



Union High School District

**BOARD OF TRUSTEES
REGULAR BOARD MEETING**

Board of Trustees
Joyce Dalessandro
Linda Friedman
Barbara Groth
Beth Hergesheimer
Deanna Rich

Superintendent
Ken Noah

**THURSDAY, JULY 15, 2010
6:30 PM**

**DISTRICT OFFICE BOARD ROOM 101
710 ENCINITAS BLVD, ENCINITAS, CA. 92024**

Welcome to the meeting of the San Dieguito Union High School District Board of Trustees.

PUBLIC COMMENTS

If you wish to speak regarding an item on the agenda, please complete a speaker slip located at the sign-in desk and present it to the Secretary to the Board prior to the start of the meeting. When the Board President invites you to the podium, please state your name, address, and organization before making your presentation.

Persons wishing to address the Board on any school-related issue not elsewhere on the agenda are invited to do so under the "Public Comments" item. If you wish to speak under Public Comments, please follow the same directions (above) for speaking to agenda items. Complaints or charges against an employee are not permitted in an open meeting of the Board of Trustees.

In the interest of time and order, presentations from the public are limited to three (3) minutes per person, per topic. The total time for agenda and non-agenda items shall not exceed twenty (20) minutes. An individual speaker's allotted time may not be increased by a donation of time from others in attendance.

In accordance with the Brown Act, unless an item has been placed on the published agenda, there shall be no action taken. The Board may 1) acknowledge receipt of the information, 2) refer to staff for further study, or 3) refer the matter to the next agenda.

PUBLIC INSPECTION OF DOCUMENTS

In compliance with Government Code 54957.5, agenda-related documents that have been distributed to the Board less than 72 hours prior to the Board Meeting will be available for review on the district website, www.sduhsd.net, and/or at the district office. Please contact the [Office of the Superintendent](#) for more information.

CONSENT CALENDAR

All matters listed under Consent are those on which the Board has previously deliberated or which can be classified as routine items of business. An administrative recommendation on each item is contained in the agenda supplements. There will be no separate discussion of these items prior to the time the Board of Trustees votes on the motion unless members of the Board, staff, or public request specific items to be discussed or pulled from the Consent items. To address an item on the consent calendar, please follow the procedure described under *Comments on Agenda Items*.

CLOSED SESSION

The Board will meet in Closed Session to consider qualified matters of litigation, employee negotiations, student discipline, employee grievances, personnel qualifications, or real estate negotiations which are timely.

CELL PHONES/PAGERS

As a courtesy to all meeting attendees, please set cellular phones and pagers to silent mode and engage in conversations outside the meeting room.

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications, or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Governing Board, please contact the [Office of the Superintendent](#). Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with the meeting in appropriate alternative formats for persons with a disability.

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR BOARD MEETING**

AGENDA

**THURSDAY, JULY 15, 2010
6:30 PM**

**DISTRICT OFFICE BOARD ROOM 101
710 ENCINITAS BLVD., ENCINITAS, CA. 92024**

PRELIMINARY FUNCTIONS (ITEMS 1 – 6)

- 1. CALL TO ORDER; PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS 6:00 PM
- 2. **CLOSED SESSION** **6:01 PM**
 - A. To consider personnel issues, pursuant to Government Code Sections 11126 and 54957; limited to consideration of the appointment, employment, evaluation of performance, discipline /release, dismissal of a public employee or to hear *complaints or charges brought against such employee by another person or employee unless the employee requests a public session.*
 - B. To conference with Labor Negotiators, pursuant to Government Code Section 54957.8.
Agency Negotiators: Superintendent and Associate Superintendents (3)
Employee Organizations: San Dieguito Faculty Association / California School Employees Association
 - C. Conference with legal counsel to discuss current and/or potential litigation, pursuant to Government Code Sections 54956.9(b)(3)(A), (D), and (E)
 - D. Consideration and/or deliberation of student discipline matters (3 cases)

REGULAR MEETING / OPEN SESSION 6:30 PM

- 3. CALL TO ORDER
- 4. PLEDGE OF ALLEGIANCE
- 5. REPORT OUT OF CLOSED SESSION
- 6. APPROVAL OF MINUTES OF REGULAR BOARD MEETING, JUNE 17, 2010
Motion by _____, second by _____, to approve the Minutes of the June 17th Board Meeting, as shown in the attached supplement.

NON-ACTION ITEMS (ITEMS 7 - 10)

- 7. STUDENT BOARD REPORTS (NONE SCHEDULED DURING SUMMER BREAK)
- 8. BOARD REPORTS AND UPDATES BOARD OF TRUSTEES
- 9. SUPERINTENDENT’S REPORTS, BRIEFINGS AND LEGISLATIVE UPDATES KEN NOAH
- 10. DEPARTMENT / SITE UPDATES(NONE SCHEDULED)

CONSENT AGENDA ITEMS (ITEMS 11 - 15)

Upon invitation by the President, anyone who wishes to discuss a Consent Item should come forward to the lectern, state his/her name and address, and the Consent Item number.

11. SUPERINTENDENT

- A. GIFTS AND DONATIONS
Accept the Gifts and Donations, as shown in the attached supplement.
- B. FIELD TRIP REQUESTS
Approve all Field Trip Requests submitted, as shown in the attached supplement.

12. HUMAN RESOURCES

A. PERSONNEL REPORTS

Approve matters pertaining to employment of personnel, salaries, leaves of absence, resignations, changes in assignments, extra duty assignments, and consultant services:

1. Certificated and/or Classified Personnel Reports, as shown in the attached supplements.

B. APPROVAL/RATIFICATION OF AGREEMENT

(None Submitted)

13. EDUCATIONAL SERVICES

A. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreement and authorize Christina M. Bennett, Eric R. Dill or Stephen G. Ma to execute the agreement:

1. Scholastic, Inc. to provide student licenses, teacher training and ongoing support for READ 180 and System 44 programs designed as reading and literacy interventions for beginning readers and/or readers who are more than two grade levels behind, during the period July 30, 2010 through July 30, 2011, for an amount not to exceed \$250,000.00, to be expended from the General Fund 03-00.

B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS

(None Submitted)

14. PUPIL SERVICES

A. APPROVAL/RATIFICATION OF NON-PUBLIC SCHOOL / NON-PUBLIC AGENCY CONTRACTS

(None Submitted)

B. APPROVAL/RATIFICATION OF AGREEMENTS

(None Submitted)

C. APPROVAL/RATIFICATION OF PARENT SETTLEMENTS AND RELEASE AGREEMENTS

(None Submitted)

15. BUSINESS

A. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Christina M. Bennett, Eric R. Dill, Stephen G. Ma, or Ken Noah to execute the agreements:

1. San Diego County School Districts to provide student transportation between public and non-public schools and field trip locations located within County boundaries and locations mutually agreed to by both Districts, as requested, during the period July 1, 2010 through June 30, 2012, at the current SELPA daily rate for students with disabilities transportation and at the District's published field trip rate for field trip transportation.
2. Consulting & Inspection Services LLC to provide small project miscellaneous DSA inspection services, during the period July 1, 2010 through June 30, 2011, with a "not to exceed" written estimate of hours per project, at the rate of \$88.00 per hour, to be expended from the fund to which the project is charged.
3. San Dieguito Union High School District Transportation Department to provide transportation services for Del Mar Carmel Valley Sharks, during the period July 28, 2010 to August 8, 2010, to be reimbursed at the rate of \$2.50 per mile plus the driver's hourly rate of \$42.00 per (\$58.00 per hour for overtime).
4. Rancho Santa Fe Security Systems, Inc. to provide monitoring & maintenance of security systems district wide, during the period of July 1, 2010 until terminated by either party with

thirty (30) day notice, for an amount not to exceed \$16,040.40 for existing systems, to be expended from the General Fund 03-00.

- 5. NvLS Professional Services, LLC to provide E-rate consultation services, during the period July 1, 2010 through June 30, 2011, for an amount not to exceed \$10,500.00, to be expended from the General Fund 03-00.

B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS

Approve/ratify amending the following agreements and authorize Christina M. Bennett, Eric R. Dill or Stephen G. Ma to execute the agreements:

- 1. Del Mar Union School District, extending the vended meal agreement from July 1, 2010 through June 30, 2011, and increasing the snack price to \$0.80 per snack ordered.
- 2. PJ Pizza San Diego, LLC for Pizza Supplies B2009-20, extending the contract from August 1, 2010 through July 31, 2011, with no increase in unit pricing, to be expended from the Cafeteria Fund 13-00.
- 3. C. Farrell, Inc. dba Little Caesars for Breadstick Supplies B2009-20, extending the contract from August 1, 2010 through July 31, 2011, with no increase in unit pricing, to be expended from the Cafeteria Fund 13-00.
- 4. San Diego Scenic Tours, Inc., NCST, Inc., McClintock Hartley Enterprises, Inc. DBA: Goldfield Stage & Co., Sundance Stage Lines, Inc., Certified Transportation Services, Inc., Sun Diego Charter Co., and Grand Pacific Charter extending the Extra Curricular Transportation services contract B2009-03 for trips to be scheduled during the period July 1, 2010 through June 30, 2011, with a 3% increase in rates as stipulated in the contract, to be expended from the program fund requesting the transportation.

C. AWARD/RATIFICATION OF CONTRACTS

Award/ratify the following contracts and authorize Christina M. Bennett, Eric R. Dill or Stephen G. Ma to execute all pertinent documents:

- 1. Signtech Electrical Advertising, Inc. for LED Marquee for Canyon Crest Academy ASB Office project B2011-01, for an amount not to exceed \$58,043.45, to be paid for by the Canyon Crest Academy ASB.

D. APPROVAL OF CHANGE ORDERS

(None Submitted)

E. ACCEPTANCE OF CONSTRUCTION PROJECTS

(None Submitted)

F. APPROVAL OF BUSINESS REPORTS

Approve the following business reports:

- 1. Purchase Orders
- 2. Instant Money
- 3. Membership Listing

ROLL CALL VOTE FOR CONSENT AGENDA..... (ITEMS 11 - 15)

(Student Board Members not present during summer months)

- _____Joyce Dalessandro
- _____Linda Friedman
- _____Barbara Groth
- _____Beth Hergesheimer
- _____Deanna Rich

DISCUSSION / ACTION ITEMS..... (ITEMS 16 – 18)

- 16. ADOPTION OF RESOLUTIONS ESTABLISHING SPECIAL TAXES FOR 2010-11 FISCAL YEAR
 Motion by _____, second by _____, to adopt the attached resolutions establishing Special Taxes within Community Facilities District No.'s 94-2, 94-3, 95-2, 99-1, 99-2, 99-3, and 03-1, which increases the Alternate Prepayment Tax for single family, multi-family units, and commercial buildings per Lee Saylor Cost of Construction Index or Engineering News-Record Building Cost Index.
(Roll Call vote for each resolution)
- 17. ADOPTION OF RESOLUTIONS LEVYING SPECIAL TAXES FOR 2010-11 FISCAL YEAR
 Motion by _____, second by _____, to adopt the attached resolutions levying Special Taxes within Community Facilities No.'s 94-1, 94-2, 94-3, 95-1, 95-2, 99-1, 99-2, 99-3, 03-1, and authorize the Auditor of San Diego County to levy taxes on all non-exempt property within each Community Facilities District.
(Roll Call vote for each resolution)
- 18. ADOPTION OF RESOLUTION OF INTENTION TO CONVEY AN INTEREST IN REAL PROPERTY EASEMENT AND RIGHT-OF-WAY
 Motion by _____, second by _____, to adopt the Resolution of Intention to Convey an Interest in Real Property Easement and Right-of-Way to Clear Wireless LLC for the purpose of constructing, maintaining and operating wireless communication services on the San Dieguito Academy campus, as described in the attachment.

INFORMATION ITEMS..... (ITEMS 19 - 27)

- 19. SAN DIEGUITO UNION HIGH SCHOOL DISTRICT STATE AUDIT REPORT
 Review of California State Auditor Report #2009-116 regarding San Dieguito Union High School District Expenditures for Community Facilities District 94-2, as shown in the attached supplement.
- 20. BUSINESS SERVICES UPDATE..... STEVE MA, ASSOCIATE SUPERINTENDENT
- 21. HUMAN RESOURCES UPDATE TERRY KING, ASSOCIATE SUPERINTENDENT
- 22. EDUCATIONAL SERVICES UPDATE..... RICK SCHMITT, ASSOCIATE SUPERINTENDENT
- 23. PUBLIC COMMENTS
 In accordance with the Brown Act, unless an item has been placed on the published agenda, there shall be no action taken. The Board may 1) acknowledge receipt of the information, 2) refer to staff for further study, or 3) refer the matter to the next agenda. (See Board Agenda Cover Sheet)
- 24. FUTURE AGENDA ITEMS
- 25. ADJOURNMENT TO CLOSED SESSION (AS NECESSARY)

CLOSED SESSION (if required)

- A. Consider personnel issues, pursuant to Government Code Sections 11126 and 54957; limited to consideration of the appointment, employment, evaluation of performance, discipline/ release, dismissal of a public employee, or to hear *complaints or charges brought against such employee by another person or employee unless the employee requests a public session.*
- B. Conference with Labor Negotiators, pursuant to Government Code Section 54957.8.
 Agency Negotiators: Superintendent and Associate Superintendents (3)
 Employee Organizations: San Dieguito Faculty Association / California School Employees Association
- C. Conference with legal counsel to discuss current and/or potential litigation, pursuant to Government Code Sections 54956.9(b)(3)(A), (D), and (E)

D. Consideration and/or deliberation of student discipline matters (3 cases)

26. REPORT FROM CLOSED SESSION (AS NECESSARY)

27. MEETING ADJOURNED

The next regularly scheduled Board Meeting will be held on [Tuesday, August 10th, 2010, at 6:30 PM](#) in the SDUHSD District Office Board Room 101. The District Office is located at 710 Encinitas Blvd., Encinitas, CA, 92024.

Board of Trustees
Joyce Dalessandro
Linda Friedman
Barbara Groth
Beth Hergesheimer
Deanna Rich

Superintendent
Ken Noah



MINUTES
OF THE
SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR BOARD MEETING

JUNE 17, 2010

THURSDAY, JUNE 17, 2010
6:30 PM

DISTRICT OFFICE BOARD ROOM 101
710 ENCINITAS BLVD., ENCINITAS, CA. 92024

PRELIMINARY FUNCTIONS.....(ITEMS 1 – 6)

1. President Groth called the meeting to order at 6:00 PM to receive public comments on Closed Session agenda items. No public comments were presented.
2. CLOSED SESSION(ITEM 2)
The Board convened to Closed Session at 6:01PM to:
 - A. Consider personnel issues, pursuant to Government Code Sections 11126 and 54957; limited to consideration of the appointment, employment, evaluation of performance, discipline/release, dismissal of a public employee or to hear *complaints or charges brought against such employee by another person or employee unless the employee requests a public session.*
 - B. Conference with Labor Negotiators, pursuant to Government Code Section 54957.8. Agency Negotiators: Superintendent & Associate Superintendents (3); Employee Organizations: San Dieguito Faculty Association and/or California School Employees' Association.
 - C. To conference with legal counsel to discuss current and/or potential litigation, pursuant to Government Code Sections 54956.9(b)(3)(A), (D), and (E); and 54956.75 (1 case)
 - D. Consideration and/or deliberation of student discipline matters (2 cases)

OPEN SESSION / ATTENDANCE

BOARD OF TRUSTEES

Joyce Dalessandro
Linda Friedman
Barbara Groth
Beth Hergesheimer
Deanna Rich

STUDENT BOARD MEMBERS

Shakila Guevara, San Dieguito Academy

DISTRICT ADMINISTRATORS / STAFF

Ken Noah, Superintendent
Terry King, Associate Superintendent, Human Resources
Steve Ma, Associate Superintendent, Business
Bruce Cochrane, Executive Director, Pupil Services
Eric Dill, Executive Director, Business Services
Delores Perley, Director, Finance
Manuel Zapata, Assistant Principal, Adult Education
Becky Banning, Recording Secretary

- 3. CALL TO ORDER (ITEM 3)
The regular meeting of the Board of Trustees was called to order at 6:30 PM.
- 4. PLEDGE OF ALLEGIANCE (ITEM 4)
Ms. Groth led the Pledge of Allegiance.
- 5. REPORT OUT OF CLOSED SESSION (ITEM 5)
The Board took action during Closed Session to approve the stipulated expulsion of Student #640635. Motion was unanimously carried.
- 6. APPROVAL OF MINUTES OF REGULAR BOARD MEETING, JUNE 3, 2010
It was moved by Ms. Hergesheimer, seconded by Shakila Guevara, to approve the Minutes of the June 3rd meeting as presented. Motion unanimously carried.

