AGENDA

REGULAR MEETING

BOARD OF TRUSTEES
CARLSBAD UNIFIED SCHOOL DISTRICT

FEBRUARY 8, 2012

5:00 P.M. - CLOSED SESSION
6:00 P.M. – OPEN SESSION

Carlsbad City Council Chambers
1200 Carlsbad Village Drive, Carlsbad, California

INSTRUCTIONS FOR PRESENTATIONS TO THE BOARD OF TRUSTEES BY PARENTS AND CITIZENS:

The Carlsbad Unified School District welcomes your participation at the District’s School Board meetings. Your participation assures us of continuing community interest in our schools. To assist you in the ease of speaking/participating in our meetings, the following guidelines are provided:

- Agendas are available to all audience members at the door to the chambers.
- Blue “Request to Speak” forms are available to all audience members who wish to speak on any agenda item and/or under the category of “Oral Communications.”
- Submit completed blue forms to the Board’s recording secretary at the dais prior to the start of the meeting.
- “Oral Communications” is set aside for members of the audience to raise issues that are not specifically on the agenda. These presentations are limited to three (3) minutes each.
- Citizens may request that a topic related to school district business be placed on a future agenda in accordance with the guidelines in Board Bylaw 9322.
- For each agenda item, a five (5) minute period is allowed for each speaker to address the Board.
- Speakers are requested to state their name and address from the podium.
- Citizens who require assistance or translation should contact the Superintendent’s office by noon on the Monday prior to the scheduled Board meeting.
- The District is recording this meeting and may broadcast it.

In compliance with the Americans with Disabilities Act (ADA) and upon request, the Carlsbad Unified School District may furnish reasonable auxiliary aids and services to qualified individuals with disabilities. Individuals who require appropriate alternative modification of the agenda in order to participate in Board meetings are invited to contact the Superintendent’s office.

Except for certain exempt documents, any writings relating to an agenda item for an open session of a regular meeting of the Board of Trustees that are distributed within 72 hours of the meeting, will be made available for public inspection at the Carlsbad Unified School District Office, 6225 El Camino Real, Carlsbad, California 92009.
I. OPENING

1. CALL TO ORDER
   The meeting was called to order by presiding chairman, Ms. Kelli Moors, at __________ p.m.

2. PUBLIC HEARING ON CLOSED SESSION ITEMS

II. CLOSED SESSION

3. ORAL COMMUNICATIONS FOR CLOSED SESSION ITEMS

4. RECESS TO CLOSED SESSION
   The Board of Trustees reserves the right to return to Closed Session at any time as authorized by law.

   Recessed to Closed Session at ______________ for the following purposes:

   A. STUDENT EXPULSIONS
      Deliberations on Administrative Panel’s Findings of Fact and Recommendations are done in closed session in order to prevent the disclosure of confidential student record information.

   B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR – DR. JOHN ROACH

   C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

   D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
      Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9.

   E. LIABILITY CLAIMS

   F. THREAT TO PUBLIC SERVICES OR FACILITIES

   G. PUBLIC EMPLOYEE APPOINTMENT

   H. PUBLIC EMPLOYEE EMPLOYMENT
      Classified Personnel Action Report
      Certificated Personnel Action Report
      Carlsbad Unified Management Team and Confidential Employees

   I. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

   J. PUBLIC EMPLOYEE – DISCIPLINE/DISMISSAL/RELEASE

   K. CONFERENCE WITH LABOR NEGOTIATOR – TORRIE NORTON
      Carlsbad Unified Teachers Association
      Laborer’s International Union of North America
      Carlsbad Unified Management Team and Confidential Employees

   L. APPEAL AS TO INFORMATION IN STUDENT RECORD

   M. INTERDISTRICT ATTENDANCE REQUEST

III. OPEN SESSION

5. RECONVENE TO OPEN SESSION: Reconvened to Open Session at ________________.
6. PUBLIC REPORT OF ACTION TAKEN IN CLOSED SESSION

7. PLEDGE OF ALLEGIANCE TO THE FLAG

8. MOMENT OF MEDITATION

9. DISTRICT VISION

10. ROLL CALL:            PRESENT              ABSENT

   Ms. Kelli Moors, President
   Mrs. Elisa Williamson, Vice President
   Mrs. Ann Tanner, Clerk
   Mrs. Lisa Rodman, Member
   Mrs. Veronica Williams, Member
   Mr. Jeremy Juybari, Student Representative

11. ACTION               AGENDA: Approval and/or reorganization of the agenda for the meeting of February 8, 2012. (This will provide the Board of Trustees an opportunity to rearrange or make corrections to the agenda for special circumstances.)

   Motion by ________ Seconded by ________ Vote ________ Student Vote ________

12. PUBLIC HEARING       ANNEXATION NO. 9 FOR COMMUNITY FACILITIES DISTRICT 3

13. PRESENTATION         CLASSIFIED EMPLOYEE OF THE MONTH - ALMA "BONNIE" MONTANEZ, STUDENT STORE ASSISTANT, CARLSBAD HIGH SCHOOL (Page 1)

14. INFORMATION          ORAL COMMUNICATIONS: Non-agenda items; no individual presentation shall be for more than three (3) minutes and the total time for this purpose shall not exceed fifteen (15) minutes. Ordinarily, Board members will not respond to presentations and no action can be taken; however, the Board may give direction to staff following a presentation.

15. INFORMATION          REPORT FROM STUDENT REPRESENTATIVE TO THE BOARD
   Jeremy Juybari, Student Representative

16. INFORMATION          REPORT FROM PARENT/SUPERINTENDENT ADVISORY COUNCIL REPRESENTATIVE
   Jean Fandl-Kelly, PSAC Chair

17. INFORMATION          REPORT FROM CARLSBAD EDUCATIONAL FOUNDATION
   Valin Brown, Chief Executive Officer, CEF
18. INFORMATION REPORTS FROM EMPLOYEE ORGANIZATION REPRESENTATIVES
Sally Estep, CUTA; Melody Flanagan, LIUNA

19. INFORMATION REPORT FROM PROP P COMMITTEE REPRESENTATIVE
Bill Deering, Chair, Prop P Oversight Committee

VIII. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion in the form listed below. There will be no discussion on these items prior to the time the Board votes on the motion unless members of the Board, the staff, or the public request specific items to be discussed and/or removed from the Consent Calendar. The Superintendent and staff recommend approval of all Consent Calendar items.

Motion by __________ Seconded by __________ Vote __________

20. CONSENT BOARD MEETING MINUTES: Approval, Minutes of the Regular Meeting of January 11, 2012. (Page 2)

21. CONSENT BOARD MEETING MINUTES: Approval, Minutes of the Special Meeting of January 17, 2012. (Page 10)

22. CONSENT STUDENT EXPULSION CASE #27-1112: Approval, Stipulated Expulsion of Student #56920 for the Remainder of the 2011-12 School Year.

23. CONSENT STUDENT READMISSION OF STUDENT #59027: Approval, Readmission of Student #59027 (Original Expulsion Case #44-1011) Effective January 30, 2012.


25. CONSENT STUDENT READMISSION OF STUDENT #29501: Approval, Readmission of Student #29501 (Original Expulsion Case #28-1011) Effective January 30, 2012.


28. CONSENT CONTRACTED SERVICES: Approval, Service Contracts. (Page 24)

29. CONSENT BUDGET AMENDMENTS: Approval, Budget Amendments through February 2, 2012. (Page 26)
30. CONSENT NOTICE OF COMPLETION AND RETENTION RELEASE, INSTALLATION OF FENCING AND GATES, DISTRICT WIDE, PROPOSITION P: Approval, Notice of Completion and Retention Release, Installation of Fencing and Gates, District wide, Proposition P. (Page 28)

31. CONSENT NOTICE OF COMPLETION AND RETENTION RELEASE, REVISION TO STADIUM LOCKER ROOM, CARLSBAD HIGH SCHOOL, PROPOSITION P: Approval, Notice of Completion and Retention Release, Revision to Stadium Locker Room, Carlsbad High School, Proposition P. (Page 29)

32. CONSENT CHANGE ORDER NO. 1 AND NOTICE OF COMPLETION AND RETENTION RELEASE, INSTALLATION OF INTERACTIVE WHITE BOARDS, CARLSBAD HIGH SCHOOL, PROPOSITION P: Approval, Change Order No. 1 and Notice of Completion and Retention Release, Installation of Interactive White Boards in New Classrooms, Carlsbad High School, Proposition P. (Page 30)

33. CONSENT CHANGE ORDER NO. 2 AND NOTICE OF COMPLETION AND RETENTION RELEASE, RENOVATION OF GYMNASIUM RESTROOMS AND INSTALLATION OF BLEACHERS, CARLSBAD HIGH SCHOOL, PROPOSITION P: Approval, Change Order No. 2 and Notice of Completion and Retention Release, Renovation of Gymnasium Restrooms and Installation of Bleachers, Carlsbad High School, Proposition P. (Page 31)

34. CONSENT RATIFICATION, CHANGE ORDER NO. 20 CLASSROOM PHASE, CARLSBAD HIGH SCHOOL, PROPOSITION P: Approval, Ratification of Change Order No. 20, Classroom Phase, Carlsbad High School, Proposition P. (Page 33)

35. CONSENT RATIFICATION, CHANGE ORDER NO. 1, WRESTLING BUILDING, CARLSBAD HIGH SCHOOL, PROPOSITION P: Approval, Ratification of Change Order No. 1, Wrestling Building, Carlsbad High School, Proposition P. (Page 35)

36. CONSENT RATIFICATION, CHANGE ORDER NO. 2-7, BUILDING PHASE, SAGE CREEK HIGH SCHOOL, PROPOSITION P: Approval, Ratification of Change Order No. 2-7, Building Phase, Sage Creek High School, Proposition P. (Page 37)

37. CONSENT CHANGE ORDER NO. 1, INSTALLATION OF DISTRICT COMPUTERS AND WIRELESS ACCESS POINTS, CARLSBAD HIGH SCHOOL, PROPOSITION P: Approval, Change Order No. 1, Installation of District Computers and Wireless Access Points, Carlsbad High School, Proposition P. (Page 39)
38. CONSENT  CHANGE ORDER NO. 1 AND NOTICE OF COMPLETION AND RETENTION RELEASE, RELOCATION SERVICES FOR NEW CLASSROOMS, CARLSBAD HIGH SCHOOL, PROPOSITION P: Approval, Change Order No. 1 and Notice of Completion and Retention Release, Relocation Services for New Classrooms, Carlsbad High School, Proposition P. (Page 40)

39. CONSENT  CLASSIFIED EMPLOYEE ACTIVITY REPORT: Approval, Classified Personnel. (Page 41)

40. CONSENT  CERTIFICATED EMPLOYEE ACTIVITY REPORT: Approval, Certificated Personnel. (Page 42)

41. CONSENT  RESOLUTION NO. 22-1112, WEEK OF THE SCHOOL ADMINISTRATOR: Approval, Resolution No. 22-1112, Designating March 4 – 10, 2012 as Week of the School Administrator. (Page 43)

42. CONSENT  2010-2011 SCHOOL ACCOUNTABILITY REPORT CARDS (SARCs): Approval, 2010-2011 School Accountability Report Cards (SARCs) for each of the District’s Fourteen School Sites. (Page 46)

43. CONSENT  CARLSBAD HIGH SCHOOL LANCER EXPRESS TRIP TO SEATTLE, WASHINGTON: Approval, Carlsbad High School Lancer Express Trip to Seattle, Washington on April 12, 2012 thru April 15, 2012. (Page 48)

IX. ACTION ITEMS

44. ACTION  REVISION OF BOARD POLICIES – SECOND READING: Approval, Revision of Board Policies – Second Reading. (Page 49)

Motion by __________ Seconded by __________ Vote _________ Student Vote _________

45. ACTION  EXPENDITURE REDUCTIONS: Approval, Expenditure Reductions. (Page 61)

Motion by __________ Seconded by __________ Vote _________ Student Vote _________

46. ACTION  RESOLUTION NO. 20-1112, PUBLIC HEARING AND SPECIAL ELECTION REGARDING ANNEXATION NO. 9 TO COMMUNITY FACILITIES DISTRICT NO. 3, AND LEVYING SPECIAL TAXES WITHIN SUCH PROPOSED ANNEXATION TERRITORY: Approval, Resolution No. 20-1112, Public Hearing and Special Election regarding Annexation No. 9 to Community Facilities District No. 3, and Levying Special Taxes within such Proposed Annexation Territory. (Page 75)

Motion by __________ Seconded by __________ Vote _________ Student Vote _________
47. ACTION
RESOLUTION NO. 21-1112, CANVASSING OF SPECIAL ELECTION RESULTS REGARDING PROPOSED ANNEXATION NO. 9 TO COMMUNITY FACILITIES DISTRICT NO. 3 AND LEVYING SPECIAL TAXES WITHIN SUCH PROPOSED ANNEXATION TERRITORY: Approval, Resolution No. 21-1112, Canvassing of Special Election Results Regarding Proposed Annexation No. 9 to Community Facilities District No. 3 and Levying Special Taxes within such Proposed Annexation Territory. (Page 99)
Motion by _______ Seconded by _______ Vote _______ Student Vote _______

48. ACTION
FIRST READING OF ORDINANCE NO. 01-1112, PROPOSED ANNEXATION NO. 9 TO COMMUNITY FACILITIES DISTRICT NO. 3 AND LEVYING SPECIAL TAXES WITHIN PROPOSED ANNEXATION TERRITORY: Approval, First Reading of Ordinance No. 01-1112, Proposed Annexation No. 9 to Community Facilities District No. 3 and Levying Special Taxes within Proposed Annexation Territory. (Page 109)
Motion by _______ Seconded by _______ Vote _______ Student Vote _______

49. ACTION
RATIFICATION, CHANGE ORDER NO. 1-11 GRADING PHASE, SAGE CREEK HIGH SCHOOL, PROPOSITION P; Approval, Ratification of Change Order No. 1-11, Grading Phase, Sage Creek High School, Proposition P. (Page 119)
Motion by _______ Seconded by _______ Vote _______ Student Vote _______

50. ACTION
RE-APPOINTMENT OF THREE PROPOSITION P OVERSIGHT COMMITTEE MEMBERS: Approval, Re-appointment of three (3) Proposition P Oversight Committee (PPOC) Members to a Two Year Term. (Page 122)
Motion by _______ Seconded by _______ Vote _______ Student Vote _______

51. ACTION
AMENDMENT OF BOARD RESOLUTION NO. 10-1112, TEACHERS TEACHING OUTSIDE CREDENTIAL AUTHORIZATION, PER EC §44258.3 – EC §44865: Approval, Amendment of Board Resolution No. 10-1112 Teachers Teaching Outside Credential Authorization, per EC §44258.3 – EC §44865. (Page 123)
Motion by _______ Seconded by _______ Vote _______ Student Vote _______

X. DISCUSSION/INFORMATION ITEMS

52. INFORMATION
GOVERNOR’S BUDGET UPDATE; (Page 127)

XI. GOVERNANCE TEAM REPORTS AND REQUESTS

53. INFORMATION
GOVERNANCE TEAM REPORTS, REQUESTS, AND BOARD BLAST
XII. ACTION/DONATIONS

54. ACTION DONATIONS: Acceptance of Gifts Donated to the District. (Page 146)
Motion by ________ Seconded by ________ Vote ________ Student Vote ________

XIII. ADJOURNMENT

55. ADJOURNMENT: The meeting was adjourned at ________________.

NEXT MEETING
The next meeting of the Carlsbad Unified School District Board of Trustees will be held on March 14, 2012, at 6:00 p.m., at the Carlsbad City Council Chambers, 1200 Carlsbad Village Drive, Carlsbad.
CARLSBAD UNIFIED SCHOOL DISTRICT  
Carlsbad, California  

February 8, 2012  

TO: John Roach, Ed.D.  
District Superintendent  

FROM: Torrie Norton, Assistant Superintendent  
Personnel Services  
Amy Lawton, Director  
Classified Personnel  

SUBJECT: Nomination for Employee of the Month for February 2012  

BACKGROUND INFORMATION  

Nominations for the Classified Employee of the Month Award are submitted by management personnel of the Carlsbad Unified School District on a monthly basis. Recognition is given to those classified employees who perform in a manner above and beyond the call of duty.  

Alma "Bonnie" Montanez, Student Store Assistant, Carlsbad High School, has been nominated Classified Employee of the Month by the Carlsbad High School Administrative team. Ms. Montanez has been employed with the District since September 26, 1991.  

CURRENT INFORMATION  

In their nomination, the CHS administrators state, "CHS would like to recognize Bonnie Montanez as our classified employee of the month. Bonnie oversees our student store 'Lancer Jack's' on campus, which is now open in a brand new location. Bonnie was instrumental in the store being open and ready for student business the first day after Winter Break, serving students in a friendly, efficient manner.  

"As we have progressed and settled in the last two weeks, Bonnie has continued to refine the operational procedures of Lancer Jack's, and will continue to do so.  

"We are proud to offer this program for our students, and we are proud to recognize Bonnie for her outstanding effort and commitment to the students of Carlsbad High School."  

FINANCIAL IMPLICATIONS  

None.  

RECOMMENDATION  

It is respectfully recommended that the Board of Trustees recognize Bonnie Montanez, Student Store Assistant, as "Classified Employee of the Month" for February 2012 at their meeting of February 8, 2012.  

SUPERINTENDENT'S RECOMMENDATION: Approve staff recommendation  

Agenda Item 13
CARLSBAD UNIFIED SCHOOL DISTRICT

BOARD OF TRUSTEES

REGULAR MEETING
MINUTES

January 11, 2012

5:00 P.M. – CLOSED SESSION
6:00 P.M. – OPEN SESSION

I. PRELIMINARY

1. CALL TO ORDER
   The meeting was called to order at 5:00 p.m. by Board President, Ms. Kelli Moors.

II. CLOSED SESSION

2. PUBLIC HEARING ON CLOSED SESSION ITEMS
   There were no comments.

3. ORAL COMMUNICATIONS FOR CLOSED SESSION ITEMS
   There were no comments.

4. RECESS TO CLOSED SESSION
   The Board of Trustees reserves the right to return to Closed Session at any time as authorized by law.

The meeting was recessed to Closed Session at 5:00 p.m. for the following purposes:

A. STUDENT EXPULSIONS
   Deliberations on Administrative Panel’s Findings of Fact and Recommendations are done in closed session in order to prevent the disclosure of confidential student record information.

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR – DR. JOHN ROACH

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code Section 54956.9.

E. LIABILITY CLAIMS

F. THREAT TO PUBLIC SERVICES OR FACILITIES

G. PUBLIC EMPLOYEE APPOINTMENT

Agenda Item 20
H. **PUBLIC EMPLOYEE EMPLOYMENT**
   - Classified Personnel Action Report
   - Certificated Personnel Action Report
   - Carlsbad Unified Management Team and Confidential Employees

I. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

J. **PUBLIC EMPLOYEE – DISCIPLINE/DISMISSAL/RELEASE**

K. **CONFERENCE WITH LABOR NEGOTIATORS – TORRIE NORTON**
   - Carlsbad Unified Teachers Association
   - Laborer’s International Union of North America
   - Carlsbad Unified Management Team and Confidential Employees

L. **APPEAL AS TO INFORMATION IN STUDENT RECORD**

M. **INTERDISTRICT ATTENDANCE REQUEST**

III. **OPEN SESSION**

5. **RECONVENE TO OPEN SESSION**
   - The meeting was reconvened to Open Session at 6:00 p.m.

6. **PUBLIC REPORT OF ACTION TAKEN IN CLOSED SESSION**
   - There was no action taken in Closed Session.

7. **PLEDGE OF ALLEGIANCE TO THE FLAG**
   - The Pledge of Allegiance was led by Superintendent Roach.

8. **MOMENT OF MEDITATION**
   - Trustee Moors called for a moment of silent meditation.

9. **DISTRICT VISION**
   - Trustee Williamson read the District Vision.

10. **ATTENDANCE**
    A. **Members Present**
       - Ms. Kelli Moors, President
       - Mrs. Elisa Williamson, Vice President
       - Mrs. Ann Tanner, Clerk
       - Mrs. Veronica Williams, Member
       - Ms. Lisa Rodman, Member

    B. **Members Absent**
       - Mr. Jeremy Juybari, Student Representative
IV. APPROVAL OF AGENDA

11. APPROVAL OF AGENDA
A motion was made by Trustee Rodman, seconded by Trustee Williamson, that the agenda for the meeting of December 14, 2012, be approved.

Vote: 5-0; Motion carried.

V. AWARDS AND RECOGNITION

12. PRESENTATION OF THE MITCHELL THORP FOUNDATION’S COMMUNITY PARTNER AWARD
Mr. and Mrs. Thorp graciously presented to the Board of Trustees the “First Community Partner Award” on behalf of the Mitchell Thorp Foundation. They recognized the Board’s “ongoing interest and support in helping us in our mission to help families, whose children are challenged with life-threatening illnesses, diseases or disorders”.

13. RECOGNITION FOR RETIRED CARLSBAD EDUCATIONAL FOUNDATION BOARD MEMBERS
Chief Executive Officer Valin Brown and Board of Directors Chair Emmett Durnan, recognized outgoing 2011 CEF Board Members Julie Baker, Denise Chapman, Collin Ross and Tim Royalty. Citing countless hours of dedication and hard work, Mr. Brown and Mr. Durnan stated the committed service these Members have provided has been invaluable to the Carlsbad community.

14. CLASSIFIED EMPLOYEE OF THE MONTH – MIREDY NELSON, SCHOOL BUS DRIVER
Director of Facilities, Operations and Transportation, Curt Huckins introduced Mireya Nelson, School Bus Driver, as Classified Employee of the Month. Mr. Huckins stated that Mireya “Mimi” Nelson is “conscientious, loyal, dedicated and professionally competent in all aspects of school transportation matters. She is indispensable in the day to day role that she plays as a valuable team member. She is patient, punctual and responsible and always puts the needs of the children first.” He added that Ms. Nelson “provides stability to the children she cares for and provides a positive school experience for students”. Ms. Torrie Norton, Assistant Superintendent, Personnel Services, presented Ms. Nelson with a token from the Board of Trustees and thanked her for her dedication to the District.

VI. COMMUNICATIONS

15. ORAL COMMUNICATIONS
Ms. Denise Young addressed the Board of Trustees regarding the District’s Program Improvement designation and the increase in class sizes since that newly acquired status has been in place. Ms. Young suggested the District reduce K-3 class sizes in Program Improvement schools to offer among other things, more personal attention and space for all computers purchased for the children’s use.
16. REPORT FROM STUDENT REPRESENTATIVE TO THE BOARD
Mr. Jeremy Juynbari, Student Representative to the Board of Trustees, was absent.

17. REPORT FROM PARENT/SUPERINTENDENT ADVISORY COUNCIL REPRESENTATIVE
Ms. Jean Fandl-Kelly, Parent/Superintendent Advisory Council Representative to the Board, provided the Board with highlights of recent school activities and events.

18. REPORT FROM CARLSBAD EDUCATIONAL FOUNDATION
Mr. Valin Brown, Chief Executive Officer, Carlsbad Educational Foundation, provided the Board of Trustees with an update of the Foundation’s current and upcoming activities.

19. REPORTS FROM EMPLOYEE ORGANIZATION REPRESENTATIVES
Ms. Sally Estep, President of the Carlsbad Unified Teachers Association (CUTA), reminded the Board how important leadership is especially in these tight economic times.

Ms. Melody Flanagan, representing the Laborer’s International Union of North America (LIUNA), stated that while LIUNA was willing to work with the Board over budget concerns, they also want to emphasize that Carlsbad Unified is one of the lowest on the pay scale regarding Classified employees, while their responsibilities remain the same.

20. REPORT FROM PROP P OVERSIGHT COMMITTEE REPRESENTATIVE
Mr. Tim Royalty, Prop P Member, provided the Board of Trustees with an update from the Prop P Oversight Committee in place of Bill Deering, Prop P Chair.

VII. CONSENT CALENDAR

A motion was made by Trustee Rodman, seconded by Trustee Tanner, that the Board of Trustees approves the Consent Calendar as presented.

Vote: 5-0; Motion carried.


