

**NOTICE**  
**REGULAR MEETING OF THE GOVERNING BOARD**

**TRACY UNIFIED SCHOOL DISTRICT**

**DATE:** TUESDAY, March 22, 2011

**PLACE:** DISTRICT EDUCATION CENTER  
BOARD ROOM  
1875 WEST LOWELL AVENUE  
TRACY, CALIFORNIA

**TIME:** 5:30 PM Closed Session  
7:00 PM Open Session

**A G E N D A**

**1. Call to Order**

**2. Roll Call – Establish Quorum**

Board: J. Costa, G. Crandall, W. Gouveia, T. Guzman, G. Silva, B. Swenson, J. Vaughn.

Staff: J. Franco, C. Goodall, S. Harrison and B. Etcheverry.

**3. Closed Session:** Opportunity to Address the Board Regarding Closed Session Items which follow. Closed session is limited to consideration of items specifically authorized under the Government Code and/or the Education Codes.

**3.1 Educational Services:**

**3.1.1** Findings of Facts: FF#10-11/73, 80, 81, 89, 91, 92, 93, 94, 95, 96, 100

**3.1.2** Application for Reinstatement AR#10-11/42

**Action:** Motion\_\_\_; Second\_\_\_ **Vote:** Yes \_\_\_; No \_\_\_; Absent \_\_\_; Abstain \_\_\_.

**3.1.3** Waiver of Expulsion WE#10-11/8

**Action:** Motion\_\_\_; Second\_\_\_ **Vote:** Yes \_\_\_; No \_\_\_; Absent \_\_\_; Abstain \_\_\_.

**3.2 Human Resources:**

**3.2.1** Discharge Classified Employee #UCL-148

**Action:** Motion\_\_\_; Second\_\_\_ **Vote:** Yes \_\_\_; No \_\_\_; Absent \_\_\_; Abstain \_\_\_.

**3.2.2** Consider Public Employee/Employment/Discipline/Dismissal/Release

**Action:** Motion\_\_\_; Second\_\_\_ **Vote:** Yes \_\_\_; No \_\_\_; Absent \_\_\_; Abstain \_\_\_.

**3.2.3** Conference with Labor Negotiator

Agency Negotiator: Sheila Harrison

Assistant Superintendent of Educational Services & Human Resources

Employee Organization: CSEA, TEA

**4. Adjourn to Open Session**

**5. Call to Order and Pledge of Allegiance**

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|-----|--|------------------------------|
| 6.  | <b>Closed Session Issues:</b><br><b>6a</b> Action on Findings of Facts: FF#10-11/73, 80, 81, 89, 91, 92, 93, 94, 95, 96, 100<br><b>Action:</b> Motion___; Second___ <b>Vote:</b> Yes ___; No ___; Absent ___; Abstain ___<br><b>6b</b> Report Out on Application for Reinstatement AR#10-11/42<br><b>Action:</b> <b>Vote:</b> Yes ___; No ___; Absent ___; Abstain ___<br><b>6c</b> Report Out of Action Taken on Waiver of Expulsion WE#10-11/8<br><b>Action:</b> <b>Vote:</b> Yes ___; No ___; Absent ___; Abstain ___<br><b>6d</b> Report Out of Action Taken on Discharge Classified Employee #UCL-148<br><b>Action:</b> <b>Vote:</b> Yes ___; No ___; Absent ___; Abstain ___   | Pg. No.                      |
| 7.  | <b>Approve Special Minutes of March 1, 2011.</b><br><b>Action:</b> Motion___; Second___ <b>Vote:</b> Yes ___; No ___; Absent ___; Abstain ___<br><b>Approve Special Minutes of March 2, 2011.</b><br><b>Action:</b> Motion___; Second___ <b>Vote:</b> Yes ___; No ___; Absent ___; Abstain ___<br><b>Approve Regular Minutes of March 8, 2011.</b><br><b>Action:</b> Motion___; Second___ <b>Vote:</b> Yes ___; No ___; Absent ___; Abstain ___  | 1<br><br><br>2-8<br><br>9-13 |
| 8.  | <b>Student Representative Reports:</b> Middle School Reps: Freiler; Poet; West High: Brooke Gard; Tracy High: Taylor Bobbit; Stein High: Jason Nasiri; Kimball High: Aloukika Shah   |                              |
| 9.  | <b>Recognition &amp; Presentations:</b> An opportunity to honor students, employees and community members for outstanding achievement:<br><b>9.1</b> Recognize and Congratulate Tracy High School's California All-State Band and Choir Students and Tracy High School's Nelson Zane Music Award Winners<br><b>9.2</b> Bohn School Site Update on Achievements & Activities<br><b>9.3</b> West High School Site Update on Achievements & Activities  |                              |
| 10. | <b>Hearing of Delegations:</b> Anyone wishing to address the Governing Board on a non-agenda item may be heard at this time. Presentations shall be held to a reasonable length, normally not to exceed five (5) minutes. If formal action is required, the item will be placed on a future agenda and action will be taken at a future date. If information or a report is requested, the request for it must also be submitted in writing to the superintendent. (Please complete a speaker's card at the secretary's desk).<br>This is a period in which members of the public may address the Board on any subject within the Board's jurisdiction that is not on the agenda. The Brown Act does not allow the Board to take action or discuss items which are not on the agenda. This is because other members of the public have not been notified through the agenda that the subject of the statement would be discussed at this Board meeting.<br>The Board may ask for the item to be placed on a future agenda, direct the speaker to a person who can help, or provide the speaker with the correct procedure to follow to address his/her problem. All speakers have a constitutional right to free speech. As a protective measure, we would like to remind you that if you say something which might give another person the right to pursue legal recourse against you. There is a record of this meeting. This does not mean you cannot criticize employees of the District. However, we would suggest that you do it without using names. We would also suggest that you use the personnel complaint procedures. The board can only hear and address complaints which have been processed in line with the policy. We have copies of the policy here, and staff will assist you. |                              |

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| <b>11. Information &amp; Discussion Items:</b> An opportunity to present information or reports concerning items that may be considered by Trustees at a future meeting.  |              |
| <b>11.1 Administrative &amp; Business Services:</b> None.   |              |
| <b>12. PUBLIC HEARING:</b> None.  |              |
| <b>13. Consent Items:</b> Actions proposed for consent are consistent with the approved practices of the district and are deemed routine in nature. Trustees receive board agenda background information in advance of scheduled meetings and are prepared to vote with knowledge on the consent items. |              |
| <b>Action:</b> Motion___; Second___. <b>Vote:</b> Yes___; No___; Absent___; Abstain__   |              |
| <b>13.1 Administrative &amp; Business Services:</b>   |              |
| <b>13.1.1</b> Accept the Generous Donations from the Various Individuals, Businesses and School Site Parent Teacher Associations Listed Herein with Thanks and Appreciation from the Staff and Students of the Tracy Unified School District  | <b>14-15</b> |
| <b>13.1.2</b> Approve Monthly Budget Adjustment Report-February, 2011   | <b>16-20</b> |
| <b>13.1.3</b> Approve Revolving Cash Fund Reports for February, 2011  | <b>21-22</b> |
| <b>13.1.4</b> Approve Payroll Reports For February, 2011  | <b>23-29</b> |
| <b>13.1.5</b> Approve Accounts Payable Warrants Report for February, 2011<br>(Separate Cover Item)  | <b>30</b>    |
| <b>13.1.6</b> Approve Assembly Vendors and Site Assembly Utilization Calendars  | <b>31-34</b> |
| <b>13.1.7</b> Ratify Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda   | <b>35-36</b> |
| <b>13.1.8</b> Ratify Measure S Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda   | <b>37-38</b> |
| <b>13.1.9</b> Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda   | <b>39-41</b> |
| <b>13.2 Educational Services:</b>   |              |
| <b>13.2.1</b> Approve Overnight Travel for West High School Track Team to Attend the Arcadia Invitational Meet in Arcadia, California, on April 7-10, 2011  | <b>42</b>    |
| <b>13.2.2</b> Approve Overnight Travel for Tracy High School Varsity Dance Team to Participate in the USA West Coast Nationals Competition in Anaheim, California, on March 24-27, 2011   | <b>43</b>    |
| <b>13.2.3</b> Approve Overnight Travel for Kimball High School (KHS) Health Occupations Students of America (HOSA) to Participate in the State Leadership Conference in Sacramento, California, on April 7-10, 2011   | <b>44-45</b> |
| <b>13.2.4</b> Approve Overnight Travel for the West High School SkillsUSA and Advisor to Attend the State Competitions in San Diego, CA on April 28 – May 1, 2011   | <b>46</b>    |
| <b>13.2.5</b> Approve Overnight Travel for Tracy High School Science Olympiad Team to Attend the NorCal Science Olympiad State Finals in Clovis, CA on April 8 – 9, 2011  | <b>47</b>    |
| <b>13.2.6</b> Approve Overnight Travel for Kimball High School (KHS) Leadership to Attend the California Association of Student Leaders (CASL) Camp in San Jose, CA on April 2 – 4, 2011  | <b>48</b>    |
| <b>13.2.7</b> Approve Overnight Travel for Kimball High School Leadership to Attend the California Association of Directors of Activities (CADA) Leadership Camp on July 16 – 19, 2011  | <b>49</b>    |

**13.3 Human Resources:**

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|---------------|--|--------------|
| <b>13.3.1</b> | Approve Classified, Certificated and/or Management Employment  | <b>50-51</b> |
| <b>13.3.2</b> | Accept Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment | <b>52</b>    |

- 14. Action Items:** Action items are considered and voted on individually. Trustees receive background information and staff recommendations for each item recommended for action in advance of scheduled meetings and are prepared to vote with knowledge on the action items.

**14.1 Administrative & Business Services:**

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|----------------|---|--------------|
| <b>14.1.1</b>  | Consider Claim No. 6-1011 TUSD  | <b>53</b>    |
| <b>Action:</b> | Motion___; Second___ . <b>Vote:</b> Yes ___; No ___; Absent___; Abstain___.   |              |
| <b>14.1.2</b>  | Consider Claim No. 7-1011 TUSD  | <b>54</b>    |
| <b>Action:</b> | Motion___; Second___ . <b>Vote:</b> Yes ___; No ___; Absent___; Abstain___.   |              |
| <b>14.1.3</b>  | Authorize the Associate Superintendent for Business Services to Seek Bids for Food and Non-Food Items for the 2011/2012 School Year   | <b>55</b>    |
| <b>Action:</b> | Motion___; Second___ . <b>Vote:</b> Yes ___; No ___; Absent___; Abstain___.   |              |
| <b>14.1.4</b>  | Approve the City of Tracy Public Agency Offsite Improvement Agreement for Monte Vista Middle School   | <b>56-63</b> |
| <b>Action:</b> | Motion___; Second___ . <b>Vote:</b> Yes ___; No ___; Absent___; Abstain___.   |              |
| <b>14.1.5</b>  | Adopt Resolution No. 10-25 Authorizing the Execution and Delivery of a Joint Exercise of Powers Agreement with the California Municipal Finance Authority   | <b>66-86</b> |
| <b>Action:</b> | Motion___; Second___ . <b>Vote:</b> Yes ___; No ___; Absent___; Abstain___.   |              |
| <b>14.1.6</b>  | Adopt Resolution No. 10-26 Requesting Authorization from the Board of Supervisors of the County of San Joaquin for the District to Issue and Sell Bonds of School Facilities Improvement District No. 3 of the Tracy Joint Unified School District on Its Own Behalf at a Private or Negotiated Sale Without the Further Action of the Board of Supervisors of the County | <b>87-92</b> |
| <b>Action:</b> | Motion___; Second___ . <b>Vote:</b> Yes ___; No ___; Absent___; Abstain___.   |              |
| <b>14.1.7</b>  | Approve Use of the Education Jobs and Medicaid Assistance Act (PL 111-226), the Federal Jobs Bill   | <b>93-94</b> |
| <b>Action:</b> | Motion___; Second___ . <b>Vote:</b> Yes ___; No ___; Absent___; Abstain___.   |              |

**14.2 Educational Services:**

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|----------------|---|--------------|
| <b>14.2.1</b>  | Adopt Resolution No. 10-24 of the Board of Trustees of the Tracy Unified School District Adopting a Declaration of Sole Source Products | <b>95-97</b> |
| <b>Action:</b> | Motion___; Second___ . <b>Vote:</b> Yes ___; No ___; Absent___; Abstain___.   |              |

**14.3 Human Resources:**

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|----------------|---|---------------|
| <b>14.3.1</b>  | Acknowledge Receipt of CSEA's Sunshine Proposal for the 2011-2012 School Year | <b>98-100</b> |
| <b>Action:</b> | Motion___; Second___ . <b>Vote:</b> Yes ___; No ___; Absent___; Abstain___.   |               |

- 15. Board Reports:** An opportunity for board members to discuss items of particular importance or interest in the district.

- 16. Superintendent's Report:** An opportunity for the superintendent to share matters of special interest or importance which are not on the board agenda and/or special presentations of district programs or activities.

**17. Board Meeting Calendar:**

- 17.1 April 12, 2011**
- 17.2 May 10, 2011**
- 17.3 May 24, 2011**
- 17.4 June 14, 2011**
- 17.5 June 28, 2011**

**18. Upcoming Events:**

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|---------------------------------|--|
| <b>18.1 April 22 – 29, 2011</b> | No School, Spring Recess                                 |
| <b>18.2 May 27, 2011</b>        | Last Day of School                                       |
| <b>18.3 May 28, 2011</b>        | Graduation: West High 8:30 a.m.<br>Tracy High 10:30 a.m. |
| <b>18.4 August 15, 2011</b>     | First day of School 2011-12                              |

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability. To make this request, please telephone the Superintendent's Office at 209/830-3201. If any person with a disability needs a disability-related modification or accommodation, including auxiliary aids or services, he/she should also contact the Superintendent's Office at least 24 hours prior to the meeting.

**Minutes of  
Special Meeting of the Governing Board  
For Tracy Unified School District  
Held on Tuesday, March 1, 2011**

**5:30 PM:** President Gouveia called the meeting to order and adjourned to closed session.

**Roll Call:** Board: G. Crandall, W. Gouveia, T. Guzman, G. Silva, B. Swenson, J. Vaughn.  
Absent: J. Costa  
Attorney: M. Nakamura  
Staff: J. Franco, S. Harrison, C. Goodall

**5:33 PM:** President Gouveia called the Tracy Unified School District Board of Education to order and led those present in the Pledge of Allegiance.

**Closed Session:** No action was taken.

**Employees Present:** None.

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**Press:** None.

**Visitors Present:** None.

**Hearing of  
Delegations** None.

**8:35 P.M.**

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Clerk

Date

**Minutes of  
Special Meeting of the Governing Board  
For Tracy Unified School District  
Held on Tuesday, March 2, 2011**

**5:30 PM:** President Gouveia called the meeting to order and adjourned to closed session.

**Roll Call:** Board: J. Costa, G. Crandall, W. Gouveia, T. Guzman, G. Silva, B. Swenson, J. Vaughn.  
Attorney: M. Nakamura  
Staff: J. Franco, S. Harrison, C. Goodall, B. Etcheverry

**7:00 PM:** President Gouveia called the Tracy Unified School District Board of Education to order and led those present in the Pledge of Allegiance.

**Closed Session:** No Action taken.

**Employees Present:** C. Minter, J. Cardoza, R. Call, J. Carter, L. Nelson, G. Borejko, N. Baretta, D. Macho, L. Fracolli, N. Kettner, W. Maslyar, E. Lobaugh, J. Escobedo, C. Domenichelli, J. Raco, M. Marchini, S. Sievers, D. Haut, R. Pearlman, D. Sonnenburg, J. Escobedo, R. James, M. Ledbetter, A. Lane, P. Hall, D. deBord, K. Babcock, D. Bellamo, C. Lunetta, S. Edwards, R. Haim, M. Hepner, M. Bourque, R. Tanner, G. Wilson, C. Greer, L. Marchini, J. Anderson, M. Lewis, S. Whetstone, P. Farrens, N. Hensley, J. Gust, A. Johnson, T. Peterson, B. Tsukiji, G. Krebbs, W. Walker, L. Sanchez, D. Coker, A. Bowman, A. Medeiros, L. Huggins, C. Myers, J. Heerema

**Press:** K. Young, Tracy Press

**Visitors Present:** I. Stewart, H. Sanchez, M. Silveira-Gouveia, N. Young, C. Del Dotto, R. Moreno, L. Reyes

**Student Rep Reports:** None.

**Recognition & Presentations:** None.

**Hearing of Delegations** None.

**Information & Discussion Items:** 10.1 Administrative & Business Services: None.

**Public Hearing:** 11.1 Administrative & Business Services: None.

**Consent Items:** 12.1 Administrative & Business Services: None.

**Action Items:**

**13.1**

**Administrative & Business Services:**

**13.1.1**

**Certify the 2010-11 Second Interim Report (Separate Cover Item)**

Dr. Franco commented that at last week's board meeting there was a presentation for the 2011-12 budget. He thanked staff, parents and community members who worked together to help make necessary decisions. The Governor proposed a 2 part plan on January 10<sup>th</sup>. The voters of California will be asked to extend the tax measures. If they do not pass, the District is facing a \$4.4 million dollar reduction. Tonight, we are presenting a 2 part budget reduction plan; one if they do not pass and one if they do. Hopefully will only have to implement \$63,000 in reductions. The tax extensions that will be voted on in June will be vital to our schools and community. Since 2003, we have reduced \$30.6 million dollars from our budget due to continued budget cuts from the state. Hopefully the propositions will get on the ballot and we will work together to make sure they pass.

Associate Superintendent of Business Services, Dr. Casey Goodall, presented a power point which clarified the 2<sup>nd</sup> interim report, the spending rules associated with the federal jobs bill and the particular kinds of service resolution. He reviewed the 5 steps of understanding a budget. He also clarified that the 2<sup>nd</sup> interim report has a certification page that must be signed by the president of the board. The budget that we will present in June requires that criteria and standards be applied and requires a 3% reserve. If you do not have that, the county will not approve the budget.

He also reviewed and clarified that the District does not have a "surplus". A surplus is defined as that which is above what is used or needed. The District's "ending fund balance" is not a "surplus". We do not have enough revenues to last us through the next 3 years.

The Federal Jobs Bill funds can only be spent on compensation, benefits, other expenses necessary to retain existing employees, to recall or rehire former employees, and to hire new employees, in order to provide early childhood, elementary, or secondary educational and related services. It may not be used for general administrative expenses or for other support services. The District cannot supplant state funds. We have not decided where the federal jobs funds will be spent, but they will be allocated proportionately to retain existing certificated, classified and management who work at school sites in accordance with Resolution No. 10-04 which was adopted by the Board in June, 2010.

We took the \$3.1 million from the federal jobs bills and counted it as revenue to get the budget reduction amount lower. If we were to spend that to enhance staffing standards our target would go up and would not help us achieve goal of keeping low.

President Gouveia reminded all speakers that presentations shall be



held to 5 minutes and to please refer all questions to the president. Board and staff will respond to questions and answers where appropriate. Detailed questions about budget and staffing plans are (see written) if you wish to discuss

TEA President, Steve Sievers, stated that his time will be longer than 5 minutes. He has questions on the Federal Jobs Bill. He wanted to know how much money it was and how the District was using it.

Dr. Goodall replied that the Federal Jobs Bill will amount to approximately \$3.1 million. As shown on the power point he presented earlier tonight, the money will be spent proportionately. This will come out of the general fund. It will be spent to retain teachers. All teachers except adult school teachers will be paid from the general fund. Mr. Sievers commented that TEA is asking that the status be changed for all 19.5 temporary teachers.

Ian Stewart had a question on the deficit factor. Dr. Goodall clarified that Proposition 98 determines how school districts are funded and that the deficit factor was generated after Prop 98 while Governor Wilson was in office.

**Action:** Crandall, Guzman. **Vote:** Yes-7; No-0  
**13.1.2** Approve the Tracy Unified School District Modified Budget Reduction Plan

Associate Superintendent of Business Services, Dr. Casey Goodall, reviewed the modified plan. The District shortfall would be \$3,209,828 which the District hopes to work with constituent groups and which will be restored if the measures pass.

Dr. Goodall explained that CSR cannot be saved for \$300,000. That amount would be about half of what it would take and we would be precluded from using the categorical dollars as we did in the past.

The federal jobs funding could be used to fund programs, however that would increase the budget reduction amount by about \$1,000,000.

**Speaker Cards:**

Renee Riddle is here on behalf of the librarians. They would like to do anything they can to help the tax measures pass. Libraries are important and affect every student and staff.

Ann Ostepiej commented that she has questions on the cuts from last year compared to this year. Dr. Goodall explained that the five day furlough was for 1 year only. She would also like everyone to see what they do at her site and how much money they bring in.

Trustee Crandall commented that he respects the opinions heard tonight. This is not the District's fault. This is coming from

Sacramento. It is not Tracy mishandling funds.

