

**LOS BANOS UNIFIED SCHOOL DISTRICT
GOVERNING BOARD OF EDUCATION
REGULAR MEETING
Los Banos City Council Chambers
520 J Street – Los Banos, CA 93635**

**Thursday, August 9, 2018
6:15 P.M. Closed Session
7:00 P.M. – Regular Meeting**

AGENDA

The District welcomes Spanish speakers to Board meetings. Anyone planning to attend and needing an interpreter should call 826-3801, 48 hours in advance of the meeting, so arrangements can be made for an interpreter.
El Distrito da la bienvenida a las personas de habla hispana a las juntas de la Mesa Directiva. Si planea asistir y necesita interpretación llame al 826-3801, 48 horas antes de la junta, para poder hacer arreglos de interpretación.

I. OPENING BUSINESS

A. Call Public Session to Order

B. Roll Call of Board Members Present

Dennis Areias	Gary Munoz
Margaret Benton	Anthony Parreira
Megan Goin	Marlene Smith
Ray Martinez	

C. Closed Session (6:15 P.M.)

1. Student Discipline, Cases: # 5191907692 (Action)
2. Litigation Settlement, Section 54956.9(a) of the California Government Code, Case #2018/051220 (Action)
3. Conference with Labor Negotiator (Section 54957.6) Agency Negotiators: Tammie Calzadillas, Paul Enos, Don Laursen, Mark Marshall and Paula Mastrangelo; Employee Organization: LBTA/Confidential (No action).

II. OPEN REGULAR MEETING (7:00 P.M.)

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF AGENDA

Motion by _____ Seconded by _____
Proposed Action: Approve Agenda

V. **PUBLIC HEARING**

Public Presentations:

Members of the public may request an item be placed on the agenda of a regular meeting by submitting a request in writing, with all supporting documents, if any, to the Superintendent at least two weeks before the scheduled meeting date. [BB 9322(a)]

General Public Comment:

Individuals wishing to address the Board on items not on the agenda may do so by approaching the podium. Once recognized, individuals shall identify themselves and make their statement. Speakers are limited to three (3) minutes, with the total time for public input at twenty (20) minutes per non-agenda item. [BB 9323]

Public Comment on Agenda Items:

Members of the community may address specific items on the agenda as they are taken up by the Board in open session or prior to the Board going into closed session. The Board President will recognize individuals who wish to speak. Speakers are limited to three (3) minutes, with the total time for public input at twenty (20) minutes per agenda item. Once public comment on the agenda item is concluded and the Board begins deliberations or recesses to closed session, no further public comment shall be permitted on the agenda item. [BB 9323]

VI. **REPORTS**

- A. Los Banos Teachers' Association Report
- B. California School Employees' Association Report
- C. Superintendent's Report
- D. Facilities Report
- E. Board Member Reports

VII. **NEW BUSINESS**

- A. Board Policy (Page 5) **5 Min.**

It is recommended the Board declare intent to adopt the following board policy:
BP 3470 Debt Issuance and Management

Motion By _____ Seconded By _____

Proposed Action: Declare Intent to Adopt

- B. Resolution, Declaring the Results of the School Bond Election (Page 24) **5 Min.**

It is recommended the Board adopt Resolution #36-18 Declaring the Results of the School Bond Election held on June 5, 2018 and approve the Certification of Election Results.

Motion By _____ Seconded By _____

Proposed Action: Adopt Resolution #36-18 (ROLL CALL VOTE)

C. Resolution Authorizing Issuance and Sale of General Obligation Bonds (Page 31) **10 Min.**

It is recommended the Board adopt Resolution #37-18 authorizing the issuance and sale of not to exceed \$23,500,000 of General Obligation Bonds.

Motion By _____ Seconded By _____

Proposed Action: Adopt Resolution #37-18 (**ROLL CALL VOTE**)

D. Provisional Internship Permits (Page 63) **5 Min.**

It is recommended the Board approve the following Provisional Internship Permits:

1. Castaneda, Fernando – Science-Life Science –Creekside Junior High School

Motion By _____ Seconded By _____

Proposed Action: Approve

E. Revised Salary Schedule Placement – Fiscal Analyst (Page 66) **5.Min.**

It is recommended the Board approve the revised Fiscal Analyst salary schedule to include the following; adding the Fiscal Analyst to the current salary schedule.

Motion By _____ Seconded By _____

Proposed Action: Approve

VIII. **CONSENT CALENDAR**

The Consent Calendar represents routine items acted upon in one motion by roll call vote. The recommendation is for adoption, unless otherwise specified. Any item can be removed for discussion upon request.

A. Approval of Minutes
Regular Meeting, July 12, 2018 (Page 71)

B. Personnel Actions
1. Report of Certificated Staffing Actions (Page 76)
2. Report of Classified Staffing Actions (Page 77)

C. Monthly Fiscal Report (Page 78)

The monthly Fiscal Report is provided for informational purposes.

D. Board Policy Changes/Updates (Second Reading) (Page 87)

It is recommended the Board adopt the following revision to policies:
AR-3320 and BP 3320 Claims And Actions Against The District

E. Agreements/Contracts

1. Santa Cruz County Office of Ed. Outdoor Science School (CE), Oct. 22-26, 2017 (Page 96)
2. Odell Planning & Research Inc.-VE CEQA (Page 100)
3. ICU Technologies, Inc. for Los Banos High School Security Cameras (Page 107)
4. Delta Bluegrass Co. for PHS Baseball Infield Reconstruction (Page 109)

F. Overnight/Out-of-State Travel

1. CE 6th Graders, Santa Cruz County Outdoor Science Camp, Oct. 22-26, 2018 (Page 112)
2. LBHS/PHS FFA National Convention and Leadership Trip, Indiana/Washington D.C., Oct 22 – Oct. 31, 2018 (Page 114)

G. Donations:

1. Morning Star to Los Banos Elementary for Marquee (Page 115)

H. Approval/Ratification of Warrants

Motion By _____ Seconded By _____
Proposed Action: Approve Consent Calendar as listed. (ROLL CALL VOTE)

IX. **REPORTING CLOSED SESSION ACTION**

The Board will report action taken at the closed session held prior to the start of the meeting.

X. **DISCUSSION, INFORMATION & FUTURE AGENDA ITEMS** (Board/Superintendent)

XI. **CLOSED SESSION** (If necessary)

XII. **REPORTING CLOSED SESSION ACTION**

The Board will report action taken in closed session.

XIII. **ADJOURNMENT**

Americans with Disabilities Act Assistance: Auxiliary aids and services include a wide range of services and devices that promote effective communications for individuals with disabilities. If you require such assistance, please notify the Office of the Superintendent at 826-3801 as soon as possible. Every effort will be made to give primary consideration to expressed preferences or provide equally effective means of communication to insure equal access to Los Banos Unified School District programs and events.

Board Reference Material

SUBJECT TITLE: Debt Issuance and Management Policy

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended that the Board approve the attached Debt Management Policy.

BACKGROUND INFORMATION:

Senate Bill 1029, effective January 1, 2017, requires all California public agencies, including school districts, to adopt a debt management policy prior to the issuance of debt. A debt management policy in compliance with SB 1029 concerns the use of debt and is intended to insure that a contemplated debt issuance is consistent with those local debt policies. A local agency must also certify that it has a debt management policy in place when it reports a proposed debt issuance to the California Debt and Investment Advisory Commission (CDIAC) no later than 30 days prior to a proposed sale. The attached Debt Management Policy has been prepared by the District's bond counsel, Lozano Smith, and is compliant with SB 1029.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is part of the pursuit of goal #4, "Create a comprehensive plan to pursue and utilize state, local and mitigation agreement revenue to build necessary schools in the District."

ALTERNATIVES/IDENTIFIED OPPOSITION:

None.

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

There is no cost to approving this. However, not approving it will prevent the District from selling school bonds to build schools.

ORIGINATOR: Don Laursen, Assistant Superintendent-Administrative Services

Date: August 9, 2018

LOS BANOS UNIFIED

Board Policy

~~Debt Issuance And Management~~

Debt Issuance and Management Policy

BP 3470

~~Business and Noninstructional Operations~~

~~***Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the Governing Board adopt a debt management policy prior to issuing any debt, such as general obligation bonds, tax and revenue anticipation notes (TRANs), and certificates of participation. The policy must include (1) the purposes for which the debt proceeds may be used; (2) the types of debt that may be issued; (3) the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable; (4) policy goals related to the district's planning goals and objectives; and (5) internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use. SB 1029 declares the intent of the Legislature that, consistent with the recommendation of the Government Finance Officers Association (GFOA), local agencies adopt comprehensive written debt management policies that are reflective of local, state, and federal laws and regulations. Districts are encouraged to consult legal counsel and their financial advisor in developing this policy. The following policy should be revised to reflect district practice.***~~

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy.

(cf. 3000—Concepts and Roles)

(cf. 3460—Financial Reports and Accountability)

(cf. 7110—Facilities Master Plan)

(cf. 7210—Facilities Financing)

~~***Note: Article 16, Section 18 of California Constitution contains the basic "debt limitation" (i.e., the constraints on discretionary borrowing) applicable to school districts. Under so-called "traditional authority," a measure authorizing the issuance of general obligation bonds may be approved by two-thirds of the electorate; under Proposition 39, a measure authorizing the issuance of general obligation bonds may be approved by 55 percent of the electorate (see BP/AR 7214—General Obligation Bonds). Lease financings, such as certificates of participation, are not considered "indebtedness" for purposes of the Constitutional debt limitation and are not subject to voter approval. For further information, see the California Debt and Investment Advisory Commission's (CDIAC) California Debt Issuance Primer.***~~

The district shall not enter into indebtedness or liability that in any year exceeds the income and

revenue provided for such year, unless two-thirds of the voters approve the obligation or one of the exceptions specified in law applies. (California Constitution, Article 16, Section 18)

~~When the Board determines that it is in the best interest of the district, the Board may issue debt or order an election to issue debt. The Superintendent or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board and/or the voters as applicable, the Superintendent or designee shall administer and coordinate the district's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.~~

~~***Note: Pursuant to 15 USC 78o-4 (Section 15B of Securities Exchange Act of 1934), any financial advisor retained by the district must be duly registered with both the Securities Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) and must also hold any certifications and/or licenses required by the SEC and/or MSRB.***~~

~~The Superintendent or designee shall retain a financial advisor, municipal advisor, investment advisor, and other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the district's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the district issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the district shall select a legal team on an as-needed basis to assist with debt issuances or special projects.~~

~~(cf. 3312 – Contracts)~~

~~(cf. 3600 – Consultants)~~

~~(cf. 9270 – Conflict of Interest)~~

Goals

~~***Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the district's debt management policy include policy goals related to the district's planning goals and objectives. The following section should be revised to reflect district goals.***~~

~~The district's debt issuance activities and procedures shall be aligned with the district's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the district shall ensure that it:~~

- ~~1. — Maintains accountability for the fiscal health of the district, including prudent management and transparency of the district's financing programs~~
- ~~2. — Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements~~

- ~~3. — Takes all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues~~
- ~~4. — Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt~~
- ~~5. — Monitors the district's statutory debt limit in relation to assessed valuation within the district and the tax burden needed to meet long-term debt service requirements~~
- ~~6. — When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the district's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws~~
- ~~7. — Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the district at the time the new debt is issued~~
- ~~8. — Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future~~
- ~~9. — Preserves the availability of the district's general fund for operating purposes and other purposes that cannot be funded by the issuance of voter-approved debt~~
- ~~10. — Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws~~

~~(cf. 0000—Vision)~~

~~(cf. 0200—Goals for the School District)~~

~~(cf. 7000—Concepts and Roles)~~

BP 3470

Los Banos Unified School District

Debt Issuance and Management Policy

Article I. Purpose and Goals

The purpose of this Debt Issuance and Management Policy (“Policy”) is to provide a functional tool for debt management and capital planning, as well as to enhance the District’s ability to manage its debt in a conservative and prudent manner.

The District shall pursue the following goals in furtherance of the purposes hereof:

- A. To fund capital improvements from general obligation bonds or such other debt not secured by its General Fund in order to preserve the availability of its General Fund for operating and other purposes not permitted to be funded by such bonds.

- B. To attain the best possible credit rating for each debt issue in order to reduce interest costs, while preserving financial flexibility and meeting capital funding requirements.
- C. To avoid wherever practicable any financial decision that will negatively impact current credit ratings on existing or future debt issues.
- D. To monitor the statutory debt limit in relation to projected assessed valuation within the District and the tax burden needed to meet ongoing debt service requirements.
- E. To consider market conditions and District cash flows when timing the issuance of debt.
- F. To consult with financial advisors regarding maturity schedules on proposed debt in order to afford the District with the best overall debt structure.
- G. To consider the relationship between the term of debt issued to finance capital improvements with the useful lives of those improvements, while considering repair and replacement costs of those assets to be incurred in the future.
- H. To assess and consider available financial alternatives, including categorical grants, revolving loans or other State/federal aid, to the extent they exist, so as to minimize the use of the District's General Fund.
- I. To consider the District's ability to expend the funds obtained in a timely, efficient, and economical manner, as well as consistent with Federal tax law.

Authorized Purposes for the Issuance of Debt

~~***Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the district's debt management policy include the purposes for which debt proceeds may be used. The following section should be revised to reflect purposes that the Board has determined may be appropriate purposes for issuing debt in the district.***~~

~~The district may issue debt for any of the following purposes:~~

- ~~1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping district facilities~~
- ~~2. To refund existing debt~~
- ~~3. To provide for cash flow needs~~

~~(cf. 3100 – Budget)~~

~~(cf. 3110 – Transfer of Funds)~~

~~Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the district's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The district may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from taxes, income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.~~

Authorized Types of Debt

~~***Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the district's debt management policy include the types of debt that may be issued. The following section should be revised to reflect the types of debt instruments authorized by the Board.***~~

~~The Superintendent or designee shall recommend to the Board potential financing method(s) that result in the highest benefit to the district, with the cost of staff and consultants considered. Potential financing sources may include:~~

~~1. Short Term Debt~~

~~a. Short term debt, such as tax and revenue anticipation notes (TRANs), when necessary to allow the district to meet its cash flow requirements (Government Code 53850-53858)~~

~~b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)~~

~~c. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the district (Government Code 53859-53859.08)~~

~~2. Long Term Debt~~

~~***Note: The California Constitution, Article 13A, Sections 1(b)(2) and 1(b)(3); Education Code 15100-15262 and 15264-15276, and Government Code 53506-53509.5 authorize the district to issue general obligation bonds requiring either two-thirds voter approval or 55 percent voter approval, subject to specific accountability requirements. Voter approved general obligation bonds typically provide the lowest cost of borrowing and, by providing for the levy of additional ad valorem property taxes to service the debt, do not impact the district's general fund. See BP/AR 7214 - General Obligation Bonds for requirements pertaining to the issuance of general obligation bonds.***~~

~~a. General obligation bonds for projects approved by voters (California Constitution, Article 13A, Section 1; Education Code 15100-15262, 15264-15276; Government Code 53506-53509.5)~~

~~(cf. 7214 - General Obligation Bonds)~~

~~***Note: Districts may establish a community facilities district for school facility purposes in accordance with the Mello-Roos Community Facilities Act (Government Code 53311-53368.3). The boundaries of the Mello-Roos district may include the entire school district, but usually include only a portion of the district, such as an area with new housing developments. The bonds sold by the community facilities district are paid for by a special tax on the properties within that community facilities district's boundaries. See BP 7212 - Mello-Roos Districts.***~~

~~b. Special tax bonds issued pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code 53311-53368.3)~~

(cf. 7212—Mello-Roos Districts)

3.——~~Lease financing, including certificates of participation (COPs)~~

a.——~~Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)~~

~~***Note: Authority for lease financings is based in part on judicial rulings finding that leases that meet certain conditions do not constitute indebtedness subject to a vote of the electorate.***~~

b.——~~Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education Code 17400-17429)~~

4.——~~Special financing programs or structures offered by the federal or state government, such as Qualified Zone Academy Bonds or other tax credit obligations or obligations that provide subsidized interest payments, when the use of such programs or structures is determined to result in sufficiently lower financing costs compared to traditional tax-exempt bonds and/or COPs~~

5.——~~Temporary borrowing from other sources such as the County Treasurer~~

~~***Note: Education Code 42133 prohibits the issuance of non-voter approved debt when the district has a qualified or negative certification regarding the district's ability to meet its fiscal obligations, except as provided below. Pursuant to Education Code 42131, a "qualified certification" indicates that the district may not meet its financial obligations for the current fiscal year and two subsequent fiscal years, and a "negative" certification indicates that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year. See BP 3460—Financial Reports and Accountability for further information about such certifications.***~~

~~COPs, TRANS, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the district in any fiscal year in which the district has a qualified or negative certification, unless the County Superintendent of Schools determines, pursuant to criteria established by the Superintendent of Public Instruction, that the district's repayment of that indebtedness is probable. (Education Code 42133)~~

Section 2.01 Authority and Purposes of the Debt

The laws of the State of California authorize the issuance of debt by the District, and confer upon it the power and authority to make lease payments, contract debt, borrow money, and issue bonds for public improvement projects and to provide for the District's operational cash flows in order to maintain a steady and even cash flow balance. Under these provisions, the District may issue debt to (i) pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, equipping, and/or maintaining such capital improvements; (ii) refund existing debt; or (iii) provide for cash flow needs. Such debt issuance may also include appropriate and authorized issuance costs.

