EXHIBIT B
FULL BALLOT TEXT OF MEASURE

The following is the full ballot text ofthe Measure to be presented to the voters in the

ballot pamphlet:

BERKELEY PUBLIC SCHOOLS

FACILITIES SAFETY AND MAINTENANCE ACT OF 2010

BALLOT SUMMARY

To provide essential maintenance ofschools and grounds, shall Berkeley Unified School

District continue its existing special tax of6.3l/square foot on residential buildings and

9.460/square foot on commercial buildings, and $20 on unimproved parcels with annual

costof-living adjustments for 10 years? Revenues maintain school buildings, classrooms,

playgrounds, roofs, electrical systems, and address fire and safety hazards. The state

cannot take the funds. An independent committee oversees funds.

1. TITLE AND PURPOSE

The revenues raised by this Measure, the “Berkeley Schools Facilities Safety and

Maintenance Act of 2010”, will improve safety and essential building maintenance and

grounds operations of all Berkeley Unified School District (“District”) facilities.

2. DEFINITION OF PURPOSE

Available Revenues raised by this special tax shall he used exclusively to provide

grounds operations and essential maintenance of District buildings and grounds. thereby

protecting the health, safety and security of children and staff and creating an

environment that supports student and staff success.
The monies shall he deposited into a restricted account and shall be expended 9.1 2535 2539 195.6 Tmc311.5

of Education of

the. District (the Board”).

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3. TIlE TAX LEVY

A. Tax Base

i. T.he spee ial tax fhal I he levied on the Square Footage of all. Improvements,

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The tax levied shall beat the rate of 6.31 cents/square foot on all

Improvements on Residential Parcels, 9.46 cents/square foot on all

Improvements on Commercial, Industrial, and Institutional Parcels and

S20parcel on Unimproved Parcels.
ii. The tax base shall be as described in the Berkeley Municipal Code Section

7.56.020 which defines and delimits the parameters of the square footage

applications, and which is incorporated by reference herein. Current

definitions of the terms “Buildings,” “Improvements,” “Parcels,” “Square

Footage.” and “Unimproved Parcels” pursuant to the Berkeley Municipal

Code are provided in Section 5 of this Measure. In the event of the

expiration of this Municipal Code for any reason, the same definitions

shall continue to apply as the basis for this special tax. In the event ofthe

modification of any Berkeley Municipal Code definition or term that

applies to this special tax, the definition or term as modified shall apply to

the basis for this special tax after the effective date of the modification.

iii. An exemption from the special tax may be granted annually on any single

family residential Parcel or multi-family dwelling unit owned and

occupied by one or more very low-income senior citizens, upon annual

application to the City of Berkeley for this exemption. To be eligible for

this exemption, the senior citizen must be 65 years of age or older as of

July 1 of any applicable tax year. and must meet the very low-income

qualifications of Berkeley Municipal Code Section 7.56.035. which is

incorporated by reference herein. In the event of expiration of Municipal

Code Section 7.56.035 for any reason, the same qualification criteria shall

continue to apply to this exemption.
iv. With respect to all general property tax matters within their respective

jurisdictions, the Alameda County Assessor or the City of Berkeley shall

make all final determinations of tax exemption or relief for any reason.

and that decision shall be final and binding, With respect to matters

specltic to the levy of the special tax. a District administrative review

panel or the City of Berkele. as the designated agency, shall make all

necessary final determ.inations, and that decision sha.H he fina.i and

bindin.

B. Term

The term of t.his Measure shall he from the date of vote.r approval to ten years thllowing

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l he tax shall he levied beginning in the 201 32O 14 tax year and shall continue each:ecar

therealter for ten years. Any proceeds from this special tax not spent during those fiscal

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C. Cost-of-Living Adjustment
Each year. commencing with the 2013-14 tax year, the first year of assessment, and

thereafter, the rates imposed by this special tax may be increased by a cost-of-living

adjustment equal to the annual percentage increase of the State of California statutory

inflation adjustment as defined in Education Code Section 42238. 1(b) which is

incorporated by reference herein.

Any increase in funds raised by this Measure due to the cost-of-living adjustments set

forth in this Section shall he allocated to the Measure’s purposes in accordance with

Section 2 ofthis Measure.
D. Constitutional Spending Limit
Pursuant to Article XIIIB ofthe California Constitution and applicable laws, the

appropriations limit of the District shall be increased periodically by the amount collected

by the levy of this special tax.

E. Savings Clause

The provisions of this Measure shall not apply to any person, association, or corporation

or to any property as to whom or which it is beyond the power of the District to impose

the tax herein provided. The Board of Education hereby declares, and the voters by

approving this measure concur, that every sentence, clause. section, and part ofthis

Measure has independent value and the Board of Education and the voters would have

adopted each provision hereof regardless of every other provision hereof If any sentence.

clause, section, or part of this Measure or any tax against any individual or any ofthe

several groups specified herein is found to be u0.8 11.5 0.1 593.61.5 0.1 594.2Tm lares,

each year in conjunction with the District’s annual budget adoption

process. To facilitate public discussion, the recommended Annual Plan

shall be distributed to the Facilities Safety and Maintenance Oversight

Committee and made available for public review two weeks prior to Board

action.
ii. Oversight

The implementation ofthe Measure will be

The audit shall he conducted in accordance with generally accepted accounting

principles, the Standards and Procedures for Audits of California K- 12 Local

Educational Agencies, and this Measure and shall be a part of the District’s annual audit.

Subsequent to issuance ofthe Auditor’s Report, the District’s Audit Committee, as

established by the Board of Education, shall review the Auditor’s Report.

F. Civil Remedies Available at Law
The above provisions are in addition to civil remedies available at law for assuring

compliance with the terms of this Measure.

5. DEFINITIONS

For purposes ofthis Measure, the following terms shall be defined as set forth below:

A. “Available Revenues” shall me9.4 426.0 Tm968 11.8 Tm (“Available) Tj 0.1 -11.9 11.8 033A

H. In accordance with Berkeley Municipal Code Section 7.56.020.

subdivision I, which is incorporated by reference herein, “Parcel” means a unit of real

estate in one

EXHIBIT

C

FORMAL NOTICE OF PARCEL TAX ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of the Berkeley Unitied

School District of