Marin County Office of Education Professional Development

General Obligation Bonds Best Practices & Strategies



A Financial Foundation for School Facilities





Presented by Lori Raineri September 21, 2016

Introductions



- Lori Raineri
 - President & founder, Government Financial Strategies
 - ► MSRB Series 50 Qualification

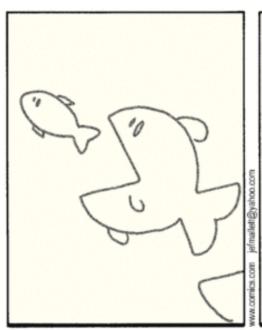


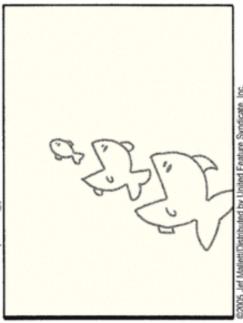
- Certified Independent Professional Municipal Advisor
- Certified Fraud Examiner
- Serves on the Board of State and National Organizations
 - California League of Bond Oversight Committees Calboc
 - National Association of Municipal Advisors
- Matthew Kolker
 - Senior Project Manager, Government Financial Strategies
- Government Financial Strategies
 - Public finance consulting firm dedicated to helping public agencies meet their capital needs
 - Established in 1988

Agenda

- School Bond Trends
 - Statewide View
 - ► Hot Topics
 - Problem Prevention
 - Example Results for a "Best Practices" School District
- Marin County
 - Voters Are Very Supportive
- Public Policy Perspective For School Board Members
 - ► Why Bonds?
 - ► Who Pays What?
 - How Do We Ensure Fiscal Responsibility?
- Questions and Discussion
- Appendix (to be reviewed, time allowing)
 - Best Practices Case Study

Perspective









School Bond Trends

- Statewide View
- ◆ Hot Topics
- Problem Prevention
- Example Results for a "Best Practices" School District

Happening Right Now in California



School Bonds: a Daily Fact of Life

- ◆Statewide, since 2001, 768 local school bond measures have been approved for a total of \$81.78 Billon¹
 - November 2016 Ballot
 - 168 school bond measures²
 - Total amount of bond measures is \$17.2 Billion
 - Median size of bond measures is \$45 Million
 - In Marin County³
 - Measure G: Novato Unified \$222 M Bond Measure

¹ From the CDIAC database

² As reported by the Coalition for Adequate School Housing

³ http://www.marincounty.org/depts/rv/election-info/election-schedule/page-data/tabs-collection/2016/nov-8/measure/list

Daily Facts Mean Daily Tasks & Concerns

- School districts will be engaged with:
 - issuing bonds
 - spending bond funds
 - handling bond compliance
 - > stewarding the public trust for years to come
 - There are vendors who support that trust and those who subvert that trust
- New and improved school facilities will benefit students, their families, neighborhoods, teachers and other school employees
 - Property owners may expect to receive a 150% ROI





We find that passage of a bond measure causes bouse prices in a district to rise by about 6%. This effect appears gradually over the two or three years following the election and persists for at least a decade. Our preferred estimates indicate that marginal homebuyers are willing to pay, via higher purchase prices and expected future property taxes, 8,15,00 more for an additional dollar of school facility spending, and even our most conservative estimates indicate a willingness to pay (WTP) of \$1.13.

Turning back to our substantive application, our primary analyses are of the impact of passing a bond on house prices. We find treatment effects of 6% or more, and implied valuations of \$1.50 or more for \$1 in school capital spending As theory predicts.

Flyer Received via E-Mail Last Week



SchoolBondFinder is the first comprehensive, online database tracking K12 funding projects in the United States.

Designed specifically for education companies.





Efficient Market Intelligence

Our in-depth knowledge of K12 school districts throughout the U.S., backed by renowned funding experts and state of the art technology, puts accurate market information and lead generation at your fingertips. Filter on what is specific to your need to find the most relevant information quickly and easily.

Proactive, Timely Updates

Choose your preferences and receive alerts on the latest bonds that pertain to your selected geography and area of interest. In a few clicks you choose what you want sent to you and how frequently you want to receive notifications.

Detailed Contact Information

Each bond contains key district employee contact information to get you to the right people faster. Conversations are more effective when the right people are identified and the key needs outlined.

ACCELERATE YOUR SALES CYCLE





SchoolBondFinder Benefits:

- Everything you need to know assembled in one convenient location saves hours of searching or missing relevant bonds.
- Increased knowledge of current and failed bonds for more meaningful and timely discussions.
- · Query and filter by state, bond type, amount, and status. Pinpoint exactly what you need.
- · Find the right people faster. Each bond contains key contact information, along with a link to specific local coverage or articles.
- Create proactive marketing materials and messaging.



Beyond the Data, Train for Success

Navigating the funding process can be a challenge. Give your staff the personalized coaching they need to identify funding, and create relationships with the people who control it.

Dr. Paula Love, known throughout the industry as the Funding Doctor, has decades of experience delivering grant strategies for nonprofit and for-profit organizations, educational agencies, schools, and institutions of higher learning. She knows funding from the classroom to the boardroom. Her insight and analysis is a key to helping you navigate the twists and turns every bondfunded capital improvement project undergoes.

Your team can open new doors to the billions of dollars in K12 bond funded capital projects with SchoolBondFinder at their fingertips.

Construction Funding

Technology Funding

Safety & Security Funding







Log onto **SchoolBondFinder.com** to request a demo today

Return on Investment

THE VALUE OF SCHOOL FACILITY INVESTMENTS: EVIDENCE FROM A DYNAMIC REGRESSION DISCONTINUITY DESIGN*

STEPHANIE RIEGG CELLINI FERNANDO FERREIRA JESSE ROTHSTEIN

Despite extensive public infrastructure spending, surprisingly little is known about its economic return. In this paper, we estimate the value of school facility investments using housing markets: standard models of local public goods imply that school districts should spend up to the point where marginal increases would have zero effect on local housing prices. Our research design isolates exogenous variation in investments by comparing school districts where referenda on bond issues targeted to fund capital expenditures passed and failed by narrow margins. We extend this traditional regression discontinuity approach to identify the dynamic treatment effects of bond authorization on local housing prices, student achievement, and district composition. Our results indicate that California school districts underinvest in school facilities: passing a referendum causes immediate, sizable increases in home prices, implying a willingness to pay on the part of marginal homebuyers of \$1.50 or more for each \$1 of capital spending. These effects do not appear to be driven by changes in the income or racial composition of homeowners, and the impact on test scores appears to explain only a small portion of the total housing price effect.

I. Introduction

Federal, state, and local governments invest more than \$420 billion in infrastructure projects every year, and the American Recovery and Reinvestment Act of 2009 is funding substantial temporary increases in capital spending. School facilities may be among the most important public infrastructure investments: \$50 billion is spent on public school construction and repairs each year

"We thank Janet Currie, Joseph Gyourko, Larry Katz, David Lee, Chris Mayer, Tom Romer, Cecilia Rouse, Tony Yezer, and anonymous referees, as well as seminar participants at Brown; Chicago CSB; Duke; George Washington; Hans School of Public Policy; IES; University of Oslo; NHH; Penn; Princeton; UMBC; Wharton; Yale; and conferences of the American Education Finance Association, National Tax Association, NEBR (Labor Economics and Public Economics), and Southern Economic Association for helpful comments and suggestions. We are also grateful to Eric Brunner for providing data on California educational foundations. Fernando Ferreira would like to thank the Research Sponsor Program of the Zell/Lurie Real Estate Center at Wharton for financial support. Jesse Rothstein thanks the Princeton University Industrial Relations Section and Center for Economic Policy Studies. We also thank Igar Fuki, Scott Mildrum, Francisco Perez Arce, Michela Tincani, and Moises Yi for excellent research assistance. scellin@gw.edu, fierreir@wharton.upen.edu, rothstein@berkeley.edu.

1. Council of Economic Advisers (2009, Table B-20). The annual total includes

 Council of Economic Advisers (2009, Table B-20). The annual total includes gross investment in structures, equipment, and software for both military and nonmilitary uses.

 $\odot~2010$ by the President and Fellows of Harvard College and the Massachusetts Institute of Technology.

The Quarterly Journal of Economics, February 2010

215

We find that passage of a bond measure causes house prices in a district to rise by about 6%. This effect appears gradually over the two or three years following the election and persists for at least a decade. Our preferred estimates indicate that marginal homebuyers are willing to pay, via higher purchase prices and expected future property taxes, \$1.50 or more for an additional dollar of school facility spending, and even our most conservative estimates indicate a willingness to pay (WTP) of \$1.13.

Turning back to our substantive application, our primary analyses are of the impact of passing a bond on house prices. We find treatment effects of 6% or more, and implied valuations of \$1.50 or more for \$1 in school capital spending. As theory predicts,

Hot Topics

- ◆Hot Topics
 - School Districts Have Been Embroiled in Scandals
 - Improper Purchasing Practices
 - Pay to Play (an extreme form of the above)
 - Poor Bond Structuring
 - Securities Law Violations

Improper Purchasing Practices



DAN WALTERS JULY 5, 2015

Opinion: Politics, self-interest infest construction of California's schools



From bond measure to federal probe: How Fresno Unified caught the eye of investigators

BY MACKENZIE MAYS OCTOBER 17, 2015 12:00 PM

THE BOND BUYER

SEC Hits MAs, Execs With \$200,000 Fine In First Of A Kind Case

By Lynn Hume and Jack Casey

WASHINGTON - In a first of a kind case, two California-based municipal advisory firms and their executives agreed to pay a total of \$200,000 to settle Securities and Exchange Commission charges that they used deceptive business practices in dealing with five school districts.

Los Angeles Daily News

Lease-leaseback ruling leaves a big mess: Dan Walters

Tuesday, September 1, 2015



Former Clovis Unified superintendent censured, fined by SEC

BY RORY APPLETON JUNE 13, 2016

The SEC found that Bradley helped Keygent secure contracts with five districts he also represented by giving Keygent important, confidential information, such as upcoming interview questions and what competing bidders were offering in terms of fees and services.

Building California schools now big business, big money and big politics



Harris Construction Co.'s contract to build Gaston Middle School in Fresno, shown in 2012, led to a lawsuit and a landmark decision that awarding it without competitive bidding was improper. **Craig Kohlruss** - Fresno Bee file

Pay to Play



With campaign donations, school bond underwriters also secure contracts

By Will Evans - California Watch Thursday, May. 03, 2012 | 12:00 AM

San Francisco Chronicle

Bond firms' campaign gifts linked to sales pacts

Will Evans, California Watch Sunday, May 6, 2012

CALIFORNIA WATCH

Founded by the Center for Investigative Reporting

Critics struggle to end 'pay to play' in school bonds

May 14, 2012 | Will Evans

The Bakersfield Californian

Saturday Jun 09 2012 02:00 PM

School builders back bonds most generously

BY JORGE BARRIENTOS Californian staff writer ibarrientos@bakersfield.com

THE BOND BUYER Thursday, February 20, 2014 | as of 1:06

Enforcement

Expect a Lot of Enforcement in 2014, Experts Say

by Kyle Glazier DEC 30, 2013 11:33am ET

WASHINGTON — The Securities and Exchange Commission's enforcement division is expected to focus next year on holding municipal bond issuer officials personally accountable and making sure both issuers and underwriters understand the importance of disclosure policies and procedures.