Section 2.02 Types of Debt Authorized

- A. Short-Term Debt: The District may issue short-term debt, which may include tax and revenue anticipation notes (“TRANs”), when such instruments allow the District to meet its cash flow requirements. However, the District’s general objective is to manage its cash position in a manner so that internally generated cash flow is sufficient to meet expenditures. The District may also issue short-term debt in the context of funding shorter-term acquisitions, such as equipment, or interim funding for capital costs that will ultimately be replaced with long-term debt (i.e., maturities longer than one year). The District may also participate in an annual pooled financing of delinquent property taxes to the extent the chief business officer (CBO), or his or her designee, determines such financing produces significant benefit to the District.
- B. Long-Term Debt: Debt may be used to finance capital facilities, projects, and equipment where it is appropriate to spread the cost of the projects over more than one budget year. In so doing, the District recognizes that future taxpayers who will benefit from the investment will pay a share of its cost. The District may issue long-term debt which includes, but is not limited to, general obligation bonds (“GO Bonds”). GO Bonds may be issued under the State Constitution (Article XIII A), either (i) under Section 1(b)(2) (“Proposition 46”), which requires at least a two-thirds (66.7%) majority, or (ii) under Section 1(b)(3) (“Proposition 39”), which requires approval by at least 55% majority of voters.

The District, or the Governing Board, may also, in addition to issuance of GO Bonds, (i) issue bond anticipation notes (“BANs”) or grant anticipation notes (“GANs”); (ii) enter into long-term lease or lease-purchase financings (“Financing Leases”); (iii) cause the delivery of Certificates of Participation (“COPs”); (iv) issue or participate in lease revenue bonds (“LRBs”); (v) issue land secured bonds, such as special tax revenue bonds under the Mello-Roos Community Facilities Act of 1982 (“Mello-Roos Bonds”); (vi) limited obligation bonds under applicable assessment statutes (“Assessment Bonds”); or (vii) issue tax-increment financings, conduit financings, other revenue bonds, or other long-term debt, to the extent permitted by law.

- C. Lease Financing of Real Property: Financing Leases for facilities are appropriate for facilities for which there is insufficient time to obtain voter approval or in instances where obtaining voter approval is not feasible. If and when voter approved debt proceeds become subsequently available, the District will consider using such proceeds to refund, redeem, or pay the Financing Leases, where feasible, in order to alleviate the burden to the General Fund.
- D. Identified Repayment Source: The District will, when feasible, issue debt with a defined revenue source in order to preserve the use of General Fund supported debt. Examples of revenue sources include voter approved taxes that repay general obligation or special tax bonds.
- E. Use of Other Financing Structures: The District may use other financing structures permitted by federal or state law (such as tax credit obligations or other obligations that provide a subsidized interest payment) upon consideration of financing costs versus tax-exempt GO Bonds, LRBs and/or COPs or that are a method to finance a program in a manner not otherwise available (e.g., QZABs, BABs, QSCBs, or other qualified tax credit bonds).
- F. Compounding Debt: The District may issue Capital Appreciation Bonds or other debt structures with compounding of interest (“CABs”) after compliance with notice, disclosure, and public hearing requirements of state law.

Notwithstanding the above, the District shall not issue any COPs, TRANS, LRBs, revenue bonds, or other non-voter approved debt in any fiscal year, or for the following fiscal year, if the District has a qualified or negative certification from the County, unless the County Superintendent certifies, in accordance with applicable law, regulations, and other criteria established by the Superintendent of Public Instruction, that the District's repayment of such proposed debt is probable.

Article III. Alignment with District Facilities Program and Budget

Decisions regarding the issuance of debt for the purpose of financing capital improvements shall be aligned with current needs for acquisition, development, and/or improvement of District property and facilities as identified by the District in sources and information including the District's facilities master plan or other needs assessment, as applicable, the projected costs of those needs, schedules for the projects, and expected resources.

When considering a debt issuance, the Board and the Superintendent or designee shall consider both the short-term and long-term implications of the debt issuance and additional operating costs associated with new projects. Such evaluation may include, but is not limited to, the projected ratio of annual debt service and tax burden on the District's taxpayers, and the ratio of annual debt service secured by the general fund to general fund expenditures.

Section 3.01 Structure of Debt Issues

- A. Maturity of Debt: Decision on the duration of a debt issue shall be made with considerations of the economic or useful life of the improvement or asset that the issue is financing. The District shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue. The final maturity of GO Bonds issued pursuant to the Education Code will be limited to 25 years when such bonds are issued under the Education Code, unless such longer maturity is then permitted by the Education Code. The final maturity of GO Bonds issued under the Government Code will be limited to 40 years, unless such longer maturity is then permitted by the Government Code; provided, that the maturity of GO Bonds may not exceed 25 years if such GO Bonds are CABs. GO Bond issues will generally be sized upon consideration of capital improvement expenditure requirements. Decisions regarding the final maturity of Financing Leases shall take into consideration the useful life of the assets to be financed.
- B. Debt Service Structure: The District shall design the financing schedule and repayment of debt so as to take advantage of market conditions, provide flexibility, and, as practical, to recapture or maximize its debt capacity for future use.
- C. Capitalized Interest: Certain types of financings may require that interest on the debt be paid from capitalized interest until the District has use and possession of a pledged asset. Alternatively, the District may pledge assets using an asset transfer structure as collateral for the issue.
- D. Call Provisions: The CBO, based upon analysis from the financial advisor of the economics of callable versus non-callable features, shall consider call provisions for each debt issue.

Section 3.02 Sale of Securities

- A. Public Sale: There are two methods of a public sale of debt, competitive and negotiated. Both methods of sale shall be considered for all issuance of debt to the extent allowed by law, as each method has the potential to achieve the lowest financing cost given the particular economic and other conditions.

- B. Private Placement: While not used as frequently as negotiated or competitive public sale methods, a private placement sale may be appropriate when, for example, the financing can or must be structured for a single or limited number of purchasers.

Section 3.03 Credit Enhancements

The District may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.

Section 3.04 Impact on Operating Budget and District Debt Burden

When considering any debt issuance, the potential impact of debt service and additional operating costs associated with new projects on the operating budget of the District, both short and long-term, will be considered. The projected ratio of annual debt service secured by the General Fund to General Fund expenditures is one method, as is the additional debt burden of overlapping agencies on taxpayers.

Section 3.05 Debt Limitation

The District's total outstanding bonded debt (i.e., the principal portion only) is statutorily limited to 1.25% for non-unified and 2.50% for unified school districts of the assessed valuation of the taxable property of the District. Other obligations such as TRANs and lease obligations in support of COPs or LRBs generally do not count against this limit. (Ed. Code, §§ 15102, 15106)

Section 3.06 Debt Issued to Finance Operating Costs

The District shall not finance general operating costs from debt (TRANs) having maturities greater than fifteen months from the date of issuance. Pursuant to law, the District may deem it necessary or desirable to finance cash flow requirements under certain conditions. Such cash flow borrowing must be payable from taxes, income, revenue, cash receipts and other moneys attributable to the fiscal year in which the debt is issued. General operating costs include, but are not limited to, those items normally funded in the District's annual operating budget.

Article IV. Internal Controls

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the District in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the District and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

Prior to the sale of any debt issue, the Superintendent or designee shall cause a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC) to be submitted. Such report shall include a certification that the District has adopted a policy concerning the use of debt and that the contemplated debt issuance is consistent with that policy. (Gov. Code, § 8855)

On or before January 31, of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the prior reporting period, from July 1 to June 30. (Gov. Code, § 8855)

In addition, the Superintendent or designee shall ensure that the District completes, as applicable, all performance and financial audits that may be required for any debt issued by the District, including disclosure requirements applicable to a particular transaction.

Section 4.01 Annual Review and Reporting

The Policy shall be reviewed as needed. The CBO is the designated administrator of the Policy and has overall responsibility, with the Board's approval, for decisions related to the structuring of all District debt issues. The CBO may delegate the day-to-day responsibility for managing the District's debt financings. The Board is the obligated issuer of all District debt and awards all purchase contracts for GO Bonds, BANs, GANs, LRBs, COPs, Financing Leases, TRANs and any other debt issuances. The CBO, or a designee or agent, shall cause any required annual report to be filed with the California Debt Investment and Advisory Commission relating to the District's debt, and shall ensure that any required annual performance and financial audits pertaining to GO Bond fund expenditures are prepared and delivered to the Board and any applicable bond oversight committee. (Gov. Code, § 8855(k))

Section 4.02 Financing Team Members

- A. Financial Advisor: Irrespective of the nature of the sale of securities (competitive or negotiated), the District may select and retain a financial advisor, who shall be an experienced independent registered financial advisor, to provide advice on the District's debt management program, debt issuance structure, rating agency relations, credit enhancement decisions and other transaction details. As determined by the CBO, the Financial Advisor may be the point person to organize and coordinate activities within the collective financing team.
- B. Bond Counsel, Tax Counsel, and Disclosure Counsel: The District may select an external legal team to be used on an as-needed basis to assist with debt issuances or special projects. Such firms may be selected to provide general legal advice on, among other things, debt financing, tax considerations, disclosure documents, and continuing disclosure.
- C. Other Team Members: The District, upon the counsel of staff and Financial Advisor, may select and retain other qualified and necessary financing team members as may be required to fulfill the District's obligations related to its debt management program. Other financing team members may include (but are not limited to), paying agent and bond registrar, trustee, escrow agent, investment advisor, credit enhancement provider, feasibility consultants, and economic or data analysts.

Section 4.03 Rating Agencies

The District shall (i) endeavor to attain the best possible credit rating for each debt issuance (with or without credit enhancement); (ii) endeavor to maintain effective relations with rating agencies; and (iii) together with its financial advisor, meet with, make presentations to, or otherwise communicate with the rating agencies on a regular basis in order to keep the rating agencies informed concerning the District's capital project plans, debt issuance program, debt management activities, and other appropriate financial information.

Section 4.04 Investment Community Relations

The District shall (i) endeavor to maintain positive and effective relations with the investment community to include investors, bondholders, credit enhancers, media, document clearinghouses, and other public sources of information; and (ii) together with its Financial Advisor, as necessary, prepare reports and other forms of communication regarding the District's indebtedness, as well as its future financing plans.

Section 4.05 Refunding and Restructuring Outstanding Debt

Whenever deemed to be in the best interest of the District, the District may consider refunding or restructuring outstanding debt. The primary considerations for refunding or restructuring outstanding debt shall be financially advantageous or beneficial structuring. The financial advantages of refunding outstanding debt shall be based upon a review of a net present value analysis of any proposed refunding in order to make a determination regarding the cost-effectiveness of the proposed refunding.

Section 4.06 Investment of Borrowed Proceeds and Reserve Funds

The District acknowledges its on-going fiduciary responsibilities to actively manage the proceeds of debt issued for public purposes and related reserve funds in a manner that is consistent with California law governing the investment of public funds, prudent investment practices, its own investment policies, and with the permitted securities covenants of related debt documents executed by the District. The District's goals for any investment strategy of borrowed proceeds and related reserve funds shall be preservation of principal, followed by availability of funds, followed by return on investment.

Section 4.07 Transaction Records

The Superintendent or designee shall maintain complete records of decisions made in connection with each financing, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products and providers. Each transaction file shall include the official transcript for the financing, the final number computations and a post-pricing summary of the debt issuance. At the conclusion of any debt issuance, the Superintendent, the CBO, or a designee of either of them, shall timely provide a summary of the financing to the Governing Board.

Section 4.08 Exceptions or Modifications

The District acknowledges that the capital marketplace fluctuates, municipal finance products change from time to time, and that issuer and investor supply and demand vary. These fluctuations may produce situations that are not anticipated or covered by this Policy. As such, the Governing Board may make exceptions or modifications to this policy to achieve the debt management goals outlined herein. Flexibility is appropriate and necessary in such situations, provided specific authorization is granted to District staff and the District's advisors by the Governing Board.

Section 4.09 Effect of Noncompliance

The failure of any debt financing to comply with one or more of the provisions of this Policy shall not, in and of itself, affect the validity of any debt issued by the District.

Adopted: August 9, 2018

Relationship of Debt to District Facilities Program and Budget

~~***Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the district's debt management policy include the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable. The following section should be revised to reflect district practice.***~~

~~Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of district property and facilities as identified in the district's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.~~

~~***Note: The following paragraph is optional.***~~

~~The cost of debt issued for major capital repairs or replacements shall be evaluated against the potential cost of delaying such repairs and/or replacing such facilities.~~

~~When considering a debt issuance, the Board and the Superintendent or designee shall evaluate both the short-term and long-term implications of the debt issuance and additional operating costs associated with the new projects involved. Such evaluation may include, but is not limited to, the projected ratio of annual debt service to the tax burden on the district's taxpayers and the ratio of annual debt service secured by the general fund to general fund expenditures.~~

~~The district may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.~~

Structure of Debt Issues

~~The district shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.~~

~~The district shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.~~

~~***Note: Education Code 15106 limits the district's total outstanding bonded debt (i.e., the principal portion only) to 1.25 or 2.5 percent of the assessed valuation of the taxable property of a non-unified and unified district, respectively. Consequently, Education Code 15106 limits the issuance of new debt when the district has total bonded indebtedness in excess of the applicable percentage of the assessed valuation in the district. TRANS and lease payment obligations in support of COPs generally do not count against this limit except as provided in Education Code 17422.***~~

~~For new money debt issuances for capital improvements, the district shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, does not exceed the amount authorized by voters, and, unless a waiver is sought and received from the state, will not cause the district to exceed the limitation on debt issuances specified in the California Constitution or Education Code 15106.~~

~~To the extent practicable, the district shall also consider credit issues, market factors, and tax law when sizing the district's bond issuance. The sizing of refunding bonds shall be determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs.~~

~~Any general obligation bond issued by the district shall mature within 40 years of the issuance date or as otherwise required by law. (California Constitution, Article 16, Section 18; Government Code 53508.6)~~

~~The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)~~

~~Method of Sale~~

~~For the sale of any district issued debt, the Superintendent or designee shall recommend the method of sale with the potential to achieve the lowest financing cost and/or to generate other benefits to the district. Potential methods of sale include:~~

- ~~1.—— A competitive bidding process through which the award is based on, among other factors, the lowest offered true interest cost~~
- ~~2.—— Negotiated sale, subject to approval by the district to ensure that interest costs are in accordance with comparable market interest rates~~
- ~~3.—— Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the district than either a negotiated or competitive sale~~

Investment of Proceeds

~~The district shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the district. Where applicable, the district's official investment policy and legal documents for a particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.~~

(cf. 3430—Investing)

~~***Note: Pursuant to Education Code 15146, the proceeds of the sale of bonds, exclusive of any premium received, must be deposited in the county treasury to the credit of the building fund of the district. As amended by AB 2738 (Ch. 472, Statutes of 2016), Education Code 15146 prohibits districts from withdrawing proceeds from the sale of bonds at any time for purposes of making investments outside the county treasury.***~~

~~With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)~~

~~The management of public funds shall enable the district to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.~~

Refunding/Restructuring

~~***Note: The following section may be revised to reflect district practice. The GFOA's Analyzing and Issuing Refunding Bonds states that a test often used to assess the appropriateness of a refunding is the achievement of a minimum net present value savings. According to the GFOA, a common threshold is that the savings, as a percentage of the refunding bonds, should be at least 3-5 percent. However, the GFOA recognizes that it may be appropriate to approve refunding that results in lower anticipated savings in some circumstances, such as when interest rates are at low levels or the time remaining to maturity is limited and thus future opportunities to achieve greater savings are not likely to occur.***~~

~~The district may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the district shall consider the maximization of the district's expected net savings over the life of the debt issuance and, when using a general obligation bond to refund an existing bond, shall ensure that the final maturity of the refunding bond is no longer than the final maturity of the existing bond.~~

Internal Controls

~~***Note: Government Code 8855, as amended by SB 1029 (Ch. 307, Statutes of 2016), mandates that the district's debt management policy include the internal control procedures that the district~~

~~has implemented or will implement to ensure that the proceeds of the proposed debt issuance will be directed to the intended use. Examples of internal control standards for the management of bond funds are contained in the U.S. Government Accountability Office's Internal Control System Checklist. These include factors related to the internal control environment, risk assessment, control activities, information and communications, and monitoring. Because internal controls and accountability measures may be lengthy, districts may choose to develop an administrative regulation, exhibit, or other document that provides further details and that may be updated as needed. Also see BP 3400 – Management of District Assets/Accounts. The following section should be revised to reflect district practice.***~~

~~The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the district in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the district and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.~~

~~(cf. 3314 – Payments for Goods and Services)
(cf. 3400 – Management of District Assets/Accounts)~~

~~The district shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred as defined in the text of the voter approved bond measure.—
(Government Code 53410)~~

~~When feasible, the district shall issue debt with a defined revenue source in order to preserve the use of the general fund for general operating purposes.~~

~~The district shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any district personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.~~

~~In addition, the Superintendent or designee shall ensure that the district completes, as applicable, all performance and financial audits that may be required for any debt issued by the district, including disclosure requirements applicable to a particular transaction.—~~

Records/Reports

~~***Note: Government Code 8855 requires that the district report any proposed issuance of debt to the CDIAC at least 30 days prior to the sale of the debt issue. Typically, bond counsel will file the report on behalf of the district. As amended by SB 1029 (Ch. 307, Statutes of 2016), Government Code 8855 requires that the report include a certification that the district has adopted a debt policy and that the issuance is consistent with that policy.***~~

~~At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the district has adopted a policy—~~

concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. — (Government Code 8855)

~~***Note: SB 1029 (Ch. 307, Statutes of 2016) amended Government Code 8855 to add the following requirement for an annual report of debt issuance, applicable to any final sale of debt on or after January 21, 2017. The report covers the period from July 1 to June 30, and must be submitted electronically on a form provided by CDIAC within seven months of the end of the reporting period (January 31).***~~

On or before January 31 of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from July 1 to June 30. — (Government Code 8855)

~~***Note: Pursuant to 17 CFR 240.15c2-12, most financings are required to have official disclosure statements which include the terms of the bond, security, risk factors, financial and operating information concerning the issuer, and background information. In addition, districts must provide ongoing disclosure in the form of annual reports and event notices pursuant to 17 CFR 240.15c2-12. Such disclosures must be made to the MSRB through its Electronic Municipal Market Access repository or any successor repository, as well as to investors and other persons or entities entitled to disclosure. For further information, see CDIAC's California Debt Issuance Primer and the GFOA's Understanding Your Continuing Disclosure Requirements.***~~

The Superintendent or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the district's disclosure filings are updated as needed.