NON-ACTION ITEMS.....(ITEMS 7 - 10)

- 7. STUDENT BOARD REPRESENTATIVES (ITEM 7)
Shakila Guevara of San Dieguito Academy gave an update on the events at her school. All other student board members were not present due to activities taking place the last two days of school.
- 8. BOARD OF TRUSTEES UPDATES AND REPORTS..... (ITEM 8)
Ms. Dalessandro – attended awards assemblies at La Costa Canyon High School and Torrey Pines High School, and Sunset / North Coast High School; a North City West JPA meeting with Mr. Ma; a Solana Beach City/School Liaison committee meeting; and a meeting with Councilmember Sherri Lightner.
Ms. Groth - attended the Sunset / North Coast Graduation ceremony held earlier today.
Ms. Hergesheimer - attended an Encinitas General Plan Committee meeting; visited Oak Crest Middle School; attended the Chamber of Commerce Teacher and Student Recognition event; and groundbreaking ceremonies at San Dieguito Academy and Canyon Crest Academy.
Ms. Rich – attended awards assemblies at La Costa Canyon High School and Torrey Pines High School; the groundbreaking ceremonies at San Dieguito Academy and Canyon Crest Academy; a Solana Beach City/School Liaison meeting; and the San Diego City/School Liaison meeting with Councilmember Sherri Lightner. Representatives from Solana Beach and Del Mar school districts also attended.
- 9. SUPERINTENDENT’S REPORTS, BRIEFINGS AND LEGISLATIVE UPDATES
Superintendent Noah brought the token shovels presented to the school district at the Groundbreaking Ceremonies for San Dieguito Academy and Canyon Crest Academy. He attended the Sunset / North Coast Graduation Ceremony held prior to this meeting. Mr. Noah commended the efforts of staff and Principal Rick Ayala for the success of each of their graduates.
Mr. Noah addressed the budget deficit and stated that the district has just been informed by the San Diego County Office of Education that this district had been incorrectly allocated \$2.8 million in Federal Stimulus funds, which now have to be paid back to the County. Mr. Noah addressed the current budget being brought before the board for adoption later in this meeting; An immediate freeze will be recommended with the filling of any vacancies; staff will be working on a new three-year projection based on this newly received information; staff is beginning the process of preparing documents that detail all district expenditures for review by the Board; A work session will be scheduled in July to review the budget, receive three-year projections and begin conversations about courses of action to explore. Next Tuesday, Cabinet members will continue discussions about further reduction options.

- 10. ENGLISH LEARNER SURVEY RESULTSMANUEL ZAPATA, ASSISTANT PRINCIPAL, ADULT EDUCATION
Mr. Zapata introduced Amelia Moreno, President of the District ELAC committee, and Jerry Figueroa, Vice President of the ELAC committee. Mr. Zapata highlighted accomplishments of the ELAC committee for this school year that included ongoing meetings, workshops, and the development of the Plaza Comunitaria, where currently, 30 parents are enrolled.

CONSENT ITEMS(ITEMS 11 - 15)

It was moved by Ms. Hergesheimer, seconded by Ms. Friedman, that all consent agenda items listed below be approved as presented. Motion unanimously carried.

11.SUPERINTENDENT

- A. GIFTS AND DONATIONS
Accept the Gifts and Donations, as shown in the attached supplement.
- B. FIELD TRIP REQUESTS
Approve all Field Trip Requests submitted, as shown in the attached supplement.

12. HUMAN RESOURCES

- A. PERSONNEL REPORTS
Approve matters pertaining to employment of personnel, salaries, leaves of absence, resignations, changes in assignments, extra duty assignments, and consultant services:
 - 1. Certificated and/or Classified Personnel Reports, as presented.
- B. APPROVAL/RATIFICATION OF AGREEMENT
Approve/ratify entering into the following agreement and authorize Christina M. Bennett, Eric R. Dill or Stephen G. Ma to execute the agreements:
 - 1. University of San Diego for student teacher placement, during the period July 1, 2010 through June 30, 2015, at no cost to the District.
- C. ADOPTION OF DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS
Adopt the a Declaration of Need for Fully Qualified Educators, as per 1994 California Commission on Teacher Credentialing (CCTC) requirement, in order to hire teachers on emergency credentials, as presented.

13. EDUCATIONAL SERVICES

- A. APPROVAL/RATIFICATION OF AGREEMENTS
(None Submitted)
- B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS
(None Submitted)

14. PUPIL SERVICES

- A. APPROVAL/RATIFICATION OF NON-PUBLIC SCHOOL / NON-PUBLIC AGENCY CONTRACTS
(None Submitted)
- B. APPROVAL/RATIFICATION OF AGREEMENTS
(None Submitted)
- C. APPROVAL/RATIFICATION OF PARENT SETTLEMENTS AND RELEASE AGREEMENTS
(None Submitted)

15. BUSINESS

A. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Christina M. Bennett, Eric R. Dill, Stephen G. Ma, or Ken Noah to execute the agreements:

1. MTGL, Inc. to provide DSA Specialty Inspection Services and Materials Conformance Testing for the San Dieguito Academy Visual and Performing Arts project, during the period June 18, 2010 through December 31, 2011, at the rates listed in their submitted fee schedule, for an estimated amount of \$90,593.00, to be expended from the Capital Facilities Fund 25-19, School Facility Fund 35-00 and Mello Roos Funds.
2. Consulting & Inspection Services, LLC to provide DSA Resident Inspection Services for the San Dieguito Academy Visual and Performing Arts project, during the period June 18, 2010 through December 31, 2011, at the rate of \$85.36 per hour for an estimated amount of \$197,804.70, to be expended from the Capital Facilities Fund 25-19, School Facility Fund 35-00 and Mello Roos Funds.
3. Rancho Santa Fe Security Systems, Inc. to provide district wide alarmed responses, during the period of July 1, 2010 until terminated by either party with thirty (30) day written prior notice, at the rate of \$35.00 per alarmed response, to be expended from the General Fund 03-00.
4. Siemens Industry, Inc. to provide preventative maintenance and technical support for the HVAC systems at La Costa Canyon High School, Canyon Crest Academy, Carmel Valley Middle School, and Torrey Pines High School, during the period July 1, 2010 through June 30, 2013, for an amount not to exceed \$120,380.00, to be expended from the General Fund 03-00.
5. MTGL, Inc. to provide DSA geotechnical and soil inspection and testing services for the Parking Structure Solar Panel Installation at La Costa Canyon High School and Canyon Crest Academy project, during the period June 3, 2010 through March 31, 2011, for an amount not to exceed \$15,860.00, to be expended from the Capital Facilities Fund 25-19 and Qualified School Construction Bonds.
6. Davis Demographics & Planning, Inc. to provide updated demographic services, during the period July 1, 2010 through June 30, 2013, for an amount not to exceed \$59,160.00, to be expended from the Capital Facilities Fund 25-19.
7. School Facility Consultants to provide consulting services to the District regarding state facility funding applications, during the period July 1, 2010 through June 30, 2011, for an amount not to exceed \$30,000.00, to be expended from the Capital Facilities Fund 25-19.
8. Geocon, Inc. to provide DSA geotechnical and soil inspection and testing services for the San Dieguito Academy Visual and Performing Arts project, during the period June 18, 2010 through December 31, 2011, at the rates listed in their submitted fee schedule for an estimated amount of \$26,645.00, to be expended from the Capital Facilities Fund 25-19, School Facility Fund 35-00 and Mello Roos Funds.
9. Sowards and Brown Engineering, Inc. to prepare the map for annexation number 15 to Community Facilities District No. 95-2, during the period June 3, 2010 through July 31, 2010, for an amount not to exceed \$3,900.00, to be expended from Mello Roos Funds subject to reimbursement by the developer.

B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS

(None Submitted)

C. AWARD/RATIFICATION OF CONTRACTS

Award/ratify the following contracts and authorize Christina M. Bennett, Eric R. Dill or Stephen G. Ma to execute all pertinent documents:

1. D.A.D. Asphalt, Inc. for the Asphalt/Paving Services – District Wide unit cost contract B2010-13, during the period July 1, 2010 through June 30, 2011, with options to renew two

additional one year periods, at the unit prices listed on the attachment, to be expended from the fund to which the project is charged.

D. APPROVAL OF CHANGE ORDERS
(None Submitted)

E. ACCEPTANCE OF CONSTRUCTION PROJECTS
(None Submitted)

F. AUTHORIZATION TO ADVERTISE FOR BIDS / APPROVE CONTRACTS AND AGREEMENTS
1. Authorize the Superintendent of Schools to direct the administration to advertise for any necessary bids, during the period July 1, 2010 through June 30, 2011.
2. Authorize the Superintendent of Schools or designee to approve entering into all contracts/agreements, during the period June 11, 2010 through August 31, 2010, and that all contracts/agreements be presented to the Board of Trustees for ratification at the next regularly scheduled meeting.

G. ADOPTION OF RESOLUTION AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY AND INSTRUCTIONAL SUPPLIES
Adopt a resolution authorizing the administration to sell surplus property on an as needed basis during the course of the 2010-11 fiscal year.

H. APPROVAL OF BUSINESS REPORTS
Approve the following business reports:
1. Purchase Orders
2. Instant Money
3. Membership Listing

DISCUSSION / ACTION ITEMS..... (ITEMS 16 - 19)

16. APPROVAL OF RECEIPT AND USE OF TIER III CATEGORICAL FUNDING

- A. PUBLIC HEARING – Hearing opened for comments from the public; no comments presented; public Hearing closed.
- B. APPROVAL OF RECEIPT AND USE OF TIER III CATEGORICAL FUNDING

Following discussion and an overview by Ms. Perley on the use of funds, it was moved by Ms. Dalessandro, seconded by Ms. Hergesheimer, to approve receipt and use of Tier III Categorical Funds, and, subject to approval of the San Diego County Office of Education, that ROP funding be received and used as flexible Tier III funding, as presented. Motion unanimously carried.

17. ADOPTION OF PROPOSED 2010-11 ANNUAL BUDGET / GENERAL FUND & SPECIAL FUNDS

- A. PUBLIC HEARING– Hearing opened for comments from the public; no comments presented; Public Hearing closed.
- B. ADOPTION OF PROPOSED 2010-11 ANNUAL BUDGET / GENERAL FUND
Following discussion and a brief overview by Mr. Dill, it was moved by Ms. Friedman, seconded by Ms. Dalessandro, to adopt the proposed 2010-11 Annual Budget / General Fund, as presented. Motion unanimously carried.
- C. ADOPTION OF PROPOSED 2010-11 ANNUAL BUDGET / SPECIAL FUNDS
It was moved by Ms. Dalessandro, seconded by Ms. Hergesheimer, to adopt the proposed 2010-11 Annual Budget / Special Funds, as presented. Motion unanimously carried.

ITEM 6

18. REVISION OF BOARD MEETING DATES, 2010 / MOVING THE AUGUST 19TH MEETING TO AUGUST 10TH
It was moved by Ms. Hergesheimer, seconded by Ms. Friedman, to reschedule the August 19th Board Meeting to Tuesday, August 10, 2010. Motion unanimously carried.

19. APPROVAL OF 2010-11 CONSOLIDATED APPLICATION FOR FUNDING CATEGORICAL AID PROGRAMS, PART I
It was moved by Ms. Rich, seconded by Ms. Dalessandro, to approve the 2010-11 Consolidated Application for Funding Categorical Aid Programs, Part I; as presented. Motion unanimously carried.

INFORMATION ITEMS (ITEMS 20 - 27)

20. BUSINESS SERVICES UPDATE STEVE MA, ASSOCIATE SUPERINTENDENT
Mr. Ma gave an update on the decision to lock the Torrey Pines High School tennis courts. Due to recent vandalism, there is a need for increased security. Other options to continue making these courts available for public use are currently being considered.

A fitness and weight room will be constructed this summer at La Costa Canyon High School; this is being made possible through the contributions of the LCC Athletic Foundation.

21. HUMAN RESOURCES UPDATE TERRY KING, ASSOCIATE SUPERINTENDENT
Ms. King stated that to help with the deficit reduction, the goal for Human Resources will be to try not to reduce programs, but to reduce wherever they can without affecting programs.

22. EDUCATIONAL SERVICES UPDATE RICK SCHMITT, ASSOCIATE SUPERINTENDENT
Mr. Schmitt gave an update on the number of graduating and promoted students for 2009-10 (see attached handout). He also reported that the remaining group of students still on the waiting list for their first school of choice had now been granted their first choices, and therefore no other students remain on the waiting list.

23. PUBLIC COMMENTS– (None presented)

24. FUTURE AGENDA Items (None discussed)

25. ADJOURNMENT TO CLOSED SESSION (Not required)

26. REPORT OUT OF CLOSED SESSION - (Nothing further to report)

27. ADJOURNMENT OF MEETING - Meeting adjourned at 7:32 PM.

Joyce Dalessandro, Board Clerk

____ / ____ / 2010
Date

Ken Noah, Superintendent

____ / ____ / 2010
Date

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: June 22, 2010

BOARD MEETING DATE: July 15, 2010

PREPARED AND SUBMITTED BY: Ken Noah, Superintendent

SUBJECT: ACCEPTANCE OF GIFTS AND DONATIONS

.....

EXECUTIVE SUMMARY

The district administration is requesting acceptance of gifts and donations to the district as shown on the following reports.

RECOMMENDATION:

The administration recommends that the Board accept the gifts and donations to the district as shown on the following reports.

FUNDING SOURCE:

Not applicable

KN/bb

**GIFTS AND DONATIONS
SDUHSD BOARD MEETING
JULY 15, 2010**

ITEM 11A

Donation	Purpose	Donor	Department	School Site
\$5,000.00	To cover expenses charged to the CCAF donation account	Canyon Crest Academy Foundation	Foundation Account	CCA
\$14,700.00	To cover curriculum, instruction, technical, printing costs	Carmel Valley Middle School PTSA	General school fund	CV
\$25.00	Miscellaneous	Mission Federal Credit Union	General school fund	CCA
\$100.00	Reimbursement for band books	Various students	Band Department	OC
\$38,000.00	For use in the Computer Lab	Torrey Pines High School Foundation	Computer Lab	TP
\$607.64	To bring budget # 03-00-0300-503 current	Canyon Crest Academy Foundation	Foundation Account	CCA
\$817.60	Payment toward service descriptors and brass & percussion coaches	Diegueno Band Boosters	Band Department	DNO
\$371.70	Payment toward Service Descriptors and brass & percussion coaches	Diegueno Band Boosters	Band Department	DNO
\$305.00	Misc class materials and supplies	San Dieguito Academy Foundation	Math, Sculpture, Soc. Sci., Tech Wheel and Metals	SDA
\$336.88	Miscellaneous	Chase	General School Fund	SDA

\$60,263.82 Monetary Donations

\$0.00 Value of Donated Items

\$60,263.82 TOTAL VALUE

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: June 22, 2010

BOARD MEETING DATE: July 15, 2010

**PREPARED AND
SUBMITTED BY:** Ken Noah, Superintendent

SUBJECT: APPROVAL / RATIFICATION OF
FIELD TRIPS

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EXECUTIVE SUMMARY

The district administration is requesting approval / ratification of the out-of-state and/or overnight field trips, as shown on the following reports.

RECOMMENDATION:

The administration recommends that the Board approve / ratify the out-of-state and/or overnight field trips, as shown on the following reports.

FUNDING SOURCE:

As listed on attached reports.

KN/bb

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: July 2, 2010

BOARD MEETING DATE: July 15, 2010

PREPARED BY: Terry King
Associate Superintendent/Human Resources

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: APPROVAL OF CERTIFICATED and
CLASSIFIED PERSONNEL

EXECUTIVE SUMMARY

Please find the following Personnel actions attached for Board Approval:

Certificated

Employment
Resolution to Teach Outside Credentialed Area
Change in Assignment
Leave of Absence
Resignation

Classified

Employment
Change in Assignment
Resignation

RECOMMENDATION:

It is recommended that the Board approve the attached Personnel actions.

FUNDING SOURCE:

General Fund

PERSONNEL LIST

CERTIFICATED PERSONNEL

Employment

1. **Tracy Bryant**, 100% Temporary Teacher (social science) at Canyon Crest Academy for the 2010-11 school year, effective 8/24/10 through 6/17/11.
2. **Holly Clark**, 60% Temporary Teacher (multi-media) at Carmel Valley Middle School for the 2010-11 school year, effective 8/24/10 through 6/17/11.
3. **Edward Gerstin**, 100% Temporary Teacher (biology/chemistry) at Canyon Crest Academy for the 2010-11 school year, effective 8/24/10 through 6/17/11.
4. **Jennifer Koett**, 100% Temporary Teacher (art) at San Dieguito Academy and Canyon Crest Academy for semester I/2010-11 school year, effective 8/24/10 through 1/28/11; assignment decreases to 33% at San Dieguito only for semester II, effective 1/31/11 through 6/17/11.
5. **Jennifer Loftus**, 40% Temporary Teacher (math) at Earl Warren Middle School for the 2010-11 school year, effective 8/24/10 through 6/17/11.
6. **Melissa Magin**, 100% Temporary Speech/Language Therapist at Canyon Crest Academy for the 2010-11 school year, effective 8/24/10 through 6/17/11.
7. **Marco Martinez**, 100% Temporary Teacher (Special Ed – Mild/Moderate) at San Dieguito Academy for the 2010-11 school year, effective 8/24/10 through 6/17/11.
8. **Jennifer McCann**, 100% Temporary Counselor at La Costa Canyon for the 2010-11 school year, effective 8/11/10 through 6/17/11.
9. **Jennifer McCluan**, 33% Temporary Teacher (healthcare essentials) at San Dieguito Academy for semester I/2010-11 school year, effective 8/24/10 through 1/28/11; assignment increases to 67% semester II (all chemistry), effective 1/31/11 through 6/17/11.
10. **Kelly Mechikoff**, 67% Temporary Teacher (French) at San Dieguito Academy and Canyon Crest Academy for semester I/2010-11 school year, effective 8/24/10 through 1/28/11; assignment decreases to 33% semester II at San Dieguito Academy only for semester II, effective 1/31/11 through 6/17/11.
11. **Rebecca Stoff**, 100% Temporary Counselor at Earl Warren for the 2010-11 school year, effective 8/11/10 through 6/17/11.
12. **Jacqueline Teague**, 100% Temporary Teacher (math) at La Costa Canyon for the 2010-11 school year, effective 8/24/10 through 6/17/11.
13. **Julianne Velasco**, 100% Temporary Counselor at San Dieguito Academy for the 2010-11 school year, effective 8/11/10 through 6/17/11.

