MEETING OF THE
INDEPENDENT CITIZENS’ BOND OVERSIGHT COMMITTEE
WEDNESDAY, JUNE 3, 2015

AGENDA
1:00 p.m. Open Session

CVUSD District Office, South Building, Board Room
1400 E. Janss Road
Thousand Oaks, CA 91362

INDEPENDENT CITIZENS’ BOND OVERSIGHT COMMITTEE
Marshall Denninger, Parent / PTA representative
Gail Ginell, Community At-Large representative
Tony Gitt, Senior Citizens’ Organization representative
Wendy Goldstein, Parent representative
Bill Gorback, Community At-Large representative
Charles Lech, Business Organization representative
Jere Robings, Taxpayers’ Association representative

ADMINISTRATIVE STAFF
Jeffrey L. Baarstad, Ph.D., Superintendent
Jon Sand, Ed.D., Assistant Superintendent, Chief Business Official,
and Senior Staff Liaison to the Committee
Mike Buckley, Director, Maintenance and Operations
David Fateh, Director, Planning and Facilities
Jerome Staszewski, Director, Technology Services
Debbie Gonzales, Administrative Assistant, Business Services

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Section A: Agenda
Section B: Minutes (There are no Minutes as this is the first meeting)
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HELPFUL INFORMATION
PERSONS WITH DISABILITIES REQUIRING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN A COMMITTEE MEETING SHOULD CONTACT THE BUSINESS SERVICES OFFICE PRIOR TO THE MEETING - PHONE 805-497-9511, EXTENSION 206, OR EMAIL DGNZALES@CONEJOUSD.ORG

If you are on the agenda to present a report and need to use a computer and audio equipment, please contact the Business Services Office 24 hours prior to the meeting at 805-497-9511, extension 206, or email dgonzales@conejousd.org.

If you wish to address the Independent Citizens’ Bond Oversight Committee, it is necessary to complete a speaker form (blue) and hand it to the recording secretary. If you would like to make comments about items not on the agenda, a speaker form should be completed and submitted prior to the Public Comments section of the agenda. If you wish to address an agenda item, please complete and submit your form prior to the Action section of the agenda. Pursuant to the Brown Act, the Committee cannot enter into a formal discussion nor can a decision be made in regard to public comments. The Committee may provide a reference to staff or other resources of information, request staff to report back at a subsequent meeting, or direct staff to place an item on a future agenda. Public comments will be limited to three minutes. On those occasions where there is an unusually large number of speaker cards, the President of the Committee may make the decision to decrease the time. Please present your comments in a factual, respectful, and dignified manner that models how we expect our children to participate in the democratic process.

If you wish to register your opinion on a topic but not speak, please fill out a public written statement form (yellow) and hand it to the recording secretary. Committee members will review these forms following the meeting.

Your input is greatly appreciated. The information on the speaker cards will assist the Committee President in conducting the meeting and is needed for the official minutes. The information on the cards will become public record. Thank you for your cooperation and compliance with these guidelines. Please feel free to call the Business Services office if you have any questions (805-497-9511 x206).

NEXT REGULARLY SCHEDULED COMMITTEE MEETING
(The date, time, and place is to be determined at the Committee meeting on June 3, 2015)

AGENDAS ARE POSTED AT THE FOLLOWING LOCATIONS
CVUSD District Office, 1400 E. Janss Road, Thousand Oaks, CA
This serves as the main posting location pursuant to the Brown Act, Government Code §54954.2(a)

Additional Locations
Newbury Park High School, 456 Reino Road, Newbury Park, CA
Thousand Oaks High School, 2323 Moorpark Road, Thousand Oaks, CA
Westlake High School, 100 N. Lakeview Canyon Road, Westlake Village, CA
CVUSD Maintenance and Operations Office
District website: www.conejousd.org
SECTION A: AGENDA
INDEPENDENT CITIZENS’ BOND OVERSIGHT COMMITTEE
WEDNESDAY, JUNE 3, 2015

I. 1:00 P.M. REGULAR SESSION

    Opening Provisions

    A. Call the Meeting to Order and Roll Call

    B. Pledge of Allegiance

    C. Announcements and Procedures

    D. Approval of the Agenda

    E. Comments

        1. Public

           Pursuant to the Brown Act, the Citizens’ Bond Oversight Committee cannot enter into
           formal discussion with individuals making public comments to the Committee. The
           Committee cannot take action on any issues raised during public comments that are not on
           the meeting agenda. Individual Committee members may respond to public comments
           during the Individual Committee Member’s Comments section of the agenda (III.G.3.).

        2. Superintendent

        3. Senior Staff Liaison to the Committee

        4. Individual Committee Members

    F. Roles and Responsibilities of the Committee

        Presentation by David G. Casnocha, J.D., Stradling Yocca Carlson & Rauth, P.C.

    G. Committee Bylaws

        On January 20, 2015, the CVUSD Board of Education approved the Independent Citizens’ Bond
        Oversight Committee Bylaws.