~~***Note: 26 CFR 1.6001-1 requires districts to retain records for as long as the contents thereof are material in the administration of any internal revenue law. Records related to debt issuance may affect tax liability in both past and future tax years. In order to be consistent with specific record retention requirements, the Internal Revenue Service (IRS) publication Tax Exempt Bond FAQs Regarding Record Retention Requirements, available on the IRS web site, recommends that material records should be kept for as long as the debt is outstanding, plus three years after the final payment of the debt. Although the IRS recommendation is specific to tax exempt bonds, districts should also retain records related to other forms debt issuance for the same length of time.***~~

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of

~~any portion of the debt, whichever is later.~~

~~The Superintendent or designee shall annually report to the Board regarding debts issued by the district, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the district's bonds, market update and refunding opportunities, new development for California bond financings, and the district's compliance with post-issuance requirements.~~

Legal Reference:

EDUCATION CODE

5300-5441 Conduct of elections

15100-15262 Bonds for school districts and community college districts

15264-15276 Strict accountability in local school construction bonds

15278-15288 Citizen's oversight committees

15300-15425 School Facilities Improvement Districts

17150 Public disclosure of non-voter-approved debt

17400-17429 Leasing of district property

17450-17453.1 Leasing of equipment

17456 Sale or lease of district property

17596 Duration of contracts

42130-42134 Financial reports and certifications

ELECTIONS CODE

1000 Established election dates

GOVERNMENT CODE

8855 California Debt and Investment Advisory Commission

53311-53368.3 Mello-Roos Community Facilities Act

53410-53411 Bond reporting

53506-53509.5 General obligation bonds

53550-53569 Refunding bonds of local agencies

53580-53595.55 Bonds

53850-53858 Tax and revenue anticipation notes

53859-53859.08 Grant anticipation notes

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation

Article 16, Section 18 Debt limit

UNITED STATES CODE, TITLE 15

78o-4 Registration of municipal securities dealers

UNITED STATES CODE, TITLE 26

54E Qualified Zone Academy Bonds

CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 Prohibition against fraud or deceit

240.15c2-12 Municipal securities disclosure

CODE OF FEDERAL REGULATIONS, TITLE 26

1.6001-1 Records

Management Resources:

CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION PUBLICATIONS

California Debt Issuance Primer

GOVERNMENT FINANCE OFFICERS ASSOCIATION PUBLICATIONS

An Elected Official's Guide to Debt Issuance, 2nd Ed., 2016

Understanding Your Continuing Disclosure Responsibilities, Best Practice, September 2015

Investment of Bond Proceeds, Best Practice, September 2014

Selecting and Managing Municipal Advisors, Best Practice, February 2014

Debt Management Policy, Best Practice, October 2012

Analyzing and Issuing Refunding Bonds, Best Practice, February 2011

INTERNAL REVENUE SERVICE PUBLICATIONS

Tax Exempt Bond FAQs Regarding Record Retention Requirements

Tax-Exempt Governmental Bonds, Publication 4079, rev. 2016

U.S. GOVERNMENT ACCOUNTABILITY OFFICE PUBLICATIONS

Internal Control System Checklist

WEB SITES

California Debt and Investment Advisory Commission: <http://www.treasurer.ca.gov/cdiac>

Government Finance Officers Association: <http://www.gfoa.org>

Internal Revenue Service: <http://www.irs.gov>

Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA):
<http://www.emma.msrb.org>

U.S. Government Accountability Office: <http://www.gao.gov>

U.S. Securities and Exchange Commission: <http://www.sec.gov>

Board Reference Material

SUBJECT TITLE: Resolution #36-18, Bond Election Certification

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board adopt Resolution #36-18 approving the Certification of the Results of the June 5, 2018, Measure X bond election from the Merced County Clerk's Office.

BACKGROUND INFORMATION:

The Certification will start a timeline for appointment of the Citizen's Oversight Committee.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

Goal #7: Secure revenue sources needed to build facilities to keep pace with student enrollment growth.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

This action will begin the process that will enable the District to sell bonds and start work on a new elementary school and other various projects throughout the district.

ORIGINATOR: Dr. Mark Marshall, Superintendent
Date: August 9, 2018

BEFORE THE BOARD OF EDUCATION OF THE
LOS BANOS UNIFIED SCHOOL DISTRICT

RESOLUTION NO. #36-18

RESOLUTION CONFIRMING CERTIFICATION OF ELECTION
RESULTS AND ENTRY UPON MINUTES OF FAVORABLE VOTE

WHEREAS, the Los Banos Unified School District (the “District”), through this Board of Education, submitted to the electors of the District pursuant to Article XIII A, section 1(b) of the California Constitution and Chapter 1.5 of Part 10 of Title 1 (commencing with section 15264) of the California Education Code, its general obligation bond proposal in the amount of Sixty-Five Million Dollars (\$65,000,000) for the election that was held on June 5, 2018; and

WHEREAS, the electors of the District approved, by at least a 55% vote, general obligation bonds (the “Bonds”) as Measure “X” in the amount of Sixty-Five Million Dollars (\$65,000,000), all as set forth in the bond proposition submitted to the electors of the District; and

WHEREAS, pursuant to Education Code section 15274, the District has received the election results from the Elections Official of Merced County, which the Board of Education is to incorporate in its official minutes and which it shall certify to the Board of Supervisors of Merced County.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE LOS BANOS UNIFIED SCHOOL DISTRICT HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

Section 1. The foregoing recitals are true and correct.

Section 2. The certificate of election results from the Election Officials of the County of Merced is hereby confirmed and the Board confirms, pursuant to said certificate, that at least 55% of the votes cast on the proposition of issuing the Bonds as described above were in favor of issuing the bonds and the proposition has been approved.

Section 3. The Board orders, by this resolution, entry upon the official minutes of the District the fact that at least 55% of the votes cast on the proposition issuing the Bonds in the above-stated amount were in favor of issuing said Bonds and so the proposition has been approved.

Section 4. The Board hereby certifies to the Board of Supervisors of Merced County that all proceedings relating to the calling of the election and the approval by the electorate, by at least a 55% vote, of issuing the Bonds were properly conducted as to all actions performed by the District.

Section 5. It is requested that the Merced County Superintendent of Schools send a copy of the certificate of election results to the Board of Supervisors of Merced County.

Section 6. A copy of this resolution shall be forwarded to the Merced County Superintendent of Schools with a copy to the Merced County Board of Supervisors and to the County Clerk of Merced County.

Section 7. This Resolution shall take effect immediately upon its adoption.

* * * * *

PASSED AND ADOPTED this ____ day of _____, 2018, by the following vote:

AYES: _____

NOES: _____

ABSENT OR NOT VOTING: _____

President, Board of Education of the
Los Banos Unified School District

CERTIFIED TO BE A TRUE AND CORRECT COPY:

Clerk of the Board of Education of the
Los Banos Unified School District

HELP AMERICA VOTE ACT OF 2002 CERTIFICATION OF ELECTIONS OFFICIAL

STATE OF CALIFORNIA }
COUNTY OF MERCED } ss.

Pursuant to the statewide voter registration list requirements set forth in the Help America Vote Act of 2002 (HAVA) (pub. L. No. 107-252 (2002) 116 Stat. 1666, 42 U.S.C. §15483),

I, **Barbara J. Levey**, Registrar of Voters for the **County of Merced**, State of California, hereby certify that I complied with all provisions of Chapter 2 of Division 7 of Title 2 of the California Code of Regulations for the Federal election held on the **5th day of June**, **2018** in the **County of Merced**, State of California, and all elections consolidated therewith.

I hereby set my hand and official seal this 25th day of June 2018 at the **County of Merced**.



Registrar of Voters
County of Merced
State of California

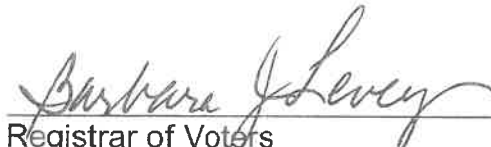


**CERTIFICATION OF
COUNTY CLERK/REGISTRAR OF VOTERS
OF THE RESULTS OF THE CANVASS
OF THE JUNE 5, 2018,
STATEWIDE DIRECT PRIMARY ELECTION**

STATE OF CALIFORNIA }
COUNTY OF MERCED } ss.

I, **Barbara J. Levey**, County Clerk/Registrar of Voters of said county, do hereby certify that, in pursuance to the provisions of Elections Code Section 15300, et seq., I did canvass the results of the votes cast in the **Statewide Direct Primary Election** held in said County on **June 5, 2018**, for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast, to which this certificate is attached, is full, true and correct.

I hereby set my hand and official seal this 25th day of June 2018 at the **County of Merced**.



Registrar of Voters
County of Merced
State of California



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31 PRECINCTS	R	V	T	MEASURE X - LBUSD - 55% VOTE REQUIRED			
	E	O	P				
	G		U				
	I	B	R				
	S	C	R				
	R	A	N				
	T	A	O				
	S	S	E				
	E	L	U	B	B	O	U
	R	T	T	Y	N	V	V
	E	O	A	o	o	V	N
	E	T	G	e	n	O	O
	D	S	E	s	d	E	D
				s	s	R	T
						E	E
						S	R
							S
COUNTY TOTAL	14201	5360	37.74	3593	1485	0	302
VOTING PRECINCTS	14201	5360	37.74	3593	1485	0	302
CONGRESSIONAL 16	14201	5360	37.74	3593	1485	0	302
STATE SENATE 12	14201	5360	37.74	3593	1485	0	302
STATE ASSEMBLY 21	14201	5360	37.74	3593	1485	0	302
BD OF EQUALIZATION 1	14201	5360	37.74	3593	1485	0	302
SUPERVISORIAL 5	14201	5360	37.74	3593	1485	0	302
SUPERVISORIAL TOTAL	14201	5360	37.74	3593	1485	0	302
CITY OF LOS BANOS	13056	4732	36.24	3254	1231	0	263
CITY TOTAL	13056	4732	36.24	3254	1231	0	263
UNINCORPORATED AREA	1145	628	54.85	339	254	0	39

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			R V		T P	MEASURE X - LBUSD - 55% VOTE REQUIRED			
			E O		U E				
			G T		R R				
			I E	B C	N C				
			S R	A A	O E				
			T S	L S	U N	B Y	B N	O V	U V
			E	L T	T T	o e	o o	V O	N O
			R	O	A	n s	n	E T	D T
			E	T	G	d	d	R E	E E
			D	S	E	s	s	S	R S
31 PRECINCTS									
0104	05104	CENTER #1	494	327	66.19	185	127	0	16
0107	05107	LOS BANOS #	709	267	37.66	181	64	0	21
0108	05108	LOS BANOS #	901	319	35.41	210	86	0	23
0109	05109	LOS BANOS #	760	314	41.32	225	80	0	12
0110	05110	LOS BANOS #	736	335	45.52	227	94	0	15
0111	05111	LOS BANOS #	887	310	34.95	212	83	0	17
0112	05112	LOS BANOS #	462	163	35.28	105	46	0	12
0113	05113	LOS BANOS #	879	338	38.45	238	89	0	15
0114	05114	LOS BANOS #	510	352	69.02	189	141	0	26
0115	05115	LOS BANOS #	999	359	35.94	264	80	0	16
0116	05116	LOS BANOS #	896	300	33.48	208	69	0	24
0117	05117	LOS BANOS #	1052	330	31.37	237	74	0	17
0118	05118	LOS BANOS #	1289	373	28.94	272	81	0	20
0119	05119	LOS BANOS #	815	331	40.61	232	87	0	13
0120	05120	LOS BANOS #	666	203	30.48	163	34	0	7
0121	05121	LOS BANOS #	539	152	28.20	90	53	0	9
0122	05122	LOS BANOS #	317	76	23.97	60	13	0	3
0123	05123	LOS BANOS #	269	99	36.80	71	22	0	6
0125	05125	MONROE #1	359	162	45.13	80	72	0	12
0247	95247	CENTER #2	50	22	44.00	15	5	0	2
0248	95248	CENTER #3	4	4	100.00	1	2	0	1
0249	95249	CENTER #4	13	7	53.85	3	2	0	2
0253	95253	LOS BANOS #	176	49	27.84	30	16	0	2
0254	95254	LOS BANOS #	166	52	31.33	32	18	0	4
0255	95255	LOS BANOS #	28	10	35.71	8	1	0	1
0257	95257	MILLER #2	12	5	41.67	2	2	0	1
0259	95259	MONROE #2	191	94	49.21	48	42	0	5
0260	95260	MONROE #4	7	5	71.43	5	0	0	0
0261	95261	MONROE #5	6	1	16.67	0	1	0	0
0262	95262	MONROE #6	1	0		0	0	0	0
0266	95266	SANTA NELLA	8	1	12.50	0	1	0	0
GRAND TOTALS			14201	5360	37.74	3593	1485	0	302

Board Reference Material

SUBJECT TITLE: **Resolution #37-18 Authorizing Issuance and Sale of General Obligation Bonds**

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board adopt Resolution #37-18 authorizing the issuance and sale of General Obligation Bonds, Election of 2018, Series 2018, of Los Banos Unified School District in the aggregate principal amount of not to exceed \$23,500,000.

BACKGROUND INFORMATION:

The District has not previously issued bonds under Measure X. The issuance of bonds will generate new proceeds for District projects, as approved under Measure X.

The resolution provides that the interest on the Bonds will not exceed legal limits (8% under the Education Code), and will not be outstanding longer than 30 years.

Adoption of the resolution would allow for Lozano Smith, as bond counsel, and Fieldman, Rolapp & Associates, as financial advisor, to assist the District in successful sale, issuance, and closing of the Bonds. The documents authorized to be negotiated, executed, and delivered in connection with the Bonds include a preliminary and final Official Statement, a Continuing Disclosure Certificate, and a Bond Purchase Agreement, substantially final forms of which are on file with the Secretary to the Board. The Resolution provides that the Superintendent and the Deputy Superintendent, Administrative Services, may execute and deliver other necessary documents and closing certificates to effectuate the Bond transaction.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

Supports Goal # 7: Secure revenue sources needed to build facilities to keep pace with student enrollment growth.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

The Bonds are payable from ad valorem taxes collected by the County and not from any general fund or other sources of District revenue.

ORIGINATOR: Mark Marshall, Ed.D., Superintendent

Date: August 9, 2018

BEFORE THE BOARD OF EDUCATION OF THE
LOS BANOS UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 37-18

**RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF
GENERAL OBLIGATION BONDS, ELECTION OF 2018, SERIES 2018,
OF THE LOS BANOS UNIFIED SCHOOL DISTRICT
IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$23,500,000**

WHEREAS, an election was duly called and regularly held in the Los Banos Unified School District (the "District"), Merced County, State of California, on June 5, 2018 (the "Election"), and thereafter canvassed pursuant to law; and

WHEREAS, at such Election there was submitted to and approved by the vote of at least fifty-five percent (55%) of the voters of the District casting a vote on the question in the form of Measure "X" as to the issuance and sale of General Obligation Bonds of the District for various purposes in the maximum principal amount of \$65,000,000, payable from the levy of an *ad valorem* tax against the taxable property in the District (the "2018 Authorization"), to wit:

"Without raising current tax rates and to repair deteriorating roofs, plumbing, electrical systems, upgrade classrooms/labs/facilities for science, technology, engineering, math, and career training, improve student safety/security, and construct new school facilities to relieve overcrowding, shall Los Banos Unified School District issue \$65,000,000 in bonds at legal rates, raising on average 4.3 cents/\$100 of assessed value (\$3,800,000 annually) for approximately 35 years, to improve local schools, with independent audits, citizen oversight and all funds locally controlled?"

