission College

s/ John A. DiQuisto, Retired San Jose Fire Captain