    H. Appointment of Committee Chairperson by the Superintendent

        Per Committee Bylaws Section 9, Officers, the Superintendent shall appoint the initial Chair.
        Thereafter, the Committee shall elect a Chair. The Chair shall serve for a term of one year and may
        be re-elected by vote of a majority of the members of the Committee.
II. **ACTION ITEMS - GENERAL**  
(Each item requires a motion for approval)

A. Election of Committee Vice-Chairperson  
*Per Committee Bylaws Section 9, Officers, the Committee shall elect a Vice-Chair who shall act as Chair only when the Chair is absent. The Vice-Chair shall serve for a term of one year and may be re-elected by vote of a majority of the members of the Committee.*

B. Selection of Two Committee Members to Serve One-Year Terms  
*Per Committee Bylaws Section 5.4, Term, except as otherwise provided herein, each member shall serve a term of two years, commencing as of the date of appointment by the Board. No member may serve more than three consecutive terms. At the Committee’s first meeting, members will draw lots or otherwise select a minimum of two members to serve for an initial one year term and the remaining members for an initial two year term.*

C. Selection of Meeting Dates, Time, and Location for 2015/2016  
*Per Committee Bylaws Section 6.1, Regular Meetings, the Committee shall meet at least once a year, but shall not meet more frequently than quarterly. It is appropriate that the Committee establish meeting dates and times for next year.*

III. **INFORMATION / DISCUSSION ITEMS**  
(For discussion only; no action is taken on information items)

A. Measure I Overview  
*Dr. Jon Sand and David Fateh will present a brief overview of the plans for Measure I.*

B. Future Agenda Topics  
*Committee Members and Administrative Staff will discuss and plan topics for future meetings.*

IV. **ADJOURNMENT**

**NEXT MEETING**  
(The dates, time, and location is to be determined at the Committee meeting on June 3, 2015)

**AGENDAS ARE POSTED AT THE FOLLOWING LOCATIONS**  
CVUSD District Office, 1400 E. Janss Road, Thousand Oaks, CA  
CVUSD Website: [www.conejousd.org](http://www.conejousd.org)  
This serves as the main posting sites pursuant to the Brown Act, Government Code §54954.2(a)  

- Newbury Park High School, 456 Reino Road, Newbury Park, CA  
- Thousand Oaks High School, 2323 Moorpark Road, Thousand Oaks, CA  
- Westlake High School, 100 N. Lakeview Canyon Road, Westlake Village, CA  
- CVUSD Maintenance and Operations Office
SECTION B: MINUTES

There are no Minutes of a prior meeting, as this is the first meeting of the Committee.
SECTION C: AGENDA REPORTS
Section 1. Committee Established. The Conejo Valley Unified School District (the “District”) was successful at the election conducted on November 4, 2014 (the “Election”) in obtaining authorization from the District’s voters to issue up to $197,000,000 aggregate principal amount of the District’s school facilities bond (“Measure I”). The Election was conducted under Proposition 39, being chaptered as the Strict Accountability in Local School Construction Bonds Act of 2000, at Section 15264 et seq. of the Education Code of the State (“Prop 39”). Pursuant to Section 15278 of the Education Code, the District is now obligated to establish an Independent Citizens’ Bond Oversight Committee in order to satisfy the accountability requirements of Prop 39. The Board of Education of the Conejo Valley Unified School District (the “Board”) hereby establishes the Independent Citizens’ Bond Oversight Committee (the “Committee”) which shall have the duties and rights set forth in these Bylaws. The Committee does not have legal capacity independent from the District.

Section 2. Purposes. The purposes of the Committee are set forth in Prop 39, and these Bylaws are specifically made subject to the applicable provisions of Prop 39 as to the duties and rights of the Committee. The Committee shall be deemed to be subject to the Ralph M. Brown Public Meetings Act of the State of California and shall conduct its meetings in accordance with the provisions thereof. The District shall provide necessary administrative support to the Committee as shall be consistent with the Committee’s purposes, as set forth in Prop 39.

The proceeds of general obligation bonds issued pursuant to the Election are hereinafter referred to as “bond proceeds.” The Committee shall confine itself specifically to bond proceeds generated under Measure I. Regular and deferred maintenance projects and all monies generated under other sources shall fall outside the scope of the Committee’s review.

Section 3. Duties. To carry out its stated purposes, the Committee shall perform only the duties set forth in Sections 3.1, 3.2, and 3.3 hereof, and shall refrain from those activities set forth in Sections 3.4 and 3.5.

3.1 Inform the Public. The Committee shall inform the public concerning the District’s expenditure of bond proceeds. In fulfilling this duty, all official communications to either the Board or the public shall come from the Chair acting on behalf of the Committee. The Chair shall only release information that reflects the majority view of the Committee.

3.2 Review Expenditures. The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in Measure I; and (b) no bond proceeds were used for teacher or administrative salaries or other operating expenses in compliance with Attorney General Opinion 04-110, issued on November 9, 2004.

3.3 Annual Report. The Committee shall present to the Board, in public session, an annual written report which shall include the following:
(a) A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and

(b) A summary of the Committee’s proceedings and activities for the preceding year.