WHEREAS, the Board of Education of the District (the "Board") is authorized to provide for the issuance and sale of any series of bonds on behalf of the District pursuant to the provisions of Article 4.5 (commencing with Section 53506) of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, and other applicable provisions of law, including applicable provisions of the California Education Code (the "Bond Law"); and

WHEREAS, the District has determined that it is in the best interest of the District to issue and sell a first series under the 2018 Authorization (the "Bonds") in the aggregate principal amount of not to exceed Twenty Three Million Five Hundred Thousand Dollars (\$23,500,000); and

WHEREAS, the Board has retained Stifel, Nicolaus & Company, Incorporated, as its Underwriter, Fieldman Rolapp & Associates, Inc., as its Financial Advisor, and Lozano Smith,

LLP, as its Bond Counsel, Disclosure Counsel and District Counsel, in connection with the issuance of the Bonds; and

WHEREAS, the Board wishes to declare its official intent to reimburse itself from bond proceeds in accordance with the law, up to the maximum amount permitted by law for eligible project costs it may pay prior to issuance and sale of the Bonds; and

WHEREAS, Senate Bill 1029 ("SB 1029") was signed by the California Governor on September 12, 2016, and places additional responsibilities on any issuer of public debt, including adopting debt management policies that meet certain criteria; and

WHEREAS, the District represents that it is in compliance with SB 1029 pre-issuance requirements, the Bonds are in compliance with the District's adopted Debt Management Policy, and the District will comply with all post-issuance requirements of SB 1029; and

WHEREAS, the Board has determined that it may be in the best interest of the District to obtain an insurance policy to secure the timely payment of the principal of and interest on the Bonds; and

WHEREAS, a form of the Bond Purchase Agreement to purchase the Bonds has been prepared and is on file with the Secretary to the Board; and

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 ("Rule 15c2-12") requires that, in order to be able to purchase or sell the Bonds, the Underwriter must have reasonably determined that the issuer or other obligated person has undertaken in a written agreement or contract for the benefit of the holders of the Bonds to provide disclosure of certain financial and operating information and certain enumerated events on an ongoing basis; and

WHEREAS, in order to cause such requirement to be satisfied, the District desires to execute and deliver a Continuing Disclosure Certificate, a form of which has been prepared and is on file with the Secretary of the board; and

WHEREAS, a form of the Official Statement, in the form of the Preliminary Official Statement, to be distributed in connection with the public offering of the Bonds has been prepared and is on file with the Secretary of the Board; and

WHEREAS, the Board has been presented with the form of each document referred to herein relating to the financing contemplated hereby, and the Board has examined each document and desires to approve, authorize and direct the execution of such documents and the consummation of such financing; and

WHEREAS, the Board has obtained from its financial advisor, Fieldman Rolapp & Associates, Inc., good faith estimates of (a) the true interest cost of the Bonds, (b) the sum of all fees and charges paid to third parties with respect to the Bonds, (c) the amount of proceeds of the

Bonds expected to be received net of the fees and charges paid to third parties and any reserves or capitalized interest paid or funded with proceeds of the Bonds, and (d) the aggregate sum total of all debt service payments made on the Bonds plus the fees and charges paid to third parties not paid with the proceeds of the Bonds, and such estimates are disclosed and set forth in *Exhibit A* attached hereto; and

WHEREAS, the District desires that the County levy and collect a tax on all taxable property within the District sufficient to provide for payment of the Bonds, and intends by the adoption of this Resolution to notify the Board of Supervisors of the County (the “Board of Supervisors”), the Auditor-Controller of the County, the Treasurer-Tax Collector of the County and other officials of the County that they should take such actions as shall be necessary to provide for the levy and collection of such a tax and payment of the Bonds, all pursuant to Sections 15250 and 15251 of the California Education Code; and

WHEREAS, the Board desires to make certain determinations and to authorize the issuance and sale of the Bonds at a negotiated sale pursuant to the terms of this Resolution; and

WHEREAS, all acts, conditions and things required by the Constitution and laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the actions authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the District is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such actions for the purpose, in the manner and upon the terms herein provided; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Los Banos Unified School District, as follows:

SECTION 1. RECITALS. All of the above recitals are true and correct and the Board so finds.

SECTION 2. Interpretation; Definitions. Unless the context otherwise indicates, words expressed in this Resolution in the singular include the plural and vice versa and the use of the neuter, masculine, or feminine gender is for convenience only and includes the neuter, masculine or feminine gender, as appropriate. Headings of sections herein are solely for convenience of reference, do not constitute a part hereof and do not affect the meaning, construction or effect hereof. All references herein to “Sections” and other subdivisions are to the corresponding Sections or subdivisions of this Resolution, unless otherwise noted; the words “herein,” “hereof,” “hereby,” “hereunder” and other words of similar import refer to this Resolution as a whole and not to any particular section or subdivision hereof.

Unless the context clearly otherwise requires or unless otherwise defined herein, the capitalized terms used in this Resolution have the meanings given them as follows:

“Auditor-Controller” means the auditor-controller of the County.

“Authorized Officers” means, collectively, (i) the President of the Board, or such other member of the Board as the President may designate, (ii) the District’s Superintendent, or such other officer or employee of the District as the Superintendent may designate, (iii) the District’s Assistant Superintendent, Administrative Services, and (iv) the District’s Director of Fiscal Services. Each of the Authorized Officers is an “Authorized Officer.”

“Board” means the Board of Education of the District.

“Board of Supervisors” means the Board of Supervisors of the County.

“Bond Counsel” means Lozano Smith, LLP, or such other firm of nationally recognized standing in the field of law relating to municipal bonds.

“Bond Insurer” means any insurance company which issues a municipal bond insurance policy insuring the payment of principal and interest on the Bonds.

“Bond Law” means Article 4.5 (commencing with Section 53506) of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, and other applicable provisions of law, including applicable provisions of the California Education Code.

“Bond Purchase Agreement” means the Bond Purchase Agreement relating to the sale of the Bonds by and between the District and the Underwriter in accordance with the provisions hereof.

“Bond Register” means the records maintained by the Bond Registrar for the registration of the ownership and transfer of ownership of the Bonds.

“Bond Registrar” means the registration agent and authentication agent for the Bonds.

“Bonds” means the Los Banos Unified School District General Obligation Bonds, Election of 2018, Series 2018, to be issued as Current Interest Bonds, unless otherwise provided in the Bond Purchase Agreement.

“Building Fund” shall have the meaning set forth in Section 6 hereof.

“Business Day” means a day other than a Saturday, Sunday or legal holiday, on which banking institutions are not closed in the State of California, or in any state in which any office of the Paying Agent is located.

“Cede & Co.” means Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“Closing Date” means the date when the Bonds are issued, duly authenticated by the Paying Agent and delivered to the Underwriter.

“Code” or “Tax Code” means the Internal Revenue Code of 1986 as in effect on the date of issuance of the Bonds or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of issuance of the Bonds, together with applicable proposed, temporary and final regulations promulgated, and applicable official public guidance published, under the Code.

“Continuing Disclosure Certificate” means the Continuing Disclosure Certificate executed and delivered by the District relating to the Bonds.

“County” means Merced County, a political subdivision of the State of California.

“Current Interest Bonds” means the Bonds the interest on which is payable on each Interest Payment Date specified for such Bonds as designated and maturing in the years and in the amounts set forth in the Bond Purchase Agreement.

“Current Interest Term Bonds” means those Current Interest Bonds, if any, for which mandatory sinking fund redemption dates have been established in the Bond Purchase Agreement.

“District” means the Los Banos Unified School District, a California public school district and a political subdivision of the State of California.

“DTC” means the Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York in its capacity as securities depository for the Bonds, and its successors and assigns.

“Fair Market Value” means the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's length transaction (determined as of the date the contract to purchase or sell the investment becomes binding) if the investment is traded on an established securities market (within the meaning of Section 1273 of the Code) and, otherwise, the term “Fair Market Value” means the acquisition price in a bona fide arm's length transaction (as referenced above) if (i) the investment is a certificate of deposit that is acquired in accordance with applicable regulations under the Code, (ii) the investment is an agreement with specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate (for example, a guaranteed investment contract, a forward supply contract or other investment agreement) that is acquired in accordance with applicable regulations under the Code, (iii) the investment is a United States Treasury Security-State and Local Government Series that is acquired in accordance with applicable regulations of the United States Bureau of Public Debt, or (iv) any commingled investment fund in which the District and related parties do not own more than a ten percent (10%) beneficial interest therein if the return paid by the fund is without regard to the source of the investment.

“Federal Securities” means United States Treasury notes, bonds, bills or certificates of indebtedness, or obligations issued by any agency or department of the United States which are

secured, directly or indirectly, by the full faith and credit of the United States (including obligations issued or held in book-entry form on the books of the Department of the Treasury of the United States of America), and which are not callable by the issuer thereof prior to maturity.

“Indemnified Parties” shall have the meaning set forth in Section 19 hereof.

“Informational Services” means the Electronic Municipal Market Access System (referred to as “EMMA”), a facility of the Municipal Securities Rulemaking Board (at <http://emma.msrb.org>) or, in accordance with then current guidelines of the Securities and Exchange Commission, such other addresses and/or such other national information services providing information with respect to called bonds as the District designates in written notice filed with the Paying Agent.

“Interest and Sinking Fund” shall have the meaning set forth in Section 6 hereof.

“Interest Payment Date” means February 1, 2019, (or such other date as set forth in the Bond Purchase Agreement), and the first day of each succeeding August and February until the final maturity date of Bonds.

“Official Statement” shall have the meaning set forth in Section 12 hereof.

“Opinion of Bond Counsel” means an opinion of Bond Counsel passing upon such matters as specified in this Resolution.

“Owner” means the current registered holder of a Bond or Bonds to whom payments of principal and interest are made.

“Participants” means those broker-dealers, banks and other financial institutions from time to time for which the Securities Depository holds book-entry certificates as securities depository.

“Paying Agent” means U.S. Bank National Association or any bank, trust company, national banking association or other financial institution appointed as paying agent for the Bonds pursuant to Section 9 of this Resolution.

“Preliminary Official Statement” means the Preliminary Official Statement of the District relating to the Bonds.

“Principal” or **“Principal Amount”** means, with respect to any Bond, the principal amount thereof.

“Project” shall have the meaning set forth in Section 3 hereof.

“Record Date” means, with respect to any Interest Payment Date for the Bonds, the fifteenth (15th) day of the calendar month immediately preceding such Interest Payment Date,

whether or not such day is a business day, or such other date or dates as may be set forth in the Bond Purchase Agreement.

“Registration Books” means the Registration Books of the Bond Registrar (or shall have the meaning set forth in Section 7 hereof).

“Securities Depositories” means (i), initially, DTC, and (ii), in accordance with then-current guidelines of the Securities and Exchange Commission, such other securities depositories as the District may designate in a Certificate of the District delivered to the Paying Agent.

“State” means the State of California.

“Tax Certificate” means the tax certificate of the District, executed and delivered by the District to Bond Counsel on the Closing Date in connection with the Bonds.

“Treasurer” means the Treasurer-Tax Collector of the County, or any authorized deputy thereof.

“Underwriter” means Stifel, Nicolaus & Company, Incorporated, as the original purchaser of the Bonds.

SECTION 3. Purpose, Authorization and Designation of the Bonds. Pursuant to the Bond Law, Bonds of the District shall be issued by and in the name of the District in the aggregate principal amount of not to exceed Twenty-Three Million Dollars (\$23,500,000) for the purposes of providing school facilities as specified in the ballot proposition Measure “X” authorizing the Bonds (the “Project”); to fund capitalized interest on the Bonds through August 1, 2020, or any such date as may be specified in the Bond Purchase Agreement; and to pay the costs of issuing the Bonds.

SECTION 4. Form of Bonds; Execution.

(a) *Form of Bonds.* The Bonds shall be issued in fully registered form without coupons. The Bonds and the certificate of authentication and registration and the form of assignment to appear on each of them, shall be in substantially the form attached hereto as ***Exhibit B***, with necessary or appropriate variations, omissions and insertions as permitted or required by this Resolution.

(b) *Execution of Bonds.* The Bonds shall be signed by the manual or facsimile signatures of the President of the Board, and countersigned by the manual or facsimile signature of the Clerk of the Board, who are in office on the date of adoption of this Resolution or at any time thereafter. The facsimile signatures of the President and the Clerk of the Governing Board may be printed, lithographed, engraved, or otherwise mechanically reproduced. If any officer whose signature appears on any Bond ceases to be such officer before delivery of the Bonds to the owner, such signature shall nevertheless be as effective as if the officer had remained in office until the delivery of the Bonds to the owner. Any Bond may be signed and attested on behalf of

the District by such persons as at the actual date of the execution of such Bond shall be the proper officers of the District although at the nominal date of such Bond any such person shall not have been such officer of the District.

(c) *Valid Authorization.* The Bonds shall be authenticated by a manual signature of a duly authorized signatory of the Paying Agent. Only such Bonds as shall bear thereon a certificate of authentication in substantially the form set forth in ***Exhibit B*** executed manually and dated by the Paying Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of authentication of the Paying Agent shall be conclusive evidence that the Bonds registered hereunder have been duly authenticated, registered and delivered hereunder and are entitled to the benefits of this Resolution.

SECTION 5. Term of Bonds. The Bonds shall be issued in one or more series designated “Los Banos Unified School District General Obligation Bonds, Election of 2018, Series 2018” (or, if more than one series is issued, with such additional series designation). The Bonds shall be issued as Current Interest Bonds, including Current Interest Term Bonds, unless otherwise provided in the Bond Purchase Agreement.

Only the Bonds that bear a certificate of authentication and registration in the form recited herein, manually signed by the Paying Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of the Paying Agent shall be conclusive evidence that the Bonds have been duly authenticated and delivered hereunder and are entitled to the benefits of this Resolution.

Interest on the Bonds (including the final interest payment upon maturity or redemption) is payable by check or draft of the Paying Agent mailed to the Owner thereof at such Owner’s address as it appears on the Bond Register at the close of business on the preceding Record Date; provided that at the written request of the Owner of at least \$1,000,000 aggregate principal amount of the Bonds, which written request is on file with the Paying Agent as of any Record Date, interest on such Bonds shall be paid on the succeeding Interest Payment Date by wire transfer to such account as shall be specified in such written request. Principal of, and premium (if any) on the Bonds is payable in lawful money of the United States of America upon presentation and surrender at the Principal Office of the Paying Agent.

The Bonds shall be issued as fully registered bonds without coupons. The Bonds shall be dated their date of delivery and shall bear interest at the rate or rates not to exceed a maximum true interest cost as permitted by law, payable on February 1 and August 1 of each year commencing February 1, 2019, through August 1 of their final maturity (each an “Interest Payment Date”) unless provisions to the contrary are provided in the Bond Purchase Agreement. The actual interest rate or rates and the actual maturity schedule shall be fixed at the time of sale and shown in the Bond Purchase Agreement and final Official Statement. Each Bond shall be issued in denominations of Five Thousand Dollars (\$5,000) or integral multiples thereof (“Authorized Denominations”).

The Bonds shall be sold as provided in Section 11 hereof; notwithstanding anything

herein to the contrary, the terms of the Bonds as set forth in this Resolution may be amended prior to delivery in accordance with the provisions of the Bond Purchase Agreement, as approved and executed by an Authorized Officer on behalf of the District.

SECTION 6. Delivery of Bonds, Disposition of Proceeds of the Bonds, Security for the Bonds.

(a) The proper officials of the District shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered to the Underwriter upon payment of the purchase price in immediately available funds.

(b) The proceeds from the sale of the Bonds, to the extent of the principal amount thereof, shall be paid and credited to the fund established and designated as the “Los Banos Unified School District General Obligation Bonds, Election of 2018, Series 2018, Building Fund” (the “Building Fund”) of the District to be held by the Auditor-Controller, and shall be kept separate and distinct from all other District and County funds, and those proceeds shall be used solely for the purpose for which the Bonds are being issued (including reimbursement to the District for certain costs of the identified projects and for payment of permissible costs of issuance). The interest earned on the monies deposited to the Building Fund shall be deposited in said Building Fund and such monies shall be used for any lawful purpose of the Building Fund at the direction of the District.

(c) A portion of the proceeds from the sale of the Bonds, representing the interest due with respect to the Bonds and as shown in the Bond Purchase Agreement and final Official Statement, the accrued interest, if any, and any premium received by the District from the sale of the Bonds (if any, after all or a portion of Underwriter's discount or costs of issuance are paid from such premium as set forth in the Bond Purchase Agreement) shall be kept separate and apart in the fund established and designated as the “Los Banos Unified School District General Obligation Bonds, Election of 2018, Series 2018, Interest and Sinking Fund” (the “Interest and Sinking Fund”) for the Bonds, to be held by the Auditor-Controller and used only for payments of principal and interest on the Bonds. Interest earned on investments of monies held in the Interest and Sinking Fund shall be retained in the Interest and Sinking Fund and used to pay principal and interest when due. The Treasurer is hereby directed to deposit or cause to be deposited in the Interest and Sinking Fund the proceeds from the levy of *ad valorem* taxes which the County receives in accordance with Section 6(f).

(d) Any excess proceeds of the Bonds not needed for the authorized purposes set forth herein for which Bonds are being issued shall, at the direction of the District, be transferred to the Interest and Sinking Fund and applied to the payment of principal and interest on any outstanding general obligation bonds of the District. If, after payment in full of the general obligation bonds of the District, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District.

(e) Proceeds of the Bonds held by the Treasurer shall be invested at the Treasurer's discretion pursuant to law and the investment policy of the County, as such policies exist at the

time of investment.

The District covenants that all investments of amounts deposited in any fund or account created by or pursuant to this Resolution, or otherwise containing gross proceeds of the Bonds (within the meaning of Section 148 of the Code) shall be acquired, disposed of, and valued (as of the date that valuation is required by the Code) at Fair Market Value.