**Action:** Swenson, Crandall. **Vote:** Yes-7; No-0.

**13.2 Human Resources:**

**13.2.1** Adopt Resolution No. 10-23 Authorizing the Removal of Identified Particular Kinds of Service (PKS) from the Layoff Resolution

Assistant Superintendent of Educational Services and Human Resources, Dr. Sheila Harrison, reviewed the PKS resolution which is needed to balance budget. This was developed using staffing standards and individualized staffing plans for each school site. There are 76.9 certificated positions on list which include teachers and administration. Many are there as a result of consistently applying existing staff standards and categorical positions not being funded in the future.

PKS is a mandated step in the budget and layoff timelines. The PKS will be amended by the board to remove positions to make the adopted reduction plan that you just passed.

March 11<sup>th</sup> is the deadline that the state has to put the proposition on the ballot. Our website will have further information. June 7<sup>th</sup> is the election if it gets placed on the ballot and we will adopt our budget at a board meeting in June.

TEA President, Steve Sievers commented that he believes that the most important groups are the students and the teachers and that other staff contact with students pales in comparison to teachers. The rest are support staff. TEA believes that the District does not have to cut all the teaching positions that are listed. He feels that it will cause substantial harm to students. He believes that the District refused to answer how they would staff with that many teacher layoffs. He does not want to see non teaching positions saved tonight at the expense of teaching positions. He is concerned how the federal stimulus money is used and thinks that none of it was spent on teachers\*.

*\*Administration has not yet allocated the Federal Jobs Bill funds, however they will be used proportionately to retain existing certificated, classified and management who work at school sites in accordance with Resolution No. 10-04 which was adopted by the Board in June, 2010.*

Mr. Sievers believes that TEA has already made concessions and that the District does not need to cut the first year and should wait and see if the economy may turn around. He stated that TEA will never agree to \$3.1million in salary cuts. He is asking the District to put the cuts at the end of the three year period. He believes that TEA will work with the District if the economy doesn't turn around. He further commented that the District is asking for concession that are severe and that this Board and administration should never ask more from TEA than what

the county is asking from their people.

Mr. Sievers stated that TEA is willing to work with District to get the message out. He feels that cutting teachers may temporarily help our District but will hurt the economy more. He noted that 41 teachers will be cut at the elementary level. He would like an explanation of how we are going to do that.

Trustee Costa commented that it would be better to educate yourself first before getting everyone riled up without knowing the facts.

Dr. Franco commented that as was mentioned earlier, there are staffing plans for each of the schools. The District has met with principals and other staff to determine the staffing plan. Be assured that all staffing guidelines are met regarding contractual obligations regarding state requirements. If anyone would like to look at that or if teachers would like to talk to their principals, they can do that. These are very difficult times. We met with the principals and came up with the best plan possible.

Trustee Swenson commented that we are not here to negotiate but we are here to listen and thank you for your comments.

President Gouveia reminded Mr. Sievers that we have been respectful to him numerous times and to please follow the rules.

Mr. Sievers requested that for every non teaching position saved on the PKS list, they would like 2-3 teaching positions saved.

Teacher, Wes Walker, understands that this is not the Board's fault. He believes we are cutting 50 classrooms. At his site there are many overages. He asked if the cuts have to be split over the 3 year period. He also reviewed a budget adjustment agenda item which contained numbers that he didn't understand.

Dr. Franco commented that we have to meet audit standards and reassure you that if you look that there is not any misspending over budget. Maybe we can do a better job of educating you and had offered at the last meeting to set up some budget workshops.

Student, Hector Sanchez represents the Academic Decathlon and Mock Trial. He believes that extra-curricular activities have served a valuable purpose. This year alone these organizations have been able to put at least 10 students through college in this state. He also commented that he has benefited from libraries and they provide a valuable service provided by libraries cannot be put in a dollar amount. He believes more information on the election should be put on our website.

Dr. Goodall clarified as far as advocating measures on our website, that because we are paid from state dollars we are not allowed to use school

District property or funds.

The President then called for a recess at 8:40 p.m. The meeting was then reconvened at 8:57 p.m.

**Speaker card:**

Mrs. Williamson thanked everyone for the beautiful library. Mr. Swenson came and toured the building. They were only closed for 4 days while they stocked the shelves. The students are very excited. Please feel free to visit anytime.

Action: As amended. Crandall, Guzman. Vote: Yes-6; No-1(Vaughn)

**Board Reports:**

Trustee Silva commented that there are a lot of great things going on in this District. He has had the opportunity to listen to various groups who are all consistent on how much we are expected to lose if the measures don't pass. He can't overemphasize that we have got to work together to get the voting public to understand that it is extremely important to get the word out to our friends and neighbors and hopefully it passes and we can get by with as little pain as possible. Trustee Swenson passed. Trustee Guzman this was a hard decision that we have been thinking about for a long time. He personally knows people on the layoff list and it is a very difficult thing. As a board, we need to pass the budget and the state does not allow us to know what is available to us. The system is broken. We are not getting \$18 million a year of what we deserve. We need to let our legislatures know that it needs to be fixed. We cannot wait for the vote. We need to start working on it now and talking to the legislatures that are not agreeing to put it on the ballot. They need to be contacted by people in the state and students. It is not fiscally responsible to not cut one year and then cut \$12 million all in the next year. Our District is responsible and we are doing a lot better than other districts. Trustee Vaughn appreciates all of the employees of the District across the board. Everyone is equally contributing to the success of our students. The administration, teachers, classified, board members all play a role. Sometimes it yard duty or campus supervisor that could inspire a student. He wants to see everyone stick together, no one is more important than someone else. To see the kids that we are producing is what we need to stay focused on. He thanked everyone and commented that all employees of the District are valued. Trustee Costa passed. Trustee Crandall commented that he attended Smokey Blues and loved it. If you look around the hallways here you will see the beautiful artwork. There are a lot of things happening that are great in our District. Some of the banter that goes back and forth is part of the business. Four of the seven board members have kids in this District. His wife is part of the CSEA and he wants his kids to do as well as everyone's. It's horrible to have to make these cuts. It takes teamwork and he is disappointed in the teamwork that did not happen last week. The Board was invited to a TEA dinner. Five board members attended and no one was there from TEA. Trustee Gouveia thanked everyone. It is a difficult time and he does not like this. He decided to run for the board. Last week, he set up an appointment in Sacramento and had a discussion with Senator Liu who is involved with CTE, urban school government and education. We have a lot of talent and have to work together.

**Superintendent  
Report:**

Dr. Franco reiterated that he admires and appreciates all of the work the employees do for our school District. The board is comprised of elected citizens. They know it's hard and affects peoples' lives. It is not easy and we do care. When he sees students doing well, we take great pride in everything going on in our District. We have to get together. We need the community to invest in us. We want to make sure that they realize that our district is a good investment. Make sure that the 3 measures get on the ballot and come up with working groups that are legal. As parents we can really make a great effort to pass the propositions and save that \$4 million dollars that we would otherwise have to reduce. He also commented that Walter was named the Citizen of the Year for the San Joaquin County Democratic Casey takes a lot of flak in his position and he gives us great information. We want to make sure we're doing it right and spending our money early in a required three year plan does not work. When they audit you, they will look at the 3 year period and they won't approve the budget.

**9:18 p.m.**

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Clerk

Date

**Minutes of  
Regular Meeting of the Governing Board  
For Tracy Unified School District  
Held on Tuesday, March 8, 2011**

**5:30 PM:** President Gouveia called the meeting to order and adjourned to closed session.

**Roll Call:** Board: J. Costa, G. Crandall, W. Gouveia, T. Guzman, G. Silva, B. Swenson, J. Vaughn.  
Staff: J. Franco, S. Harrison, C. Goodall, B. Etcheverry

**7:05 PM:** President Gouveia called the Tracy Unified School District Board of Education to order and led those present in the Pledge of Allegiance.

**Closed Session:** **6a** Action on Findings of Facts: FF#10-11/61, 74, 78, 79, 82, 84, 85, 86, 87, 88  
**Action:** Guzman, Crandall. **Vote:** Yes-7; No-0.  
**6b** Report Out on Application for Enrollment #10-11/4  
**Action:** **Vote:** Yes-7; No-0.  
**6c** Report Out of Action Taken on PE Exemption: THS# 10207326  
**Action:** **Vote:** Yes-7; No-0.  
**6e** Report Out of Action Taken on Approve the Non-Re-Election of Probationary Certificated Employee #UC-720, Pursuant to Education Code Section 44929.21(b)  
**Action:** **Vote:** Yes-7; No-0.

**Employees Present:** C. Minter, J. Cardoza, B. Carter, N. Kettner, L. Fracolli, G. Garner, F. Medina, A. Medeiros, A. Lowery, S. O'Hara-Jones, D. Ensor, N. Borges, L. Coffman, L. Huggins, S. Sievers,

**Press:** None.

**Visitors Present:** R. Alahydoian, S. Abercrombie, D. Sader. L. Hite, R. Salet

**Minutes:** **Approve Regular Minutes of February 22, 2010.**  
**Action:** Guzman, Silva. **Vote:** Yes-7; No-0.

**Student Rep Reports:** Middle School Representatives:  
  
North School: Corazon Durate and Navpreet Singh reported on activities such as leadership which helps Brighter Christmas, spirit week, and other activities. Their mascot is the lion. The talent show is coming up soon and a multi cultural day is being planned along with a teacher appreciate event. Relay for Life raised over \$1400.00. They are getting ready for state testing and there are programs in place to encourage all students to do their best. After school the Boys and Girls Club has various activities. The girls' basketball season is under way. The students in honor band competed in the Delta College band competition. They are planning a trip to Great America and next year 7<sup>th</sup> and 8<sup>th</sup> graders are hoping to perform at Disneyland. They also held the MLK speech contest and a perfect attendance raffle.

Monte Vista Middle School: Markel Grady and Julia Flohr reported on many activities. They are piloting an intervention reading program. They read quotes from students who talked about what they liked or appreciated at Monte Vista. They like calling their principal "Mrs. OJ"; they also like that there are many different types of kids; having a Boys and Girls Club; a basketball team that you don't have to pay for; having a bike room; after school tutoring; jazz and rock bands; WEB and leadership; students plan dances and make the announcements over the loud speakers; enjoys art, advance math, Math Olympia and Whiz Kids; the food is really good; band; AVID; and practicing the CST. The students raised \$1,000 to help build a school in Kenya. And Monte Vista Idol is being planned to showcase talent.

## **Recognition & Presentations:**

**Recognition & Presentations:** An opportunity to honor students, employees and community members for outstanding achievement:

### **9.1 Recognize and Congratulate Freiler School for Winning DARE Award**

DARE Officer, Steve Abercrombie, commented that students have participated in several community events. They have received 4 tons of donated food for Tracy Interfaith, clothing, 1400 books to the library and hand made over 1500 cards for service personnel in Iraq and Afghanistan. They have visited patients at Astoria Gardens, donated pajamas to sleep Train and collected items for troops. Freiler received over 42,000 points for first place.

### **9.2 Recognize and Congratulate West High School's Academy for Business and Law's Skills USA CTSO for Winning Double Gold Medal Awards at the Region V Skills USA Competition**

Students from the Academy for Business and Law of IGCG presented a power point on the projects they received awards for. They have created a time capsule and showed their webpage for it. They were also involved in a project for "Hire Me First". Assistant Superintendent of Educational Services and HR, Dr. Sheila Harrison and Dr. Franco presented certificates to the students. Also congratulated was advisor, Lynn Huggins, who was unable to be here tonight.

### **9.3 Recognize and Congratulate Aloukika Shah and Elizabeth Dawson for Placing 1<sup>st</sup> and 2<sup>nd</sup> at the Rotary Student Speakers Competition**

This item was pulled from the agenda.

### **9.4 North School Website Presentation.**

Principal, Fred Medina, presented North's website which had links for BrainX, Datawise, PBS kids and Nick News. They showed information for 8<sup>th</sup> grade news, activities and information. Their site also contained information on "What's New", the new vaccine rules and how to find staff email.

### **9.5 Monte Vista Middle School Website Presentation.**

Principal, Susan O'Hara-Jones, presented Monte Vista's website which had links to Accelerated Reader and Renaissance Home Connect. She demonstrated how students use it and how it shows their reading practice quizzes and tracks progress and points. There is also AVID information with a link to the state site. They will be adding more information soon.

**Hearing of  
Delegations**

Scott Salet is a parent and is troubled by the actions of administration. He urged the board to review the process the District uses for expulsion. His son is in this process now. He understands that the Board has the final say. He received a letter from student services that he was expelled before the board heard the matter. He would like the Board to look at this case and vote on its true merit.

**Information &  
Discussion Items:**

**11.1 Administrative & Business Services:**

**11.1.1 Receive Presentation Regarding the Financing Plan for the Issuance of an Additional Series of Measure S General Obligation Bonds which Incorporates the Issuance of a Qualified School Construction Bond**

Ruth Alahydoian with KNN Public Finance presented a power point which reviewed the process of the bonds. We have received an allocation to issue qualified school construction bonds from the state. The Federal Government will pay a percentage of the bond. These bonds are taxable, most are tax exempt. She reviewed how a QSCB bond works and what the benefit is. The District will issue approximately \$16 million in measure S bonds. The JPA will purchase the \$16 million and hold \$3.77 million to be used for measure S projects. The taxpayers pay it back and the IRS pays the subsidy back to the JPA. The JPA then repays the investors. A JPA is a statewide agency who partners with cities, schools and other agencies. The District will need to issue an additional \$6 million of regular tax exempt bonds, for a total of \$25 million for bond projects.

The next steps will be to establish a JPA at the March 22nd board meeting. In April we will authorize the issues of SFID bonds and authorize issuance of JPA bonds.

**Public Hearing:** None.

**Consent Items:**

**Action** Vaughn, Swenson. **Vote:** Yes-7; No-0.

**13.1 Administrative & Business Services:**

**13.1.1** Accept the Generous Donations from the Various Individuals, Businesses and School Site Parent Teacher Associations Listed Herein with Thanks and Appreciation from the Staff and Students of the Tracy Unified School District

**13.1.2** Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

**13.1.3** Approve Assembly Vendors and Site Assembly Utilization Calendars

**13.2 Educational Services:**

**13.2.1** Approve Application for the Workforce Investment Adult Education



and Family Literacy – Section 231

- 13.2.2 Approve Revised School Site Plan and Budget for Central School
  - 13.2.3 Approve Overnight Travel for the Tracy High School Academic Decathlon Team to Attend the California Academic Decathlon Competition in Sacramento, California, on March 11-14, 2011
  - 13.2.4 Ratify Overnight Travel for West High School Wrestlers to Attend the CIF - State Wrestling Tournament March 3-6, 2011 in Bakersfield, CA
  - 13.2.5 Approve Agreement for Special Contract Services with Parent Institute for Quality Education (PIQE) to Provide Training courses for Parents at Central Elementary School
  - 13.2.6 Ratify Overnight Travel for Tracy High School Wrestler to Attend the CIF - State Wrestling Tournament March 3-6, 2011 in Bakersfield, CA
  - 13.2.7 Approve Overnight Travel for the Tracy High School Mock Trial Team and Advisors to Attend the State Championship in Riverside, CA, on March 24-27, 2011
  - 13.2.8 Approve Funding and Overnight Travel for the West High Robotics Team to Compete in the VEX World Championship at the ESPN Wide World of Sports Complex in Kissimmee, Florida from April 13-April 17, 2011
- 13.3 **Human Resources:**
- 13.3.1 Approve Classified, Certificated and/or Management Employment
  - 13.3.2 Accept Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment
  - 13.3.3 Approve Agreements for Special Contract Services for Assistant Track Coaches Justin Mattos and Sam Cavallaro for the 2010-2011 Season

**Action Items:**

- 14.1 **Administrative & Business Services:** None.
  - 14.1.1 Certify Corrective Actions to the 2009-10 Findings and Recommendations of the Independent Annual Financial Report
- Action:** Crandall, Silva. **Vote:** Yes-7; No-0.
- 14.1.2 Authorize the Director of Transportation to Bid and Award the Purchase of Two Additional Special Education Buses to Accommodate Growth in the Curb-to-Curb Transportation Program for the 2011-12 School Year
- Action:** Vaughn, Guzman. **Vote:** Yes-7; No-0.

**Board Reports:**

Trustee Silva passed. Trustee Swenson had a nice night at the Tracy High Jazz After Dark. They served trip tip and prawns. Last night he attended the community band concert at Kimball High. He received several compliments on the nice auditorium and also on the Tracy High facilities. The Lions Club also donated an additional \$160 at their meeting to Acadec to help towards food for their trip to Sacramento. Trustee Guzman passed. Trustee Vaughn passed. Trustee Costa passed. Trustee Crandall attended the Hire Me First breakfast last week. He was impressed by all the companies that are hiring our students on internships. The company of the year was Old River Vet who had over 10 interns. He also attended the City Schools Liaison meeting. Cindy Minter gave a report on the video surveillance cameras. One of the topics was how the police department can tie into keeping our kids and property safe. We are gearing up for prom and

graduation. There are a lot of students are getting letters of acceptance from colleges. Trustee Gouveia also attended the City Schools Liaison meeting. He also commented on Adult School and that their statistics were awesome. Out of the graduates last year, 19 went on to a higher level of education and 9 went on to a 4 year university. This is a system that is working.

**Superintendent  
Report:**

Dr. Franco reminded everyone that we need to get the measures on the ballot in order to pursue funding in education in an equitable manner. He would like to acknowledge the facilities group. A few years ago, we probably had the worst high school facilities and now we have some of the best. It's now time to move on to the elementary schools. On Saturday, he attended the robotics battle at West High and the Jazz After Dark performance. It is important to have a quality music program in your district. Also TEEF put on the "Tracy's Got Talent" show which included various acts. This was a fundraiser which supports education. He also attended the Hire Me First Breakfast. Kudos to the finance department. We received a very good audit.

**8:34. p.m.**

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Clerk

Date



# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** *gfb* Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** March 11, 2011  
**SUBJECT:** **Accept the Generous Donations From the Various Individuals, Businesses, and School Site Parent Teacher Associations Listed Herein With Thanks and Appreciation From the Staff and Students of the Tracy Unified School District.**

**BACKGROUND:** In order to assist the various school sites and departments in the District with the continued effort to enhance the educational, technological, health, and environmental needs of our students and staff, the following funds, materials, and/or equipment are to be considered for acceptance as donations:

1. Tracy Unified School District/Kimball High School ASB: From: Kimball High School Athletic Booster Club. The donation is in the amount of \$2,547.99 (check #1141). This donation includes \$200.79 for Kimball High School Wrestling, \$1,502.21 for Kimball High School Boy's Basketball, and \$844.99 for Kimball High School Girls Basketball.
2. Tracy Unified School District/Kimball High School ASB: From: Superintendent of Schools – County of San Joaquin. The donation is in the amount of \$1,599.00 (Warrant #J230206). This donation is for Friday Night Live.
3. Tracy Unified School District/Tracy High School ASB: From: Michael Andrade. The donation is in the amount of \$1,000.00 (check #322). This donation is for the AG Science Department at Tracy High School.
4. Tracy Unified School District/Tracy High School ASB: From: ADS Wines. The donation is in the amount of \$500.00 (check #6728). This donation is for Tracy High School Boys Basketball.
5. Tracy Unified School District/Wanda Hirsch Elementary: From: Harris Corporation. The donation has an estimated value of \$3,900.00. This donation includes 78 Dell LCD Monitors.
6. Tracy Unified School District/Tracy High School ASB: From: Tracy Breakfast Lions. The donation is in the amount of \$500.00 (check #4058). This donation is for Tracy High School FFA.

**RATIONALE:** Acceptance is recommended in order to meet the District's strategic goals and to enhance and benefit the educational experiences of the students of the Tracy Unified School District.

This agenda item meets Strategic Goal #2 – Create a quality and effective learning environment for all students.

**FUNDING:** Sites and departments of the District will incur responsibilities and costs associated with (some) of the donations which include, but are not limited to, supplies, repairs, maintenance of equipment, disposal/recycling. All items accepted by the Board of Trustees of the Tracy Unified School District are directed to the District's warehouse through the Materials Management Department for inclusion on the inventory list, marking for distribution and identification prior to site or department use or placement. All items needing inspection prior to installation or use are scheduled through the Materials Management and Operations and/or the Facilities Developments and budgeted accordingly. All technology items are reviewed and approved by the Director of Information Services and Educational Technology, prior to Board presentation.

**RECOMMENDATION:** Accept the generous donations from the various individuals, businesses, and school site parent teacher associations listed herein with thanks and appreciation from the staff and students of the Tracy Unified School District.

**Prepared by:** Dr. Casey Goodall, Associate Superintendent for Business Services.



# BUSINESS SERVICES MEMORANDUM

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**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Assoc. Superintendent for Business Services  
**DATE:** March 1, 2011  
**SUBJECT:** Approve Monthly Budget Adjustment Report-February, 2011

**BACKGROUND:** Each month the Financial Services Department submits a Budget Adjustment Report summarizing changes of amounts in object codes.

**RATIONALE:** These monthly reports include estimated revenues, expenditures, adjustments, and transfers and facilitate timely monitoring of the budget.