THE BOND BUYER

Friday, January 29, 2016 | as of 1:18 PM

California AG's Opinion Targets School Bond Practices

By Kyle Glazier January 28, 2016

PHOENIX - School and community college districts violate California law if they hire outside firms to campaign for bond ballot measures or purposely incentivize municipal finance professionals to advocate for passage of a bond measure, the state's attorney general said in a formal legal opinion.

Poor Bond Structuring



Where Borrowing \$105 Million Will Cost \$1 Billion: Poway Schools

THE GIS

After putting together a bond that will cost taxpayers almost 10 times what they borrowed, the Poway Unified School District has become California's poster child for a form of exotic financing.

By Will Carless | August 6, 2012

THE SACRAMENTO BEE

California Assembly passes bill limiting schools' use of risky bonds

mgutierrez@sacbee.com

Published Tuesday, Apr. 09, 2013

(VOICE of SAN DIEGO

California's
Controversial School
Bonds

THE GIST
There's been a marked decrease in the number of districts

By Will Carless (http://www.voiceofsandiego.org/author/willcarless/) |

It seems all the negative publicity surrounding capital appreciation bonds (http://voiceofsandiego.org/2012/08/06/where-borrowing-105-million-will-cost-1-billion-poway-schools/), or CABs, may have had a big impact on California's municipal bond market.

California school districts conducted 62 bond sales in 2013, down from an average of 97.5 deals a year between 2007 and 2012, according to The Bond Buyer (http://www.bondbuyer.com/issuses/123_82/california-schools-cabissuance-declines-1061995-1.html), a trade publication that covers

The New York Times

Schools Pass Debt to the Next Generation

High & Low Finance

By FLOYD NORRIS AUG. 16, 2012

THE BOND BUYER

California School CABs Make Comeback

By Keeley Webster January 28, 2016

LOS ANGELES — Issuance of capital appreciation bonds by California school and community college districts more than tripled from 2014 to 2015 despite a law designed to limit their use of the bond structure.

School and community college districts only issued \$292 million of CABs in 2014, the year the law took effect, but issuance spiked in 2015 to \$999 million, according to data produced by the California Debt and Investment Advisory Commission at The Bond Buyer's request.

Los Angeles Times

Risky bonds tie schools to huge debt

About 200 districts in California may have to pay as much as 10 to 20 borrowed.

November 29, 2012 | Dan Weikel

Securities Law Violations

Enforcement

THE BOND BUYER

Wednesday, March 9, 2016 | as of 1:35 PM

Enforcement

Calif. Water District, Officials Hit by SEC for Defrauding Investors

THE BOND BUYER

Wednesday, August 24, 2016 | as of 6:24

Enforcement

SEC: Issuer Settlements Show Widespread, Pervasive Disclosure Problems

THE BOND BUYER

Monday, August 23, 2016 | as of 6:33

Enforcement

Trial Date Jan. 9 for Ramapo, N.Y. Officials in Criminal Case

THE BOND BUYER

Wednesday, September 14, 2016 | as of

Jury Finds Miami, Boudreaux Guilty of Securities Fraud

THE BOND BUYER

Saturday, September 17, 2016 | as of 11:43

SEC May Litigate Rather than Settle Due to Miami, Boudreaux Verdict

THE BOND BUYER

Monday, September 19, 2016 | as of 6:28

Enforcement

Enforcement

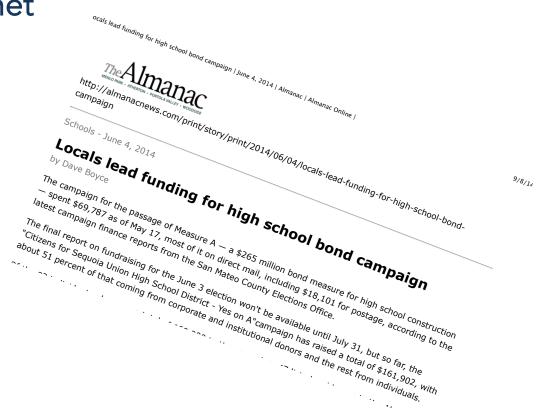
FINRA Fines Two Firms a Total of \$25K, Bars Former CEO

"Never argue with a man . . .

. . .who buys ink by the barrel"

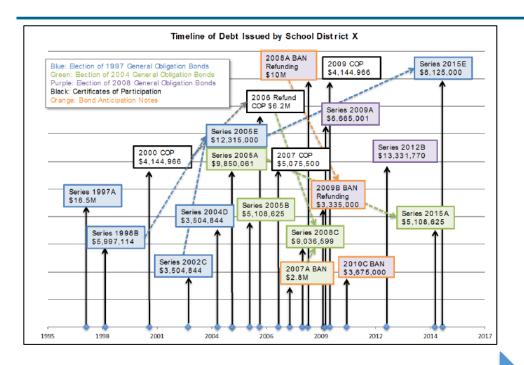
or has access to the internet

CUSD's Bond the Statewide Underwriter of April 21, 2014 by Coronado Taxpayer Of Choice for CUSD, Posted on April 21, 2014 by Coronado Taxpayer Of Choice for CUSD, Posted on April 21, 2014 by Coronado Taxpayer Of Choice for CUSD, Posted on April 21, 2014 by Coronado Taxpayer Of Choice for CUSD, Posted on April 21, 2014 by Coronado Taxpayer Of Choice for CUSD, Posted on April 21, 2014 by Coronado Taxpayer Of Choice for CUSD, Posted on April 21, 2014 by Coronado Taxpayer Of Cusp (CUSD), Posted on April 21, 2014 by Cusp (CUSD), Posted on



Modern words to live by: 1) competency, 2) transparency, and 3) it's okay, maybe even best, to admit mistakes

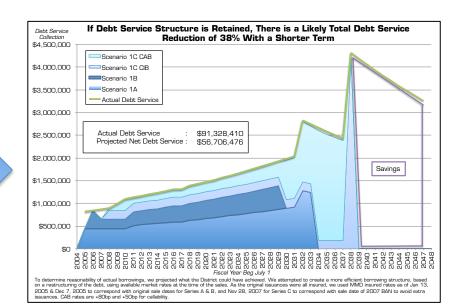
Hindsight is 20/20 and May Not Be Yours



20 transactions in 18 years (from 3 bond measures)

For the 2004 measure, debt service is over 160% more than necessary

Source: Los Angeles County Grand Jury 2015-16 Report

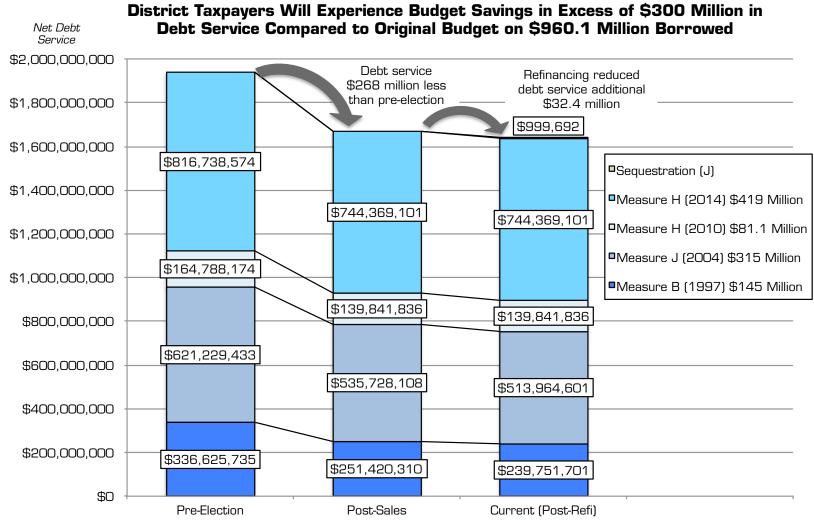


Problem Prevention



- ◆The Government Finance Officers Association (GFOA) publishes best practices related to debt management and issuance including:
 - Selecting and Managing the Method of Sale of Bonds
 - Selecting and Managing Municipal Advisors
 - Selecting Bond Counsel
 - Selecting and Managing Underwriters For Negotiated Bond Sales
 - Expenses Charged by Underwriters in Negotiated Sales
 - Costs of Issuance Incurred in a Publicly Offered Debt Transaction
 - Debt Issuance Transaction Costs
 - Using Credit Rating Agencies
 - Understanding Your Continuing Disclosure Responsibilities
 - Analyzing and Issuing Refunding Bonds
- Additional debt management best practices can be found at: www.gfoa.org/topic-areas/debt-management

Example: "Best Practices" School District



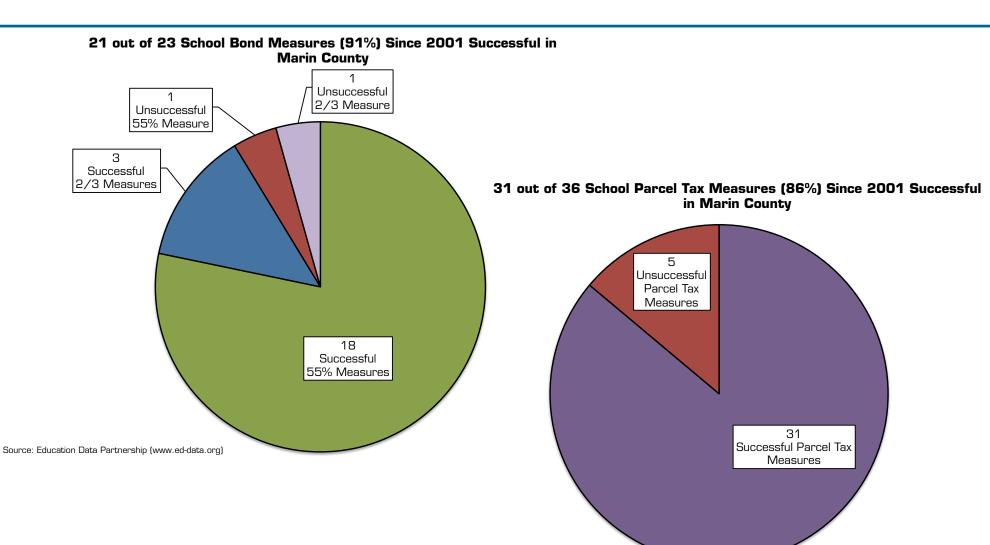
Net debt service takes into account premium deposited to Interest & Sinking Fund to reduce premium and federal subsidies.

Marin County

Voters Are Very Supportive

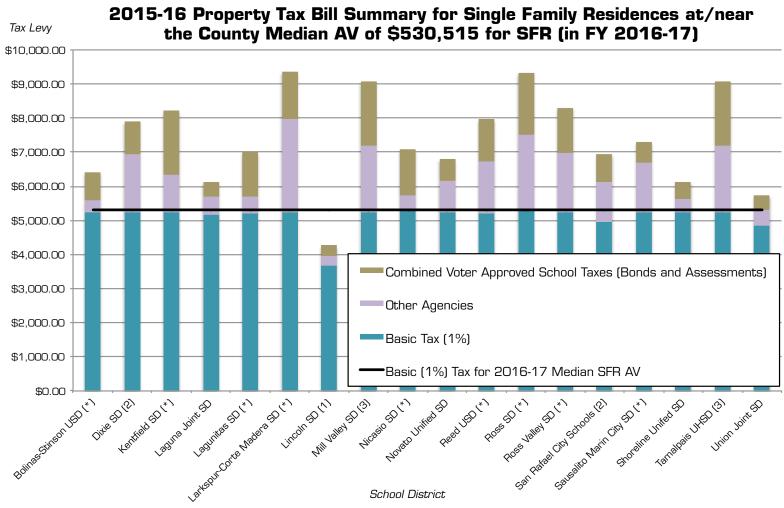
► Their Voter Approved Taxes Make a Huge Difference

Voters Have Been Very Supportive



Source: Education Data Partnership (www.ed-data.org)

Taxes Vary by District



2015-16 property tax bills provided by Marin County Tax Collector's Office.