(f) There shall be levied by the County all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* tax annually during the period the Bonds are outstanding in an amount sufficient to pay the principal of and interest on the Bonds when due, which monies when collected will be transferred to the Treasurer for deposit, and so deposited by the Treasurer in the Interest and Sinking Fund. Pursuant to Government Code section 53515, general obligation bonds are secured by a statutory lien on all revenues received pursuant to the levy and collection of the ad valorem tax, and such lien automatically arises without the need for any action or authorization by the District or the Board. In addition to any statutory lien, such amounts collected by the County and held by the Treasurer on deposit in the Interest and Sinking Fund are hereby irrevocably pledged to secure the payment of the principal and redemption price of, and interest on, the Bonds, in accordance with Government Code section 5451. The monies in the Interest and Sinking Fund, to the extent necessary to pay the principal of and interest on the Bonds as the same becomes due and payable, shall be transferred by the Treasurer to the Paying Agent for subsequent disbursement to the beneficial owners of the Bonds. Any monies remaining in the Interest and Sinking Fund one (1) year after the Bonds and the interest thereon have been paid at maturity, or provision for such payment has been made, shall be applied to the Payment of any Outstanding Bonds of the District payable from the fund or, if no such Bonds of the District are at such time Outstanding, transferred to the general fund of the District. Pursuant to California Education Code Section 15232, the Auditor-Controller and other appropriate officers of the County are requested to include within the tax levy an amount sufficient to pay the Paying Agent annually for paying the Bonds elsewhere than at the office of the Treasurer.

SECTION 7. Redemption Provisions.

(a) *Optional Redemption.* The Bonds maturing on and after August 1, 2029, are subject to redemption without redemption premium, at the option of the District, in whole or in part on any date on or after August 1, 2028, unless otherwise designated in the Bond Purchase Agreement. The Bond Purchase Agreement may provide separate and distinct redemption provisions for the Bonds. If less than all of the Bonds of any given maturity are called for redemption, the portions of such Bonds of a given maturity to be redeemed shall be determined by lot (or as otherwise set forth in the Bond Purchase Agreement).

(b) *Mandatory Sinking Fund Redemption.* The Bonds, if any, which are designated in the Bond Purchase Agreement as "Term Bonds" shall also be subject to redemption prior to their stated maturity dates, without a redemption premium, in part by lot, from mandatory sinking fund payments in the amounts and in accordance with the terms to be specified in the Bond Purchase Agreement. The principal amount of each mandatory sinking fund payment of any maturity shall be reduced proportionately by the amount of any Bonds of that maturity optionally

redeemed in accordance with the provisions hereof prior to the mandatory sinking fund payment date. The Bond Purchase Agreement may provide that the Bonds shall not be subject to mandatory sinking fund redemption.

The Auditor-Controller of the County is hereby authorized to create such sinking funds or accounts for the Bonds that are "Term Bonds" as shall be necessary to accomplish the purposes of this Section.

(c) *Notice of Redemption.* Notice of any redemption of the Bonds shall be mailed by the Paying Agent, postage prepaid, not less than twenty (20) nor more than sixty (60) days prior to the redemption date, (i) by first class mail to the County and the respective Owners thereof at the addresses appearing on the Registration Books, and (ii) as may be further required in accordance with the Continuing Disclosure Certificate.

Each notice of redemption shall state: (i) the date of such notice; (ii) the name of the Bonds and the date of issue of the Bonds; (iii) the redemption date; (iv) the redemption price; (v) the Bonds and the dates of maturity or maturities of Bonds to be redeemed; (vi) if less than all of the Bonds of any maturity are to be redeemed, the distinctive numbers of the Bonds of each maturity to be redeemed; (vii) in the case of Bonds redeemed in part only, the respective portions of the principal amount of the Bonds of each maturity to be redeemed; (viii) the CUSIP number, if any, of each maturity of Bonds to be redeemed; (ix) a statement that such Bonds must be surrendered by the Owners at the principal corporate trust office of the Paying Agent, or at such other place or places designated by the Paying Agent; (x) notice that further interest on such Bonds will not accrue after the designated redemption date; and (xi) in the case of a conditional notice, that such notice is conditioned upon certain circumstances and the manner of rescinding such conditional notice. Neither the failure of the Owners of any Bonds or by any securities depository or information service to receive notice of redemption, nor any defect in such notice will affect the sufficiency of the proceedings for the redemption of such Bonds or the cessation of interest on the date fixed for redemption.

In addition to the notice of redemption given pursuant to subsection (c) above, further notice shall be given by the Paying Agent as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed.

(d) *Effect of Notice.* A certificate of the Paying Agent that notice of redemption has been given to Owners as herein provided shall be conclusive as against all parties. Neither the failure to receive the notice of redemption as provided in this Section, nor any defect in such notice shall affect the sufficiency of the proceedings for the redemption of the Bonds or the cessation of interest on the date fixed for redemption.

When notice of redemption has been given substantially as provided for herein, and when the redemption price of the Bonds called for redemption is set aside for the purpose as described in subsection (f) of this Section, the Bonds designated for redemption shall become due and payable on the specified redemption date and interest shall cease to accrue thereon as of the

redemption date, and upon presentation and surrender of such Bonds at the place specified in the notice of redemption, such Bonds shall be redeemed and paid at the redemption price thereof out of the money provided therefor. The Owners of such Bonds so called for redemption after such redemption date shall be entitled to payment thereof only from the Interest and Sinking Fund, or a trust fund established for such purpose. All Bonds redeemed shall be cancelled forthwith by the Paying Agent and shall not be reissued.

(e) *Right to Rescind Notice.* The District may rescind any optional redemption and notice thereof for any reason on any date prior to the date fixed for redemption by causing written notice of the rescission to be given to the Owners of the Bonds so called for redemption. Any optional redemption and notice thereof shall be rescinded if for any reason on the date fixed for redemption monies are not available in the Interest and Sinking Fund of the District or otherwise held in trust for such purpose in an amount sufficient to pay in full on said date the principal of, interest, and any premium due on the Bonds called for redemption. Notice of rescission of redemption shall be given in the same manner in which notice of redemption was originally given, except as to timing requirements. The actual receipt by the Owner of any Bond of notice of such rescission shall not be a condition precedent to rescission, and failure to receive such notice or any defect in such notice shall not affect the validity of the rescission.

Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

Upon the surrender of any Bond redeemed in part only, the Paying Agent shall authenticate and deliver to the Owner thereof a new Bond or Bonds of like tenor and maturity and of Authorized Denominations equal in principal amounts to the unredeemed portion of the Bond surrendered. Such partial redemption shall be valid upon payment of the amount required to be paid to such Owner, and the District shall be released and discharged thereupon from all liability to the extent of such payment.

(f) *Funds for Redemption.* Prior to or on the redemption date of any Bonds there shall be available in the Interest and Sinking Fund of the District, or held in trust for such purpose as provided by law, monies for the purpose and sufficient to redeem, at the redemption prices as in this Resolution provided, the Bonds designated in the notice of redemption. Such monies shall be applied on or after the redemption date solely for payment of principal of, and interest and premium, if any, on the Bonds to be redeemed upon presentation and surrender of such Bonds, provided that all monies in the Interest and Sinking Fund shall be used for the purposes established and permitted by law. Any interest due on or prior to the redemption date shall be paid from the Interest and Sinking Fund, unless otherwise provided to be paid from such monies held in trust. If, after all of the Bonds have been redeemed and cancelled or paid and cancelled, there are monies remaining in the Interest and Sinking Fund or otherwise held in trust for the payment of redemption price of the Bonds, the monies shall be held in or returned or transferred to the Interest and Sinking Fund for payment of any outstanding bonds of the District payable from such fund; provided, however, that if the monies are part of the proceeds of bonds of the District, the monies shall be transferred to the fund created for the payment of principal of and

interest on such bonds. If no such bonds of the District are at such time outstanding, the monies shall be transferred to the general fund of the District as provided and permitted by law.

(g) *Satisfaction and Discharge.* The obligations of the District hereunder and under the Bonds herein or therein made or provided for, are to be fully discharged and satisfied as to any Bond and such Bond will no longer be deemed to be outstanding and shall be deemed to have been paid for all purposes:

(i) when such Bond is canceled or surrendered for cancellation and is subject to cancellation, or has been purchased by the Paying Agent from monies in the Interest and Sinking Fund of the District; or

(ii) as to any Bond not canceled, surrendered for cancellation or subject to cancellation or so purchased, when payment of the principal of and the applicable premium, if any, on any Bond, plus interest on such principal to the due date thereof (whether such due date be by reason of maturity or by acceleration or otherwise), either (1) has been made or caused to be made in accordance with the terms hereof, or (2) has been provided for by irrevocably depositing with the Paying Agent, in trust, and irrevocably appropriated and set aside exclusively for such payment, either (A) monies sufficient to make such payment or (B) Federal Securities maturing as to principal and interest in such amounts and at such times as will in the opinion of a certified public accountant delivered to the County, Paying Agent, and the District, provide money sufficient to pay the principal or redemption price of and all unpaid interest to maturity, or to the redemption date, as the case may be, on the Bonds to be paid or redeemed, as such principal or redemption price and interest become due, provided that, in the case of Bonds which are to be redeemed prior to the maturity thereof, notice of such redemption is given as provided in this Resolution or provision satisfactory to the Paying Agent is made for the giving of such notice, or (C) a combination of both such monies and such Federal Securities; and all necessary and proper fees, compensation and expenses of the Paying Agent with respect to such deposit have been paid or the payment thereof has been provided for to the satisfaction of the Paying Agent.

At such time as a Bond is deemed to be no longer outstanding hereunder, such Bond shall cease to accrue interest or accrete value from the due date thereof (whether such due date be by reason of maturity or acceleration as aforesaid, or otherwise), and except for any payment from such monies or Federal Securities set aside as aforesaid, shall no longer be secured by or entitled to the benefits of this Resolution.

(h) *Unclaimed Monies.* Any money held in any fund created pursuant to this Resolution, or by the Paying Agent or an escrow agent in trust, for the payment of the principal, redemption premium, if any, or interest on the Bonds and remaining unclaimed for one (1) year after the principal of all of the Bonds has become due and payable (whether by maturity or upon prior redemption) shall be transferred to the Interest and Sinking Fund of the District for payment of any outstanding bonds of the District payable from the fund; or, if no such bonds of the District are at such time outstanding, the monies shall be transferred to the general fund of the District as provided and permitted by law.

SECTION 8. Transfer Under Book-Entry System; Discontinuation of Book-Entry System.

(a) Unless otherwise specified in the Bond Purchase Agreement, DTC is hereby appointed depository for the Bonds. The Bonds shall be issued in book-entry form only, and shall be initially registered in the name of "Cede & Co.," as nominee of DTC. One bond certificate shall be issued for each maturity of the Bonds; provided, however, that if different CUSIP numbers are assigned to Bonds of the same tenor maturing in a single year or, if Bonds of the same tenor maturing in a single year are issued with different interest rates, additional bond certificates shall be prepared for each such maturity. Registered ownership of such Bonds, or any portion thereof, may not thereafter be transferred except as provided in this Section or Section 10 hereof:

(i) To any successor of DTC, or its nominee, or to any substitute depository designated pursuant to clause (ii) of this Section (a "substitute depository"); provided, however, that any successor of DTC, as nominee of DTC or substitute depository, shall be qualified under any applicable laws to provide the services proposed to be provided by it;

(ii) To any substitute depository not objected to by the District, upon (1) the resignation of DTC or its successor (or any substitute depository or its successor) from its functions as depository, or (2) a determination by the District to substitute another depository for DTC (or its successor) because DTC or its successor (or any substitute depository or its successor) is no longer able to carry out its functions as depository; provided that any such substitute depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(iii) To any person as provided below, upon (1) the resignation of DTC or its successor (or substitute depository or its successor) from its functions as depository; provided that no substitute depository which is not objected to by the District can be obtained, or (2) a determination by the District that it is in the best interests of the District to remove DTC or its successor (or any substitute depository or its successor) from its functions as depository.

(b) In the case of any transfer pursuant to clause (i) or clause (ii) of subsection (a) of this Section, upon receipt of the outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, a new Bond for each maturity shall be executed and delivered, in the aggregate principal amount of the Bonds then outstanding, registered in the name of such successor or such substitute depository, or their nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to clause (iii) of subsection (a) of this Section, upon receipt of the outstanding Bonds by the Paying Agent together with a written request of the District to the Paying Agent, new Bonds shall be executed and delivered in such denominations, numbered in the manner determined by the Paying Agent, and registered in the names of such persons, as are requested in such written request of the District, subject to the limitations of Section 6 hereof and the receipt of such a written request of the District, and thereafter, the Bonds shall be transferred pursuant to the provisions set forth in

Section 10 hereof; provided, however, that the Paying Agent shall not be required to deliver such new Bonds within a period of less than sixty (60) days after the receipt of any such written request of the District.

(c) In the case of partial redemption or an advance refunding of the Bonds evidencing all or a portion of the principal amount then outstanding, DTC shall make an appropriate notation on the Bonds indicating the date and amounts of such reduction in principal.

(d) The District and the Paying Agent shall be entitled to treat the person in whose name any Bond is registered as the owner thereof, notwithstanding any notice to the contrary received by the District or the Paying Agent; and the District and the Paying Agent shall have no responsibility for transmitting payment to, communicating with, notifying, or otherwise dealing with any beneficial owners of the Bonds, and neither the District nor the Paying Agent shall have any responsibility or obligation, legal or otherwise, to the beneficial owners or to any other party, including DTC or its successor (or substitute depository or its successor), except for the Owner of any Bonds.

(e) So long as the outstanding Bonds are registered in the name of Cede & Co. or its registered assigns, the District and the Paying Agent shall cooperate with Cede & Co., as sole registered Owner, or its registered assigns in effecting payment of the principal of and interest on the Bonds by arranging for payment in such manner that funds for such payments are properly identified and are made immediately available on the date they are due.

SECTION 9. Paying Agent.

(a) *Appointment of Paying Agent.* U.S. Bank National Association is hereby designated as Paying Agent for the Bonds and in such capacity the Paying Agent shall also act as the Bond Registrar. The Paying Agent undertakes to perform such duties, and only such duties, as are specifically set forth in this Resolution, and even during the continuance of an event of default with respect to the Bonds, no implied covenants or obligations shall be read into this Resolution against the Paying Agent. The Paying Agent shall signify its acceptance of the duties and obligations imposed upon it by this Resolution by executing and delivering to the District a certificate to that effect.

The District may remove the Paying Agent initially appointed, and any successor thereto, and may appoint a successor or successors thereto, but any such successor shall be a bank or trust company doing business and having an office in the State of California, having a combined capital (exclusive of borrowed capital) and surplus of at least Fifty Million Dollars (\$50,000,000), and subject to supervision or examination by federal or state authority. If such bank or trust company publishes a report of condition at least annually, pursuant to law or to the requirements of any supervising or examining authority above referred to, then for the purposes of this Section the combined capital and surplus of such bank or trust company shall be deemed to be its combined capital and surplus as set forth in its most recent report of condition so published.

Any company into which the Paying Agent may be merged or converted or with which it may be consolidated or any company resulting from any merger, conversion or consolidation to which it shall be a party or any company to which the Paying Agent may sell or transfer all or substantially all of its corporate trust business, provided that such company shall meet all of the requirements of a successor Paying Agent as provided in the immediately preceding paragraph, shall be the successor to the Paying Agent and vested with all of the powers, discretions, immunities, privileges and other matters as was its predecessor, without the execution or filing of any paper or further act, anything herein to the contrary notwithstanding. The Paying Agent may assign its rights, duties and obligations under this Resolution, in whole or in part, to an affiliate or subsidiary thereof, provided such company shall meet all of the requirements of a successor Paying Agent as provided in the immediately preceding paragraph.

The Paying Agent may at any time resign by giving written notice to the District and the Bond Owners of such resignation. Upon receiving notice of such resignation, the District shall promptly appoint a successor Paying Agent by an instrument in writing. Any resignation or removal of the Paying Agent and appointment of a successor Paying Agent shall become effective upon acceptance of appointment by the successor Paying Agent.

(b) *Paying Agent May Hold Bonds.* The Paying Agent may become the owner of any of the Bonds in its own or any other capacity with the same rights it would have if it were not Paying Agent.

(c) *Liability of Agents.* The recitals of facts, covenants and agreements herein and in the Bonds contained shall be taken as statements, covenants and agreements of the District, and the Paying Agent assumes no responsibility for the correctness of the same, nor makes any representations as to the validity or sufficiency of this Resolution or of the Bonds, nor shall incur any responsibility in respect thereof, other than as set forth in this Resolution. The Paying Agent shall not be liable in connection with the performance of its duties hereunder, except for its own negligence or willful default.

In the absence of bad faith, the Paying Agent may conclusively rely, as to the truth of the statements and the correctness of the opinions expressed therein, upon certificates or opinions furnished to the Paying Agent and conforming to the requirements of this Resolution.

The Paying Agent shall not be liable for any error of judgment made in good faith by a responsible officer in the absence of the negligence of the Paying Agent.

No provision of this Resolution shall require the Paying Agent to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder, or in the exercise of any of its rights or powers, if it shall have reasonable grounds for believing that repayment of such funds or adequate indemnity against such risk or liability is not reasonably assured to it.

The Paying Agent may execute any of the powers hereunder or perform any duties hereunder either directly or by or through agents or attorneys and the Paying Agent shall not be

responsible for any misconduct or negligence on the part of any agent or attorney appointed with due care by it hereunder.

(d) *Notice to Paying Agent.* The Paying Agent may rely and shall be protected in acting or refraining from acting upon any notice, resolution, request, consent, order, certificate, report, warrant, bond or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or proper parties. The Paying Agent may consult with counsel, who may be counsel to the District, with regard to legal questions, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it hereunder in good faith and in accordance therewith.