23. CONTRACTED SERVICES: Approval, Service Contracts.


25. CHANGE ORDER NO. 2-6, BUILDING PHASE, SAGE CREEK HIGH SCHOOL, PROPOSITION P: Approval, Change Order No. 2-6, Building Phase, Sage Creek High School, Proposition P.
26. **CLASSIFIED EMPLOYEE ACTIVITY REPORT:** Approval, Classified Personnel.

27. **CERTIFICATED EMPLOYEE ACTIVITY REPORT:** Approval, Certificated Personnel.

28. **AVIARA OAKS MIDDLE SCHOOL BROADCASTING CLASS TRIP TO DALLAS, TEXAS:** Approval, Aviara Oaks Middle School Broadcasting Class Trip to Dallas, Texas, on March 20-24, 2012, to participate in the National Convention of the Student Television Network.

29. **WILLIAMS SETTLEMENT LEGISLATION QUARTERLY REPORT SUMMARY:** Approval, Williams Settlement Legislation Quarterly Report Summary.

**VIII. ACTION ITEMS**

30. **AMENDMENT OF THE 2012 SCHEDULE OF BOARD OF TRUSTEES MEETINGS:**
A motion was made by Trustee Rodman, seconded by Trustee Williamson, that the Board of Trustees approve the Amendment of the 2012 Schedule of Board of Trustees Meetings to Add Meetings in February, August, October, and November 2012.

After further discussion, Trustee Rodman made a motion, seconded by Trustee Williamson, that the Board of Trustees approve the amended calendar with a change in calendar meeting dates, moving August 8th to the 1st and July 25th to the 18th.

Student Vote: Absent.
Vote: 5-0; Motion carried.

31. **RESOLUTION NO. 19-1112, ADOPTION OF ANNUAL AND FIVE-YEAR REPORTABLE FEES REPORT FOR FISCAL YEAR 2010-11, IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 66006 AND 66001 (DEVELOPER FEES):**
A motion was made by Trustee Rodman, seconded by Trustee Williamson, that the Board of Trustees approve Resolution No. 19-1112.

Student Vote: Absent.
Vote: 5-0; Motion carried.

32. **ANNUAL AUDIT REPORT FOR FISCAL YEAR 2010-11, INCLUDING PROPOSITION P FINANCES:** A motion was made by Trustee Tanner, seconded by Trustee Williams, that the Board of Trustees approve the Annual Audit Report for Fiscal Year 2010-11.

Student Vote: Absent.
Vote: 5-0; Motion carried.

33. **SUPERINTENDENT’S SCHOOL CLOSURE ADVISORY COMMITTEE:** A motion was made by Trustee Rodman, seconded by Trustee Williamson, that the Board of Trustees approve the formation of a Superintendent’s School Closure Advisory Committee.
Dr. Devin Vodicka, Assistant Superintendent, Business Services, presented an overview of potential school closures and their impact on the District. With potential expenditure reductions looming, Dr. Vodicka stressed the importance of establishing a Superintendent Advisory Committee in order to research more thoroughly the pros and cons of implementing school closures. The schools under consideration are Buena Vista Elementary and Carlsbad Village Academy. Superintendent Roach added that one of the Advisory Committee’s roles would be finding what real savings versus costs would be.

Ms. Paige Dominguez encouraged the Board to consider zone expansion of Buena Vista Elementary rather than school closure while reminding them of the upcoming 50th Anniversary of the school.

Ms. Nancy Jacobs also mentioned the upcoming 50th year celebration of Buena Vista Elementary. Ms. Jacobs spoke on the dollars already spent bringing Buena Vista to code in order to house pre-school and the positive impact the site administration has had over the years on the students and their families.

Citing the impact a closure would have on over 400 families, Ms. Vicki McLees asked the Board to look at other issues rather than the closure of Buena Vista. With the potential of children being split to more than one school with a closure, Ms. McLees suggested the Board look at increasing the boundaries for this site.

As a parent and member of the Buena Vista PTA and School Site Council, Ms. Tisha Markham stressed to the Board there are better options than closing the school. With constant chatter about the closure of Buena Vista through the years, Ms. Markham feels it has negatively impacted the school. In her estimation, Buena Vista is a great community and neighborhood and closure would increase class sizes as children are moved.

A parent of a special needs son, Ms. Sue Fraser told the Board how her son has flourished at Buena Vista Elementary. Ms. Fraser is concerned over the adjustment/impact a move would have on her son due to school closure.

Trustee Rodman thanked the public speakers for their emotional and compelling arguments regarding school closures, while supporting the need for an Advisory Committee in substantiating further research. Trustee Williamson concurred and felt “sooner rather than later” would be best for all involved. In the formation of a committee, Trustee Tanner assured those concerned that their public comments would indeed be taken into consideration. More detailed information from a committee was the recommendation of Trustee Williams and President Moors suggested the Superintendent’s Advisory Committee shorten their timeline to April in presenting their information to the Board. President Moors also shared her concern over Carlsbad Village Academy and the lack of representation on their behalf as it is near and dear to her heart.

Student Vote: Absent.
Vote: 5-0; Motion carried.
34. RESOLUTION NO. 18-1112, AMENDMENT OF DATE OF PUBLIC HEARING RELATING TO ANNEXATION NO. 9 TO COMMUNITY FACILITIES DISTRICT NO. 3: A motion was made by Trustee Williamson, seconded by Trustee Rodman, that the Board of Trustees approve Resolution No. 18-1112.

Student Vote: Absent.
Vote: 5-0; Motion carried.

IX. DISCUSSION/INFORMATION ITEMS

35. CURRICULUM AND INSTRUCTION UPDATE – SAGE CREEK HIGH SCHOOL DESIGN TEAM UPDATE
Ms. Suzanne O’Connell, Assistant Superintendent, Instructional Services, gave an in depth look at Science, Technology, Engineering and Math or STEM. Highlighted in her presentation was Project Lead the Way, approved by University of California schools, making them very attractive for both Sage Creek and Carlsbad High Schools.

X. GOVERNANCE TEAM REPORTS AND REQUESTS

36. GOVERNANCE TEAM ANNOUNCEMENTS AND REQUESTS
Trustees made announcements regarding committees they sit on as representatives of the Board. Trustees and the Superintendent provided other information that they believed pertinent to their role as Board members.

Trustees also made the following requests:

Trustee Williamson suggested a review of the Superintendent Contract to reflect on what they are looking for in a new Superintendent. Trustee Tanner suggested prioritizing specific traits prior to the January 17th Special Board Meeting.

Trustees determined that the Board Blast to interested citizens should include the following:

✓ Classified Employee of the Month, Mireya Nelson, School Bus Driver
✓ Recognition of retired Carlsbad Ed Foundation Board Members
✓ Superintendent’s School Closure Advisory Committee
✓ Carlsbad High School Ribbon-cutting Ceremony

XI. ACTION/DONATIONS

37. DONATIONS
A motion was made by Trustee Williamson, seconded by Trustee Tanner, that the Board of Trustees accepts with appreciation gifts donated to the District.

Student Vote: Aye.
Vote: 5-0; Motion carried.
XII. ADJOURNMENT

38. **ADJOURNMENT:** The meeting was adjourned at 8:30 p.m.

**NEXT MEETING**
The next meeting of the Carlsbad Unified School District Board of Trustees will be held on January 17, 2012, at 6:30 p.m., at the Carlsbad Unified School District Office at 6225 El Camino Real, Carlsbad, 92009

__________________________
Ann Tanner, Clerk of the Board

__________________________
John A. Roach, Secretary to the Board
CARLSBAD UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

SPECIAL MEETING
MINUTES

Carlsbad Unified School District Education Center
6225 El Camino Real, Carlsbad, California

JANUARY 17, 2012

I. PRELIMINARY

1. CALL TO ORDER
   The meeting was called to order at 6:30 p.m. by presiding chairman, Ms. Kelli Moors.

2. ATTENDANCE
   A. Members Present
      Ms. Kelli Moors, President
      Mrs. Elisa Williamson, Vice President
      Mrs. Ann Tanner, Clerk
      Mrs. Veronica Williams, Member
      Ms. Lisa Rodman, Member
   
   B. Members Absent
      None

3. PUBLIC HEARING
   Ms. Claudine Jones, CUSD parent, presented the Board with information acquired through a community survey in regarding the Superintendent Search.

II. OPEN SESSION

4. SUPERINTENDENT SEARCH
   In a workshop setting, the Board of Trustees engaged with consultants to determine the qualities they will be searching for in the new Superintendent.

III. ADJOURNMENT

5. ADJOURNMENT
   The meeting was adjourned at 8:35 p.m.
NEXT MEETING
The next meeting of the Carlsbad Unified School District Board of Trustees will be held on February 4, 2012, at 2:00 p.m., at the Carlsbad Unified School District Offices at 6225 El Camino Real, Carlsbad, CA.

Ann Tanner, Clerk of the Board

John A. Roach, Secretary to the Board
TO: Board of Trustees

FROM: John A. Roach, Ed.D.
      District Superintendent

SUBJECT: Approval/Ratification of Purchase Order Listing Sheets

This report contains school district purchase orders issued and those awaiting Board of Trustees approval.

1. Exhibit A – Purchase Orders Register
   12/16/11 through 01/25/12  $ 84,481,561

RECOMMENDATION:

It is respectfully recommended that the Board of Trustees approve/ratify the purchase orders as listed.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation.
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**LOCATION TOTAL** $1,365.38

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**LOCATION TOTAL** $1,837.68

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| 201494 | 01/12/12 | 03   | AMERICAN SCHOOL BOAR     | 701 | SUBSCRIPTION                       | $57.00   |
|        |          |      |                         |     | **LOCATION TOTAL**                 | **$14,883.40** |

| 200162 | 01/24/12 | 03   | FAGEN FRIEDMAN & FUL    | 721 | CONSULTANT                          | $94,000.00|
| 201404 | 12/20/11 | 03   | TRANSAMERICA OCCIDEN    | 721 | INSURANCE                           | $1,730.52|
| 201440 | 01/05/12 | 03   | BYRNE, ARLETTE          | 721 | EMPLOYEE REIMBURSEME               | $40.00   |
| 201442 | 01/05/12 | 03   | FLORES, NORMA P         | 721 | MILEAGE REIMBURSEME                | $450.00  |
| 201443 | 01/05/12 | 06   | HINES, JIMMY            | 721 | EMPLOYEE REIMBURSEME               | $75.83   |
| 201445 | 01/05/12 | 06   | ANAYA, JOANN            | 721 | EMPLOYEE REIMBURSEME               | $243.02  |
| 201446 | 01/05/12 | 03   | HARTLEY, DONALD         | 721 | ADMINISTRATIVE FEES                | $278.99  |
| 201478 | 01/11/12 | 03   | ADAMS, ERIN             | 721 | CONFERENCE AND TRAVE               | $33.86   |
| 201487 | 01/12/12 | 03   | ACADEMIC SUPPLIER       | 721 | COMPUTER SUPPLIES                  | $124.00  |
| 201488 | 01/23/12 | 03   | OFFICE DEPOT            | 721 | OFFICE SUPPLIES                    | $31.23   |
| 201489 | 01/12/12 | 03   | OFFICE DEPOT            | 721 | OFFICE SUPPLIES                    | $42.54   |
| 201497 | 01/13/12 | 25-19| NORTH COUNTY TIMES      | 721 | ADVERTISING                         | $138.46  |
| 201517 | 01/19/12 | 03   | ACADEMIC SUPPLIER       | 721 | COMPUTER SUPPLIES                  | $58.08   |
| 201520 | 01/19/12 | 03   | CALIFORNIA STAMP COM    | 721 | OFFICE SUPPLIES                    | $53.33   |
| 201522 | 01/19/12 | 03   | NAVARRO, NANCY          | 721 | CONFERENCE AND TRAVE               | $10.00   |
| 201523 | 01/19/12 | 03   | MCCORMAC, KATHY         | 721 | CONFERENCE AND TRAVE               | $47.07   |
| 201545 | 01/20/12 | 03   | KENNEDY, JAMIE          | 721 | PAYROLL CORRECTION                 | $2,500.00|
| 201546 | 01/23/12 | 21-39| MOODY'S INVESTORS SE    | 721 | SERVICE FEES                       | $23,781.80|
| 201547 | 01/23/12 | 21-10| MOODY'S INVESTORS SE    | 721 | SERVICE FEES                       | $11,218.20|
| 201571 | 01/24/12 | 03   | ACADEMIC SUPPLIER       | 721 | COMPUTER SUPPLIES                  | $118.70  |
| 201572 | 01/24/12 | 03   | OFFICE DEPOT            | 721 | OFFICE SUPPLIES                    | $12.22   |
| 201590 | 01/25/12 | 03   | HYPHENET INC            | 721 | COMPUTER EQUIPMENT                 | $931.42  |
|        |          |      |                         |     | **LOCATION TOTAL**                 | **$135,919.27** |

| 201420 | 12/21/11 | 03   | OFFICE DEPOT            | 741 | OFFICE SUPPLIES                    | $37.70   |
| 201444 | 01/05/12 | 03   | DEPT OF GENERAL SERV    | 741 | SERVICE FEES                       | $1,380.00|
|        |          |      |                         |     | **LOCATION TOTAL**                 | **$1,417.70** |

| 201524 | 01/19/12 | 03   | CSPCA                   | 751 | CONFERENCE AND TRAVE               | $450.00  |
|        |          |      |                         |     | **LOCATION TOTAL**                 | **$450.00** |

<p>| 200254 | 01/25/12 | 03   | AT&amp;T                    | 761 | TELEPHONE                           | $50,900.00|
| 200258 | 01/25/12 | 03   | COAST WASTE MANAGEMEN   | 761 | MAINTENANCE                         | $225,600.00|
| 200313 | 01/25/12 | 03   | SAN DIEGO GAS &amp; ELEC    | 761 | GAS AND ELECTRIC                    | $1,195,300.00|</p>
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**LOCATION TOTAL** $148,703.70

| A18970 | 12/16/11   | 21-39 | JOHNSON CONSULTING         | 851     | CONSTRUCTION              | $11,782.00 |
| C19552 | 12/21/11   | 21-39 | MCCARTHY BUILDING          | 851     | CONSTRUCTION              | $16,949,056.90 |
| C19816 | 01/23/12   | 21-39 | COMMERCIAL PROTECTIV       | 851     | CONSTRUCTION              | $19,367.25 |
| C19861 | 01/09/12   | 21-39 | BALFOUR BEATTY CONST       | 851     | CONSTRUCTION              | $64,808,411.30 |
| C21059 | 12/16/11   | 21-39 | CAMRO PAPER & JANITO       | 851     | OFFICE SUPPLIES           | $573.42 |
| C21083 | 12/16/11   | 21-39 | DIMOND CONSTRUCTION        | 851     | CONSTRUCTION              | $266,286.00 |
| C21102 | 12/20/11   | 21-39 | VECTOR RESOURCES INC       | 851     | CONSTRUCTION              | $100,760.00 |
| C21130 | 12/20/11   | 21-39 | ANYTIME WORLD WIDE         | 851     | CLASSROOM EQUIPMENT       | $2,189.88 |
| C21132 | 12/20/11   | 21-39 | GRAINGER                   | 851     | CLASSROOM EQUIPMENT       | $6,163.99 |
| C21136 | 12/16/11   | 21-39 | WAXIE SANITARY SUPPL       | 851     | CUSTODIAL                 | $326.44 |
| C21137 | 01/09/12   | 21-39 | ACADEMIC SUPERSTORE        | 851     | SOFTWARE                  | $4,462.70 |
| C21138 | 12/22/11   | 21-39 | SAN DIEGO GAS & ELEC       | 851     | CONSTRUCTION              | $1,200.00 |
| C21139 | 01/10/12   | 25-19 | LEIGHTON CONSULTING        | 851     | CONSULTANT                | $33,500.00 |
| C21140 | 01/09/12   | 21-39 | PALOMAR SIGN COMPANY       | 851     | CONSTRUCTION              | $1,018.75 |
| C21141 | 01/09/12   | 21-39 | GEOTEK INC                 | 851     | CONSTRUCTION              | $379.50 |
| C21143 | 12/29/11   | 21-39 | OFFICE DEPOT               | 851     | OFFICE SUPPLIES           | $39.44 |
| C21144 | 01/09/12   | 21-39 | DELL COMPUTER CORP         | 851     | COMPUTER SUPPLIES         | $174.45 |
| C21145 | 01/09/12   | 21-39 | PALOMAR SIGN COMPANY       | 851     | CONSTRUCTION              | $679.17 |
| C21146 | 01/09/12   | 21-39 | RESILITE SPORTS PROD       | 851     | CONSTRUCTION              | $5,830.78 |
| C21147 | 01/09/12   | 21-39 | WESTERN ENVIRONMENTAL      | 851     | CONSTRUCTION              | $7,425.00 |
| C21148 | 01/23/12   | 21-39 | NEWBERRY CONSTRUCTION      | 851     | CONSTRUCTION              | $9,167.00 |
| C21149 | 01/13/12   | 21-39 | WAXIE SANITARY SUPPL       | 851     | OFFICE SUPPLIES           | $1,439.00 |
| C21150 | 01/18/12   | 03   | CHURCHILL GRAPHICS         | 851     | CONSTRUCTION              | $4,360.00 |
| C21151 | 01/12/12   | 21-39 | RUSCO, INC.                | 851     | CONSTRUCTION              | $250.44 |
| C21152 | 01/20/12   | 21-39 | CONSTRUCTION TESTING       | 851     | CONSTRUCTION              | $8,500.00 |
| C21153 | 01/20/12   | 21-39 | CALIFORNIA FACILITY        | 851     | CONSTRUCTION              | $2,202.00 |
| C21154 | 01/20/12   | 21-39 | PALOMAR SIGN COMPANY       | 851     | PRINTING BY OUTSIDE       | $318.89 |
| C21155 | 01/19/12   | 21-39 | OFFICE DEPOT               | 851     | OFFICE SUPPLIES           | $25.02 |
| C21156 | 01/25/12   | 21-39 | PACIFIC MAT COMPANY        | 851     | CONSTRUCTION              | $9,951.02 |
| C21158 | 01/25/12   | 21-39 | TELECOMTEC                 | 851     | CONSTRUCTION              | $1,563.48 |
| C21159 | 01/23/12   | 21-39 | COMMERCIAL PROTECTIV       | 851     | CONSTRUCTION              | $24,414.75 |
| C21160 | 01/25/12   | 21-39 | ARENS GROUP INC            | 851     | CONSTRUCTION              | $2,500.00 |
| 201534 | 01/20/12   | 21-39 | OFFICE DEPOT               | 851     | OFFICE SUPPLIES           | $129.17 |

**LOCATION TOTAL** $82,284,447.74

**REPORT TOTAL** $84,481,561.52
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<td>PROP P – Wire shelving for new CHS classrooms.</td>
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<td>PROP P – Electric service for signal at SCHS.</td>
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<td>PROP P – Replacement programming key and manager button key for p.e. lockers.</td>
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<td>PROP P – Label sheets for seat module numbers 1-60 and 4 each vinyl aisle closures, auxiliary gym bleachers.</td>
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<td>PROP P – Color photo reproductions for CHS ribbon cutting displays.</td>
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<td>Reduction needed to allocate funds for City of Carlsbad Video Equipment Rental and Administrative Fees.</td>
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<td>Additional funds for Legal Services for potential Annexation No. 9 into CFD 3.</td>
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<td>Students in need of additional services.</td>
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<td>Original Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Addition to Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total Contract Not to Exceed</td>
</tr>
<tr>
<td>Discovery Isle Nobel Learning Communities, Inc.</td>
<td>Student in need of continued service.</td>
<td>Special Education</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Original Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Addition to Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total Contract Not to Exceed</td>
</tr>
<tr>
<td>Gametime Great Western Park and Playground</td>
<td>Replacement parts and installation for three playgrounds at Aviara Oaks Elementary School.</td>
<td>Maintenance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total Contract Not to Exceed</td>
</tr>
<tr>
<td>Leaps-n-Bounds</td>
<td>Additional services needed for special education students.</td>
<td>Special Education</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Original Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Addition to Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total Contract Not to Exceed</td>
</tr>
<tr>
<td>Leighton Consulting, Inc.</td>
<td>Supplemental scope of work for 2011 and 2012 semi annual operations and maintenance monitoring of existing passive methane barrier system at Poinsettia Elementary School as mandated by Dept. of Toxic Substance Control.</td>
<td>Maintenance Operations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Original Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Addition to Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total Contract Not to Exceed</td>
</tr>
<tr>
<td>Newberry Construction</td>
<td>Miscellaneous assembly, installation and clean-up of District owned equipment not on original scope of work.</td>
<td>Prop P</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Original Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Addition to Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total Contract Not to Exceed</td>
</tr>
<tr>
<td>North County Lifeline Lifeline Community Services</td>
<td>Additional counseling hours approved for the 2011-12 school year.</td>
<td>Special Education</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Original Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Addition to Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total Contract Not to Exceed</td>
</tr>
<tr>
<td>Company</td>
<td>Description</td>
<td>Contract Details</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>Pacific Mat Company</td>
<td>Install protective wall padding for wrestling building at Carlsbad High School.</td>
<td>Prop P 01/01/12-02/29/12 $9,952</td>
</tr>
<tr>
<td>PHS-Staffing</td>
<td>To cover services needed for students with speech teachers out on leave.</td>
<td>Special Education 07/01/11-06/30/12 $17,000</td>
</tr>
<tr>
<td>Practi-Cal Incorporated</td>
<td>Additional money needed to pay for LEA Medi-Cal billing.</td>
<td>Special Education 07/01/11-06/30/12 $28,000</td>
</tr>
<tr>
<td>Rancho Santa Fe Security</td>
<td>Zones were added for new classrooms at Carlsbad High School at a pro-ration for remainder of year.</td>
<td>Maintenance 07/01/11-06/30/12 $11,700</td>
</tr>
<tr>
<td>Simplexgrinnell</td>
<td>Fire alarm test and inspection for added equipment at Hope, Kelly, Magnolia Elementary Schools and Valley Middle School not included in 5 year inspection agreement.</td>
<td>Maintenance 12/05/11-12/31/13 $62,004</td>
</tr>
<tr>
<td>SixTen and Associates</td>
<td>Additional funds for Mandate Reimbursement Claim Preparation Service for Fiscal Year 2011-12.</td>
<td>Fiscal Services 07/01/11-06/30/12 $40,000</td>
</tr>
<tr>
<td>Speech Station</td>
<td>Additional services needed for special education students.</td>
<td>Special Education 07/01/11-06/30/12 $1,000</td>
</tr>
<tr>
<td>Western Environmental &amp; Safety Technologies, LLC</td>
<td>Amendment: Sampling and Abatement Monitoring at building demolition, Carlsbad High School, Prop P.</td>
<td>Prop P 01/12/12-06/30/12 $14,500</td>
</tr>
</tbody>
</table>
Carlsbad Unified School District
Carlsbad, California

February 8, 2012

TO: John A. Roach, Ed.D.
District Superintendent

FROM: Devin Vodicka, Ed.D.
Assistant Superintendent
Business Services

SUBJECT: Budget Amendments thru February 2, 2012

BACKGROUND INFORMATION

Per Education Code 42600, the total amount budgeted as the proposed expenditure of the school district for each major classification of school district expenditures listed in the school district budget forms prescribed by the Superintendent of Public Instruction (SACS2011ALL) shall be the maximum amount which may be expended for that classification of expenditures for the year. Thus, budget amendments to change such shall be subject to Board of Trustees approval.