3.4 Duties of the Board/Superintendent. Either the Board or the Superintendent, as the Board shall determine, shall have the following powers reserved to it, and the Committee shall have no jurisdiction over the following types of activities:

(i) Approval of contracts,

(ii) Approval of change orders,

(iii) Expenditures of bond funds,

(iv) Handling of all legal matters,

(v) Approval of project plans and schedules,

(vi) Approval of all deferred maintenance plans, and

(vii) Approval of the sale of bonds.

3.5 Measure I Projects Only. In recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds, the Board has not charged the Committee with responsibility for:

(a) Projects financed through the State of California, developer fees, redevelopment tax increment, certificates of participation, lease/revenue bonds, the general fund or the sale of surplus property without bond proceeds shall be outside the authority of the Committee.

(b) The establishment of priorities and order of construction for the bond projects, which shall be made by the Board in its sole discretion.

(c) The selection of architects, engineers, soils engineers, construction managers, project managers, CEQA consultants and such other professional service firms as are required to complete the project based on District criteria established by the Board in its sole discretion.

(d) The approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction methods (modular vs. permanent) which shall be determined by the Board in its sole discretion.

(e) The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the activities of the Committee.

(f) The approval of an annual budget for the Committee that is sufficient to carry out the activities set forth in Prop 39 and included herein.
The appointment or reappointment of qualified applicants to serve on the Committee, subject to legal limitations, and based on criteria adopted in the Board’s sole discretion as part of carrying out its function under Prop 39.

Section 4. **Authorized Activities.**

4.1 In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:

(a) Receive copies of the District’s annual, independent performance audit and annual, independent financial audit required by Prop 39 (Article XIII A of the California Constitution) (together, the “Audits”) at the same time said Audits are submitted to the District, and review the Audits.

(b) Inspect District facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District’s Superintendent.

(c) Review copies of deferred maintenance plans developed by the District.

(d) Review efforts by the District to maximize bond proceeds by implementing various cost-saving measures.

(e) Receive from the Board, within three months of the District receiving the Audits, responses to any and all findings, recommendations, and concerns addressed in the Audits, and review said responses.

Section 5. **Membership.**

5.1 **Number.**

The Committee shall consist of at least seven (7) members appointed by the Board from a list of candidates submitting written applications, and based on criteria established by Prop 39, to wit:

- One (1) member shall be the parent or guardian of a child enrolled in the District.
- One (1) member shall be both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization, such as the P.T.A. or a school site council.
- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizens’ organization.
- One (1) member active in a bona-fide taxpayers association.
- Two (2) members of the community at-large.
5.2 **Qualification Standards.**

(a) To be a qualified person, he or she must be at least 18 years of age.

(b) The Committee may not include any employee, official of the District or any vendor, contractor or consultant of the District.

5.3 **Ethics: Conflicts of Interest.**

(a) Members of the Committee are not subject to the Political Reform Act (Gov. Code §§ 81000 *et seq.*), and are not required to complete Form 700; but each member shall comply with the Committee Ethics Policy attached as “Attachment A” to these Bylaws.

(b) Pursuant to Section 35233 of the Education Code, the prohibitions contained in Article 4 (commencing with Section 1090) of Division 4 of Title 1 of the Government Code (“Article 4”) and Article 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code (“Article 4.7”) are applicable to members of the Committee. Accordingly:

   (i) Members of the Committee shall not be financially interested in any contract made by them in their official capacities or by the Committee, nor shall they be purchasers at any sale or vendors at any purchase made by them in their official capacity, all as prohibited by Article 4; and

   (ii) Members of the Committee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to duties as a member of the Committee or with the duties, functions, or responsibilities of the Committee or the District. A member of the Committee shall not perform any work, service, or counsel for compensation where any part of his or her efforts will be subject to approval by any other officer, employee, board, or commission of the District’s Board of Trustees, except as permitted under Article 4.7.

5.4 **Term.** Except as otherwise provided herein, each member shall serve a term of two (2) years, commencing as of the date of appointment by the Board. No member may serve more than three (3) consecutive terms. At the Committee’s first meeting, members will draw lots or otherwise select a minimum of two members to serve for an initial one (1) year term and the remaining members for an initial two (2) year term. Members whose terms have expired may continue to serve on the Committee until a successor has been appointed. Terms commence on the date or number is appointed to the Committee by the Board of Education.

5.5 **Appointment.** Members of the Committee shall be appointed by the Board through the following process: (a) the District will advertise in the local newspapers, on its website, and in other customary forums, as well as solicit appropriate local groups for applications, using an application form provided by the District; (b) a subcommittee made up of two Board members appointed by the Board President, and the Superintendent will review the applications; (c) the subcommittee will make recommendations to the Board; and (d) the full Board will approve the recommendations.
5.6 **Removal; Vacancy.** The Board may remove any Committee member for any reason, including failure to attend two consecutive Committee meetings without reasonable excuse or for failure to comply with the Committee Ethics Policy. Upon a member’s removal, his or her seat shall be declared vacant. The Board, in accordance with the established appointment process shall fill any vacancies on the Committee. The Board shall seek to fill vacancies within 90 days of the date of occurrence of a vacancy.

5.7 **Compensation.** The Committee members shall not be compensated for their services.