**FUNDING:** N/A

**RECOMMENDATION:** Approve Monthly Budget Adjustment Report

**Prepared by:** S. Reed Call, Director of Financial Services

75 Tracy Jt. Unified School Dist.

Restricted and Unrestricted

FISCAL YR: 11

APPROVED			07/28/2010	02/01/2011	BUDGET	02/28/2011
FUND	OBJECT	DESCRIPTION	ADOPTED BUDGET	REVISED BUDGET	ADJUSTMENTS	REVISED BUDGET
01	1100	TEACHERS' SALARIES	48,296,574.95	50,222,020.03	1,519,345.00	51,741,365.03
	1200	CERT PUPIL SUPPORT SALARIES	2,818,448.00	2,830,637.00	.00	2,830,637.00
	1300	CERT SUPRVSRs' & ADMINS' SAL	4,548,564.00	4,533,846.00	.00	4,533,846.00
	1900	OTHER CERTIFICATED SALARIES	734,371.00	768,345.00	.00	768,345.00
	2100	INSTRUCTIONAL AIDES' SALARIES	3,350,930.00	3,765,067.00	-61,168.00	3,703,899.00
	2200	CLASSIFIED SUPPORT SALARIES	6,419,151.00	6,909,404.00	109,775.39	7,019,179.39
	2300	CLASS SUPRVSRs' & ADMINS' SAL	1,411,587.00	1,428,805.00	.00	1,428,805.00
	2400	CLERICAL & OFFICE SALARIES	4,061,546.00	4,221,051.82	.00	4,221,051.82
	2900	OTHER CLASSIFIED SALARIES	448,963.00	454,287.00	-15.00	454,272.00
	3101	STRS ON 1000 SALARIES	4,592,181.79	4,749,535.75	51,076.00	4,800,611.75
	3102	STRS ON 2000 SALARIES	.00	.00	.00	.00
	3201	PERS ON 1000 SALARIES	67,876.00	104,873.00	.00	104,873.00
	3202	PERS ON 2000 SALARIES	1,434,358.00	1,673,484.92	17,490.00	1,690,974.92
	3311	OASDI ON 1000 SALARIES	39,445.00	56,798.00	78.00	56,876.00
	3312	OASDI ON 2000 SALARIES	789,542.00	839,883.81	781.75	840,665.56
	3321	FICA-MED ON 1000 SALARIES	732,962.00	728,907.77	26.00	728,933.77
	3322	FICA-MED ON 2000 SALARIES	195,703.00	208,986.58	180.96	209,167.54
	3331	ALTER. RETIREMENT ON 1000 SAL	.00	1,341.00	1,058.00	2,399.00
	3332	ALTER. RETIREMENT ON 2000 SAL	29,191.00	34,745.00	-1.00	34,744.00
	3411	HEALTH & WELFARE ON 1000 SALS	6,531,977.21	6,733,355.00	-19,381.00	6,713,974.00
	3412	HEALTH & WELFARE ON 2000 SALS	2,713,024.00	2,936,245.00	-5,217.00	2,931,028.00
	3501	STATE UNEMPLOY ON 1000 SALARY	419,151.00	420,545.86	13.00	420,558.86
	3502	STATE UNEMPLOY ON 2000 SALARY	112,988.00	120,487.25	88.95	120,576.20
	3601	WORKER'S COMP INS ON 1000 SAL	966,863.00	967,963.68	30.00	967,993.68
	3602	WORKER'S COMP INS ON 2000 SAL	260,616.00	278,012.41	207.98	278,220.39
	3711	OPEB,ALLOCATED, CERTIFICATED	1,124,043.00	1,334,899.00	.00	1,334,899.00
	3712	OPEB,ALLOCATED, CLASSIFIED	723,173.00	885,251.00	.00	885,251.00
	3801	PERS REDUCTION ON 1000 SALARY	20,631.00	20,698.00	.00	20,698.00
	3802	PERS REDUCTION ON 2000 SALARY	233,355.00	276,534.00	1,315.00	277,849.00
	3931	GOLDEN HANDSHAKE CERTIFICATED	.00	469,022.66	.00	469,022.66
	3932	GOLDEN HANDSHAKE CLASSIFIED	.00	163,406.55	.00	163,406.55
	3999	BENEFIT PAYROLL ERRORS	.00	.00	.00	.00
	4100	TEXTBOOKS	400,000.00	409,293.00	1,119.00	410,412.00
	4200	BOOKS OTHER THAN TEXTBOOKS	161,573.00	196,336.00	663.00	196,999.00
	4300	MATERIALS & SUPPLIES	5,208,315.90	8,641,524.24	-203,520.56	8,438,003.68
	4400	NON-CAPITALIZED EQUIPMENT	241,417.00	535,270.00	56,142.00	591,412.00
	5200	TRAVEL & CONFERENCES	82,589.00	215,034.41	16,379.00	231,413.41
	5300	DUES & MEMBERSHIPS	38,525.00	46,645.00	210.00	46,855.00
	5450	OTHER INSURANCE	786,485.00	786,485.00	.00	786,485.00
	5500	OPERATIONS & HOUSEKEEPING SRVC	3,905,522.00	3,948,422.00	.00	3,948,422.00
	5600	RENTS,LEASES,REPAIRS,IMPRVMTS	684,506.00	692,337.06	12,688.00	705,025.06
	5710	DIR COSTS FOR INTRPRG SERVICES	.00	.00	.00	.00
	5750	DIR COSTS FOR INTERFUND SVCS	-50,000.00	-52,547.00	-2.00	-52,549.00
	5800	OTHER SVCS & OPER EXPENDITURES	4,901,309.00	5,608,479.80	-15,922.77	5,592,557.03
	5900	INTERGOVERNMENTAL FEES	501,833.00	627,990.00	-15,302.00	612,688.00
	6200	BLDGS & IMPROVEMENT OF BLDGS	419,901.00	543,178.00	-90,349.00	452,829.00
	6400	EQUIPMENT	500.00	501,845.00	.00	501,845.00
	6500	EQUIPMENT REPLACEMENT	2,500.00	364,143.00	.00	364,143.00
	7130	STATE SPECIAL SCHOOLS	40,000.00	40,000.00	.00	40,000.00

75 Tracy Jt. Unified School Dist.

Restricted and Unrestricted

FISCAL YR: 11

APPROVED			07/28/2010	02/01/2011	BUDGET	02/28/2011
FUND	OBJECT	DESCRIPTION	ADOPTED BUDGET	REVISED BUDGET	ADJUSTMENTS	REVISED BUDGET
01	7142	TUITION, EXCESS COSTS TO COE	364,842.00	675,195.00	97,646.00	772,841.00
	7310	TRANSFERS OF INDIRECT COSTS	.00	.00	.00	.00
	7350	TRANS OF INDIRECT - INTERFUND	-212,442.00	-215,362.00	.00	-215,362.00
	7438	DEBT SERVICE - INTEREST	6,978.00	2,231.00	-1,058.87	1,172.13
	7439	DEBT SERVICE - PRINCIPAL	148,244.00	71,124.00	-16,958.13	54,165.87
	7615	FROM GEN/SPC/BLDG TO DEF MAINT	.00	.00	100,000.00	100,000.00
	7619	OTHER AUTH INTRFND TRANSFRS OUT	.00	.00	59,132.00	59,132.00
TOTAL EXPENSE			110,709,812.85	121,776,062.60	1,616,549.70	123,392,612.30

75 Tracy Jt. Unified School Dist.

Restricted and Unrestricted

FISCAL YR: 11

APPROVED		07/28/2010	02/01/2011	BUDGET	02/28/2011	
FUND	OBJECT	DESCRIPTION	ADOPTED BUDGET	REVISED BUDGET	ADJUSTMENTS	REVISED BUDGET
01	8011	REVENUE LIMIT ST AID-CURR YEAR	57,049,911.00	63,699,089.00	-1,275,645.00	62,423,444.00
	8021	HOME OWNERS EXEMPTION	277,105.00	277,105.00	.00	277,105.00
	8040	COUNTY & DISTRICT TAXES	16,681,977.00	14,333,531.00	1,617,512.00	15,951,043.00
	8042	UNSECURED ROLL TAXES	1,393,726.00	1,393,726.00	.00	1,393,726.00
	8043	PRIOR YEARS' TAXES	21,778.00	21,778.00	.00	21,778.00
	8044	SUPPLEMENTAL TAXES	14,241.00	14,241.00	.00	14,241.00
	8045	ED REVENUE AUGMENT FUND (ERAF)	2,438,203.00	2,438,203.00	.00	2,438,203.00
	8046	SERAF	4,679,359.00	4,679,359.00	.00	4,679,359.00
	8091	REVENUE LIMIT TRANSFERS	.00	.00	.00	.00
	8092	PERS REDUCTION TRANSFER	267,434.00	305,297.00	1,304.00	306,601.00
	8096	TRANSFERS TO CHARTERS, IN LIEU	-1,414,186.00	-1,617,512.00	6,080.00	-1,611,432.00
	8181	SP ED-ENTITLEMENT	2,398,902.00	2,790,216.00	15,237.00	2,805,453.00
	8182	SP ED-DISCRETIONARY GRANTS	221,116.00	268,616.00	.00	268,616.00
	8285	INTERAGENCY CNTRCTS BTWN LEA'S	92,921.00	97,701.88	.00	97,701.88
	8290	ALL OTHER FEDERAL REVENUES	2,823,471.00	4,574,719.00	982,713.00	5,557,432.00
	8311	OTH ST APPORTIONMENTS-CURR YR	2,589,156.00	2,838,046.00	152,300.00	2,990,346.00
	8434	CLASS SIZE REDUCTION K-3	1,361,526.00	1,361,526.00	1,377,021.00	2,738,547.00
	8550	MANDATED COST REIMBURSEMENTS	.00	130,832.00	19,371.00	150,203.00
	8560	STATE LOTTERY REVENUE	2,050,902.00	2,154,800.00	.00	2,154,800.00
	8590	ALL OTHER STATE REVENUES	6,052,672.00	6,749,425.00	592,604.00	7,342,029.00
	8660	INTEREST	50,000.00	50,000.00	35,000.00	85,000.00
	8675	TRANSPORTATION FEES FROM INDIV	175,000.00	175,000.00	.00	175,000.00
	8677	INTERAGENCY SVCS BETWEEN LEA'S	926,026.00	930,733.00	25.00	930,758.00
	8699	ALL OTHER LOCAL REVENUES	518,079.00	2,105,331.00	91,791.00	2,197,122.00
	8792	TRANS OF APPORTION FROM CO OFF	3,567,079.00	3,591,269.00	44,398.00	3,635,667.00
	8919	OTH AUTH INTERFUND TRANS IN	550,800.00	550,800.00	-484,000.00	66,800.00
	8980	CONTRIBUTE FROM UNRSTRCTD REV	.00	.00	.00	.00
	8990	CNTRIBUT/TRANS FRM RSTR/UNREST	.00	.00	.00	.00
TOTAL REVENUE			104,787,198.00	113,913,831.88	3,175,711.00	117,089,542.88



FCR270  
FEBRUARY '11 BUDGET ADJ REPORT

SAN JOAQUIN COUNTY OFFICE OF EDUCATION  
BUDGET ADJUSTMENT REPORT  
FROM DATE 02/01/2011 TO DATE 02/28/2011

#J9670

PAGE: 4  
03/01/2011

75 Tracy Jt. Unified School Dist.

Restricted and Unrestricted

FISCAL YR: 11

FUND	OBJECT	DESCRIPTION	BEGINNING BALANCE	02/01/2011 REVISED BALANCE	ADJUSTMENTS	02/28/2011 REVISED BALANCE
01	9770	DESIGNATED FOR ECON UNCERTAIN	-3,328,815.00	-3,328,815.00	.00	-3,328,815.00
	9780	OTHER DESIGNATIONS	-1,500,000.00	-150,000.00	.00	-150,000.00
	9790	UNDESIGNATED/UNAPPROPRIATED	-11,672,635.38	-11,083,019.51	-1,559,161.30	-12,642,180.81
	9791	BEGINNING BALANCE	-22,660,065.23	-22,660,065.23	.00	-22,660,065.23
	9793	AUDIT ADJUSTMENTS	.00	.00	.00	.00
	9795	OTHER RESTATEMENTS	.00	.00	.00	.00
	9798	BUDGET FUND BALANCE OFFSET	16,737,450.38	14,797,834.51	1,559,161.30	16,356,995.81
	9799	K12 NET GAIN OR LOSS	.00	7,862,230.72	-1,559,161.30	6,303,069.42



# BUSINESS SERVICES MEMORANDUM

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**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Assoc. Superintendent of Business Services  
**DATE:** March 1, 2011  
**SUBJECT:** Approve Revolving Cash Fund Reports (February, 2011)

**BACKGROUND:** Each month the Financial Services Department submits summaries of revolving cash fund checks issued monthly to the Board of Trustees for review.

**RATIONALE:** The Board of Trustees is required by law to approve the total expenditures of the district. The Board has requested to review detailed backup for expenditures. This agenda item meets Strategic Goal #6 – Forming Partnerships.

**FUNDING:** N/A.

**RECOMMENDATION:** Approve Revolving Cash Fund Reports (February, 2011).

**Prepared by:** S. Reed Call, Director of Financial Services

**TUSD 2011**  
**REVOLVING CASH FUND**  
February 2011

Date	Num	Name	Memo	Paid Amount
2/11/2011	8628	TEHAMA COE	CONF 2/15/2010 JANICE BUSSEY	
			01-0000-0-1110-2100-5200-800-2001	-50.00
TOTAL				-50.00
2/11/2011	8629	P.A.P.A.	P.O. 111964 PESTICIDE SEMINAR FEES 2/17/...	
			01-8150-0-0000-8110-5200-800-9402	-720.00
TOTAL				-720.00
2/18/2011	8630	NCJOA/62ND ANNUAL TRAINING C...	CONFERENCE 3/2-4/2011 A. GONZALES, M. M...	
			01-3313-0-5750-1110-5200-800-2542	-500.00
TOTAL				-500.00
2/18/2011	8631	NCJOA/62ND ANNUAL TRAINING C...	CONFERENCE 3/2-4/2011 S. HENDRIXSON, M....	
			01-3313-0-5750-1110-5200-800-2542	-500.00
TOTAL				-500.00
2/18/2011	8632	HILTON GARDEN INN	CONFERENCE 3/2-4/2011 GONZALES,MCCOR...	
			01-3313-0-5750-1110-5200-800-2542	-560.82
TOTAL				-560.82
2/22/2011	8633	KINDER'S MEATS DELI BBQ	P.O. 110501	
			01-0000-0-0000-7150-4300-800-1001	-103.26
TOTAL				-103.26
2/28/2011	8634	FRESNO COUNTY OFFICE OF EDU...	CONFERENCE 3/3/2011 L.DOPP,C.SASSER,B....	
			01-4035-0-1110-2140-5200-800-2744	-117.00
TOTAL				-117.00
2/28/2011	8635	HOLIDAY INN	CONFERENCE 3/3/2011 L.DOPP, C.SASSER,B...	
			01-4035-0-1110-2140-5200-800-2744	-112.00
TOTAL				-112.00



# BUSINESS SERVICES MEMORANDUM

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**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** February 28, 2011  
**SUBJECT:** Approve Payroll Reports (February, 2011)

**BACKGROUND:** Financial Services Department submits summaries of payroll warrants issued each month to the Board of Trustees for review.

**RATIONALE:** The Board of Trustees is required by law to approve the total expenditures of the district. The Board has requested to review detailed backup for expenditures. This agenda item meets Strategic Goal #7-Develop Powerful Educational Leaders.

**FUNDING:** N/A

**RECOMMENDATION:** Approve Payroll Report

**Prepared by:** Reed Call, Director of Financial Services

**DATE:02/10/11 JANUARY SUPPLEMENTAL**

FUND 01 GROSS PAYROLL	\$	269,392.54
BENEFITS	\$	30,726.69
TOTAL	\$	300,119.23
FUND 11 GROSS PAYROLL - ADULT EDUCATION	\$	14,947.71
BENEFITS	\$	3,325.52
TOTAL	\$	18,273.23
FUND 12 GROSS PAYROLL - CHILD DEVELOPMENT	\$	2,915.29
BENEFITS	\$	151.23
TOTAL	\$	3,066.52
FUND 13 GROSS PAYROLL - CAFETERIA FUND	\$	11,058.06
BENEFITS	\$	1,088.51
TOTAL	\$	12,146.57
<b>DISTRICT TOTAL</b>	<b>\$</b>	<b>333,605.55</b>

Report: R0010A

Gross Wage &amp; Fringe Summary by Object for JANUARY SUPPL. 2/10/2011

Fiscal Year 2010/2011

Fund: 01 GEN FUND/CO SCHOOL SERV FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
1100	TEACHERS' SALARIES	27,608.09	0.00	27,608.09
1105	TEACHERS' SALARIES SUBS	101,061.81	0.00	101,061.81
1107	TEACHERS' SALARIES HOURLY	1,165.50	0.00	1,165.50
1120	HOME INSTRUCTION SALARIES	1,291.50	0.00	1,291.50
1201	CERT PUPIL SUPPORT SALRY EXTRA	2,217.60	0.00	2,217.60
1330	ASSISTANT SUPERINTENDENTS SAL	327.48	0.00	327.48
1340	CERT. ADMINISTRATOR SALARIES	275.52	0.00	275.52
1341	CERT. ADMINISTRATOR SAL EXTRA	3,888.92	0.00	3,888.92
1342	CERT. ADMINISTRATOR SAL TEMP	769.31	0.00	769.31
1900	OTHER CERTIFICATED SALARIES	870.00	0.00	870.00
2100	INSTRUCTIONAL AIDES' SALARIES	18,571.46	0.00	18,571.46
2101	INSTR AIDES SALARIES EXTRA	1,004.79	0.00	1,004.79
2105	INSTR AIDES SALARIES SUBS	4,725.99	0.00	4,725.99
2106	INSTR AIDES SALARIES OVERTIME	246.98	0.00	246.98
2200	CLASSIFIED SUPPORT SALARIES	15,011.93	0.00	15,011.93
2205	CLASS SUPPORT SALARIES SUBS	11,053.80	0.00	11,053.80
2206	CLASS SUPPORT SALARY OVERTIME	64,607.81	0.00	64,607.81
2301	CLASS SUPV&ADMIN EXTRA/STIPEND	5,710.27	0.00	5,710.27
2400	CLERICAL & OFFICE SALARIES	2,622.59	0.00	2,622.59
2405	CLERICAL AND OFFICE SAL SUBS	1,985.28	0.00	1,985.28
2406	CLERICAL AND OFFICE SAL OT	256.06	0.00	256.06
2407	CLERICAL AND OFFICE SAL HOURLY	467.82	0.00	467.82
2900	OTHER CLASSIFIED SALARIES	2,382.47	0.00	2,382.47
2905	OTHER CLASSIFIED SALARY SUBS	1,269.56	0.00	1,269.56
3101	STRS ON 1000 SALARIES	0.00	9,778.59	9,778.59
3201	PERS ON 1000 SALARIES	0.00	125.61	125.61
3202	PERS ON 2000 SALARIES	0.00	3,050.39	3,050.39
3311	OASDI ON 1000 SALARIES	0.00	107.40	107.40
3312	OASDI ON 2000 SALARIES	0.00	6,097.84	6,097.84
3321	FICA-MED ON 1000 SALARIES	0.00	1,941.60	1,941.60
3322	FICA-MED ON 2000 SALARIES	0.00	1,883.75	1,883.75
3331	ALTER. RETIREMENT ON 1000 SAL	0.00	170.52	170.52
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	1,157.55	1,157.55
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	1,004.03	1,004.03
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	935.43	935.43
3601	WORKER'S COMP INS ON 1000 SAL	0.00	2,316.30	2,316.30
3602	WORKER'S COMP INS ON 2000 SAL	0.00	2,157.68	2,157.68

01 Fund Total:

269,392.54

30,726.69

300,119.23

Fund: 11 ADULT EDUCATION FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
1100	TEACHERS' SALARIES	6,728.50	0.00	6,728.50
1200	CERT PUPIL SUPPORT SALARIES	2,153.20	0.00	2,153.20
2100	INSTRUCTIONAL AIDES' SALARIES	4,150.33	0.00	4,150.33
2101	INSTR AIDES SALARIES EXTRA	518.15	0.00	518.15
2401	CLERICAL AND OFFICE SAL EXTRA	1,045.49	0.00	1,045.49
2406	CLERICAL AND OFFICE SAL OT	352.04	0.00	352.04
3101	STRS ON 1000 SALARIES	0.00	564.92	564.92
3202	PERS ON 2000 SALARIES	0.00	606.93	606.93

Report: R0010A

Gross Wage &amp; Fringe Summary by Object for JANUARY SUPPL. 2/10/2011

Fiscal Year 2010/2011

3312	OASDI ON 2000 SALARIES	0.00	376.10	376.10
3321	FICA-MED ON 1000 SALARIES	0.00	84.16	84.16
3322	FICA-MED ON 2000 SALARIES	0.00	87.97	87.97
3411	HEALTH & WELFARE ON 1000 SALS	0.00	1,194.52	1,194.52
3412	HEALTH & WELFARE ON 2000 SALS	0.00	55.08	55.08
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	63.94	63.94
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	43.68	43.68
3601	WORKER'S COMP INS ON 1000 SAL	0.00	147.47	147.47
3602	WORKER'S COMP INS ON 2000 SAL	0.00	100.75	100.75