ITEM 12A

Approval of resolutions for the following teachers to teach one period of a competitive sport outside their credentialed area for the 2010-11 school year, authorized by Education Code Section 44258.7(b):

David Cassaw	Basketball P.E. at La Costa Canyon
Matt Chess	Baseball P.E. at Torrey Pines
Scott Chodorow	Pep Squad at Torrey Pines
Charlenne Falcis-Stevens	Track & Field PE and Cross Country at Torrey Pines
James Harrah	Volleyball P.E. at Torrey Pines
Justin Machado	Baseball at La Costa Canyon

Change in Assignment

1. **Guen Butler**, 67% Tenured Teacher (French) at San Dieguito Academy, change in assignment to 100% beginning in the 2010-11 school year, effective 8/24/10.
2. **Kelli Noonan**, 80% Tenured Teacher (math) at Earl Warren, change in assignment to 100% beginning in the 2010-11 school year, effective 8/24/10.

Leave of Absence

1. **Jennifer Brennan**, Teacher (science) currently on Unpaid Leave of Absence from Canyon Crest Academy, 100% Unpaid Leave of Absence for the 2010-11 school year, effective 8/24/10 through 6/17/11.
2. **Dianne Brown**, Teacher (English) at Torrey Pines, revise Unpaid Leave of Absence request from 60% to 80% Unpaid Leave (20% assignment) for the 2010-11 school year, effective 8/24/10 through 6/17/11.

Resignation

1. **Cathy Hicks**, BTSA Coordinator at La Costa Canyon High School, resignation for retirement purposes in the 2010-11 school year, effective 12/31/10. (Cathy will continue as BTSA Coordinator at Canyon Crest Academy from 8/24/10 through her retirement date).
2. **Richard Napora**, Counselor at La Costa Canyon High School, resignation from employment, effective 6/18/10.

PERSONNEL LIST

CLASSIFIED PERSONNEL

Employment

1. **Hakamian, Victoria**, Student Worker-Nutrition Services, effective 5/7/10 – 6/18/10

Change in Assignment

1. **Orr, Steve**, from Campus Supervisor Middle School to Campus Supervisor High School, effective 6/15/10 – 6/18/10
2. **Prine, Roswita**, from Office Assistant to Lead Library Media Technician, effective 8/17/10
3. **Svarcas, Kristine**, from 48.75% Job Placement Assistant to 75%, effective 8/30/10

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: July 8, 2010

BOARD MEETING DATE: July 15, 2010

PREPARED BY: David Jaffe, Executive Director, Curriculum & Assessment
Rick Schmitt, Assoc. Supt., Educational Svcs.

SUBMITTED BY: Ken Noah, Superintendent

SUBJECT: APPROVAL / RATIFICATION OF
PROFESSIONAL SERVICES CONTRACT /
SCHOLASTIC INC. (READ 180)

EXECUTIVE SUMMARY

READ 180 California Edition and System 44 are comprehensive research-based reading and literacy programs designed to bring students up to grade level reading and comprehension abilities. This licensing agreement will include one-time upgrade costs as well as our regular yearly material needs. Additionally, this upgrade includes System 44 which is designed for emerging readers who have not demonstrated necessary literacy skills to become readers.

Read 180 will serve over 300 students in Academic Literacy classes comprised of students from the general population while System 44 will serve students who are level 1 and 2 English Learners and students in Special Education who are non-readers. We have run READ 180 classes for eight years with results showing significant improvement in reading ability. Our current version is limited to use in a classroom setting only and it does not address the needs of non-readers. Because this is a web-based program, the upgraded system allows students to engage in skill development from any source with internet access. We are in process of working out the details of the licensing agreement. In order to have the system upgraded, materials delivered and teachers trained prior to the start of school we will need to sign this agreement by July 30, 2010.

ITEM 13A

RECOMMENDATION:

It is recommended the Board approve entering into a licensing agreement with Scholastic Inc. to provide student licenses, teacher training and ongoing support for READ 180 and System 44 programs designed as reading and literacy interventions for beginning readers and/or readers who are more than two grade levels behind, during the period July 30, 2010 through July 30, 2011, for an amount not to exceed \$250,000.00, and authorize Christina M. Bennett, Eric R. Dill or Stephen G. Ma to execute the agreement.

FUNDING SOURCE:

Federal Categorical Funds, General Fund 03-00

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

ITEM 13A

EDUCATIONAL SERVICES - PROFESSIONAL SERVICES REPORT

Date: 07-15-10

<u>Contract Effective Dates</u>	<u>Consultant/ Vendor</u>	<u>Description of Services</u>	<u>School/ Department Budget</u>	<u>Fee Not to Exceed</u>
07/30/10 – 07/30/11	Scholastic, Inc.	Provide student licenses, teacher training and ongoing support for READ 180 and System 44 programs designed as reading and literacy interventions for beginning readers and/or readers who are more than two grade levels behind.	Federal Categorical Funds / General Fund 03-00	\$250,000.00

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: July 8, 2010

BOARD MEETING DATE: July 15, 2010

PREPARED BY: Christina M. Bennett, Director of Purchasing
Eric R. Dill, Executive Director, Business Services
Steve Ma, Associate Superintendent/Business

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: APPROVAL/RATIFICATION OF
PROFESSIONAL SERVICES CONTRACTS/
BUSINESS

EXECUTIVE SUMMARY

The attached Professional Services Report/Business summarizes five contracts totaling \$26,540.40, or as noted on the attachment.

RECOMMENDATION:

The administration recommends that the Board approve and/or ratify the contracts, as shown in the attached Professional Services Report.

FUNDING SOURCE:

As noted on attached list

ITEM 15A

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

BUSINESS - PROFESSIONAL SERVICES REPORT

Date: 07-15-10

<u>Contract Effective Dates</u>	<u>Consultant/ Vendor</u>	<u>Description of Services</u>	<u>School/ Department Budget</u>	<u>Fee Not to Exceed</u>
07/01/10 – 06/30/12	San Diego County School Districts	Provide student transportation between public and non-public schools and field trip locations located within County boundaries and locations mutually agreed to by both Districts	N/A	Current SELPA daily rate and District's published field trip rate
07/01/10 – 06/30/11	Consulting & Inspection Services LLC	Provide small project miscellaneous DSA inspection services	Fund to which the project is charged	\$88.00 per hour
07/28/10 – 08/08/10	Del Mar Carmel Valley Sharks	Transportation services to be provided by the Transportation Department	N/A	Reimbursed at the rate of \$2.50 per mile plus driver's hourly rate of \$42.00 (or at the overtime rate of \$58.00 per hour)
07/01/10 – until terminated by either party with 30 day written notice	Rancho Santa Fe Security Systems, Inc.	Provide monitoring & maintenance of security systems district wide	General Fund 03-00	\$16,040.40 for existing systems
07/01/10 – 06/30/11	NvLS Professional Services, LLC	Provide E-rate consultation services	General Fund 03-00	\$10,500.00

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: July 8, 2010

BOARD MEETING DATE: July 15, 2010

PREPARED BY: Christina Bennett, Director of Purchasing
Eric R. Dill, Executive Director, Business Services
Steve Ma, Associate Supt./Business

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: APPROVAL/RATIFICATION OF
AMENDMENTS TO AGREEMENTS

EXECUTIVE SUMMARY

The attached Amendment to Agreements Report summarizes four amendments to agreements totaling \$0.00, or as listed on the attached report.

RECOMMENDATION:

The administration recommends that the Board approve and/or ratify the amendments to agreements, as shown in the attached Amendment Report.

FUNDING SOURCE:

As noted on attached list

ITEM 15B

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

AMENDMENT TO AGREEMENTS REPORT

Date: 07-15-10

<u>Contract Effective Dates</u>	<u>Consultant/ Vendor</u>	<u>Description of Services</u>	<u>School/ Department Budget</u>	<u>Fee Not to Exceed</u>
07/01/10 – 06/30/11	Del Mar Union School District	Extending the vended meal agreement and increasing the snack price to \$0.80 per snack ordered.	N/A	N/A
08/01/10 – 07/31/11	PJ Pizza San Diego, LLC	Extending the contract period for pizza supplies	Cafeteria Fund 13-00	N/A
08/01/10 – 07/31/11	C. Farrell, Inc. dba Little Caesars	Extending the contract period for breadstick supplies	Cafeteria Fund 13-00	N/A
07/01/10 – 06/30/11	San Diego Scenic Tours, Inc., NCST, Inc., McClintock Hartley Enterprises, Inc. DBA: Goldfield Stage & Co., Sundance Stage Lines, Inc., Certified Transportation Services, Inc., Sun Diego Charter Co., and Grand Pacific Charter	Extending the Extra Curricular Transportation services contract B2009-03 for trips to be scheduled during the period July 1, 2010 through June 30, 2011, with a 3% increase in rates as stipulated in the contract	To be expended from the program fund requesting the transportation	N/A

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: July 8, 2010

BOARD MEETING DATE: July 15, 2010

PREPARED BY: Christina M. Bennett, Director of Purchasing
Eric R. Dill, Executive Director, Business Services
Steve Ma, Associate Supt./Business

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: AWARD/RATIFICATION OF CONTRACTS

EXECUTIVE SUMMARY

On June 29, 2010 three bids for the LED Marquee for Canyon Crest Academy ASB Office contract were opened. The bid submittals were reviewed by District staff for compliance and determination of the lowest responsive and responsible bidder. It was determined that the low bidder, Harbor Bay, Inc. was nonresponsive due to their lack of the contractor license required and their failure to provide the required specifications for the sign they would have provided. Summaries of bid submittals are attached.

RECOMMENDATION:

It is recommended that the Board award/ratify the following contracts and authorize Christina M. Bennett, Eric R. Dill, or Stephen G. Ma to execute all pertinent documents:

1. Signtech Electrical Advertising, Inc. for the LED Marquee at Canyon Crest Academy ASB Office B2011-01, for an amount not to exceed \$58,043.45.

FUNDING SOURCE:

Canyon Crest Academy ASB

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: July 6, 2010

BOARD MEETING DATE: July 15, 2010

PREPARED BY: Stephen G. Ma
Associate Superintendent, Business

SUBMITTED BY: Ken Noah, Superintendent

SUBJECT: APPROVAL OF BUSINESS REPORTS

EXECUTIVE SUMMARY

Please find the following business reports submitted for your approval:

- a) Purchase Orders
- b) Instant Money
- c) Membership Listing

RECOMMENDATION:

It is recommended that the Board approve the following business reports: a) Purchase Orders, b) Instant Money, and c) Membership Listing.

FUNDING SOURCE:

Not applicable

js
Attachments

PO/BOARD/REPORT

SAN DIEGUITO UNION HIGH
FROM 06/08/10 THRU 07/05/10

1

ITEM 15F

PO NBR	DATE	FUND	VENDOR	LOC	DESCRIPTION	AMOUNT
203092	06/08/10	03	PUGH, MARILYN	020	PROF/CONSULT./OPER E	\$1,375.00
203093	06/08/10	25-18	FREDRICKS ELECTRIC I	025	LAND IMPROVEMENTS	\$4,250.00
203094	06/08/10	03	SAN DIEGUITO TROPHY	026	CLASSIF.EMPL.RECOGNI	\$16.31
203095	06/08/10	25-19	L B CONCRETE	025	NEW CONSTRUCTION	\$7,250.00
203096	06/09/10	03	PROMOSTITCH, INC	025	MATERIALS AND SUPPLI	\$108.75
203097	06/09/10	03	CASPER COMPANY	025	OTHER SERV.& OPER.EX	\$850.00
203098	06/09/10	25-19	L B CONCRETE	025	NEW CONSTRUCTION	\$5,800.00
203099	06/09/10	06	SAN DIEGO ZOOLOGICAL	032	FEES - ADMISSIONS, T	\$258.28
203100	06/09/10	03	KINKO'S	010	MATERIALS AND SUPPLI	\$450.00
203101	06/09/10	03	ENGRAVING PLACE, THE	010	MATERIALS AND SUPPLI	\$456.75
203102	06/10/10	03	GALE - A CENGAGE LEA	013	E-BOOKS OTHER THAN T	\$100.00
203103	06/10/10	06	FRANKEL, DEBORAH	030	OTHER SERV.& OPER.EX	\$450.00
203104	06/10/10	03	ESI INTERNATIONAL, I	030	OTHER SERV.& OPER.EX	\$3,222.70
203105	06/11/10	03	NORTH COUNTY TIMES	037	ADVERTISING	\$32.40
203106	06/14/10	03	SANDWICH QUEEN, THE	026	MATERIALS AND SUPPLI	\$39.15
203107	06/14/10	03	STAPLES ADVANTAGE	014	MATERIALS AND SUPPLI	\$119.21
203108	06/14/10	03	PACIFIC RIM HYDROSEE	025	OTHER SERV.& OPER.EX	\$9,300.00
203109	06/14/10	03	PACIFIC RIM HYDROSEE	025	OTHER SERV.& OPER.EX	\$28,770.00
203110	06/14/10	03	SIMPLEX-GRINNELL LP	025	REPAIRS BY VENDORS	\$285.00
203111	06/14/10	03	AMERICAN FENCE & SEC	025	RENTS & LEASES	\$10,493.00
203112	06/15/10	03	SAN DIEGUITO UHSD CA	026	OTHER SERV.& OPER.EX	\$355.61
203113	06/15/10	06	STAPLES ADVANTAGE	010	MATERIALS AND SUPPLI	\$90.74
203114	06/15/10	03	FRONTIER FENCE COMPA	025	OTHER SERV.& OPER.EX	\$490.00
203115	06/15/10	25-18	CONSULTING & INSPECT	025	LAND IMPROVEMENTS	\$8,976.00
203116	06/15/10	25-18	G FORCE	025	LAND IMPROVEMENTS	\$17,650.00
203117	06/15/10	25-19	ROMANO, LAURA	021	LAND IMPROVEMENTS	\$5,000.00
203118	06/15/10	03	NORTH COUNTY TIMES	025	ADVERTISING	\$171.00
203119	06/16/10	03	RANCHO SANTA FE PROT	012	SECURITY GUARD CONTR	\$210.00
203120	06/17/10	06	FUSION LEARNING CENT	030	OTHER CONTR-N.P.S.	\$16,960.00
203121	06/17/10	03	SIEMENS INDUSTRY, IN	025	REPAIRS BY VENDORS	\$252.00
203122	06/21/10	03	FREDRICKS ELECTRIC I	035	MATERIALS AND SUPPLI	\$1,234.50
203123	06/21/10	06	KALES, JAMIE	033	MATERIALS AND SUPPLI	\$506.00
203124	06/23/10	03	XEROX CORPORATION	001	OTHER SERV.& OPER.EX	\$206.00
203125	06/23/10	13	XEROX CORPORATION	001	OTHER SERV.& OPER.EX	\$103.00
203126	06/24/10	03	STAPLES ADVANTAGE	024	MATERIALS AND SUPPLI	\$113.69
203127	06/25/10	03	JOSTENS, INC.	014	MATERIALS AND SUPPLI	\$542.18
203128	06/25/10	03	EL CAMINO RENTAL	025	RENTS & LEASES	\$60.48
203129	06/25/10	06	OCEANSIDE TRANSMISSI	028	REPAIRS BY VENDORS	\$2,790.37
203130	06/25/10	03	OFFICE DEPOT	024	MATERIALS AND SUPPLI	\$16.97
203131	06/25/10	13	NORTH COUNTY TIMES	022	ADVERTISING	\$68.40
203132	06/25/10	03	LEUCADIA PIZZERIA	026	MATERIALS AND SUPPLI	\$141.95
203133	06/25/10	03	SAN DIEGUITO UHSD CA	026	MATERIALS AND SUPPLI	\$155.08
203135	06/28/10	06	HAWTHORNE LIFT/NAUMA	028	MATERIALS-REPAIRS	\$2,816.46
203136	06/28/10	03	O'BRYAN, SEMUS	026	PROF/CONSULT./OPER E	\$145.00
203137	06/29/10	03	CA DEPT OF EDUCATION	022	ALL OTHER STATE REVE	\$1,887,316.00
203138	06/30/10	03	NORTH COUNTY TIMES	001	ADVERTISING	\$100.80
203139	06/30/10	03	AHLQUIST, KYLE	026	PROF/CONSULT./OPER E	\$145.00
210000	06/14/10	03	APPLE COMPUTER INC	035	LIC/SOFTWARE	\$1,103.81
210001	06/15/10	03	EN POINTE TECHNOLOGI	035	A/V CONTRACT	\$580.62
210002	06/15/10	03	DELL COMPUTER CORPOR	035	MAT/SUP/EQUIP TECHNO	\$2,249.52
210003	06/16/10	03	HASLER, INC	001	RENTS & LEASES	\$783.00
210004	06/18/10	14	COLLINS & AIKMAN FLO	025	REPAIRS BY VENDORS	\$16,830.94
210005	06/18/10	14	COLLINS & AIKMAN FLO	025	REPAIRS BY VENDORS	\$17,624.26
210006	06/23/10	03	APPLE COMPUTER INC	035	MAT/SUP/EQUIP TECHNO	\$45,606.66
210007	06/28/10	03	S D C S P C A	026	DUES AND MEMBERSHIPS	\$50.00

PO/BOARD/REPORT

SAN DIEGUITO UNION HIGH
FROM 06/08/10 THRU 07/05/10

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ITEM 15F

PO NBR	DATE	FUND	VENDOR	LOC	DESCRIPTION	AMOUNT
210008	06/30/10	03	XEROX CORPORATION	020	RENTS & LEASES	\$9,757.18
210009	07/01/10	03	STAPLES ADVANTAGE	003	MATERIALS AND SUPPLI	\$1,274.55
700062	06/10/10	06	RIDOUT PLASTICS	030	MATERIALS AND SUPPLI	\$271.88
700065	06/16/10	03	AZTEC TECHNOLOGY COR	025	OTHER SERV.& OPER.EX	\$250.00
700066	06/15/10	03	LOUIS & COMPANY	025	BLDG.-REPAIR MATERIA	\$79.04
700067	06/25/10	03	AFFORDABLE PRINTER C	035	REPAIRS BY VENDORS	\$85.00
700068	06/29/10	03	WESTERN ENVIRONMENTA	037	PROF/CONSULT./OPER E	\$940.00
REPORT TOTAL						\$2,117,730.24

ITEM 15F

INSTANT MONEY REPORT FOR THE PERIOD 06/08/10 THROUGH 07/05/10

<i>Check #</i>	<i>Vendor</i>	<i>Amount</i>
10470	FEDEX	\$90.76
10471	US POSTAL SERVICE	\$185.00
	<i>Total</i>	\$275.76

ITEM 15F

Individual Membership Listings
For the Period of June 8, 2010 through July 5, 2010

<u>Staff Member Name</u>	<u>Organization Name</u>	<u>Amount</u>
None to report		

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: July 2, 2010

BOARD MEETING DATE: July 15, 2010

PREPARED BY: John Addleman, Director of Planning and
Financial Management
Steve Ma, Assoc. Supt. of Business Services

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: ADOPTION OF RESOLUTIONS
ESTABLISHING SPECIAL TAXES FOR
2010-2011 FISCAL YEAR

EXECUTIVE SUMMARY

The Board of Trustees has adopted ordinances authorizing the levy of a special tax within CFD 94-2, CFD 94-3, CFD 95-2, CFD 99-1, CFD 99-2, CFD 99-3, and CFD 03-1. These ordinances were adopted pursuant to the Rate and Method of Apportionment of Special Taxes approved in the elections. The Rate and Method of Apportionment of Special Taxes also require the Board to determine the amount for the alternate prepayment to be collected each year. The Lee Saylor Material/Cost of Construction Index can increase this rate for all CFD's except for CFD 99-2 and CFD 99-3 for which the Engineering News-Record Building Cost Index is used.