Whenever in the administration of its duties under this Resolution the Paying Agent shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action hereunder, such matter (unless other evidence in respect thereof be herein specifically prescribed) may, in the absence of bad faith on the part of the Paying Agent, be deemed to be conclusively proved and established by a certificate of the District, and such certificate shall be full warrant to the Paying Agent for any action taken or suffered under the provisions of this Resolution upon the faith thereof, but in its discretion the Paying Agent may, in lieu thereof, accept other evidence of such matter or may require such additional evidence as to it may seem reasonable.

(e) *Compensation; Indemnification.* The District shall pay to the Paying Agent from time to time reasonable compensation for all services rendered under this Resolution, and also all reasonable expenses, charges, counsel fees and other disbursements, including those of their attorneys, agents and employees, incurred in and about the performance of their powers and duties under this Resolution. The District further agrees to indemnify and hold the Paying Agent harmless against any liabilities which it may incur in the exercise and performance of its powers and duties hereunder which are not due to its negligence, willful misconduct or bad faith.

SECTION 10. Transfer and Exchange.

(a) *Transfer.* Following the termination or removal of DTC or successor depository pursuant to Section 8 hereof, any Bond may, in accordance with its terms, be transferred, upon the Bond Register, by the Owner thereof, in person or by the duly authorized attorney of such Owner, upon surrender of such Bond to the Paying Agent for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Paying Agent.

Whenever any Bond or Bonds shall be surrendered for transfer, the designated District officials shall execute and the Paying Agent shall authenticate and deliver, as provided in Section 6 hereof, a new Bond or Bonds, of the same maturity, Interest Payment Date and interest rate for a like aggregate principal amount. The Paying Agent may require the payment by any Owner of Bonds requesting any such transfer of any tax or other governmental charge required to be paid with respect to such transfer.

No transfer of any Bond shall be required to be made by the Paying Agent (i) during the period established by the Paying Agent for selection of the Bonds for redemption, and (ii) after any Bond has been selected for redemption.

(b) *Exchange.* The Bonds may be exchanged for Bonds of other authorized denominations of the same maturity and Interest Payment Date, by the Owner thereof, in person or by the duly authorized attorney of such Owner, upon surrender of such Bond to the Paying Agent for cancellation, accompanied by delivery of a duly executed request for exchange in a form approved by the Paying Agent.

Whenever any Bond or Bonds shall be surrendered for exchange, the designated District officials shall execute and the Paying Agent shall authenticate and deliver, as provided in Section 6 hereof, a new Bond or Bonds, of the same maturity, Interest Payment Date and interest rate for a like aggregate principal amount. The Paying Agent may require the payment by any Owner of Bonds requesting any such transfer of any tax or other governmental charge required to be paid with respect to such transfer.

No exchange of any Bond shall be required to be made by the Paying Agent (i) during the period established by the Paying Agent for selection of the Bonds for redemption, and (ii) after any Bond has been selected for redemption.

SECTION 11. Approval of Bond Purchase Agreement; Sale of Bonds. The Bonds will be sold by the District at negotiated sale to the Underwriter pursuant to the terms and conditions set forth in a Bond Purchase Agreement substantially in the form on file with the District and presented at this meeting (the "Bond Purchase Agreement"). The form of the Bond Purchase Agreement is hereby approved and an Authorized Officer is hereby authorized to execute the Bond Purchase Agreement, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer may approve, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the maximum true interest cost on the Bonds shall not exceed the legal limit and the Underwriter's discount may not exceed 0.5% excluding costs of issuance and original issue discount, of the aggregate principal or issue amount of Bonds sold thereunder. The Authorized Officer is further authorized, upon the advice of the Financial Advisor, to determine the principal or issue amount of the Bonds to be specified in the Bond Purchase Agreement for sale by the District, up to an aggregate principal or issue amount not-to-exceed the amount set forth in Section 3, to modify redemption terms and to enter into and execute the Bond Purchase Agreement, if the conditions set forth in this Resolution are met.

The Bonds shall be sold by negotiated sale inasmuch as: (i) such sale will allow the District to integrate the sale of the Bonds with other public financings undertaken, or to be undertaken, by the District in order to finance and fund public school facilities; (ii) such a sale will allow the District to utilize the services of consultants who are familiar with the financial needs, status and plans of the District; and (iii) such a sale will allow the District to control the timing and structuring of the sale of the Bonds to the municipal bond market and, potentially, take advantage of interest rate opportunities for favorable sale of the Bonds to such market.

Fieldman Rolapp & Associates, Inc., has been selected to act as financial advisor (the "Financial Advisor") to the District with respect to the Bonds, and the law firm of Lozano Smith, LLP has been selected as the District's bond and disclosure counsel. Stifel, Nicolaus & Company, Incorporated, has been selected to act as the Underwriter for the Bonds. The estimated costs of issuance associated with the bond sale are not expected to exceed two percent (2.0%) of the aggregate principal amount of the Bonds, excluding underwriter's compensation and bond insurance costs (if any) and including the Financial Advisor and Bond and Disclosure Counsel fees, costs of printing the Official Statement, rating agency fees, and Paying Agent fees. Final complete costs of issuance will be determined and presented to the Board following the issuance of the Bonds.

If it appears in the best interests of the District to acquire municipal bond insurance to secure the payment of principal and interest with respect to the Bonds, then an Authorized Officer may so provide in the Bond Purchase Agreement. The Bond Purchase Agreement may provide that no municipal bond insurance policy shall be obtained. The Board hereby finds and determines that the sale of Bonds at negotiated sale as contemplated herein and by the Bond Purchase Agreement will provide more flexibility in the timing of the sale, and ability to implement the sale in a shorter time period, a reduction in the overall amount of payment, and an increased ability to restructure the Bonds, all of which will contribute to the District's goal of achieving the lowest overall cost of borrowing in connection with the issuance of the Bonds. The Board hereby further finds and determines that all acts and conditions necessary to be performed by the Board or to have been met precedent to and in the issuing of the Bonds, in order to make them legal, valid and binding general obligations of the District, have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or Constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 12. Preliminary Official Statement; Official Statement; Continuing Disclosure.

(a) *Preliminary Official Statement and Official Statement.* The form of Preliminary Official Statement, on file with the Secretary of the Board, with such changes therein as may be approved by an Authorized Officer, is hereby approved, and the use of the Preliminary Official Statement in connection with the offering and sale of the Bonds is hereby authorized and approved. The Authorized Officers are each hereby authorized to certify on behalf of the District that the Preliminary Official Statement is deemed final as of its date, within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934 (except for the omission of certain final pricing, rating and related information as permitted by Rule 15c2-12).

The Official Statement shall be in substantially the form of the Preliminary Official Statement with such changes, insertions and omissions as may be approved by an Authorized Officer, such approval to be conclusively evidenced by the execution and delivery thereof. The Authorized Officers are each hereby authorized and directed, for and in the name and on behalf

of the District, to execute the final Official Statement and any such amendment or supplement to be delivered to the Underwriter.

(b) *Continuing Disclosure.* The form of Continuing Disclosure Certificate, on file with the Secretary of the Board, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Continuing Disclosure Certificate in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof. The District hereby covenants and agrees to comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

SECTION 13. Investment of Proceeds. All funds held in the Interest and Sinking Fund of the District shall be invested at the discretion of the Treasurer pursuant to law and under the investment policies of the County, as such policies exist at the time of investment.

SECTION 14. Tax Covenants.

(a) The District shall not take any action, or fail to take any action, if such action or failure to take such action would adversely affect the exclusion from gross income of the interest payable on the Bonds under Section 103 of the Code. Without limiting the generality of the foregoing, the District hereby covenants that it will comply with the requirements of the Tax Certificate. The provisions of this Section shall survive payment in full or defeasance of the Bonds.

(b) In the event that at any time the District is of the opinion that for purposes of this Section it is necessary or helpful to restrict or limit the yield on the investment of any monies held by the Treasurer on behalf of the District, in accordance with this Resolution or pursuant to law, the District shall so request of the Treasurer in writing, and the District shall make its best efforts to ensure that the Treasurer shall take such action as may be necessary in accordance with such instructions.

(c) Notwithstanding any provision of this Section, if the District shall provide to the Treasurer an opinion of Bond Counsel that any specified action required under this Section is no longer required or that some further or different action is required to maintain the exclusion from federal income tax of interest on the Bonds under Section 103 of the Code, the Treasurer may conclusively rely on such opinion of Bond Counsel in complying with the requirements of this Section and of the Tax Certificate, and the covenants hereunder shall be deemed to be modified to that extent.

SECTION 15. Conditions Precedent. This Board determines that all acts and conditions necessary to be performed by the Board or to have been met precedent to and in the issuing of the Bonds, in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law, and that no

statutory or Constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 16. Delegation of Authority. The Authorized Officers 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, including, without limitation, negotiating the terms of the insurance policy, if any, referred to herein, and execution and delivery of the Tax Certificate. District officials and staff, including the Authorized Officers, the Financial Advisor, Underwriter, Bond Counsel and Disclosure Counsel are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance and sale of the Bonds, and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officials, staff and representatives are hereby ratified, confirmed and approved.

SECTION 17. Filing with County. Any Authorized Officer, acting alone, is hereby authorized and directed to report to the Auditor-Controller of each County the final terms of sale of the Bonds, and to file with the Auditor-Controller of the County and with the Treasurer a copy of the executed Bond Purchase Agreement and this Resolution, and the schedule of amortization of the principal of and payment on the Bonds, and this Resolution, upon delivery to the County, shall serve as the notice required to be given by Section 15140(c) of the California Education Code and as the District's request to the Auditor-Controller of the County and the Board of Supervisors to propose and adopt in each year a tax rate applicable to all taxable property of the District for payment of the Bonds, pursuant to law; and this Resolution shall serve as a request to the other officers of the County to levy and collect said taxes for the payment of the Bonds, to pay in a timely manner to the Paying Agent on behalf of the Owners of the Bonds the principal of, interest and premium, if any, due on the Bonds in each year, and to create in the County treasury, to the credit of the District, the Interest and Sinking Fund.

SECTION 18. Nonliability of County. Notwithstanding anything stated to the contrary in this Resolution, in the Bonds or in any other document mentioned herein, (a) the Bonds are not a debt of (or a pledge of the full faith and credit of) the County, including its Board of Supervisors, officers, officials, agents and employees, and the County, including its Board of Supervisors, officers, officials, agents and employees, have no obligation to repay the Bonds; (b) the sole responsibilities of the Board of Supervisors of the County hereunder is to levy a tax for the repayment of the Bonds, as provided in California Education Code Section 15250; (c) neither the County, its Board of Supervisors, nor any officer, official, agent or employee of the County, shall have any obligation or liability hereunder, by reason hereof or in connection with the transactions contemplated hereby other than as specified in the Bond Law; (d) the Bonds, including interest thereon, shall be payable solely from taxes levied by the Board of Supervisors of the County pursuant to California Education Code Section 15250; and (e) the County, including its Board of Supervisors, officers, officials, agents and employees, shall retain all of their respective constitutional and statutory privileges, immunities, rights and defenses in carrying out their duties in connection with levying the tax to repay the Bonds.

SECTION 19. Limited Duties of County; Indemnification of County. The County, including the Board of Supervisors and officers, officials, agents and employees of the County, shall undertake only those duties of the County under this Resolution which are specifically set forth in this Resolution, and even during the continuance of an event of the District's default with respect to the repayment of the Bonds, no implied covenants or obligations shall be read into this Resolution against the County, including the Board of Supervisors and officers, officials, agents and employees of the County. The District shall defend, indemnify and hold harmless the County, its Board of Supervisors, and officers, officials, agents and employees of the County ("Indemnified Parties") against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject based in whole or in part upon any acts or omissions related to the Bonds, except with regard to the responsibilities of the County under Section 18 hereof. The District shall also reimburse the Indemnified Parties for any legal or other costs and expenses incurred in connection with investigating or defending any such claims or liabilities.

SECTION 20. Furnishing of Clerk Certification. The Clerk or Secretary of the Board is hereby authorized to furnish certified copies of this Resolution to Bond Counsel on or prior to the Closing Date.

SECTION 21. Request to County to Levy Tax. Although the Bonds are not a debt of the County, the Board of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of property taxes in each year sufficient to pay all principal and interest coming due on the Bonds in such year, and to pay, or provide for the payment, from such taxes all amounts due on the Bonds. The District hereby requests the Board of Supervisors of the County to annually levy a tax upon all taxable property in the District sufficient to redeem the Bonds, and to provide for the payment of the principal, redemption premium, if any, and interest thereon as and when the same become due. Pursuant to California Education Code Section 15232 the Auditor-Controller and other appropriate officers of the County are requested to include within the tax levy an amount sufficient to pay the Paying Agent annually for paying the Bonds elsewhere than at the office of the Treasurer.

SECTION 22. Resolution to Treasurer. The Secretary of this Board is hereby directed to provide a certified copy of this Resolution to the Treasurer immediately following its adoption.

SECTION 23. Reimbursement. In accordance with Section 1.150-2 of Title 26 of the Code of Federal Regulations, this Board hereby declares that the District's official intent is to use a portion of the proceeds of the Bonds to reimburse the District for certain project costs, in such amounts and at such times as may be necessary or convenient, up to the maximum principal amount authorized in Section 3 hereof and actually issued hereunder as finally set forth in the Bond Purchase Agreement and designated in the Tax Certificate, and as allowed by applicable law.

SECTION 24. Effective Date. This Resolution shall take effect immediately upon its passage.

* * * * *

The foregoing Resolution was **PASSED AND ADOPTED** by the Board of Education of the Los Banos Unified School District at a meeting held by the Board on August 9, 2018, by the following votes:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

This is to certify that a true and correct copy of the resolution was adopted and approved at a regular meeting of the Board of Education of the Los Banos Unified School District.

President, Board of Education of the
Los Banos Unified School District

ATTEST:

Clerk, Board of Education of the
Los Banos Unified School District

EXHIBIT A

GOOD FAITH ESTIMATES

The good faith estimates set forth herein are provided with respect to the Bonds (the “Bonds”) authorized by this Resolution. Such good faith estimates have been provided to the District by Fieldman, Rolapp & Associates, Inc. the District’s financial advisor (the “Financial Advisor”).

Principal Amount. The Financial Advisor has informed the District that, based on the District’s financing plan and current market conditions, the good faith estimate of the aggregate principal amount of the Bonds is \$23,430,000 (the “Estimated Principal Amount”).

True Interest Cost. The Financial Advisor has informed the District that, based on market interest rates prevailing at the time of preparation of the Estimated Principal Amount, the good faith estimate of the true interest cost of the Bonds, which means the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the new issue of bonds, is 3.99%.

Finance Charge. The Financial Advisor has informed the District that, based on market interest rates prevailing at the time of preparation of the Estimated Principal Amount, the good faith estimate of the finance charge for the Bonds, which means the sum of all fees and charges paid to third parties (or costs associated with the Bonds) (the “Finance Charge”), is \$426,584.38.

Amount of Proceeds to be received. The Financial Advisor has informed the District that, based on market interest rates prevailing at the time of preparation of the Estimated Principal Amount, the good faith estimate of the amount of proceeds of the Bonds expected to be received by the District, less the Finance Charge as estimated above, and any reserves or capitalized interest paid or funded with proceeds of the Bonds, is \$23,000,000.

Total Payment Amount. The Financial Advisor has informed the District that, based on market interest rates prevailing at the time of preparation of the Estimated Principal Amount, the good faith estimate of the total payment amount, which means the sum total of all principal and interest payments made for the Bonds, plus the Finance Charge as described above, not paid with the proceeds of the financing, calculated to the final maturity of the Bonds, is \$47,022,679.33.

The foregoing estimates constitute good faith estimates only. The actual aggregate principal amount of the Bonds, the true interest cost thereof, the Finance Charge, the amount of proceeds of the Bonds received by the District, and the total debt service with respect thereto, may differ from such good faith estimates due to (a) the actual dated date of the Bonds being different than the date assumed for purposes of such estimates, (b) the actual aggregate principal amount of the Bonds being different from the Estimated Principal Amount, (c) the actual amortization of the debt service on the Bonds being different than the amortization assumed for purposes of such estimates, (d) the actual market interest rates at the time the Bonds are issued being different than those estimated for purposes of such estimates, (e) other market conditions,

or (f) alterations in the District's financing plan, or a combination of such factors. The actual dated date of the Bonds and the actual aggregate principal amount of the Bonds will be determined by the District based on market conditions and other factors. The actual interest rates will depend on market interest rates at the time of the sale of the Bonds. The actual amortization and debt service schedule for the Bonds will be based, in part, on market interest rates at the time the Bonds are sold. Market interest rates are affected by economic and other factors beyond the control of the District.