5.8 **Authority of Members.** (a) Committee members shall not have the authority to direct staff of the District; (b) individual members of the Committee retain the right to address the Board, either on behalf of the Committee or as an individual; (c) the Committee shall not establish sub-committees for any purpose; and (d) the Committee shall have the right to request and receive copies of any public records relating to Measure I funded projects.

**Section 6. Meetings of the Committee.**

6.1 **Regular Meetings.** The Committee shall meet at least once a year, but shall not meet more frequently than quarterly.

6.2 **Location.** All meetings shall be held within the boundaries of the Conejo Valley Unified School District, located in Ventura County, California.

6.3 **Procedures.** All meetings shall be open to the public in accordance with the *Ralph M. Brown Act*, Government Code Section 54950 et seq. Meetings shall be conducted according to such additional procedural rules as the Committee may adopt. A majority of the number of Committee members shall constitute a quorum for the transaction of any business of the Committee.

**Section 7. District Support.**

7.1 The District shall provide to the Committee necessary technical and administrative assistance as follows:

(a) preparation of and posting of public notices as required by the *Brown Act*, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the District Board;

(b) provision of a meeting room, including any necessary audio/visual equipment;

(c) preparation, translation and copies of any documentary meeting materials, such as agendas and reports; and

(d) retention of all Committee records, and providing public access to such records on an Internet website maintained by the District.

7.2 District staff and/or District consultants shall attend Committee proceedings in order to report on the status of projects and the expenditure of bond proceeds.
Section 8. **Reports.** In addition to the Annual Report required in Section 3.3, the Committee may report to the Board from time to time in order to advise the Board on the activities of the Committee. Such report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

Section 9. **Officers.** The Superintendent shall appoint the initial Chair. Thereafter, the Committee shall elect a Chair and a Vice-Chair who shall act as Chair only when the Chair is absent. The Chair and Vice-Chair shall serve in such capacities for a term of one year and may be re-elected by vote of a majority of the members of the Committee.

Section 10. **Amendment of Bylaws.** Any amendment to these Bylaws shall be approved by a majority vote of the Board.

Section 11. **Termination.** The Committee shall automatically terminate and disband concurrently with the Committee’s submission of the final Annual Report which reflects the final accounting of the expenditure of all Measure I monies.
This Ethics Policy Statement provides general guidelines for Committee members in carrying out their responsibilities. Not all ethical issues that Committee members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Committee members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

• CONFLICT OF INTEREST. A Committee member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds, or (2) any construction project which will benefit the Committee member’s outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.

• OUTSIDE EMPLOYMENT. A Committee member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by bond proceeds, or (2) any construction project. A Committee member shall not make or influence a District decision related to any construction project involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of two (2) years after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to: (1) bidding on projects funded by the bond proceeds; and (2) any construction project.

• COMMITMENT TO UPHOLD LAW. A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the Conejo Valley Unified School District.

• COMMITMENT TO DISTRICT. A Committee member shall place the interests of the District above any personal or business interest of the member.
TO:       BOARD OF EDUCATION
FROM:     SUPERINTENDENT
DATE:     JUNE 3, 2014 (INFORMATION)
          JUNE 17, 2014 (ACTION)

SUBJECT: RESOLUTION #13/14-19 – RESOLUTION OF THE BOARD OF EDUCATION OF CONEJO VALLEY
UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION AND ESTABLISHING SPECIFICATIONS OF THE
ELECTION ORDER

ISSUE:
Should the Board of Education adopt Resolution #13/14-19 – Resolution of the Board of Education of Conejo Valley
Unified School District Ordering an Election and Establishing Specifications of the Election Order, as submitted?

BACKGROUND:
In 1998, the voters of the Conejo Valley overwhelmingly approved Measure R, an $88 million general obligation bond
to support school renovation and modernization projects in Conejo Valley Unified School District. District staff was
successful in obtaining an additional $66 million in State Modernization and Joint-Use Grants and $5 million in grants
from the City of Thousand Oaks to leverage the impact of local bond funds. For the past 15 years, the District has
carefully spent these funds to significantly improve the infrastructure, safety and utility of District schools. The
District currently operates 32 school sites with total buildings in excess of 2 million square feet. The average school
site in CVUSD is over forty years old. District schools need additional renovation and modernization, improvements
in safety, and significant investments in technology infrastructure and support in order to provide students with an
education that will prepare them for success in the new century.

On April 16, 2013, the Board of Education approved a consulting agreement with TBWB Strategies to perform the
first phase of a bond feasibility study involving a public opinion research survey. TBWB Strategies subcontracted
with the public opinion research firm, Godbe Research to perform the survey. On August 20, 2013, representatives
from TBWB Strategies and Godbe Research presented a report to the Board on the findings from the study. The study
indicated that voters gave the District extremely high marks for quality of education and the management of public funds.
A majority of voters indicated they would support a November 2014 bond measure. However, they also indicated they
would like more information and input before a measure was finalized. In response, on October 15, 2013, the Board
approved an agreement with TBWB Strategies to conduct the second phase of a bond feasibility study for CVUSD
involving public outreach and engagement. The proposal included professional assistance and support to the District
over a nine month period ending in June 2014, the deadline for the Board of Education to make a decision to place an
initiative on the November 2014 ballot.