⁽¹⁾ Tax bill used for Lincoln SD chosen based on being closest to the County median AV; only 4 parcels considered SFR in District.

⁽²⁾ San Rafael City Schools includes both the elementary and high school districts; Dixie SD is also within the boundary of San Rafael HSD.

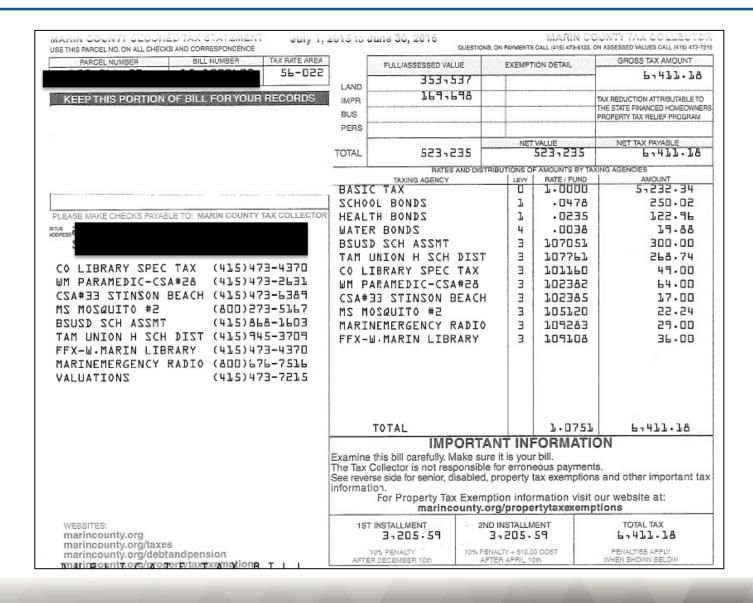
⁽³⁾ Tax bill used for Tamalpais HSD is with Mill Valley SD (based on 2015-16 enrollment); other elementary districts within HS boundariy annotated with an *.

Let's Look at Tax Bills

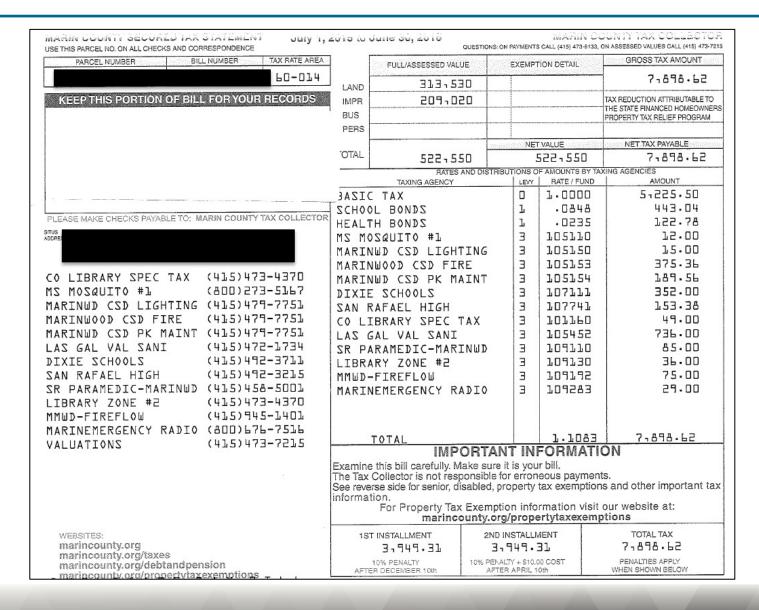
- Sample tax bills from FY 2015-16 are included for each K-12 schools taxing area
 - Each sample tax bill was selected based on the property being:
 - single family residential
 - not subject to a parcel tax exemption
 - having a 2016-17 assessed value close to \$530,515
 - -\$530,515 is the value of the median single family residential property in the County for FY 2016-17