CURRENT INFORMATION

As part of the District’s procedure of presenting budget amendments for approval when the overall budget increases or decreases, the attached budget revisions are necessary due to recognition of:

1) Revenue increase in:
   a. Title I, Part A
   b. Title II Teacher & Principal Training 2010-11
   c. Title III, LEP
   d. MediCal
   e. Health Reform Act – will be held in Reserve 2011-12
   f. Special Ed Personnel Development
   g. Economic Impact Aid (EIA)

2) Revenue decrease in:
   a. Special Ed IDEA Mental Health
   b. Title II, Teacher & Principal Training 2011-12
   c. Special Ed Low Incidence

FINANCIAL IMPLICATIONS

The requested budget amendments will be adjusted accordingly.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees approve budget amendments totaling $49,247 thru February 2, 2012.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation.
### Carlsbad Unified School District
### Budget Amendments through February 2, 2012
### FY 2011-12

#### Expenditure budgets to be adjusted as follows:

<table>
<thead>
<tr>
<th>Resource Number</th>
<th>Program</th>
<th>Revenue Impact Amount</th>
<th>1000 Certificated Salaries</th>
<th>2000 Classified Salaries</th>
<th>3000 Labor Related Costs</th>
<th>4000 Supplies &amp; Materials</th>
<th>5000 Services</th>
<th>6000 Capital Outlay</th>
<th>7000 Indirect Costs</th>
<th>Expenditure Impact Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0000</td>
<td>New Subfinder System</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$12,634.00</td>
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<tr>
<td>3010</td>
<td>Title I, Part A</td>
<td>X</td>
<td>$8,356.00</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>$8,356.00</td>
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<tr>
<td>3327</td>
<td>Sp Ed IDEA Mental Health</td>
<td>X</td>
<td>($15,904.00)</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>($15,904.00)</td>
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<tr>
<td>4035</td>
<td>Title II Teacher &amp; Principal Training 2010-11</td>
<td>X</td>
<td>$696.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$696.00</td>
</tr>
<tr>
<td>4035</td>
<td>Title II Teacher &amp; Principal Training 2011-12</td>
<td>X</td>
<td>($53,139.00)</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>($53,139.00)</td>
</tr>
<tr>
<td>4293</td>
<td>Title III, LEP</td>
<td>X</td>
<td>$9,571.00</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$9,571.00</td>
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<tr>
<td>5640</td>
<td>Medi CAL</td>
<td>X</td>
<td>$13,486.00</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td>$13,486.00</td>
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<tr>
<td>5810</td>
<td>Health Reform Act (Held in Reserve 2011-12)</td>
<td>X</td>
<td>$59,227.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
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<tr>
<td>6530</td>
<td>SP ED Low Incidence</td>
<td>X</td>
<td>($162.00)</td>
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<td></td>
<td></td>
<td>($162.00)</td>
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<tr>
<td>6535</td>
<td>SP ED Personnel Development</td>
<td>X</td>
<td>$144.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$144.00</td>
</tr>
<tr>
<td>7091</td>
<td>Economic Impact Aid (EIA)</td>
<td>X</td>
<td>$26,969.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$26,969.00</td>
</tr>
</tbody>
</table>

**COMBINED TOTALS:**
- Revenue Impact Amount: $48,247.00
- 1000 Certificated Salaries: $0.00
- 2000 Classified Salaries: $0.00
- 3000 Labor Related Costs: $0.00
- 4000 Supplies & Materials: $5,924.00
- 5000 Services: $(3,270.00)
- 6000 Capital Outlay: $0.00
- 7000 Indirect Costs: $0.00
- Expenditure Impact Amount: $2,864.00

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27
TO: John A. Roach, Ed.D.
District Superintendent

FROM: Devin Vodicka, Ed.D.
Assistant Superintendent
Business Services

SUBJECT: Approval, Notice of Completion and Retention Release, Install Fencing and Gates at Eight Schools, District Wide, Proposition P

BACKGROUND INFORMATION

On June 22, 2011, the Board of Trustees approved a contract with Quality Fence for $594,623 to install fencing and gates at eight schools (Aviara Oaks Middle, Buena Vista, Calavera Hills Middle/Elementary, Kelly, Jefferson, Magnolia, and Pacific Rim). The Board of Trustees approved Change Order No. 1 on August 24, 2011 for $17,750 to cover unforeseen conditions associated with undocumented underground utilities and obstructions.

CURRENT INFORMATION

All work has now been completed, inspected and approved by District staff with only minor punchlist items remaining. The Inspector of Record for the Division of the State Architect has approved the portions of work applying to fire, life, safety, and accessibility. Approval to file a notice of completion and release of retention is requested.

FINANCIAL IMPLICATIONS

There are no financial implications with this request.

RECOMMENDATION

It is respectfully recommended the Board of Trustees approve the request to file a notice of completion and approve the release of retention, District Wide, Proposition P.

SUPERINTENDENT'S RECOMMENDATION: Approve staff recommendation.
TO: John A. Roach, Ed.D.
District Superintendent

FROM: Devin Vodicka, Ed.D.
Assistant Superintendent
Business Services

SUBJECT: Approval, Notice of Completion and Retention Release, Revision to Stadium Locker Room, Carlsbad High School, Proposition P

BACKGROUND INFORMATION

On November 9, 2011, the Board of Trustees approved a contract with M&M Builders for $76,388 to divide the existing locker room facilities at the stadium to accommodate both male and female athletes. The modification included a new entrance and new partitions to separate the restroom spaces.

CURRENT INFORMATION

All work has now been completed, inspected and approved by District staff with only minor punchlist items remaining. The Inspector of Record for the Division of the State Architect has approved the portions of work applying to fire, life, safety, and accessibility. Approval to file a notice of completion and release of retention is requested.

FINANCIAL IMPLICATIONS

There are no financial implications with this approval.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees file a notice of completion and approve the release of retention and approve the request to Carlsbad High School, Proposition P.

SUPERINTENDENT'S RECOMMENDATION: Approve staff recommendation.
CARLSBAD UNIFIED SCHOOL DISTRICT  
Carlsbad, California 

February 8, 2012 

TO: John A. Roach, Ed.D.  
District Superintendent 

FROM: Devin Vodicka, Ed.D.  
Assistant Superintendent  
Business Services 

SUBJECT: Approval, Change Order No. 1, Notice of Completion, and Retention Release, Install Interactive Whiteboards in New Classroom Buildings, Carlsbad High School, Proposition P 

BACKGROUND INFORMATION 

On October 12, 2011, the Board of Trustees approved a contract with Silveira Construction for $14,300 for the installation of the 50 interactive whiteboards (SMART boards) in the new modernized classrooms. These boards were purchased by the District from the North County Educational Purchasing Consortium Audio-Visual Equipment list. 

CURRENT INFORMATION 

All work has now been completed, inspected and approved by District staff with only minor punchlist items remaining. Approval to file a notice of completion and release of retention is requested. 

The contract included a $3,000 allowance for unforeseen conditions and $600 was used to provide additional wiring access. Change Order No. 1 represents a ($2,400) credit for the remaining unused allowance. 

FINANCIAL IMPLICATIONS 

Change Order No. 1 is proposed for approval as follows: 

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract</td>
<td>$14,300</td>
</tr>
<tr>
<td>Proposed Change Order No. 1</td>
<td>(2,400)</td>
</tr>
<tr>
<td>Revised Total Contract</td>
<td>$11,900</td>
</tr>
</tbody>
</table>

The ($2,400) is properly credited to Proposition P school construction funds. 

RECOMMENDATION 

It is respectfully recommended that the Board of Trustees approve change order no. 1, approve the request to file a notice of completion and approve the release of retention, Carlsbad High School, Proposition P. 

SUPERINTENDENT'S RECOMMENDATION: Approve staff recommendation.
TO: John A. Roach, Ed.D.
    District Superintendent
FROM: Devin Vodicka, Ed.D.
       Assistant Superintendent
       Business Services
SUBJECT: Approval, Change Order No. 2, Notice of Completion, and Retention Release,
         Renovate Gymnasium Restrooms and Install Bleachers, Carlsbad High School,
         Proposition P

BACKGROUND INFORMATION

On October 12, 2011, the Board of Trustees approved a contract with Dimond Construction for
$245,875 to renovate gym restrooms, renovate the gym lobby adjacent to restrooms, and install a
new telescoping bleacher system replacing the previously removed old bleachers. On December
14, 2011, the Board approved Change Order No. 1 in the amount of $20,411 to accommodate
multiple unforeseen conditions and extend the time for completion to January 13, 2012.

CURRENT INFORMATION

All work has now been completed, inspected and approved by District staff with only minor
punchlist items remaining. The Inspector of Record for the Division of the State Architiect has
approved the portions of work applying to fire, life, safety, and accessibility.

Change Order No. 2 is a final summary credit of ($615) which is the result of miscellaneous added
and deleted minor work. Approval to file a notice of completion and release of retention is
requested.

FINANCIAL IMPLICATIONS

Change Order No. 2 is proposed for approval as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract</td>
<td>$245,875</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>$20,411</td>
</tr>
<tr>
<td><strong>Proposed Change Order No. 2</strong></td>
<td><strong>($615)</strong></td>
</tr>
<tr>
<td>Revised Total Contact</td>
<td>$265,671</td>
</tr>
</tbody>
</table>

The credit of $615 is properly returned to Proposition P school construction funds.
RECOMMENDATION

It is respectfully recommended the Board of Trustees approve change order No. 2, approve the request to file a notice of completion, and approve the release of retention, Carlsbad High School, Proposition P.

SUPERINTENDENT'S RECOMMENDATION: Approve staff recommendation.
CARLSBAD UNIFIED SCHOOL DISTRICT
Carlsbad, California

February 8, 2012

TO: John A. Roach, Ed.D.
District Superintendent

FROM: Devin Vodicka, Ed.D.
Assistant Superintendent
Business Services

SUBJECT: Ratification, Change Order No. 20, Classroom Phase, Carlsbad High School, Proposition P

BACKGROUND INFORMATION

On February 24, 2010, the Board of Trustees approved a Lease-Leaseback Agreement (LLB) for $35,184,200 with McCarthy Building Companies, Inc. (McCarthy) for the construction of the new classroom complex and parking lot. Change Order numbers 1 through 19 were previously approved or ratified by the Board of Trustees for an additional $1,714,301.

CURRENT INFORMATION

Change Order No. 20 is proposed for ratification as described below:

1. $37,074 Modify typical classroom window overhead ceiling pockets to accommodate the selected window coverings (mini-blinds). Architect provided a revised design which corrected several design errors which applied to all regular classrooms.
2. $525 Provide revised structural stud revision per structural engineer detail; minor design omission.
3. $1,022 Provide additional structural backing for owner furnished shelving; owner request.
4. $8,583 Furnish and install school entrance flagpole; design omission.
5. $884 Relocate three wall recessed fire extinguisher cabinets for clearances to cabinets; code compliance.
6. $10,560 Demolish and replaster Cultural Arts Center exterior west wall (12" bottom section) due to new concrete flatwork elevation conflict.
7. $17,873 Add brushed aluminum trim between tackboard panels at all classrooms; design omission.
8. $1,096 Provide sheet rubber flooring at two elevators; owner requested upgrade from vinyl tile.
9. $1,805 Provide and install curtain and track for Fashion classroom display window; owner requested addition.

Agenda Item 34
10. $1,360 Shift location of built-in cabinetry at Woodshop to accommodate greater lumber storage space.
11. $1,037 Revise the mounting detail of metal building numbers; design error.
12. $812 Provide stainless steel floor grate in kitchen for floor sinks; design omission.
13. $1,236 Provide electrical switch for kitchen cold serving unit; owner request.
14. $437 Provide Type K fire extinguisher at kitchen per Health Dept requirement.
15. $14,757 Provide retractable compressed air hose reels and additional branch service locations in the Woodshop; design omission.
16. $440 Delete electrical floor boxes in computer and relocate to walls; Facilities request.
17. $593 Reduce counter height in room 4004 classroom; design error.
18. $844 Provide drafting table mistakenly omitted from furniture drawings.
19. $1,212 Provide custom end pieces for ballet barre in Dance classroom; design omission.
20. $850 Relocate built-in cabinet in three classrooms; owner request.
21. $117,626 Provide (4 each) sound and recording audio systems for Dance, Drama, Music, and Choral classrooms – architect’s original contract did not include this design which was added after the construction bidding. Systems include ceiling hung speakers, amplifier, mixer, lockable cabinetry, microphones, assisted listening, dvd recording, and training.
22. ($225,000) Credit from McCarthy Lease Lease-back resulting from subcontractor construction buyout savings and unused contract allowances.

FINANCIAL IMPLICATIONS

The amount of ($4,374) is properly credited to Proposition P school construction funds.

| Original LLB -                         | $35,184,200 |
| Change Order No. 1 thru 19             | $1,714,301  |
| **Proposed Change Order No. 20**     | **($4,374)** credit |
| Revised LLB                           | $36,894,127 |

RECOMMENDATION

It is respectfully recommended that the Board of Trustees ratify Change Order No. 20 for the classroom phase at Carlsbad High School.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation.
CARLSBAD UNIFIED SCHOOL DISTRICT  
Carlsbad, California  
February 8, 2012

TO: John A. Roach, Ed.D.  
District Superintendent

FROM: Devin Vodicka, Ed.D.  
Assistant Superintendent  
Business Services

SUBJECT: Ratification, Change Order No. 1, Wrestling Building, Carlsbad High School, Proposition P

BACKGROUND INFORMATION

The Wrestling Building construction was contracted in April 2011 with McCarthy Building Companies, Inc. as a $1,816,911 amendment to the in-place Lease Lease-back (LLB) agreement for the construction of the Classroom and Parking Lot Phase (referred to as Phase 3B). The timing of the final plan approvals by the Division of the State Architect (DSA) necessitated that the demolition of the old wrestling building be conducted via a $158,495 change order to the Classroom Phase prior to the amendment.

The scope of the work involved the construction of a new 5,000 square foot building and an added site feature that provides an accessible ramp connection between the stadium area and the lower softball/baseball fields. The major construction and subsequent occupancy was accomplished in November 2011.

CURRENT INFORMATION

During final walk-thru and acceptance of the building, the Facilities Department requested additions or modifications to be made to the building. Change Order No. 1 is proposed for ratification as described below:

1. **$4,986 – Install Ventilation and Heating Timers:** The plans provided standard thermostat controls for both the six fan ventilation system and the four gas heating units which serve the building. The Facilities Department requested that 60 minute manual timers be installed so that the demand for ventilation or heating would be “time limited” for energy savings on a long term basis. Without the timers, there is the potential the systems could run on an excessive basis depending on where the users last set the thermostats.

2. **$4,804 – Install Additional Chain Link Fencing:** The Facilities Department requested that additional chain link fencing be installed across the building’s rear slope and surrounding the pad mounted HVAC compressors nearby. The department does not want students accessing the rear of the building or having access to the compressors which are delicate and easily damaged.
3. **$500 – Modify Irrigation and Plantings:** The Facilities Department has requested the irrigation layout at the rear slope entrance be modified (moved) to better facilitate maintenance access and bark-mulch be added in place of a portion of plantings ground-cover.

4. **$9,900 – Provide Sheet Metal Trim at Underside of Skylights:** There are seventeen skylights provided in project and the underside frame edges are insulated per contract. The drawings do not call for any trim or closure metal for this location and there is the potential the exposed insulation will sag or curl in the future. The Facilities Department has requested that sheet metal skirting be installed at each location to provide a durable and finished closure assembly.

**FINANCIAL IMPLICATIONS**

Change Order No. 1 (also called OCO 21 of the Classroom Phase) is proposed for approval as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Contract</td>
<td>$1,816,911</td>
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<tr>
<td><strong>Proposed Change Order No. 1</strong></td>
<td><strong>20,190</strong></td>
</tr>
<tr>
<td>Revised Total Contract</td>
<td>$1,837,101</td>
</tr>
</tbody>
</table>

The $20,190 is properly paid from Proposition P school construction funds.

**RECOMMENDATION**

It is respectfully recommended that the Board of Trustees approve Change Order No. 1 for the Wrestling Building at Carlsbad High School, Proposition P.

**SUPERINTENDENT’S RECOMMENDATION:** Approve staff recommendation.
CARLSBAD UNIFIED SCHOOL DISTRICT  
Carlsbad, California  

February 8, 2012  

TO: John A. Roach, Ed.D.  
District Superintendent  

FROM: Devin Vodicka, Ed.D.  
Assistant Superintendent  
Business Services  

SUBJECT: Approval, Change Order No. 2-7, Building Phase, Sage Creek High School, Proposition P  

BACKGROUND INFORMATION  

On April 13, 2010, the Board of Trustees approved an Amendment to the existing Lease-Leaseback Agreement (LLB) for $67,885,137 with Barnhart Balfour Beatty (Barnhart) for construction of the buildings at Sage Creek High School. Following the initial agreement, six change orders have been approved or ratified by the Board of Trustees.  

CURRENT INFORMATION  

The following change-order is proposed for Board approval:  

1. $2,384 – Install Transfer Air Ducts for Restrooms near Administration Area: An Architect’s Supplemental Instruction (ASI 25) has revised the ductwork in the restrooms to maximize air flow and attenuate noise transfer.  

2. ($16,520) credit – Reduce Sand and Gravel Fill under Vapor Barrier: Reviews by the geotechnical engineer and under slab vapor barrier supplier resulted in elimination of the 2” sand cover above the vapor barrier and a reduction of 1” of gravel below the vapor barrier. The deleted material results in a credit back to the District.  

3. $5,970 – Door Hardware and Stain Revisions: Wood doors are indicated to be stained but the specifications only required “paint grade” doors. Door quality was updated to allowing staining of doors. Also, during the hardware review, thresholds were added to 8 doors where they were required, but not indicated on the drawings.  

4. $1,399 – Electrical Box and Concrete Reinforcement Conflicts: RFI 394 correctly identified multiple areas where recessed wall mounted electrical devices conflicted with the reinforcing in the concrete walls. Many of the devices were relocated by the design team, however, some remained that required to be located outside of the wall with furring and drywall added to cover the now exposed conduit.  

5. $10,320 – Relocate Irrigation Controllers: Per request of District Facilities, the irrigation controllers were relocated from a central location to each individual zone to allow visual monitoring of the irrigation zone during maintenance modifications at each individual controller. This cost includes conduit and wiring along with additional Ethernet cabling to the main controller.  

6. $20,001 – Upgraded Asphalt Sealer: District Facilities requested that the asphalt seal coat be upgraded to a product that will increase the lifespan and reduce the maintenance needed on the asphalt parking lots.
7. $14,077 – Relocate Transformers for Stadium Egress Lighting: Contract documents indicated lighting transformers for 16 poles at stadium to be located in the pole base itself. The actual sizes of the transformers are much larger than anticipated and they must be relocated and separately housed inside the Press Box.

8. $9,430 – Gymnasium Pilaster Reinforcing Revisions: An Architect’s Supplemental Instruction (ASI 51) has revised the connection details for the reinforcing in the concrete columns in the gymnasium resulting in additional reinforcing to be installed by the contractor; design error.

9. $1,079 – Widen Column Encasements: Concrete encasements around structural steel columns were required to be widened to avoid dimensional conflicts with column base plates and concrete reinforcing; design error.

10. $1,908 – Gym Floor Service Boxes: The electrical boxes indicated on the contract drawings are not compatible with the “floating” wood gym floor. Four additional access boxes are required to be installed in the wood floor to access these services. The added access boxes are considered an improvement which will simply maintenance access in the future.

11. $1,925 – Condensate Pipe Hangers: The condensate piping for mechanical units in Building 1 was incorrectly indicated on the roof on the contract drawings. This piping is located in the ceiling space and needs additional hangers to install in this manner.

12. $11,596 – Gas and Water Service to Fume Hoods: ASI 29 issued by the Architect added gas and water lines to the fume hoods in the science labs. The hoods were specified to include these services, but the mechanical lines were not indicated on the contract drawings.

13. $8,837 – Trap Primers for Floor Drains in Fire Riser Rooms: Trap primers are required on the drain lines to the fire riser rooms; design omission.

14. $4,626 – Overflow Roof Drains: The architect’s response to contractor Request for Information (RFI #651) has added an overflow roof drain to Building 5. It also revised a 3” drain to a 6” and revised location, which required a drywall cavity to be added in Administration Room 3-100.

FINANCIAL IMPLICATIONS

The $77,032 cost is properly paid from Proposition P school construction funds.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original LLB – Building Phase</td>
<td>$67,885,137</td>
</tr>
<tr>
<td>Change Order No. 1 thru 6</td>
<td>$291,847</td>
</tr>
<tr>
<td><strong>Proposed Change Order No. 7</strong></td>
<td><strong>$77,032</strong></td>
</tr>
<tr>
<td>Revised LLB</td>
<td>$68,254,016</td>
</tr>
</tbody>
</table>

RECOMMENDATION

It is respectfully recommended that the Board of Trustees approve Change Order No. 2-7 for Sage Creek High School.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation.
CARLSBAD UNIFIED SCHOOL DISTRICT  
Carlsbad, California

February 8, 2012

TO: John A. Roach, Ed.D. 
District Superintendent

FROM: Devin Vodicka, Ed.D. 
Assistant Superintendent 
Business Services

SUBJECT: Approval, Change Order No. 1, Installation of District Computers and Wireless Access Points, Carlsbad High School, Proposition P

BACKGROUND INFORMATION

On November 9, 2011, the Board of Trustees approved a contract with Vector Resources for $100,760 to receive, set-up and install 400 new District purchased computers, upgrade approximately 200 existing computers, and install/configure 110 wireless access units.

CURRENT INFORMATION

Change Order No. 1 is proposed for approval as described below:

1. Purchase additional computer memory and video components 
2. Reconfigure/load software on 115 existing computers 
3. Deploy the 115 reconfigured computers for P.E. teachers and student use.

FINANCIAL IMPLICATIONS

Change Order No. 1 is proposed for approval as follows:

<table>
<thead>
<tr>
<th>Original Contract</th>
<th>$100,760</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Change Order No. 1</td>
<td>7,999</td>
</tr>
<tr>
<td>Revised Total Contract</td>
<td>$108,759</td>
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</tbody>
</table>

The $7,999 is properly paid from Proposition P school construction funds.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees approve Change Order No. 1, Carlsbad High School, Proposition P.

SUPERINTENDENT'S RECOMMENDATION: Approve staff recommendation.
CARLSBAD UNIFIED SCHOOL DISTRICT  
Carlsbad, California

February 8, 2012

TO: John A. Roach, Ed.D.  
District Superintendent

FROM: Devin Vodicka, Ed.D.  
Assistant Superintendent  
Business Services

SUBJECT: Approval, Change Order No. 1, Notice of Completion and Retention Release,  
Relocation Services for New Classrooms, Carlsbad High School, Proposition P

BACKGROUND INFORMATION

On November 9, 2011, the Board of Trustees approved a contract with Hidden Valley Moving & Storage for $19,052 to relocate the teachers from old classrooms into the new modernized classrooms and to complete “inter campus moves” between existing classrooms. The scope of work included the provision of packing materials, moving services, and selected unpacking services.

CURRENT INFORMATION

During the move to new classrooms, some teachers packed additional boxes which added to the contractors moving scope of work. In addition, some athletic gear was also added to the move schedule. The total extra moving effort amounted to $2,480 and is based on the cost of the boxes and man-hours.

All work has now been completed, inspected and approved by District staff. Approval to file a notice of completion and release of retention is requested.

FINANCIAL IMPLICATIONS

Change Order No. 1 is proposed for approval as follows:

<table>
<thead>
<tr>
<th>Original Contract</th>
<th>$19,052</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Proposed Change Order No. 1</strong></td>
<td>$2,480</td>
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<tr>
<td><strong>Revised Total Contract</strong></td>
<td>$21,532</td>
</tr>
</tbody>
</table>

The $21,532 is properly paid from Proposition P school construction funds.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees approve Change Order No. 1, approve the request to file a notice of completion and approve the release of retention, Carlsbad High School, Proposition P.