11 Fund Total:

14,947.71

3,325.52

18,273.23

Fund: 12 CHILD DEVELOPMENT FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
1100	TEACHERS' SALARIES	390.00	0.00	390.00
1340	CERT. ADMINISTRATOR SALARIES	1,855.13	0.00	1,855.13
2100	INSTRUCTIONAL AIDES' SALARIES	210.50	0.00	210.50
2900	OTHER CLASSIFIED SALARIES	459.66	0.00	459.66
3101	STRS ON 1000 SALARIES	0.00	20.79	20.79
3202	PERS ON 2000 SALARIES	0.00	15.19	15.19
3312	OASDI ON 2000 SALARIES	0.00	8.79	8.79
3321	FICA-MED ON 1000 SALARIES	0.00	5.65	5.65
3322	FICA-MED ON 2000 SALARIES	0.00	9.74	9.74
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	21.67	21.67
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	16.16	16.16
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	4.82	4.82
3601	WORKER'S COMP INS ON 1000 SAL	0.00	37.29	37.29
3602	WORKER'S COMP INS ON 2000 SAL	0.00	11.13	11.13

12 Fund Total:

2,915.29

151.23

3,066.52

Fund: 13 CAFETERIA FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
2200	CLASSIFIED SUPPORT SALARIES	6,013.44	0.00	6,013.44
2205	CLASS SUPPORT SALARIES SUBS	4,917.16	0.00	4,917.16
2206	CLASS SUPPORT SALARY OVERTIME	127.46	0.00	127.46
3202	PERS ON 2000 SALARIES	0.00	218.04	218.04
3312	OASDI ON 2000 SALARIES	0.00	134.15	134.15
3322	FICA-MED ON 2000 SALARIES	0.00	160.29	160.29
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	312.64	312.64
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	79.70	79.70
3602	WORKER'S COMP INS ON 2000 SAL	0.00	183.69	183.69

13 Fund Total:

11,058.06

1,088.51

12,146.57

District Total:

298,313.60

35,291.95

333,605.55

**DATE:02/28/11**

FUND 01 GROSS PAYROLL	\$ 5,871,271.86
BENEFITS	\$ 1,749,399.32
TOTAL	<b>\$ 7,620,671.18</b>

FUND 11 GROSS PAYROLL - ADULT EDUCATION	\$ 15,470.37
BENEFITS	\$ 6,770.63
TOTAL	<b>\$ 22,241.00</b>

FUND 12 GROSS PAYROLL - CHILD DEVELOPMENT	\$ 7,242.13
BENEFITS	\$ 2,454.15
TOTAL	<b>\$ 9,696.28</b>

FUND 13 GROSS PAYROLL - CAFETERIA FUND	\$ 111,511.55
BENEFITS	\$ 33,004.77
TOTAL	<b>\$ 144,516.32</b>

<b>DISTRICT TOTAL</b>	<b>\$ 7,797,124.78</b>
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Report: R0010A

Gross Wage &amp; Fringe Summary by Object for FEBRUARY REGULAR 2/28/2011

Fiscal Year 2010/2011

Fund: 01 GEN FUND/CO SCHOOL SERV FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
1100	TEACHERS' SALARIES	3,965,651.39	0.00	3,965,651.39
1120	HOME INSTRUCTION SALARIES	7,205.83	0.00	7,205.83
1200	CERT PUPIL SUPPORT SALARIES	221,001.29	0.00	221,001.29
1300	CERT SUPRVSRs' & ADMINS' SAL	30,011.35	0.00	30,011.35
1310	CERT. SUPERVISOR SALARIES	9,870.35	0.00	9,870.35
1320	SUPERINTENDENTS SALARIES	16,018.68	0.00	16,018.68
1330	ASSISTANT SUPERINTENDENTS SAL	11,072.67	0.00	11,072.67
1340	CERT. ADMINISTRATOR SALARIES	301,604.56	0.00	301,604.56
1900	OTHER CERTIFICATED SALARIES	40,344.03	0.00	40,344.03
2100	INSTRUCTIONAL AIDES' SALARIES	276,849.86	0.00	276,849.86
2200	CLASSIFIED SUPPORT SALARIES	506,440.16	0.00	506,440.16
2300	CLASS SUPRVSRs' & ADMINS' SAL	5,584.26	0.00	5,584.26
2310	CLASS SUPERVISORS SALARIES	26,905.99	0.00	26,905.99
2320	CLASS. ADMINISTRATOR SALARIES	83,230.40	0.00	83,230.40
2400	CLERICAL & OFFICE SALARIES	207,776.92	0.00	207,776.92
2407	CLERICAL AND OFFICE SAL HOURLY	127,617.02	0.00	127,617.02
2900	OTHER CLASSIFIED SALARIES	34,087.10	0.00	34,087.10
3101	STRS ON 1000 SALARIES	0.00	390,904.72	390,904.72
3201	PERS ON 1000 SALARIES	0.00	8,761.93	8,761.93
3202	PERS ON 2000 SALARIES	0.00	133,318.10	133,318.10
3311	OASDI ON 1000 SALARIES	0.00	4,322.14	4,322.14
3312	OASDI ON 2000 SALARIES	0.00	68,151.47	68,151.47
3321	FICA-MED ON 1000 SALARIES	0.00	55,880.11	55,880.11
3322	FICA-MED ON 2000 SALARIES	0.00	16,703.20	16,703.20
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	2,204.32	2,204.32
3411	HEALTH & WELFARE ON 1000 SALS	0.00	524,305.59	524,305.59
3412	HEALTH & WELFARE ON 2000 SALS	0.00	218,892.49	218,892.49
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	33,139.58	33,139.58
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	9,133.30	9,133.30
3601	WORKER'S COMP INS ON 1000 SAL	0.00	76,443.26	76,443.26
3602	WORKER'S COMP INS ON 2000 SAL	0.00	21,067.19	21,067.19
3711	H & W CURRENT RETIREES ON 1000	0.00	114,631.83	114,631.83
3712	H & W CURRENT RETIREES ON 2000	0.00	71,540.09	71,540.09
01 Fund Total:		5,871,271.86	1,749,399.32	7,620,671.18

28

Fund: 11 ADULT EDUCATION FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
2400	CLERICAL & OFFICE SALARIES	15,470.37	0.00	15,470.37
3202	PERS ON 2000 SALARIES	0.00	1,656.40	1,656.40
3312	OASDI ON 2000 SALARIES	0.00	903.51	903.51
3322	FICA-MED ON 2000 SALARIES	0.00	211.31	211.31
3412	HEALTH & WELFARE ON 2000 SALS	0.00	3,631.09	3,631.09
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	111.38	111.38
3602	WORKER'S COMP INS ON 2000 SAL	0.00	256.94	256.94
11 Fund Total:		15,470.37	6,770.63	22,241.00

Fund: 12 CHILD DEVELOPMENT FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
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Report: R0010A

Gross Wage &amp; Fringe Summary by Object for FEBRUARY REGULAR 2/28/2011

Fiscal Year 2010/2011

1100	TEACHERS' SALARIES	1,586.65	0.00	1,586.65
2100	INSTRUCTIONAL AIDES' SALARIES	3,195.12	0.00	3,195.12
2400	CLERICAL & OFFICE SALARIES	2,460.36	0.00	2,460.36
3101	STRS ON 1000 SALARIES	0.00	142.80	142.80
3202	PERS ON 2000 SALARIES	0.00	460.75	460.75
3312	OASDI ON 2000 SALARIES	0.00	200.75	200.75
3321	FICA-MED ON 1000 SALARIES	0.00	11.69	11.69
3322	FICA-MED ON 2000 SALARIES	0.00	69.80	69.80
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	64.60	64.60
3411	HEALTH & WELFARE ON 1000 SALS	0.00	645.88	645.88
3412	HEALTH & WELFARE ON 2000 SALS	0.00	685.46	685.46
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	11.42	11.42
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	40.72	40.72
3601	WORKER'S COMP INS ON 1000 SAL	0.00	26.35	26.35
3602	WORKER'S COMP INS ON 2000 SAL	0.00	93.93	93.93

12 Fund Total:

7,242.13

2,454.15

9,696.28

Fund: 13 CAFETERIA FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
2200	CLASSIFIED SUPPORT SALARIES	97,952.27	0.00	97,952.27
2400	CLERICAL & OFFICE SALARIES	13,559.28	0.00	13,559.28
3202	PERS ON 2000 SALARIES	0.00	9,367.06	9,367.06
3312	OASDI ON 2000 SALARIES	0.00	4,760.00	4,760.00
3322	FICA-MED ON 2000 SALARIES	0.00	1,505.91	1,505.91
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	1,110.41	1,110.41
3412	HEALTH & WELFARE ON 2000 SALS	0.00	13,606.54	13,606.54
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	802.85	802.85
3602	WORKER'S COMP INS ON 2000 SAL	0.00	1,852.00	1,852.00

13 Fund Total:

111,511.55

33,004.77

144,516.32

District Total:

6,005,495.91

1,791,628.87

7,797,124.78



# BUSINESS SERVICES MEMORANDUM

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**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Assoc. Superintendent of Business Services  
**DATE:** March 1, 2011  
**SUBJECT:** Approve Accounts Payable Warrants (February, 2011)

**BACKGROUND:** Each month the Financial Services Department submits summaries of warrants issued monthly to the Board of Trustees for review.

**RATIONALE:** The Board of Trustees is required by law to approve the total expenditures of the district. The Board has requested to review detailed backup for expenditures. This agenda item meets Strategic Goal #6 – Forming Partnerships.

**FUNDING:** N/A.

**RECOMMENDATION:** Approve Accounts Payable Warrants (February, 2011)

**Prepared by:** S. Reed Call, Director of Financial Services



# BUSINESS SERVICES MEMORANDUM

**To:** James Franco, Superintendent  
**From:** C. Goodall, Assistant Superintendent for Business  
**Date:** March 11, 2011  
**SUBJECT:** Approve Assembly Vendors and Site Assembly Utilization Calendars

**Background:** To be valid or to constitute an enforceable obligation against the district, education code 17604 requires that all contracts must be approved and/or ratified by the board of trustees. This requirement is met in several different ways, depending on the value of the requisition, the types of services or materials being procured, and the advance notice staff has in procuring the services or materials.

**Rationale:** School site assemblies require pre-approval to ensure three different documents are in place: an approved contract; a certificate of insurance; an endorsement letter naming the district an additional insured. In addition, all assemblies are reviewed to ensure the content is appropriate for student audiences, and that conflicts do not occur with other school site or district events.

To that end, the attached list of vendors has met all of the criteria to provide assemblies at TUSD sites, and their presentation has been deemed appropriate for TUSD students. Additionally, the attached calendar of events has been reviewed to ensure the date and time of the event does not conflict with other site or district events.

This list will be updated monthly and presented to the board for approval.

**Funding:** Per attached summary of requisitions.

**Recommendation:** Approve Assembly Vendors and Site Assembly Utilization Calendars

Prepared by: Cindy Everhart, Facility Use Secretary, and Bob Corsaro, Director of Risk Management, Environmental Compliance, & Safety

Board Approved	Vendor	Insurance Expires
<b>*FLAMES ARE PROHIBITED INDOORS ON DISTRICT PROPERTY - SEE BELOW</b>		
8/25/09	Intermission Productions, Sheryl Madison, 839-9333, sher.ipmascots@yahoo.com, www.intermissionproductions.com. Haunted Houses must be pre-approved by Bob Corsaro	3/20/2011
2/9/10	San Francisco Shakespeare Festival - Leslie Breton, 415.558.0888, www.sfshakes.org, wwwsfshakes.org/tour/index.html	3/22/2011
9/28/10	Thomas Brown & Associates, 707.968.9030, www.tbrownassociates.com	3/26/2011
4/28/09	Color Me Mine, Angie Long , 834.8910, tracy@colormemine.com, www.tracy.colormemine.com	4/4/2011
2/12/08	Toucan Jam, Sue Lomolino - www.toucanjam.net, 832-0331, sue@theothercheek.com	4/25/2011
11/9/10	Arts Echo Children's Theater Center - Arithmetickle. Ben Bendor 800-341-3585. www.arithmetickle.com	4/25/2011
9/28/10	Bebe Conrad, Benny & Bebe's Magic Circus, www.magiccircus.com, info@magiccircus.com, (415) 457-4FUN (4386)	4/25/2011
2/12/08	Sparkles the Clown, Terry Donaldson - 835-8383, www.sparklesdelight.com	5/1/2011
2/12/08	Ravioli the Clown - Denis Martinez - 835.3535, www.raviolitheclown.com	5/1/2011
8/28/07	Horizon Intertainment - Teen Truth Anti Bully JC Pohl 818 755 8800 , jc@teentruthlive.com	5/18/2011
12/14/10	David Greenberg - Author - 360-560-7766. fax # 503-842- 1290. authilus@teleport.com.www.authorsillustrators.com/greenberg/g reenberg.htm	6/18/2011
3/8/11	Andrew Trosien, DDS. 2850 Tracy Boulevard #300 Tracy, CA 95376 833-1240	7/1/2011
10/9/07	Prismatic Magic - Christopher Volpe -973-283-9006 chris@prismaticmagic.com, frank@prismaticmagic.com	7/16/2011
1/25/11	Magic of Dexter - Brian Poindexter - dexter@magicofdexter.com. www.magicofdexter.com. No animals or fire.	8/15/2011

Board Approved	Vendor	Insurance Expires
11/13/07	Bureau of Lectures & Ancient Artifacts John Tacha or Terry Lyman 800.255.0084, (FIRE SHOW NOT ALLOWED) www.assemblyline.com/index.html bureau@assemblyline.com	8/20/2011
8/28/07	Theater for Children, B Street Theater Programs, Lea Ladd, 916.443.5391 x112	8/28/2011
1/25/11	Sorren Bennick Productions - Power of One Anti-Bullying Program 1-866-816-5808, To view a video clip of the show, go to www.sorenbennick.com; enter the Power of One section, click on the Principals Only field, and use the password: "impact" and the username: "impact".	9/18/2011
3/8/11	Peacemakers - Paul Hall -phall@tUSD.net or Kevin James - kev4jam@sbcglobal.net	11/1/2012
10/9/07	Mad Science, Danielle Mae Lee, danielle@madsciencesacto.com, 916-736-2924, Elena Michel elena@madsciencesacto.com (Fire & Ice Show not allowed)	12/1/2011
1/25/11	Kaiser Permanente - Dean Starnes, dean.starnes@kp.org, 510-987-2223, www.Kp.org/etp/ncal, Programs "Community Troupe", PEACE Signs "The Best Me", "Nightmare on Puberty ST." and "Secrets".	1/1/2012
11/9/10	Pacific Dental Services/Tracy Smiles/My Kids Dentist & Orthodontist-Meghan Stephens - 836-5441- stephensm@pacificdentalservices.com, Cammy Harvey - harveyc@pacificdentalservices.com. www.tracysmilesdental.com. 2600 S. Tracy Blvd. Ste. 160 & 170	1/1/2012
10/23/07	Lawrence Hall of Science, 510-642-1700, pfsreq@berkeley.edu, www.lawrencehallofscience.org	Indemnification approved, Tier 1
10/9/07	McDonalds Tammi Beck 916-962-1982	NO Charge, Tier 1
10/9/07	NASA Karin Costa 650-604-6077	NO Charge, Tier 1
10/9/07	Otto the Auto Wendy Sanchez 415-565-2676 wendy_sanchez@csaa.com	NO Charge, Tier 1
10/9/07	Sandia Labs Joel Lipkan - jlipkin@comcast.net	NO Charge, Tier 1
2/10/09	JOE FOSS Institute, 480.348.0316, www.jfiweb.org	NO Charge, Tier 1
4/28/09	District 5 Dairy Princess, 639-1715	NO Charge, Tier 1
5/26/09	Get Real Behind The Wheel, Safe Driving Assembly targeted to 8th, 9th & 10th graders. Ken Ucci 209.601.6523. www.getrealbehindthewheel.org	NO Charge, Tier 1

Board Approved	Vendor	Insurance Expires
5/26/09	Cowboys & Kids Reach Assembly, Penny Conway, www.reachkids.com, reachme@theriver.com	NO Charge, Tier 1
2/23/10	Boys Scouts - Civil War History presentation Preston Gilliam, 209-830-1870 or pgilliam@pacbell.net	NO Charge, Tier 1
	<b>ADDING:</b>	
	Scott Bakovich, sbakovich@gmail.com. 209-838-2147, Motivational Speaker & Leadership Trainer	3/26/2011

**\*Section 308.3 Open Flame.** A person shall not utilize or allow to be utilized, an open flame in connection with a public meeting or gathering for purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in Group A or E occupancies in accordance with Appendix Chapter 1, Section 105.6.

**Please remind your staff that candles, incense, cigarettes, or any item with an open flame are not permitted anywhere on school property.** Per the Tracy Fire Inspector, failure to comply with this requirement can result in personal and/or District fines ranging from \$250 – 1,000.

### FOOD VENDORS:

**OUTDOORS ONLY** - Make sure barbeques are 10 feet away from any building or structure. Place drip pans or tarps under barbeques to avoid spillage on pavement. Do not dump grease, oil, briquettes or barbeques anywhere on TUSD property or in garbage cans or dumpster. If accident spill occurs you are to provide an oil absorbent and clean properly

5/11/19	Chevy's 839-2241, www.chevys.com	5/9/2011
8/10/10	Shorter's Rib Pit & Catering 839-2290, 16 E. 9th Street, Tracy,	4/9/2011
10/13/09	Famous Dave's BBQ Catering: 866-408-7427 fax 833-9043 www.famousdaves.com	10/1/2011
12/8/09	Texas Roadhouse- Tim Lund, 830-1133, store_tracy@texasroadhouse.com,	12/1/2011
1/11/11	Tracy Breakfast Lions- Dennis Smith 627-8068, 835-5077, copsonline@comcast.net	9/1/2011

**\*Section 308.3 Open Flame.** A person shall not utilize or allow to be utilized, an open flame in connection with a public meeting or gathering for purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in Group A or E occupancies in accordance with Appendix Chapter 1, Section 105.6.

**Please remind your staff that candles, incense, cigarettes, or any item with an open flame are not permitted anywhere on school property.** Per the Tracy Fire Inspector, failure to comply with this requirement can result in personal and/or District fines ranging from \$250 – \$1,000.



**TRACY**  
UNIFIED SCHOOL DISTRICT

# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** March 11, 2011  
**SUBJECT:** Ratify Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

**BACKGROUND:** To be valid or to constitute an enforceable obligation against the district, education code 17604 requires that all contracts must be approved and/or ratified by the board of trustees. This requirement is met in several different ways, depending on the value of the requisition, the types of services or materials being procured, and the advance notice staff has in procuring the services or materials. Routine requisitions less than \$5,000 are ratified on the consent calendar when the board approves the warrants list. Except when specific exceptions are detailed in board policies and procedures, requisitions greater than \$15,000 are submitted as action items for board pre-approval. Also, Special Services and advice in financial, accounting, engineering, legal or administrative matters pursuant to Government Code 63060 meet the requirements.

Routine requisitions between \$5,000 and \$15,000, and requisitions greater than \$15,000 which meet specific criteria, may be ratified on the consent calendar by board approval of a summary list, more detailed than the warrants listing. This may also include ratification of "Notice of Completion" of construction projects.

**RATIONALE:** The attached summary of these requisitions with related support documentation details financial obligations greater than \$5,000 but which meet the criteria to be ratified in this format. The summary is organized alphabetically so that the project's back-up material is identified with the same letter in the lower left hand corner.

**FUNDING:** Per attached summary of requisitions.

**RECOMMENDATION:** Ratify Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

**Prepared by:** Dr. Casey Goodall, Associate Superintendent for Business Services.



**BUSINESS SERVICES  
FACILITIES DEVELOPMENT DEPARTMENT  
MEASURE E BOND  
SUMMARY OF SERVICES**

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A. Vendor: Roebbelen Contracting, Inc.  
Site: Tracy High School – Modernization/Reconstruction – Library/Classrooms  
Item: Change Order # 8  
Services: Scope of work documented on the change order summary.  
Cost: \$106,659.00; Deduction from contingency allowance previously included in contract.  
Project Funding: Measure E Bond Funds and State School Building Fund (SSBF)

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B. Vendor: Roebbelen Contracting, Inc.  
Site: Tracy High School – Modernization/Reconstruction – Cafeteria/Classrooms  
Item: Change Order # 9  
Services: Scope of work documented on the change order summary.  
Cost: \$38,327.00; Deduction from contingency allowance previously included in contract.  
Project Funding: Measure E Bond Funds and SSBF

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C. Vendor: Hazard Management Services, Inc.  
Site: Tracy High School – Modernization/Reconstruction – Miscellaneous  
Item: Proposal  
Services: Survey the site and collect bulk samples (or by other means) to identify all potential asbestos, lead, PCB or other hazardous materials. Accurately determine and fully define the location, characteristics, levels and extent of hazardous materials.  
Cost: \$2,160.00; Not to Exceed  
Project Funding: Measure E Bond Funds and SSBF

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TRACY  
UNIFIED SCHOOL DISTRICT

# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** March 11, 2011  
**SUBJECT:** Ratify Measure S Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda ✓

**BACKGROUND:** To be valid or to constitute an enforceable obligation against the district, education code 17604 requires that all contracts must be approved and/or ratified by the board of trustees. This requirement is met in several different ways, depending on the value of the requisition, the types of services or materials being procured, and the advance notice staff has in procuring the services or materials. Routine requisitions less than \$5,000 are ratified on the consent calendar when the board approves the warrants list. Except when specific exceptions are detailed in board policies and procedures, requisitions greater than \$15,000 are submitted as action items for board pre-approval. Also, Special Services and advice in financial, accounting, engineering, legal or administrative matters pursuant to Government Code 63060 meet the requirements.