The 2010-2011 prepayment amounts have been established as follows:

- CFD 94-2 - \$4,955.00 for a single family home and \$1,350.00 for a multi-family home.
- CFD 94-3 - \$8,714.84 for a single family home and \$2,374.38 for a multi-family home.
- CFD 95-2 - \$8,418.60 for a single family home and \$2,293.67 for a multi-family home.
- CFD 99-1 - \$8,669.09 for a single family home and \$2,341.56 for a multi-family home.

ITEM 16

- CFD 99-2 – One-Time Special Tax of \$1.04 per square foot of assessable space for residential homes and \$.23 per square foot of assessable space for commercial buildings located in the Encinitas School District and \$.14 per square foot of assessable space for commercial buildings located in the Rancho Santa Fe School District.
- CFD 99-3 – One-Time Special Tax of \$1.04 per square foot of assessable space for residential homes and \$.23 per square foot of assessable space for commercial buildings.
- CFD 03-1 - \$10,281.58 for a Tax Class A single family home, \$2,777.94 for a Tax Class A multi-family home, \$8,669.09 for a Tax Class B single family home, and \$2,341.56 for a Tax Class B multi-family home.

RECOMMENDATION:

It is recommended that the Board adopt the attached resolutions establishing Special Taxes within Community Facilities District No.'s 94-2, 94-3, 95-2, 99-1, 99-2, 99-3, and 03-1, which increases the Alternate Prepayment Tax for single family, multi-family units, and commercial buildings per Lee Saylor Cost of Construction Index or Engineering News-Record Building Cost Index.

FUNDING SOURCE:

N/A

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
ESTABLISHING SPECIAL TAXES WITHIN
COMMUNITY FACILITIES DISTRICT NO. 94-2
FOR PREPAYMENTS FOR THE 2010-11 FISCAL YEAR**

WHEREAS, on September 22, 1994 the Board of Trustees of the San Dieguito Union High School District (the "Board of Trustees") adopted a resolution entitled "Resolution of Formation of the Board of Trustees of the San Dieguito Union High School District Establishing Community Facilities District No. 94-2 of the San Dieguito Union High School District, Authorizing the Levy of a Special Tax, the Incurrence of Bonded Indebtedness not to Exceed \$50,000,000 within Proposed Community Facilities District 94-2 and Calling an Election" (the "Resolution"), which established Community Facilities District No. 94-2 of the San Dieguito Union High School District (the "District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, to finance the construction and acquisition of certain school facilities within the District;

WHEREAS, the Resolution authorized the levy of a special tax on property lying within the District, authorized the issuance of bonds in an aggregate principal amount not to exceed \$50,000,000 and called an election;

WHEREAS, on November 3, 1994, an election (the "Election") was held within the District in which the eligible electors approved by more than two-thirds of the votes cast the propositions of levying a special tax on property within the District, incurring indebtedness in an amount not to exceed \$50,000,000 and establishing an appropriations limit;

WHEREAS, on December 5, 1994, the Board of Trustees adopted an ordinance entitled, "Ordinance of the Board of Trustees of the San Dieguito Union High School District Authorizing the Levy of a Special Tax Within Community Facilities District No. 94-2" (the "Ordinance") authorizing the levy of a special tax within the District pursuant to the rate and method of apportionment of special taxes approved in the Election (the "Rate and Method") which is set forth in Exhibit A attached to the Ordinance (terms used but not defined herein have the meaning provided in the Rate and Method);

WHEREAS, the Ordinance authorized the Board of Trustees to provide, by resolution, for the levy of the special tax in accordance with the Rate and Method;

WHEREAS, pursuant to the Rate and Method, within five (5) business days from the time of issuance of the initial building permit with respect to any Assessor's Parcel, the owner of such Assessor's Parcel of Developed Property may elect to prepay fifty percent of the aggregate Maximum Special Tax obligation attributable to the Assessor's Parcel;

NOW THEREFORE, THE BOARD OF TRUSTEES DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. In accordance with the Rate and Method, the Board of Trustees hereby establishes \$4,955.00 as the Alternate Prepayment Tax for Single-Family units and \$1,350.00 for Multi-Family units with respect to Developed Property for the 2010-11 fiscal year.

Section 2. The Alternate Prepayment Tax with respect to any Assessor's Parcel shall be collected by the District within five (5) business days from the time of issuance of the initial building permit of such Assessor's Parcel of Developed Property in accordance with Section VII of the Rate and Method and Section 5 of the Ordinance.

Section 3. The Board of Trustees hereby ratifies any action taken prior to adoption of this resolution to collect the Alternate Prepayment Taxes with respect to Developed Property for the 2010-11 fiscal year.

Section 4. This Resolution shall take effect immediately on the date of final passage.

ADOPTED, SIGNED AND APPROVED, this 15th day of July, 2010.

BOARD OF TRUSTEES OF THE SAN
DIEGUITO UNION HIGH SCHOOL DISTRICT

By: _____

Title: President, Board of Trustees

ATTEST:

By: _____

Title: Clerk, Board of Trustees

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Joyce Dalessandro, Clerk of the Board of Trustees of the San Dieguito Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees at a regular meeting of said Board held on the 15th day of July, 2010, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Trustees

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNIONHIGH SCHOOL DISTRICT
ESTABLISHING SPECIAL TAXES WITHIN
COMMUNITY FACILITIES DISTRICT NO. 94-3
FOR PREPAYMENTS FOR THE 2010-11 FISCAL YEAR**

WHEREAS, on March 21, 1996 the Board of Trustees of the San Dieguito Union High School District (the “Board of Trustees”) adopted a resolution entitled “Resolution of Formation of the Board of Trustees of the San Dieguito Union High School District Establishing Community Facilities District No. 94-3 of the San Dieguito Union High School District, Authorizing the Levy of a Special Tax, the Incurrence of Bonded Indebtedness not to Exceed \$50,000,000 within Proposed Community Facilities District No. 94-3 and Calling an Election” (the “Resolution”), which established Community Facilities District No. 94-3 of the San Dieguito Union High School District (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, to finance the construction and acquisition of certain school facilities within the District;

WHEREAS, on July 18, 1996 the Board amended the Resolution by adopting a resolution entitled “Amendment to Resolutions of Formation of the Board of Trustees of the San Dieguito Union High School District Regarding Establishment of Community Facilities District Nos. 94-3 and 95-2 of the San Dieguito Union High School District” (the “Amending Resolution”) changing the date of the election;

WHEREAS, the Resolution authorized the levy of a special tax on property lying within the District, authorized the issuance of bonds in an aggregate principal amount not to exceed \$50,000,000 and called an election;

WHEREAS, on September 10, 1996 an election (the “Election”) was held within the District in which the eligible electors approved by more than two-thirds of the votes cast the propositions of levying a special tax on property within the District, incurring indebtedness in an amount not to exceed \$50,000,000 and establishing an appropriations limit;

WHEREAS, on September 19, 1996 the Board of Trustees adopted an ordinance entitled, “Ordinance of the Board of Trustees of the San Dieguito Union High School District Authorizing the Levy of a Special Tax Within Community Facilities District No. 94-3” (the “Ordinance”) authorizing the levy of a special tax within the District pursuant to the rate and method of apportionment of special taxes approved in the Election (the “Rate and Method”) which is set forth in Exhibit A attached to the Ordinance (terms used but not defined herein have the meanings provided in the Rate and Method);

WHEREAS, the Ordinance authorized the Board of Trustees to provide, by resolution, for the levy of the special tax in accordance with the Rate and Method;

WHEREAS, pursuant to the Rate and Method, within five (5) business days from the time of issuance of the initial building permit with respect to any Assessor's Parcel, the owner of such Assessor's Parcel of Developed Property may elect to prepay fifty percent of the aggregate Maximum Special Tax obligation attributable to the Assessor's Parcel;

NOW THEREFORE, THE BOARD OF TRUSTEES DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. In accordance with the Rate and Method, the Board of Trustees hereby establishes \$8,714.84 as the Alternate Prepayment Tax for Single-Family units and \$2,374.38 for Multi-Family units with respect to Developed Property for the 2010-11 fiscal year.

Section 2. The Alternate Prepayment Tax with respect to any Assessor's Parcel shall be collected by the District within five (5) business days from the time of issuance of the initial building permit of such Assessor's Parcel of Developed Property in accordance with Section VII of the Rate and Method and Section 5 of the Ordinance.

Section 3. The Board of Trustees hereby ratifies any action taken prior to adoption of this resolution to collect the Alternate Prepayment Taxes with respect to Developed Property for the 2010-11 fiscal year.

Section 4. This Resolution shall take effect immediately on the date of final passage.

ADOPTED, SIGNED AND APPROVED, this 15th day of July, 2010.

BOARD OF TRUSTEES OF THE SAN
DIEGUITO UNION HIGH SCHOOL DISTRICT

By: _____

Title: President, Board of Trustees

ATTEST:

By: _____

Title: Clerk, Board of Trustees

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Joyce Dalessandro, Clerk of the Board of Trustees of the San Dieguito Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees at a regular meeting of said Board held on the 15th day of July, 2010, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Trustees

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNIONHIGH SCHOOL DISTRICT
ESTABLISHING SPECIAL TAXES WITHIN
COMMUNITY FACILITIES DISTRICT NO. 95-2
FOR PREPAYMENTS FOR THE 2010-11 FISCAL YEAR**

WHEREAS, on March 21, 1996 the Board of Trustees of the San Dieguito Union High School District (the "Board of Trustees") adopted a resolution entitled "Resolution of Formation of the Board of Trustees of the San Dieguito Union High School District Establishing Community Facilities District No. 95-2 of the San Dieguito Union High School District, Authorizing the Levy of a Special Tax, the Incurrence of Bonded Indebtedness not to Exceed \$50,000,000 within Proposed Community Facilities District No. 95-2 and Calling an Election" (the "Resolution"), which established Community Facilities District No. 95-2 of the San Dieguito Union High School District (the "District") pursuant to the Mello-Roos community Facilities Act of 1982, as amended, to finance the construction and acquisition of certain school facilities within the District;

WHEREAS, on July 18, 1996 the Board amended the Resolution by adopting a resolution entitled "Amendment to Resolutions of Formation of the Board of Trustees of the San Dieguito Union High School District Regarding Establishment of Community Facilities District Nos. 94-3 and 95-2 of the San Dieguito Union High School District" (the "Amending Resolution") changing the date of the election;

WHEREAS, the Resolution authorized the levy of a special tax on property lying within the District, authorized the issuance of bonds in an aggregate principal amount not to exceed \$50,000,000 and called an election;

WHEREAS, on September 10, 1996 an election (the "Election") was held within the District in which the eligible electors approved by more than two-thirds of the votes cast the propositions of levying a special tax on property within the District, incurring indebtedness in an amount not to exceed \$50,000,000 and establishing an appropriations limit;

WHEREAS, on September 19, 1996 the Board of Trustees adopted an ordinance entitled, "Ordinance of the Board of Trustees of the San Dieguito Union High School District Authorizing the Levy of a Special Tax Within Community Facilities District No. 95-2" (the "Ordinance") authorizing the levy of a special tax within the District pursuant to the rate and method of apportionment of special taxes approved in the Election (the "Rate and Method") which is set forth in Exhibit A attached to the Ordinance (terms used but not defined herein have the meanings provided in the Rate and Method);

WHEREAS, the Ordinance authorized the Board of Trustees to provide, by resolution, for the levy of the special tax in accordance with the Rate and Method;

WHEREAS, pursuant to the Rate and Method, within five (5) business days from the time of issuance of the initial building permit with respect to any Assessor's Parcel, the owner of such Assessor's Parcel of Developed Property may elect to prepay fifty percent of the aggregate Maximum Special Tax obligation attributable to the Assessor's Parcel;

NOW THEREFORE, THE BOARD OF TRUSTEES DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. In accordance with the Rate and Method, the Board of Trustees hereby establishes \$8,418.60 as the Alternate Prepayment Tax for Single-Family units and \$2,293.67 for Multi-Family units with respect to Developed Property for the 2010-11 fiscal year.

Section 2. The Alternate Prepayment Tax with respect to any Assessor's Parcel shall be collected by the District within five (5) business days from the time of issuance of the initial building permit of such Assessor's Parcel of Developed Property in accordance with Section VII of the Rate and Method and Section 5 of the Ordinance.

Section 3. The Board of Trustees hereby ratifies any action taken prior to adoption of this resolution to collect the Alternate Prepayment Taxes with respect to Developed Property for the 2010-11 fiscal year.

Section 4. This Resolution shall take effect immediately on the date of final passage.

ADOPTED, SIGNED AND APPROVED, this 15th day of July, 2010.

BOARD OF TRUSTEES OF THE SAN
DIEGUITO UNION HIGH SCHOOL DISTRICT

By: _____

Title: President, Board of Trustees

ATTEST:

By: _____

Title: Clerk, Board of Trustees

ITEM 16

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Joyce Dalessandro, Clerk of the Board of Trustees of the San Dieguito Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees at a regular meeting of said Board held on the 15th day of July, 2010, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Trustees

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
ESTABLISHING SPECIAL TAXES WITHIN
COMMUNITY FACILITIES DISTRICT NO. 99-1
FOR PREPAYMENTS FOR THE 2010-11 FISCAL YEAR**

WHEREAS, on May 6, 1999 the Board of Trustees of the San Dieguito Union High School District (the “Board of Trustees”) adopted a resolution entitled “Resolution of Formation of the Board of Trustees of the San Dieguito Union High School District Establishing Community Facilities District No. 99-1 of the San Dieguito Union High School District Authorizing the Levy of a Special Tax, the Incurrence of Bonded Indebtedness not to Exceed \$50,000,000 with Proposed Community Facilities District No. 99-1 and Calling an Election” (the “Resolution), which established Community Facilities District No. 99-1 of the San Dieguito Union High School District (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, to finance the construction and acquisition of certain school facilities within the District; and

WHEREAS, on August 19, 1999 the Board amended the Resolution by adopting a resolution entitled “Amendment to Resolution of Formation of the Board of Trustees of the San Dieguito Union High School District Regarding Establishment of Community Facilities District No. 99-1 of the San Dieguito Union High School District” (the “Amending Resolution”) changing the date of the election; and

WHEREAS, the Resolution authorized the levy of a special tax on property lying within the District, authorized the issuance of bonds in an aggregate principal amount not to exceed \$50,000,000 and called an election; and

WHEREAS, on September 16, 1999 an election (the “Election”) was held within the District in which the eligible electors approved by more than two-thirds of the votes cast the propositions of levying a special tax on property within the District, incurring indebtedness in an amount not to exceed \$50,000,000 and establishing an appropriations limit; and

WHEREAS, on September 16, 1999 the Board of Trustees adopted an ordinance entitled, “Ordinance of the Board of Trustees of the San Dieguito Union High School District Authorizing the Levy of a Special Tax Within Community Facilities District No. 99-1” (the “Ordinance”) authorizing the levy of a special tax within the District pursuant to the rate and method of apportionment of special taxes approved in the Election (the “Rate and Method”) which is set forth in Exhibit A attached to the Ordinance (terms used but not defined herein have the meanings provided the Rate and Method); and

WHEREAS, the Ordinance authorized the Board of Trustees to provide, by resolution, the levy of the special tax in accordance with the Rate and Method; and

WHEREAS, pursuant to the Rate and Method, within five (5) business days from the time of issuance of the initial building permit with respect to any Assessor's Parcel, the owner of such Assessor's Parcel of Developed Property may elect to prepay fifty percent of the aggregate Maximum Special Tax obligation attributable to the Assessor's Parcel;

NOW THEREFORE, THE BOARD OF TRUSTEES DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. In accordance with the Rate and Method, the Board of Trustees hereby establishes \$8,669.09 as the Alternate Prepayment Tax for Single-Family units and \$2,341.56 for multi-Family units with respect to Developed Property for the 2010-11 fiscal year.

Section 2. The Alternate Prepayment Tax with respect to any Assessor's Parcel shall be collected by the District within five (5) business days from the time of issuance of the initial building permit of such Assessor's Parcel of Developed Property in accordance with Section VII of the Rate and Method and Section 5 of the Ordinance.

Section 3. The Board of Trustees hereby ratifies any action taken prior to adoption of this resolution to collect the Alternate Prepayment Taxes with respect to Developed Property for the 2010-11 fiscal year.