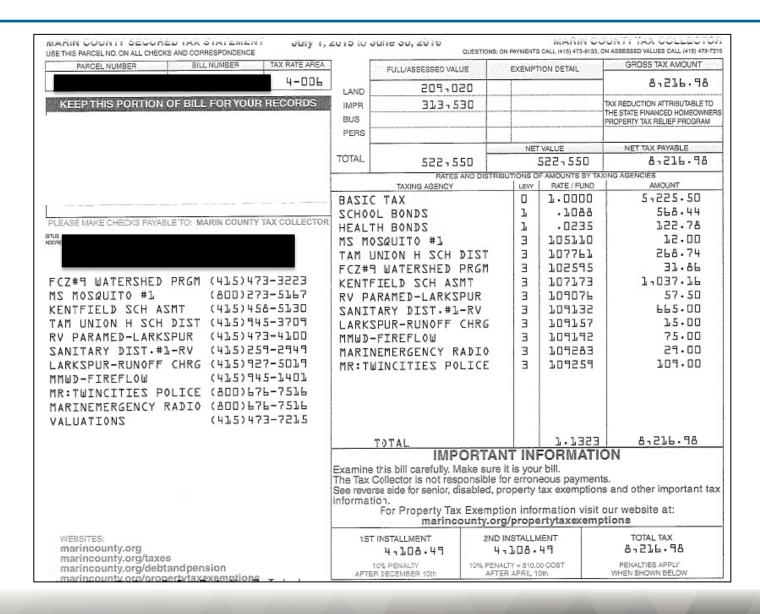
Bolinas-Stinson USD



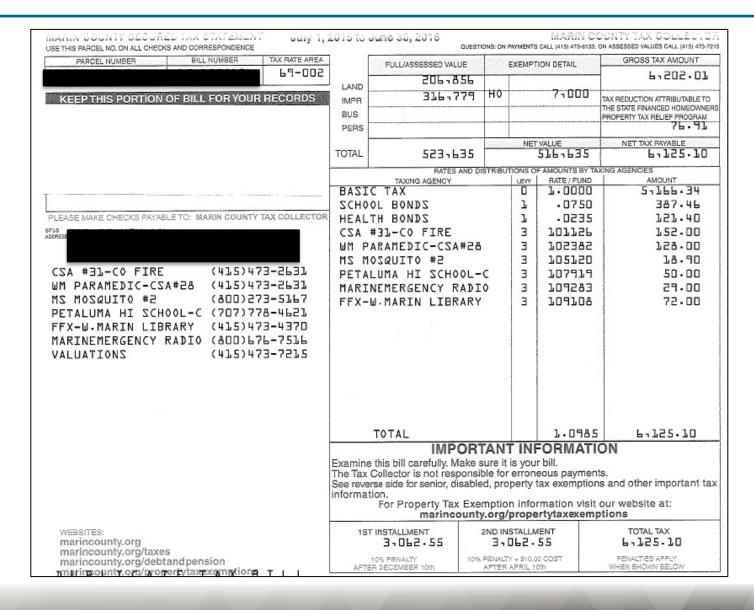
Dixie SD



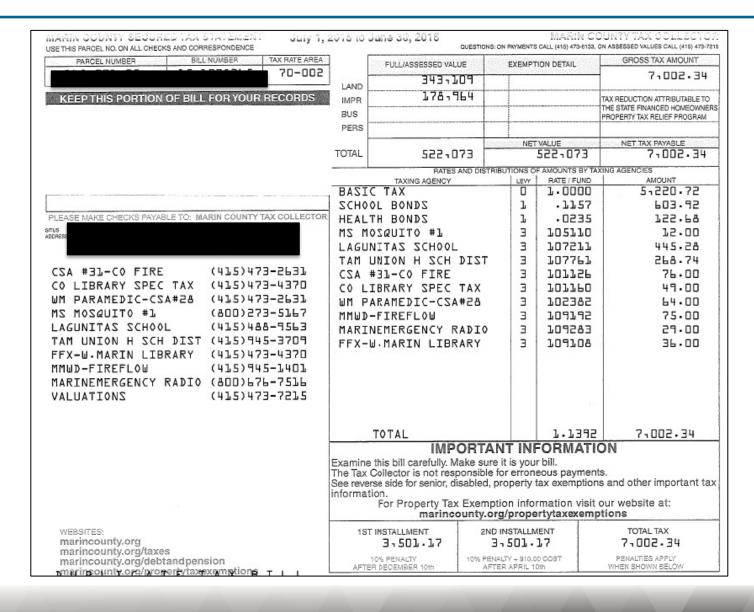
Kentfield SD



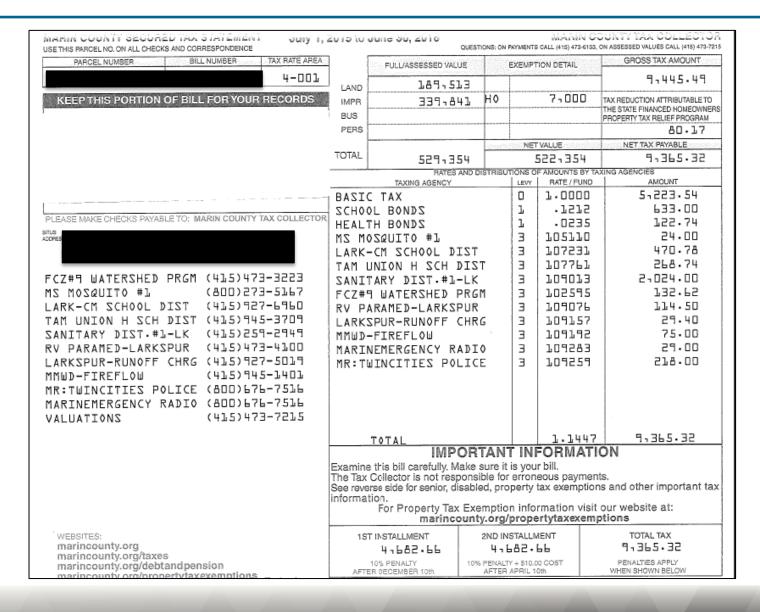
Laguna Joint SD



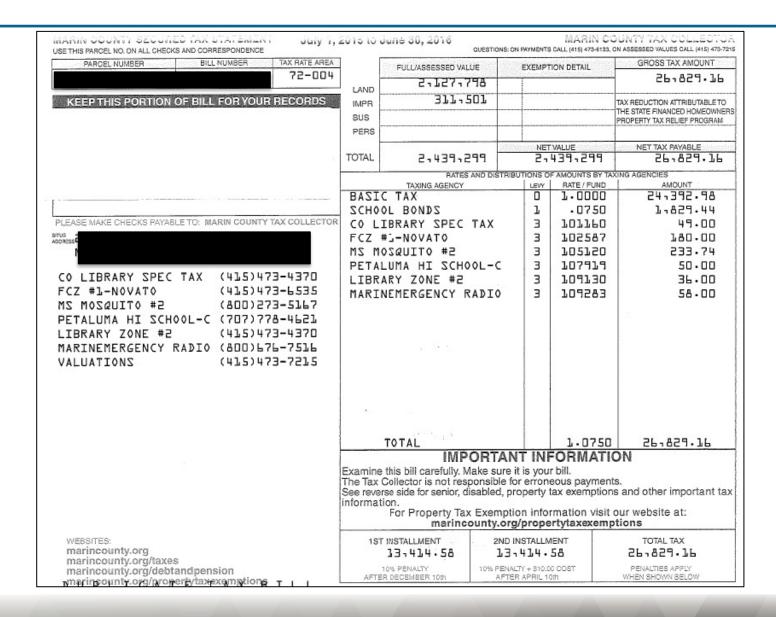
Lagunitas SD



Larkspur-Corte Madera SD



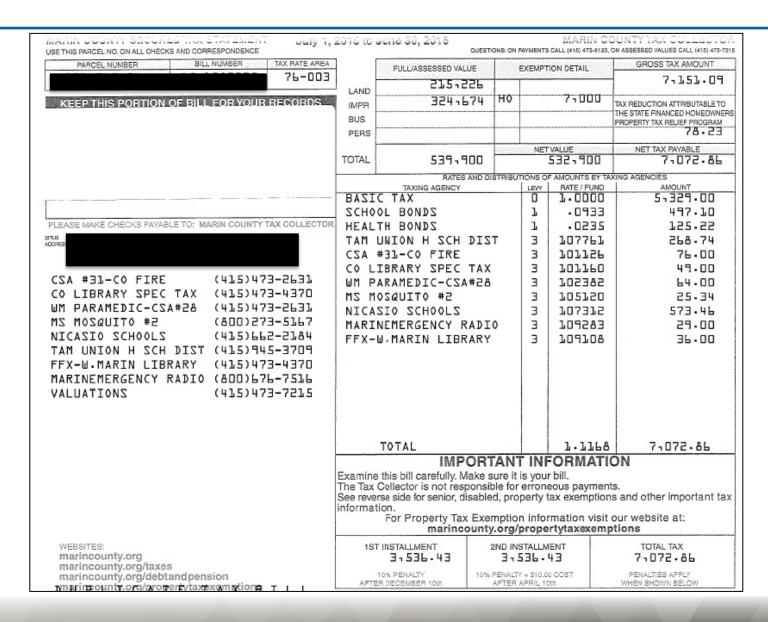
Lincoln SD



Mill Valley SD

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		For Property Tax Exemption information visit our website at: marincounty.org/propertytaxexemptions						
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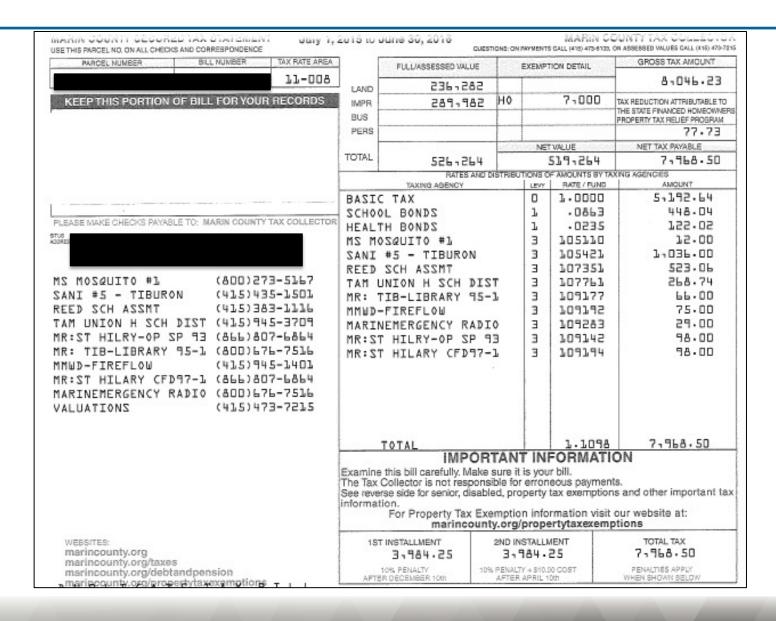
Nicasio SD



Novato Unified SD

USE THIS PARCEL NO. ON ALL CHECKS AND CORRESPONDENCE PARCEL NUMBER BILL NUMBER TAX	X RATE AREA			35-06	CALL (415) 473-6133,	OUNTY TAX COLLECTOR ON ASSESSED VALUES CALL (415) 473-7215 GROSS TAX AMOUNT		
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marincounty.org/debtandpension _ marincounty.org/propertytaxexemptions _	AFTI	ER DECEMBER 10th		APRIL 1		WHEN SHOWN BELOW		

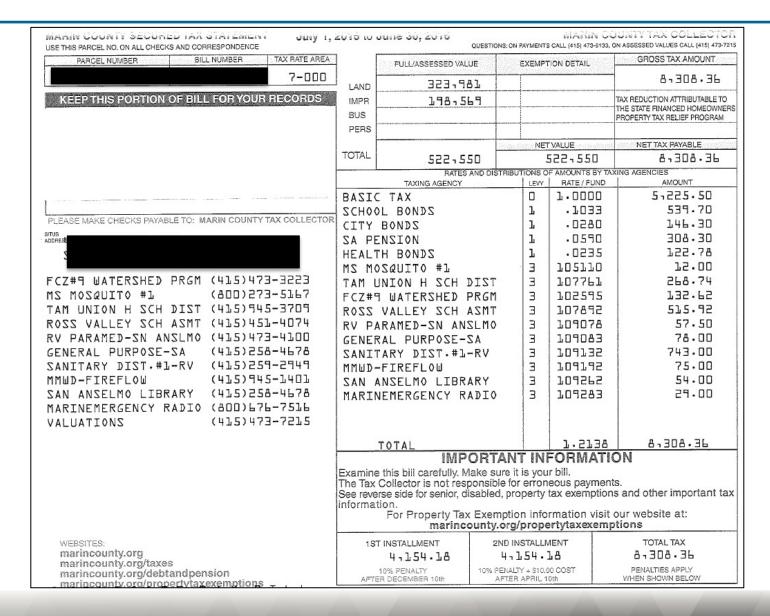
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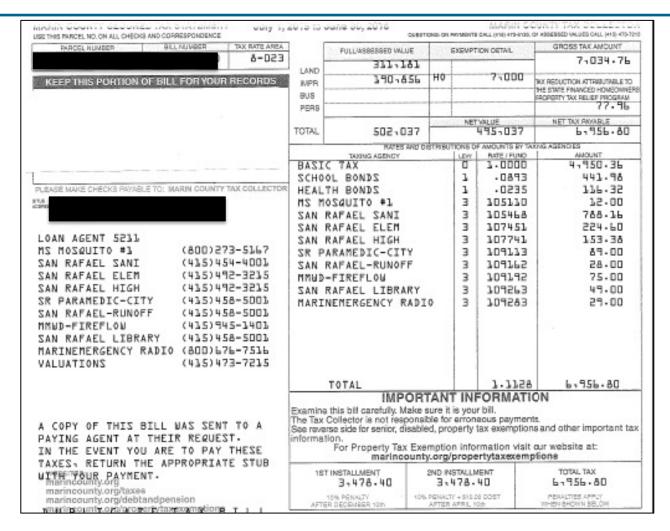
Ross SD

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CO LIBRARY SPEC TAX (415)473-4370		IBRARY SPEC TAX		3	707760	49.00	
CZ#9 WATERSHED PRGM (415)473-3223	_ CV L	BRAKT SPEC TAX		3	105222	114.24	
15 MOSQUITO #1 (ADD)273-5167	1 02.	ARAMEDIC-ROSS	IT.	3	109077	57.50	
2075-754(514) TMZA J00H22 2209			2	3	109082	928.00	
PART UNION H ZCH DIZT (415)745-2707	20 20 20 20 20 20 20 20 20 20 20 20 20 2	RARY ZONE #2		3	107082		
RV PARAMEDIC-ROSS (415)473-4100		AKY ZONE #2 TARY DIST:#1-RV		3	704730	36.00 743.00	
GENERAL PURPOSE-ROSS (415)453-1453				3	704745		
LIBRARY ZONE #2 (415)473-4370					704593	75.00	
SANITARY DIST.#1-RV (415)259-2949	IIIVIVT.	MARINEMERGENCY RADIO 3			707593	29.00	
MMUD-FIREFLOW (415)945-1401				-			
MARINEMERGENCY RADIO (800)676-7516							
257-E74(244) ZNOITAUJAV							
AMERITAN2 (4772)417-1577		TOTAL			1.1328	9-332-14	
		IMPORTANT INFORMATION					
		Examine this bill carefully. Make sure it is your bill.					
	See reve	Collector is not responsi rse side for senior, disable	ble for ed, pro	erron	eous payment tax exemption	ts. is and other important t	
	informat	For Property Tax Exe			rmation visit ertytaxexemp		
WEBSITES: marincounty.org	187	INSTALLMENT 4 - 666 - 07	2ND INSTALLMENT			TOTAL TAX 9 - 332 - 14	
marincounty.org/taxes marincounty.org/debtandpension		10% PENALTY 10%	PENALT	Y + S10.0	0 00ST	PENALTIES APPLY	
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Ross Valley SD

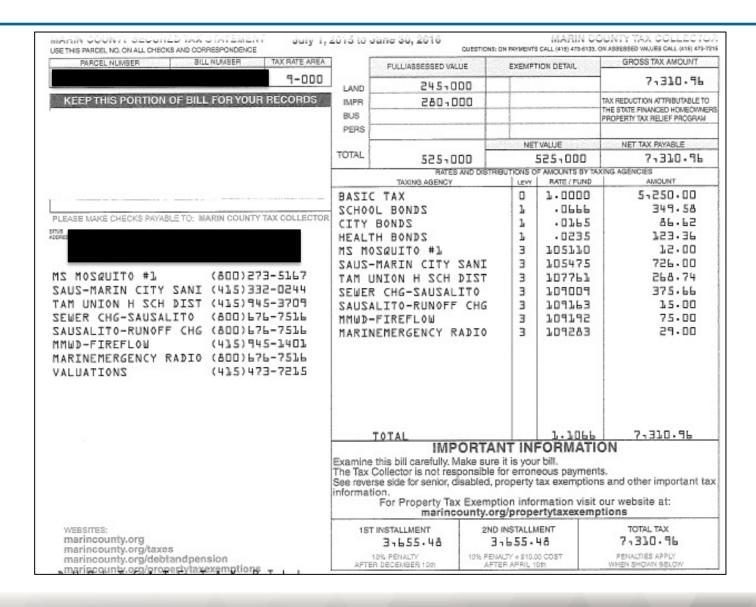


San Rafael City Schools (ESD & HSD)