**SUPERINTENDENT’S RECOMMENDATION:** Approve staff recommendation.
<table>
<thead>
<tr>
<th>Personnel Action</th>
<th>Last Name</th>
<th>First Name</th>
<th>Job Title</th>
<th>Site</th>
<th>Start Date</th>
<th>End Date</th>
<th>Total $</th>
<th>Rng Stp</th>
<th>Reason for Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Layoff</td>
<td>Hakenson</td>
<td>Jenifer</td>
<td>Child Care Lead</td>
<td>CHS</td>
<td>6/30/12</td>
<td></td>
<td></td>
<td></td>
<td>Position eliminated per board action 11/9/11</td>
</tr>
<tr>
<td>Layoff</td>
<td>Smith</td>
<td>Susan</td>
<td>Child Care Assistant</td>
<td>CHS</td>
<td>6/30/12</td>
<td></td>
<td></td>
<td></td>
<td>Position eliminated per board action 11/9/11</td>
</tr>
<tr>
<td>Layoff</td>
<td>Tashiro</td>
<td>Mutsuko</td>
<td>Music Asst./Accompanist</td>
<td>VMS</td>
<td>1/31/12</td>
<td></td>
<td></td>
<td></td>
<td>Position eliminated per board action 11/9/11</td>
</tr>
<tr>
<td>New Employee</td>
<td>Ellis</td>
<td>Krystal</td>
<td>Nutritional Services Asst.</td>
<td>CHS</td>
<td>1/30/12</td>
<td></td>
<td></td>
<td></td>
<td>New position; 3 hpd</td>
</tr>
<tr>
<td>New Substitute</td>
<td>Hansen</td>
<td>Elizabeth</td>
<td>Inst. Asst. Spec. Ed.</td>
<td></td>
<td>2/9/12</td>
<td></td>
<td></td>
<td></td>
<td>Add to substitute pool</td>
</tr>
<tr>
<td>New Substitute</td>
<td>Schwartz</td>
<td>Karen</td>
<td>Instructional Asst. Sp. Ed</td>
<td></td>
<td>2/9/12</td>
<td></td>
<td></td>
<td></td>
<td>Add to substitute pool</td>
</tr>
<tr>
<td>Resignation</td>
<td>Hansen</td>
<td>Elizabeth</td>
<td>Instructional Asst. Sp. Ed/BI</td>
<td>Hope</td>
<td>1/23/12</td>
<td></td>
<td></td>
<td></td>
<td>Employee resigned</td>
</tr>
<tr>
<td>Termination</td>
<td>Castorena</td>
<td>Maria</td>
<td>Nutritional Services Asst.</td>
<td>VMS</td>
<td>2/22/12</td>
<td></td>
<td></td>
<td></td>
<td>Will have exhausted all leaves</td>
</tr>
<tr>
<td>Termination</td>
<td>Sampath</td>
<td>Karthi</td>
<td>Inst. Asst. Spec. Ed.</td>
<td>Kelly</td>
<td>2/29/12</td>
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<td></td>
<td></td>
<td>Will have exhausted all leaves</td>
</tr>
<tr>
<td>Personnel Action</td>
<td>Last Name</td>
<td>First Name</td>
<td>Job Title</td>
<td>Site</td>
<td>Start Date</td>
<td>End Date</td>
<td>Total $</td>
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<td>------------</td>
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<td>------</td>
<td>-----</td>
</tr>
<tr>
<td>End Temporary Contract</td>
<td>Dufault</td>
<td>Gina</td>
<td>Teacher</td>
<td>PR</td>
<td>2/16/12</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>End Temporary Contract</td>
<td>Powers</td>
<td>Kelly</td>
<td>Teacher</td>
<td>CHS</td>
<td>1/26/12</td>
<td></td>
<td>60.0%</td>
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<td></td>
</tr>
<tr>
<td>Leave of Absence</td>
<td>Ecker</td>
<td>Ashley</td>
<td>Teacher</td>
<td>VMS</td>
<td>1/30/12</td>
<td>6/15/12</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leave of Absence</td>
<td>Hancock</td>
<td>Catina</td>
<td>Principal</td>
<td>CHMS</td>
<td>3/2/12</td>
<td>6/30/12</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leave of Absence</td>
<td>Kaplowitz</td>
<td>Hun</td>
<td>Teacher</td>
<td>Hope</td>
<td>12/15/11</td>
<td>4/19/12</td>
<td>40.0%</td>
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</tr>
<tr>
<td>Leave of Absence</td>
<td>Szabo</td>
<td>Kelly</td>
<td>Teacher</td>
<td>Hope</td>
<td>2/13/12</td>
<td>4/2/12</td>
<td>60.0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leave of Absence</td>
<td>Webb</td>
<td>Taryn</td>
<td>Teacher</td>
<td>Kelly</td>
<td>2/17/12</td>
<td>6/15/12</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Position</td>
<td>Labreche</td>
<td>Carol</td>
<td>Interim Principal</td>
<td>CHMS</td>
<td>1/9/12</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Position</td>
<td>Lund</td>
<td>Chad</td>
<td>Interim Principal</td>
<td>Jeff</td>
<td>1/9/12</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Position</td>
<td>Redfield</td>
<td>Julia</td>
<td>Interim Asst. Principal</td>
<td>VMS</td>
<td>1/9/12</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Substitute</td>
<td>King</td>
<td>Malinda</td>
<td>Substitute Teacher</td>
<td></td>
<td>2/9/12</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Substitute</td>
<td>Payne</td>
<td>Heather</td>
<td>Substitute Teacher</td>
<td></td>
<td>2/9/12</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Substitute</td>
<td>Powers</td>
<td>Kelly</td>
<td>Substitute Teacher</td>
<td></td>
<td>1/30/12</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Substitute</td>
<td>Ross</td>
<td>Bette</td>
<td>Substitute Teacher</td>
<td></td>
<td>2/9/12</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resignation</td>
<td>Hancock</td>
<td>Catina</td>
<td>Principal</td>
<td>CHMS</td>
<td>3/1/12</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retirement</td>
<td>Hartman</td>
<td>Jane</td>
<td>Principal</td>
<td>Jeff</td>
<td>3/28/12</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
TO: John A. Roach, Ed.D.
District Superintendent

FROM: Torrie Norton
Assistant Superintendent
Personnel Services

SUBJECT: Week of the School Administrator
Resolution #22-1112, "Week of the School Administrator"

BACKGROUND INFORMATION

It is the District’s tradition to honor our administrators and confidential employees for their leadership and support in ensuring that effective and innovative instruction is promoted in every classroom.

CURRENT CONSIDERATIONS

The Carlsbad Unified School District Board of Trustees and Superintendent join with the Governor and State legislature to commend and honor District administrators and confidential employees in designating March 4-10, 2012 as Week of the School Administrator. Resolution #22-1112 (Exhibit A) designates March 4-10, 2012 as "Week of the School Administrator".

FINANCIAL IMPLICATIONS

None.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees adopt Resolution #22-1112.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation.
CARLSBAD UNIFIED SCHOOL DISTRICT
Carlsbad, California

RESOLUTION PROCLAIMING MARCH 4 THROUGH MARCH 10, 2012, WEEK OF THE SCHOOL ADMINISTRATOR

Resolution No. 22-1112

ON MOTION OF Member __________________________, seconded by Member __________________________, the following Resolution is adopted:

WHEREAS, Approximately 15,000 certificated and classified school administrators work in California’s public schools; and

WHEREAS, Nearly 60 percent of these administrators are principals and vice principals providing direct support for the educational programs at school sites; and

WHEREAS, Research has determined that one of the main attributes of effective schools is the competent leadership of principals; and

WHEREAS, Other certificated and classified administrators provide leadership and support for the educational program by developing and implementing the curriculum, selecting textbooks and instructional materials, recruiting, training, and evaluating classified and certificated staff, managing the budget and monitoring cost controls, implementing school board policies and complying with federal, state, and local regulations and laws, planning and maintaining school facilities, and providing transportation, nutrition, and social service programs to pupils and their families; and

WHEREAS, Research shows that efficient district-level administration improves teacher effectiveness; and

WHEREAS, Research shows that public school administration in California has become increasingly efficient and effective, with fewer administrators managing more schools with more pupils than in the past; and

WHEREAS, A school’s administrative team includes confidential employees who perform and assist in the performance of many critical functions; and

WHEREAS, School administrators and confidential employees ensure that effective and innovative classroom instruction is promoted in every area of California; and

NOW, THEREFORE, BE IT RESOLVED That the week of March 4 through March 10, 2012 be proclaimed the Week of the School Administrator, in honor of the many outstanding contributions and services provided by the administrative teams in California’s public school districts; and

Exhibit A
(Page 1 of 2)
BE IT FURTHER RESOLVED that the administrators of California’s public schools be commended for their support of, and contributions to, quality education in the state.

PASSED AND ADOPTED by said Board of Trustees of the Carlsbad Unified School District this 8th day of February, 2012, by the following vote:

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA ) ss
COUNTY OF SAN DIEGO )

I, Ann Tanner, Clerk of the Governing Board of the Carlsbad Unified School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date.

Ann Tanner
Clerk of the Board of Trustees

Exhibit A
(Page 2 of 2)
TO: John A. Roach, Ed.D.
District Superintendent

FROM: Suzanne O’Connell
Assistant Superintendent
Instructional Services

SUBJECT: Request for Approval of the 2010-2011 School Accountability Report Cards (SARCs)

BACKGROUND INFORMATION

In November 1988, California voters passed Proposition 98, also known as The Classroom Instructional Improvement and Accountability Act. This ballot initiative provides California's public schools with a stable source of funding. In return, all public schools in California are required annually to prepare SARCs and disseminate them to the public. SARCs are intended to provide the public with important information about each public school and to communicate a school’s progress in achieving its goals.

In the years since the passage of Proposition 98, additional requirements for school accountability reporting and dissemination have been established through legislation. Most SARC requirements are codified in California Education Code (EC) sections 33126 and 33126.1 (Outside Source). In addition, similar requirements are contained in the federal No Child Left Behind (NCLB) legislation.

Once the District’s SARCs are completed and published, a few tasks remain to be completed. The tasks are: 1) Submit SARCs for approval by the governing board; 2) Disseminate SARCs on the Internet or on paper; and, 3) Notify parents that SARCs are available.

CURRENT INFORMATION

Again this year, SARCs were to be completed by February 1st. As of that date, School Wise Press, the group we contract with to publish our School Accountability Report Cards, reported the following:

- SARCs are complete and available on the School Wise Press Accountability Reporting Web Site for our District: http://carlsbad.schoolwisepress.com/home/
- Current year SARCs are available on the District’s Web site.
- The Williams reports on teachers, textbooks, and facilities are complete.
- SARCs contained information that satisfies SB687 requirements related to information on school-level financials.
- SARCs contain all of the completed Data Requests
In addition to completing the SARC's with all requisite reporting and posting them on the District's Web site, each school is in the process of disseminating information to parents notifying them of their availability through both newsletters and website postings.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this request.

RECOMMENDATION

It is respectfully requested that the Board of Trustees approve the 2010-2011 School Accountability Report Cards (SARC's) for each of the District's 14 school sites.

SUPERINTENDENT'S RECOMMENDATION: Approve staff recommendation.
CARLSBAD UNIFIED SCHOOL DISTRICT
Carlsbad, California
February 8, 2012

TO: John A. Roach, Ed.D.
    District Superintendent

FROM: Suzanne O’Connell
      Assistant Superintendent
      Instructional Services

SUBJECT: Request for Approval of the Carlsbad High School Lancer Express Trip to Seattle, Washington

BACKGROUND INFORMATION

The Carlsbad High School Lancer Express students are requesting authorization to participate in the semi-annual JEA/NSPA Journalism conference held at the Washington State Convention Center in Seattle, Washington on April 12, 2012 thru April 15, 2012.

CURRENT INFORMATION

The students will depart Carlsbad High School Thursday, April 12, 2012. The students will stay at the Sheraton Seattle Hotel during the convention and will return to Carlsbad on Sunday, April 15, 2012. Daniel Ryan, teacher and advisor for Lancer Express will accompany the students on this trip. There are 10 students currently signed up to attend the conference, although it is open to all journalism students. The cost per student is $585.00, which includes hotel fees, food, and conference fees.

Each participant will be required to submit the Parent Release and Medical Authorization form, the Medical Insurance Verification form, and the Student Medical Records and Parental Consent for Emergency Treatment form to Carlsbad High School. This trip will be conducted in full compliance with the School-Sponsored Trips Board Policy 6153.

FINANCIAL IMPLICATIONS

There will be no expense to the general fund as the conference is held during spring break.

RECOMMENDATION

It is respectfully requested that the Board of Trustees approve the Carlsbad High School Lancer Express trip to Seattle, Washington.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation.
TO: Board of Trustees
FROM: John A. Roach, Ed.D.
District Superintendent
SUBJECT: Revision of Board Policies – Second Reading

BACKGROUND INFORMATION

The District has contracted with the California School Boards Association (CSBA) for its policy update and manual maintenance service. Updated policy packets are issued by CSBA three times per year, containing sample language that may be modified to reflect local goals, objectives and philosophy, along with instructions for updating existing policies.

CURRENT INFORMATION

The policies listed below are being presented for approval and a second reading by the Board.

Following the Board’s review of the policies listed below, the policies will be sent to CSBA for inclusion in the District’s policy manual.

<table>
<thead>
<tr>
<th>BP &amp; BB #</th>
<th>Policy Name</th>
<th>Revised Policy</th>
<th>New Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>BP 1113</td>
<td>District and School Web Sites</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BP 1114</td>
<td>District-Sponsored Social Media</td>
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<td>BP 1330</td>
<td>Use of School Facilities</td>
<td></td>
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<tr>
<td>BP 3100</td>
<td>Budget</td>
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<td></td>
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<tr>
<td>BP 3280</td>
<td>Sale of Lease of District-Owned Real Property</td>
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<tr>
<td>BP 3290</td>
<td>Gifts, Grants and Bequests</td>
<td></td>
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<tr>
<td>BP 5145.11</td>
<td>Questioning and Apprehension By Law Enforcement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BP 7310</td>
<td>Naming of Facility</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

There is no fiscal impact.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees approve the revisions to the policies listed above.

SUPERINTENDENT’S RECOMMENDATION: Approve Staff’s Recommendation.
Carlsbad USD
Board Policy
Use Of School Facilities

BP 1330
Community Relations

The Board of Trustees recognizes that District facilities and grounds are a community resource and authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

(cf. 6145.5 - Student Organizations and Equal Access)

All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.

The Superintendent or designee shall maintain procedures and regulations for the use of school facilities and grounds that: (Education Code 38133)

1. Encourage and assist groups desiring to use school facilities for approved activities

2. Preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary

3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

Fees

The Board, Superintendent, or its designee can authorizes the use of school facilities or grounds without charge by nonprofit organizations, clubs or associations organized to promote youth and school activities. These groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire, Inc., parent-teacher associations, and school-community advisory councils. Other groups requesting the use of school facilities under the Civic Center Act shall be charged within their proper facility fee category (school/youth, non-profit, fair rental value) at least-direct costs.

Groups shall be at minimum, charged the non-profit facility use rate fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the District's students. (Education Code 38134)

Legal Reference:
EDUCATION CODE
10900-10914.5 Community recreation programs
32282 School safety plan
38130-38138 Civic Center Act: use of school property for public purposes
BUSINESS AND PROFESSIONS CODE
25608 Alcoholic beverage on school premises
UNITED STATES CODE, TITLE 20
7905 Equal access to public school facilities
COURT DECISIONS
Cole v. Richardson, (1972) 405 U.S. 676
ACLU of So. Calif. v. Board of Education of Los Angeles, (1961) 55 Cal.2d 167
Ellis v. Board of Education, (1945) 27 Cal.2d 322
ATTORNEY GENERAL OPINIONS

Management Resources:
CDE LEGAL ADVISORIES
1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89

Regulation CARLSBAD UNIFIED SCHOOL DISTRICT
approved: July 26, 2006 Carlsbad, California

revised:
Carlsbad USD
Board Policy
Sale Or Lease Of District-Owned Real Property

BP 3280
Business and Noninstructional Operations

The Board of Trustees Governing Board Board of Trustees believes that the District should utilize its facilities and resources in the most economical and practical manner. The Superintendent or designee shall periodically study the current and projected use of all District facilities to ensure the efficient utilization of space and the effective delivery of instruction.

(cf. 1330 - Use of School Facilities)
(cf. 7110 - Facilities Master Plan)
(cf. 7111 - Evaluating Existing Buildings)
(cf. 7160 - Charter School Facilities)

Upon determination that District property is no longer needed or may not be needed until some future time, the Board shall offer to sell or lease District-owned real property in accordance with priorities and procedures specified in law, including, but not limited to, Education Code 17230, 17464, 17485-17500, and Government Code 54222.

(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)

When required by law, the Board shall appoint a District advisory committee to advise the Board regarding in the development of policies and procedures governing the use or disposition of schools or school building space which is not needed for school purposes. (Education Code 17388)

(cf. 1220 - Citizen Advisory Committees)

Resolution of Intention to Sell or Lease

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all of its members at a regular, open meeting. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered. (Education Code 17466)
(cf. 9323.2 - Actions by the Board)

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting that will be held to consider bids by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the District is located, if such a paper exists. (Education Code 17469)

The Superintendent or designee shall take reasonable steps to provide notification to the former owners of the property of the District's intent to sell it in accordance with Education Code 17470.

Acceptance/Rejection of Bids

At the public meeting specified in the resolution of intention to sell or lease property, the Board shall open, examine, and declare all sealed bids. Before accepting any written proposal, the Board shall call for oral bids in accordance with law. (Education Code 17472, 17473)

The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. If no proposals are submitted or the submitted proposals do not conform to all the terms and conditions specified in the resolution of intention to lease, the Board may lease the property in accordance with Education Code 17477. (Education Code 17476, 17477)

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids. (Education Code 17472)

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms and conditions of the contract. (Education Code 17475-17478)

(cf. 1431 - Waivers)
(cf. 9320 - Meetings and Notices)

Use of Proceeds

The Superintendent or designee shall ensure that proceeds from the sale, or lease with an option to purchase of District surplus property are used in accordance with law. (Education Code 17462; 2 CCR 1700)

(cf. 3100 - Budget)
Until January 1, 2042, the District may expend proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one-time general fund purpose(s). Prior to exercising this authority, the Board shall certify to the State Allocation Board that: (Education Code 17463.7)

1. The District has no major deferred maintenance requirements not covered by existing capital outlay resources.

(cf. 3111 - Deferred Maintenance Funds)

2. The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.

(cf. 7214 - General Obligation Bonds)

3. The real property is not suitable to meet projected school construction needs for the next 10 years.

Prior to exercising this authority, the Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the District. (Education Code 17463.7)

Legal Reference:
EDUCATION CODE
17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions
17230-17234 Surplus property
17385 Conveyances to and from school districts
17387-17391 Advisory committees for use of excess school facilities
17400-17429 Leasing property
17430-17447 Leasing facilities
17453 Lease of surplus district property
17455-17484 Sale or lease of real property, especially:
17463.7 Proceeds for general fund purposes
17485-17500 Surplus school playground (Naylor Act)
17515-17526 Joint occupancy
17527-17535 Joint use of district facilities
33050 Request for waiver
38130-38139 Civic Center Act
GOVERNMENT CODE
54220-54232 Surplus land, especially:
54222 Offer to sell or lease property
54950-54963 Brown Act, especially:
54952 Legislative body, definition
PUBLIC RESOURCES CODE
21000-21177 California Environmental Quality Act
CODE OF REGULATIONS, TITLE 2
1700 Definitions related to surplus property
COURT DECISIONS

Management Resources:
CSBA PUBLICATIONS
Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, September 2009
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Closing a School Best Practices Guide
OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS
Unused Site Program Handbook, May 2008
WEB SITES
CSBA: http://www.csba.org
California Department of Education, School Facilities Planning Division:
http://www.cde.ca.gov/ls/fa
Coalition for Adequate School Housing: http://www.cashnet.org
Office of Public School Construction: http://www.opsc.dgs.ca.gov

Policy CARLSBAD UNIFIED SCHOOL DISTRICT
adopted: July 26, 2006 Carlsbad, California
revised: February 28, 2007
revised: July 22, 2009
revised: March 24, 2010
revised:
Carlsbad USD
Board Policy
Gifts, Grants And Bequests

BP 3290
Business and Noninstructional Operations

The Governing Board Board of Trustees Board of Trustees may accept any bequest or gift of money, or property, or service to the District from any individual, private agency or organization, or other public agency that desires to support the District's educational program on behalf of the district. While greatly appreciating suitable donations, the Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all district-District students.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Before accepting a gift, the Board shall consider whether the gift carefully consider any conditions or restrictions imposed by the donor to ensure their consistency with the District's vision, philosophy and operations. If the Board believes the District will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

In addition, the Board shall ensure that acceptance of the gift, grant, or bequest does not

1. Has a purpose consistent with the district's vision and philosophy

2. Begins a Involve creation of a program which the Board would be unable to continue when the donated funds are exhausted

3. Entails Implies undesirable or excessive costs

4. Promote the use of violence, drugs, tobacco or alcohol or the violation of any law or District policy.

(cf. 5131.6 – Alcohol and Other Drugs)
(cf. 5131.62 – Tobacco)

4. Implies endorsement of any business or product or unduly commercialize or politicize the school environment.

(cf. 1325 - Advertising and Promotion)

The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of district philosophy and operations. If the Board feels the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.
Any gift of books and instructional materials shall be accepted only if they meet regular district criteria for selection of instructional materials.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

All gifts, grants and bequests shall become District property. Donors are encouraged to donate all gifts to the District rather than to a particular school. At the Superintendent or designee’s discretion, a gift may be used at a particular school.

When any gift of money received by the District is now not immediately used, it shall be placed in the county treasury in accordance with law. (Education Code 41030-41031)

Appreciation

The Board may show appreciation for any donation to the District in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendation, or awards; planting or commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

(cf. 1150 – Commendations and Awards)
(cf. 7310 – Naming of Facility)

Legal Reference:
EDUCATION CODE
1834 Acquisition of materials and apparatus
35162 Power to sue, be sued, hold and convey property
41030 School district may invest surplus monies from bequest or gifts
41031 Special fund or account in county treasury
41032 Authority of school board to accept gift or bequest; investments; gift of land requirements
41035 Advisory committee
41036 Function of advisory committee
41037 Rules and regulations

Policy CARLSBAD UNIFIED SCHOOL DISTRICT
adopted: July 26, 2006 Carlsbad, California
revised:
Carlsbad USD
Board Policy
Naming Of Facility

BP 7310
Facilities

Whenever a school is to be named, the Superintendent shall make it publicly known that the District is desirous of receiving recommendations for the naming of the school under consideration. The Board of Trustees Governing Board Board of Trustees shall name District schools and other District-owned or leased building, grounds, and facilities in recognition of: involve the community and professional staff in soliciting recommendations for naming each school which is constructed within the district.

1. Historical figures such as presidents, etc.
2. Pioneers from the general CUSD area
3. Recently deceased local personalities who have made significant contributions to the school district
4. Living individuals who have made significant contributions to the school district
5. Living or deceased school personnel
6. Geographical locations within the school district
7. Cities or communities within the school district

Whenever a school is to be named, the Superintendent shall make it publicly known that the District is desirous of receiving recommendations for the naming of the school under consideration. Suggestions for school names may include, but are not limited to:

The Board shall be presented with a listing of all suggested names. This list and any name contributed by individual trustees will be considered. The Board shall make the final decision with respect to the naming of each school constructed by the school district.

The Board encourages community participation in the process of selecting names. A citizen advisory committee shall be appointed to review name suggestions and submit recommendations for the Board's consideration.

(cf. 1220 - Citizen Advisory Committees)
The renaming of existing schools or major facilities shall occur only under extraordinary circumstances and after thorough study.

Any name adopted for any new school shall not be so similar to the name of any existing District school as to result in confusion to members of the community.

When naming or renaming a District school, building, or facility, the Board may specify the duration for which the name shall be in effect.

Memorials

Upon request, the Board shall consider planting commemorative trees, erecting monuments, or dedicating naming buildings, parts of buildings, or athletic fields, gardens, or other District facilities in honor of the contributions or memory of students, staff members and community members who have been deceased for at least one year.

Naming Rights

The Board may grant to any person or entity the right to name any District building or facility. In doing so, the Board shall enter into written agreement which shall:

1. Specify the benefits to the District from entering into the agreement.
2. State the roles and responsibilities of the parties to the agreement, including whether or not the Board shall retain the power to approve any proposed name.
3. Provide details related to the naming right granted, including the building, grounds, or facility involved and the duration for which the name shall be in effect.
4. Prohibit any message, image, or other depiction that advocates or endorses the use of drugs, tobacco, or alcohol, encourages unlawful discrimination against any person or group, or promotes the use of violence or the violation of any law or District policy.

(cf. 0410 – Nondiscrimination in District Programs/Activities)
(cf. 1325 – Advertising/Promotions)
(cf. 3290 – Gifts, Grants, and Bequests)

5. Reserve the authority to terminate the naming right if it determines that the grantee, subsequent to receiving the naming right, has engaged in any of the prohibited acts stated in item #4 above or other criminal or unlawful acts that might bring the District into disrepute.