Routine requisitions between \$5,000 and \$15,000, and requisitions greater than \$15,000 which meet specific criteria, may be ratified on the consent calendar by board approval of a summary list, more detailed than the warrants listing. This may also include ratification of "Notice of Completion" of construction projects.

**RATIONALE:** The attached summary of these requisitions with related support documentation details financial obligations greater than \$5,000 but which meet the criteria to be ratified in this format. The summary is organized alphabetically so that the project's back-up material is identified with the same letter in the lower left hand corner.

**FUNDING:** Per attached summary of requisitions.

**RECOMMENDATION:** Ratify Measure S Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

**Prepared by:** Dr. Casey Goodall, Associate Superintendent for Business Services.

**BUSINESS SERVICES  
FACILITIES DEVELOPMENT DEPARTMENT  
MEASURE S BOND  
SUMMARY OF SERVICES**

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A. Vendor: Wilson Architecture, Inc.  
Site: Various Sites  
Item: Agreement  
Services: Cabling/Rack Infrastructure Project; architectural services pertaining to the modernization of cabling communications infrastructure (A/C Units) for MDF Rooms at I.G.C.G., Jacobson Elementary, Freiler School, Hirsch Elementary, Poet-Christian School and Bohn Elementary.  
Cost: \$13,915.00, includes reimbursable fee  
Project Funding: Measure S Bond Funds & State School Building Fund (SSBF)

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B. Vendor: Aria Technologies, Inc.  
Site: Various Sites  
Item: Quote  
Services: Cabling/Rack Infrastructure Project; fiber patch cables for the network equipment at Freiler School, Kelly School, Poet-Christian School and West High School.  
Cost: \$3,083.06  
Project Funding: Measure S Bond Funds & SSBF

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C. Vendor: J House Environmental, Inc.  
Site: Tracy Learning Center – Site Acquisition  
Item: Proposal  
Services: School Site Solutions solicited proposals on behalf of the Tracy Learning Center and the District on February 15, 2011; the Railroad Safety Study is specific to the ongoing due diligence investigation of the proposed Charter High School Site.  
Cost: \$5,200.00  
Project Funding: Local Bond Funds & SSBF

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D. Vendor: Padre Associates, Inc.  
Site: Tracy Learning Center – Site Acquisition  
Item: Proposal  
Services: School Site Solutions solicited proposals on behalf of the Tracy Learning Center and the District on February 15, 2011; the Geologic Hazards Study is specific to the ongoing due diligence investigation of the proposed Charter High School Site.  
Cost: \$3,300.00  
Project Funding: Local Bond Funds & SSBF

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E. Vendor: J House Environmental, Inc.  
Site: Tracy Learning Center – Site Acquisition  
Item: Proposal  
Services: School Site Solutions solicited proposals on behalf of the Tracy Learning Center and the District on February 15, 2011; the Water Storage Tank Safety Assessment is specific to the ongoing due diligence investigation of the proposed Charter High School Site.  
Cost: \$3,100.00  
Project Funding: Local Bond Funds & SSBF

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**TRACY**  
UNIFIED SCHOOL DISTRICT

# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** March 11, 2011  
**SUBJECT:** Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

**BACKGROUND:** To be valid or to constitute an enforceable obligation against the district, education code 17604 requires that all contracts must be approved and/or ratified by the board of trustees. This requirement is met in several different ways, depending on the value of the requisition, the types of services or materials being procured, and the advance notice staff has in procuring the services or materials. Routine requisitions less than \$5,000 are ratified on the consent calendar when the board approves the warrants list. Except when specific exceptions are detailed in board policies and procedures, requisitions greater than \$15,000 are submitted as action items for board pre-approval. Also, Special Services and advice in financial, accounting, engineering, legal or administrative matters pursuant to Government Code 63060 meet the requirements.

Routine requisitions between \$5,000 and \$15,000, and requisitions greater than \$15,000 which meet specific criteria, may be ratified on the consent calendar by board approval of a summary list, more detailed than the warrants listing. This may also include ratification of "Notice of Completion" of construction projects.

**RATIONALE:** The attached summary of these requisitions with related support documentation details financial obligations greater than \$5,000 but which meet the criteria to be ratified in this format. The summary is organized alphabetically so that the project's back-up material is identified with the same letter in the lower left hand corner.

**FUNDING:** Per attached summary of requisitions.

**RECOMMENDATION:** Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

**Prepared by:** Dr. Casey Goodall, Associate Superintendent for Business Services.

**BUSINESS SERVICES  
FACILITIES DEVELOPMENT DEPARTMENT  
SUMMARY OF SERVICES**

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A. Vendor: IKON Office Solutions  
Site: District Education Center  
Item: U.S. Communities Master Agreement with IKON Office Solutions  
Services: Sixty month service contract (May, 2011 – April, 2016) and the following equipment:  
1. Ricoh MP 9001- Copy room  
2. Ricoh MPC 4501 – Superintendent's area  
3. Ricoh MPC 4501 – Ed Services/Student Services area  
4. Ricoh MPC 4501 – Finance/Facilities area  
5. Ricoh MPC 4501 – Food Services area  
6. Ricoh MPC 4501 – Business Services/Purchasing/Maintenance area  
7. Ricoh MP 171 – IMC area  
Equipment that will be removed/returned includes:  
1. Canon IR 7095  
2. Ricoh 3030  
3. Ricoh 3045 (quantity – 4)  
*Existing 60 month lease expires in September, 2011.*  
Cost: For April – June 2011:  
*Existing (6 copiers): \$1,451 x 3 = \$4,353 (for reference)*  
*New (7 copiers): \$1,260 x 3 = \$3,780*  
For 2011/2012:  
*Existing (6 copiers): \$1,451 x 12 = \$17,412 (for reference)*  
*New (7 copiers): \$1,260 x 12 = \$15,120*  
Project Funding: General Fund

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B. Vendor: Miller Starr Regalia in Trust  
Site: Kimball High School – Land Acquisition  
Item: Stipulation  
Services: In order to avoid further litigation regarding the recovery of costs and litigation expenses, the parties have agreed to compromise to the amount of recoverable litigation expenses. This is in settlement of all claims related to litigation expenses in the Kimball Land Acquisition action and is accepted by Defendants as payment in full of all litigation expenses and cost incurred on appeal.  
Cost: \$764,800.00  
Project Funding: Developer Fees/Mitigation Fees, State School Building Program

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C. Vendor: Jensen Precast  
Site: Kimball High School  
Item: Quotation  
Services: 6' x 6' Pump intake structure to correct detention pond intake.  
Cost: \$8,700.00  
Project Funding: Developer Fees/Mitigation Fees, State School Building Program

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D. Vendor:	F & H Construction
Site:	Kimball High School
Item:	Quotation
Services:	Demolition of existing and installation of new structure to correct detention pond intake.
Cost:	\$25,283.00
Project Funding:	Developer Fees/Mitigation Fees, State School Building Program

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# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** ~~Dr.~~ Sheila Harrison, Assistant Superintendent of Educational Services  
and Human Resources  
**DATE:** March 10, 2011  
**SUBJECT:** Approve Overnight Travel for West High School Track Team to Attend the  
Arcadia Invitational Meet in Arcadia, California on April 7 -10, 2011

**BACKGROUND:** The West High Track (WHS) Team would like to travel to Arcadia High School to compete at one of the premier track meets in the country. Depending on the outcome of the West High Track season, there may be as many as 20 qualifying Track Team members attending the Arcadia Invitational. Track Team members will travel in District vans driven by their coaches, Joe Raco, Marco Marchini, T.J. Williams, and Mr. Grady. The Team will depart West High on April 7 and return on April 10, 2011. Students will miss one day of school and will be given time to complete homework. Students and coaches will stay at the Hampton Inn in Arcadia, CA.

**RATIONALE:** The WHS Track Team has worked extremely hard competing at various track meets to qualify for the Arcadia Invitational Meet. The Track Team looks forward to representing Merrill F. West High and the Tracy community at this prestigious track meet. While competing at the Arcadia Invitational, the West High Track Team will have an opportunity to obtain national recognition, as well as potential scholarship offers. This meets Strategic Goal #7: Develop and utilize partnerships that contribute to the achievement of District goals.

**FUNDING:** Estimated costs are \$1,500 - \$3,500. Costs will not exceed \$3,500 and are dependent on the number of members attending. Various fundraisers will be held to pay the hotel and transportation fees. Track Team members will incur the cost of their own meals. There will be no cost to West High School or Tracy Unified School District.

**RECOMMENDATION:** Approve Overnight Travel for West High School Track Team to Attend the Arcadia Invitational Meet in Arcadia, California on April 7 -10, 2011

**PREPARED BY:** Jeff Frase, Principal - West High School



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** ~~Dr.~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources  
**DATE:** March 8, 2011  
**SUBJECT:** Approve Overnight Travel for Tracy High School Varsity Dance Team to Participate in the USA West Coast Nationals Competition in Anaheim, CA on March 24-27, 2011

**BACKGROUND:** The Tracy High School (THS) Dance Team has been invited to attend USA West Coast Nationals Dance Competition in Anaheim, CA. Approximately 12 students and 1 coach will attend this event. The team will be staying at the Hilton Garden Inn in Anaheim, CA. The coach, Lori Fletcher and three parent volunteers will drive the team in their personal vehicles; all drivers will be District approved. Supervision will be provided by the coach, parent volunteers and USA Nationals event staff.

**RATIONALE:** The team has worked very hard to qualify to participate in this event. It will give the THS Dance Team a great opportunity to represent Tracy at the National competition. This aligns with Strategic Goal #1: Provide a variety of learning opportunities through standards based curriculum and assessment and research based instruction that ensures that all students meet or exceed grade level standards and results in closing the achievement gap and Strategic Goal #7: Develop and utilize partnerships that contribute to the achievement of District Goals.

**FUNDING:** There will be no cost to the District. The cost per member is approximately \$470.00 which includes entry fees, competition fees, hotel accommodations, parking for parents and coach, and entrance to Disneyland/California Adventure. All other funding for this trip will be paid through a combination of fundraising opportunities and personal funding for the students electing to participate in this competition.

**RECOMMENDATION:** Approve Overnight Travel for Tracy High School Varsity Dance Team to Participate in the USA West Coast Nationals Competition in Anaheim, CA on March 24-27, 2011

**Prepared by:** Mr. Jason Noll, Principal, Tracy High School.





# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** ~~Dr. James C. Franco~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources  
**DATE:** March 3, 2011  
**SUBJECT:** **Approve Overnight Travel for Kimball High School (KHS) Health Occupations Students of America (HOSA) to Participate in the State Leadership Conference in Sacramento, California on April 7-10, 2011.**

**BACKGROUND:** The Kimball High School (KHS) Health Occupations Students of America (HOSA) Club would like to attend the California State Leadership Conference on April 7-10, 2011. The KHS HOSA Club will have the opportunity to attend informational workshops, compete in academic and skill oriented activities, recommend Club members for special recognition, and become a part of the larger state HOSA team. Five students will be staying at the Hyatt Regency Hotel in Sacramento, CA. The advisor, Mr. Medek, will provide transportation for three team members using his personal vehicle. Two parents will drive and stay with their own children. Supervision will be provided by the advisor and Cal-HOSA event staff.

**RATIONALE:** The KHS HOSA Club is working hard during this first year to establish itself. Students have participated in activities to learn subject matter pertaining to health occupations, which include some of the elective courses students are taking (i.e. Medical Terminology). Five members also participated online in regional testing, which gave them an opportunity to become familiar with the format of the conference competitions, as well as gauge their performance against other students likely to compete this year. This conference will give the HOSA Team a great opportunity to represent Tracy at the National competition. This aligns with Strategic Goal #1: Provide a variety of learning opportunities through standards based curriculum and assessment and research based instruction that ensures that all students meet or exceed grade level standards and results in closing the achievement gap and Goal #7: Develop and utilize partnerships that contribute to the achievement of District Goals.

**FUNDING:** The estimated cost per member is \$412.50. The costs of the event are covered by a combination of the Perkins CTE Grant and personal funding for the participants electing to participate in this competition. A portion of the funds for this trip will be paid through a combination of fundraising opportunities. Combined costs will not exceed \$2,900.00.

**RECOMMENDATION:** Approve Overnight Travel for Kimball High School (KHS) Health Occupations Students of America (HOSA) to Participate in the State Leadership Conference in Sacramento, California on April 7-10, 2011.

**PREPARED BY:** Cheryl Domenichelli, Principal, Kimball High School



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** *JH* Dr. Sheila Harrison, Assistant Superintendent of Educational Services & Human Resources  
**DATE:** March 15, 2011  
**SUBJECT:** Approve Overnight Travel for the West High School SkillsUSA and Advisor to Attend the State Competitions in San Diego, CA, on April 28 through May 1, 2011

**BACKGROUND:** The West High School Academy for Business and Law SkillsUSA Team consisting of four students and one Advisor will travel to San Diego, CA, for the State Competitions. The Academy for Business and Law Team has earned Gold Medals in Community Service and Entrepreneur for Region 5 of SkillsUSA and has advanced to the state level of competition. Students will travel to the competition via airplane, leaving from Sacramento International Airport. They will be transported to and from the airport by the advisor/teacher. They will be supervised at the competition by the advisor and 1 district approved parent and the staff of SkillsUSA. They will stay at the Town and Country Hotel in San Diego, CA.

**RATIONALE:** SkillsUSA is a national Career Technical Student Organization (CTSO) whose mission is to help students develop myriad skills in their chosen career pathways. The SkillsUSA competition involves students presenting their business plans and community service projects to a panel of judges. This competition involves aspects of public speaking, business plan development, and marketability. This aligns with Strategic Goal #1: Provide a variety of learning opportunities through standards based curriculum and assessment and research based instruction that insures that all students meet or exceed grade level standards and results in closing the achievement gap and Strategic Goal #7: Develop and utilize partnerships that contribute to the achievement of district goals.

**FUNDING:** Lodging and transportation costs will total approximately \$4,000 which will be paid from the California Partnership Academy Grant funds.

**RECOMMENDATION:** Approve Overnight Travel for the West High School SkillsUSA and Advisors to Attend the State Competitions in San Diego, CA, on April 28 through May 1, 2010

**Prepared by:** Mrs. Amy Lowery, West High School, ICGG, Associate Principal



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** ~~Dr.~~ Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources  
**DATE:** March 14, 2011  
**SUBJECT:** Approve Overnight Travel for Tracy High School Science Olympiad Team to Attend the NorCal Science Olympiad State Finals in Clovis, CA on April 8 - 9, 2011

**BACKGROUND:** The Tracy High Science Olympiad Team has earned the right to compete at the NorCal Science Olympiad State Finals on April 8 - 9, 2011, by placing second at the Regional Competition. The students would like to compete at the State Level. Fifteen (15) students, Ken Wedel, advisor, and Erin McKay, assistant advisor will attend this event; they will be staying at the Comfort Suites in Clovis, CA. The team and advisors will travel to Merced on April 8<sup>th</sup>, compete on April 9<sup>th</sup> and return home on the evening of April 9<sup>th</sup>. The advisors will drive the team in District vans to the State Finals.

**RATIONALE:** The Tracy High School (THS) Science Olympiad Team has worked very hard to place second at the Regional Competition. The team's regional placing requires that they compete at the State Finals. It will give them a great opportunity to represent Tracy at a state competition where they can demonstrate their teamwork, knowledge and abilities in all areas of science. This meets Strategic Goal #1: Provide a variety of learning opportunities through standards based curriculum and assessment and research based instruction that ensures that all students meet or exceed grade level standards and results in closing the achievement gap and Strategic Goal #7: Develop and utilize partnerships that contribute to the achievement of District Goals.

**FUNDING:** The estimated cost for lodging for the entire team is \$550.00. The San Joaquin County Office of Education will reimburse \$375.00 for meals and lodging. Funding for this trip will be paid through a combination of fundraising opportunities and personal funding for the participants electing to participate in this competition.

**RECOMMENDATION:** Approve Overnight Travel for Tracy High School Science Olympiad Team to Attend the NorCal Science Olympiad State Finals in Clovis, CA on April 8 - 9, 2011

**Prepared by:** Jason Noll, Principal, Tracy High School



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** ~~X~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services  
& Human Resources  
**DATE:** March 11, 2011  
**SUBJECT:** Approve Overnight Travel for Kimball High School (KHS)  
Leadership to Attend the California Association of Student Leaders  
(CASL) Camp in San Jose, CA on April 2 - 4, 2011

**BACKGROUND:** The Kimball High School (KHS) Leadership class has been invited to attend a California Association of Student Leaders (CASL) Leadership Camp at the Double Tree Hotel in San Jose, CA on April 2 - 4, 2011. Six (6) students, one (1) advisor, and two (2) parents will attend this event. They will travel to San Jose, CA on the morning of April 2 and return home on Monday, April 4, 2011. They will also participate in an evening trip to Santa Cruz Beach Boardwalk, where they will continue networking and interacting with students from other campuses. One district approved parent and the advisor will be driving the students to the event. Supervision will be provided by the advisor and CASL event staff.

**RATIONALE:** The KHS Leadership class has been invited to attend a CASL Leadership Camp at the Double Tree Hotel in San Jose, CA. As part of our commitment to improving and growing as student leaders, we are excited to be a part of this opportunity to learn from three nationally recognized speakers: Tyler Durman, Scott Greenberg, and a speaker from Rachel's Challenge. Students will have an opportunity to attend over twelve individual workshops where they will gain insight and knowledge into activity ideas and organizational strategies for school events. Additionally, these six students and the advisor will be able to network with high school students from various areas of California as they share ideas and learn what other schools are doing on their respective campuses. This meets Strategic Goal #1: Provide a variety of learning opportunities through standards based curriculum and assessment and research based instruction that ensures that all students meet or exceed grade level standards and results in closing the achievement gap and Strategic Goal #7: Develop and utilize partnerships that contribute to the achievement of District Goals.

**FUNDING:** There will be no cost to the District. The total cost per member will be \$315.00, which includes entry fees, entrance to the Santa Cruz Beach Boardwalk, lodging, and meals. Funding for this trip will be paid through a combination of fundraising opportunities and personal funding for the participants electing to participate in this camp.

**RECOMMENDATION:** Approve Overnight Travel for Kimball High School (KHS) Leadership to Attend the California Association of Student Leaders (CASL) Camp in San Jose, CA on April 2 - 4, 2011.



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** ~~Dr. James C. Franco~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services & Human Resources  
**DATE:** March 11, 2011  
**SUBJECT:** Approve Overnight Travel for Kimball High School Leadership to Attend California Association of Directors of Activities (CADA) Leadership Camp on July 16 - 19, 2011

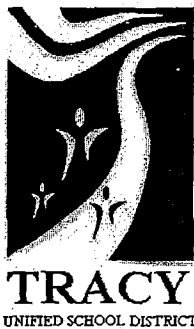
**BACKGROUND:** The Kimball High School (KHS) Leadership class has been invited to attend a California Association of Directors of Activities (CADA) Summer Leadership Camp at UC Santa Barbara in Santa Barbara (UCSB), CA from July 16 - 19, 2011. Six (6) to ten (10) students, one (1) advisor, and two (2) parents will attend this event. Students, advisors will be staying in the UCSB dorms. They will travel to Santa Barbara, CA on the morning of July 16 and return home during the afternoon of July 19, 2011. Two (2) District approved parents and the advisor will be driving the students to the event. Supervision will be provided by the advisor and CADA camp staff.

**RATIONALE:** The KHS Leadership class has been invited to attend a CADA Summer Leadership Camp at UC Santa Barbara in Santa Barbara, CA. As part of our commitment to improving and growing as student leaders, we are excited to be a part of this opportunity to learn from three nationally recognized speakers. At the same time, students will be attending over twelve individual workshops where they will gain insight and knowledge into activity ideas and organizational strategies for school events. Additionally, these students and the adviser will be able to network with high school students from all over the state of California as they share ideas and learn what other schools are doing on their respective campuses. This meets Strategic Goal #1: Provide a variety of learning opportunities through standards based curriculum and assessment and research based instruction that ensures that all students meet or exceed grade level standards and results in closing the achievement gap and Strategic Goal #7: Develop and utilize partnerships that contribute to the achievement of District Goals.