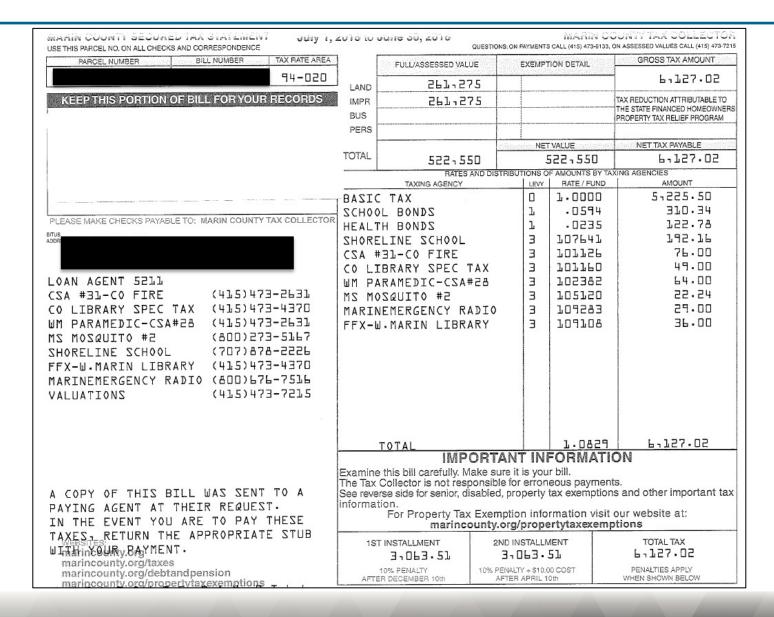


Dixie SD is also within the San Rafael HSD boundaries

Sausalito Marin City SD



Shoreline Unified SD



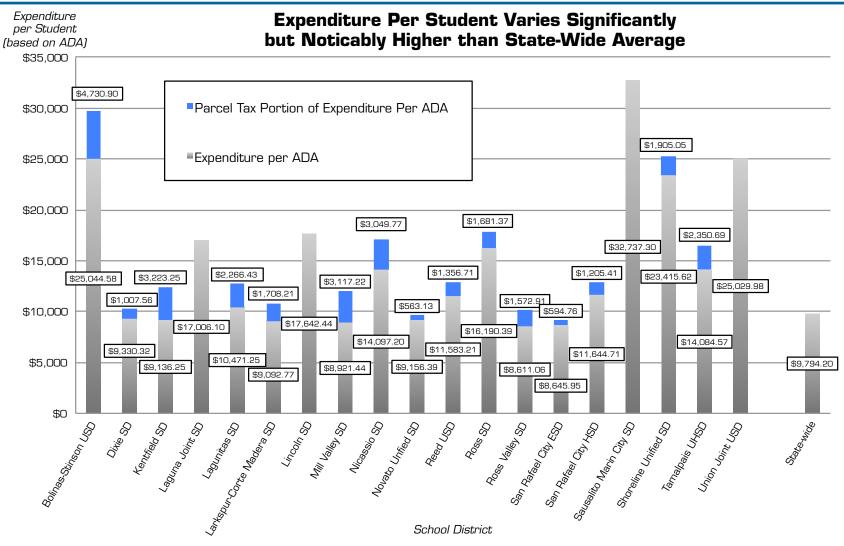
Tamalpais UHSD

- Refer to elementary feeder districts:
 - ► Bolinas-Stinson USD
 - Dixie SD
 - Lagunitas SD
 - ► Mill Valley SD
 - ► Nicasio SD
 - ► Reed USD
 - Ross SD
 - Ross Valley SD
 - Sausalito Marin City SD

Union Joint SD

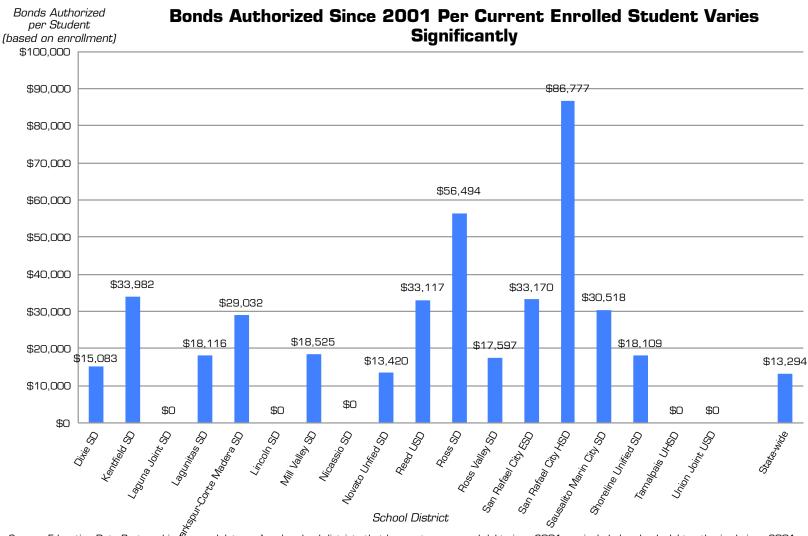
LAND IMPR BUS PERS TOTAL	358,724 132,760 491,484	но		7,000	TAX REDUCTION ATTRIBUTABLE TO THE STATE FINANCED HOMEOWNE PROPERTY TAX RELIEF PROGRAM		
IMPR BUS PERS TOTAL	491,484	но		7,000	THE STATE FINANCED HOMEOWNED PROPERTY TAX RELIEF PROGRAM		
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	For Property Tax Ex						
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	CSA # CO LI WM PA MS MO PETAL LIBRA MARIN Examine The Tax C See revers informatic	TOTAL TOTAL TOTAL IMPOR Examine this bill carefully. Make The Tax Collector is not respons See reverse side for senior, disablinformation. Total Total	CSA #31-C0 FIRE C0 LIBRARY SPEC TAX WM PARAMEDIC-CSA#28 MS MOSQUITO #2 PETALUMA HI SCHOOL-C LIBRARY ZONE #2 MARINEMERGENCY RADIO TOTAL IMPORTANT Examine this bill carefully. Make sure it The Tax Collector is not responsible for See reverse side for senior, disabled, pro information. For Property Tax Exemptio marincounty.org/ 1ST INSTALLMENT 2-868-53 10% PENALTY	CSA #31-C0 FIRE C0 LIBRARY SPEC TAX WM PARAMEDIC-CSA#28 MS MOSQUITO #2 PETALUMA HI SCHOOL-C LIBRARY ZONE #2 MARINEMERGENCY RADIO TOTAL IMPORTANT INI Examine this bill carefully. Make sure it is you The Tax Collector is not responsible for erron See reverse side for senior, disabled, property information. For Property Tax Exemption info marincounty.org/prope 1ST INSTALLMENT 2-868-53 10% PENALTY + \$10.0	CSA #31-C0 FIRE C0 LIBRARY SPEC TAX WM PARAMEDIC-CSA#28 MS MOSQUITO #2 PETALUMA HI SCHOOL-C LIBRARY ZONE #2 MARINEMERGENCY RADIO Examine this bill carefully. Make sure it is your bill. The Tax Collector is not responsible for erroneous payment See reverse side for senior, disabled, property tax exemption information. For Property Tax Exemption information visit marincounty.org/propertytaxexemption information. 1ST INSTALLMENT 2 + 868 - 53 10% PENALTY + \$10.00 COST		

Expenditures & Parcel Taxes Per Student



Parcel tax data from the Marin County Office of Education and Districts' websites. ADA and expenditure per student from California Department of Education. All data is for FY 2014-15.

Bonds Authorized Per Student



Source: Education Data Partnership (www.ed-data.org); only school districts that have voter approved debt since 2001 are included and only debt authorized since 2001 is included: statewide information estimated from CDIAC online.

Public Policy Perspective

- ► Why Bonds?
- ► Who Pays What?
- ▶ How Do We Ensure Fiscal Responsibility?



Why Bonds?

- Since 1879 local government has been authorized to issue bonds for capital expenditures¹.
 - ► Historically, required a higher voter threshold because of U.S. Constitution's contract clause
 - Can't be changed by future action of the governing board, the electorate or a higher body
 - A bond is a loan
 - almost like J. Wellington Wimpy's





request of the loan for a hamburger, but not quite

¹ Today's California Constitution is the 1879 Constitution with amendments – the original 1849 California Constitution with which we came into the Union was replaced in 1879 via constitutional convention.

There Are Only Three Sources of Money

- Money in the Cookie Jar
- Someone Else's Money
- Money to Come in the Future



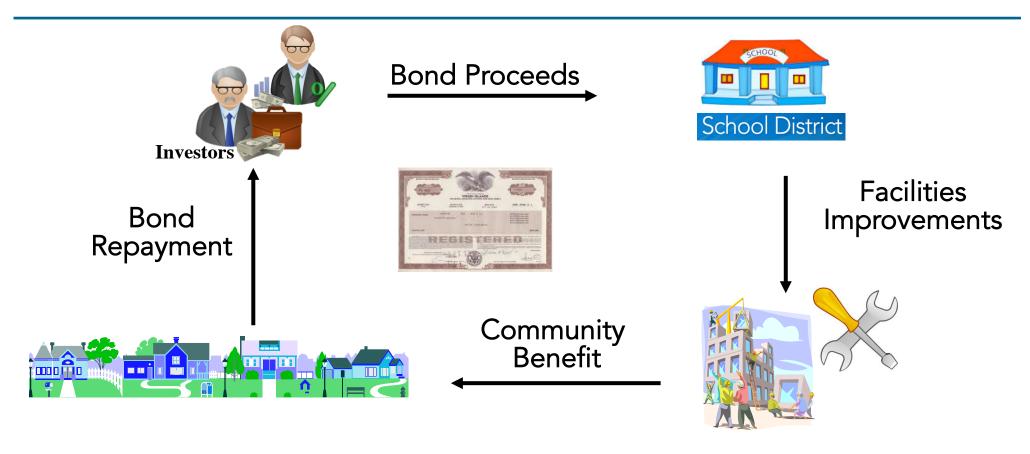




- ✓ Also known as:
 - cash on hand
 - gifts/grants/new taxes
 - borrowing



A G.O. Bond is a Loan



◆ A bond is a loan. Just like a home mortgage, a bond allows the community to buy and receive the benefit of the facilities now and into the future, and pay for them over their useful life.

With a Bond, There are 3 Constituencies

The Voters

The Taxpayers

The Students and their Families, Teachers & Other Employees









✓ But, One Community



Local General Obligation (G.O.) Bonds

- Authorized in CA Constitution (1879)
 - ▶ In 1978, Proposition 13 superseded authority
 - In 1986, restored at 2/3 voter approval level
 - ▶ In 2000, 55% voter approval measures allowed with additional accountability requirements
 - Maximum projected tax levy and specified citizens' oversight
- "Full Faith and Credit Bond" Unlimited taxing authority
- "Ad Valorem" taxation
- Bonding capacity limited to 1.25% of AV for union districts (2.50% of AV for unified districts)
- County is responsible for ongoing administration
- No political discretion
- General obligation bonds are the most common local funding source for school facilities.

