

An Open Letter to the Sonora Community

A small group of community members who do not have children in our schools have filed a lawsuit against the Sonora Union High School District to stop construction of our voter-approved Measure J building projects. These individuals, who are hiding behind anonymity, are calling themselves CASBA and have hired an attorney from San Diego to disrupt the trustee-adopted construction plan. Our community should be appalled that this so-called citizens group would thwart the will of the community to build and renovate these essential student facilities.

They have targeted the pool project, a parking area in the center of the school campus and a new entrance to the stadium, both designed for the disabled. Due to this pending litigation, we cannot sell bonds/raise construction funds. Now construction on all other projects including the Centennial building, cafeteria, football field and the all-weather track has stopped.

The plaintiffs in this suit have turned deaf ears to recent engineering and construction data. Each day that their lawsuit continues burns more taxpayer money due to delayed construction and legal costs. Most importantly, they are denying our children the opportunity to enjoy the same modern/updated classroom and athletic facilities as neighboring communities in Oakdale, Angels Camp, San Andreas, and Manteca.

The school district has used a thoroughly transparent and inclusive decision-making process. The priorities of the community were reflected in the bond election. Here are the facts:

The Bond Projects:

On November 6, 2012, the voters of Tuolumne County approved the issuance of \$23 million in school bonds to finance facility improvements in the Sonora Union High School District. Prior to the election the district held many community forums with students, staff, and community members to identify brick and mortar projects in the district. The August 28, 2012 *Union Democrat* ran a front page story on the bond campaign prior to the election that listed high priority projects identified by the community as the Humanities Building, Centennial Hall, the cafeteria, the Ag property, the stadium and track, an aquatics complex, the library, the science building and technology upgrades.

After a post-election analysis by the district's architect and construction experts, the board of trustees identified the most needed projects as the Humanities Building, Centennial Hall, Dunlavy Stadium's track and field, the pool and the cafeteria. Technology upgrades and handicapped student access was incorporated into all design work. A construction phasing schedule was developed to complete these projects in a cost-effective and timely manner.

Bond Language:

The ballot language put before voters for Measure J was written by attorneys and reflects the need to be clear yet flexible. This is why the bond language for Sonora High was almost identical to Summerville High and other California school district bond measures in 2012. The precedent setting case for bond language was a challenge to Foothill-DeAnza Community College's Measure C. In that ruling, reviewed by the California Supreme Court, the appellate court held that the project list requirements under Proposition 39 should be broadly interpreted to give

districts flexibility in meeting facilities needs as they arise. If the district had promised specific projects in bond language such as the cafeteria remodel, and then the needs changed as occurred with the Sonora Elementary School fire, the district would not have the flexibility to address any change in priorities. This is why the ballot language did not specifically itemize the Humanities Building, cafeteria, track, football field or pool.

The Pool and Stadium:

The CASBA group has said publicly they are opposed to spending bond dollars on athletic facility projects. Our district strongly believes that athletic facilities are classrooms and students should develop mentally, spiritually and physically. The Memorial Pool was built in 1956. Most of the plumbing and concrete date back almost 60 years. 20 years ago the community raised private dollars and remodeled the pool, but its advertised 20-year life expectancy is over. The pool is an aged-out facility with failing filtration and plumbing. It is limited in space due to being pinned in between a creek, a road and PG&E monitoring wells. The pool sits below grade in a flood plain. It does not provide access to the disabled for swimming or the locker rooms. Leaky pipes and a decaying filtration system waste thousands of gallons of water regularly during one of the worst droughts in California history. Our original plan was to simply repair the old pool. The recommendation from several architects and pool contractors was not to invest valuable public dollars in the old pool but to build a new pool that meets modern standards of sanitation and safety in a suitable and better location. The new pool will continue to be a community facility with a large shallow end to support programs for young children, families and senior citizens.

Complying with the Americans with Disabilities Act:

The ADA is a federal law that supports the rights of disabled community members to have access to all public areas. Sonora High has eight students in wheel chairs. Many community members that attend campus events have limited mobility. The stadium at Sonora High, the pool, and most of the campus do not have approved paths of travel for the disabled. The CASBA lawsuit specifically targets the new ADA entrance to the stadium and the ADA parking lot in the center of the campus. An important aspect of the Measure J Projects was to bring our high school up to accepted ADA standards so that all members of our student body and the community can safely access our facilities. This is required by law.

Preserving the Environment:

The district used “an abundance of caution” in addressing any and all environmental concerns and historical challenges to our construction projects. We supported a lengthy CEQA mitigated negative declaration process with extensive public review. All environmental issues were discussed and construction plans have addressed them.

Maintaining the Public Trust:

The board of trustees was elected by the citizens of Tuolumne County. We include a retired teacher, a physician, a farmer, a nurse and an education specialist. We have thoughtfully listened to expert architects, contractors, engineers and attorneys who specialize in school construction and bond projects, as well as hundreds of community members. The entire approval process was reviewed in open session at school board meetings over the last 2 years. As Sonora High teacher Pete Smith said, “The entire process has been open and completely transparent.” The public

should be assured that the five board members have put in the time and hard work to insure that the selected bond projects were solid decisions.

Does everybody agree with all of any board's decisions? We know that we will never be able to satisfy everyone in the community but we know in our hearts that we are clearly doing the right thing for Sonora High School and for our community with the current project list and schedule. These projects are for the entire community.

Next Steps:

As a school board, teachers, support staff, administration, students, and parents, we are still hopeful that this small group will drop this wasteful lawsuit and give up their personal demands. If you know the individuals behind this lawsuit, ask them to drop their claims. The legal fees alone for the district to defend this suit could surpass \$200,000. The escalation costs for delayed construction could run over a million dollars. If the suit is dropped, the loss of money stops immediately. So, will we pay our tax dollars to lawyers or use the funds to modernize our high school and have it enjoyed by our entire community? Shouldn't our bond funds benefit thousands of our community's children for decades to come?

Please drop by or call the district office at Sonora High School and meet with our administrative team for more information.

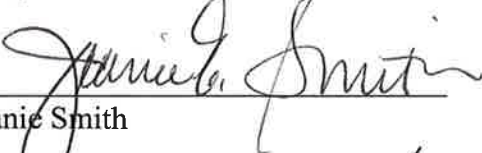
Members of the Board in unanimous agreement.



Robert Lyons M.D., Board President



Kathy Ankrom Board Clerk



Jeanie Smith



Katryn Weston



Mel Ginn