Over a six month period, District representatives met with community leaders and small groups to share information
about a potential November 2014 bond initiative. The meetings focused on information about potential bond project
priorities, as well as the possible size and potential tax rates associated with the bond. The feedback from individuals
and groups proved to be very valuable. On April 22, 2014, District Superintendent Jeff Baarstad and Jared Boigon of
TBWB Strategies presented information from the outreach and engagement process. They reported significant
community support around four identified project priorities. A potential bond of $197 million was identified that could
be supported without increasing the current property tax rate associated with the Measure R Bond passed in 1998.
Following the report, TBWB Strategies recommended the District commission a follow-up public opinion research
survey to determine the response of likely registered voters to the updated bond proposal. The Board of Education
approved a proposal from Godbe Research to perform the follow-up survey.

At the Board meeting held on May 6, 2014 the Board of Education received a report on the public opinion research
survey conducted to determine support for the proposed bond initiative. That survey documented 66% support for the
initiative from likely November voters. In response, the Board of Education directed staff to prepare a resolution and
supporting documents to place the initiative on the November ballot for Board consideration. On May 20, 2014, the
Board of Education approved a Bond Counsel Agreement with Stradling, Yocca, Carlson and Rauth, and a Bond
Program Management and Financial Advisory Services agreement with Piper Jaffray and Company, both agreements
necessary precursors for the development of the resolution and supporting documents.
ALTERNATIVES:
1. Adopt Resolution #13/14-19, as submitted.
2. Do not adopt Resolution #13/14-19, as submitted.

RECOMMENDATION:
Approve alternative #1.

RATIONALE:
District Bond Counsel David Casnocha of Stradling, Yocca, Carlson and Rauth has prepared the language of Resolution #13/14-19, and it contains the legal information, findings and notices necessary to place a $197 million general obligation bond before the voters of Conejo Valley Unified School District on the November 4, 2014 General Election ballot. The resolution before the Board calls an election within the District for the purpose of approving school bonds, to request the Ventura County Registrar of Voters to conduct the elections on behalf of the District, and to authorize the preparation of election materials including ballot arguments and tax rate statement, to be included in the ballot pamphlet. State law requires the Board of Education to order school district elections. The Ventura County Registrar of Voters will conduct the elections on behalf of the District, including publishing all required notices. This resolution meets the statutory requirements for describing the projects to be funded with the proceeds of the bonds, which is included as Exhibit B to the resolution. A 75-word summary of the measure, as it will appear on the ballot, is also included in the resolution as Exhibit A. The resolution also authorizes the preparation and filing of a tax rate statement, which must be included in the ballot pamphlet, describing the anticipated rates of tax throughout the life of the bond issue. The resolution also authorizes, but does not commit, the Board and/or individual members of the Board to prepare and sponsor a ballot argument in support of the bond measure. No more than five (5) persons may sign the ballot argument.

This election will be called under constitutional and statutory provisions that require fifty-five percent (55%) voter approval, and certain accountability requirements, including annual independent financial and performance audits of how funds are spent, and the formation of a Citizens' Bond Oversight Committee. Following adoption, the resolution (including the signed tax rate statement) must be delivered to the Registrar of Voters and the Board of Supervisors. State law requires that 2/3rd of a school board support the resolution calling an election requiring 55% voter approval. At least four (4) Board members must be present and vote “Yes” in order to call the election. A copy of the proposed resolution follows.

Respectfully submitted,

Jeffrey L. Baarstad, Ph.D.
Superintendent

JLB:ki
RESOLUTION NO. 13/14 - 19
RESOLUTION OF THE BOARD OF EDUCATION
OF CONEJO VALLEY UNIFIED SCHOOL DISTRICT
ORDERING AN ELECTION AND ESTABLISHING
SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Education (the “Board”) of the Conejo Valley Unified School District (the “District”) is committed to maintaining the quality of education for all students in our local schools by providing a foundation in math, science and technology sufficient for students to succeed in the 21st Century; and

WHEREAS, the Board has determined that local neighborhood schools need upgraded science, mathematics and career preparation labs to ensure our students will have access to up-to-date instructional technology; and

WHEREAS, the Board believes that it is critical to modernize 50-year old classrooms and replace aging portables both to meet modern safety standards and provide up-to-date technology infrastructure to support instructional technology; and

WHEREAS, any Proposition 39 local bond measure proposed by the District is legally required to include mandatory taxpayer protections, including an Independent Oversight Committee and mandatory audits to ensure funds are spent as promised, that none of the money can be spent on administrators’ salaries or pensions; and

WHEREAS, in making basic repairs to aging schools, every dollar received from a local measure must only benefit local schools, be controlled locally, and cannot be taken away by the State; and

WHEREAS, the State of California (the “State”) is unable to provide the District with enough money for the District to adequately maintain its educational facilities notwithstanding ongoing efforts to obtain such monies; and

WHEREAS, recent State budget cuts threaten the quality of local schools and the District’s remedy to improve its local school facilities is securing local funding that that is required to be spent locally to improve our neighborhood schools; and