2/3 vs. 55% Voter Approval G.O. Bonds

Subject	55% Voter Approval	Two-Thirds Voter Approval		
Board Approval Required To Place Measure on Ballot	Two-thirds	Majority		
Allowable Election Dates	Primary or general election, regularly scheduled local election, or statewide special election	1) Any established election date pursuant to Section 1000 or 1500 of the Elections Code or 2) any Tuesday that is not the day before or the day after a State holiday, or within 45 days of a statewide election		
Maximum Projected Tax Rates/Levies	For unified district, \$60 per \$100,000 of assessed value; for union district, \$30 per \$100,000 of assessed value	No projected maximum tax rate		
Bonding Capacity (i.e. Maximum Bonds Outstanding)	2.5% of assessed value for unified districts and 1.25% of assessed value for union districts	2.5% of assessed value for unified districts and 1.25% of assessed value for union districts		
Audits	Independent financial and performance audits must be conducted annually	None specifically required		
Oversight Committee	If election is successful, Board must establish independent citizens oversight committee within 60 days of Board adoption of resolution declaring election results	None specifically required		
Allowable Expenditures	Construction, reconstruction, rehabilitation, or replacement of school facilities, including furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities	Acquisition or improvement of real property		
Facilities List	State Constitution requires a list of the specified school facilities project(s) to be funded	No requirement for a specific facilities list		

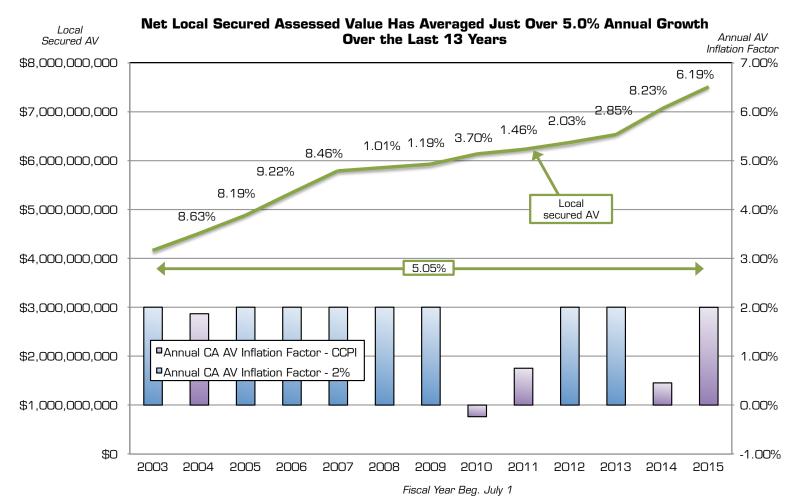
Key Legal Constraints



- ◆ Taxing Capacity: limit on maximum projected tax levies (this is for 55% voter approval bond measures only)
 - > \$30 per \$100,000 of assessed value for union districts
 - Education Code 15268
 - > \$60 per \$100,000 of assessed value for unified districts
- Education Code 15270(a)
- Bonding Capacity: limit on amount of outstanding bonds (this is for all bond measures combined)
 - 1.25% of total assessed value for union districts
 - Education Code 15268
 - 2.50% of total assessed value for unified districts
 - Education Code 15270(a)

Assessed Value Reacts Locally

(Example District from Outside Marin County)



Note: Assessed values provided by Orange County Auditor-Controller's Department. Local secured AV represents 97% of total AV and has the lowest volatility and therefore most predicability amongst AV categories. Prop 13 inflation adjustment per State Board of Equalization.

Reasons Assessed Value Can Change

- Pursuant to Proposition 13 (and embodied in Article 13A of the California Constitution), a school district's property tax base can change for four reasons:
 - Properties are sold (and reassessed at the sale price).
 - Properties are improved (and reassessed with the value of the improvement).
 - A year passes (each property's assessed value increases by the <u>lesser</u> of 2% or the change in the California Consumer Price Index).
 - ► Market value of one or more properties declines below assessed value assessed value can be adjusted downward to the market value. If market value subsequently increases, assessed value can "catch up" to pre-decline AV plus allowable adjustments (e.g. 2% annual increase).

G.O. Bond Tax Rates

- ◆ Bond tax rate ≈ debt service ÷ assessed value
- Each property in the District pays its pro rata share, based on its individual assessed value (not market value)





How Local are Local School Bonds?

Free public education required by California Constitution
Equal protection of the laws required by California and U.S. Constitutions

 State school construction funding requires local match and is based on State standards

Availability of funding is dependent upon State voters and the needs and activities of other school districts

And who is in charge?

All of these play important roles:
District School Board

County Superintendent of Schools
 County Department of Finance

 Treasurer Tax Collector

Auditor-Controller

County Assessor
and . . . the California Attorney General, the California Legislature, the Governor, the U.S. Securities and Exchange Commission and?

A Recent Example

- Calif. Education Code 15100 was amended in August, 2016 to add the requirement below (among others) before a bond measure is put forward:
 - ▶ (c) Before the governing board of a school district or the governing board of a community college district may order an election for purposes of this section, 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.
- ◆ Calif. Government Code 27421 states, and has, since 1973:
 - ▶ The county assessor in each county who is designated to perform the duty of assessing property for a local taxing jurisdiction shall, upon request of the governing body of such jurisdiction, excluding a school district, furnish not later than May 15th of each year an estimate of the assessed valuation of property within such jurisdiction for the succeeding fiscal year. Such request shall be made on or before February 20th of each year. The estimate required herein shall contain estimates of the total of each of the items contained on the assessment roll as well as the estimated total valuation.

Who Pays What?





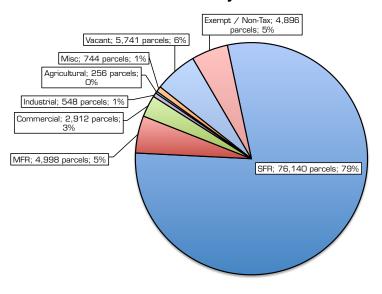






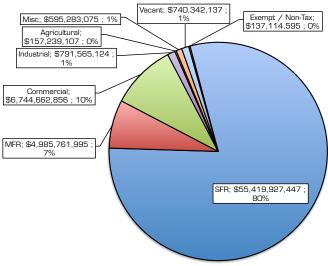
SFR Taxes Paid Proportional to Share of Total Parcels

79% of County Parcels are SFR



Note: 2016-17 assessment roll as provided by Marin County Assessor's office. Misc comprised of County categories: Historical, Common Areas, Open Spaces, Taxable Utilities, and Tax Defaulted Properties. Percentages rounded.

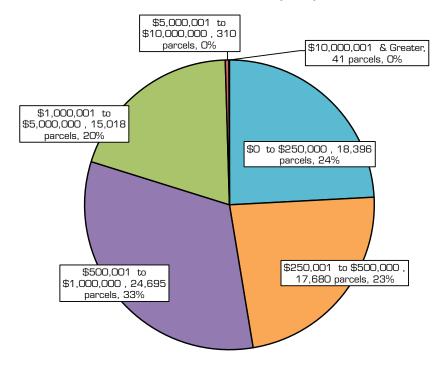
80% of AV in County is SFR



Note: 2016-17 assessment roll as provided by Marin County Assessor's office. Misc comprised of County categories: Historical, Common Areas, Open Spaces, Taxable Utilities, and Tax Defaulted Properties. Percentages rounded.

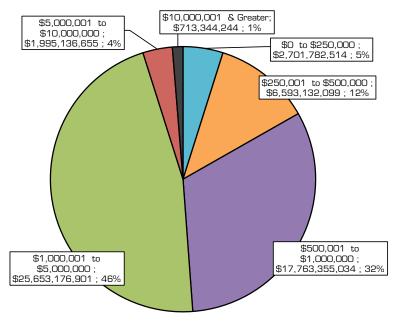
20% of SFR Parcels = 51% of SFR AV

80% of SFR Parcels have an AV of \$1,000,000 or Less



Note: 2016-17 assessment roll as provided by Marin County Assessor's office. Percentages rounded.

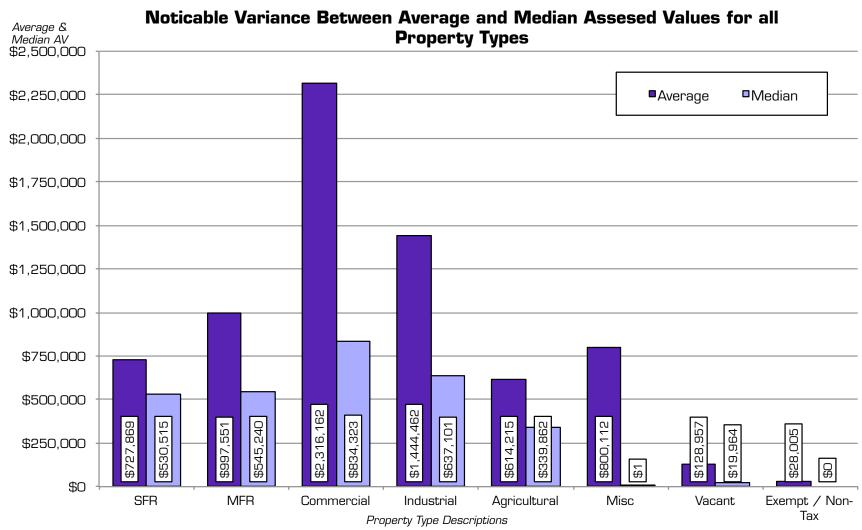
51% of SFR AV is from Parcels with an AV Over \$1,000,000



Why the Average May Not Be Typical

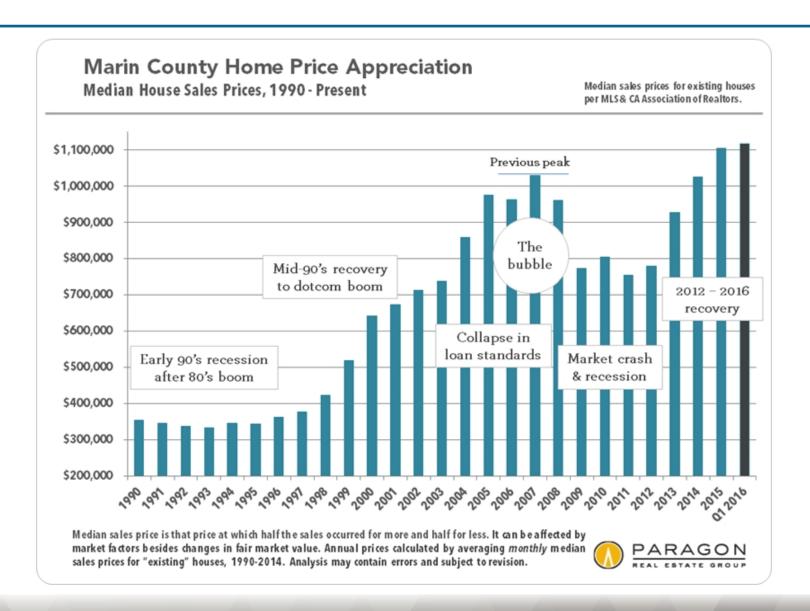


Understanding Who Pays What



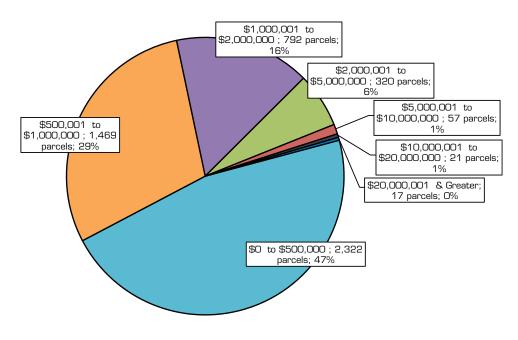
Note: 2016-17 assessment roll as provided by Marin County Assessor's office. Misc comprised of County categories: Historical, Common Areas, Open Spaces, Taxable Utilities, and Tax Defaulted Properties.

Median SFR Price Double Median SFR AV



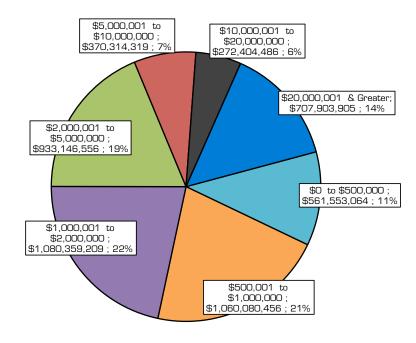
24% of MFR Parcels = 68% of MFR AV

76% of MFR Parcels Have an AV of \$1,000,000 or Less



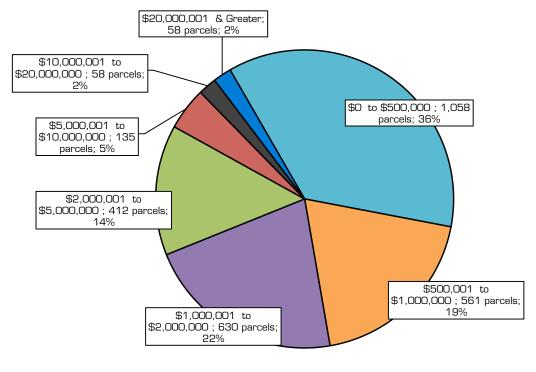
Note: 2016-17 assessment roll as provided by Marin County Assessor's office. Percentages rounded.