**FUNDING:** There will be no cost to the District. The total cost per member will be \$500.00, which includes entry fees, lodging, and meals. Funding for this trip will be paid through a combination of fundraising opportunities and personal funding for the participants electing to participate in this camp.

**RECOMMENDATION:** Approve Overnight Travel for Kimball High School Leadership to Attend California Association of Directors of Activities (CADA) Leadership Camp on July 16 - 19, 2011.

**Prepared by:** Cheryl Domenichelli, Principal, Kimball High School



# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** ~~Dr. James Franco~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services & Human Resources  
**DATE:** March 11, 2011  
**SUBJECT:** Approve Classified, Certificated, and/or Management Employment

## BACKGROUND:

Byer, Linda

Chartier, Devin

Money, Sally

Rosales, San Juana

Silva, Robert

## CLASSIFIED

Food Service Worker (Replacement)  
Williams Middle School  
Range 22, Step A - \$11.95 per hour  
3.5 hours per day  
Funding: Child Nutrition-School Program

I.E.P. Para Educator I (New)  
North Elementary School  
Range 24, Step A - \$12.51 per hour  
6.5 hours per day  
Funding: Special Education

School Supervision Assistant (New)  
\*Filled by current TUSD employee  
Villalovo Elementary School  
Range 21, Step E - \$14.04 per hour  
1.75 hours per week  
Funding: General Fund

Bilingual Para Educator I (Replacement)  
South/West Park Elementary School  
Range 24, Step A - \$12.51 per hour  
4 hours per day  
Funding: Title 1 - 62.5% and EIA - 37.5%

School Security Person (Replacement)  
\*Filled by current TUSD employee  
Tracy High School  
Range 31, Step E - \$17.74 per hour  
8 hours per day  
Funding: General Fund

**BACKGROUND:**

Kallerman, Therese

McCullough, Melissa

Montalbo, John (Tony)

**COACHES**

Assistant Swim  
Kimball High School  
Stipend: \$2,434.02

Assistant Track  
Tracy High School  
Stipend: \$2,922.14

Sophomore Baseball  
West High School  
Stipend: \$2,922.14

**RECOMMENDATION:** Approve Classified, Certificated and/or Management Employment

**Prepared by:** Dr. Sheila Harrison, Assistant Superintendent of Educational Services & Human Resources





# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** ~~Dr. James Franco~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services  
& Human Resources  
**DATE:** March 11, 2011  
**SUBJECT:** Accept Resignations/Retirements/Leave of Absence for Classified,  
Certificated, and/or Management Employment

**BACKGROUND:**

**CLASSIFIED RESIGNATION**

<u>NAME/TITLE</u>	<u>SITE</u>	<u>EFFECTIVE DATE</u>	<u>REASON</u>
Silva, Robert School Security Person	THS	3/11/2011	Accepted full-time School Security position

**RECOMMENDATION:** Accept Resignations/Retirements/Leave of Absence for Classified,  
Certificated, and/or Management Employment

**Prepared by:** Dr. Sheila Harrison, Assistant Superintendent of Educational Services & Human  
Resources



# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** *agla* Dr. Casey Goodall, Associate Superintendent, Business Services  
**DATE:** March 2, 2011  
**SUBJECT:** Consider Claim No. 6-1011 TUSD

**BACKGROUND:** On or about February 28, 2011, a claim was received by the Tracy Unified School District in which the claimant stated that a loss or injury occurred on or about November 17, 2010. The District's insurance providers reviewed the claim and determined:

- a. The information provided to date does not suggest that there is a liability on behalf of the School District.

The District's insurance providers recommends a rejection/denial of this claim by the Board of Trustees.

The amount of the claim is noted as exceeding \$10,000.00.

**RATIONALE:** District's insurance advisors, legal advisors, and District staff recommend rejection/denial of this claim. This is standard practice in order to protect the District from future litigation.

**FUNDING:** District insurance account covers costs up to the Board approved deductible amount.

**RECOMMENDATIONS:** All claims March 22, 2011 and after are hereby denied/rejected.

**Prepared by:** Dr. Casey Goodall, Associate Superintendent for Business Services.



# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** *CG* Dr. Casey Goodall, Associate Superintendent, Business Services  
**DATE:** March 11, 2011  
**SUBJECT:** Consider Claim No. 7-1011 TUSD

**BACKGROUND:** On or about March 4, 2011, a claim was received by the Tracy Unified School District in which the claimant stated that a loss or injury occurred on or about February 23, 2011. The District's insurance providers reviewed the claim and determined:

- a. The information provided to date does not suggest that there is a liability on behalf of the School District.

The District's insurance providers recommends a rejection/denial of this claim by the Board of Trustees.

The amount of the claim is noted as an amount to be proved later.

**RATIONALE:** District's insurance advisors, legal advisors, and District staff recommend rejection/denial of this claim. This is standard practice in order to protect the District from future litigation.

**FUNDING:** District insurance account covers costs up to the Board approved deductible amount.

**RECOMMENDATIONS:** All claims March 22, 2011 and after are hereby denied/rejected.

**Prepared by:** Dr. Casey Goodall, Associate Superintendent for Business Services.



**TRACY**  
UNIFIED SCHOOL DISTRICT

# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** March 4, 2011  
**SUBJECT:** Authorize the Associate Superintendent for Business Services to Seek Bids for Food and Non-Food Items for the 2011/2012 School Year.

**BACKGROUND:** The Tracy Unified School District Food Services Department plans to purchase Food and Non-Food items valued at greater than \$78,500 for the 2011 – 2012 school year; therefore, a bid is required to ensure compliance with the State and Federal purchasing guidelines. The bid process will schedule bid opening for Wednesday, May 11th, 2011 at 3:00 pm at the District Education Center. The results of the bid opening will be presented to the Board for approval at the May 24<sup>th</sup> Board meeting.

**RATIONALE:** Approval of this agenda item gives authorization to the Associate Superintendent for Business Services to seek bids for Food and Non-Food items to ensure best value, lowest prices, and that the Bid meets all State and Federal Guidelines.

**FUNDING:** Funding for purchases is made through the Food Services Departments budget, using the 4710 and 4300 accounts, for Food and Non – Food.

**RECOMMENDATION:** Authorize the Associate Superintendent for Business Services to Seek Bids for Food and Non-Food Items for the 2011/2012 School Year.

**Prepared by:** Dr. Casey Goodall, Associate Superintendent for Business Services



TRACY  
UNIFIED SCHOOL DISTRICT

# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** March 11, 2011  
**SUBJECT:** Approve the City of Tracy Public Agency Offsite Improvement Agreement for Monte Vista Middle School

**BACKGROUND:** The District is in the process of obtaining approvals from all of the required agencies involved with permitting the reconstruction/modernization of Monte Vista Middle School. This includes obtaining an encroachment permit from the City of Tracy for connection into existing infrastructure, installing a bus loop on Tracy Boulevard and making changes to the driveways in the parking lots in front of Monte Vista Middle School.

When improvements to the City's infrastructure are more than \$50,000.00, an improvement agreement is required by the City to approve the construction and access to the City's right of way. No construction will be allowed to commence until after City Council approves the agreement and an encroachment permit is issued to the School District's contractor.

**RATIONALE:** Plans for the Monte Vista Modernization project include new connections to the City's utility infrastructure including water, sewer, storm drain, driveway improvements and a bus loop. The engineering estimate for these improvements will be determined when City's engineers complete their plan review.

**FUNDING:** Improvements will be funded by Measure S Bond Funds, QSCB Bond Funds, Deferred Maintenance, Redevelopment and the State School Building Program Funds

**RECOMMENDATION:** Approve the City of Tracy Public Agency Offsite Improvement Agreement for Monte Vista Middle School

**Prepared by:** Bonny Carter, Director of Facilities

**DRAFT**

**CITY OF TRACY  
PUBLIC AGENCY OFFSITE IMPROVEMENT AGREEMENT  
MONTE VISTA MIDDLE SCHOOL  
NORTH SIDE OF LOWELL AVENUE AND WEST OF TRACY BOULEVARD**

This **PUBLIC AGENCY OFFSITE IMPROVEMENT AGREEMENT** (Agreement) is made and entered into by and between the **CITY OF TRACY**, a municipal corporation (City), and **TRACY JOINT UNIFIED SCHOOL DISTRICT**, a public school District operating under the laws of the State of California (District), as of July 16, 2002; and \_\_\_\_\_ (District Contractor)  
(District and the District Contractor are collectively referred to as Developer).

**RECITALS**

- A. District is the owner of certain real property located within the boundaries of the City of Tracy, more particularly described in the attached legal description and map marked as Exhibit "A" and incorporated herein by this reference (Property).
- B. District intends to develop the Property as a school site. In undertaking such improvements to the Property, District will be required to provide certain offsite improvements, the approval of which will be under the City's jurisdiction (Offsite Improvements). The Offsite Improvements required under this Agreement are described in the Offsite Improvement Plans and Specifications (Plans) attached hereto as Exhibit "B" and incorporated herein by this reference. The Plans have been approved by the City Engineer.
- C. Because the Offsite Improvements required under the Plans and Specifications have not been completed and the District needs to proceed with development of the Property prior to completion of the Offsite Improvements, the City has requested that the Developer execute this Agreement, and the Developer has agreed to do so.
- D. District and City recognize that, under Government Code Sections 53090 through 53097.5, the District is exempt from a number of requirements which the City would normally impose upon developers; and, in particular, under Section 53097, the District must only give consideration to the City's requirements for Offsite Improvements. Nevertheless, in the spirit of cooperation and in a mutual effort to have school facilities available in a timely manner while insuring that Offsite Improvements, which are the District's responsibility, are compatible with existing City infrastructure, the parties wish to enter into this Agreement.

CITY OF TRACY - PUBLIC AGENCY OFFSITE IMPROVEMENT AGREEMENT  
MONTE VISTA MIDDLE SCHOOL  
NORTH SIDE OF LOWELL AVENUE AND WEST OF TRACY BOULEVARD  
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NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **SCOPE OF WORK.** The Developer shall perform, or cause to be performed, the work described in the Plans, to the reasonable satisfaction of the City Engineer. The Offsite Improvements shall be performed, and all materials and labor shall be provided, at the Developer's expense, in the manner described in the Plans. The Developer may submit a written request to the City Engineer for a change in the Plans, as required by Tracy Municipal Code Section 12.36.060(f). The City acknowledges the Developer is not the Subdivider under the Subdivision Map Act, and that unless otherwise indicated on Exhibit B, Developer will contract with other professionals to do the actual construction of the Offsite Improvements. The City acknowledges and agrees that District has delegated responsibility for the District's performance under this Agreement to the District Contractor in a separate agreement, which is attached as Exhibit "C". The City also acknowledges that requirements normally placed upon developers who construct offsite improvements are not applicable except as set forth herein.
2. **PROJECT SUPERVISION.** At all times during the progress of the Offsite Improvements, District shall require its contractor(s) to have a competent foreman or superintendent onsite with authority to act on behalf of the District's Contractor. The District's Contractor shall, at all times, keep the City Engineer informed in writing of the name and telephone number of the foreman or superintendent. Upon request, the District shall keep the City Engineer informed in writing of the names and telephone numbers of all contractors and subcontractors performing the Offsite Improvements.
3. **LOCATION OF PERFORMANCE.** The Developer shall perform all Offsite Improvements at the locations and grades shown on the Plans. Any easement or right-of-way necessary for the performance of the Offsite Improvements shall be acquired by the District at the District's sole cost and expense.
4. **IMPROVEMENT SECURITY.** Prior to the commencement of any Offsite Improvements, the District Contractor performing the Offsite Improvements shall be required to furnish security on behalf of the District, in a form acceptable to the City and naming the City as a covered entity in the following amounts:
  - 4.1. **Faithful Performance** security in the amount of 100% of the contracted amount, \$ \_\_\_\_\_ to secure faithful performance of this Agreement until the date when the City Council accepts the Offsite Improvements as complete.
  - 4.2. **Labor and Material** security in the amount of 100% of the contracted amount, \$ \_\_\_\_\_ to secure payment by the District's contractor to

**CITY OF TRACY - PUBLIC AGENCY OFFSITE IMPROVEMENT AGREEMENT  
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laborers and for materialmen until the date when claims are to be made by laborers and materialmen.

5. **INSURANCE.** Concurrently with the execution of this Agreement by the Developer and City, and prior to the commencement of any Offsite Improvements, the Developer shall furnish evidence to the City that the District Contractor has satisfied all of the following insurance requirements.

5.1. **General.** The District Contractor shall, throughout the duration of this Agreement, maintain insurance to cover the District, its agents, representatives, contractors, subcontractors, and employees in connection with the performance of services under this Agreement at the minimum levels set forth herein.

5.2. **Commercial General Liability** (with coverage at least as broad as ISO form CG 00 01 01 96) coverage shall be maintained in an amount not less than \$1,000,000 general aggregate and \$1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.

5.3. **Automobile Liability** (with coverage at least as broad as ISO form CA 00 01 07 97, for "any auto") coverage shall be maintained in an amount not less than \$1,000,000 per accident for bodily injury and property damage.

5.4. **Workers' Compensation** coverage shall be maintained as required by the State of California.

5.5. **Endorsements.** The District Contractor shall obtain endorsements to the automobile and commercial general liability coverage with the following provisions:

5.5.1. The City (including its elected and appointed officials, officers, employees, agents, and volunteers) shall be named as an additional "insured."

5.5.2. For any claims related to this Agreement, the coverage of District's Contractor shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of such coverage, and shall not contribute with it.

5.6. **Notice of Cancellation.** District Contractor shall obtain endorsements to all insurance policies by which each insurer is required to provide thirty (30) days prior written notice to the City should the policy be canceled before the



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expiration date. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation.

**5.7. Authorized Insurers.** All insurance companies providing coverage shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.

**5.8. Insurance Certificate.** District Contractor shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance.

**5.9. Substitute Certificates.** No later than thirty (30) days prior to the policy expiration date of any insurance policy required by this Agreement, District Contractor shall provide a substitute certificate of insurance.

**5.10. Obligation of District's Contractor.** Maintenance of insurance by the District's Contractor as specified in this Agreement shall in no way be interpreted as relieving the District Contractor of any responsibility whatsoever (including indemnity obligations under this Agreement), and the District Contractor may carry, at its own expense, such additional insurance as it deems necessary.

**6. PERMITS, LICENSES, AND COMPLIANCE WITH LAW.** Developer shall bear all expenses for, obtain and maintain all necessary permits and licenses for performance of the Offsite Improvements. The Developer shall comply with all local, state, and federal laws, whether or not said laws are expressly stated in this Agreement.

**7. TIME OF PERFORMANCE.** Time is of the essence in the performance of the Offsite Improvements and the timing requirements set forth herein shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. The Developer shall submit all requests for extensions of time to the City, in writing, no later than ten (10) days after the start of the condition, which purportedly caused the delay, and not later than the date on which performance is due.

**7.1. Commencement of Work.** No later than forty-eight (48) hours prior to the commencement of the Offsite Improvements, the Developer shall provide written notice to the City Engineer of the date on which the District's Contractor shall commence work. The Developer shall not commence work on the Offsite Improvements until after the notice required by this section is properly provided, and the District's Contractor shall not commence such work prior to the date specified in the written notice.

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**7.2. Schedule of Work.** Concurrently with the written notice of commencement of work on the Offsite Improvements, the Developer shall provide the City with a written schedule of work, which shall be updated in writing as necessary to accurately reflect progress of the work.

**7.3. Completion of Work.** The Developer shall complete the Offsite Improvements including the fire services to the Property, prior to occupancy of the first building constructed within the Property.

**8. INSPECTION BY THE CITY.** In order to permit the City to inspect the Offsite Improvements the Developer shall at all times provide the City with proper and safe access to the project site, to all portions of the Offsite Improvements, and to all shops wherein portions of the work are in preparation.

**9. INSPECTION FEES.** Concurrently with the execution of this Agreement by the District, and prior to the commencement of any work on the Offsite Improvements, the District shall pay the City inspection fees in the amount of three and one-half percent (3-1/2 %) of the estimated cost of the Offsite Improvements (as approved by the City Engineer). In the event that the City determines that its actual costs of inspecting the Offsite Improvements (including all costs and expenses of inspection, reviewing maps and plans, field checking, testing, and administrative and overhead costs of fifteen percent (15 %) exceeds the amount of inspection fees paid by the District, the District shall pay the City the actual costs of inspecting the Offsite Improvements less any inspection fees already paid.

**10. DEFAULT.**

**10.1.** In the event that the Developer is in default of this Agreement, as defined in this section, the City shall provide written notice to the Developer and the surety in which the default is described.

**10.2.** The Developer shall be in default of this Agreement if the City determines that any one of the following conditions exist:

**10.2.1.** The Developer is insolvent, bankrupt, or makes a general assignment for the benefit of its creditors.

**10.2.2.** The Developer abandons the Offsite Improvements site.

**10.2.3.** The Developer fails to perform one or more requirements of this Agreement.

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**10.2.4.** The Developer fails to replace or repair any damage caused by Developer or its agents, representatives, contractors, subcontractors, or employees in connection with performance of the work on the Offsite Improvements.

**10.2.5.** The Developer knowingly violates any legal requirement related to the Offsite Improvements.

**10.3.** In the event that the Developer fails to cure or fails to cause the District Contractor to cure the default within twenty (20) days, or provide adequate written assurance to the satisfaction of the City Engineer that the cure will be promptly commenced and diligently prosecuted to its completion, the City may, in the discretion of the City Engineer, take any or all of the following actions:

**10.3.1.** Cure the default and charge the Developer for the costs therefore, including administrative costs and interest in an amount equal to seven percent (7 %) per annum from the date of default.

**10.3.2.** Demand the Developer to complete performance of the work on the Offsite Improvements.

**11. ACCEPTANCE OF WORK.** Prior to acceptance of the Offsite Improvements by the City, the Developer shall be solely responsible for maintaining the quality of the Offsite Improvements, and maintaining safety at the Project site. The Developer's obligation to perform the work on the Offsite Improvements shall not be satisfied until after the City has made a written determination that all obligations of the Agreement have been satisfied and all outstanding fees and charges have been paid.

**12. WARRANTY PERIOD.** The Developer shall warrant the quality of the work on the Offsite Improvements, in accordance with the terms of the Plans and Specifications, for a period of one year after acceptance of the Offsite Improvements. In the event that (during the one year warranty period) any portion of the work on the Offsite Improvements is determined by the City to be defective as a result of an obligation of the Developer under this Agreement, the Developer shall be in default.

**13. INDEPENDENT CONTRACTOR STATUS.** Neither party to this Agreement is the employee of the other party, and each party shall be solely responsible for all acts of its officers, employee's agents, contractors, subcontractors, including any negligent acts or omissions. Neither party shall have any authority, express or implied, to act on behalf of the other party as an agent, or to bind the other party without the express prior written permission of the other party.

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14. **OWNERSHIP OF WORK.** All original documents prepared by or for the Developer in connection with this Agreement are the property of the Developer, which shall give a copy to the City at the completion of the Offsite Improvements.

15. **ATTORNEY'S FEES.** In the event any legal action is commenced to enforce this Agreement, the prevailing party is entitled to reasonable attorney's fees, costs, and expenses incurred.

16. **INDEMNIFICATION.** Developer shall indemnify, defend, and hold harmless the City (including its elected officials, officers, agents, and employees) from and against any and all claims, demands, damages, liabilities, costs, and expenses (including court costs and attorney's fees) resulting from or arising out of the performance of the work on the Offsite Improvements by Developer or Developer's agents, representatives, contractors, subcontractors, or employees.

17. **ASSIGNMENT AND DELEGATION.** This Agreement and any portion thereof shall not be assigned or transferred, nor shall any of the Developer's duties be delegated, without the written consent of the City. Any attempt to assign or delegate this Agreement without the written consent of the City shall be void and of no force and effect. Consent by the City to one assignment shall not be deemed to be consent to any subsequent assignment.

18. **NOTICES.**

18.1. All notices, demands, or other communications which this Agreement contemplates or authorizes shall be in writing and shall be personally delivered or mailed to the respective party as follows:

To City:  
Kuldeep Sharma  
City Engineer  
City of Tracy  
520 Tracy Boulevard  
Tracy, CA 95376

To District:  
Ms. Bonny Carter  
Facilities Development Director  
Tracy Unified School District  
1875 W. Lowell Avenue  
Tracy, CA 95376-4095

18.2. Communications shall be deemed to have been given and received on the first to occur of: (1) actual receipt at the address designated above, or (2) three working days following the deposit in the United States Mail of registered or certified mail, sent to the address designated above.

19. **MODIFICATIONS.** This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.