Legal Reference:
EDUCATION CODE
35160 Authority of governing boards
CARLSBAD UNIFIED SCHOOL DISTRICT
Carlsbad, California

February 8, 2012

TO: John A. Roach, Ed.D.
    District Superintendent

FROM: Devin Vodicka, Ed.D.
    Assistant Superintendent
    Business Services

SUBJECT: Expenditure Reductions

BACKGROUND INFORMATION

Carlsbad Unified School District is projecting a fiscal deficit of $7.8 million in the 2012-13 school year and $12.1 million in 2013-14. As of the filing of our First Interim Report, we have self-identified ourselves as “Qualified,” which indicated that we do not currently have the ability to maintain our commitments in one or both of the next two years.

Throughout the 2012-13 year, expenditure reductions have been in process as we are attempting to regain fiscal balance. On November 9, 2011 the Governing Board approved $2.26 million in expenditure reductions, including the following actions:

- Reduce start-up spending in 2012-13 for Sage Creek High School
- Reduce Administration/Management expenses
- Reduction in Travel and Conference budgets
- Reduction in site/department accounts
- Reduction in special education budget based on program savings
- Elimination of classified positions
- Reduction in athletic budget
- Reduction or elimination of programs such as Cal-SAFE and Add-Up

Additionally, the Governing Board authorized formation of a School Closure Committee on November 9, 2011 and approved a specific focus of that Committee on January 11, 2012.

Concurrent to this process, negotiations with both the certificated and classified labor groups have been ongoing. While there are indications of progress, we have not yet reached agreement through the bargaining process.

While there was optimism that the Governor’s Budget proposal in January would bring good news regarding additional revenues that would help offset reductions, our understanding of his proposal is that it has little in the way of additional funds that would improve our financial condition.
CURRENT INFORMATION

The Second Interim Report is due for submission by March 15, 2012. We must continue to demonstrate that we are moving in the direction of reducing our projected deficit if we intend to maintain fiscal autonomy. As such, we are compelled to bring forward additional recommendations for expenditure reductions.

PROPOSED EXPENDITURE REDUCTIONS

<table>
<thead>
<tr>
<th>Description</th>
<th>2012-2013 Estimated Savings</th>
<th>2013-2014 Estimated Savings</th>
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<tbody>
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<td>Reduce CVA by 3.0 Full-Time Equivalent (FTE) Teachers</td>
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TOTAL                                                                           $2,499,350                  $3,586,350

It should be noted that reorganization of administrators is also recommended but that savings have already been recognized through the Board Action on November 9, 2011 to reduce such expenses by $450,000.

Absent new revenues, the balance of any remaining projected fiscal deficit would need to be resolved through employee total compensation reductions.
FINANCIAL IMPLICATIONS

Approval of all recommendations will reduce expenditures by at least $2,499,350 by the end of 2012-13 and $3,586,350 by the end of 2013-14. Subsequent to action from the Governing Board, additional reductions would occur through the collective bargaining process to achieve reduced employee total compensation that would ensure that the combined impact would provide for an ending fund balance of at least 3% in 2012-13.

It should be noted that the projected deficit is subject to change based on emerging conditions, including potential midyear reductions via “trigger” implementation.

RECOMMENDATION

Recommend approval of all expenditure reductions.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation
Expenditure Reductions

February 8, 2012
Devin Vodicka, EdD
Assistant Superintendent, Business Services
Background

- Projected fiscal deficit of $7.8 million in 2012-13 and $12.1 million in 2013-14
- Self-identified as "Qualified" budget in submission to San Diego County Office of Education with First Interim Report
- We can not currently meet our commitments in one or both of the next two years
2011-12 Expenditure Reductions

- Increasing class size in grades 1-3 to approximately 32 students in each class.
- Eliminating K-6 Home Study program.
- Eliminating one Director of Curriculum & Instruction position.
- Eliminating the Administrative Assistant—Language Assessment Center position.
- Eliminating one English Language Development Resource Teacher.
- Leaving vacant two Instructional Aide—Computer Lab positions.
- Elimination of general education summer school (K-8) and reduction of general education summer school (high school).
- Eliminating two part-time certificated librarians.
- Leaving vacant the position of Executive Assistant, Business Services.
- Reducing deferred maintenance contributions.
November 9, 2011

Additional Expenditure Reductions

- Reduce start-up spending in 2012-13 for Sage Creek High School
- Reduce Administration/Management expenses
- Reduction in Travel and Conference budgets
- Reduction in Site/Department accounts
- Reduction in Special Education budget based on program savings
- Elimination of Classified positions
- Reduction in Athletics budget
- Reduction or elimination of programs such as Cal-SAFE and Add-Up
School Closure Considerations

- Board authorized formation of Committee to bring recommendation for closure of two schools and potential relocation of district office on November 9, 2011
- Board authorized specific focus on Buena Vista Elementary and Carlsbad Village Academy/Carlsbad Seaside Academy on January 11, 2012
- Recommendation to occur no later than April 25, 2012
Revenue Enhancements

- Extensive community efforts to assist
- Current efforts underway to analyze best path for potential rental/lease options
- Special Education “Equalization”
Other Considerations

- Ongoing negotiations with both CUTA (Certificated) and LIUNA (Classified) bargaining teams
- Careful analysis of Governor’s Budget Proposal
  - Current projections do not take into account potential impact in 2011-12 of SB 81 reduction of approximately $400,000 in 2011-12 due to shift of midyear transportation cut to ADA as part of this year’s “trigger” reductions
  - Current projections do not take into account potential “trigger” reductions of approximately $4,000,000 in 2012-13
  - Bargaining process needs to include contingency language regarding “trigger” reductions

- We are out of time
First Interim Financial Report
2011-2012

Total Income: $73,159,292
- Other State Revenue: $4,562,544 (6.24%)
- Other Local Revenue: $4,307,524 (5.89%)
- Federal Revenue: $3,316,516 (4.53%)
- Revenue Limit Sources: $60,972,708 (83.34%)
  ($60,683,436 from Local Property Taxes)

Total Expenditures: $83,063,700
- Capital Outlay: 21,300 (0.03%)
- Other Outgo & Debt Service: 536,835 (0.65%)
- Services/Other Oper. Expenditures: 10,895,969 (13.12%)
- Books & Supplies: 2,976,306 (3.58%)
- Employee Benefits: 17,577,495 (21.16%)
- Classified Salaries: 11,239,941 (13.53%)
- Certificated Salaries: $39,815,854 (47.93%)
Expenditure Reduction Proposal

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**TOTAL**                                                                 $2,499,350  $3,586,350
What’s Next

- Prepare Second Interim Report: Due March 15
- Continue negotiations regarding pay cuts and “trigger” reductions

- Approval of all of these proposed expenditure reductions would reduce projected deficits:
  - Approximately $5.3 million in 2012-13
  - Approximately $8.6 million in 2013-14
Recommendation

- Recommend approval of all proposed expenditure reductions.
TO: John A. Roach, Ed.D.  
District Superintendent

FROM: Devin Vodicka, Ed.D.  
Assistant Superintendent  
Business Services

SUBJECT: Resolution No. 20-1112, Public Hearing and Special Election Regarding Proposed Annexation No. 9 to Community Facilities District No. 3 and Levying Special Taxes within such Proposed Annexation Territory

BACKGROUND INFORMATION

The Carlsbad Unified School District ("District") previously formed Community Facilities District No. 3 of the Carlsbad Unified School District ("CFD No. 3"). The Mello-Roos Community Facilities Act of 1982, as amended ("Mello-Roos Act") authorizes territory to be annexed to an existing community facilities district, provided certain requirements are met.

City Ventures Homebuilders, LLC ("Developer") owns certain property located within the District, on which the Developer proposes to develop fifty-three attached dwelling units ("Property"). On December 14, 2011, the District and the Developer entered into a School Facilities and Funding Agreement ("Mitigation Agreement"). The Mitigation Agreement provides that the Property shall be annexed to CFD No. 3 (such property is further described in the Mitigation Agreement). The annexation of the Property to CFD No. 3 is in lieu of and an in satisfaction of any other fees that may be imposed by the District on the Developer for the purpose of financing K-12 school facilities.

On December 14, 2011, the Board adopted Resolution No. 16-1112 stating its intention to annex the Property into CFD No. 3. In accordance with the Mello-Roos Act, Resolution No. 16-1112, as amended by Resolution No. 18-1112, adopted by the Board on January 11, 2012, called for a public hearing to be conducted. At such public hearing, all persons may appear and be heard by the Board, acting as the Legislative Body of CFD No. 3, on the proposed annexation to CFD No. 3 and the imposition of a Special Tax, pursuant to the Rate and Method of Apportionment of Special Taxes for CFD No. 3 ("Rate and Method") on the Property.

Pursuant to the requirements and directives of Resolution No. 16-1112, as amended by Resolution No. 18-1112, the required notices of the public hearing have been published, posted,
filed and mailed as required. Pursuant to the provisions of the Mello-Roos Act, the Board would open the public hearing to receive public comments regarding the proposed annexation of the Property and the proposed imposition of special taxes.

CURRENT INFORMATION

Resolution No. 20-1112 provides for the calling of a special tax election relative to the proposed levy of special taxes within the territory to be annexed into CFD No. 3. The Resolution makes certain findings and determinations and provides for the calling and conducting of such special election. Pursuant to the provisions of the Mello-Roos Act, District staff will act as the election official(s) for purposes of conducting the special tax election.

FINANCIAL IMPLICATIONS

The Developer has deposited with the District twenty-five thousand dollars to be utilized by CFD No. 3 to pay for the annexation proceedings described herein.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees approve Resolution No. 20-1112.

SUPERINTENDENT'S RECOMMENDATION: Approve staff recommendation
RESOLUTION NO. 20-1112

RESOLUTION OF THE BOARD OF TRUSTEES OF THE CARLSBAD UNIFIED SCHOOL DISTRICT ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 3, CALLING AN ELECTION REGARDING ANNEXATION OF PROPERTY TO COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CARLSBAD UNIFIED SCHOOL DISTRICT

WHEREAS, the Carlsbad Unified School District ("School District") is a public unified school district organized and operating pursuant to the California Education Code; and

WHEREAS, the Board of Trustees ("Board") of the School District has previously adopted Board Policy 7212 ("Community Facilities District Finance Policy") on July 26, 2006; and

WHEREAS, the Board of the School District has previously adopted Resolution No. 36-9394 forming Community Facilities District No. 3 of the Carlsbad Unified School District ("CFD No. 3"), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended ("Act"), and has taken actions to authorize the levy of a special tax within CFD No. 3; and

WHEREAS, CFD No. 3 was formed to serve certain property within the School District boundaries; and

WHEREAS, CFD No. 3 was formed to finance public facilities in conformance with the provisions of the Act, which public facilities include the purchase, construction, expansion or rehabilitation of any real or other tangible property with an estimated useful life of five (5) years or longer and fees authorized to be funded pursuant to the Act as further described in Resolution Nos. 36-9394 ("Facilities"), and further described in the Community Facilities Report prepared for CFD No. 3 ("CFD Report"), which CFD Report contemplated annexation of properties into CFD No. 3; and

WHEREAS, on March 22, 1994, a special landowner election was held within CFD No. 3, in which the eligible voters approved: (i) the rate and method of apportionment of special tax; (ii) the incurring of bonded indebtedness; and (iii) an appropriations limit, by two-thirds majority; and

WHEREAS, pursuant to Ordinance No. 3, adopted April 23, 2007, CFD No. 3 of the Carlsbad Unified School District, was authorized to levy special taxes within its boundaries; and

WHEREAS, pursuant to applicable agreements concerning CFD No. 3, additional territory is to be annexed to CFD No. 3 in order to support the financing of the Facilities; and

WHEREAS, the Board, acting as the Legislative Body of CFD No. 3, has determined that public convenience and necessity require that the territory described in Exhibit "A" and depicted in Exhibit "B," attached hereto ("Annexation No. 9 Property"), be added to CFD No. 3
pursuant to the provisions of the Act to become subject to the special taxes of CFD No. 3 and hereby intends to annex the Annexation No. 9 Property into CFD No. 3 ("Annexation No. 9"); and

WHEREAS, it is the intention of the Board to annex the Annexation No. 9 Property to CFD No. 3 and complete the procedures relative to Annexation No. 9 to finance or acquire the Facilities for the Annexation No. 9 Property through the authorization and levy of the special tax of CFD No. 3 and the bonded indebtedness or other securities secured through the special taxes of CFD No. 3 and as may be authorized for levy and collection on the Annexation No. 9 Property pursuant to the Act; and

WHEREAS, it is the intention of the Board to annex the Annexation No. 9 Property to CFD No. 3 and complete the procedures relative to the Annexation No. 9 to finance or acquire the Facilities and services for the Annexation No. 9 Property through the levy of the special tax of CFD No. 3 and the issuance of the bonded indebtedness or other securities secured through the special taxes of CFD No. 3 and as may be authorized for levy and collection on the Annexation No. 9 Property pursuant to the Act, all as further described in Resolution No. 16-1112, adopted by this Board, acting as the Legislative Body of CFD No. 3, on December 14, 2011; and

WHEREAS, a copy of Resolution No. 17-1112 setting forth a description and map of the Annexation No. 9 Property Annexation No. 9 Property proposed to be annexed to CFD No. 3, the facilities to be provided within Annexation No. 9 and the proposed Rate and Method of Apportionment for the proposed annexation territory, is on file with the Clerk of the Board and incorporated herein by this reference; and

WHEREAS, the map of the Annexation No. 9 Property to be annexed to CFD No. 3 is attached as Exhibit "B"; and

WHEREAS, on February 8, 2012, the Board opened and completed a noticed public hearing as required by law relative to the proposed annexation of the Annexation No. 9 Property to CFD No. 3 ("Hearing"); and

WHEREAS, at such Hearing, all interested persons, including all persons owning land or registered to vote within the Annexation No. 9 Property, desiring to be heard on all matters pertaining to the Annexation No. 9 Property to CFD No. 3 or regarding the proposed levy of the special taxes within the Annexation No. 9 Property were heard, and a full and fair hearing was held and completed; and

WHEREAS, a plan (the "Plan"), attached hereto as Exhibit "C," was prepared by School District Staff regarding the sharing of facilities that will be provided in common with CFD No. 3 and the Annexation No. 9 Property.
NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE CARLSBAD UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 3, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The Annexation No. 9 Property is described in Exhibit “A” and depicted in Exhibit “B” attached hereto and made a part hereof by this reference.

Section 3. The Plan, prepared pursuant to the Act, as previously reviewed as part of the Hearing process and made part of the record of the Hearing, is hereby approved and is ordered to be kept on file with the transcript of these proceedings and open for public inspection.

Section 4. The Board finds that public convenience and necessity require annexation of the Annexation No. 9 Property to CFD No. 3.

Section 5. The Annexation No. 9 Property is within the boundaries of the School District.

Section 6.

(a) It is the intention of CFD No. 3, to levy the special taxes of CFD No. 3 within the Annexation No. 9 Property following such annexation to pay lease or construction payments, planning and/or facilities costs, or other payments, and/or the principal and interest on the proposed bonded indebtedness of CFD No. 3 and relative to the necessity for authorizing the bonds, or other securities, the purpose for which the bonds are to be issued, the amount of the proposed debt, the maximum term of the Bonds and the maximum annual rate of interest to be paid to finance the Facilities to provide service to the Annexation No. 9 Property.

(b) The Rate and Method of Apportionment which would be levied within the Annexation No. 9 Property following the proposed annexation is set forward in Exhibit “D” attached hereto and incorporated herein by this reference. The Rate and Method of Apportionment and procedure for levy of the special tax proposed for the Annexation No. 9 Property to pay for public facilities and services is the same as the Rate and Method of Apportionment and procedure for levy of the special tax levied in existing territory of CFD No. 3.

(c) The Facilities financed by CFD No. 3 are necessary to meet increased demands placed upon the School District as a result of development occurring within the boundaries of the Annexation No. 9 Property.

Section 7. The annexation of the Annexation No. 9 Property to CFD No. 3 shall not result in any alteration of existing special tax rates within the boundaries of existing CFD No. 3. The special tax rates in existing CFD No. 3 shall not be increased or decreased as a result of this proposed Annexation No. 9.
Section 8. At the Hearing, protests, if any, against the proposals described in Resolution No. 16-1112 could be made orally or in writing by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings were directed to be made in writing and were required to clearly set forth the irregularities or defects to which the objection is made. All written protests were to be filed with the Clerk of the Board of the School District, acting as Legislative Body of CFD No. 3, prior to the time fixed for the hearing if not personally presented by the author thereof at the Hearing. Written protests were permitted to be withdrawn in writing at any time before the conclusion of the Hearing.

Section 9. Written protests to the proposed annexation of the Annexation No. 9 Property to CFD No. 3 have not been filed by fifty percent (50%) or more of the registered voters residing within CFD No. 3 or the Annexation No. 9 Property, or the owners of one-half (1/2) or more of the area of the land within CFD No. 3 or the Annexation No. 9 Property and not exempt from special tax.

Section 10. The Board hereby submits to the qualified electors, as identified in Section 13, hereof, within the Annexation No. 9 Property, a proposition on the imposition of the special tax on property within the Annexation No. 9 Property. A special election is hereby called for the Annexation No. 9 Property to be held on February 8, 2012, on the proposition of levying of special taxes within the Annexation No. 9 Property ("Election"). The combined proposition relative to annexing the Annexation No. 9 Property to CFD No. 3 and the levying of special taxes is set forth in Exhibit "E" in substantially the form as it will be presented to the qualified elector(s). Exhibit "E" is attached hereto and incorporated herein by this reference. A Tax Rate Statement, as required by Elections Code Sections 9401 and 9404 shall be furnished to the qualified electors.

Section 11. Pursuant to the requirements and provisions of Government Code Section 50075.1, the Board hereby finds, determines and directs as follows:

(a) The authorized special taxes shall only be used as set forth in Section 6 hereof, the Act and the Rate and Method of Apportionment, which is incorporated herein by this reference.

(b) All special taxes of CFD No. 3 (including, for purposes of this Section 11, territory proposed to be annexed into CFD No. 3) so levied and collected within CFD No. 3 shall only be used for the above-referenced purposes.

(c) School District staff is directed to create, or maintain, fund(s) or account(s), which may include sub-accounts, in which the special taxes levied and collected within CFD No. 3 shall be deposited. Such fund(s) and/or account(s) may, at the appropriate time, be combined or merged with funds, accounts and subaccounts created and used to pay debt service and for other purposes in connection with outstanding bonds, or other securities, issued by, or on behalf of, CFD No. 3 to finance or refinance the Facilities as further described in this Resolution.

(d) The School District's Superintendent, or the Superintendent's designee(s), on behalf of CFD No. 3, shall have the responsibility no less often than annually to provide the Board with a written report which shall contain at least the following information:
(i) the amount of special taxes collected within CFD No. 3 and expended for an identified period, which may be quarterly, semi-annually or annually; and

(ii) a brief discussion of the status of the acquisition, construction or financing of the Facilities with the above-referenced special taxes.

The report required by this Section 11(d) may be combined with other periodic reports which include the same information, including, but not limited to, periodic reports made to the California Debt and Investment Advisory Commission continuing disclosure reports and/or those reports which may be required under Government Code Section 53410. Reports shall be prepared for each year in which special taxes are levied and collected within CFD No. 3.

The provisions of this Section 11 shall cease and terminate upon the earliest of any of the following events:

(i) the dissolution of CFD No. 3;

(ii) the recordation of a Notice of Cessation of Special Taxes for all of the territory within CFD No. 3; or

(iii) the final year in which special taxes may be collected within CFD No. 3 pursuant to the provisions of the Rate and Method of Apportionment.

Section 12. Pursuant to the provisions of Government Code Section 53327(b), the Board hereby directs that the School District’s Assistant Superintendent, Business Services shall be the Election Official (“Election Official”) for this Election. The Election Official is hereby directed and authorized to take all actions necessary to conduct the Election as provided for herein, including, but not limited to, the designation of additional persons to assist in the conducting of the aforementioned Election.

Section 13. It is hereby found that there are fewer than twelve (12) persons, who need not necessarily be the same twelve (12) persons, that have been registered to vote within the Annexation No. 9 Property, and that the landowner voters within the Annexation No. 9 Property, or the designated voting representatives thereof, have provided waivers of the election periods provided by law. Pursuant to Government Code Section 53326(a), the Election Official has concurred, with the unanimous consent of the qualified electors within the Annexation No. 9 Property, that the time limits set forth therein may be waived.

It is hereby directed that the Election shall be conducted as a walk-in election. The vote shall be by the landowners within the Annexation No. 9 Property with each landowner, determined as of February 8, 2012, or the designated voting representative thereof, having one vote for each acre or portion of an acre of land that he or she owns within the Annexation No. 9 Property not exempt from the special tax. Ballots shall be executed by an owner of a parcel, or by a designated representative of such owner lawfully appointed to represent such owner for purposes of the Election. Each person casting a ballot assigned to a parcel of property within the Annexation No. 9 Property who is not the owner of that property must present written evidence to the School District of that person’s authority to act for such owner for the Election before
casting the ballot. If more than one of the record owners of an identified parcel submits or wishes to submit a ballot, the votes attributable to the parcel shall be allocated to ballots for each owner in proportion to their respective record ownership interest, rounded to the nearest one-tenth of a vote, or, if the ownership interests are not shown on the record, as established to the satisfaction of the School District, acting on behalf of CFD No. 3, the votes attributable to the parcel shall be allocated according to the ownership interests shown by documentation submitted by those record owners. If no document is submitted, the votes shall be allocated equally among the parcel’s owners requesting ballots. The appointment of a representative to act for property for a single specified landowner election under Chapter 2.5 of Part 1 of Division 2 of Title 5 of the Government Code shall not constitute a violation of any law prohibiting the impersonation of voters or the inducement to vote in a particular fashion. The number of votes to be voted by a particular landowner shall be specified on the ballot provided to the corresponding landowner. For purposes of this Election, the Annexation No. 9 Property shall constitute a single election precinct.

Section 14. The Election shall be held pursuant to the provisions of the Act, the applicable provisions of the Elections Code of the State of California, and all other applicable provisions of law, subject to the proceedings referenced herein.

Section 15. The Board hereby directs the Clerk of the Board, School District staff, and consultants to take all necessary actions as may be required by the Election Official to conduct the Election called by this Resolution.

Section 16. If the electors authorize the levy of the special tax within the Annexation No. 9 Property, an Amendment of Notice of Special Tax Lien shall be recorded pursuant to Streets and Highways Code Sections 3114.5 and 3117.5. Upon recordation of the Amendment of Notice of Special Tax Lien a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property within the Annexation No. 9 Property to be annexed to CFD No. 3 and this lien shall continue in full force and effect until the special tax lien obligation is prepaid and/or permanently satisfied and the lien canceled in accordance with law or until collection of the special tax by the Board ceases.

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ADOPTED, SIGNED AND APPROVED this 8th day of February, 2012.

BOARD OF TRUSTEES OF THE CARLSBAD UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 3

By: ______________________________
   Kelli Moors, President, Board of Trustees

ATTEST:

By: ______________________________
   Ann Tanner, Clerk, Board of Trustees
STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

I, Ann Tanner, Clerk, Board of Trustees of the Carlsbad Unified School District, do hereby certify that the foregoing resolution was duly adopted by the Board of Trustees of said School District, acting as the Legislative Body of Community Facilities District No. 3 of the Carlsbad Unified School District, at a meeting of such Board held on the 8th day of February, 2012, at which a quorum of such Board was present and acting throughout and for which notice and an agenda was prepared and posted as required by law and at which meeting all of the members of such Board had due notice and that at such meeting the attached resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Ann Tanner, Clerk, Board of Trustees of the Carlsbad Unified School District
STATE OF CALIFORNIA  )
COUNTY OF ORANGE  ) ss.

I, Ann Tanner, Clerk, Board of Trustees of Carlsbad Unified School District, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 20-1112 of said Board, acting as the Legislative Body of Community Facilities District No. 3 of the Carlsbad Unified School District, and that the same has not been amended or repealed.