WHEREAS, in the considered judgment of the Board, it is in the best interests of the District residents to provide additional facility and site improvement funding to meet such needs now by means of a general obligation bond which would not increase current tax rates; and

WHEREAS, the Board and District has solicited extensive stakeholder and community input on school priorities from parents, teachers, staff, the community and civic leaders; and

WHEREAS, such a measure will help provide funds that cannot be taken away by the State to upgrade aging schools, protect student safety and school security, and repair and replace electrical, plumbing, roofing, lighting, heating and air conditioning that have not been updated in up to 30 years; and
WHEREAS, Proposition 46, approved by the voters of the State on June 3, 1986 ("Proposition 46"), amended Section 1(b) of Article XIIIA of the California Constitution by adding a provision that exempts from the 1% of full cash value limitation, those ad valorem taxes used to pay for debt service on any bonded indebtedness for the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by voters voting on the proposition; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which reduced the voter threshold for ad valorem tax levies used to pay for debt service on bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight that are contained in Proposition 39 and the Act; and

WHEREAS, the Board desires to authorize the submission of a proposition to the District’s voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities; and

WHEREAS, the Board hereby determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for inappropriate administrative salaries or other operating expenses of the District shall be enforced strictly by the District’s Citizens’ Oversight Committee; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per $100,000 of assessed valuation of taxable property; and

WHEREAS, Section 9400 et seq. of the Elections Code of the State of California (the "Elections Code") requires that a tax rate statement be contained in all official materials relating to the election, including any ballot pamphlet prepared, sponsored, or distributed by the District; and

WHEREAS, the Board desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 4, 2014, and to request the Ventura County Registrar of Voters to perform certain election services for the District;
NOW THEREFORE, THE BOARD OF EDUCATION OF THE CONEJO VALLEY UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 et seq., 15264 et seq., and Government Code Section 53506, hereby requests Ventura County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of $197 million (the “Bonds”) shall be issued and sold for the purpose of raising money for the projects described in Exhibits “A” and “B” hereto. Both exhibits are directed to be printed in the voter pamphlet.

Section 2. That the date of the election shall be November 4, 2014.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit “A,” incorporated by reference herein, and containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 and the Act, the ballot propositions in Exhibits “A” and “B” are subject to the following requirements and determinations:

(a) the proceeds of the sale of the Bonds shall be used only for the purposes set forth in the ballot measure and not for any other purpose, including teacher or administrator salaries or other school operating expenses;

(b) that the Board, in establishing the projects set forth in Exhibit “B,” evaluated the student safety, class size reduction, and the educational and information technology needs of the District;

(c) that the Board shall cause an annual, independent performance audit to be conducted to ensure that the Bond monies get spent only for the projects identified in Exhibit “B” hereto;

(d) that the Board shall cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;

(e) that the Board shall appoint a Citizens’ Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274; and

(f) that the tax levy authorized to secure the Bonds of this election shall not exceed the Proposition 39 limits per $100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 et seq., 15264 et seq., and Government Code Section 53506.
Section 5. That the authority for the specifications of this election order is contained in Sections 5322 of the Education Code.

Section 6. That the Ventura County Registrar of Voters and the Ventura County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 4, 2014 within the District.

Section 7. That the Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the Ventura County Registrar of Voters no later than August 8, 2014.

Section 8. That any Bonds issued pursuant to Section 15264 et seq. of the Education Code hereto shall have a maturity not exceeding twenty-five (25) years, and Bonds issued pursuant to Section 53506 of the Government Code shall have a maturity not exceeding forty (40) years. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

Section 9. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass of the returns of the election be made by any body or official authorized by law to canvass such returns, and that the Board consents to such consolidation. The Board further authorizes the submission of a tax rate statement and primary and rebuttal arguments, as appropriate, to be filed with the Ventura County Registrar of Voters by the established deadlines.

Section 10. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Ventura County is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Ventura County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code) pursuant to the terms of Section 5363 of the Education Code and Section 12112 of the Elections Code.

ADOPTED, SIGNED AND APPROVED this 17th of June, 2014.

BOARD OF EDUCATION OF THE CONEJO VALLEY UNIFIED SCHOOL DISTRICT

By [Signature]
President

Attest:

[Signature]
Secretary
I, Jeffrey Baarstad, do hereby certify that the foregoing is a true and correct copy of Resolution No. 13/14-19 which was duly adopted by the Board of Education of the Conejo Valley Unified School District at the meeting thereof held on the 17th of June, 2014, and that it was so adopted by the following vote:

AYES: 5
NOES: 0
ABSENT: 0
ABSTENTIONS: 0

[Signature]
Jeffrey Baarstad
Secretary of the Board of Education
"To upgrade/maintain Conejo Valley schools with funding that cannot be taken by the State, shall Conejo Valley Unified School District upgrade all science/career training labs, update/maintain classroom technology and network infrastructure, provide safe, well maintained classrooms, repair/replace electrical, plumbing/roofing, repair, construct, acquire/equip sites/facilities, and improve school safety/security by issuing $197 million in bonds, at legal rates, with citizens' oversight, annual audits, no money for administrators, and without increasing current tax rates?"