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- 20. WAIVERS.** Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.
- 21. SEVERABILITY.** In the event a court of competent jurisdiction holds any term of this Agreement invalid, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in full force and effect.
- 22. JURISDICTION AND VENUE.** The interpretation, validity, and enforcement of the Agreement shall be governed by and construed under the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of San Joaquin.
- 23. ENTIRE AGREEMENT.** This Agreement, including all documents incorporated by reference, comprises the entire integrated understanding between the parties concerning the improvements to be constructed for this Project. This Agreement supersedes all prior negotiations, representations, or agreements.
- 24. FORM OF AGREEMENT APPROVED.** This Agreement is a form agreement to be used on all construction projects involving the Developer's completion of Offsite Improvements. The form of this Agreement has been approved by the City Council of the City and the District Board of Education, and each has authorized the individuals whose signatures appear on this document to execute it without further approval by either agency.

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CITY OF TRACY - PUBLIC AGENCY OFFSITE IMPROVEMENT AGREEMENT  
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**25. SIGNATURES.** The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the Developer and the City. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties do hereby agree to the full performance of the terms set forth herein.

CITY OF TRACY

TRACY JOINT UNIFIED SCHOOL DISTRICT

By: Brent H. Ives  
Title: CITY MAYOR

By: Casey Goodall  
Title: ASSISTANT SUPERINTENDENT OF  
BUSINESS SERVICES

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

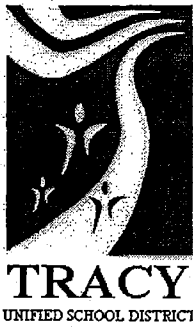
By: Sandra Edwards  
Title: CITY CLERK  
Date: \_\_\_\_\_

By: Contractor  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Approved As To Form:

By: Debra E. Corbett  
Title: CITY ATTORNEY  
Date: \_\_\_\_\_

01-011811cm



# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** March 11, 2011  
**SUBJECT:** Adopt Resolution 10-25 Authorizing the Execution and Delivery of a Joint Exercise of Powers Agreement with the California Municipal Finance Authority

**BACKGROUND:** On October 12, 2010, the Board of Trustees authorized district staff to complete and submit an application for a Qualified School Construction Bond (QSCB) Allocation authorized under the American Recovery and Reinvestment Act of 2009. On January 14, 2011, the California Department of Education notified TUSD that it had been awarded an allocation of \$19,771,700 in QSCB bonding authority. The American Recovery and Reinvestment Act of 2009 provides significant new financing methods for state and local governments. One option available to school districts is a new debt instrument known as Qualified School Construction Bonds (QSCB) in which the federal government subsidizes the interest cost (up to a set rate) through the allowance of tax credits to investors or direct subsidy payments to school districts, significantly reducing the interest cost associated with financing public school facilities.

On January 11, 2011, the Board of Education approved the recommendation of the Facilities Utilization Committee to sell up to \$26 million of bonds in order to move ahead with Measure S projects. A financing plan has been developed for the issuance of an additional series of general obligation bonds authorized by the voters of the SFID #3, which plan will incorporate the issuance of Qualified School Construction Bonds.

**RATIONALE:** On March 8, 2011, the Board of Education heard a presentation regarding the financing plan for the issuance of an additional series of bonds to finance Measure S projects. The financing plan calls for the formation of an agency under the Joint Powers Act by and between the California Municipal Finance Authority ("CMFA") and Tracy Joint Unified School District to be known as the Tracy School Facilities Financing Authority (the "Authority"). Attached is a proposed form of the Joint Exercise of Powers Agreement (the "Agreement") which creates and establishes the Authority. The purpose of the Agreement is to establish a public entity for the exercise of additional powers given to a joint powers entity

under the Joint Powers Act; including, but not limited to, the issuance of Bonds for the purpose of aiding in the financing and refinancing of public capital improvements for the benefit of the District. Under California law and the Agreement, the Authority will be a public entity separate and apart from the parties to the Agreement and the debts, liabilities and obligations of the Authority will not be the debts, liabilities or obligations of the District or any representative of the District.

**FUNDING:** A financing plan has been developed for the issuance of an additional series of general obligation bonds authorized by the voters of the SFID, which plan will incorporate the issuance of Qualified School Construction Bonds and the formation of a Joint Powers Agency.

**RECOMMENDATION:** Adopt Resolution 10-25 Authorizing the Execution and Delivery of a Joint Exercise of Powers Agreement with the California Municipal Finance Authority

**Prepared by:** Bonny Carter, Director of Facilities and Planning





**TRACY UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 10-25  
RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
TRACY JOINT UNIFIED SCHOOL DISTRICT  
AUTHORIZING THE EXECUTION AND DELIVERY OF A  
JOINT EXERCISE OF POWERS AGREEMENT WITH THE  
CALIFORNIA MUNICIPAL FINANCE AUTHORITY**

**WHEREAS**, agencies formed under the Joint Exercise of Powers Act, Section 6500 *et seq.* of the California Government Code (the "Joint Powers Act"), are permitted to provide financing for any of their members or other local agencies in the State of California in connection with the acquisition, construction and improvement of public capital improvements or working capital requirements of such members or other local agencies;

**WHEREAS**, California Municipal Finance Authority ("CMFA") and the Tracy Joint Unified School District (the "District") desire to form an agency under the Joint Powers Act, to be known as the Tracy School Facilities Financing Authority (the "Authority"), for the purpose of providing an entity which can assist in providing financing for purposes which are authorized under the Joint Powers Act;

**WHEREAS**, there has been presented to this meeting a proposed form of Joint Exercise of Powers Agreement (the "Agreement"), by and between CMFA and the District, which Agreement creates and establishes the Authority; and

**WHEREAS**, under California law and the Agreement, the Authority will be a public entity separate and apart from the parties to the Agreement and the debts, liabilities and obligations of the Authority will not be the debts, liabilities or obligations of the District or any representative of District;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Tracy Joint Unified School District as follows:

**Section 1.** All of the recitals herein contained are true and correct, and the Board of Trustees of the District so finds and determines.

**Section 2.** The Agreement, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, is hereby approved. The President of the Board of Trustees, or such other member of the Board of Trustees as the President may designate, the Superintendent of the District and the Associate Superintendent of Business Services of the

District, or such other officer or employee of the District as the Superintendent may designate (each an "Authorized Officer") are, and each of them is, hereby authorized and directed, for and in the name of the District, to execute and deliver the Agreement in substantially said form, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution and delivery of the Agreement by such Authorized Officer.

**Section 3.** The Superintendent and the other officers and employees of the District, are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the transactions herein authorized, and otherwise to carry out, give effect to, and comply with the terms and intent of this Resolution. Any such actions heretofore taken are hereby approved, confirmed and ratified.

**Section 4.** This Resolution shall take effect from and after its date of adoption.

**PASSED AND ADOPTED** by the Board of Trustees of the Tracy Joint Unified School District this day, March 22, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

---

President of the Board of Trustees  
of the Tracy Joint Unified School District

ATTEST:

---

Clerk of the Board of Trustees of  
the Tracy Joint Unified School District

**CLERK'S CERTIFICATE**

I, \_\_\_\_\_, Clerk of this Board of Trustees of the Tracy Joint Unified School District, located in the counties of San Joaquin and Alameda, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a regular meeting of this Board of Trustees of the District duly and regularly held at the regular meeting place thereof on March 22, 2011, and entered in the minutes thereof, of which meeting all of the members of this Board of Trustees had due notice and at which a quorum thereof was present; and at the meeting the resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

An agenda of the meeting was posted at least 72 hours before the meeting at 1875 West Lowell Avenue, Tracy, California, a location freely accessible to members of the public, and a brief description of the resolution appeared on the agenda. A copy of the agenda is attached hereto.

I have carefully compared the same with the original minutes of the meeting on file and of record in my office. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

---

Clerk of this Board of Trustees of  
Tracy Joint Unified School District

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**JOINT EXERCISE OF POWERS AGREEMENT**

**by and between the**

**TRACY JOINT UNIFIED SCHOOL DISTRICT**

**and the**

**CALIFORNIA MUNICIPAL FINANCE AUTHORITY**

**creating the**

**TRACY SCHOOL FACILITIES FINANCING AUTHORITY**

Dated as of \_\_\_\_\_ 1, 2011

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## **JOINT EXERCISE OF POWERS AGREEMENT**

**THIS JOINT EXERCISE OF POWERS AGREEMENT**, dated \_\_\_\_\_ 1, 2011, by and between the TRACY JOINT UNIFIED SCHOOL DISTRICT, a school district duly organized and existing under the Constitution and the general laws of the State of California (the "District"), and CALIFORNIA MUNICIPAL FINANCE AUTHORITY, a public body, corporate and politic, duly organized and existing under the laws of the State of California ("CMFA"),

### **WITNESSETH:**

**WHEREAS**, Articles 1, 2 and 4 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the "Act") authorize the District and CMFA to create a joint exercise of powers entity (the "Tracy School Facilities Financing Authority" or the "Authority") which has the power to exercise any powers common to the District and CMFA and to exercise additional powers granted to it under the Act;

**WHEREAS**, the District and CMFA are each empowered by law to undertake certain projects and programs;

**WHEREAS**, the District is authorized to buy, sell and lease property and to issue bonds, expend bond proceeds, and borrow money for certain public purposes pursuant to the Education Code of the State of California;

**WHEREAS**, CMFA is authorized to buy, sell and lease property and to issue bonds, expend bond proceeds, and borrow money for any of its corporate purposes pursuant to the Act and a Joint Exercise of Powers Agreement, dated as of January 1, 2004, by and among the County of San Diego, the City of Santa Clarita, the City of Oakland and other political subdivisions;

**WHEREAS**, Article 4 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the "Marks-Roos Local Bond Pooling Act of 1985") authorizes and empowers the Authority to issue bonds and to purchase bonds issued by, or to make loans to, the District or

CMFA for financing public capital improvements, working capital, liability and other insurance needs, or projects whenever there are significant public benefits, as determined by the District or CMFA;

WHEREAS, the Marks-Roos Local Bond Pooling Act of 1985 further authorizes and empowers local agencies to sell their bonds to a joint powers authority on a negotiated basis without compliance with any public sale requirement included in the statutes under which the bonds are issued;

WHEREAS, the Marks-Roos Local Bond Pooling Act of 1985 further authorizes and empowers the Authority to sell bonds so issued or purchased to public or private purchasers at public or negotiated sale; and

WHEREAS, by this Agreement, the District and CMFA desire to create and establish the Tracy School Facilities Financing Authority for the purposes set forth herein and to exercise the powers described herein;

NOW, THEREFORE, the District and CMFA, for and in consideration of the mutual promises and agreements herein contained, do agree as follows:

#### SECTION 1. DEFINITIONS

Unless the context otherwise requires, the terms defined in this Section 1 shall for all purposes of this Agreement have the meanings herein specified.

##### Act

The term "Act" shall mean Articles 1, 2 and 4 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California, including the Marks-Roos Local Bond Pooling Act of 1985, as amended.

### **Agreement**

The term "Agreement" shall mean this Joint Exercise of Powers Agreement, as it may be amended from time to time, creating the Authority.

### **Authority**

The term "Authority" shall mean the Tracy School Facilities Financing Authority created by this Agreement.

### **Board, Board of Directors**

The term "Board" or "Board of Directors" shall mean the governing board of the Authority.

### **Bond Purchase Agreement**

The term "Bond Purchase Agreement" shall mean an agreement of the Authority to purchase bonds of the District or CMFA on the terms and conditions set forth therein.

### **Bonds**

The term "Bonds" shall mean bonds and any other evidence of indebtedness of the Authority authorized and issued pursuant to the Act.

### **CMFA**

The term "CMFA" shall mean the California Municipal Finance Authority, a public body, corporate and politic, duly organized and existing under and by virtue of the laws of the State of California.

### **District**

The term "District" shall mean the Tracy Joint Unified School District, a school district duly organized and existing under the Constitution and the general laws of the State of California.

### **Member**

The term "Member" or "Members" shall mean the District and/or CMFA, as appropriate.



## **SECTION 2.     PURPOSE**

This Agreement is made pursuant to the provisions of the Act. The purpose of this Agreement is to establish a public entity for the joint exercise of powers common to the Members and for the exercise of additional powers given to a joint powers entity under the Act or any other applicable law, including, but not limited to, the issuance of Bonds for any purpose or activity permitted under the Act or any other applicable law for the benefit of the District, including for the purpose of aiding in the financing and refinancing of public capital improvements, as defined in the Act, for the benefit of the District by exercising the powers referred to in the recitals hereof and described in Section 5 herein. Such purpose will be accomplished and said power exercised in the manner hereinafter set forth.

## **SECTION 3.     TERM**

This Agreement shall become effective as of the date hereof and shall continue in full force and effect until terminated by a supplemental agreement of CMFA and the District; provided, however, that in no event shall this Agreement terminate while any Bonds or other obligations of the Authority remain outstanding under the terms of any indenture, trust agreement, contract, agreement, lease, sublease or other instrument pursuant to which such Bonds are issued or other obligations are incurred. In any event, the Authority shall cause all records regarding its formation, existence, any Bonds issued by it, obligations incurred by it and proceedings pertaining to its termination to be retained for at least six (6) years following termination of the Authority or final payment of any Bonds issued by the Authority, whichever is later.

## **SECTION 4.     AUTHORITY**

### **A.     Creation of Authority**

There is hereby created pursuant to the Act an agency and public entity to be known as the "Tracy School Facilities Financing Authority." As provided in the Act, the Authority shall be a

public entity separate from the District and CMFA. The debts, liabilities and obligations of the Authority shall not constitute debts, liabilities or obligations of the District or CMFA.

Within 30 days after the effective date of this Agreement or any amendment hereto, the Authority will cause a notice of this Agreement or amendment to be prepared and filed with the office of the Secretary of State of the State of California in the manner set forth in Section 6503.5 of the Act.

B. Governing Board

The Authority shall be administered by the Board whose members shall be, at all times, the members of the Board of Trustees of the District. The term of office as a member of the Board shall terminate when such member of the Board shall cease to be a member of the Board of Trustees of the District; and the successor to such member of the Board of Trustees of the District shall become a member of the Board, upon assuming such office.

Members of the Board shall not receive any compensation for serving as such, but shall be entitled to reimbursement for any expenses actually incurred in connection with serving as a member if the Board shall determine that such expenses shall be reimbursed and there are unencumbered funds available for such purpose.

C. Meetings of Board

(1) Time and Place. The Board shall hold regular meetings on each date, and at the hour and place at which, the Board of Trustees of the District holds a regular meeting (or on such other dates, times or places as may be provided in the By-Laws of the Authority adopted by the Board (the "By-Laws")); provided that if an agenda (containing a brief general description of each item of business to be transacted or discussed) for any such regular meeting is not posted at least seventy-two (72) hours before any such regular meeting of the Board, such regular meeting of the Board shall be deemed cancelled. The Board shall hold at least one regular meeting each year. The

Board may hold special meetings at any time and from time to time in accordance with law. To the extent permitted by the Brown Act, meetings of the Board may be held by telephone conference.

(2) Legal Notice. All meetings of the Board, including, without limitation, regular, adjourned regular, special, and adjourned special meetings, shall be called, noticed, held and conducted subject to the provisions of the Ralph M. Brown Act (Chapter 9 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California) (the "Brown Act"), or any successor legislation hereinafter enacted.

(3) Minutes. The Board shall cause minutes of all meetings of the Board to be kept and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each member of the Board and to the District and CMFA.

(4) Quorum. A majority of the Board shall constitute a quorum for the transaction of business. No action may be taken by the Board except upon the affirmative vote of a majority of the members of the Board constituting a quorum, except that less than a quorum may adjourn a meeting to another time and place.

D. Officers; Duties; Bonds

(1) The Officers of the Authority shall be the Chair, Vice-Chair, Executive Director, Secretary, Treasurer and Controller. The officers of the Authority shall be the persons specified in the By-Laws and shall have the powers vested in them pursuant to such By-Laws and such other powers as may be granted by the Board from time to time by resolution.

(2) The Treasurer and Controller of the Authority is designated as the public officer or person who has charge of, handles, or has access to any property of the Authority, and such officer shall file an official bond in the amount specified by resolution of the Board but in no event less than \$1,000 as required by Section 6505.1 of the Act; provided, that such bond shall not be required if the Authority does not possess or own property or funds with an aggregate value of

greater than \$500.00 (excluding amounts held by a trustee or other fiduciary in connection with any Bonds).

(3) So long as required by Section 6505 and Section 6505.5 of the Act, the Treasurer and Controller of the Authority shall prepare or cause to be prepared: (a) a special audit as required pursuant to Section 6505 of the Act every year during the term of this Agreement; and (b) a report in writing on the first day of July, October, January and April of each year to the Board, the District and CMFA which report shall describe the amount of money held by the Treasurer and Controller of the Authority for the Board, the amount of receipts since the last such report, and the amount paid out since the last such report (which may exclude amounts held by a trustee of other fiduciary in connection with any Bonds to the extent that such trustee or other fiduciary provides regular reports covering such amounts).

(4) The District shall determine the charges, if any, to be made against the Authority for the services of the Treasurer and Controller.

(5) The Board shall have the power to appoint such other officers and employees as it may deem necessary and to retain independent counsel, consultants and accountants.

(6) All of the privileges and immunities from liability, exemptions from laws, ordinances and rules, all pension, relief, disability, worker's compensation and other benefits which apply to the activities of officers, agents or employees of the Members when performing their respective functions within the territorial limits of their respective Member, shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this Agreement.

(7) None of the officers, agents or employees, if any, directly employed by the Authority shall be deemed, by reason of their employment by the Authority, to be employed by any

Member or, by reason of their employment by the Authority, to be subject to any of the requirements of any Member.

(8) The Members hereby confirm their intent and agree that, as provided in Section 4(A) hereof and in the Act, the debts, liabilities and obligations of the Authority shall not constitute debts, liabilities or obligations of the District or CMFA, and they do not intend by the following sentence to impair this provision. To the extent that liability is imposed or a claim is made on CMFA, for any reason whatsoever notwithstanding Section 4(A) hereof and the Act, directly or indirectly arising out of a transaction or series of transactions undertaken in connection with the activities of the Authority, the Authority and the District shall indemnify, defend and hold harmless CMFA and each of CMFA's officers, directors, employees and agents from and against any and all costs, expenses, losses, claims, judgments, fines, settlements, damages, liabilities and other amounts arising out of or in connection with such activities of the Authority. CMFA may elect to defend itself in any such action with counsel of its choice, the reasonable fees of such counsel to be paid by the District. The Authority and the District shall be jointly and severally liable for any indemnity obligation owed to CMFA. Notwithstanding the provisions of Section 895.6 of the Government Code of the State, the District shall not have any right to contribution from CMFA.

## **SECTION 5. POWERS**

The Authority shall have the power, in its own name, to exercise the common powers of the Members and to exercise all additional powers given to a joint powers entity under any of the laws of the State of California, including, but not limited to, the Act, for any purpose authorized under this Agreement. Such powers shall include the common powers specified in this Agreement and may be exercised in the manner and according to the method provided in this Agreement. The Authority is hereby authorized to do all acts necessary for the exercise of such power, including, but not limited to, any of all of the following: to make and enter into contracts; to employ agents and

employees; to acquire, construct, provide for maintenance and operation of, or maintain and operate, any buildings, works or improvements; to acquire, hold or dispose of property wherever located; to incur debts, liabilities or obligations; to receive gifts, contributions and donations of property, funds, services, and other forms of assistance from person, firms, corporations and any governmental entity; to sue and be sued in its own name; to make grants, loans or provide other financial assistance to governmental and nonprofit and for profit organizations to accomplish any of its purposes; and generally to do any and all things necessary or convenient to accomplish its purposes.

Without limiting the generality of the foregoing, the Authority may issue or cause to be issued Bonds, and pledge any property or revenues as security to the extent permitted under the Act, or any other applicable provision of law.

To the extent required by Section 6509 of the Act, the manner in which the Authority shall exercise its powers and perform its duties is and shall be subject to the restrictions upon the manner in which the District could exercise such powers and perform such duties. The manner in which the Authority shall exercise its powers and perform its duties shall not be subject to any restrictions applicable to the manner in which any other public agency could exercise such powers or perform such duties, whether such agency is a party to this Agreement or not.

#### **SECTION 6.     TERMINATION OF POWERS**

The Authority shall continue to exercise the powers herein conferred upon it until the termination of this Agreement in accordance with Section 3 hereof.

#### **SECTION 7.     FISCAL YEAR**

Unless and until changed by resolution of the Board, the fiscal year of the Authority shall be the period from July 1 of each year to and including the following June 30, except for the first fiscal year which shall be the period from the date of this Agreement to June 30, 2011.

## **SECTION 8.     DISPOSITION OF ASSETS**

Upon termination of this Agreement pursuant to Section 3 hereof, any surplus money in possession of the Authority or on deposit in any fund or account of the Authority shall be returned in proportion to any contributions made as required by Section 6512 of the Act. The Board is vested with all powers of the Authority for the purpose of concluding and dissolving the business affairs of the Authority. After rescission or termination of this Agreement pursuant to Section 3 hereof, all property of the Authority, both real and personal, shall be distributed to the District, subject to Section 9 hereof.