Dated this 8th day of February, 2012

Ann Tanner, Clerk, Board of Trustees of the Carlsbad Unified School District
EXHIBIT "A"

DESCRIPTION OF ANNEXATION NO. 9 PROPERTY

<table>
<thead>
<tr>
<th>Assessor’s Parcel No.</th>
<th>Listed Owner</th>
<th>Gross Acreage</th>
<th>Covered Within Existing CFD No. 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>215-050-73</td>
<td>City Ventures Homebuilder’s LLC</td>
<td>14.15</td>
<td>No</td>
</tr>
</tbody>
</table>
EXHIBIT "B"

ANNEXATION NO. 9 BOUNDARY MAP

ANNEXATION MAP NO. 9 TO
COMMUNITY FACILITIES DISTRICT NO. 3
CARLSBAD UNIFIED SCHOOL DISTRICT
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CARLSBAD, AND MAY BE ____________

SIGNED: __________________________

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

PUBLISHED TO FULFILL THE REQUIREMENTS OF SECTION 53514 OF THE MUNICIPAL CODE OF CARLSBAD, HAVING BEEN PREPARED FOR THE CITY OF CARLSBAD AT A PUBLIC MEETING HELD ON THE ____________ DAY OF ____________, 2020, BY PETITION OF ____________, IF ANY.

NOTES:
- The map shows the boundary of the annexation of the Community Facilities District No. 3 to the Carlsbad Unified School District.
- The annexation was filed in the office of the city clerk of the City of Carlsbad and may be recorded.
- The map is signed by the appropriate authority.

Legend: [Legend details not legible in the image.]
EXHIBIT “C”

PLAN FOR SHARING OF FACILITIES

Community Facilities District No. 3 of the Carlsbad Unified School District (“CFD No. 3”) was established on March 9, 1994, by action of the Board of Trustees of the Carlsbad Unified School District (“District”) through the adoption of Resolution No. 36-9394, pursuant to the provisions of the Mello-Roos Facilities Act of 1992, as amended (the “Act”).

CFD No. 3 was formed to serve the property depicted on Resolution No. 36-9394. CFD No. 3 was formed to provide funds to plan for, design, construct and finance the cost of public facilities authorized to be funded pursuant to the Act, including school facilities, which public facilities and services are as follows: School sites and school facilities. This shall include costs of acquisition, construction, expansion, relocation, rehabilitation, leasing or purchasing of interim relocatable and permanent school facilities including central support, administrative, special education, busses, and the required sites therefore and appurtenances thereto, including, but not by way of limitation, the planning and design work related thereto, as well as real property, easements and rights of way, the cost of leasing or purchasing completed facilities, as further identified in the Community Facilities District Report filed with the Clerk of the Board, and the costs of financing all such facilities and fees therefore to serve the area within CFD No. 3 (“Facilities”).

On March 22, 1994, the qualified electors within CFD No. 3 approved and authorized the levy of a special tax, the authorization to incur bonded indebtedness in an amount not to exceed $175,000,000, and an appropriations limit for CFD No. 3. The bonded indebtedness represents the maximum amount authorized by the qualified electors which may be issued by CFD No. 3 to fund the expansion, construction or acquisition of the Facilities. Debt service on any bonds issued by CFD No. 3 is collected on property within CFD No. 3. In the event the subject property is annexed to CFD No. 3 it will also become subject to such special tax.

The property to be annexed to CFD No. 3 is described and depicted in the foregoing Resolution of the District (“Property”). It is the intention of CFD No. 3, subject to approval by the voters, to levy a special tax within the Property following such annexation to pay for planning and facilities costs, or other payment including principal and interest on the bonds issued to finance the Facilities to provide service to CFD No. 3 and to the Property.

The Board initiated procedures for annexation of certain additional territory to CFD No. 3, which procedures are referred to as “Annexation No. 9” in the foregoing Resolution of the District.

If the Property is annexed to CFD No. 3 the District will provide the same type and level of school service, and access to school facilities, to the Property as will be provided within CFD No. 3. School mitigation requirements within the subject property will be met to the same extent as within CFD No. 3.

The Rate and Method of Apportionment of the Special Tax (“Rate and Method”) which would be levied within the Property following the proposed annexation is set forth in Exhibit “D” to the foregoing Resolution. Special taxes levied within the Property will also be used to
support debt service on bonds issued by CFD No. 3. The Rate and Method and procedure for levy of the special tax proposed for the Property to pay for public facilities and services is the same as the Rate and Method and procedures for the levy of the special tax levied in existing CFD No. 3.

The annexation of the Property to CFD No. 3 shall not result in any alteration of existing special tax rates within the boundaries of existing CFD No. 3. The maximum special tax rate in existing CFD No. 3 shall not be increased as a result of the proposed annexation.
Carlsbad Unified School District
Communities Facilities District No. 3
SPECIAL TAX RATE AND METHOD OF APPORTIONMENT

The Rate and Method of Apportionment is outlined in the Special Tax Formula. This is a summary of that information.

This Rate and Method of Apportionment of this Special Tax sets forth the special tax applicable to each Assessor’s Parcel within Community Facilities District No. 3 ("CFD No. 3") of the Carlsbad Unified School District to be levied and collected according to the special tax liability determined by the Board of Trustees of the Carlsbad Unified School District (the "School District"), acting as the Legislative Body of CFD No. 3. The applicable appropriate amount or rate for “Developed Property”, as described below. All Developed Property within CFD No. 3, unless exempted by law, or the provisions of Section E, below, shall be subject to the applicable Annual Maximum Special Tax levied and collected to the extent and in the manner herein provided.

This Rate and Method of Apportionment also is provided as an explanation to allow landowners or residents within CFD No. 3 to estimate the Annual Maximum Special Tax to be annually levied and collected, or prepaid, as the case may be, with regard to property within CFD No. 3.

A. DEFINITIONS

“Act” means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 (commencing with Section 53311) of Division 2 of Title 5 of the California Government Code.

“Administrative Expense” means any costs incurred by the School District on behalf of CFD No. 3 related to the determination of the amount of the annual levy of the Annual Maximum Special Tax, the collection of the Annual Maximum Special Tax, the administration of the Bonds of CFD No. 3, and the other costs incurred in order to carry out the authorized purposes of CFD No. 3.

“Annual Maximum Special Tax” means the special tax to be levied in each Fiscal Year pursuant to Sections C and D on each Assessor’s Parcel classified as Developed Property for a period not to exceed 30 years including the Initial Fiscal Year.

“Assessor’s Parcel” means a parcel of land as designated on an official map of the San Diego County Assessor, which has been assigned a discrete identifying parcel number.

“Board” means the Board of Trustees of the Carlsbad Unified School District.
"Bonds" means the bonds, or equivalent securities, including, but not limited to, certificates of participation or leases, of CFD No. 3 issued and sold to finance the Facilities.

"Bond Indenture" means the Bond Indenture, Trust Agreement or equivalent document approved and/or entered into, by CFD No. 3 providing for the issuance and sale of Bonds, as the same may be amended or supplemented from time to time.

"Commercial/Industrial Property" means property zoned for commercial/industrial uses or other non-residential uses.

"Developed Property" means for any Fiscal Year all Taxable Property for which a foundation building permit for Residential Property was issued prior to May 1 preceding the Fiscal Year in which the Annual Maximum Special Tax is being levied.

"Facilities" means the school facilities as may be identified in the Community Facilities District Report prepared for CFD No. 3 on file in the Office of the Clerk of the Board or such other facilities to be financed by CFD No. 3 pursuant to the Act.

"Fiscal Year" means the period starting on July 1st and ending the following June 30th.

"Initial Fiscal Year" applies only to Developed Property and means the first Fiscal Year in which the Annual Maximum Special Tax will be apportioned and levied on an Assessor's Parcel.

"Land Use Class" means any of the classes of Developed Property listed in Table 1 below.

"Multi-Family Unit" or "Attached Dwelling Unit" means all Developed Property other than Single Family Detached Units, which includes, but shall not be limited to, apartments available for rental by the general public, condominiums as defined in Civil Code Section 1351, or a structure or structures made up of two or more units that share common walls that is to be developed or is developed for residential use.

"Residential Property" means all property within CFD No. 3 classified as either a Single Family Detached Unit or Multi-Family Unit.

"Senior Citizen Housing" means any senior citizen housing, residential care facilities for the elderly, or multilevel facilities for the elderly meeting the definitions set forth in Government Code Section 65995 .1 or a successor section thereto.
"Single Family Detached Unit" means Developed Property which contains a structure of one dwelling unit that is to be developed or is developed for residential use.

"Taxable Property" Means all Assessor's Parcels within the boundaries of CFD No. 3 which are not exempt from the Annual Maximum Special Tax pursuant to the Act and the provisions of Section E. herein.

"Undeveloped Property" means all Taxable Property in CFD No. 3 not classified as Developed Property.

B. Assignment To Land Use Class

As soon as practicable, as of May 1 for the next succeeding Fiscal Year, all Taxable Property within CFD No. 3 shall be categorized as Developed Property or Undeveloped Property. Developed Property shall be subject to an Annual Maximum Special Tax pursuant to Sections C. and D. below.

For purposes of determining the applicable Annual Maximum Special Tax for each Assessor's Parcel of Developed Property, all Developed Property shall be assigned to a Land Use Class designated in Table 1 below. Single Family Detached Units shall be assigned to Land Use Class 1. Multi-family Units shall be assigned to Land Use Class 2.

C. Maximum Special Tax Rate

1. Developed Property

The Annual Maximum Special Tax for each Assessor's Parcel classified as Developed Property shall be the amount determined by reference to Table 1 and the paragraphs that follow Table 1.
Table 1
Annual Maximum Special Tax Rates for Developed Property
For the Fiscal Year 1993-94

<table>
<thead>
<tr>
<th>Class</th>
<th>Land Use</th>
<th>Annual Maximum Special Tax Per Unit (1993-94)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Single Family Detached Unit</td>
<td>$637</td>
</tr>
<tr>
<td></td>
<td>Multi-Family Unit/</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Attached Dwelling Unit</td>
<td>$510</td>
</tr>
</tbody>
</table>

In determining the Annual Maximum Special Tax which may be levied in any Fiscal Year, on July 1, 1994, and on each July 1 thereafter, the Annual Maximum Special Tax shall be increased by an amount equal to 3% of the amount in effect for the previous Fiscal Year, until July 1, 2008. After July 1, 2008, no further escalation of the Annual Maximum Special Tax shall occur. In each Fiscal Year in which an Assessor’s Parcel is initially categorized as Developed Property, the Annual Maximum Special Tax for such Assessor’s Parcel, for the Initial Fiscal Year and for each Fiscal Year thereafter, shall be fixed and shall thereafter not be subject to any further escalation of the Annual Maximum Special Tax as described in the paragraph above.

2. Undeveloped Property

The Board shall not impose any annual Maximum Special Tax on Undeveloped Property.

D. Method of Apportionment of the Special Tax

Commencing with Fiscal Year 1994/95 and each Fiscal Year thereafter, the Board shall determine the Annual Maximum Special Tax to be collected from Taxable Property in CFD No. 3. The Board may levy the Annual Maximum Special Tax on all Assessors’ Parcels of Development Property by levying the Annual Maximum Special Tax for Land Use Classes 1 and 2.

E. Limitations

The Board shall not levy an Annual Maximum Special Tax on properties owned by the State of California, federal of other local governments, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act. Developed Property which becomes the property of the State of California, the Federal government or other public agency after being categorized as Developed Property is liable for the Annual Maximum Special Tax levied in the Fiscal Year during which such transfer occurs and will be subject to the Annual Maximum Special Tax in each Fiscal year thereafter under the original Land Use Class for Assessor’s Parcel. Such Assessor’s Parcel may be
exempted, at the direction, and in the discretion, of the Board in any Fiscal Year.

No Annual Maximum Special Tax shall be levied on Senior Citizen Housing or on Commercial/Industrial Property within CFD No. 3.

F. PREPAYMENT OF THE ANNUAL MAXIMUM SPECIAL TAX

Any owner of Developed Property within CFD No. 3 may discharge the Annual Maximum Special Tax obligation in full or in part, by making payment pursuant to the applicable Sections F1 of F2 as follows:

1. Upon the Issuance of a Building Permit

At the time of issuance of a building permit for a Single Family Detached Unit or a Multi-Family Unit, the owner of such a Single Family Detached Unit or a Multi-Family Unit may prepay the Annual Maximum Special Tax in full or in part by making a cash payment to CFD No. 3, in which case the Annual Maximum Special Tax for the Initial Fiscal Year, and each Fiscal Year thereafter, shall be reduced according to the following steps:

a. Determine the maximum prepayment if the owner were to prepaid the Annual Maximum Special Tax entirety. For building permits issued prior to July 1, 1994, the maximum prepayment for a Single Family Detached Unit is $6,616 and a Multi-Family Unit is $5,295. For building permits issued on or subsequent to July 1, 1994, the maximum prepayment shall increase by 3% per annum, commencing July 1, 1994, and each July 1 thereafter until July 1, 2008 upon which date the maximum prepayment shall be fixed and shall not thereafter increase.

b. Determine the Single Family Detached Unit's or Multi-Family Unit's revised Annual Maximum Special Tax by multiplying the Single Family Tax Detached Unit's or Multi-Family Unit's applicable Annual maximum Special Tax for the Initial Fiscal Year determined pursuant to Section C1 by (one minus the quotient obtained by dividing the cash payment made by the owner pursuant to this Section F.1.b. by the maximum prepayment obligation determined pursuant to Section F1a.). The Single Family Detached Unit's or Multi-Family Unit's revised Annual Maximum Special Tax for the Initial Fiscal Year, and each Fiscal Year thereafter, shall be the Annual Maximum Special Tax for the Single Family Detached Unit or Multi-Family Unit for purposes of Sections C. and D. herein.
2. After the Issuance of a Building Permit

After the time a building permit has been issued for a Single Family Detached Unit or a Multi-Family Unit, and prior to May 1 for the next succeeding Fiscal Year, the owner of such Single Family-Detached Unit or a Multi-Family Unit's Parcel may prepay the Annual Maximum Special Tax in full or in part by making a cash payment to CFD No. 3, in which case the Annual Maximum Special Tax for the applicable Fiscal Year, and each Fiscal Year thereafter, shall be reduced according to the following steps:

a. Compute the present value of the Annual Maximum Special Tax at the weighted average coupon rate of the outstanding Bonds, or 7% if no Bonds have been issued by CFD No. 3 at the time of this calculation, using a period equal to the lesser of the remaining terms for which Annual Maximum Special Tax may be levied on such Developed Property or the remaining term of all outstanding Bonds; then

b. Multiply the amount determined in Section F2a; above, by the owner's desired prepayment percentage (which shall be a minimum of twenty percent (20%) of the present value of the total Annual Maximum Special Tax) to determine the prepayment amount subject to additional adjustments as specified below; then

c. Add the following to the result of Section F2b.

i) Call premium as may be required in the Bond Indenture;

ii) Bond interest on the amount determined in Section F2b., above, at the applicable weighted average interest rate on the Bonds issued and outstanding, if any, to the next available Bond have been issued by CFD No. 3 at such time;

iii) Unpaid special taxes, interest and penalties, if any, which have been entered on the Assessor's tax roll;

iv) And a $75 administrative charge per Single Family Dwelling Unit or Multi-Family Unit; then

d. Subtract the following from the result of Section E2c.

i) Such Developed Property's pro rata share of the bond reserve fund allowance, computed at the rate used in establishing the reserve fund for outstanding Bonds, if applicable. Such Developed Property's pro rata share of the bond reserve fund shall be determined by multiplying the rate used in establishing the reserve fund by the quotient obtained by dividing such Developed Property's Annual Maximum Special Tax by the total Annual Maximum Special Tax for all Assessor's Parcels classified as Developed Property within CFD No. 3 for which
such Bond(s) were issued. In cases where the prepayment percentage in Section F2b is less than 100 percent, such Developed Property’s pro rata share of the reserve fund shall be multiplied by the prepayment percentage to determine the applicable portion of reserve fund allowance.

e. Subtract the following from the result of Section F2d to determine the owner’s cash payment required to be made to CFD No. 3:

i) The interest earnings expected to be generated from the proceeds in Section F.2.d. taking into account the disbursement requirements of the proceeds at the reinvestment rate as determined by the CFD No. 3 from the date of discharge to the next available Bond call date, if applicable.

f. The Annual Maximum Special Tax applicable to such Developed Property utilizing a prepayment percentage less than 100 percent shall be revised in the Fiscal Year following the date of prepayment by multiplying such Developed Property’s Annual Maximum Special Tax by the prepayment percentage actually determined in Section F2b. Such Developed Property’s revised Annual Maximum Special Tax for the Fiscal Year following the date of prepayment, and each Fiscal Year thereafter, shall be the Annual Maximum Special Tax for such Developed Property for purposes of Sections C. and D. herein.

G. MANNER OF COLLECTION

The Annual Maximum Special Tax will be collected in the same manner and at the same time as ordinary as valorem real property taxes. The Annual Maximum Special Tax shall be subject to the same penalties and the same procedure, sale and lien priority in case of a delinquency as provided for with ad valorem taxes. The collection of the Annual Maximum Special Tax shall otherwise be subject to the provisions of the Act. The Board reserves the power to provide for alternative means of collection of special taxes as permitted by the Act.

H. TERMINATION OF ANNUAL MAXIMUM SPECIAL TAX LEVY

Provided that Special Taxes previously levied on an Assessor’s Parcel are not delinquent, the lien of special taxes of CFD No. 3 shall terminate as to such Assessor’s Parcel at the close of the thirtieth (30) Fiscal Year following the beginning of the Initial Fiscal Year for such Assessor’s Parcel. Furthermore, provided an owner within CFD No. 3 fully and completely discharges their special tax obligation pursuant to Sections F1 and/or F2 the lien of special taxes of CFD No. 3 shall terminate.
Pursuant to Section 53330.5 of the Act, the Board shall, upon written request, cause to be recorded in the official records of San Diego County a Notice of Cessation of Special Tax Lien for each Assessor’s Parcel upon termination of the lien on such Assessor’s Parcel.

I. REVIEW/APEAL BOARD

The Board shall establish, as part of the proceedings and administration of CFD No. 3, a special Review Appeal Board. Any landowner that feels that the amount of the Annual Maximum Special Tax, as to their Assessor’s Parcel, is in error may file a notice with the Review/Appeal Board appealing the amount of the levy. The Review/Appeal Board shall interpret this Rate and Method of Apportionment of the Special Tax and make determination relative to the annual administration of the special tax and any landowner appeals, as herein specified.
EXHIBIT “E”

SAMPLE BALLOT
OFFICIAL BALLOT

OFFICIAL BALLOT – MARK CROSS (+) ON BALLOT WITH PEN OR PENCIL.

BALLOT NO. SAMPLE

(Fold ballot to this perforated line, leaving top margin exposed.)

OFFICIAL BALLOT

SPECIAL TAX ELECTION FOR PROPERTY PROPOSED TO BE ANNEXED TO COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CARLSBAD UNIFIED SCHOOL DISTRICT

February 8, 2012

To vote, mark a cross (+) in the voting square after the word “YES” or after the word “NO.” All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the Election Official of the Carlsbad Unified School District and obtain another.

PROPOSITION A:

Shall Community Facilities District No. 3 (“CFD No. 3”) of the Carlsbad Unified School District (the “School District”) be authorized to levy and collect a special tax on property proposed to be annexed to CFD No. 3, as described in Resolution No. 20-1112, of the School District, which special tax is described in such Resolution?

<table>
<thead>
<tr>
<th>YES</th>
<th>SAMPLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO</td>
<td>SAMPLE</td>
</tr>
</tbody>
</table>

THIS BALLOT HAS A VALUE OF _XX_ VOTES
CARLSBAD UNIFIED SCHOOL DISTRICT  
Carlsbad, California  
February 8, 2012

TO: John A. Roach, Ed.D.  
District Superintendent

FROM: Devin Vodicka, Ed.D.  
Assistant Superintendent  
Business Services

SUBJECT: Resolution No. 21-1112, Canvassing of Special Election Results Regarding Proposed Annexation No. 9 to Community Facilities District No. 3 and Levying Special Taxes within such Proposed Annexation Territory

BACKGROUND INFORMATION

The Carlsbad Unified School District ("District") previously formed Community Facilities District No. 3 of the Carlsbad Unified School District ("CFD No. 3"). The Mello-Roos Community Facilities Act of 1982, as amended ("Mello-Roos Act") authorizes territory to be annexed to an existing community facilities district, provided certain requirements are met.

City Ventures Homebuilders, LLC ("Developer") owns certain property located within the District, on which the Developer proposes to develop fifty-three attached dwelling units ("Property"). On December 14, 2011, the District and the Developer entered into a School Facilities and Funding Agreement ("Mitigation Agreement"). The Mitigation Agreement provides that the Property shall be annexed to CFD No. 3 (such property is further described in the Mitigation Agreement). The annexation of the Property to CFD No. 3 is in lieu of and an in satisfaction of any other fees that may be imposed by the District on the Developer for the purpose of financing K-12 school facilities.

On December 14, 2011, the Board adopted Resolution No. 16-1112 stating its intention to annex the Property into CFD No. 3. In accordance with the Mello-Roos Act, Resolution No. 16-1112, as amended by Resolution No. 18-1112, adopted by the Board on January 11, 2012, called for a public hearing to be conducted. Such public hearing was duly conducted by the Board, acting as the Legislative Body of CFD No. 3, on the proposed annexation to CFD No. 3 and the imposition of a Special Tax, pursuant to the Rate and Method of Apportionment of Special Taxes for CFD No. 3 ("Rate and Method") on the Property.

Agenda Item 47
Pursuant to the directives of Resolution No. 20-1112, a special tax election was conducted within the territory proposed for annexation to CFD No. 3. The results of the special tax election will be presented to the Board at this point.

CURRENT INFORMATION

Resolution No. 21-1112 acts to receive and canvass the results of the special tax election conducted within the designated annexation territory. Based on a favorable vote, the Resolution would also act to formally annex the designated territory into CFD No. 3.

FINANCIAL IMPLICATIONS

The Developer has deposited with the District twenty-five thousand dollars to be utilized by CFD No. 3 to pay for the annexation proceedings described herein.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees approve Resolution No. 21-1112.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation
RESOLUTION NO. 21-1112

RESOLUTION OF THE BOARD OF TRUSTEES OF THE CARLSBAD UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 3, CANVASSING THE RESULTS OF THE ELECTION HELD WITHIN TERRITORY PROPOSED TO BE ANNEXED TO COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CARLSBAD UNIFIED SCHOOL DISTRICT

WHEREAS, the Board of Trustees ("Board") of the Carlsbad Unified School District ("District") has previously formed Community Facilities District No. 3 of the Carlsbad Unified School District ("CFD No. 3"), pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, as amended ("Act"); and

WHEREAS, CFD No. 3 was formed by the adoption of Resolution No. 36-9394; and

WHEREAS, pursuant to an existing agreement with certain owners of property located within the boundaries of the District, the Board previously determined to proceed with the annexation of certain designated territory into CFD No. 3 pursuant to the provisions of the Act; and

WHEREAS, on December 14, 2011, the Board, acting as the Legislative Body of CFD No. 3, adopted Resolution No. 16-1112 declaring its intention to annex certain designated territory ("Annexation No. 9 Property") to CFD No. 3 (designated as "Annexation No. 9") and to levy special taxes within such Annexation No. 9 Property; and

WHEREAS, on February 8, 2012, the Board completed a noticed public hearing with regard to such proposed annexation of the Annexation No. 9 Property to CFD No. 3; and

WHEREAS, following the completion of such public hearing on February 8, 2012, the Board, acting as the Legislative Body of CFD No. 3, adopted Resolution No. 20-1112 calling a special tax election ("Election") within the Annexation No. 9 Property proposed to be annexed to CFD No. 3 on the proposition of levying a special tax on such property and approving such annexation; and

WHEREAS, on February 8, 2012, an Election was held within the Annexation No. 9 Property proposed to be annexed to CFD No. 3 relative to approval of a levy of the special tax and approval of such proposed annexation; and

WHEREAS, at such Election, the proposal for incurring the special taxes on the Annexation No. 9 Property proposed to be annexed into CFD No. 3 was approved by the landowner voters within the Annexation No. 9 Property.
NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE CARLSBAD UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 3, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. It is hereby determined that the Election conducted within the Annexation No. 9 Property proposed to be annexed to CFD No. 3 through Annexation No. 9 was duly and validly conducted. A true and correct copy of the Certificate of Election Results is attached hereto as Exhibit "A," and made a part hereof by this reference.