EXHIBIT B

FORM OF BONDS

FORM OF CURRENT INTEREST BOND

**REGISTERED
NO. R-__**

**REGISTERED
\$ _____**

**LOS BANOS UNIFIED SCHOOL DISTRICT
(Merced County, California)
GENERAL OBLIGATION BONDS, Election of 2018, Series 2018**

INTEREST RATE: _____% **MATURITY DATE:** August 1, 20__ **DATED AS OF:** [] **CUSIP:** _____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ **DOLLARS**

The LOS BANOS UNIFIED SCHOOL DISTRICT (the "District") in Merced County, California, for value received, promises to pay to the Registered Owner named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on February 1 and August 1 (the "Interest Payment Dates"), commencing February 1, 2019. This Bond will bear interest from the Interest Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Interest Payment Date to the Interest Payment Date, inclusive, in which event it shall bear interest from such Interest Payment Date, or unless it is authenticated on or before January 15, 2019, in which event it shall bear interest from the dated date. Principal and interest are payable in lawful money of the United States of America without deduction for the paying agent services, to the person in whose name this Bond (or, if applicable, one or more predecessor Bonds) is registered (the "Registered Owner") on the Register maintained by the Paying Agent, initially U.S. Bank National Association. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Principal is payable upon presentation and surrender of this Bond at the designated office of the Paying Agent. Interest is payable by check or draft mailed by the Paying Agent on each Interest Payment Date to the Owner of this Bond (or one or more predecessor Bonds) as shown and at the address appearing on the Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date (the "Record Date"). The Owner of an aggregate Principal Amount of \$1,000,000 or more may request in writing to the Paying Agent that such Owner be paid interest by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date.

This Bond is one of an aggregate principal amount of \$[23,500,000] of Bonds issued to be used to renovate, construct and improve school facilities to serve the District under authority of and pursuant to the laws of the State of California, and the requisite fifty-five percent vote of the electors of the District obtained at an election held on June 5, 2018, upon the question of issuing bonds in the amount of \$65,000,000, and the Resolution of the Board of Education of the District adopted on August 9, 2018 (the "Resolution"). This Bond and the issue of which this Bond is one are payable as to both principal and interest from the proceeds of the levy of *ad valorem* taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount. The Bonds of this issue are general obligations of the District and do not constitute an obligation of the County of Merced (the "County"). No part of any fund of the County is pledged or obligated to the payment of the Bonds of this issue.

The Bonds of this issue are comprised of \$[] aggregate principal amount of Current Interest Bonds, of which this Bond is a part, and \$[] aggregate principal amount of Current Interest Term Bonds.

The Bonds of this issue are issuable only as fully registered bonds in the denominations of \$5,000 or any integral multiple thereof. This Bond is exchangeable and transferable for Bonds of other authorized denominations at the principal corporate trust office of the Paying Agent, by the Registered Owner or by a person legally empowered to do so, upon presentation and surrender hereof to the Paying Agent, together with a request for exchange or an assignment signed by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Resolution. Any tax or governmental charges shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute owner of this Bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District, nor the Paying Agent shall be affected by any notice to the contrary.

The Bonds maturing on or before August 1, 20[] are not subject to optional redemption prior to maturity. The Bonds maturing on or after August 1, 20[] are subject to optional redemption, at the option of the District, as a whole or in part by order as determined by District, and by lot within each maturity, from any source of available funds, on August 1, 20[], or on any date thereafter at a price equal to 100% of the principal amount thereof, without premium.

The Current Interest Term Bonds maturing on or after August 1, 20[] are subject to optional redemption, at the option of the District, as a whole or in part by order as determined by District and by lot within each maturity, from any source of available funds, on August 1, 20[], or on any date thereafter at a price equal to 100% of the principal amount thereof, without premium.

[The Current Interest Term Bonds maturing by their term on August 1, 20[] are subject to mandatory sinking fund redemption by the District prior to their maturity, in part by lot, at a redemption price equal to the principal amount thereof to be redeemed, together with accrued

interest to the date fixed for redemption, if any, without premium, solely from mandatory sinking fund payments as provided in the Resolution, on each August 1, but which amounts will be reduced proportionately by the principal amount of such Term Bond optionally redeemed.

Mandatory Sinking Fund Redemption Schedule

Redemption Date (August 1)	Amount to be Redeemed
20__	\$
20__ *	

* Indicates maturity of the Term Bond]

If less than all of the Bonds shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in any manner which the District in its discretion shall determine. If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot by the District in such manner as the District in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Paying Agent shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000.

Notice of redemption shall be mailed, first class postage prepaid, to the respective owners of any Bonds designated for redemption at their address appearing on the books required to be kept by the Paying Agent, not less than twenty (20) nor more than sixty (60) days prior to the redemption date, which notice shall specify: (a) the Bonds or designated portions thereof (in the case of redemption of the Bonds in part but not in whole) which are to be redeemed, (b) the date of redemption, (c) the place or places where the redemption will be made, including the name and address of the Paying Agent, (d) the redemption price, (e) the CUSIP numbers (if any) assigned to the Bonds to be redeemed, (f) the Bond numbers of the Bonds to be redeemed in whole or in part and, in the case of any Bond to be redeemed in part only, the Principal Amount of such Bond to be redeemed, (g) the original issue date, interest rate and stated maturity date of each Bond to be redeemed in whole or in part, and (h) in the case of a conditional notice, that such notice is conditioned upon certain circumstances and the manner of rescinding such conditional notice.

In case of the redemption as permitted herein of all the outstanding Bonds of any one maturity then outstanding, notice of redemption shall be given by mailing as herein provided, except that the notice of redemption need not specify the serial numbers of the Bonds of such maturity.

Neither the failure to receive such notice nor any defect in any notice so mailed shall affect the sufficiency of the proceedings for the redemption of such Bonds or the cessation of accrual of interest represented thereby from and after the redemption date.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any Bond during a period beginning with the opening of business on the 16th day of the month next preceding either any Interest Payment Date or any date of selection of Bonds to be redeemed and ending with the close of business on the Interest Payment Date or day on which the applicable notice of redemption is given, or (b) to transfer any Bond which has been selected or called for redemption in whole or in part.

Reference is made to the Resolution for a more complete description of the provisions, among others, with respect to the nature and extent of the security for the Bonds of this series, the rights, duties and obligations of the District, the Paying Agent and the Registered Owners, and the terms and conditions upon which the Bonds are issued and secured. The owner of this Bond assents, by acceptance hereof, to all of the provisions of the Resolution.

IT IS CERTIFIED AND RECITED that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that payment in full for the Bonds has been received; that no statutory or constitutional limitation on indebtedness or taxation has been exceeded in issuing the Bonds; and that due provision has been made for levying and collecting *ad valorem* property taxes on all of the taxable property within the District in an amount sufficient to pay principal and interest when due.

This Bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Resolution until the Certificate of Authentication below has been signed.

IN WITNESS WHEREOF, the District has caused this Bond to be executed, all as of the date stated above.

LOS BANOS UNIFIED SCHOOL DISTRICT

By _____ [NOT TO BE SIGNED – FORM ONLY]

President of the Board of Education

ATTEST:

[NOT TO BE SIGNED – FORM ONLY]

Clerk of the Board of Trustees

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the Resolution referred to herein.

Date of Registration and Authentication: [NOT TO BE DATED– FORM ONLY]

U.S. Bank National Association

By: [NOT TO BE SIGNED – FORM ONLY]
Authorized Signatory

DTC LEGEND

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to Issuer or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

[STATEMENT OF INSURANCE, IF ANY]

(FORM OF ASSIGNMENT)

For value received, the undersigned sells, assigns and transfers unto
[LEAVE BLANK – FORM ONLY]

(print or type name, address, zip code, tax identification or Social Security number of assignee) the within Bond and do(es) irrevocably constitute and appoint attorney, to transfer the same on the registration books of the Paying Agent, with full power of substitution in the premises.

Dated: [NOT TO BE DATED– FORM ONLY]

Signature Guaranteed:

[NOT TO BE SIGNED – FORM ONLY]

Notice: Signature must be guaranteed by an eligible guarantor institution.

[NOT TO BE SIGNED – FORM ONLY]

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration of any change whatever.

Board Reference Material

SUBJECT TITLE: Provisional Internship Permit

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve a Provisional Internship Permit, which will allow the following assignment for the 2018-19 school year.

BACKGROUND INFORMATION:

1. Castaneda, Fernando – Science Teacher, Life Science – Creekside Junior High School

Current regulation governing Provisional Internship Permits require that a notice of intent to employ an applicant be made public and that a copy of that notice be submitted with the permit request. Public notice for permit requests must include the name of the candidate for whom the permit is being requested, the specific assignment including the subject(s) and grade level (s) the candidate will be teaching and the fact that the candidate will be employed based on a Provisional Internship Permit.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is an activity and does not support a specific Board goal.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

None

ORIGINATOR: Tammie Calzadillas
 Assistant Superintendent, Human Resources
Date: August 9, 2018

VERIFICATION OF REQUIREMENTS For the Provisional Internship Permit

This form must be completed by the employing agency and submitted with each application for a Provisional Internship Permit.

Name of Applicant FERNANDO CASTANEDA

SSN _____

Name of Employing Agency LOS BANOS UNIFIED SCHOOL DISTRICT

County/District/CDS Code 24 -65755

☐ Multiple Subject

☒ Single Subject - Specify subject(s): SCIENCE-LIFE SCIENCE

☐ Education Specialist - Specify specialty area(s): _____

By submitting this form, the employing agency named above verifies that items 1-6 have been completed.

1. A diligent search has been conducted for a suitable credentialed teacher or qualified intern teacher by the following methods and verification of such recruitment efforts is attached:

Required recruitment methods (provide photocopies of **all** of the following):

- ☒ Distributed job announcements
- ☒ Contacted college or university placement centers
- ☒ Advertised on the Internet

Optional recruitment methods (in addition to the required methods above):

- ☒ Advertised in professional journals
- ☒ Attended job fairs in California
- ☒ Attended recruitment out-of-state
- ☒ Contacted California teacher recruitment centers
- ☒ Advertised in local/national newspapers
- ☒ Other (explain) LBUSD Job Fair 2/26/18

2. The permit holder will be provided orientation, guidance and assistance during the valid period of the permit
3. Public notice of intent to employ the applicant in the identified position has been given and meets the following criteria (check the box that applies):

☒ **Public School District**

Public notice was presented as an action item on the governing board agenda and acted upon favorably. A copy of the agenda item is attached.

(continued)

The agenda item included the applicant's name, assignment, including subject(s) grade level(s), school site, and a statement that the applicant will be employed on the basis of a Provisional Internship Permit.

☐ **County Offices of Education, Nonpublic Schools, Statewide Agencies, and Charter Schools**

Public notice was posted at least 72 hours before the position was filled. A copy of the dated notice is attached.

Public notice included the applicant's name, assignment, including subject(s) grade level(s), school site, and a statement that the applicant will be employed on the basis of a Provisional Internship Permit.

Public notice included a signed statement from the superintendent or administrator confirming there were no objections to the issuance of the permit.

4. The permit holder will be provided assistance in developing a personalized plan through an agency-defined assessment that would lead to meeting subject matter competence related to the permit
5. The permit holder will be provided assistance to seek and enroll in subject matter training, such as workshops or seminars and site-based courses along with training in test-taking strategies and will assist the permit holder in meeting subject matter competence related to the permit
6. The candidate has been apprised of the steps required to earn a credential and enroll in an intern program

- ☒ I certify under penalty of perjury that I need to complete NCLB core area subject matter to enroll in an intern program for the education specialist preliminary credential

Applicant Signature _____

Employing Agency Certification

This form must be signed by the District/County Superintendent, Personnel Administrator, NPS/NPA Administrator, or Designee.

I certify under penalty of perjury that the information provided on this form is true and correct.

Signature _____

Title **Assistant Superintendent, Human Resources** _____

Date _____

Board Reference Material

SUBJECT TITLE: **Revised Salary Schedule – Fiscal Analyst**

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve the revised Fiscal Analyst salary schedule to include the following; adding the Fiscal Analyst to the current salary schedule.

BACKGROUND INFORMATION:

The Fiscal Analyst position was approved at the July 12, 2018 Board Meeting. The newly created position was inadvertently placed on the Director/Supervisory Salary Schedule. The position is a classified position and should have been on the Classified Salary Schedule, Range 33. The salary was determined by examining job alike positions in the Stanislaus County Office of Education, Salida School District Mount Diablo Unified School District, and the Washington Unified School District. These districts have a position in their Administrative Services Division with the Fiscal Analyst title and comparable responsibilities.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

ALTERNATIVES/IDENTIFIED OPPOSITION:

None at this time.

SPECIFIC FINANCIAL IMPACT: (Include Impact on School District Facilities)

ORIGINATOR: Tammie Calzadillas, Assistant Superintendent, Human Resources
Date: August 9, 2018

Classified Salary Schedule

RANGE	CLASSIFICATION	FORMER
1	Paraprofessional	Instr Aide I, Instr Aide, Bilingual Instr Aide Aide/ Instr Aide Preschool Bilingual
3	Office Assistant	Bilingual Clerk Typist/Aide, Clerial Aide Clerk Typist
4	Child Nutrition Worker	Food Service Worker II
5	Behavior Support Assistant-Special Education	Behavior Support Aide
6	Library Media Assistant	Media Aide
6	Community Liaison	Community Aide, Preschool Community Aide
7	Child Nutrition Technician	Food Service Worker III
8	Campus Safety/Security Liaison	
9	Health Assistant	
10	Office Specialist-School	Secretary II
11	Attendance Secretary	Secretary III
11	Human Resources Technician	Secretary III
11	Secretary-District Office/Site	Secretary III
12	Accounting Assistant	Account Clerk I
12	Translator / Interpreter	
13	Administrative Secretary-Elementary School	Secretary III, Secretary IV-Large Elementary
14	Custodian	
15	Behavior Support Specialist	
15	Library Media Specialist	Media Specialty I & II
16	Child Nutrition Site Specialist	Food Service Worker V
17	Groundskeeper	
18	Registrar	
19	Bus Driver/Food Service Delivery/Mail Delivery	
21	Music Accompanist	
22	Accounting Technician	
22	Head Custodian	Head Custodian I, Head Custodian County School
23	Dispatcher-Transportation	Transportation/Dispatcher
24	Help Desk Technician	
25	Administrative Assistant-Secondary School	Administrative Secretary -High School V-Jr High School Secretary
26	Head Custodian-Secondary	Head Custodian II & III
27	Computer Support Technician	Computer Technician I
28	Career Guidance Technician	
28	Vocational Specialist	Vocational Specialist II
29	Nurse Assistant	
29	Leap Site Leader	
30	Mechanic/Bus Driver	
31	Accounting Specialist	Accounting Technician III
31	Swimming Pool Operator / Maintenance Specialist	
32	Head Mechanic	
33	Information Systems Specialist	
33	Speech and Language Pathologist Assistant	
33	Fiscal Analyst	

Los Banos Unified School District
2017-2018

Classified Salary Schedule

Highlighted area indicates a monthly salary for an 8 hour employees with 261 paid days.