## **SECTION 9.     CONTRIBUTIONS AND ADVANCES**

Contributions or advances of public funds and of personnel, equipment or property may be made to the Authority by the District and CMFA for any of the purposes of this Agreement. Payment of public funds may be made to defray the cost of any such contribution. It is mutually understood and agreed that neither the District nor CMFA has any obligation to make advances or contributions to the Authority to provide for the costs and expenses of administration of the Authority, even though either may do so. The District or CMFA may allow the use of personnel, equipment or property in lieu of other contributions or advances to the Authority.

## **SECTION 10.   AGREEMENT NOT EXCLUSIVE**

This Agreement shall not be exclusive and shall not be deemed to amend or alter the terms of other agreements between the District and CMFA, except as the terms of this Agreement shall conflict therewith, in which case the terms of this Agreement shall prevail.

## **SECTION 11.   ACCOUNTS AND REPORTS**

The Authority shall establish and maintain such funds and accounts as may be required by good accounting practice. The books and records of the Authority shall be open to inspection at all reasonable times by the District and CMFA and their representatives.

**SECTION 12. CONFLICT OF INTEREST CODE**

The Authority shall, by resolution, adopt a Conflict of Interest Code to the extent required by law.

**SECTION 13. BREACH**

If default shall be made by the District or CMFA in any covenant contained in this Agreement, such default shall not excuse either the District or CMFA from fulfilling its obligations under this Agreement and the District and CMFA shall continue to be liable for the payment of contributions and the performance of all conditions herein contained. The District and CMFA hereby declare that this Agreement is entered into for the benefit of the Authority created hereby and the District and CMFA hereby grant to the Authority the right to enforce by whatever lawful means the Authority deems appropriate all of the obligations of each of the parties hereunder. Each and all of the remedies given to the Authority hereunder or by any law now or hereafter enacted are cumulative and the exercise of one right or remedy shall not impair the right of the Authority to any or all other remedies.

**SECTION 14. SEVERABILITY**

Should any part, term, or provision of this Agreement be decided by the courts to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms or provisions hereof shall not be affected thereby.

**SECTION 15. SUCCESSORS; ASSIGNMENT**

This Agreement shall be binding upon and shall inure to the benefit of the successors of the Members. Except to the extent expressly provided herein, neither Member may assign any right or obligation hereunder without the consent of the other.



## **SECTION 16. AMENDMENT OF AGREEMENT**

This Agreement may be amended by supplemental agreement executed by the Members at any time; provided, however, that this Agreement may be terminated only in accordance with Section 3 hereof and, provided further, that such supplemental agreement shall be subject to any restrictions contained in any Bonds or documents related to any Bonds to which the Authority is a party.

## **SECTION 17. FORM OF APPROVALS**

Whenever an approval is required in this Agreement, unless the context specifies otherwise, it shall be given, in the case of CMFA, by resolution duly adopted by the board of directors of CMFA, and, in the case of the District, by resolution duly adopted by the Board of Trustees of the District, and, in the case of the Authority, by resolution duly adopted by the Board. Whenever in this Agreement any consent or approval is required, the same shall not be unreasonably withheld.

## **SECTION 18. WAIVER OF PERSONAL LIABILITY**

No member, officer or employee of the Authority, the District or CMFA shall be individually or personally liable for any claims, losses, damages, costs, injury and liability of any kind, nature or description arising from the actions of the Authority or the actions undertaken pursuant to this Agreement, and the District shall defend such members, officers or employees against any such claims, losses, damages, costs, injury and liability. Without limiting the generality of the foregoing, no member, officer or employee of the Authority or of any Member shall be personally liable on any Bonds or be subject to any personal liability or accountability by reason of the issuance of Bonds pursuant to the Act and this Agreement. To the full extent permitted by law, the Board shall provide for indemnification by the Authority of any person who is or was a member of the Board, or an officer, employee or other agent of the Authority, and who was or is a party or is threatened to be made a party to a proceeding by reason of the fact that such person is or was such a member of

the Board, or an officer, employee or other agent of the Authority, against any and all costs, expenses, losses, claims, judgments, fines, settlements, damages, liabilities and other amounts actually and reasonably incurred in connection with such proceeding, if such person acted in good faith and in the course and scope of his or her office, employment or agency. In the case of a criminal proceeding, the Board may provide for indemnification and defense of a member of the Board, or an officer, employee or other agent of the Authority to the extent permitted by law.

#### **SECTION 19. NOTICES**

Notices to the District hereunder shall be sufficient if delivered to the Superintendent of the District, and notices to CMFA hereunder shall be sufficient if delivered to the financial advisor of CMFA, 2111 Palomar Airport Rd, Suite 320, Carlsbad, CA 92011, tel. (760) 930-1221; Fax (760) 683-3390.

#### **SECTION 20. SECTION HEADINGS**

All Section headings contained herein are for convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

#### **SECTION 21. COUNTERPARTS**

This Agreement may be signed in several counterparts, each of which will constitute an original, but all of which shall constitute one and the same instrument.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed  
by their respective officers thereunto duly authorized, all as of the day and year first written above.

**TRACY JOINT UNIFIED SCHOOL  
DISTRICT**

By \_\_\_\_\_  
Superintendent

**CALIFORNIA MUNICIPAL FINANCE  
AUTHORITY**

By \_\_\_\_\_  
Member of the Board of Directors



# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** March 11, 2011  
**SUBJECT:** Adopt Resolution 10-26 Requesting Authorization from the Board of Supervisors of the County of San Joaquin for the District to Issue and Sell Bonds of School Facilities Improvement District No. 3 of the Tracy Joint Unified School District on Its Own Behalf at a Private or Negotiated Sale Without the Further Action of the Board of Supervisors of the County

**BACKGROUND:** On June 24, 2008, the Board of Trustees adopted a resolution ordering an election requesting voters authorize the issuance of school facilities improvement district bonds on the ballot held on Tuesday, November 4, 2008 election. The Proposition 39 measure was for the purpose of raising money for the specified school facilities benefiting School Facilities Improvement District No. 3 of the Tracy Joint Unified School District and required a 55% approval from voters. The bond measure received voter approval in excess of the 55% required and the District adopted a resolution certifying the results of the election to the County Board of Supervisors and that all election proceedings were accomplished according to law.

**RATIONALE:** To continue to fund the projects listed within the bond measure, the District must request authorization from the County Board of Supervisors to issue an additional portion of the bonds in one or more series or subseries. The first series of bonds in the amount of \$12,000,000 were issued in May 2009. The attached resolution allows for the District to issue and sell bonds of the SFID No. 3 on its own behalf at a private or negotiated sale without the further action of the Board of Supervisors of the County.

**FUNDING:** No funding necessary.

**RECOMMENDATION:** Adopt Resolution 10-26 Requesting Authorization from the Board of Supervisors of the County of San Joaquin for the District to Issue and Sell Bonds of

**School Facilities Improvement District No. 3 of the Tracy Joint Unified School District on Its Own Behalf at a Private or Negotiated Sale Without the Further Action of the Board of Supervisors of the County**

**Prepared by: Bonny Carter, Director of Facilities and Planning**



**TRACY UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 10-26  
RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
TRACY JOINT UNIFIED SCHOOL DISTRICT  
REQUESTING AUTHORIZATION FROM THE BOARD OF  
SUPERVISORS OF THE COUNTY OF SAN JOAQUIN FOR  
THE DISTRICT TO ISSUE AND SELL BONDS OF  
SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 3  
OF THE TRACY JOINT UNIFIED SCHOOL DISTRICT ON  
ITS OWN BEHALF AT A PRIVATE OR NEGOTIATED  
SALE WITHOUT THE FURTHER ACTION OF THE  
BOARD OF SUPERVISORS OF THE COUNTY**

**WHEREAS**, the Board of Trustees (the "Board of Trustees") of the Tracy Joint Unified School District, located in the counties of San Joaquin and Alameda, California (the "District"), has formed School Facilities Improvement District No. 3 of the Tracy Joint Unified School District (the "SFID"), located wholly within in the County of San Joaquin (the "County");

**WHEREAS**, the Board of Trustees duly called an election, and such election was regularly held, on behalf of the SFID, on November 4, 2008, at which the following proposition (as abbreviated pursuant to Section 13247 of the California Elections Code) was submitted to the electors of the SFID:

*"To renovate and modernize the community's oldest elementary and middle schools, upgrade classrooms, replace aging roofs, old heating, electrical, plumbing, cooling and ventilation systems with energy efficient systems, and improve security and technology systems at all schools, increasing student access to computers, shall School Facilities Improvement District No. 3 of the Tracy Joint Unified School District be authorized to issue \$43,100,000 in bonds, at legal interest rates, with all expenditures monitored by an Independent Citizens' Oversight Committee?"*

**WHEREAS**, at least 55% of the votes cast on said proposition were in favor of issuing said bonds;

**WHEREAS**, on May 5, 2009, pursuant to a resolution of the Board of Supervisors (the "Board of Supervisors") of the County adopted on February 24, 2009, at the request of the District pursuant to a resolution of the Board of Trustees of the District adopted on February 10, 2009, a series of said bonds designated the "Bonds of the School Facilities Improvement District

No. 3 of the Tracy Joint Unified School District, Election of 2008, Series 2009" in an aggregate principal amount of \$12,000,000 was issued and sold;

**WHEREAS**, the Board of Trustees of the District deems it necessary and desirable to consummate the sale of an additional portion of the bonds (the "Series 2011 Bonds"), in one or more series or subseries;

**WHEREAS**, Sections 53506 and following of the California Government Code (the "Government Code"), including Section 53508.7 thereof, provide that a school district may issue and sell bonds on its own behalf at a private or negotiated sale pursuant to Sections 15140 and 15146 of the California Education Code (the "Education Code");

**WHEREAS**, Section 15140(b) of the Education Code provides that the board of supervisors of a county may authorize a school district in the county to issue and sell its own bonds without the further action of the board of supervisors or officers of the county if said school district has not received a qualified or negative certification in its most recent interim report;

**WHEREAS**, the District has not received a qualified or negative certification in its most current interim report; and

**WHEREAS**, the District deems it necessary and desirable to issue and sell the Series 2011 Bonds on its own behalf at a private or negotiated sale;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Tracy Joint Unified School District as follows:

**Section 1.** All of the recitals herein contained are true and correct, and the Board of Trustees of the District so finds and determines.

**Section 2.** The Board of Supervisors of the County is hereby requested, pursuant to Sections 15140 and 15146 of the Education Code, as permitted by Section 53508.7 of the Government Code, to authorize the District to issue and sell the Series 2011 Bonds on its own behalf at a private or negotiated sale without further action of the Board of Supervisors.

**Section 3.** This Resolution shall take effect from and after its adoption.

**PASSED AND ADOPTED** by the Board of Trustees of the Tracy Joint Unified School District this day, March 22, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

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President of the Board of Trustees  
of the Tracy Joint Unified School District

ATTEST:

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Clerk of the Board of Trustees of  
the Tracy Joint Unified School District



### CLERK'S CERTIFICATE

I, \_\_\_\_\_, Clerk of the Board of Trustees of the Tracy Joint Unified School District, located in the counties of San Joaquin and Alameda, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Trustees of said District duly and regularly held at the regular meeting place thereof on March 22, 2011, and entered in the minutes thereof, of which meeting all of the members of said Board of Trustees had due notice and at which a quorum thereof was present; and at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

An agenda of said meeting was posted at least 72 hours before said meeting at 1875 West Lowell Avenue, Tracy, California, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda. A copy of said agenda is attached hereto.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office. Said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this \_\_\_\_ day of \_\_\_\_\_, 2011.

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Clerk of the Board of Trustees of  
Tracy Joint Unified School District



# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business  
**DATE:** February 8, 2011  
**SUBJECT:** Approve Use of the Education Jobs and Medicaid Assistance Act (PL 111-226), the Federal Jobs Bill

**BACKGROUND:** On September 10, 2010, an appropriation of one-time funds was made to local education agencies from federal funds provided to the state of California under the Education Jobs Fund (Ed Jobs) program authorized in the Education Jobs and Medicaid Assistance Act of 2010 (Public Law 111-226), with an intended use at the school site level only for compensation and benefits and other expenses, such as support services, necessary to retain existing employees, to recall or rehire former employees, and to hire new employees, in order to provide early childhood, elementary, or secondary educational and related services. Public Law No. 111-226 prohibits the use of Federal Jobs Bill funds from supplanting, or taking the place of" state funds in a manner that has the effect of establishing, restoring or supplementing a rainyday fund.

To date, Tracy Unified School District has received \$ 2,835,422 of these funds, and expects to receive \$ 315,047 more, for a total apportionment of \$ 3,150,469.

A school district may use categorical or restricted funds to supplement and, to the extent practical, increase the level of funds that would, in the absence of these funds, be made available from non-categorical or unrestricted funds for the education of students identified as the recipient of the categorical funds.

Determination of compliance with the supplement not supplant requirement shall be based on a determination of what services to students a district would have provided in the absence of categorical funds, and, said determination about supplanting is difficult and case specific. Indeed, no general guidelines exist outside a set of presumptions or predictions by the state of what the district would have provided in the absence of categorical funds. These presumptions are refutable if the district can demonstrate that it would not have been able to provide the services in question without categorical funds.

The Second Interim Report, submitted to the Governing Board on March 2, 2011 demonstrated that, given that state revenue limit funds are being deficitied by approximately \$18,659,504 million for the 2011-12 school year. Therefore, without the use of Federal Jobs Bill funds, Tracy Unified School District would not have been able to retain existing employees in order to provide early childhood, elementary, or secondary educational and related services without the use of the Federal Jobs Bill money.

In differentiating supplemental services versus core services which may not be supplanted, it is important the district maintain good fiscal records and other documentation that will permit an auditor or program monitor to conclude that they have overcome a presumption that supplanting has occurred.

The School District must maintain records that separately track and account for Ed Jobs funds in a manner which will facilitate an effective audit and demonstrate that the funds were used in compliance with applicable requirements. In addition, quarterly and annual reporting is required which will include information on the number of education personnel affected by the Ed Jobs program.

**RATIONALE:** As stated above, the Ed Jobs funds must be used for personnel costs at the school site level for support services necessary to retain existing employees, to recall or rehire former employees, and to hire new employees, in order to provide early childhood, elementary, or secondary educational and related services.

These funds will be allocated proportionately to retain existing Certificated, Classified, and Management employees who work at school sites.

Teachers	\$ 2,201,160
Classified	\$ 696,082
Management	\$ <u>253,227</u>
Total Allocation	\$3,150,469

**FUNDING:** These one-time funds supplied from the Education Jobs Fund (Ed Jobs) program are identified by resource code 3205. To date, Tracy Unified School District has received \$2,835,422 of these funds, and expects to receive \$ 315,047 more, for a total apportionment of \$ 3,150,469. Use of these funds has the effect of limiting the budget reductions required for the 2011-12 school year.

**RECOMMENDATION:** Approve Use of the Education Jobs and Medicaid Assistance Act (PL 111-226), the Federal Jobs Bill.

**Prepared by:** Casey J. Goodall, Associate Superintendent for Business Services



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** ~~Dr. James Franco~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources  
**DATE:** March 3, 2011  
**SUBJECT:** Adopt Resolution 10-24 of the Board of Trustees of the Tracy Unified School District Adopting a Declaration of Sole Source Products.

**BACKGROUND:** District staff has determined the need to adopt sole source products for various technology systems and to purchase replacement items for old or non-functioning items. Much of the District's existing equipment has become obsolete and cannot be repaired. At some campuses, items are non-operational and have not been replaced as they became older or obsolete. As the District moves forward with a number of new technology projects, it is important to incorporate items that can uniformly be programmed, serviced, maintained and repaired.

**RATIONALE:** The Director of Technology has recommended that the District standardize items that are to be purchased or replaced to maintain uniformity. Standardizing systems will help the District better maintain the health and safety of our students by being able to service and maintain equipment in a more timely and cost effective manner. The ISET Staff recommends updating standards for network equipment, uninterrupted power supply (UPS) equipment, and computer, server and other electronic equipment. Staff has evaluated the items recommended for standardization indicated in this Resolution. This supports District Strategic Goal #2: Provide a safe environment for students and staff that is conducive to learning and Strategic Goal #3: Use technology as a tool to improve classroom instruction and school operations.

**FUNDING:** No funding implications from this Resolution. Projects using District standard items will be funded by a number of different funding sources.

**RECOMMENDATIONS:** Adopt Resolution 10-24 of the Board of Trustees of the Tracy Unified School District Adopting a Declaration of Sole Source Products.

**Prepared by:** Cindy Minter, Director of Information Services and Educational Technology.



# EDUCATIONAL SERVICES MEMORANDUM

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Equipment/System:	Recommended Product:
Network Equipment	Cisco
Uninterrupted Power Supply (UPS) Equipment	Liebert
Computer, Server, and other Electronic Equipment	HP, Ricoh



**RESOLUTION NO. 10-24**

**RESOLUTION OF THE BOARD OF EDUCATION OF THE TRACY UNIFIED SCHOOL DISTRICT ADOPTING A DECLARATION OF A SOLE SOURCE PRODUCTS**

WHEREAS, the California Public Contract Code prohibits public agencies from preparing bid specifications which designate, or result in, "sole sources" except under specific circumstances; and

WHEREAS, Public Contract Code section 3400(b) provides that California public agencies may adopt specifications which identify individual products, materials, things, etc., to the exclusion of all others, provided there is a finding that "sole source" is for the purpose of field testing, or in order to match other products already in-use within the jurisdiction; and

WHEREAS, a number of products have been evaluated by the District, over time, for the purpose of determining efficiency, cost-effectiveness, and durability; and

WHEREAS, the District has been moving towards standardization of products where possible, for the purpose of improving maintenance and operations; and

WHEREAS, it is the desire of the District to have consistency between new and modernized facilities, and existing facilities, where it promotes increased efficiencies and/or economics.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Tracy Unified School District hereby finds that for the purposes of compatibility with existing District systems; standardization for efficiency and cost-effectiveness; and greater control of parts and labor costs, the following products/sources are declared to be sole source for the purpose of bid specifications:

Network Equipment	Cisco
Uninterrupted Power Supply (UPS) Equipment	Liebert
Computer, Server and other Electronic Equipment	HP, Ricoh

THE FOREGOING RESOLUTION was introduced at the meeting of the Board of Education, Tracy Unified School District, held on the 22<sup>nd</sup> day of March, 2011, by Governing Board Member \_\_\_\_\_ who made the motion, which being duly seconded by \_\_\_\_\_ was, upon roll call, carried into Resolution passed by the following vote:

AYES;

NOES:

ABSTAINED;

ABSENT:

ATTEST;

\_\_\_\_\_  
Secretary

Board of Education  
Tracy Unified School District

DATE \_\_\_\_\_



# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Sheila Harrison, Assistant Superintendent of Educational Services  
and Human Resources  
**DATE:** March 17, 2011  
**SUBJECT:** Acknowledge Receipt of CSEA's Sunshine Proposal for the 2011-2012 School  
Year

**BACKGROUND:** The three-year Master Agreement between the California School Employees Association (CSEA) and the Tracy Unified School District (TUSD) expires on June 30, 2011. CSEA is requesting to meet and negotiate a successor Master Agreement with the District as stated in the attached letter.

This aligns with Strategic Goal #7: Develop and utilize partnerships that contribute to the achievement of District Goals

**FUNDING:** N/A

**RECOMMENDATION:** Acknowledge Receipt of CSEA's Sunshine Proposal for the 2011-2012 School Year

**Prepared by:** Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources



California  
School  
Employees  
Association

5375 West Lane  
Stockton, CA 95210

(209) 472-2170  
(800) 757-4229  
FAX: (209) 472-2089

[www.csea.com](http://www.csea.com)

Member of the AFL-CIO

*The nation's largest  
independent classified  
employee association*

*Member of the National  
Association of Classified  
School Employees  
(NACSE), representing  
independent public  
employees throughout  
the nation*



March 16, 2011

E-Mail/Scan

Dr. Sheila Harrison  
Assistant Superintendent of Educational Services/Human Resources  
Tracy Unified School District  
1875 W. Lowell Avenue  
Tracy, CA 95376

**RE: Chapter #98 Sunshine Proposal**

Dear Dr. Harrison:

Pursuant to the agreement between the California School Employees Association and its Chapter #98 (CSEA collectively) and the Tracy Unified School District ("District") which expires on June 30, 2011, please find attached CSEA's initial proposal for amendments and modifications for a "successor" collective bargaining agreement.

Please consider this the document for public notice provisions pursuant to Government Code Section 3547 (a). CSEA looks forward to beginning this process as soon as possible after the completion of the public notice provisions.

Sincerely,

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION

Jessalyn Ka  
Labor Relations Representative

Attachment

cc: Karen Gardner, Area E Director; Dorsey McCowan, Regional Representative #42; Gayle Garner, Chapter President #99; Rose Roach, Field Director; File



CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION  
AND ITS TRACY CHAPTER #98

SUNSHINE PROPOSAL  
2011/2012

CSEA Chapter #98 proposes to negotiate the following Articles in successor negotiations:

- Article 12. Transfers and Promotions
- Article 20. Extended Sick Leave
- Article 21. Industrial Accident/Illness Leave
- Article 31. Safety
- Article 32. Layoffs
- Article 35. Professional Growth  
along with Pay and Allowances