Section 2. Pursuant to Government Code Section 53339.8 and the provisions of the Act, the Annexation No. 9 Property, as identified in Exhibits "B" and "C" hereto is hereby annexed to CFD No. 3 of the District as Annexation No. 9. The map and description attached hereto as Exhibits "B" and "C" depicting and describing Annexation No. 9 to CFD No. 3 are hereby approved as the final map and description of Annexation No. 9 to CFD No. 3.

Section 3. The Board, acting as the Legislative Body of CFD No. 3, is authorized to levy the special tax on behalf of CFD No. 3 as specified in Resolution No. 20-1112 adopted by the Board on February 8, 2012.

Section 4. The District staff is hereby authorized and directed to take all other and necessary actions to carry out the directives of this Resolution.

[Remainder of page intentionally left blank]
ADOPTED, SIGNED AND APPROVED this 8th of February, 2012.

BOARD OF TRUSTEES OF THE
CARLSBAD UNIFIED SCHOOL DISTRICT,
ACTING AS THE LEGISLATIVE BODY OF
COMMUNITY FACILITIES DISTRICT
NO. 3:

By: ___________________________

Kelli Moors, President, Board of Trustees
of the Carlsbad Unified School District

ATTEST:

By: ___________________________

Ann Tanner, Clerk, Board of Trustees of
the Carlsbad Unified School District
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  

I, Ann Tanner, Clerk, Board of Trustees of the Carlsbad Unified School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees of the Carlsbad Unified School District, acting as the Legislative Body of Community Facilities District No. 3 of the Carlsbad Unified School District, at a meeting thereof held on the 8th day of February, 2012, at which meeting a quorum of such Board was present and acting throughout and for which notice and an agenda was prepared and posted as required by law, and that such Resolution was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Ann Tanner, Clerk, Board of Trustees of the Carlsbad Unified School District
STATE OF CALIFORNIA )
                      ) ss.
COUNTY OF SAN DIEGO )

I, Ann Tanner, Clerk, Board of Trustees of the Carlsbad Unified School District, do hereby certify that the foregoing is a true and correct copy of Resolution No. 21-1112, which was duly adopted by the Board of Trustees of the Carlsbad Unified School District, acting as the Legislative Body of Community Facilities District No. 3 of the Carlsbad Unified School District, at a meeting thereof held on the 8th day of February, 2012.

Ann Tanner, Clerk, Board of Trustees of the Carlsbad Unified School District
EXHIBIT “A”

COPY OF CERTIFICATION OF ELECTION RESULTS

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

CERTIFICATE OF ELECTION RESULTS

I, Devin Vodicka, Assistant Superintendent of Business Services of the Carlsbad Unified School District, as the duly appointed Election Official for Annexation No. 9 to Community Facilities District No. 3 of the Carlsbad Unified School District, County of San Diego, State of California, do hereby certify that this is a true and correct Certification of the Votes Cast in the Special Tax Election held within territory proposed to be annexed into Community Facilities District No. 3 (Annexation No. 9) on February 8, 2012. The Special Tax Election was conducted pursuant to the provisions of California law including Section 53326 of the Government Code, the directives of the Board of Trustees of the Carlsbad Unified School District, acting as the Legislative Body of Community Facilities District No. 3 of the Carlsbad Unified School District.

I further certify that the results of the election are as follows:

PROPOSITION A (CFD No. 3)

TOTAL BALLOTS CAST

1

TOTAL VOTES CAST

YES \hspace{1cm} NO

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of February, 2012.

By: Devin Vodicka, Assistant Superintendent of Business Services of the Carlsbad Unified School District, as Election Official
EXHIBIT “B”

ANNEXATION NO. 9 BOUNDARY MAP

ANNEXATION MAP NO. 9 TO COMMUNITY FACILITIES DISTRICT NO. 3
CARLSBAD UNIFIED SCHOOL DISTRICT
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

LEGEND

[Diagram and legend details]

107
**EXHIBIT “C”**

**DESCRIPTION OF PROPERTY ANNEXED INTO CFD NO. 3**

<table>
<thead>
<tr>
<th>Assessor’s Parcel No.</th>
<th>Listed Owner</th>
<th>Gross Acreage</th>
<th>Covered Within Existing CFD No. 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>215-050-73</td>
<td>City Ventures Homebuilder’s LLC</td>
<td>14.15</td>
<td>No</td>
</tr>
</tbody>
</table>
CARLSBAD UNIFIED SCHOOL DISTRICT  
Carlsbad, California  

February 8, 2012  

TO: John A. Roach, Ed.D.  
District Superintendent  

FROM: Devin Vodicka, Ed.D.  
Assistant Superintendent  
Business Services  

SUBJECT: First Reading of Ordinance Regarding Proposed Annexation No. 9 to Community Facilities District No. 3 and Levying Special Taxes within such Proposed Annexation Territory  

BACKGROUND INFORMATION  

The Carlsbad Unified School District (“District”) previously formed Community Facilities District No. 3 of the Carlsbad Unified School District (“CFD No. 3”). The Mello-Roos Community Facilities Act of 1982, as amended (“Mello-Roos Act”) authorizes territory to be annexed to an existing community facilities district, provided certain requirements are met.  

City Ventures Homebuilders, LLC (“Developer”) owns certain property located within the District, on which the Developer proposes to develop fifty-three attached dwelling units (“Property”). On December 14, 2011, the District and the Developer entered into a School Facilities and Funding Agreement (“Mitigation Agreement”). The Mitigation Agreement provides that the Property shall be annexed to CFD No. 3 (such property is further described in the Mitigation Agreement). The annexation of the Property to CFD No. 3 is in lieu of and in satisfaction of any other fees that may be imposed by the District on the Developer for the purpose of financing K-12 school facilities.  

On December 14, 2011, the Board adopted Resolution No. 16-1112 stating its intention to annex the Property into CFD No. 3. In accordance with the Mello-Roos Act, Resolution No. 16-1112, as amended by Resolution No. 18-1112, adopted by the Board on January 11, 2012, called for a public hearing to be conducted. Such public hearing was duly conducted by the Board, acting as the Legislative Body of CFD No. 3, on the proposed annexation to CFD No. 3 and the imposition of a Special Tax, pursuant to the Rate and Method of Apportionment of Special Taxes for CFD No. 3 (“Rate and Method”) on the Property.
Pursuant to the directives of Resolution No. 20-1112, a special tax election was conducted within the territory proposed for annexation to CFD No. 3. The results of the special tax election were presented to the Board.

CURRENT INFORMATION

As part of completion of the annexation process, a Special Tax Ordinance needs to be adopted so that the special taxes for CFD No. 3 can be levied and collected within the territory annexed into CFD No. 3.

The ordinance procedure prescribed by law requires a two-step (first reading/second reading) process before the ordinance may be adopted. This item is to conduct the “first reading” of Ordinance No. 01-1112. As part of conducting this first reading the Board may, by motion passed by the Board, have only the title of the Ordinance read by the Secretary and then have the Ordinance made available for any member of the public who desires to review it. Such a motion could be in the following form:

“Motion - I move that Ordinance No. 01-1112 be presented by reading of the title only and that the secretary foregoes the reading of the entire Ordinance.”

If the foregoing motion, or an equivalent, is not passed then Ordinance No. 01-1112 must be read in its entirety at the Board meeting. Please note that there is no action taken at this time to adopt the Ordinance itself. The Ordinance will be formally adopted after the second reading which will be scheduled for the Board meeting of March 14, 2012.

FINANCIAL IMPLICATIONS

The Developer has deposited with the District twenty-five thousand dollars to be utilized by CFD No. 3 to pay for the annexation proceedings described herein.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees approve the motion to read Ordinance No. 01-1112 by title only.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation
Carlsbad Unified School District
Communities Facilities District No. 3
SPECIAL TAX RATE AND METHOD OF APPORTIONMENT

The Rate and Method of Apportionment is outlined in the Special Tax Formula. This is a summary of that information.

This Rate and Method of Apportionment of this Special Tax sets forth the special tax applicable to each Assessor’s Parcel within Community Facilities District No. 3 ("CFD No. 3") of the Carlsbad Unified School District to be levied and collected according to the special tax liability determined by the Board of Trustees of the Carlsbad Unified School District (the "School District"), acting as the Legislative Body of CFD No. 3. The applicable appropriate amount or rate for "Developed Property", as described below. All Developed Property within CFD No. 3, unless exempted by law, or the provisions of Section E, below, shall be subject to the applicable Annual Maximum Special Tax levied and collected to the extent and in the manner herein provided.

This Rate and Method of Apportionment also is provided as an explanation to allow landowners or residents within CFD No. 3 to estimate the Annual Maximum Special Tax to be annually levied and collected, or prepaid, as the case may be, with regard to property within CFD No. 3.

A. DEFINITIONS

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 (commencing with Section 53311) of Division 2 of Title 5 of the California Government Code.

"Administrative Expense" means any costs incurred by the School District on behalf of CFD No. 3 related to the determination of the amount of the annual levy of the Annual Maximum Special Tax, the collection of the Annual Maximum Special Tax, the administration of the Bonds of CFD No. 3, and the other costs incurred in order to carry out the authorized purposes of CFD No. 3.

"Annual Maximum Special Tax" means the special tax to be levied in each Fiscal Year pursuant to Sections C and D on each Assessor's Parcel classified as Developed Property for a period not to exceed 30 years including the Initial Fiscal Year.

"Assessor's Parcel" means a parcel of land as designated on an official map of the San Diego County Assessor, which has been assigned a discrete identifying parcel number.

"Board" means the Board of Trustees of the Carlsbad Unified School District.
"Bonds" means the bonds, or equivalent securities, including, but not limited to, certificates of participation or leases, of CFD No. 3 issued and sold to finance the Facilities.

"Bond Indenture" means the Bond Indenture, Trust Agreement or equivalent document approved and/or entered into, by CFD No. 3 providing for the issuance and sale of Bonds, as the same may be amended or supplemented from time to time.

"Commercial/Industrial Property" means property zoned for commercial/industrial uses or other non-residential uses.

"Developed Property" means for any Fiscal Year all Taxable Property for which a foundation building permit for Residential Property was issued prior to May 1 preceding the Fiscal Year in which the Annual Maximum Special Tax is being levied.

"Facilities" means the school facilities as may be identified in the Community Facilities District Report prepared for CFD No. 3 on file in the Office of the Clerk of the Board or such other facilities to be financed by CFD No. 3 pursuant to the Act.

"Fiscal Year" means the period starting on July 1\textsuperscript{st} and ending the following June 30\textsuperscript{th}.

"Initial Fiscal Year" applies only to Developed Property and means the first Fiscal Year in which the Annual Maximum Special Tax will be apportioned and levied on an Assessor’s Parcel.

"Land Use Class" means any of the classes of Developed Property listed in Table 1 below.

"Multi-Family Unit" or "Attached Dwelling Unit" means all Developed Property other than Single Family Detached Units, which includes, but shall not be limited to, apartments available for rental by the general public, condominiums as defined in Civil Code Section 1351, or a structure or structures made up of two or more units that share common walls that is to be developed or is developed for residential use.

"Residential Property" means all property within CFD No. 3 classified as either a Single Family Detached Unit or Multi-Family Unit.

"Senior Citizen Housing" means any senior citizen housing, residential care facilities for the elderly, or multilevel facilities for the elderly meeting the definitions set forth in Government Code Section 65995 .1 or a successor section thereto.
"Single Family Detached Unit" means Developed Property which contains a structure of one dwelling unit that is to be developed or is developed for residential use.

"Taxable Property" Means all Assessor's Parcels within the boundaries of CFD No. 3 which are not exempt from the Annual Maximum Special Tax pursuant to the Act and the provisions of Section E. herein.

"Undeveloped Property" means all Taxable Property in CFD No. 3 not classified as Developed Property.

B. ASSIGNMENT TO LAND USE CLASS

As soon as practicable, as of May 1 for the next succeeding Fiscal Year, all Taxable Property within CFD No. 3 shall be categorized as Developed Property or Undeveloped Property. Developed Property shall be subject to an Annual Maximum Special Tax pursuant to Sections C. and D. below.

For purposes of determining the applicable Annual Maximum Special Tax for each Assessor's Parcel of Developed Property, all Developed Property shall be assigned to a Land Use Class designated in Table 1 below. Single Family Detached Units shall be assigned to Land Use Class 1. Multi-family Units shall be assigned to Land Use Class 2.

C. MAXIMUM SPECIAL TAX RATE

1. Developed Property

The Annual Maximum Special Tax for each Assessor's Parcel classified as Developed Property shall be the amount determined by reference to Table 1 and the paragraphs that follow Table 1.
Table 1
Annual Maximum Special Tax Rates for Developed Property
For the Fiscal Year 1993-94

<table>
<thead>
<tr>
<th>Class</th>
<th>Land Use</th>
<th>Annual Maximum Special Tax Per Unit (1993-94)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Single Family Detached Unit</td>
<td>$637</td>
</tr>
<tr>
<td></td>
<td>Multi-Family Unit/</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Attached Dwelling Unit</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>$510</td>
</tr>
</tbody>
</table>

In determining the Annual Maximum Special Tax which may be levied in any Fiscal Year, on July 1, 1994, and on each July 1 thereafter, the Annual Maximum Special Tax shall be increased by an amount equal to 3% of the amount in effect for the previous Fiscal Year, until July 1, 2008. After July 1, 2008, no further escalation of the Annual Maximum Special Tax shall occur. In each Fiscal Year in which an Assessor’s Parcel is initially categorized as Developed Property, the Annual Maximum Special Tax for such Assessor’s Parcel, for the Initial Fiscal Year and for each Fiscal Year thereafter, shall be fixed and shall thereafter not be subject to any further escalation of the Annual Maximum Special Tax as described in the paragraph above.

2. Undeveloped Property

The Board shall not impose any annual Maximum Special Tax on Undeveloped Property.

D. Method of Apportionment of the Special Tax

Commencing with Fiscal Year 1994/95 and each Fiscal Year thereafter, the Board shall determine the Annual Maximum Special Tax to be collected from Taxable Property in CFD No. 3. The Board may levy the Annual Maximum Special Tax on all Assessors’ Parcels of Development Property by levying the Annual Maximum Special Tax for Land Use Classes 1 and 2.

E. Limitations

The Board shall not levy an Annual Maximum Special Tax on properties owned by the State of California, federal of other local governments, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act. Developed Property which becomes the property of the State of California, the Federal government or other public agency after being categorized as Developed Property is liable for the Annual Maximum Special Tax levied in the Fiscal Year during which such transfer occurs and will be subject to the Annual Maximum Special Tax in each Fiscal year thereafter under the original Land Use Class for Assessor’s Parcel. Such Assessor’s Parcel may be
exempted, at the direction, and in the discretion, of the Board in any Fiscal Year.

No Annual Maximum Special Tax shall be levied on Senior Citizen Housing or on Commercial/Industrial Property within CFD No. 3.

F. PREPAYMENT OF THE ANNUAL MAXIMUM SPECIAL TAX

Any owner of Developed Property within CFD No. 3 may discharge the Annual Maximum Special Tax obligation in full or in part, by making payment pursuant to the applicable Sections F1 of F2 as follows:

1. Upon the Issuance of a Building Permit

At the time of issuance of a building permit for a Single Family Detached Unit or a Multi-Family Unit, the owner of such a Single Family Detached Unit or a Multi-Family Unit may prepay the Annual Maximum Special Tax in full or in part by making a cash payment to CFD No. 3, in which case the Annual Maximum Special Tax for the Initial Fiscal Year, and each Fiscal Year thereafter, shall be reduced according to the following steps:

a. Determine the maximum prepayment if the owner were to prepay the Annual Maximum Special Tax entirely. For building permits issued prior to July 1, 1994, the maximum prepayment for a Single Family Detached Unit is $6,616 and a Multi-Family Unit is $5,295. For building permits issued on or subsequent to July 1, 1994, the maximum prepayment shall increase by 3% per annum, commencing July 1, 1994, and each July 1 thereafter until July 1, 2008 upon which date the maximum prepayment shall be fixed and shall not thereafter increase.

b. Determine the Single Family Detached Unit's or Multi-Family Unit's revised Annual Maximum Special Tax by multiplying the Single Family Tax Detached Unit's or Multi-Family Unit's applicable Annual maximum Special Tax for the Initial Fiscal Year determined pursuant to Section C1 by (one minus the quotient obtained by dividing the cash payment made by the owner pursuant to this Section F.1.b. by the maximum prepayment obligation determined pursuant to Section F1a.). The Single Family Detached Unit's or Multi-Family Unit's revised Annual Maximum Special Tax for the initial Fiscal Year, and each Fiscal Year thereafter, shall be the Annual Maximum Special Tax for the Single Family Detached Unit or Multi-Family Unit for purposes of Sections C. and D. herein.
2. After the Issuance of a Building Permit

After the time a building permit has been issued for a Single Family Detached Unit or a Multi-Family Unit, and prior to May 1 for the next succeeding Fiscal Year, the owner of such Single Family-Detached Unit or a Multi-Family Unit’s Parcel may prepay the Annual Maximum Special Tax in full or in part by making a cash payment to CFD No. 3, in which case the Annual Maximum Special Tax for the applicable Fiscal Year, and each Fiscal Year thereafter, shall be reduced according to the following steps:

a. Compute the present value of the Annual Maximum Special Tax at the weighted average coupon rate of the outstanding Bonds, or 7% if no Bonds have been issued by CFD No. 3 at the time of this calculation, using a period equal to the lesser of the remaining terms for which Annual Maximum Special Tax may be levied on such Developed Property or the remaining term of all outstanding Bonds; then

b. Multiply the amount determined in Section F2a; above, by the owner’s desired prepayment percentage (which shall be a minimum of twenty percent (20%) of the present value of the total Annual Maximum Special Tax) to determine the prepayment amount subject to additional adjustments as specified below; then

c. Add the following to the result of Section F2b.

i) Call premium as may be required in the Bond Indenture;

ii) Bond interest on the amount determined in Section F2b, above, at the applicable weighted average interest rate on the Bonds issued and outstanding, if any, to the next available Bond have been issued by CFD No. 3 at such time;

iii) Unpaid special taxes, interest and penalties, if any, which have been entered on the Assessor’s tax roll;

iv) And a $75 administrative charge per Single Family Dwelling Unit or Multi-Family Unit; then

d. Subtract the following from the result of Section E2c.

i) Such Developed Property’s pro rata share of the bond reserve fund allowance, computed at the rate used in establishing the reserve fund for outstanding Bonds, if applicable. Such Developed Property’s pro rata share of the bond reserve fund shall be determined by multiplying the rate used in establishing the reserve fund by the quotient obtained by dividing such Developed Property’s Annual Maximum Special Tax by the total Annual Maximum Special Tax for all Assessor’s Parcels classified as Developed Property within CFD No. 3 for which
such Bond(s) were issued. In cases where the prepayment percentage in Section F2b is less than 100 percent, such Developed Property's pro rata share of the reserve fund shall be multiplied by the prepayment percentage to determine the applicable portion of reserve fund allowance.

e. Subtract the following from the result of Section F2d to determine the owner's cash payment required to be made to CFD No. 3:

i) The interest earnings expected to be generated from the proceeds in Section F.2.d. taking into account the disbursement requirements of the proceeds at the reinvestment rate as determined by the CFD No. 3 from the date of discharge to the next available Bond call date, if applicable.

f. The Annual Maximum Special Tax applicable to such Developed Property utilizing a prepayment percentage less than 100 percent shall be revised in the Fiscal Year following the date of prepayment by multiplying such Developed Property's Annual Maximum Special Tax by the prepayment percentage actually determined in Section F2b. Such Developed Property's revised Annual Maximum Special Tax for the Fiscal Year following the date of prepayment, and each Fiscal Year thereafter, shall be the Annual Maximum Special Tax for such Developed Property for purposes of Sections C. and D. herein.

G. MANNER OF COLLECTION

The Annual Maximum Special Tax will be collected in the same manner and at the same time as ordinary as valorem real property taxes. The Annual Maximum Special Tax shall be subject to the same penalties and the same procedure, sale and lien priority in case of a delinquency as provided for with ad valorem taxes. The collection of the Annual Maximum Special Tax shall otherwise be subject to the provisions of the Act. The Board reserves the power to provide for alternative means of collection of special taxes as permitted by the Act.

H. TERMINATION OF ANNUAL MAXIMUM SPECIAL TAX LEVY

Provided that Special Taxes previously levied on an Assessor's Parcel are not delinquent, the lien of special taxes of CFD No. 3 shall terminate as to such Assessor's Parcel at the close of the thirtieth (30) Fiscal Year following the beginning of the Initial Fiscal Year for such Assessor's Parcel. Furthermore, provided an owner within CFD No. 3 fully and completely discharges their special tax obligation pursuant to Sections F1 and/or F2 the lien of special taxes of CFD No. 3 shall terminate.
Pursuant to Section 53330.5 of the Act, the Board shall, upon written request, cause to be recorded in the official records of San Diego County a Notice of Cessation of Special Tax Lien for each Assessor’s Parcel upon termination of the lien on such Assessor’s Parcel.

I. REVIEW/APEAL BOARD

The Board shall establish, as part of the proceedings and administration of CFD No. 3, a special Review Appeal Board. Any landowner that feels that the amount of the Annual Maximum Special Tax, as to their Assessor’s Parcel, is in error may file a notice with the Review/Appeal Board appealing the amount of the levy. The Review/Appeal Board shall interpret this Rate and Method of Apportionment of the Special Tax and make determination relative to the annual administration of the special tax and any landowner appeals, as herein specified.
CARLSBAD UNIFIED SCHOOL DISTRICT
Carlsbad, California

February 8, 2012

TO: John A. Roach, Ed.D.
District Superintendent

FROM: Devin Vodicka, Ed.D.
Assistant Superintendent
Business Services

SUBJECT: Ratification, Change Order No. 11, Grading Phase, Sage Creek High School, Proposition P

BACKGROUND INFORMATION

On September 22, 2010, the Board of Trustees approved a Lease-Leaseback Agreement (LLB) for $6,681,558 with Barnhart-Balfour Beatty for mass grading, underground utilities and road construction for the Sage Creek High School. Change Orders No. 1 through No. 10 were previously approved or ratified by the Board of Trustees.

CURRENT INFORMATION

The following change-order is proposed for ratification:

1. **$2,700 – Concrete Removal at Valve Cluster:** The contract drawings for the City of Carlsbad work indicated removal of a cluster of valves in the existing College Boulevard. Upon excavation of these valves, it was discovered that they were encased in concrete (which is not a City standard). The removal and disposal of this concrete was an unforeseen condition.

2. **$1,703 – Added Concrete at Existing Manhole:** The City of Carlsbad inspector required concrete to be chipped out of an existing manhole and a concrete wall to be added to create a better flow line between the existing 10” diameter sewer line and the tie-in of the new 8” sewer line from the Sage Creek project. This information is not available in City standard drawings and is an extra to the contractor.

3. **$3,832 – Catch Basin in Bio swale:** The drawings incorrectly called out a catch basin in the bio swale as being an existing structure. This catch basin is necessary for the function of the bio swale and was not included in the subcontractor’s bid.

4. **$326,667 – Final Flood Damage Repairs:** The flooding of the site that occurred in December of 2010 caused extensive damage which required repair. Change-orders to accomplish those repairs have been approved and issued as follows:
- Change Order No. 6 (approved in January 2011) included $437,240 for time and material to perform flood repair work to site graded soils. The majority of the repairs were made in Jan/Feb/Mar 2011 until work was required to halt due to the start of the protected bird’s nesting season. Grading repair activities resumed again in September 2011.

- Change Order No.10 (approved in November 2011) included $438,030 for additional soil repairs identified and required by the site geotechnical engineer. The requirement was made during excavation of the stadium area, where significant amounts of saturated soils remained from previous flooding (the flood water had not drained sufficiently from the soils during the period of halted construction).