Bonds – Yes                  Bonds – No
EXHIBIT B

FULL TEXT BALLOT PROPOSITION
OF THE CONEJO VALLEY UNIFIED SCHOOL DISTRICT
BOND MEASURE ELECTION NOVEMBER 4, 2014

The following is the full proposition presented to the voters by the Conejo Valley Unified School District.

"To upgrade/maintain Conejo Valley schools with funding that cannot be taken by the State, shall Conejo Valley Unified School District upgrade all science/career training labs, update/maintain classroom technology and network infrastructure, provide safe, well maintained classrooms, repair/replace electrical, plumbing/roofing, repair, construct, acquire/equip sites/facilities, and improve school safety/security by issuing $197 million in bonds, at legal rates, with citizens’ oversight, annual audits, no money for administrators, and without increasing current tax rates?"

PROJECT LIST

The Board of Education of the Conejo Valley Unified School District is committed to safe local schools with upgraded classrooms, science, mathematics and career preparation labs and up-to-date technology systems to keep pace with 21st Century learning standards. To that end, the Board evaluated the District’s urgent and critical facility needs, including student safety, class size reduction, computer and information technology in developing the scope of projects to be funded in a fiscally responsible manner. The District conducted a facilities evaluation and received public input through school site meetings, community presentations, opinion leader input, and interactive materials engaging hundreds of community constituents. Teachers, staff, parents, community members and the Board have prioritized the key health and safety needs so that the most critical facility needs are addressed. The Board concluded that if these needs are not addressed now, the problems will only become more pressing and expensive to address. Therefore, in approving this Project List, the Board of Education determines that the District:

(i) Must maintain the quality of local education by adapting classrooms for hands-on science, technology, engineering, mathematics (STEM) and modern instruction.

(ii) Must repair and replace electrical plumbing, roofing, lighting, heating and air conditioning that have not been updated in up to 30 years;

(iii) Must modernize classrooms that are up to 50-years old and replace aging portables to meet modern safety standards;

(iv) Must adhere to specific fiscal accountability safeguards such as:

(a) All expenditures must be subject to annual independent financial audits.
(b) ALL FUNDS MUST BE SUBJECT TO LOCAL CONTROL AND CANNOT BE TAKEN AWAY BY THE STATE.
(c) No funds can be used for administrators' salaries and pensions.

(d) AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE MUST BE APPOINTED TO ENSURE THAT ALL FUNDS ARE SPENT ONLY AS AUTHORIZED.

The Project List includes the following types of upgrades and improvements at all of the District's schools:

**School Renovation, Repair and Upgrade Projects**

*With Locally Controlled Funds that Cannot Be Taken By the State*

**Goal and Purpose:** Since completing basic repairs to schools save more than $500,000 per year in maintenance and operating costs, which can be used for classroom core academic programs, schools and school sites will benefit from a variety of basic repair projects, such as:

- Repair classrooms and restrooms.
- Repair or upgrade 30-year old heating, plumbing, lighting, electrical and air-conditioning systems.
- Update fire safety systems, including fire safety doors, smoke alarms, and detectors.
- Update handicapped accessibility.

**School Safety Projects**

**Goal and Purpose:** Many local schools need basic health and safety improvements because they were built decades ago. The repair of deteriorating restrooms, leaky roofs, plumbing systems and electrical wiring, asbestos removal, earthquake retrofits and fire safety are among the student safety projects needed to keep schools safe and clean:

- Upgrade campus security, including lighting, fencing, gates, classroom door locks, up-to-date alarms and security cameras on all school campuses.
- Replace aging, outdated portables with modern classrooms that meet 21st century health, safety and academic standards.
- Abate hazardous materials, such as asbestos.
District-Wide Instructional Technology, Academic Programs
and Vocational Training Projects
To Prepare Students for the 21st Century Economy

Goal and Purpose: To ensure all students have equal access to up-to-date classrooms, libraries and vocational education programs and to upgrade classroom computers and computer technology to allow our teachers and students to use up-to-date teaching methods and enhance instruction in core academic subjects like science, technology, engineering and math (STEM) and permit students to compete for good 21st Century jobs and be prepared for college:

- Install and maintain network infrastructure to keep technology up-to-date.
- Upgrade instructional technology in the classroom for improved student learning.
- Provide and maintain up-to-date technology, data and communication equipment.
- Upgrade and expand wireless systems, telecommunications, Internet and network connections.
- Update science and math lab technology to help students prepare for careers and good-paying jobs.
- Upgrade libraries.
- Provide specialized classrooms to support technical education, networking, robotics, computer programming, engineering and medical technology.