Section 4. This Resolution shall take effect immediately on the date of final passage.

ADOPTED, SIGNED AND APPROVED, this 15th day of July, 2010.

BOARD OF TRUSTEES OF THE SAN
DIEGUITO UNION HIGH SCHOOL DISTRICT

By: _____

Title: President, Board of Trustees

ATTEST:

By: _____

Title: Clerk, Board of Trustees

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
ESTABLISHING SPECIAL TAXES WITHIN
COMMUNITY FACILITIES DISTRICT NO. 99-2
FOR PREPAYMENTS FOR THE 2010-11 FISCAL YEAR**

WHEREAS, on May 6, 1999 the Board of Trustees of the San Dieguito Union High School District (the “Board of Trustees”) adopted a resolution entitled “Resolution of Formation of the Board of Trustees of the San Dieguito Union High School District Establishing Community Facilities District No. 99-2 (The Bridges at Rancho Santa Fe) of the San Dieguito Union High School District, Authorizing the Levy of a Special Tax, the Incurrence of Bonded Indebtedness Not to Exceed \$50,000,000 Within Proposed Community Facilities District No. 99-2 (The Bridges at Rancho Santa Fe) and Calling an Election” (The “Resolution”), which established Community Facilities District No. 99-2 of the San Dieguito Union High School District (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, to finance the construction and acquisition of certain school facilities within the District; and

WHEREAS, the Resolution authorized the levy of a special tax on property lying within the District, authorized the issuance of bonds in an aggregate principal amount not to exceed \$50,000,000 and called an election; and

WHEREAS, on May 11, 1999 an election (the “Election”) was held within the District in which the eligible electors approved by more than two-thirds of the votes cast the propositions of levying a special tax on property within the District, incurring indebtedness in an amount not to exceed \$50,000,000 and establishing an appropriations limit; and

WHEREAS, on May 20, 1999 the Board of Trustees adopted an ordinance entitled, “Ordinance of the Board of Trustees of the San Dieguito Union High School District Authorizing the Levy of a Special Tax Within Community Facilities District No. 99-2 (The Bridges at Rancho Santa Fe)” (the “Ordinance”) authorizing the levy of a special tax within the District pursuant to the rate and method of apportionment of special taxes approved in the Election (the “Rate and Method”) which is set forth in Exhibit “A” attached to the Ordinance (terms used but not defined herein have the meanings provided in the Rate and Method); and

WHEREAS, the Ordinance authorized the Board of Trustees to provide, by resolution, for the levy of the special tax in accordance with the Rate and Method; and

WHEREAS, pursuant to the Rate and Method, at or prior to the issuance of a building permit for an Assessor’s Parcel of Residential Property, the owner of such

property may elect to exempt his property from the Annual Special Tax by paying the One-Time Special Tax then applicable to such Assessor's Parcel and upon payment of such One-Time Special Tax, such Assessor's Parcel shall thereafter be treated as Exempt Property. If an owner of an Assessor's Parcel of Residential Property does not elect to pay the One-Time Special Tax, then that Assessor's Parcel of Residential Property shall be subject to the Annual Special Taxes and shall not be subject to the One-Time Special Tax.

NOW THEREFORE, THE BOARD OF TRUSTEES DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. In accordance with the Rate and Method, the Board of Trustees hereby establishes \$1.04 per square foot of assessable space for parcels of residential property and \$0.14 per square foot of chargeable covered and enclosed space for assessor's parcels of commercial property located within the boundaries of Rancho Santa Fe USD, or \$0.23 per square foot of chargeable covered and enclosed space for assessor's parcels of commercial property located within the boundaries of Encinitas USD as the One-Time Special Tax for the 2010-11 fiscal year.

Section 2. The One-Time Special Tax with respect to any Assessor's Parcel shall be collected by the District at or prior to the issuance of a building permit of such Assessor's Parcel in accordance with Section C of the Rate and Method and Section C of the Ordinance.

Section 3. The Board of Trustees hereby ratifies any action taken prior to adoption of this resolution to collect the One-Time Special Tax with respect to Developed Property for the 2010-11 fiscal year.

Section 4. This Resolution shall take effect immediately on the date of final passage.

ADOPTED, SIGNED AND APPROVED, this 15th day of July, 2010.

BOARD OF TRUSTEES OF THE SAN
DIEGUITO UNION HIGH SCHOOL DISTRICT

By: _____

Title: President, Board of Trustees

ATTEST:

By: _____

Title: Clerk, Board of Trustees

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
ESTABLISHING SPECIAL TAXES WITHIN
COMMUNITY FACILITIES DISTRICT NO. 99-3
FOR PREPAYMENTS FOR THE 2010-11 FISCAL YEAR**

WHEREAS, on October 7, 1999 the Board of Trustees of the San Dieguito Union High School District (the “Board of Trustees”) adopted a resolution entitled “Resolution of Formation of the Board of Trustees of the San Dieguito Union High School District Establishing Community Facilities District No. 99-3 of the San Dieguito Union High School District, Authorizing the Levy of a Special Tax, the Incurrence of Bonded Indebtedness Not to Exceed \$50,000,000 Within Proposed Community Facilities District No. 99-3 and Calling an Election” (the “Resolution”), which establishes Community Facilities District No. 99-3 of the San Dieguito Union High School District (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, to finance the construction and acquisition of certain school facilities within the District; and

WHEREAS, the Resolution authorized the levy of a special tax on property lying within the District, authorized the issuance of bonds in an aggregate principal amount not to exceed \$50,000,000 and called an election; and

WHEREAS, on October 12, 1999 an election (the “Election”) was held within the District in which the eligible electors approved by more than two-thirds of the votes cast the propositions of levying a special tax on property within the District, incurring indebtedness in an amount not to exceed \$50,000,000 and establishing an appropriations limit; and

WHEREAS, on November 4, 1999 the Board of Trustees adopted an ordinance entitled, “Ordinance of the Board of Trustees of the San Dieguito Union High School District Authorizing the Levy of a Special Tax Within Community Facilities District No. 99-3” (the “Ordinance”) authorizing the levy of a special tax within the District pursuant to the rate and method of apportionment of special taxes approved in the Election (the “Rate and Method”) which is set forth in Exhibit “A” attached to the Ordinance (terms used but not defined herein have the meanings provided in the Rate and Method); and

WHEREAS, the Ordinance authorized the Board of Trustees to provide, by resolution, for the levy of the special tax in accordance with the Rate and Method; and

WHEREAS, pursuant to the Rate and Method, at or prior to the issuance of a building permit for an Assessor’s Parcel of Residential Property, the owner of such property may elect to exempt his property from the Annual Special Tax by paying the

One-Time Special Tax then applicable to such Assessor's Parcel and upon payment of such One-Time Special Tax, such Assessor's Parcel of Residential Property shall thereafter be treated as Exempt Property. If an owner of an Assessor's Parcel of Residential Property does not elect to pay the One-Time Special Tax, then that Assessor's Parcel of Residential Property shall be subject to Annual Special Taxes and shall not be subject to the One-Time Special Tax.

NOW THEREFORE, THE BOARD OF TRUSTEES DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. In accordance with the Rate and Method, the Board of Trustees hereby establishes \$01.04 per square foot of Assessable Space for Assessor's Parcels of Residential Property, or \$0.23 per square foot of Chargeable Covered and Enclosed Space for Assessor's Parcels of Commercial Property as the One-Time Special Tax for the 2010-11 fiscal year.

Section 2. The One-Time Special Tax with respect to any Assessor's Parcel shall be collected by the District at or prior to the issuance of a building permit of such Assessor's Parcel in accordance with Section C of the Rate and Method and Section C of the Ordinance.

Section 3. The Board of Trustees hereby ratifies any action taken prior to adoption of this resolution to collect the One-Time Special Tax with respect to Developed Property for the 2010-11 fiscal year.

Section 4. This Resolution shall take effect immediately on the date of final passage.

ADOPTED, SIGNED AND APPROVED, this 15th day of July, 2010.

BOARD OF TRUSTEES OF THE SAN
DIEGUITO UNION HIGH SCHOOL DISTRICT

By: _____

Title: President, Board of Trustees

ATTEST:

By: _____

Title: Clerk, Board of Trustees

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Joyce Dalessandro, Clerk of the Board of Trustees of the San Dieguito Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees at a regular meeting of said Board held on the 15th day of July, 2010, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Trustees

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
ESTABLISHING SPECIAL TAXES WITHIN
COMMUNITY FACILITIES DISTRICT NO. 03-1
FOR PREPAYMENTS FOR THE 2010-11 FISCAL YEAR**

WHEREAS, on May 1, 2003 the Board of Trustees of the San Dieguito Union High School District (the "Board of Trustees") adopted a resolution entitled "Resolution of Formation of the Board of Trustees of the San Dieguito Union High School District Establishing Community Facilities District No. 03-1 of the San Dieguito Union High School District, Authorizing the Levy of a Special Tax, the Incurrence of Bonded Indebtedness not to Exceed \$75,000,000 within Proposed Community Facilities District 03-1 and Calling an Election" (the "Resolution"), which established Community Facilities District No. 03-1 of the San Dieguito Union High School District (the "District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, to finance the construction and acquisition of certain school facilities within the District;

WHEREAS, the Resolution authorized the levy of a special tax on property lying within the District, authorized the issuance of bonds in an aggregate principal amount not to exceed \$75,000,000 and called an election;

WHEREAS, on May 13, 2003, an election (the "Election") was held within the District in which the eligible electors approved by more than two-thirds of the votes cast the propositions of levying a special tax on property within the District, incurring indebtedness in an amount not to exceed \$75,000,000 and establishing an appropriations limit;

WHEREAS, on May 15, 2003, the Board of Trustees adopted an ordinance entitled, "Ordinance of the Board of Trustees of the San Dieguito Union High School District Authorizing the Levy of a Special Tax Within Community Facilities District No. 03-1" (the "Ordinance") authorizing the levy of a special tax within the District pursuant to the rate and method of apportionment of special taxes approved in the Election (the "Rate and Method") which is set forth in Exhibit A attached to the Ordinance (terms used but not defined herein have the meaning provided in the Rate and Method);

WHEREAS, the Ordinance authorized the Board of Trustees to provide, by resolution, for the levy of the special tax in accordance with the Rate and Method;

WHEREAS, pursuant to the Rate and Method, within five (5) business days from the time of issuance of the initial building permit with respect to any Assessor's Parcel, the owner of such Assessor's Parcel of Developed Property may elect to prepay fifty percent of the aggregate Maximum Special Tax obligation attributable to the Assessor's Parcel;

NOW THEREFORE, THE BOARD OF TRUSTEES DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. In accordance with the Rate and Method, the Board of Trustees hereby establishes \$10,281.58 as the Alternate Prepayment Tax for Tax Class A Single-Family units, \$2,777.94 for Tax Class A Multi-Family units, \$8,669.09 for Tax Class B Single-Family units, and \$2,341.56 for Tax Class B Multi-Family units with respect to Developed Property for the 2010-11 fiscal year.

Section 2. The Alternate Prepayment Tax with respect to any Assessor’s Parcel shall be collected by the District within five (5) business days from the time of issuance of the initial building permit of such Assessor’s Parcel of Developed Property in accordance with Section VI of the Rate and Method and Section 5 of the Ordinance.

Section 3. The Board of Trustees hereby ratifies any action taken prior to adoption of this resolution to collect the Alternate Prepayment Taxes with respect to Developed Property for the 2010-11 fiscal year.

Section 4. This Resolution shall take effect immediately on the date of final passage.

ADOPTED, SIGNED AND APPROVED, this 15th day of July, 2010.

BOARD OF TRUSTEES OF THE SAN
DIEGUITO UNION HIGH SCHOOL DISTRICT

By: _____

Title: President, Board of Trustees

ATTEST:

By: _____

Title: Clerk, Board of Trustees

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Joyce Dalessandro, Clerk of the Board of Trustees of the San Dieguito Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees at a regular meeting of said Board held on the 15th day of July, 2010, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Trustees

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: July 2, 2010

BOARD MEETING DATE: July 15, 2010

PREPARED BY: John Addleman, Director of Planning and
Financial Management
Steve Ma, Assoc. Supt. of Business Services

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: ADOPTION OF RESOLUTIONS LEVYING
SPECIAL TAXES FOR 2010-2011 FISCAL
YEAR

EXECUTIVE SUMMARY

The Board of Trustees has adopted ordinances authorizing the levy of a special tax within Community Facilities District (CFD) 94-1, CFD 94-2, CFD 94-3, CFD 95-1, CFD 95-2, CFD 99-1, CFD 99-2, CFD 99-3, and CFD 03-1. These ordinances authorized the Board of Trustees to provide, by resolution, for the levy of the special tax in accordance with the Rate and Method established. The tax will appear on each property owner's tax bill and is to be collected by the County Assessor's Office, per arrangement.

Growth across the community facilities districts has continued to be tepid. The annual levy of special taxes increased by 2.2%; up \$134,664.50 from \$6,047,788.00 to \$6,182,452.50. The three most active community facilities districts are:

CFD 94-2 La Costa Oaks 67 units, \$53,600.00,
CFD 95-1 Crosby Estates/Del Mar Mesa 12 units, \$10,260.00, and
CFD 03-1 Pacific Highlands Ranch 68 units, \$68,952.00.

The detail parcel information, Attachment A, to the attached resolutions is available for inspection in the Planning and Financial Management Department and will be filed as part of the minutes of this meeting.

RECOMMENDATION:

It is recommended that the Board adopt the attached resolutions levying Special Taxes within Community Facilities District No.'s 94-1, 94-2, 94-3, 95-1, 95-2, 99-1, 99-2, 99-3, and 03-1, and authorize the Auditor of San Diego County to levy taxes on all non-exempt property within each Community Facilities District.

FUNDING SOURCE:

Community Facilities Districts 94-1, 94-2, 94-3, 95-1, 95-2, 99-1, 99-2, 99-3, and 03-1

Enclosure: June 30, 2010 Special Tax Fund by CFD Summary, 2010/2011 Special Tax Summary

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
09-10 Special Tax Fund Ending 06-30-10

	2006 Revenue Bonds									
	94-1	94-2	94-3	95-1	95-2	99-1	99-2	99-3	03-1	Total All CFDs
DEPOSITS:										
Nov-09	0.00	58,800.00	12,325.00	60,705.00	6,400.00	\$9,872.25	\$1,425.00	\$2,565.00	\$20,280.00	172,372.25
Dec-09	800.00	186,800.00	48,540.00	223,789.50	32,507.00	40,795.50	2,850.00	9,120.00	96,330.00	641,532.00
Jan-10	1,600.00	614,200.00	186,823.00	791,122.50	109,780.00	112,821.75	6,270.00	25,080.00	238,590.00	2,086,287.25
Feb-10	1,200.00	47,000.00	11,090.00	53,010.00	8,908.00	6,204.00	285.00	2,565.00	25,350.00	155,612.00
Mar-10	800.00	92,000.00	30,069.00	96,615.00	15,236.00	18,584.25	2,280.00	1,710.00	70,980.00	328,274.25
Apr-10	0.00	113,200.00	35,706.00	126,112.50	20,981.00	22,835.25	1,995.00	5,415.00	54,249.00	380,493.75
May-10	1,600.00	594,800.00	186,713.00	739,615.50	103,998.00	117,732.75	7,980.00	23,085.00	257,349.00	2,032,873.25
Jun-10	0.00	22,000.00	6,836.00	21,802.50	3,454.00	3,240.75	0.00	1,140.00	6,591.00	65,064.25
Jul-10										
Total Deposits - Co Assesor/07-08	\$6,000.00	\$1,728,800.00	\$518,102.00	\$2,112,772.50	\$301,264.00	\$332,086.50	\$23,085.00	\$70,680.00	\$769,719.00	\$5,862,509.00
Tax Rev Target/Co. Assessor	\$6,400.00	\$1,793,600.00	\$536,246.00	\$2,169,630.00	315,482.00	\$339,342.00	\$24,510.00	\$74,100.00	\$788,478.00	\$6,047,788.00
Handbill Deposits received	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$1,140.00	\$0.00	\$0.00	\$0.00	\$1,140.00
Tax Revenue Target/Handbills	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Tax Revenues 09/10	\$6,400.00	\$1,793,600.00	\$536,246.00	\$2,169,630.00	\$315,482.00	\$340,482.00	\$24,510.00	\$74,100.00	\$788,478.00	\$6,048,928.00
% Allocation of all CFDs	0.1058%	29.6515%	8.8651%	35.8680%	5.2155%	5.6288%	0.4052%	1.2250%	13.0350%	100.0000%
08-09 Receivables	(\$400.00)	(\$64,800.00)	(\$18,144.00)	(\$56,857.50)	(14,218.00)	(\$8,395.50)	(\$1,425.00)	(\$3,420.00)	(\$18,759.00)	(\$186,419.00)
Prepayment of Special Tax 09-10	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Delinquent taxes - principal/adjustments	\$0.00	\$45,280.00	\$16,158.30	\$48,393.00	11,861.80	\$15,549.37	\$969.00	\$5,415.00	\$16,021.20	\$159,647.67
Delinquent taxes - interest & penalties	\$0.00	\$7,708.68	\$2,936.40	\$8,283.86	1,791.68	\$3,143.37	\$265.01	\$913.22	\$2,483.96	\$27,526.18
Balance kept in Special Tax Fund after closeout. To be transferred to Admin Acct when balance reaches \$100k	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50,000.00
Accrued Interest/Assessor	\$5.46	\$1,266.29	\$384.58	\$1,524.96	227.17	\$246.02	\$17.30	\$57.17	\$553.64	\$4,282.59
Interest/Spec Tax Fund Account	\$11.48	\$3,217.55	\$961.97	\$3,892.11	565.94	\$610.79	\$43.97	\$132.93	\$1,414.45	\$10,851.20
Total Credits	\$6,016.94	\$1,786,272.52	\$538,543.25	\$2,174,866.43	\$315,710.59	\$352,776.05	\$24,380.28	\$77,198.32	\$790,192.25	\$6,115,956.64
EXPENDITURES										
<i>Debt Service Payments: (Net)</i>										
06 Bond Debt Service Payment to US Bank	\$2,146.29	\$601,498.17	\$179,834.40	\$727,602.85	105,799.42	\$114,183.37	\$8,219.63	\$24,850.03	\$264,422.43	\$2,028,556.60
Wire fee (reimbursed in August)	(\$0.03)	(\$7.41)	(\$2.22)	(\$8.97)	(\$1.30)	(\$1.41)	(\$0.10)	(\$0.31)	(\$3.26)	(\$25.00)
Wire fee (to be reimbursed in February)	\$0.03	\$7.41	\$2.22	\$8.97	\$1.30	\$1.41	\$0.10	\$0.31	\$3.26	\$25.00
Wire fee (reversed in February)	(\$0.03)	(\$7.41)	(\$2.22)	(\$8.97)	(\$1.30)	(\$1.41)	(\$0.10)	(\$0.31)	(\$3.26)	(\$25.00)
Assessor Fees	\$0.80	\$247.40	\$87.70	\$220.00	41.90	\$55.80	\$4.30	\$13.00	\$76.40	\$747.30
Owed to Admin Fund from 08-09 closeout										\$50,000.00
Total Expenditures for all CFDs	2,147.06	601,738.16	179,919.89	727,813.88	105,840.02	114,237.77	8,223.82	24,862.72	264,495.57	2,079,278.90
Special Tax Fund Account Balance	3,869.88	1,184,534.36	358,623.37	1,447,052.55	209,870.58	238,538.29	16,156.45	52,335.59	525,696.68	4,036,677.74