68% of MFR AV is from Parcels with an AV Over \$1,000,000



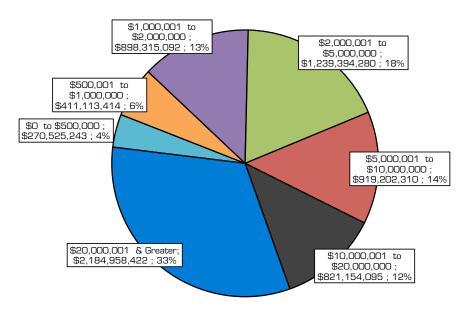
45% of Comm. Parcels = 90% of Comm. AV

55% of Commercial Parcels Have an AV of \$1,000,000 or Less



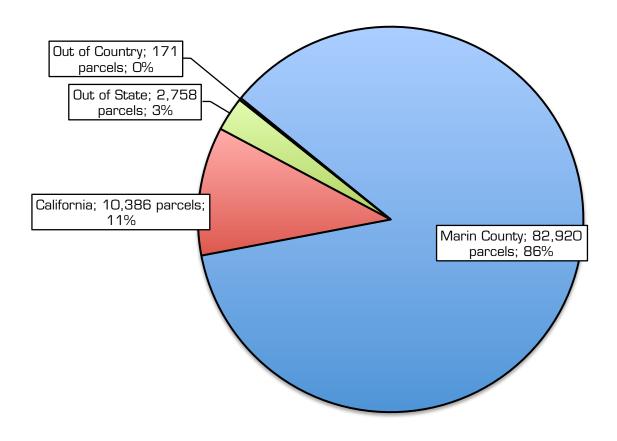
Note: 2016-17 assessment roll as provided by Marin County Assessor's office. Percentages rounded.

90% of Commercial AV is from Parcels with an AV Over \$1,000,000



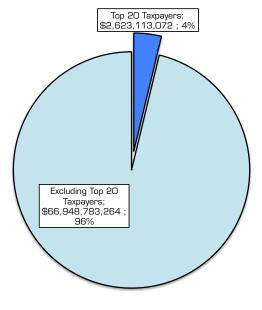
Significant Majority of Parcels Locally Owned

86% of Tax Bills are Sent Within Marin County



Top 20 Taxpayers

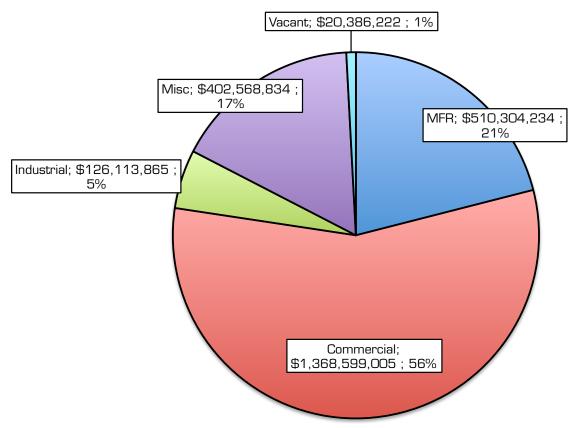
Top 20 Taxpayers (by Billing Address) Comprise 4% of Total AV



		% of	# of	Owner/Mailing
<u>Net Value</u>	<u>Owners</u>	County's AV	<u>Parcels</u>	<u>Location</u>
\$402,568,834	PACIFIC GAS AND ELECTRIC CO.	0.6%	3	California
\$395,709,749	BIOMARIN PHARMACEUTICAL INC	0.6%	22	Marin County
\$309,157,633	CORTE MADERA VILLAGE LLC	0.4%	10	California
\$147,411,464	RP MAXIMUS COVE OWNER L L C	0.2%	8	California
\$128,000,000	NOVATO FF PROPERTY LLC	0.2%	3	California
\$119,829,880	SKYWALKER PROPERTIES LTD	0.2%	21	California
\$119,048,884	SKYWALKER PROPERTIES LTD LLC	0.2%	1	Marin County
\$109,944,555	RPR LARKSPUR OWNER L L C	0.2%	6	Out of State
\$100,349,697	770 TAMALPAIS DR INC	0.1%	11	Marin County
\$90,141,879	NORTH COAST LAND HOLDINGS LLC	0.1%	12	Marin County
\$84,022,447	JCC CAL PROPERTIES LLC	0.1%	8	Out of State
\$84,000,000	HL NOVATO, LLC	0.1%	7	Out of State
\$77,050,781	SCARPA STEVEN J	0.1%	14	Marin County
\$70,901,753	MARIN COUNTRY MART LLC	0.1%	1	California
\$70,477,680	TEACHERS INSURANCE & ANNUITY ASSOC OF	0.1%	248	Out of State
\$67,111,589	CA-LARKSPUR LANDING OFFICE PARK L P	0.1%	4	Out of State
\$64,942,926	AIMCO MADERA VISTA LLC	0.1%	3	Out of State
\$63,167,329	REEP-OFC DRAKES LANDING CA LLC	0.1%	2	California
\$59,962,772	NORDSTROM INC	0.1%	1	Out of State
\$59,313,220	195-205 TAMAL VISTA BOULEVARD LLC	0.1%	1	California
\$2,623,113,072	-	3.8%	386	-

Top 20 Taxpayers Mostly Comm. & MFR

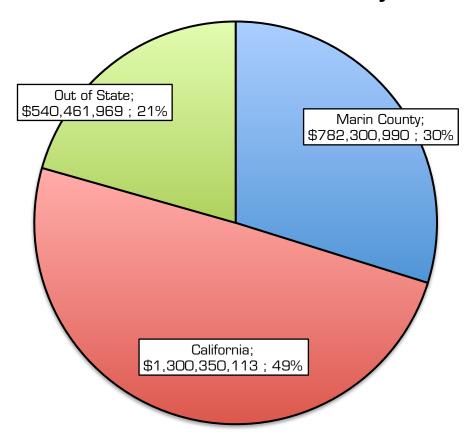
Commercial, Industrial, and MFR Account for 82% of the AV for the Top 20 Taxpayers (by Billing Address)



Note: 2016-17 assessment roll as provided by Marin County Assessor's office. Misc comprised of County categories: Historical, Common Areas, Open Spaces, Taxable Utilities, and Tax Defaulted Properties. Percentages rounded.

Top 20 Taxpayers Mostly "Foreign"

For Top 20 Taxpayers (by Billing Address), 70% of AV is Owned Outside of Marin County



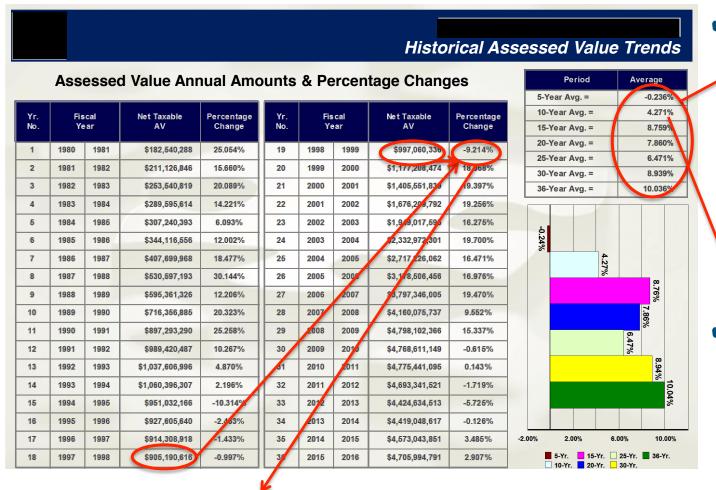
Ensuring Fiscal Responsibility







Important to Review What is Presented



- Average multi-year changes displayed are the average of the percentage changes over the given number of years; this does not take into account compounding (and the 20+ year data reported reflects the miscalculated 1998-99 change).
- To understand the significant effect of such a seemingly small error: the 10 year average growth rate is shown as 4.271%, when the CAGR is actually 2.412%
- ✓ AV Grew from 1997-98 to 1998-99 but the percentage change is shown as negative it appears the numerator and denominator in the calculation were reversed.

"Strict Accountability . . .

- in Local School Construction Bonds Act of 2000"
 - Five methods of accountability
 - Citizens' Oversight Committee
 - Financial Auditing
 - Performance Auditing
 - Court Restraint and Prevention of Any Expenditure of Funds
 - Law Enforcement Pursuit in the Event of Allegation or Misuse of Bond Funds

Accountability - Traditional Measures

Financial Reporting



Auditing



Performance Auditing



Comparison of Metrics to Standards



All of these are after the fact.

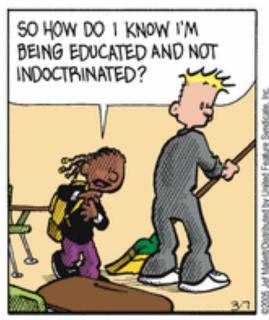
Stages of a Bond Measure

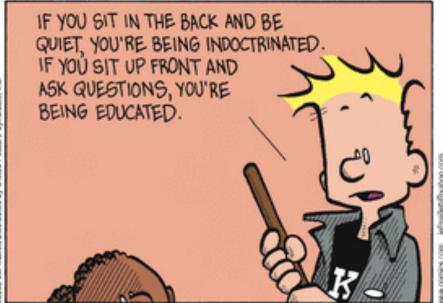
Considering a bond measure

Implementing a bond measure

Managing the bond portfolio

Ask Questions Before, During and After







The Least You Should Know . . .

- Answers to these 6 questions:
 - 1. Why is the District wanting to issue bonds (meaning taxpayers are borrowing)?
 - 2. What will the District's annual obligation be, including debt service payments and administrative costs?
 - 3. What is the risk that the annual obligation will vary from year to year and by how much?
 - 4. What are the projected tax rates?
 - 5. What is the likelihood the projected tax rates will be sufficient to repay the bonds?
 - 6. What is the cost of funds and is this reasonable?

Please Don't Delegate Understanding







Questions and Discussion?



Appendix

Best Practices Case Study



Best Practices Case Study

- How a newly minted CBO faced down potential insolvency utilizing GFOA Best Practices, wisdom and good humor.
 - Previously a kindergarten teacher and administrator on the curriculum side
 - ► Here's the story . . .



Early Warning System

- New CBO appointed.
 - Immediate need to implement budget cuts and focus on fiscal solvency.
- County Office of Education asked the CBO about District's bond anticipation note repayment.
 - CBO didn't know anything about BANs generally or the District's BANs, and began to investigate.

CBO wanted to understand the situation and why COE was signaling an alert.

How the Situation Began

- ◆ The District had a general obligation bond measure in 2006
 - Requested bond authorization of \$275.0 million
 - ► Based on tax base at the time, bonding capacity was only \$157.6 million
- Running out of Road:
 - ▶ The District first issued bonds in 2006
 - ► As tax base declined, bonds (with CAB structure) were issued in 2008
 - ► As tax base decline continued, District issued a BAN (which obligated the General Fund) in 2009
- ✓ The District issued increasingly more expensive and risky debt to continue with a plan which could not be implemented as originally envisioned.