A significant portion of the Change Order No. 6 was based on estimates of equipment time and man-power required to move wet soil, blend with dry soil, and re-compact large areas of mass grading that were damaged by the storms and flooding. The actual work involved was greater than that estimate. The grading subcontractor (Jacobsson Engineering) for Balfour Beatty has submitted job cost records and documentation for a requested additional $447,426 worth of flood repair work associated with the intended scope of Change-Order No. 6. After extensive analysis, review, and negotiation, the District has found justification for $326,667 of the request.

The total soil repair costs of $1,201,937 are part of an ongoing insurance claim forwarded to the District’s insurance company for review and potential reimbursement.

Looking forward, the final soils issue related to flood repairs involves the remaining amount of excess non-structural soils on site which is presently stockpiled in the middle of the stadium area. Much of this soil is suitable for landscaping and athletic field fill, but not fill under buildings and structures. The architect has been tasked with raising the elevations of the western ball-fields to use up some of this excess soil, but this field area will not accommodate all of the material. There will be an estimated 45,000 cubic yards remaining that will require some kind of haul-off and disposal. The grading contractor may be obligated to dispose of a portion of this soil and is presently inquiring with adjacent developments which may be in need of non-structural fill material. Any haul-off cost to the District will require another change-order for which a portion will be added to the insurance claim.

5. ($78,000) – Credit for Underground Conduit Boring: Change Order No. 9 to Balfour Beatty included $78,000 to perform underground boring of electrical conduit thru rock (an unforeseen condition). This conduit was to run adjacent to College Blvd to the new traffic signal at the intersection College Blvd and Cannon Road. The District’s additional boring costs were disputed with the City of Carlsbad since the rock encountered was not indicated on City as-built drawings. After the Board of Trustees approved Change Order No. 9, the construction team discovered that City documents had also required this same conduit to be installed by an adjacent project development. Consequently, the City has now required the adjacent developer contractor to install this conduit, thereby negating the need for the $78,000 of additional costs to the District. There will also be another Balfour Beatty deductive change order in the future for the conduit itself.
FINANCIAL IMPLICATIONS

The $256,902 is properly paid from Proposition P school construction funds.

| Original LLB – Grading Phase | $6,681,558 |
| Change Orders No. 1 thru 10 | $2,002,779 |
| Proposed Change Order No. 11 | **$256,902** |
| Revised LLB                  | $8,941,239 |

RECOMMENDATION

It is respectfully recommended that the Board of Trustees Ratify Change Order No. 11 for Sage Creek High School.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation.
CARLSBAD UNIFIED SCHOOL DISTRICT
Carlsbad, California

February 12, 2012

TO: John A. Roach, Ed.D.
District Superintendent

FROM: Devin Vodicka, Ed.D.
Assistant Superintendent
Business Services

SUBJECT: Renewal of Proposition P Oversight Committee Members, Proposition P

BACKGROUND INFORMATION

In accordance with the provision of the Proposition P ballot measure, the Board established the Proposition P Oversight Committee (PPOC), composed of seven members of the community addressing a number of community interests, including: business sector, senior citizens, taxpayer’s organization, parent/guardian of District student(s), parent/teachers’ organizations and construction, finance, and other design/construction professions.

In April this year, Christopher Cate, Dr. Kevin Thompson, and Cheryl Gerhardt are each completing their initial two-year terms on the committee. Each member has expressed interest in renewing their commitment for an additional two-year term.

CURRENT INFORMATION

District recommends that Christopher Cate, Dr. Kevin Thompson, and Cheryl Gerhardt be re-appointed for an additional two-year term. These individuals understand the anticipated term of service and the scope of responsibility and authority of the Committee.

FINANCIAL IMPLICATIONS

There is no financial implication in the Board’s making the appointments.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees renew Christopher Cate, Dr. Kevin Thompson, and Cheryl Gerhardt for additional two-year terms on the Proposition P Oversight Committee.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation.
CARLSBAD UNIFIED SCHOOL DISTRICT  
Carlsbad, California  

February 8, 2012

TO: John A. Roach, Ed.D.  
District Superintendent

FROM: Torrie Norton  
Assistant Superintendent  
Personnel Services

SUBJECT: Teachers Teaching Outside Credential Authorization per EC §44258.3 - EC §44865  
Amendment of Board Resolution #10-1112

BACKGROUND INFORMATION

On September 28, 2011, the Board approved Board Resolution #10-1112 granting four teachers to teach a course not authorized on his/her credential. There are currently a total of ten (10) teachers who hold a Multiple or Single Subject credential but do not have the required credential to teach classes that are considered to be “elective”.

- Calavera Hills Middle School:
  EC 44258.3 Joanne Haeussinger Art Elective
  EC 44258.3 Randy Davila Keyboarding Elective

- Carlsbad High School:
  EC 44258.3 Douglas Green Broadcasting Elective
  EC 44263 Todd Muilenberg Geosciences Core
  EC 44258.3 Scott Ogden Subject PE Elective
  EC 44263 Tom Robertson Sociology Core

- Carlsbad Village Academy:
  EC 44865 Michael Trussel Art Core
  EC 44865 Michelle Crosby All subjects at an Alternative School
  EC 44865 Katie Heritage All Subjects at an Alternative School

- Valley Middle School
  EC 44258.3 Tom Dixon Keyboarding Elective

CURRENT INFORMATION

These teachers do have the special skills and/or coursework necessary to allow them to teach "electives" outside their credential area and have consented to teach these courses. However, for these teachers to continue teaching in their assignments for the 2011-2012 school year, it is necessary that the Board of Trustees approve a resolution authorizing them to teach a course not
authorized on their credential pursuant to EC §44258.3 - EC §44865. See attached Board Resolution #10-1112 (Exhibit A).

FINANCIAL IMPLICATIONS

None.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees approve the amended Board Resolution #10-1112 Teachers Teaching Outside Credential Authorization per EC §44258.3 - EC §44865.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation.
RESOLUTION ALLOWING TEACHERS TEACHING COURSES OUTSIDE CREDENTIAL AUTHORIZATION 
PURSUANT TO EC §44258.3 – EC §44865

On motion of Member ____________, seconded by Member ____________, the following resolution is adopted:

WHEREAS, There are currently ten (10) teachers who do not have the specific credential to teach classes that are considered to be “elective”; and

WHEREAS, Although these teachers do not have the appropriate credential, they do have the special skills and/or coursework necessary to allow them to teach “electives” outside their credential area, with their consent, pursuant to EC §44258.3 – EC §44865 and with Board approval; and

THEREFORE BE IT RESOLVED, that the following named teachers be authorized to teach “elective” courses outside their credential within the Carlsbad Unified School District for the 2011-2012 school year.

<table>
<thead>
<tr>
<th>School</th>
<th>Teacher</th>
<th>Course</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calavera Hills Middle School</td>
<td>Joanne Haussinger</td>
<td>Art</td>
<td>Elective</td>
</tr>
<tr>
<td>EC 44258.3</td>
<td>Randy Davila</td>
<td>Keyboarding</td>
<td>Elective</td>
</tr>
<tr>
<td>Carlsbad High School</td>
<td>Douglas Green</td>
<td>Broadcasting</td>
<td>Elective</td>
</tr>
<tr>
<td>EC 44258.3</td>
<td>Todd Muilenberg</td>
<td>Geosciences</td>
<td>Core</td>
</tr>
<tr>
<td>EC 44258.3</td>
<td>Scott Ogden</td>
<td>Subject PE</td>
<td>Elective</td>
</tr>
<tr>
<td>EC 44263</td>
<td>Tom Robertson</td>
<td>Sociology</td>
<td>Core</td>
</tr>
<tr>
<td>Carlsbad Village Academy</td>
<td>Michael Trussel</td>
<td>Art</td>
<td>Core</td>
</tr>
<tr>
<td>EC 44865</td>
<td>Michelle Crosby</td>
<td>All subjects at an Alternative School</td>
<td></td>
</tr>
<tr>
<td>EC 44865</td>
<td>Katie Heritage</td>
<td>All Subjects at an Alternative School</td>
<td></td>
</tr>
<tr>
<td>Valley Middle School</td>
<td>Tom Dixson</td>
<td>Keyboarding</td>
<td>Elective</td>
</tr>
</tbody>
</table>
Resolution #10-1112
February 8, 2012
Page 2

BE IT FURTHER RESOLVED, that the Carlsbad Unified School District this 8th day of February, 2012, hereby passed and approved amended Resolution #10-1112 by the following vote:

AYES: _______________________
NOES: _______________________
ABSTAIN: ___________________ 
ABSENT: _____________________

BOARD OF TRUSTEES OF THE 
CARLSBAD UNIFIED SCHOOL DISTRICT

BY: ___________________________
   President of the Board of Trustees of the
   Carlsbad Unified School District
TO: John A. Roach, Ed.D.
District Superintendent

FROM: Devin Vodicka
Assistant Superintendent
Business Services

SUBJECT: Governor’s Budget Update

BACKGROUND INFORMATION

The Governor’s Proposed Budget is released in January and it provides the first projections regarding state funding in the succeeding school year. Governor Jerry Brown released the proposal on January 5, 2012.

CURRENT INFORMATION

Information regarding the Governor’s Proposal will be presented.

FINANCIAL IMPLICATIONS

The financial implications of the Governor’s Proposal are unknown at this time. Staff is analyzing the proposal and working with the County Office of Education and other agencies to determine the impact for Carlsbad Unified School District. The Second Interim Report that is due by March 15, 2012 will include more detailed information and projections.

RECOMMENDATION

No recommendation. This is an informational item.

SUPERINTENDENT’S RECOMMENDATION: For information only.
Governor’s Budget Update

February 8, 2012

Devin Vodicka, EdD
Assistant Superintendent, Business Services
California's Education Spending Continues to Lag

California's K-12 Spending Per Student Lags Behind That of the Rest of the U.S. More Than at Any Time in 40 Years

California's Spending Per Student Minus Spending Per Student in the Rest of U.S.

- $2,856 (est.) per student loss in 2010-11

* 2010-11 data estimated
Note: Rest of U.S. excludes the District of Columbia
Source: National Education Association
Choices and Priorities Matter

- California demands and deserves a “world-class” education system
- The top five states, in terms of student performance, are Vermont, Rhode Island, Wyoming, New Jersey, and Maine
- The bottom five are California, Idaho, Mississippi, Nevada, and Arizona
- What’s different?

<table>
<thead>
<tr>
<th></th>
<th>Top Five</th>
<th>Bottom Five</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per-student spending</td>
<td>$16,000 – $22,000</td>
<td>$6,700 – $8,700</td>
</tr>
<tr>
<td>Percent of state resources</td>
<td>4.2% – 6.0%</td>
<td>3.2% – 3.9%</td>
</tr>
<tr>
<td>4th Grade NAEP*</td>
<td>32% – 44%</td>
<td>22% – 33%</td>
</tr>
<tr>
<td>8th Grade NAEP*</td>
<td>34% – 47%</td>
<td>19% – 37%</td>
</tr>
</tbody>
</table>

*National Assessments of Educational Progress

- California has fallen from number one to number 46 in per-ADA funding; and the results bear that out
Education Funding Remains At Risk

- State funding for education was cut by 16% beginning in 2008-09 – five years ago!
  - And education has contributed about $7 billion per year to help resolve the state’s Budget crisis – a total of more than $35 billion
  - No other segment of the Budget has been cut anywhere close to that much and most other segments of the Budget have actually grown over the same five-year period
- But the Governor’s challenge is increasingly difficult
  - Our cyclical economy isn’t cycling fast enough
  - The state is running out of solutions
  - We think the Governor is making the most of a bad situation, but it isn’t going to be resolved anytime soon
Another “Crisis” Budget

- The Governor’s Budget Proposals for 2012-13 represent another desperate effort to get through a bad time, not a permanent solution
  - The Budget depends on passage of new temporary taxes midway through the year
  - The structural imbalance continues to dog the state’s recovery
- Specific proposals include:
  - 100% of home-to-school and special education transportation funding is cut under both alternatives
    - Disproportionate effect on districts is a huge problem
Another “Crisis” Budget

- Governor’s Budget: Assumes voters approve a $6.9 billion tax measure
  - Funding the statutory increase in Proposition 98 by manipulating deferrals
  - This alternative provides no additional spending for education, but maintains revenue limits at about 2011-12 pre-trigger-cut levels

- Alternative: Assumes voters reject the tax measure
  - Education is cut $2.4 billion, about $370 per average daily attendance (ADA)
  - The mechanics of the Budget are complex, but this outcome is the bottom line
Governor’s Temporary Tax Proposal

- The Governor’s Budget assumes that voters will approve $6.9 billion in temporary taxes in November 2012
  - Of this total, $2.2 billion would count in 2011-12 and $4.7 billion would count in 2012-13
  - The higher taxes would continue through 2016
- The Governor’s tax proposal includes the following:
  - Income tax increase
    - Single filers tax increase of 1% for income above $250,000; up to 2% for income over $500,000
    - Joint filers tax increase of 1% for income above $500,000; up to 2% for income over $1 million
    - Head of household increase of 2% for income above $680,000
  - Sales and use tax increase of 0.5%
Contingent Trigger Cuts

- Like the 2011-12 Budget Act, the Governor’s Budget Proposal for 2012-13 contains automatic trigger reductions
  - The trigger reductions total $5.4 billion
  - The cuts are linked to the failure of the proposed temporary tax increases, not a general revenue shortfall
- The trigger reductions hit education the hardest, especially Proposition 98

<table>
<thead>
<tr>
<th>Programs Targeted for Trigger Cuts</th>
<th>Amount</th>
<th>% Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposition 98</td>
<td>$4,837 million</td>
<td>89.7%</td>
</tr>
<tr>
<td>University of California</td>
<td>$200 million</td>
<td>3.7%</td>
</tr>
<tr>
<td>California State University</td>
<td>$200 million</td>
<td>3.7%</td>
</tr>
<tr>
<td>Courts</td>
<td>$125 million</td>
<td>2.3%</td>
</tr>
<tr>
<td>All Other</td>
<td>$28 million</td>
<td>0.6%</td>
</tr>
<tr>
<td>Total</td>
<td>$5,390 million</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
Budget Contingency Plan

- The Governor’s Budget assumes that new temporary taxes are approved by the voters for five years at the November 2012 ballot.
- The Budget also proposes severe additional reductions in funding for schools in the event that the tax extensions are not approved.
- This leaves schools in a position of needing at least two plans:
  - Governor Brown’s Proposal: Flat funding – continues the funding level contained in the enacted Budget for 2011-12, except for transportation.
  - Alternative: A $2.4 billion reduction in K-14 funding – results in a loss of about $370 per ADA for the average district.
- Districts will need to plan for both eventualities until the fate of the tax extensions is determined.
- Additionally, economic changes between now and enactment of the 2011-12 Budget could cause a revision, up or down.
What Happens if Taxes Aren’t Approved?

- If the tax initiative fails, Governor Brown proposes to cut K-14 education by $4.8 billion
  - Proposition 98 drops by $2.4 billion because of the loss of new tax revenues
  - The interyear deferral buyout is rescinded, and existing deferrals are maintained, saving $2.4 billion
- State payments for debt service on school bonds are re-categorized as Proposition 98 expenditures
  - Historically, debt service has been funded outside of Proposition 98
  - By moving debt service into Proposition 98, K-14 costs are increased by $2.4 billion
  - Requires corresponding cuts to other K-14 spending of an equal amount – divided between K-12 (89%) and community colleges (11%)
- Governor Brown equates this reduction to eliminating three weeks of instruction from the school year
Why is Education Flat Funded?

- How does a nearly $5 billion increase in Proposition 98 provide no real growth in funding for schools? The answer is deferrals.
  
  ■ $2.4 billion is used to maintain current-year spending levels – the cost of maintaining existing programs after the 2011-12 deferral
  
  ■ $2.5 billion buys down K-14 interyear deferrals by moving the state expenditures back into the current year

- Buying down deferrals increases cash available in the budget year, and can reduce borrowing costs, but does not increase spending authority
Weighted Student Funding Formula

- To promote greater local decision-making authority, Governor Brown proposes a weighted student funding formula to replace revenue limits and most categorical program funding formulas.
  - All of the categorical programs included in the formula “will immediately be made completely flexible” to support any local education priorities.

- Elements of the formula
  - Special education, child nutrition, Quality Education Investment Act (QEIA), After School Education and Safety (ASES), and other federally mandated programs are exempt.
  - Additional funding is based on the demographics of the schools, including:
    - English Learner population
    - Pupils eligible for free and reduced-price lunches

- Accountability: Qualitative and test-based measures
- Timeline: Phased in over five years
Local Budget Impact of Weighted Student Funding Formula

- The Department of Finance (DOF) indicates that for 2012-13, 80% of a district’s funding will be based on current law formulas and 20% will be based on the weighted student formula.

  Governor Brown is not proposing a “hold-harmless” provision; therefore, some districts will gain and some will lose under the new formulas.

- In general, districts with high concentrations of English Learners and low income students will gain funding and those with few of these students will lose funding.

- There are currently no details that would allow a school district to determine its funding gain or loss for 2012-13, or for any year thereafter.

- The Legislature must enact this measure as a change to current school finance statutes.

- We will provide more information as the details of this proposal are released.
Locally Funded School Districts – Budget Impact

- Locally funded, or “basic aid,” school districts are potentially impacted by the Governor’s Budget Proposal in two ways:

  - First, local tax revenues may increase for some districts:
    - The estimated increase in local property tax distributions from the tax increment that was previously set aside for RDAs will increase local funds available for basic aid school districts
      - The amount of the increase will vary considerably from county to county
      - Additionally, amounts will be dependent on the historical level of RDA activity in a county and the level of pre-existing RDA obligations
Locally Funded School Districts – Budget Impact

- Second, a new school finance model changes categorical funding
  - Governor Brown’s Proposal to implement a weighted student funding model will eliminate most separate categorical program funding and roll it into a single state apportionment offset by local tax revenues
  - Some districts will move out of basic aid status, while other districts will lose much or all of their categorical program funding

- The RDA property tax shift and Governor Brown’s proposal for a new school financing formula will be subject to an intense review by the Legislature
  - Therefore, these potential impacts may change substantially between now and the May Revision
Next Steps

- Balanced budget must be adopted by district prior to June 30, 2013
  - State Budget will most likely not be in place by then

- Developing the budget requires:
  - Clarifying assumptions
    - How much revenue?
    - How will expenditures change?

- Once the State Budget is adopted, the district makes adjustments to its budget within 45 days
Questions?
CARLSBAD UNIFIED SCHOOL DISTRICT
Carlsbad, California

February 8, 2012

TO: Board of Trustees
FROM: John A. Roach, Ed.D.
       District Superintendent
SUBJECT: Acceptance of Donations

BACKGROUND INFORMATION

Citizens, local community groups, businesses, and parent/teacher associations occasionally donate money, materials, or equipment to the District. The donations are given to the District to use at its discretion, or the donor may request specific use.

CURRENT CONSIDERATIONS

Carlsbad Unified School District received the following donation:

- Frances and Maralee O'Meara, Carlsbad – $25 in Memory of Jay Hoffman
- Robert and Helen Johnston, Van Nuys, CA – $50 in Memory of Jay Hoffman

Carlsbad High School received the following donations:

- United Way of San Diego, San Diego, CA – $51.17 for supplies
- CHS Parent Association, Carlsbad – $79.12 for a Mini Grant
- The Humble Hippie, Pueblo, CO – $100 for CHS Broadcasting Club
- Diana Adler-Edison International, Carlsbad – $249.99 for Gay-Straight Alliance Club
- North County LGBTQ Resource, Oceanside, CA – $250 for Gay-Straight Alliance Club
- North County Trophies, Oceanside, CA – $290.04 for CHS Track
- Nikki Alexander, Carlsbad – a $495 Hydroponics System for the Alternative Education Organization
- Michael and Sharon Walsh, Carlsbad – $500 for CHS Wrestling Club
- Bruce and Deborah Aster, Vista, CA – $525.83 for ELMO
- Mid Deng, Carlsbad – $800 for CHS Boys Basketball
- Anchor Bay Capital, Inc., Carlsbad – $1,000 for CHS Boys Basketball

Agenda Item 54
Acceptance of Donations

February 8, 2012

- LAZ Parking, Hartford, CT – $2,500 for CHS Surf Club
- Janet Correll, Carlsbad – Letters and pins valued at $225.85 for CHS Orchestra
- Salvatore De Blasi, Carlsbad – a $3,782.60 1990 Kawai Piano for CHS Band/Orchestra

Valley Middle School received the following donations:
- Virginia Tsosie, Murrieta, CA – backpacks, binders and school supplies

Buena Vista Elementary School received the following donation:
- Jamba Juice, Emeryville, CA – $59 for supplies
- Buena Vista PTA, Carlsbad – $317.40 for iPad Apps

Jefferson Elementary School received the following donations:
- Scholarship America, Saint Peter, MN – a $700 Target Field Trip Grant

Magnolia Elementary School received the following donations:
- Coca-Cola Refreshments, New Castle, DE – $16.04 for supplies
- Jamba Juice, Emeryville, CA – $22.80 for supplies
- Scholarship America, Saint Peter, MN – a $700 Target Field Trip Grant
- Magnolia PTA, Carlsbad – $1,400 towards substitutes for teachers attending Writing-in-Service
- Magnolia PTA, Carlsbad – $3,850 for teachers attending Writing-in-Service
- Magnolia PTA, Carlsbad – $5,000 for iPads and accessories

Kelly Elementary School received the following donations:
- Kelly School PTA, Carlsbad – $30 for “Play with Principal” popsicle rewards
- Kelly School PTA, Carlsbad – $396 for classroom tutors
- Steve Watters-Lifetouch National School Studios, Eden Prairie, MN – $147.69 school photo proceeds
- Jereme Wilson, Oceanside, CA – $645 Christmas Tree Fundraiser

Hope Elementary School received the following donations:
- Kiley Rose-Play Visions, Woodinville, WA – Jog-a-thon prizes/rewards
- Angela Palasik-WAVE Waterpark, Vista, CA – School Incentive Program tickets
- Noel Johnson, Carlsbad – four Booster Seats for field trip use
- United Way of San Diego, San Diego, CA – $17.05 for supplies
• Teresa Moseley-Wells Fargo Foundation, Carlsbad – $80.78 for supplies
• Mr. and Mrs. Stone, Carlsbad – three Lenovo Laptop Computers and $1,400 in supplies
• Friends of Hope, Carlsbad – P.E. Equipment
• Ronald Goodwin-Goodwin Family Trust, Carlsbad – $20 for P.E.
• Jennifer Vella, Carlsbad – $40 for P.E.
• Esperanza Mar Morales, Oceanside – $40 for P.E.
• Donna Irwin, Carlsbad – $40 for P.E.
• Various Parents – $234 for the Artist-in-Residence

Aviara Oaks Elementary School received the following donations:
• Sandra Mellick-Wells Fargo Foundation, Carlsbad – $44.45 for supplies
• Various Parents – $789 for BizTown bus transportation
• Aviara Oaks PTA, Carlsbad – $8,436.04 for campus improvements

Aviara Oaks Middle School received the following donations:
• AOMS PTSA, Carlsbad – four Document Cameras valued at $2,188
• FAME, Carlsbad – $57.38 for Science Tech supplies
• FAME, Carlsbad – $2,062.12 for Computer Lab “Memory”
• FAME, Carlsbad – $25,000 for classroom iPads

Pacific Rim Elementary School received the following donations:
• Friends of Pacific Rim, Carlsbad – $16.94 for supplies
• Pacific Rim PTA, Carlsbad – $146.39 for supplies
• Steven and Sangeeta Doss, Carlsbad – $250 for school enrichment
• Jennifer Nickerson, V.P.-City National Bank, Los Angeles, CA – $250 for “The Literacy Connection”

Poinsettia Elementary School received the following donations:
• Poinsettia PTA, Carlsbad – $246.45 for supplies
• The Paula B. and Oliver W. Jones Family Foundation, Inc., San Diego, CA – $8,846.26 for two art teacher Grants
FINANCIAL IMPLICATIONS

The donations serve to assist educational programs of the District's General Fund.

RECOMMENDATION

It is respectfully recommended that the Board of Trustees accept these gifts and send letters of thanks.

SUPERINTENDENT’S RECOMMENDATION: Approve staff recommendation.