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
COMMUNITY FACILITIES DISTRICTS
2010/2011 EXECUTIVE SUMMARY**

DISTRICT	PARCELS LEVIED	PROJECTED LEVY APPLIED AT COUNTY	LEVY AMOUNT HANDBILLED	TOTAL PROJECTED LEVY AMOUNT
CFD No. 94-1	8	\$6,400.00	\$0.00	\$6,400.00
CFD No. 94-2	2,541	1,847,200.00	0.00	1,847,200.00
CFD No. 94-3	877	536,246.00	0.00	536,246.00
CFD No. 95-1	2,212	2,179,890.00	0.00	2,179,890.00
CFD No. 95-2	419	315,482.00	0.00	315,482.00
CFD No. 99-1	560	340,624.50	0.00	340,624.50
CFD No. 99-2	43	24,510.00	0.00	24,510.00
CFD No. 99-3	131	74,670.00	0.00	74,670.00
CFD No. 03-1	832	857,430.00	0.00	857,430.00
Total	7,623	\$6,182,452.50	\$0.00	\$6,182,452.50

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
LEVYING SPECIAL TAX FOR 2010-11 FOR
COMMUNITY FACILITIES DISTRICT 94-1 OF
THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the "Board") of the San Dieguito Union High School District (the "District") has previously completed proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the "Act") to form Community Facilities District 94-1 of the San Dieguito Union High School District; and

WHEREAS, the Board, acting on behalf of CFD 94-1, has reviewed the financial affairs of CFD 94-1; and

WHEREAS, the Board desires at this time to levy the special taxes at the rates specified herein for the fiscal year for CFD 94-1,

NOW, THEREFORE, the Board of Trustees of the San Dieguito Union High School District, acting as the legislative body of Community Facilities District 94-1, does hereby resolve, determine, and order as follows:

Section 1. That the Clerk of the Board of Trustees of the District is hereby authorized to file a certified copy of this Resolution with the Auditor of the County of San Diego and such other public agencies as may be necessary.

Section 2. Pursuant to Section 53340 of the Act, the Board hereby levies the special taxes on all non-exempt property within CFD 94-1 pursuant to the Rate and Method of Apportionment of the Special Tax for CFD 94-1, and in the amounts and on property within CFD 94-1 for Fiscal Year 2010-11 as set forth on Attachment A attached hereto and incorporated herein by this reference.

ADOPTED, SIGNED, AND APPROVED THIS 15th DAY OF July, 2010.

San Dieguito Union High School District
Acting as the Legislative Body of
Community Facilities District 94-1

By: _____
President of the Board of Trustees

Resolution Levying Special Tax for 2010-11
Page 2

ATTEST:

By: _____
Clerk, Board of Trustees

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Joyce Dalessandro, Clerk of the Board of Trustees of the San Dieguito Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees at a regular meeting of said Board held on the 15th day of July, 2010, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Trustees

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
LEVYING SPECIAL TAX FOR 2010-11 FOR
COMMUNITY FACILITIES DISTRICT 94-2 OF
THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the “Board”) of the San Dieguito Union High School District (the “District”) has previously completed proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”) to form Community Facilities District 94-2 of the San Dieguito Union High School District; and

WHEREAS, the Board, acting on behalf of CFD 94-2, has reviewed the financial affairs of CFD 94-2; and

WHEREAS, the Board desires at this time to levy the special taxes at the rates specified herein for the fiscal year for CFD 94-2,

NOW, THEREFORE, the Board of Trustees of the San Dieguito Union High School District, acting as the legislative body of Community Facilities District 94-2, does hereby resolve, determine, and order as follows:

Section 1. That the Clerk of the Board of Trustees of the District is hereby authorized to file a certified copy of this Resolution with the Auditor of the County of San Diego and such other public agencies as may be necessary.

Section 2. Pursuant to Section 53340 of the Act, the Board hereby levies the special taxes on all non-exempt property within CFD 94-2 pursuant to the Rate and Method of Apportionment of the Special Tax for CFD 94-2, and in the amounts and on property within CFD 94-2 for Fiscal Year 2010-11 as set forth on Attachment A attached hereto and incorporated herein by this reference.

ADOPTED, SIGNED, AND APPROVED THIS 15th DAY OF July, 2010.

San Dieguito Union High School District
Acting as the Legislative Body of
Community Facilities District 94-2

By: _____
President of the Board of Trustees

Resolution Levying Special Tax for 2010-11
Page 2

ATTEST:

By: _____
Clerk, Board of Trustees

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Joyce Dalessandro, Clerk of the Board of Trustees of the San Dieguito Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees at a regular meeting of said Board held on the 15th day of July, 2010, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Trustees

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
LEVYING SPECIAL TAX FOR 2010-11 FOR
COMMUNITY FACILITIES DISTRICT 94-3 OF
THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the “Board”) of the San Dieguito Union High School District (the “District”) has previously completed proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”) to form Community Facilities District 94-3 of the San Dieguito Union High School District; and

WHEREAS, the Board, acting on behalf of CFD 94-3, has reviewed the financial affairs of CFD 94-3; and

WHEREAS, the Board desires at this time to levy the special taxes at the rates specified herein for the fiscal year for CFD 94-3,

NOW, THEREFORE, the Board of Trustees of the San Dieguito Union High School District, acting as the legislative body of Community Facilities District 94-3, does hereby resolve, determine, and order as follows:

Section 1. That the Clerk of the Board of Trustees of the District is hereby authorized to file a certified copy of this Resolution with the Auditor of the County of San Diego and such other public agencies as may be necessary.

Section 2. Pursuant to Section 53340 of the Act, the Board hereby levies the special taxes on all non-exempt property within CFD 94-3 pursuant to the Rate and Method of Apportionment of the Special Tax for CFD 94-3, and in the amounts and on property within CFD 94-3 for Fiscal Year 2010-11 as set forth on Attachment A attached hereto and incorporated herein by this reference.

ADOPTED, SIGNED, AND APPROVED THIS 15th DAY OF July, 2010.

San Dieguito Union High School District
Acting as the Legislative Body of
Community Facilities District 94-3

By: _____
President of the Board of Trustees

Resolution Levying Special Tax for 2010-11
Page 2

ATTEST:

By: _____
Clerk, Board of Trustees

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
LEVYING SPECIAL TAX FOR 2010-11 FOR
COMMUNITY FACILITIES DISTRICT 95-1 OF
THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the “Board”) of the San Dieguito Union High School District (the “District”) has previously completed proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”) to form Community Facilities District 95-1 of the San Dieguito Union High School District; and

WHEREAS, the Board, acting on behalf of CFD 95-1, has reviewed the financial affairs of CFD 95-1; and

WHEREAS, the Board desires at this time to levy the special taxes at the rates specified herein for the fiscal year for CFD 95-1,

NOW, THEREFORE, the Board of Trustees of the San Dieguito Union High School District, acting as the legislative body of Community Facilities District 95-1, does hereby resolve, determine, and order as follows:

Section 1. That the Clerk of the Board of Trustees of the District is hereby authorized to file a certified copy of this Resolution with the Auditor of the County of San Diego and such other public agencies as may be necessary.

Section 2. Pursuant to Section 53340 of the Act, the Board hereby levies the special taxes on all non-exempt property within CFD 95-1 pursuant to the Rate and Method of Apportionment of the Special Tax for CFD 95-1, and in the amounts and on property within CFD 95-1 for Fiscal Year 2010-11 as set forth on Attachment A attached hereto and incorporated herein by this reference.

ADOPTED, SIGNED, AND APPROVED THIS 15th DAY OF July, 2010.

San Dieguito Union High School District
Acting as the Legislative Body of
Community Facilities District 95-1

By: _____
President of the Board of Trustees

Resolution Levying Special Tax for 2010-11
Page 2

ATTEST:

By: _____
Clerk, Board of Trustees

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
LEVYING SPECIAL TAX FOR 2010-11 FOR
COMMUNITY FACILITIES DISTRICT 95-2 OF
THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the “Board”) of the San Dieguito Union High School District (the “District”) has previously completed proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”) to form Community Facilities District 95-2 of the San Dieguito Union High School District; and

WHEREAS, the Board, acting on behalf of CFD 95-2, has reviewed the financial affairs of CFD 95-2; and

WHEREAS, the Board desires at this time to levy the special taxes at the rates specified herein for the fiscal year for CFD 95-2,

NOW, THEREFORE, the Board of Trustees of the San Dieguito Union High School District, acting as the legislative body of Community Facilities District 95-2, does hereby resolve, determine, and order as follows:

Section 1. That the Clerk of the Board of Trustees of the District is hereby authorized to file a certified copy of this Resolution with the Auditor of the County of San Diego and such other public agencies as may be necessary.

Section 2. Pursuant to Section 53340 of the Act, the Board hereby levies the special taxes on all non-exempt property within CFD 95-2 pursuant to the Rate and Method of Apportionment of the Special Tax for CFD 95-2, and in the amounts and on property within CFD 95-2 for Fiscal Year 2010-11 as set forth on Attachment A attached hereto and incorporated herein by this reference.

ADOPTED, SIGNED, AND APPROVED THIS 15th DAY OF July, 2010.

San Dieguito Union High School District
Acting as the Legislative Body of
Community Facilities District 95-2

By: _____
President of the Board of Trustees

Resolution Levying Special Tax for 2010-11
Page 2

ATTEST:

By: _____
Clerk, Board of Trustees

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Joyce Dalessandro, Clerk of the Board of Trustees of the San Dieguito Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees at a regular meeting of said Board held on the 15th day of July, 2010, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Trustees

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
LEVYING SPECIAL TAX FOR 2010-11 FOR
COMMUNITY FACILITIES DISTRICT 99-1 OF
THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the “Board”) of the San Dieguito Union High School District (the “District”) has previously completed proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”) to form Community Facilities District 99-1 of the San Dieguito Union High School District; and

WHEREAS, the Board, acting on behalf of CFD 99-1, has reviewed the financial affairs of CFD 99-1; and

WHEREAS, the Board desires at this time to levy the special taxes at the rates specified herein for the fiscal year for CFD 99-1,

NOW, THEREFORE, the Board of Trustees of the San Dieguito Union High School District, acting as the legislative body of Community Facilities District 99-1, does hereby resolve, determine, and order as follows:

Section 1. That the Clerk of the Board of Trustees of the District is hereby authorized to file a certified copy of this Resolution with the Auditor of the County of San Diego and such other public agencies as may be necessary.

Section 2. Pursuant to Section 53340 of the Act, the Board hereby levies the special taxes on all non-exempt property within CFD 99-1 pursuant to the Rate and Method of Apportionment of the Special Tax for CFD 99-1, and in the amounts and on property within CFD 99-1 for Fiscal Year 2010-11 as set forth on Attachment A attached hereto and incorporated herein by this reference.

ADOPTED, SIGNED, AND APPROVED THIS 15th DAY OF July, 2010.

San Dieguito Union High School District
Acting as the Legislative Body of
Community Facilities District 99-1

By: _____
President of the Board of Trustees

Resolution Levying Special Tax for 2010-11
Page 2

ATTEST:

By: _____
Clerk, Board of Trustees

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
LEVYING SPECIAL TAX FOR 2010-11 FOR
COMMUNITY FACILITIES DISTRICT 99-2 OF
THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the “Board”) of the San Dieguito Union High School District (the “District”) has previously completed proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”) to form Community Facilities District 99-2 of the San Dieguito Union High School District; and

WHEREAS, the Board, acting on behalf of CFD 99-2, has reviewed the financial affairs of CFD 99-2; and

WHEREAS, the Board desires at this time to levy the special taxes at the rates specified herein for the fiscal year for CFD 99-2,

NOW, THEREFORE, the Board of Trustees of the San Dieguito Union High School District, acting as the legislative body of Community Facilities District 99-2, does hereby resolve, determine, and order as follows:

Section 1. That the Clerk of the Board of Trustees of the District is hereby authorized to file a certified copy of this Resolution with the Auditor of the County of San Diego and such other public agencies as may be necessary.

Section 2. Pursuant to Section 53340 of the Act, the Board hereby levies the special taxes on all non-exempt property within CFD 99-2 pursuant to the Rate and Method of Apportionment of the Special Tax for CFD 99-2, and in the amounts and on property within CFD 99-2 for Fiscal Year 2010-11 as set forth on Attachment A attached hereto and incorporated herein by this reference.

ADOPTED, SIGNED, AND APPROVED THIS 15th DAY OF July, 2010.

San Dieguito Union High School District
Acting as the Legislative Body of
Community Facilities District 99-2

By: _____
President of the Board of Trustees

Resolution Levying Special Tax for 2010-11
Page 2

ATTEST:

By: _____
Clerk, Board of Trustees

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
LEVYING SPECIAL TAX FOR 2010-11 FOR
COMMUNITY FACILITIES DISTRICT 99-3 OF
THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the “Board”) of the San Dieguito Union High School District (the “District”) has previously completed proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”) to form Community Facilities District 99-3 of the San Dieguito Union High School District; and

WHEREAS, the Board, acting on behalf of CFD 99-3, has reviewed the financial affairs of CFD 99-3; and

WHEREAS, the Board desires at this time to levy the special taxes at the rates specified herein for the fiscal year for CFD 99-3,

NOW, THEREFORE, the Board of Trustees of the San Dieguito Union High School District, acting as the legislative body of Community Facilities District 99-3, does hereby resolve, determine, and order as follows:

Section 1. That the Clerk of the Board of Trustees of the District is hereby authorized to file a certified copy of this Resolution with the Auditor of the County of San Diego and such other public agencies as may be necessary.

Section 2. Pursuant to Section 53340 of the Act, the Board hereby levies the special taxes on all non-exempt property within CFD 99-3 pursuant to the Rate and Method of Apportionment of the Special Tax for CFD 99-3, and in the amounts and on property within CFD 99-3 for Fiscal Year 2010-11 as set forth on Attachment A attached hereto and incorporated herein by this reference.

ADOPTED, SIGNED, AND APPROVED THIS 15th DAY OF July, 2010.

San Dieguito Union High School District
Acting as the Legislative Body of
Community Facilities District 99-3

By: _____
President of the Board of Trustees

Resolution Levying Special Tax for 2010-11
Page 2

ATTEST:

By: _____
Clerk, Board of Trustees

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Joyce Dalessandro, Clerk of the Board of Trustees of the San Dieguito Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees at a regular meeting of said Board held on the 15th day of July, 2010, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Trustees

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
LEVYING SPECIAL TAX FOR 2010-11 FOR
COMMUNITY FACILITIES DISTRICT 03-1 OF
THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

WHEREAS, the Board of Trustees (the “Board”) of the San Dieguito Union High School District (the “District”) has previously completed proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”) to form Community Facilities District 03-1 of the San Dieguito Union High School District; and

WHEREAS, the Board, acting on behalf of CFD 03-1, has reviewed the financial affairs of CFD 03-1; and

WHEREAS, the Board desires at this time to levy the special taxes at the rates specified herein for the fiscal year for CFD 03-1,

NOW, THEREFORE, the Board of Trustees of the San Dieguito Union High School District, acting as the legislative body of Community Facilities District 03-1, does hereby resolve, determine, and order as follows:

Section 1. That the Clerk of the Board of Trustees of the District is hereby authorized to file a certified copy of this Resolution with the Auditor of the County of San Diego and such other public agencies as may be necessary.

Section 2. Pursuant to Section 53340 of the Act, the Board hereby levies the special taxes on all non-exempt property within CFD 03-1 pursuant to the Rate and Method of Apportionment of the Special Tax for CFD 03-1, and in the amounts and on property within CFD 03-1 for Fiscal Year 2010-11 as set forth on Attachment A attached hereto and incorporated herein by this reference.

ADOPTED, SIGNED, AND APPROVED THIS 15th DAY OF July, 2010.

