



DATE: Feb. 16, 2016

TO: Dublin Mayor David Haubert, Vice Mayor Abe Gupta and Councilmembers Don Biddle, Kevin Hart and Doreen Wehrenberg

FROM: BIA|Bay Area East Bay Governmental Affairs Executive  
Director Lisa Vorderbrueggen

RE: Agenda Item 8.3, Discussion of SB 50 School Facility Funding

Dear Mayor Haubert and Members of the City Council:

As part of your deliberations tonight on SB 50, BIA|Bay Area urges the Dublin City Council to recognize the groundbreaking legislation's tremendous value to both the City of Dublin and the state of California, and to support the *School Facilities Bond Act of 2016* headed for November ballot.

Contrary to some of what has been stated, the dissolution of SB50 and a statewide failure participate in the financing for the next generation of school facilities would be a serious blow to Dublin's economy, its taxpayers and its families.

Dublin has or will receive \$117 million from the state for new school construction through SB50's current funding program. The dollars helped the district build three elementary schools, one middle school and modernize Dublin High School. The state's share represents 31 percent of the total budget for the upgrades and new schools, while developers paid roughly 48 percent through impact fees and Dublin taxpayers contributed 23 percent through local school bonds.

If the *School Facilities Bond Act* fails in November and the state no longer participates in financing school modernization and construction – as Gov. Jerry Brown advocates – the funding burden will shift entirely onto local taxpayers and homebuyers. Put another way, the \$283 million local bond measure that DUSD is preparing to place on the June 2016 ballot would need to be much larger if the statewide bond is unsuccessful.

In addition, the state owes DUSD \$28 million for reimbursement of local bond funds that the district advanced in order to complete the recently opened Amador Elementary School. Without a new bond and SB50's funding structure, Dublin will lose \$28 million and forgo tens of millions of dollars in potential future funding.

Critics argue that the schools funding gap should be filled through the imposition of full mitigation requirements on new development rather than a reliance on state funds. However, DUSD currently puts full mitigation at \$42 per square foot. This would kill most if not all new development projects in Dublin and jeopardize tens of millions of dollars in fees the city is anticipating to pay for parks, infrastructure and other improvements throughout Dublin.

In summary, SB50 has been very good for the City of Dublin through pooling three sources of funds. The state dollars helped fund critical upgrades at Dublin High School and the construction of a new middle school and three new elementary schools. Without state contributions, local taxpayers will either have to pay higher local taxes or forgo critical facility improvements.

Equally important, SB 50 reestablished the primacy of planning and development decisions of cities and counties against what had been widespread infringement by school districts throughout

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California. It's important to recall that several of the court cases that SB 50 suspended were CEQA attacks by school districts against local governments' exercise of their discretionary land use and zoning powers including adoption of comprehensive general plan updates. A return to the pre-SB 50 regime would put local planning decisions -- including those involving office, commercial, industrial and infrastructure projects -- at enhanced litigation jeopardy from school districts and other opponents. Repealing SB 50 would dilute, not strengthen, the Dublin City Council's overall land use authority.

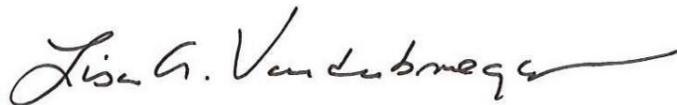
BIA|Bay Area urges the City of Dublin to join with us and the Dublin Unified School District to support the next generation of school facility funding through the *School Facilities Bond of 2016*. The last statewide school facilities bond was passed by California voters in 2006. The state's fund to provide matching dollars to school districts that have already raised local funds for school construction projects has been effectively depleted, leaving a backlog of \$2 billion in K-12 project applications and almost \$500 million in approved community college projects, with billions more in identified need.

With estimates placing K-14 school construction funding needs for the next decade at more than \$20 billion, the \$9 billion bond will be a significant step forward to address the state's school construction needs.

The Coalition for Adequate School Housing, which has served as a strong advocate for K-12 facilities funding since 1978, partnered with the California Building Industry Association to qualify the initiative for the November 2016 ballot. For more information on the *Kindergarten Through Community College Public Education Facilities Bond Act of 2016*, please visit [www.CaliforniansForQualitySchools.com](http://www.CaliforniansForQualitySchools.com).

Please feel free to contact me at any time with questions or comments at 925-348-1956 or [lvorderbrueggen@biabayarea.org](mailto:lvorderbrueggen@biabayarea.org).

Sincerely yours,



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