***

The listed projects set forth above and below will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program management, staff training expenses and a customary contingency, and escalation for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the payment of the costs of preparation of all facility planning, facility assessment reviews, environmental studies, construction documentation, inspection and permit fees, and temporary housing of dislocated District activities caused by bond projects. The upgrading of technology infrastructure includes, but is not limited to, computers, projectors, portable interface devices, servers, switches, routers, modules, interactive white boards, sound projection systems, printers, document projectors, upgrade voice-over-IP, phone systems, call manager and network security and firewalls, wireless networks, computer labs, fiber optic cabling, phone system and other miscellaneous equipment. The District may establish a technology endowment to provide resources for future technology upgrades. The construction/repair of school facilities includes the upgrading and replacing school site parking, aging portable classrooms, campus accessibility, utilities, and grounds, physical education and playground equipment, hard court surfaces, shade structures for student assembly and protecting students from inclement weather during lunch, libraries, District support facilities; enhanced signage; fire sensors; replace damaged and unsafe gym bleachers; install water conservation systems and upgrade hydration stations; music, performing arts centers; electrical wiring; tracks, gym flooring, lockers, athletic and play fields turf may be upgraded for safety and operational efficiency; solar power and heating and water recycling systems; constructing new facilities and classrooms; renovate and paint interior and
exterior building surfaces to extend their useful life; ceilings, walls, flooring; physical education facilities improvements; security, safety and communication systems and equipment; window and floor coverings (including tiles and carpeting); upgrade or construct cafeterias and acquire kitchen equipment; and upgrade irrigation systems; improvements and furnishings and/or other electronic equipment and systems; windows, cracked sidewalks, create outdoor amphitheater areas. The allocation of bond proceeds may be affected by the District’s receipt of State matching funds and the final costs of each project. To reduce the District’s share of the costs of the projects, the District will apply for all available State matching funds. 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 may be delayed or may not be completed. Relocation or demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating enhanced and operationally efficient campuses. Relocation expenses caused by the sale or reuse of school facilities or property may also be funded with bond proceeds. Necessary site preparation/restoration and landscaping, may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property.

Bond proceeds shall be expended only for the specific purposes identified herein. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to the bond projects. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code Section 53410.

**FISCAL ACCOUNTABILITY:** IN ACCORDANCE WITH EDUCATION CODE SECTION 15272, THE BOARD OF EDUCATION WILL APPOINT A CITIZENS’ OVERSIGHT COMMITTEE AND CONDUCT ANNUAL INDEPENDENT AUDITS TO ASSURE THAT FUNDS ARE SPENT ONLY ON DISTRICT PROJECTS AND FOR NO OTHER PURPOSE. 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 TAXPAYER 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 school facilities, including the furnishing and equipping of school facilities, and not for any other purpose, including teacher and school administrator salaries and other operating expenses.
TO: BOARD OF EDUCATION
FROM: SUPERINTENDENT
DATE: MARCH 17, 2015 (INFORMATION)
MARCH 31, 2015 (ACTION)

SUBJECT: APPROVAL OF THE 2015-16 MAJOR PROJECTS LIST

ISSUE:
Should the Board of Education approve the 2015-16 Major Projects List?

BACKGROUND:
The annual process for major construction, maintenance, repair and modernization project identification consists of site inspections, review of Maintenance and Operations Department reports and input from site managers at all District schools and work sites. Major facility projects are identified and tentative project budgets are established. The projects are matched against available funds and the rules that govern those different funds. A draft Major Projects List is prepared for review by the Superintendent, District administrators, and principals. Following that review, the list is refined for presentation to the Board of Education. Projects proposed for 2015-16 are presented in the spring to allow for plans and specification to be prepared in a timely manner. This annual process is required as a condition of receiving state modernization funding (if, and should, any such funds come available), and has been included as a new requirement for all school districts pursuant to the Williams Lawsuit legislation. This year’s Major Project List also includes projects to be funded by Measure I Bond. District staff has identified these projects based on Measure I project priorities. Pending availability of these funds, projects will be scheduled to be completed as listed.

In addition, over the past 17 years the District has expended all of Measure ‘R’ Bond and State Modernization matching funds. Because the State’s Deferred Maintenance program funding was eliminated by the legislature in order to assist in balancing the State’s budget, some of the projects on the 2015-16 Major Projects List will be supported with TOPASS funding. Upon receipt of Proposition 39 Clean Energy Jobs Act funding, the list includes eligible projects to be completed, as well. Furthermore, Developer Donation funding is used for construction and modernization of school facility projects for which Measure I Bond funds cannot be used.

ALTERNATIVES:
1. Approve the 2015-16 Major Projects List.
2. Do not approve the 2015-16 Major Projects List.

RECOMMENDATION:
Alternative #1.

RATIONALE:
Completion of the recommended projects will improve the safety, functionality, comfort, and quality of District facilities.

Respectfully submitted,

Jeffrey L. Baarstad, Ph.D.
Superintendent

Prepared by:

N. David Fateh, Director, Planning & Construction for
Jon D. Sand, Ed.D., Assistant Superintendent, Business Services

JLB:JDS:NDF:dnh
### Major Projects 15-16

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<tr>
<th>SITE</th>
<th>PROJECT #</th>
<th>OPT CODE</th>
<th>DESCRIPTION</th>
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**Total Bond Funds** $6,966,500
## Major Projects 15-16

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**Total TOPASS Funds** $150,000

### Developer Donation

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**Total Developer Donation Funds** $320,000

### Proposition 39

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**Total Proposition 39 Funds** $1,500,000

### Other Annual Expenditure

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