San Dieguito Union High School District
Acting as the Legislative Body of
Community Facilities District 03-1

By: _____
President of the Board of Trustees

Resolution Levying Special Tax for 2010-11
Page 2

ATTEST:

By: _____
Clerk, Board of Trustees

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Joyce Dalessandro, Clerk of the Board of Trustees of the San Dieguito Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees at a regular meeting of said Board held on the 15th day of July, 2010, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Trustees

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: July 2, 2010

BOARD MEETING DATE: July 15, 2010

PREPARED BY: John Addleman, Director of Planning and
Financial Management
Steve Ma, Assoc. Supt. of Business Services

SUBMITTED BY: Ken Noah
Superintendent

SUBJECT: RESOLUTION OF INTENTION TO CONVEY AN
INTEREST IN REAL PROPERTY EASEMENT
AND RIGHT-OF-WAY

EXECUTIVE SUMMARY

Clear Wireless, LCC, is desirous of securing an easement and right-of-way on approximately fifty (50) square feet of space of San Dieguito Academy for the purpose of mounting a cellular facility on an existing or structurally upgraded stadium light pole standard; mockups are attached. As part of the easement, a Deed of Conveyance is incorporated. The term of the conveyance is for an initial term of five years with the right to extend the term for five successive five year terms. Clear Wireless will pay as consideration for the easement the sum of \$2,500 per month, increasing 3% annually, and beginning on the date Clear Wireless begins construction or eighteen months following the adoption of the Resolution of Conveyance in August 2010, whichever first occurs. The monthly rent will be for the benefit of the San Dieguito Academy.

The final steps will require a public hearing and adoption of a Resolution Conveying an Interest in Real Property Easement and Right-of-Way at the August 10, 2010 board meeting.

RECOMMENDATION:

It is recommended that the Board adopt the Resolution of Intention to Convey an Interest in Real Property Easement and Right-of-Way to Clear Wireless LLC for the purpose of constructing, maintaining and operating wireless communication services on the San Dieguito Academy campus, as described in the attachment.

FUNDING SOURCE:

Not applicable.

BOARD OF TRUSTEES
SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
SAN DIEGO, CALIFORNIA

Resolution of Intention to Convey)
an Interest in Real Property Easement)
and Right-of-Way to Clear Wireless LLC)

On motion of Member _____, seconded by Member _____
_____, the following Resolution is adopted:

WHEREAS, Clear Wireless LLC, a Nevada limited liability company, is desirous of securing an easement and right-of-way on approximately fifty (50) square feet of space at San Dieguito Academy for the purpose of constructing, maintaining and operating wireless communications services, including without limitation, the transmission and the reception of radio communication signals and the construction, maintenance and operation of related communications facilities over, under, along, and across certain real property owned by the San Dieguito Union High School District of San Diego County, California, and hereinafter described; and

WHEREAS, Clear Wireless LLC has requested this Board to convey said easement to Clear Wireless LLC; and

WHEREAS, in the judgement of this Board, public convenience makes it expedient that said request be granted;

NOW THEREFORE, BE IT RESOLVED AND ORDERED pursuant to the provisions of Education Code section 17556 and following, the Board of Trustees of the San Dieguito Union High School District of San Diego County, California, hereby declares its intention to convey to Clear Wireless LLC, a Nevada limited liability company, its successors in interest and assigns, upon the terms and conditions that are set forth in the form entitled "Deed of Conveyance," a copy of which is attached hereto marked Exhibit "A" and by this reference made a part hereof, an easement and right-of-way in real property belonging to the District for an initial term of five (5) years, more particularly described in Exhibit "B" attached hereto, for the purpose of constructing, maintaining and operating wireless communications services, including without limitation, the transmission and the reception of radio communication signals and the construction, maintenance and operation of related communications facilities and uses incidental thereto together with the right of ingress and egress over, under, along and across the said described lands within the boundaries of the San Dieguito Union High School District, County of San Diego, State of California; provided, however, that in the event said use of said real property is discontinued or consideration is not paid to District for the conveyance prior to the end of the first five (5) year term of the conveyance, or any subsequent term, said property shall revert to the District.

This easement shall be binding upon and inure to the benefit of successors in interest, heirs, executors, administrators, permittees, licensees, agents or assigns of Clear Wireless LLC and said District.

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IT IS FURTHER RESOLVED AND ORDERED that a public meeting be held by the Board of Trustees of the San Dieguito Union High School District at the District Headquarters, 710 Encinitas Boulevard, Room 101, Encinitas, California 92024, on August 10, 2010, at approximately 6:30 p.m., at which time all persons interested may appear and show cause, if any they have, why said conveyance should not be made.

BE IT FURTHER RESOLVED that notice of the adoption of this Resolution and of the time and place of holding said meeting shall be given by posting copies of said Resolution, signed by the members of this Board, or by a two-thirds (2/3) majority thereof, in three (3) public places in said District not less than ten (10) days before the date of said meeting and by publishing the notice attached hereto marked Exhibit "C" once, not less than five (5) days before the date of said meeting in the North County Times, a newspaper of general circulation, published in said District.

PASSED AND ADOPTED by the Board of Trustees of the San Dieguito Union High School District of San Diego County, California, this 15th day of July, 2010.

AYES: MEMBERS:

NOES: MEMBERS:

ABSENT: MEMBERS:

EXHIBIT "A"

FOLLOWING RECORDING PLEASE RETURN TO:
San Dieguito Union High School District
84 East J Street
Chula Vista, California 91910-6199

DEED OF CONVEYANCE

THE San Dieguito Union High SCHOOL DISTRICT OF SAN DIEGO COUNTY, CALIFORNIA (hereinafter "GRANTOR"), does hereby convey to Clear Wireless LLC (hereinafter "GRANTEE"), a Nevada limited liability company, its successors in interest and assigns, an easement and right-of-way for the purpose of wireless communications services, including without limitation, the transmission and the reception of radio communication signals and the construction, maintenance and operation of related communications facilities and uses incidental thereto together with the right of ingress and egress, over, under, along, and across the lands in the City of Encinitas, California, within the San Dieguito Union High School District, County of San Diego, State of California, belonging to said GRANTOR, as hereinafter described on Exhibit "B" attached hereto and hereby made a part of this document; provided, however, that in the event the use of said real property for the above-described wireless communications services is discontinued or if GRANTEE fails to pay GRANTOR the consideration set forth in Attachment 1 hereto, said property shall revert to the GRANTOR. The conveyance of this easement is subject to the terms and conditions set forth in Attachment 1 hereto and incorporated herein by reference.

This easement shall be binding upon and inure to the benefit of successors in interest, heirs, executors, administrators, permittees, licensees, agents or assigns of GRANTOR and GRANTEE.

IN WITNESS WHEREOF the San Dieguito Union High School District of San Diego County, California, has caused this Deed to be executed by its Superintendent this 10th day of August, 2010.

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
OF SAN DIEGO COUNTY, CALIFORNIA

By _____
Ken Noah, Superintendent

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

On August 10, 2010 before me, _____ personally appeared
Ken Noah, Superintendent of the San Dieguito Union High School District, who proved to me on
the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capaci(ies), and that by his/her/their signature(s) on the instrument the person(s) or
the entity upon behalf of which the person(s) acted, executed the instrument. I certify UNDER
PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph
is true and correct.

WITNESS my hand and official seal:

Signature _____
 Notary Public

[Seal]

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ATTACHMENT 1
DEED OF CONVEYANCE

DEED OF CONVEYANCE

THE San Dieguito Union High SCHOOL DISTRICT OF SAN DIEGO COUNTY, CALIFORNIA (hereinafter "GRANTOR") conveys to Clear Wireless LLC, a Nevada limited liability company (hereinafter "GRANTEE"), its successors in interest and assigns, the easement and right-of-way described in this Deed of Conveyance (the "Easement") on the property described in Exhibit B of this Deed of Conveyance (the "Premises") subject to the following terms and conditions:

1. GRANTOR, its successors in interest and assigns reserve the right to continued use of the Premises; provided, however that GRANTOR shall not (1) erect or construct, or permit to be erected or constructed, any building or other structure, plant any tree or trees, or drill any well or wells within the limits of said right-of-way; and (2) increase or decrease, or permit to be increased or decreased, the existing ground elevations of the above-described right-of-way existing at the date of the execution of this instrument, within the previous written consent of the GRANTEE.

2. (a) The consideration to be paid for this Easement shall commence upon the date GRANTEE begins construction of the GRANTEE Facilities (as defined in Paragraph 4 below) or eighteen (18) months following the date the GRANTOR adopts its Resolution Conveying an Interest in Real Property Easement and Right-of-Way to Clear Wireless LLC for the Easement, whichever first occurs ("Term Commencement Date"). The period between the adoption of the Easement and the Term Commencement Date is intended to allow GRANTEE a reasonable amount of time to obtain any certificate, license, permit, authority or approval from any governmental authority required to allow GRANTEE to install, remove, replace, maintain or operate the GRANTEE Facilities described in paragraph 4 hereof or using the Premises in the manner intended by GRANTEE. If GRANTEE determines that the Premises are not appropriate for its operations for economic, environmental or technological reasons, including without limitation, signal strength, coverage or interference, or GRANTEE otherwise determines, within its sole discretion, that it will be unable to use the Premises for GRANTEE's intended purpose, it may terminate the Easement pursuant to paragraph 7 hereof. Otherwise, the consideration for the Easement shall terminate on the fifth anniversary of the Term Commencement Date ("Term") unless otherwise terminated as provided herein.

(b) GRANTEE shall have the right to extend the Term for five (5) successive five (5) year periods ("Renewal Terms") on the same terms and conditions as set forth herein. This Agreement shall automatically be extended for each successive Renewal Term unless either party notifies the other party of its intention not to renew at least thirty (30) days prior to commencement of the succeeding Renewal Term.

(c) The Easement shall terminate at the expiration of the Term and all Renewal Terms set forth in paragraph 2(a) above. At the end of Term or Renewal Terms, GRANTEE shall no longer have any property interest in the Easement and Easement shall revert to GRANTOR. If GRANTEE continues use of the Easement after the end of the Term or Renewal Terms, GRANTEE's use of GRANTOR'S real property shall be deemed a license subject to the same terms and conditions as this Easement, except those terms relating to GRANTEE's possessory interest in the Premises. GRANTEE as Licensee shall continue to pay GRANTOR as Licensor the same monthly amount set forth in section 3 below on a month-to-month basis. Such License may be revoked by either party upon thirty (30) days written notice to the other party.

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3. GRANTEE shall pay as consideration for the Easement the sum of \$2,500.00 payable monthly for five (5) years starting on the Term Commencement Date. Within fifteen (15) business days following the Term Commencement Date and on the first day of each month thereafter, GRANTEE shall pay to GRANTOR as a fee Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) per month ("Fee"). The Fee for any fractional month at the beginning or at the end of the Term or Renewal Term shall be prorated. The Fee shall be payable to GRANTOR at San Dieguito Union High School District, 710 Encinitas Boulevard, Encinitas, CA 92024; Attention: Associate Superintendent, Business Services. GRANTEE's monetary obligations set forth in this Agreement are conditioned upon GRANTEE's receipt of an accurate and executed W-9 Form from GRANTOR. The Fee shall be increased on each anniversary of the Term Commencement Date by an amount equal to three percent (3%) of the Fee for the previous year.

4. GRANTEE shall use the Premises for the purpose of constructing, maintaining and operating wireless communications services, including without limitation, the transmission and the reception of radio communication signals and the construction, maintenance and operation of related communications facilities and uses incidental thereto, consisting of one (1) antenna structure of approximately 80 feet in height, including wireless antennas and link antennas and all necessary connecting appurtenances ("GRANTEE Facilities"). In connection therewith, GRANTEE has the right to do all work necessary to prepare, add, maintain and alter the Premises for GRANTEE's communications operations and to install utility lines and transmission lines connecting antennas to transmitters and receivers. All of GRANTEE's construction and installation work shall be performed at GRANTEE's sole cost and expense and in a good and workmanlike manner. GRANTEE has the right to remove its improvements at its sole expense on or before the expiration or earlier termination of this Agreement, and GRANTEE shall repair any damage to the Premises caused by such removal. Upon the expiration or earlier termination of this Agreement, GRANTEE shall remove its improvements from the Premises.

5. (a) GRANTOR shall provide GRANTEE, GRANTEE's employees, agents, contractors, subcontractors and assigns with access to the Premises twenty-four (24) hours a day, seven (7) days a week, at no charge to GRANTEE to the extent that the access does not interfere with the normal operations of the school site on which the Premises is located. All construction must be at times approved by GRANTOR in order to ensure no interference with school operations. Access to the Premises when students are present will only be with GRANTOR's prior consent, which will not be unreasonably withheld and every effort will be made by GRANTEE to avoid contact or maintain only limited contact with students. The Easement includes a non-exclusive right for pedestrian and vehicular ingress and egress across the Premises, and such right may be described generally in Exhibit B of the Deed of Conveyance.

(b) GRANTOR shall maintain all access roadways from the nearest public roadway to the Premises in a manner sufficient to allow pedestrian and vehicular access at all times under normal weather conditions. GRANTOR shall be responsible for maintaining and repairing such roadways, at its sole expense, except for any damage caused by GRANTEE's use of such roadways.

(c) GRANTEE, at GRANTEE's sole cost and expense, has the right to obtain separate utility service from any utility company that will provide service to the Premises. GRANTOR agrees to sign such documents or grant such easements as may be required by said utility companies to provide such service to the Premises, including the grant to GRANTEE or to the servicing utility company, at no cost to the GRANTEE, of an easement in, over across or through the Premises as required by such servicing utility company to provide utility services to the Premises.

6. GRANTEE shall operate the GRANTEE Facilities in compliance with all Federal Communications Commission ("FCC") requirements including those prohibiting interference to communications facilities of GRANTOR, neighbors, or other lessees or licensees of the Premises,

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provided that the installation and operation of any such facilities predate the installation of the GRANTEE Facilities. Subsequent to the installation of the GRANTEE Facilities, GRANTOR will not, and will not permit its lessees or licensees to, install new equipment on or make any alterations to the Premises or property contiguous thereto owned or controlled by GRANTOR, if such modifications are likely to cause interference with GRANTEE's operations. In the event interference occurs as a result of actions of GRANTOR, GRANTOR agrees to use best efforts to eliminate such interference in a reasonable time period.

7. (a) This Easement may be terminated without further liability on thirty (30) days prior written notice as follows: (i) by either party upon a default of any covenant or term hereof by the other party, which default is not cured within sixty (60) days of receipt of written notice of default, except that this Easement shall not be terminated if the default cannot reasonably be cured within such sixty (60) day period and the defaulting party has commenced to cure the default within such sixty (60) day period and diligently pursues the cure to completion; provided that the grace period for any monetary default is ten (10) days from receipt of written notice. This Easement may be terminated by GRANTEE without further liability for any reason or for no reason, provided GRANTEE delivers written notice of termination to GRANTOR prior to the Term Commencement Date in paragraph 2 above.

(b) This Agreement may also be terminated by Grantee without further liability on thirty (30) days prior written notice (i) if Grantee is unable to reasonably obtain or maintain any certificate, license, permit, authority or approval from any governmental authority, thus restricting Grantee from installing, removing, replacing, maintaining or operating the Grantee Facilities or using the Premises in the manner intended by Grantee; (ii) if Grantee determines that the Premises are not appropriate for its operations for economic, environmental or technological reasons, including without limitation, signal strength, coverage or interference, or (iii) or Grantee otherwise determines, within its sole discretion, that it will be unable to use the Premises for Grantee's intended purpose.

8. If the Premises or GRANTEE Facilities are damaged, destroyed, condemned or transferred in lieu of condemnation, GRANTEE may elect to terminate this Easement as of the date of the damage, destruction, condemnation or transfer in lieu of condemnation by giving notice to GRANTOR no more than forty-five (45) days following the date of such damage, destruction, condemnation or transfer in lieu of condemnation. If GRANTEE chooses not to terminate this Easement, the consideration for the Easement shall be reduced or abated in proportion to the actual reduction or abatement of use of the Premises.

9. GRANTEE shall maintain the entire Premises in good condition at all times at its own expense, and GRANTOR shall not be called upon to make any improvements or repairs of any nature whatsoever.

10. GRANTEE and GRANTOR shall defend, indemnify and hold harmless each other from any and all liability arising out of the use of the Easement by GRANTOR or GRANTEE, their respective servants, agents, invitees or any person using the Easement, except such claims or damages as may be due to or caused by acts of the GRANTOR or GRANTEE, or their respective servants, agents, or invitees.

11. (a) GRANTEE will provide Commercial General Liability insurance in an aggregate amount of \$1,000,000 and list GRANTOR as an additional insured on the policy or policies. GRANTEE may satisfy this requirement by obtaining an appropriate endorsement to any master policy or liability insurance GRANTEE may maintain. GRANTEE shall provide GRANTOR with a Certificate of Insurance within thirty (30) days of the commencement of this Deed of Conveyance and shall provide GRANTOR with an additional insured endorsement using ISO form CG 2011 11 85 or equivalent and evidence of renewal of the policy within thirty (30) days of each renewal of said

insurance policy.

(b) GRANTOR, at GRANTOR's sole cost and expense, shall procure and maintain Commercial General Liability insurance covering bodily injury and property damage with a combined single limit of at least One Million and 00/100 Dollars (\$1,000,000.00) per occurrence. Such insurance shall insure, on an occurrence basis, against all liability of GRANTOR, its employees and agents arising out of or in connections with GRANTOR's use, occupancy and maintenance of the Premises.

(c) GRANTOR and GRANTEE hereby mutually release each other (and their successors in interest or assigns) from liability and waive all right of recovery against the other for any loss or damage covered by their respective first-party property insurance policies for all perils insured thereunder. In the event of such insured loss, neither party's insurance company shall have a subrogated claim against the other.

12. GRANTOR and GRANTEE, and all parties claiming under them, hereby mutually release and discharge each other from all claims, liabilities and rights of action arising from or caused by any hazard covered by and paid for by insurance on the Premises, or covered by and paid for by insurance in connection with property on, or activities conducted on the Premises, regardless of the cause of the damage or loss.