The Crisis Facing the CBO

- ◆ BAN payment of \$106 million due December 2012
 - Remaining bonding capacity down to \$85 million
 - ▶Tax levy was at \$75 per \$100,000 of assessed value
 - Maximum projection under Proposition 39 (55% voter approval bonds) is \$60 per \$100,000 of assessed value for a unified school district
- General fund obligated to repay the debt in the event the District could not issue a sufficient amount of bonds
- The CBO made a very wise and crucial decision: stop the failing plan.
 - * The District halted expenditures from its BAN funds and reserved the remaining \$58 million to repay the BAN. Financial shortfall dropped; \$106 million → \$48 million

Why Not Issue COPs?

- Apparently, there was some historical thinking related to the issuance of the BANs, that the District would be able to issue COPs to repay the BANs.
- ◆ The District had outstanding COPs that were being repaid by CFD revenues.
 - Available CFD revenues could only support \$12 million in new borrowing
 - ► General Fund could not afford COP payments
 - ►COE would not approve issuance of COPs



Seeking Advice

- The CBO initially thought the underwriter was its advisor.
- COE helped the CBO understand the difference between an underwriter and an advisor.
 - ► An advisor represents the District.
 - An underwriter represents investors.
 - New rules have been established for underwriters by the Securities and Exchange Commission and Municipal Securities Rulemaking Board as a result of the Dodd-Frank Act to make this more clear.
 - Many underwriters and other consultants provide advice – but are <u>not</u> fiduciaries.





First GFOA Best Practice

The CBO decided to hire an independent financial advisor.



"Unless the issuer has sufficient in-house expertise and access to market information, it should hire an outside financial advisor prior to undertaking a debt financing. A financial advisor represents the issuer, and only the issuer, in the sale of bonds."



 GFOA Best Practice on Selecting Financing Advisors

◆ The financial advisor created a plan that, through debt structuring, cut the estimated cost of repaying debt issued to repay the BAN in half (from \$400 million to \$200 million) from what the underwriter had proposed.



District Adopted a New Perspective

- District started to think about finance strategically
 - In terms of financial risk management
 - Not just in terms of facilities goals and community politics



District Sought Input 🚖

- Public workshops were held
 - ► At meetings of the School Board and the Citizens' Bond Oversight Committee
- The Superintendent and CBO held meetings with:
 - ▶ The COE Staff
 - County Treasurer Staff
 - County Counsel
 - County Administrator's Office Staff
 - County Supervisors
 - City Staff
 - City Council Members

Another's Publicity Affects District

Poway Unified residents fume over expensive bond

School district officials explain, defend decision behind \$1 billion debt

By Ashly McGlone

Originally published August 20, 2012 at 10:09 p.m., updated August 20, 2012 at 10:37 p.m.



POWAY — Residents of the Poway Unified School District came out in droves Monday night to voice concerns about a bond deal that saddles them with nearly \$1 billion in long-term debt — about nine times the amount of the bond.

School bond reform gaining support

By Ashly McGlone

Originally published August 21, 2012 at 12:12 p.m., updated August 21, 2012 at 7:52 p.m.

A top county financial official is urging state lawmakers to make changes to school construction financing laws in the wake of concern over a controversial and expensive bond issued by the Poway school district.

The proposals unveiled Tuesday by the San Diego County Treasurer/Tax Collector Dan McAllister were greeted with a positive response from some legislators and state Treasurer Bill Lockyer.



- A Unified School District plan to finance a \$106 million bond payment due in December to stave off a likely state takeover has drawn fire from the county's top financial official and two county supervisors.

Political and Management Milieu

- At School Board meeting where financing was to be approved, full capacity audience, unrelated to the financing.
- Board's legal counsel changed firms midway through financing process.
- Prior underwriter and bond counsel needed to be extracted from the process.
- District's new bond counsel forced to quit because while personally supported effort, blocked by firm's internal politics.
- School Board member from outside the County commenting.

View of Those Burdened with Expense

- Taxpayers and community generally unconcerned.
 - ▶ Public comment suggested the District get on with solving the financial problem.
 - Community valued the facilities improvements.
 - ► Consistent with our experience
 - Since the Attorney General issued its January 2009 legal opinion that "cash out general obligation bond refinancings" were unconstitutional, we know of no taxpayer lawsuit over the higher resulting taxes.



► If taxpayers are willing to pay, why not get more value for students and the community with those taxes?

Second GFOA Best Practice

◆ The CBO decided to use a competitive bid process to sell the bonds.

"The GFOA believes that the presence of the following factors may favor the use of a competitive sale:

- The rating of the bonds, either credit-enhanced or unenhanced, is at least in the single-A category.
- The bonds are general obligation bonds or full faith and credit obligations of the issuer or are secured by a strong, known and long-standing revenue stream.
- The structure of the bonds does not include innovative or new financing features that require extensive explanation to the bond market."
 - -GFOA Best Practice on Selecting Method of Sale

Third GFOA Best Practice

- Because of outstanding non-callable bonds, the District had to utilize Capital Appreciation Bonds, which are expensive, and lately, have been negatively portrayed in the news.
 - ► However, by including an option for the bonds to be called and repaid early, the District preserved the flexibility to improve its debt situation in the future should market conditions improve.

"Evaluate carefully whether structural features, such as call features and original issue discount, that impact the true interest cost (TIC) of a bond offering, but limit future flexibility in managing the debt portfolio, will result in greater overall borrowing costs."

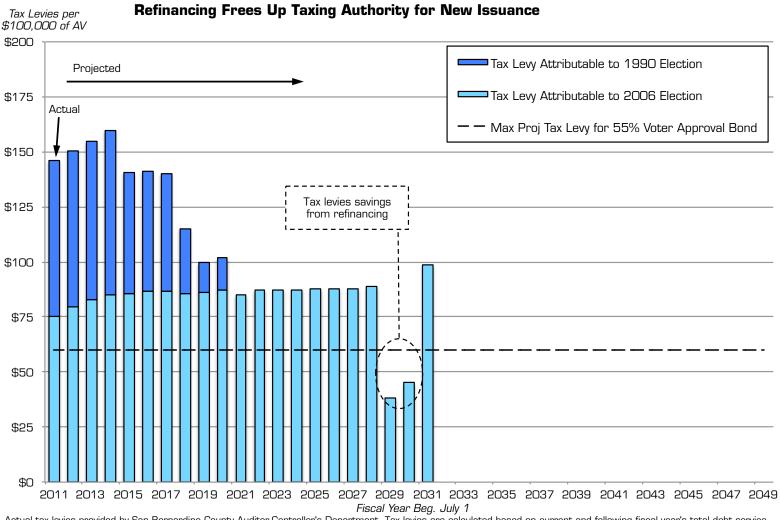
 GFOA Best Practice on Pricing Bonds in a Negotiated Sale

Fourth GFOA Best Practice



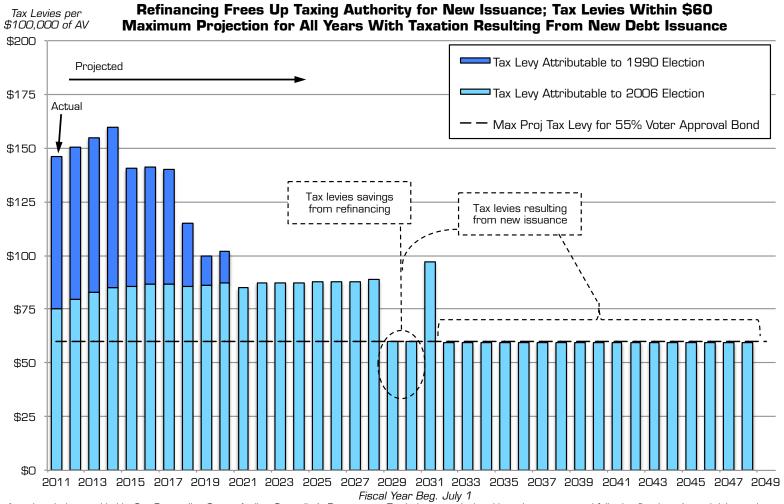
- District issued bonds to repay the BANs combined with a refinancing.
 - Refinancing enabled the bonds which needed to be issued to repay the BANs to be structured more efficiently.
 - Economies of scale saved on costs of issuance.
 - "Refundings may be undertaken for a number of financial and policy objectives, including to achieve debt service savings, eliminate restrictive bond/legal covenants, restructure the stream of debt service payments, or achieve other policy objectives."
 - GFOA Best Practice on Analyzing and Issuing Refunding Bonds

Projected Levies After Refinancing



Actual tax levies provided by San Bernardino County Auditor-Controller's Department. Tax levies are calculated based on current and following fiscal year's total debt service collection required, with one levy being assigned per year for the District's voter-approved debt. Net local secured assessed value is assumed to grow at 0% for 2012-13, 1.0% for 2013-14, 2.0% for 2014-15, 3.5% for 2015-16, and 5.0% annually thereafter, while all other types of assessed value are assumed to remain unchanged.

New Issuance Stays Within \$60 Constraint



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Savings From Competitive Bidding

- New Money Borrowing to Repay BANs
 - Bidding Saves \$5 Million

COMP	ETITIVE BIDDING RESULTS		Approximate Difference in
		True Interest Cost	Present Value
Bid #	Name of Bidder	(TIC%)	From Winning Bid
1	Citigroup Global Markets Inc.	5.589100%	
2	Barclays Capital Inc.	5.877361%	\$3,659,520
3	Morgan Stanley & Co, LLC	5.929144%	\$4,288,599
4	Bank of America Merrill Lynch	5.990789%	\$5,026,611

^{*} Note: subsequent to the bidding, the winning bid was restructured, changing the TIC to 5.586326%.

- Refinancing for Taxpayer Savings
 - ► Bidding saves \$2.2 Million

COMPE	TITIVE BIDDING RESULTS	True Interest Cost	Approximate Difference in Present Value
Bid #	Name of Bidder	(TIC%)	From Winning Bid
1	Raymond James & Associates, Inc.	2.907152%	
2	Bank of America Merrill Lynch	2.918249%	\$92,320
3	Morgan Stanley & Co, LLC	2.939772%	\$260,662
4	Barclays Capital Inc.	3.033029%	\$1,044,313
5	Citigroup Global Markets Inc.	3.150225%	\$2,080,136
6	Wells Fargo Bank, National Association	3.162056%	\$2,170,642

^{*} Note: subsequent to the bidding, the winning bid was restructured, changing the TIC to 2.940814%.

Continual Improvement

- ◆ We originally planned to issue \$50,173,254 to repay the BANs, but we were able to lower the par amount to \$47,259,440, due to identification of the additional \$963,905 of available Building Fund balance for the BAN repayment plus savings on financing costs to be paid from bond proceeds (costs of issuance and underwriting discount).
 - ➤ Thus, the District has an additional \$2.9 million of bonding authority remaining beyond the \$25.2 originally estimated (an improvement of more than 10%).
- ◆ The County Treasurer was concerned about the ratio of debt service to gross borrowing, which we originally projected at 3.9 to 1.
 - ▶ Borrowing less at less cost brought this ratio down to 3.7 to 1.

Beyond GFOA Best Practices

- GFOA Best Practices followed:
 - ► Hiring a financial advisor
 - Selecting a competitive sale
 - Considering call features
 - Refinancing for savings
- Additional practices done well:
 - Responsiveness to COE Concern
 - Coordination with COE
 - Having the courage to change course
 - Research and analysis to make and support decision
 - Transparency
 - Seeking input
 - Active management
 - Cost control