13. The Easement may result in the creation of a possessory interest vested in GRANTEE and GRANTEE may be subjected to the payment of personal property taxes levied on interest. GRANTEE shall be responsible for the payment of, and shall pay before delinquent, all taxes, assessments, and fees assessed or levied upon GRANTEE on said Premises or any interest therein, on improvements of any nature whatsoever, or on any interest therein, or by reason of the activities of the GRANTEE upon, or in connection with, the Premises, and including assessments or other costs for the furnishing of public utilities to GRANTEE. GRANTEE further agrees not to allow such taxes, assessments or fees to become a lien against said Premises or any improvement thereon. Nothing therein contained shall be deemed to prevent or prohibit GRANTEE from contesting the validity of amount of any such tax, assessment or fee in the manner authorized by law.

14. GRANTEE, upon termination of this Easement, shall within thirty (30) days, remove its personal property and fixtures and return the Premises to its original condition. If such time for removal causes GRANTEE to remain on the Premises after termination of this Easement, GRANTEE shall pay rent in the amount to be determined by GRANTOR until such time as the removal of personal property and fixtures is completed.

15. GRANTOR and the agents and employees of GRANTOR shall have the right to enter upon said Premises at all reasonable times to inspect the same to see that no damage has been or it done and to protect any and all rights of GRANTOR and to post such reasonably notices as GRANTOR may desire to protect the rights of the GRANTOR.

16. GRANTOR covenants that GRANTEE, on paying the consideration set forth above and performing the covenants by it herein made, shall and may peacefully and quietly have, hold and enjoy use of the Easement.

17. GRANTOR covenants that it is seized of good and sufficient title and interest in the Easement to be conveyed and has full authority to convey this Easement.

18. As of the Effective Date of this Agreement: (1) GRANTEE hereby represents and warrants that it shall not use, generate, handle, store or dispose of any Hazardous Material in, on, under, upon or affecting the Premises in violation of any applicable law or regulation, and (2)

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GRANTOR hereby represents and warrants that (i) it has no knowledge of the presence of any Hazardous Material located in, on, under, upon or affecting the Premises in violation of any applicable law or regulation; (ii) no notice has been received by or on behalf of GRANTOR from any governmental entity or any person or entity claiming any violation of any applicable environmental law or regulation in, on, under, upon or affecting the Premises; and (iii) it will not permit itself or any third party to use, generate, handle, store or dispose of any Hazardous Material in, on, under, upon, or affecting the Premises in violation of any applicable law or regulation. GRANTOR and GRANTEE shall each indemnify, defend and hold the other harmless from and against all Losses (specifically including, without limitation, attorneys', engineers', consultants' and experts' fees, costs and expenses) arising from (i) any breach of any representation or warranty made in this Paragraph 18 by such party; and/or (ii) environmental conditions or noncompliance with any applicable law or regulation that result, in the case of GRANTEE, from operations in or about the Premises by GRANTEE or GRANTEE's agents, employees or contractors, and in the case of GRANTOR, from the ownership or control of, or operations in or about, the Premises by GRANTOR or GRANTOR's predecessors in interest, and their respective agents, employees, contractors, tenants, guests or other parties. The provisions of this Paragraph 18 shall apply as of the Effective Date of this Agreement and survive termination of this Agreement. "Hazardous Material" means any solid, gaseous or liquid wastes (including hazardous wastes), regulated substances, pollutants or contaminants or terms of similar import, as such terms are defined in any applicable environmental law or regulation, and shall include, without limitation, any petroleum or petroleum products or by-products, flammable explosives, radioactive materials, asbestos in any form, polychlorinated biphenyls and any other substance or material which constitutes a threat to health, safety, property or the environment or which has been or is in the future determined by any governmental entity to be prohibited, limited or regulated by any applicable environmental law or regulation.

19. All notices hereunder must be writing and shall be deemed validly given if sent by certified mail, return receipt requested, addressed,

if to GRANTEE:

Clear Wireless LLC
Attn: Site Leasing
4400 Carillon Point
Kirkland, WA 98033
Telephone: 425-216-7600
Fax: 425-216-7900
Email: Siteleasing@clearwire.com

with a copy to:

Clear Wireless LLC
Attention: Legal Department
4400 Carillon Point
Kirkland, WA 98033
Telephone: 425-216-7600
Fax: 425-216-7900

if to GRANTOR:

San Dieguito Union High School District
710 Encinitas Boulevard, Room 201
Encinitas, California 92024
Attn: Stephen G. Ma, Associate Superintendent Business Services

20. The covenants and agreements contained in this Deed of Conveyance shall be binding upon the parties hereto and upon their respective heirs, executors, administrators, successors in interest and assigns.

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21. If any provision of the Agreement is invalid or unenforceable with respect to any party, the remainder of this Agreement or the application of such provision to persons other than those as to whom it is held invalid or unenforceable, shall not be affected and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

22. Terms and conditions of this Agreement which by their sense and context survive the termination, cancellation or expiration of this Agreement will so survive.

23. This Agreement shall be governed under law of the State of California, County of San Diego.

24. All Exhibits referred herein are incorporated herein for all purposes.

25. This Agreement constitutes the entire Agreement between the parties, and supersedes all understandings, offers, negotiations and other leases concerning the subject matter contained herein. There are no representations or understandings of any kind not set forth herein. Any amendments, modifications or waivers of any of the terms and conditions of this Agreement must be in writing and executed by both parties.

26. GRANTEE understands that once brought before the board of Trustees of GRANTOR, this agreement becomes a public record subject to disclosure pursuant to the laws of the State of California and will be recorded.

IN WITNESS WHEREOF, the GRANTOR has caused this Easement to be conveyed to GRANTOR in accordance with section 17556 of the Education Code of the State of California, and the GRANTEE has executed this Deed.

GRANTOR:

SAN DIEGUITO UNION HIGH SCHOOL
DISTRICT

By _____
Ken Noah
Its Superintendent

GRANTEE:

CLEAR WIRELESS LLC, A NEVADA LIMITED
LIABILITY COMPANY

By _____
Its

ITEM 18

EXHIBIT "B"

The Land is described and/or depicted as follows (metes and bounds description):

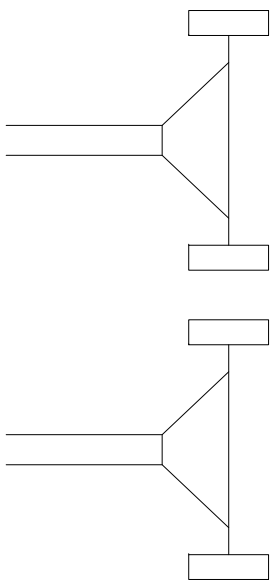
APN: 258-280-01-00 and 258-280-03-00

**A WRITTEN DESCRIPTION OF THE LAND WILL BE PRESENTED HERE OR
ATTACHED HERETO**

SCALE NOTE:

IF DIMENSIONS SHOWN ON PLAN DO NOT SCALE CORRECTLY, CHECK FOR REDUCTION OR ENLARGEMENT FROM ORIGINAL PLANS.

EXISTING FOOTBALL FIELD



EXISTING BLEACHERS

EXISTING WALKWAY

LOCATION OF PROPOSED STADIUM LIGHT POLE WITH (6) WIMAX PANEL ANTENNAS, (6) REMOTE RADIO UNITS, (6) DIRECTIONAL ANTENNAS AND (1) GPS ANTENNA. (1) EQUIPMENT CABINET PROPOSED AT GROUND LEVEL.

1
A-2.1

PROPOSED POWER CONDUIT ROUTED UNDERGROUND WITHIN 3' WIDE EASEMENT (±200')

EXISTING CHAINLINK FENCE

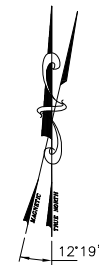
EXISTING SHOTPUT PIT

EXISTING TRACK

PROPERTY LINE

PROPERTY LINE

EXISTING SDG&E UTILITY POLE P27004 (POWER POC)



clear wire[®]
WIRELESS BROADBAND

4400 CARILLON POINT
KIRKLAND, WA 98033

M&M TELECOM, INC.

P.O. BOX 55
POWAY, CA 92074
PHONE: (619) 602-5600
FAX: (760) 454-4505

PDC CORPORATION



13225 DANIELSON ST., SUITE 200
POWAY, CA 92064
TEL: (858) 668-2828
FAX: (858) 668-2827

PROFESSIONAL SEAL:

SAN DIEGUITO ACADEMY

CA-SDG5061D

800 SANTA FE DRIVE
ENCINITAS, CA 92024

REVISIONS

NO.	DATE	DESCRIPTION	INITIAL
A	04-01-10	90% ZONING DRAWING	JHM
0	04-29-10	100% ZONING DRAWING	JCC
1	05-17-10	COMMENTS	SVJ

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE:

SITE PLAN

SHEET NUMBER:

A-2

SITE PLAN

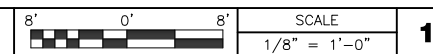


EXHIBIT "C"
NOTICE OF INTENTION TO CONVEY
AN INTEREST IN REAL PROPERTY

NOTICE IS HEREBY GIVEN that the Board of Trustees of the San Dieguito Union High School District, on July 15, 2010, adopted a Resolution of Intention to convey to Clear Wireless LLC, a Nevada limited liability company, for the purpose of operating wireless communications services, including without limitation, the transmission and the reception of radio communication signals and the construction, maintenance and operation of related communications facilities and uses incidental thereto over, under, along, and across certain real property of this District located in the County of San Diego, State of California, and identified as:

APN: 258-280-01-00 and 258-280-03-00

(A more detailed description of the purposes of the easement, of the route therein, and other particulars of the conveyance are on file and may be examined in the office of the Board of Trustees of the San Dieguito Union High School District.)

NOTICE IS FURTHER GIVEN that the Board of Trustees has set a public hearing upon the question of making such conveyance, for approximately 6:30 o'clock p.m., August 10, 2010, at the District Headquarters Building at which time interested persons may appear and protest.

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
OF SAN DIEGO COUNTY, CALIFORNIA

By _____
Ken Noah, Superintendent

San Dieguito Union High School District

INFORMATION REGARDING BOARD AGENDA ITEM

TO: BOARD OF TRUSTEES

DATE OF REPORT: June 22, 2010

BOARD MEETING DATE: July 15, 2010

**PREPARED AND
SUBMITTED BY:** Ken Noah, Superintendent

SUBJECT: CALIFORNIA STATE AUDITOR REPORT
#2009-116

.....

EXECUTIVE SUMMARY

The District has received a Report of Audit of the San Dieguito Union High School District's (District) Community Facilities District 94-2, as conducted by the California Bureau of State Audits (BSA).

The BSA Report provided three recommendations. Following are the details of the Audit as well as the District's response to the three recommendations. A link to these recommendations and district responses, along with the report in its entirety, has been posted on the homepage of the District's website, at <http://www.sduhsd.net/about/bsa-audit-response.htm>.

RECOMMENDATION:

The BSA's final report and the District's responses are being submitted for information and review by the Board.

FUNDING SOURCE:

Not applicable

KN/bb

ITEM 19

Board of Trustees
Joyce Dalessandro
Linda Friedman
Barbara Groth
Beth Hergesheimer
Deanna Rich

Superintendent
Ken Noah

San Dieguito

Union High School District

710 Encinitas Boulevard, Encinitas, CA 92024
Telephone (760) 753-6491
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Office of the Superintendent
Fax (760) 943-3501

June 1, 2010

Ms. Elaine M. Howle
State Auditor
Bureau of State Audits
555 Capitol Mall, Suite 300
Sacramento, CA 95814

Dear Ms. Howle:

The San Dieguito Union High School District (District) has reviewed the draft report prepared by the Bureau of State Audits (BSA) concerning Community Facilities District 94-2 (CFD 94-2). We are extremely pleased that our staff's work withstood the scrutiny of the BSA which is a watchdog for the taxpayers. This audit validated the business practices utilized by our district. We are grateful for this opportunity to respond.

Over the years, serious charges have been made against the District regarding CFD 94-2. For instance, a representative of small group of community members made claims before the Joint Legislative Audit Committee and in other public forums and that the District spent several million dollars to build schools 26 miles away from CFD 94-2 and millions of dollars on projects not allowable under the mitigation agreement which formed CFD 94-2. We are pleased that the BSA found no evidence to support these wild accusations.

The BSA establishes quite clearly that the District has met its obligations to the homeowners paying the special taxes in CFD 94-2. What is particularly gratifying is the finding that the expenditures were not only appropriate, but CFD 94-2 has actually benefitted by receiving more funds for construction projects at schools serving that community than are provided for in the bond covenant.

Specifically, the report affirms that while the District has allocated \$29.1 million in bond proceeds toward schools listed in the CFD formation documents, it has spent a total of \$30.7 million on those facilities. The report also correctly states that of the \$30.7 million spent, \$27.9 million came from proceeds associated with CFD 94-2. The remaining balance of bond funds dedicated toward CFD 94-2 facilities is currently committed toward construction of the San Dieguito Academy Performing Arts Center.

The report also confirms that the District has adequate internal controls over CFD 94-2 expenditures. This refutes the allegations made by the community group and the requestor of the audit that the District has mismanaged CFD funds.

Finally, the report correctly concludes that the District took no action to declare the La Costa Valley site as surplus.

San Dieguito Union High School District
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We respond to the recommendations contained in the report as follows:

Recommendation 1:

To ensure that CFD 94-2 funds are used only for appropriate purposes, the school district should reimburse the facilities district \$451,000 for erroneous payments for administrative facilities and demographic studies or otherwise adjust the charges to this facilities district so that they only reflect appropriate expenditures.

District Response:

The BSA has confirmed that the district expended, or is committed to expend, more bond proceeds on 94-2 qualified facilities than is required under the bond covenant. As a result, the district has reclassified the expenses related to the relocatable buildings at Sunset High School and the demographics reports as non-qualified CFD 94-2 expenditures without compromising the bond covenant.

Recommendation 2:

To provide the public with information it can use to participate in the school district's decision making process and to hold the school board and other school district officials accountable, the school district should:

- *Ensure that descriptions for school board meeting agenda items and minutes contain sufficient information to accurately convey the substance of the items, and post to the school district's web site all relevant documents and presentations related to the agenda items*
- *Ensure that it follows all relevant standards for financial reporting. To assist in this effort, the school district should consider a checklist such as the School District Preparer Checklist of the Government Finance Officials Association, which is designed to assist in the preparation of comprehensive annual financial reports of school districts.*

We acknowledge that the descriptions contained in the Board agenda and minutes referencing the status and remarketing of the 2006 series bonds, while meeting the standards of the Ralph M. Brown Act, could have provided more detail for the public to fully understand the scope of the complex discussion during the public meeting. We are absolutely committed to conducting the people's business in public. As noted in the report, the actions taken by the Board of Trustees relating to the restructuring of the bonds as respects CFD 94-2 were appropriate under the terms of the formation documents.

The District has a practice of briefly stating agenda items and minutes at the recommendation of the California School Boards Association. Unprecedented volatility in the bond market and the sudden collapse of the bond insurer during the spring of 2008 was such that conditions were changing rapidly. All discussions relating to the conversion of the bonds which required Board action were discussed in open session.

The Board of Trustees annually contracts with an independent auditing firm which the State Controller's Office deems as qualified to conduct audits of school districts. The audits are conducted in accordance with standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States and also the state's audit guide, *Standards and Procedures for Audits of California K-12 Local*

San Dieguito Union High School District
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Education Agencies published by the Education Audit Appeals Panel. The 2006-07 audit was performed by Wilkinson, Hadley & Co, LLP. All of the district's financial information was fully disclosed to Wilkinson & Hadley, who represented to the Board of Trustees that the financial statements contained in their audit report presented the financial position of the district fairly in all material aspects in each major fund and were in conformity with generally accepted accounting principles. When the district converted its bonds to auction rate securities, it relied upon the advice of Wilkinson & Hadley to prepare all relevant financial statements and disclosures. The only section of the 2006-07 audit report prepared by the District is the Management Discussion & Analysis section, which does include discussion of the bond remarketing and entering into the derivative agreement. We understand that the notes to the financial statements prepared by Wilkinson & Hadley should have included further disclosures regarding the conversion of the 2004 series bonds to auction rate securities and on the swap agreement as well. This matter is no longer an issue as the 2006 series bonds were converted to fixed rate securities in 2008 as noted in your report.

District Response:

The District will review its practices for appropriately publicizing agenda items and preparation of meeting minutes. Supplemental materials made available at meetings of the Board of Trustees will be included in the minutes.

We appreciate the Bureau's recommendation and will consider using a checklist in preparation for the external audit performed each year. The district will research available tools from organizations familiar with California school district audit procedures and determine which would be most beneficial to use. The District will also seek proposals from qualified audit firms at the end of the current contract for the 2009-10 audit to ensure the best qualified firm is preparing the District's annual audit report.

Recommendation 3:

To enable the school district to demonstrate its responsiveness to record act requests, it should maintain a record of documents it makes available to requestors.

The audit report correctly states that it is the district's usual practice to maintain copies of records requested under the California Public Records Act. It was cost-prohibitive and impractical to make such copies of the thousands of documents requested by Concerned Citizens Protecting La Costa Valley / Friends of North County.

District Response:


While there is no requirement under the California Public Records Act to do so, the district will maintain a record of documents made available to persons under the act. Depending on the scope of the request, the district will either continue its practice of making a back-up copy of records provided under the act or, in the case of a voluminous request, a general description of records provided will be documented.

San Dieguito Union High School District
June 1, 2010

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As a final note, we wish to recognize and thank you for the professional courtesies extended by your staff throughout the period of this audit. Should you or your staff require any further information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Noah". The signature is written in a cursive style with a large initial "K" and "N".

Ken Noah
Superintendent

cc:
Board of Trustees