						6-9 Yrs	10-14 Yrs	15-19 Yrs	20-24 Yrs	25-29 Yrs	30-34 Yrs	35 + Yrs
Highlighted area indicates a monthly salary for an 8 hour employees with 261 paid days.												
Range	1	2	3	4	5	6	7	8	9	10	11	12
1	\$15.39	\$16.01	\$16.65	\$17.32	\$18.01	\$18.73	\$19.47	\$20.25	\$21.07	\$21.90	\$22.78	\$23.69
	\$2,677.86	\$2,785.74	\$2,897.10	\$3,013.68	\$3,133.74	\$3,259.02	\$3,387.78	\$3,523.50	\$3,666.18	\$3,810.60	\$3,963.72	\$4,122.06
2	\$15.71	\$16.35	\$17.01	\$17.67	\$18.39	\$19.12	\$19.89	\$20.69	\$21.51	\$22.38	\$23.28	\$24.21
	\$2,733.54	\$2,844.90	\$2,959.74	\$3,074.58	\$3,199.86	\$3,326.88	\$3,460.86	\$3,600.06	\$3,742.74	\$3,894.12	\$4,050.72	\$4,212.54
3	\$16.29	\$16.94	\$17.62	\$18.32	\$19.06	\$19.82	\$20.60	\$21.43	\$22.29	\$23.18	\$24.11	\$25.07
	\$2,834.46	\$2,947.56	\$3,065.88	\$3,187.68	\$3,316.44	\$3,448.68	\$3,584.40	\$3,728.82	\$3,878.46	\$4,033.32	\$4,195.14	\$4,362.18
4	\$16.43	\$17.10	\$17.79	\$18.49	\$19.23	\$20.00	\$20.78	\$21.63	\$22.49	\$23.40	\$24.34	\$25.29
	\$2,858.82	\$2,975.40	\$3,095.46	\$3,217.26	\$3,346.02	\$3,480.00	\$3,615.72	\$3,763.62	\$3,913.26	\$4,071.60	\$4,235.16	\$4,400.46
5	\$16.45	\$17.11	\$17.79	\$18.50	\$19.24	\$20.02	\$20.82	\$21.65	\$22.52	\$23.42	\$24.35	\$25.33
	\$2,862.30	\$2,977.14	\$3,095.46	\$3,219.00	\$3,347.76	\$3,483.48	\$3,622.68	\$3,767.10	\$3,918.48	\$4,075.08	\$4,236.90	\$4,407.42
6	\$16.51	\$17.17	\$17.86	\$18.57	\$19.32	\$20.09	\$20.89	\$21.73	\$22.60	\$23.51	\$24.45	\$25.42
	\$2,872.74	\$2,987.58	\$3,107.64	\$3,231.18	\$3,361.68	\$3,495.66	\$3,634.86	\$3,781.02	\$3,932.40	\$4,090.74	\$4,254.30	\$4,423.08
7	\$17.79	\$18.49	\$19.23	\$20.00	\$20.78	\$21.63	\$22.49	\$23.40	\$24.34	\$25.29	\$26.31	\$27.38
	\$3,095.46	\$3,217.26	\$3,346.02	\$3,480.00	\$3,615.72	\$3,763.62	\$3,913.26	\$4,071.60	\$4,235.16	\$4,400.46	\$4,577.94	\$4,764.12
8	\$18.13	\$18.85	\$19.60	\$20.40	\$21.21	\$22.07	\$22.94	\$23.86	\$24.82	\$25.80	\$26.83	\$27.92
	\$3,154.62	\$3,279.90	\$3,410.40	\$3,549.60	\$3,690.54	\$3,840.18	\$3,991.56	\$4,151.64	\$4,318.68	\$4,489.20	\$4,668.42	\$4,858.08
9	\$18.25	\$18.98	\$19.74	\$20.52	\$21.35	\$22.20	\$23.09	\$24.01	\$24.97	\$25.97	\$27.01	\$28.08
	\$3,175.50	\$3,302.52	\$3,434.76	\$3,570.48	\$3,714.90	\$3,862.80	\$4,017.66	\$4,177.74	\$4,344.78	\$4,518.78	\$4,699.74	\$4,885.92
10	\$18.37	\$19.10	\$19.86	\$20.67	\$21.49	\$22.34	\$23.24	\$24.17	\$25.14	\$26.15	\$27.19	\$28.28
	\$3,196.38	\$3,323.40	\$3,455.64	\$3,596.58	\$3,739.26	\$3,887.16	\$4,043.76	\$4,205.58	\$4,374.36	\$4,550.10	\$4,731.06	\$4,920.72
11	\$18.52	\$19.27	\$20.04	\$20.84	\$21.66	\$22.54	\$23.44	\$24.37	\$25.35	\$26.36	\$27.41	\$28.51
	\$3,222.48	\$3,352.98	\$3,486.96	\$3,626.16	\$3,768.84	\$3,921.96	\$4,078.56	\$4,240.38	\$4,410.90	\$4,586.64	\$4,769.34	\$4,960.74
12	\$18.54	\$19.29	\$20.06	\$20.86	\$21.70	\$22.56	\$23.47	\$24.40	\$25.37	\$26.39	\$27.44	\$28.55
	\$3,225.96	\$3,356.46	\$3,490.44	\$3,629.64	\$3,775.80	\$3,925.44	\$4,083.78	\$4,245.60	\$4,414.38	\$4,591.86	\$4,774.56	\$4,967.70
13	\$18.65	\$19.39	\$20.17	\$20.97	\$21.81	\$22.68	\$23.59	\$24.54	\$25.52	\$26.54	\$27.60	\$28.70
	\$3,245.10	\$3,373.86	\$3,509.58	\$3,648.78	\$3,794.94	\$3,946.32	\$4,104.66	\$4,269.96	\$4,440.48	\$4,617.96	\$4,802.40	\$4,993.80
14	\$18.69	\$19.44	\$20.21	\$21.03	\$21.86	\$22.74	\$23.64	\$24.59	\$25.58	\$26.60	\$27.66	\$28.77
	\$3,252.06	\$3,382.56	\$3,516.54	\$3,659.22	\$3,803.64	\$3,956.76	\$4,113.36	\$4,278.66	\$4,450.92	\$4,628.40	\$4,812.84	\$5,005.98
15	\$18.74	\$19.49	\$20.26	\$21.08	\$21.92	\$22.80	\$23.71	\$24.66	\$25.64	\$26.67	\$27.74	\$28.84
	\$3,260.76	\$3,391.26	\$3,525.24	\$3,667.92	\$3,814.08	\$3,967.20	\$4,125.54	\$4,290.84	\$4,461.36	\$4,640.58	\$4,826.76	\$5,018.16

Los Banos Unified School District
2017-2018

Classified Salary Schedule

						6-9 Yrs	10-14 Yrs	15-19 Yrs	20-24 Yrs	25-29 Yrs	30-34 Yrs	35 + Yrs
Highlighted area indicates a monthly salary for an 8 hour employees with 261 paid days.												
Range	1	2	3	4	5	6	7	8	9	10	11	12
16	\$19.60	\$20.40	\$21.21	\$22.07	\$22.94	\$23.86	\$24.82	\$25.80	\$26.83	\$27.91	\$29.04	\$30.18
	\$3,410.40	\$3,549.60	\$3,690.54	\$3,840.18	\$3,991.56	\$4,151.64	\$4,318.68	\$4,489.20	\$4,668.42	\$4,856.34	\$5,052.96	\$5,251.32
17	\$19.87	\$20.67	\$21.49	\$22.36	\$23.25	\$24.18	\$25.15	\$26.94	\$27.20	\$28.29	\$29.41	\$30.60
	\$3,457.38	\$3,596.58	\$3,739.26	\$3,890.64	\$4,045.50	\$4,207.32	\$4,376.10	\$4,687.56	\$4,732.80	\$4,922.46	\$5,117.34	\$5,324.40
18	\$20.54	\$21.37	\$22.22	\$23.11	\$24.03	\$24.99	\$25.99	\$27.03	\$28.11	\$29.24	\$30.41	\$31.63
	\$3,573.96	\$3,718.38	\$3,866.28	\$4,021.14	\$4,181.22	\$4,348.26	\$4,522.26	\$4,703.22	\$4,891.14	\$5,087.76	\$5,291.34	\$5,503.62
19	\$20.65	\$21.47	\$22.33	\$23.22	\$24.15	\$25.12	\$26.12	\$27.17	\$28.26	\$29.38	\$30.55	\$31.78
	\$3,593.10	\$3,735.78	\$3,885.42	\$4,040.28	\$4,202.10	\$4,370.88	\$4,544.88	\$4,727.58	\$4,917.24	\$5,112.12	\$5,315.70	\$5,529.72
20	\$20.70	\$21.52	\$22.39	\$23.28	\$24.21	\$25.18	\$26.19	\$27.24	\$28.32	\$29.45	\$30.64	\$31.86
	\$3,601.80	\$3,744.48	\$3,895.86	\$4,050.72	\$4,212.54	\$4,381.32	\$4,557.06	\$4,739.76	\$4,927.68	\$5,124.30	\$5,331.36	\$5,543.64
21	\$20.78	\$21.63	\$22.49	\$23.40	\$24.34	\$25.29	\$26.31	\$27.37	\$28.45	\$29.60	\$30.77	\$32.00
	\$3,615.72	\$3,763.62	\$3,913.26	\$4,071.60	\$4,235.16	\$4,400.46	\$4,577.94	\$4,762.38	\$4,950.30	\$5,150.40	\$5,353.98	\$5,568.00
22	\$21.21	\$22.07	\$22.94	\$23.86	\$24.82	\$25.80	\$26.83	\$27.91	\$29.04	\$30.18	\$31.40	\$32.67
	\$3,690.54	\$3,840.18	\$3,991.56	\$4,151.64	\$4,318.68	\$4,489.20	\$4,668.42	\$4,856.34	\$5,052.96	\$5,251.32	\$5,463.60	\$5,684.58
23	\$21.69	\$22.55	\$23.46	\$24.39	\$25.37	\$26.38	\$27.43	\$28.54	\$29.68	\$30.86	\$32.10	\$33.39
	\$3,774.06	\$3,923.70	\$4,082.04	\$4,243.86	\$4,414.38	\$4,590.12	\$4,772.82	\$4,965.96	\$5,164.32	\$5,369.64	\$5,585.40	\$5,809.86
24	\$22.49	\$23.40	\$24.34	\$25.29	\$26.31	\$27.38	\$28.45	\$29.60	\$30.77	\$32.03	\$33.29	\$34.63
	\$3,913.26	\$4,071.60	\$4,235.16	\$4,400.46	\$4,577.94	\$4,764.12	\$4,950.30	\$5,150.40	\$5,353.98	\$5,573.22	\$5,792.46	\$6,025.62
25	\$22.57	\$23.48	\$24.42	\$25.39	\$26.40	\$27.46	\$28.56	\$29.70	\$30.89	\$32.12	\$33.41	\$34.75
	\$3,927.18	\$4,085.52	\$4,249.08	\$4,417.86	\$4,593.60	\$4,778.04	\$4,969.44	\$5,167.80	\$5,374.86	\$5,588.88	\$5,813.34	\$6,046.50
26	\$22.94	\$23.86	\$24.83	\$25.80	\$26.83	\$27.91	\$29.04	\$30.18	\$31.40	\$32.66	\$33.96	\$35.31
	\$3,991.56	\$4,151.64	\$4,320.42	\$4,489.20	\$4,668.42	\$4,856.34	\$5,052.96	\$5,251.32	\$5,463.60	\$5,682.84	\$5,909.04	\$6,143.94
27	\$23.24	\$24.17	\$25.14	\$26.15	\$27.19	\$28.28	\$29.41	\$30.58	\$31.80	\$33.08	\$34.40	\$35.78
	\$4,043.76	\$4,205.58	\$4,374.36	\$4,550.10	\$4,731.06	\$4,920.72	\$5,117.34	\$5,320.92	\$5,533.20	\$5,755.92	\$5,985.60	\$6,225.72
28	\$23.40	\$24.34	\$25.29	\$26.31	\$27.37	\$28.45	\$29.60	\$30.77	\$32.03	\$33.29	\$34.62	\$36.00
	\$4,071.60	\$4,235.16	\$4,400.46	\$4,577.94	\$4,762.38	\$4,950.30	\$5,150.40	\$5,353.98	\$5,573.22	\$5,792.46	\$6,023.88	\$6,264.00
29	\$23.53	\$24.47	\$25.45	\$26.46	\$27.53	\$28.63	\$29.77	\$30.97	\$32.20	\$33.49	\$34.83	\$36.22
	\$4,094.22	\$4,257.78	\$4,428.30	\$4,604.04	\$4,790.22	\$4,981.62	\$5,179.98	\$5,388.78	\$5,602.80	\$5,827.26	\$6,060.42	\$6,302.28
30	\$24.12	\$25.08	\$26.08	\$27.12	\$28.22	\$29.34	\$30.51	\$31.74	\$33.01	\$34.32	\$35.69	\$37.13
	\$4,196.88	\$4,363.92	\$4,537.92	\$4,718.88	\$4,910.28	\$5,105.16	\$5,308.74	\$5,522.76	\$5,743.74	\$5,971.68	\$6,210.06	\$6,460.62

Los Banos Unified School District
2017-2018

Classified Salary Schedule

						6-9 Yrs	10-14 Yrs	15-19 Yrs	20-24 Yrs	25-29 Yrs	30-34 Yrs	35 + Yrs
Highlighted area indicates a monthly salary for an 8 hour employees with 261 paid days.												
Range	1	2	3	4	5	6	7	8	9	10	11	12
31	\$25.29	\$26.31	\$27.37	\$28.45	\$29.60	\$30.77	\$32.03	\$33.29	\$34.62	\$36.00	\$37.44	\$38.89
	\$4,400.46	\$4,577.94	\$4,762.38	\$4,950.30	\$5,150.40	\$5,353.98	\$5,573.22	\$5,792.46	\$6,023.88	\$6,264.00	\$6,514.56	\$6,766.86
32	\$26.09	\$27.13	\$28.23	\$29.35	\$30.52	\$31.75	\$33.02	\$34.33	\$35.71	\$37.14	\$38.62	\$40.16
	\$4,539.66	\$4,720.62	\$4,912.02	\$5,106.90	\$5,310.48	\$5,524.50	\$5,745.48	\$5,973.42	\$6,213.54	\$6,462.36	\$6,719.88	\$6,987.84
33	\$27.39	\$28.48	\$29.63	\$30.81	\$32.05	\$33.32	\$34.65	\$36.04	\$37.49	\$38.99	\$40.54	\$41.76
	\$4,765.86	\$4,955.52	\$5,155.62	\$5,360.94	\$5,576.70	\$5,797.68	\$6,029.10	\$6,270.96	\$6,523.26	\$6,784.26	\$7,053.96	\$7,266.24

LOS BANOS UNIFIED SCHOOL DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF EDUCATION
July 12, 2018

City Hall

Mr. Parreira called the meeting to order at 6:00 P.M.	Call to Order
PRESENT: Mr. Areias, Ms. Benton, Mr. Martinez, Mr. Munoz, Mr. Parreira, Ms. Smith. ABSENT: Ms. Goin.	Roll Call
A study session was held prior to the meeting to discuss The Differentiated Assistance Joint COE-LEA Overview Results and The Merced County Parent Leadership Training Institute.	Study Session
Conference with Labor Negotiator (Section 54957.6) Agency Negotiators: Tammie Calzadillas, Paul Enos, Don Laursen, Mark Marshall and Paula Mastrangelo; Employee Organization: CSEA/Confidential (No action). Public Employee Appointment/ Reassignment / Dismissal / Release / Retirement (Section 54957). (No Action)	Closed Session
The regular meeting was opened by Mr. Parreira at 7:05 P.M.	Regular Meeting
The audience was led in the Pledge of Allegiance by Norman Betteridge outgoing CSEA President	Pledge of Allegiance
On a motion by Member Munoz, seconded by Member Smith, Trustees approved the agenda as submitted with corrections to: IX New Business: Remove Item D. Memorandum of Understanding – Certificated Substitute Shortage, Item F Correction to Fiscal Analyst Job Description, Consent Calendar Item B Report of Certificated Staffing there was a duplicate name removed, Item L number 12 updated Agreement with MCOE Parent Leadership Training Institute. Ayes: Areias, Benton, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: Goin, Motion carried	Approval of Agenda
Tom Kaljian/Kaljia and Associates was recognized for allowing the District the use of his offices during the Measure X campaign, Norman Betteridge was recognized for his 20 years of service as CSEA Outgoing President. Thais Duni Executive Secretary was honored for her 29 years of service and retirement. New Special Education Director, Yolanda Cork-Anthony and her family were introduced.	Recognition/ Introductions
Geneva Brett invited everyone to attend the Chamber of Commerce's Farm to Park farmers market that is held at Pacheco Park every Saturday during the summer.	Public Forum
No Report	Student Report
Mr. Jeff Miller co-president of LBTA introduced himself to the Board. He has been with the district for 22 years. He thanked everyone that attended the Labor Management Conference in San Diego. He stated that he is looking for to a good year for LBTA.	LBTA Report
No Report	CSEA Report

Dr. Marshall stated that he attended the California Joint Labor Management Institute in San Diego along with both Labor Union Presidents and members of the District Negotiating Team. He also spoke about the Prop 47 Advisory Committee meeting that he attended and that there is a grant of nearly a million dollars to serve the youth in the region.

Superintendent's
Report

Mr. Don Laursen gave an update on the current projects throughout the District.

Facilities Report

Trustee Benton gave an update on Caltrans and the HAWK system that is going to be installed at 11th and Pacheco. She stated that is slated to be in place in September or October. Trustee Munoz stated that he was excited about the expanding facilities. He went on a tour of existing construction projects in the district with Dr. Marshall. He described the transition of the Green Valley Charter School to the District TK Center as "Amazing". He said that with the projects in place they have created room for approximately 360 students for a more safe and healthy environment for all students. He said he was looking forward to the beginning of construction of the new elementary school on B and Place Roads and that the Loftin Football field looked great. Trustee Areias said that he hoped everyone was having a great summer and asked the people in the community to help with ideas on how to curb the vandalism that is happening at our school sites, he used the latest event at the Pacheco Pool as an example of how much money is wasted on repairing damage done by vandalism as opposed to using those funds for other needed things. He reiterated for all to keep their eyes open and please report anything to the Police Department or the District Office. Trustee Smith echoed Mr. Areias' feelings. She stated while on vacation in Mexico she was able to visit a Junior High and Elementary School. She said there was lots of security and that students attended from 8-5. She said she would like to go visit again and that she was looking forward to the new school year. Trustee Martinez thanked everyone for attending the meeting. He thanked staff as well. He stated with the passage of Measure X that the district was going to get much busier and this is an exciting time for all. We will all benefit from the changes that are coming and we should all strive to make a difference. Trustee Parreira stated that he went to the City Council Workshop and heard that the HAWK system that was being installed was going to be run by solar power and would save the city some money and was also told it should be up and running by the end of September. He thanked Target for the teacher incentive of 15% off of school supplies including tissue and hand sanitizer.

Trustee Reports

On a Motion by Member Areias, seconded by Member Martinez, Trustees approved the 2018-2019 District English Learner Master Plan (ELMP). Ayes: Areias, Benton, Martinez, Munoz, Parreira Smith; Noes: 0; Absent: Goin; Motion carried

English Learner
Master Plan
(ELMP)

On a Motion by Member Benton, seconded by Member Munoz Trustees approved a Provisional Internship Permit for the following teachers: Salaz, Michael – Science Teacher, Biology - Los Banos High School; Brizzee, Dannette – English Teacher-Creekside Junior High. Ayes: Areias, Benton, Martinez, Munoz, Parreira Smith; Noes: 0; Absent: Goin; Motion carried

Provisional
Internship Permit

On a motion by Member Areias, seconded by Member Munoz the Board adopted Resolutions #33-18, #34-18, #35-18, approving waivers for indentified staff to teach outside of their credential authorization pursuant to Education Code Section 44258.7 C & D. Ayes: Areias, Benton, Martinez, Munoz, Parreira Smith; Noes: 0; Absent: Goin;

Authorization of
Teaching
Assignments

Motion carried

On a motion by Member Martinez, seconded by Member Smith, Trustees approved the Memorandum of Understanding between LBUSD and CSEA. Ayes: Areias, Benton, Martinez, Munoz, Parreira Smith; Noes: 0; Absent: Goin; Motion carried.

Memorandum of Understanding – Classified Position

On a Motion by Member Areias, seconded by Member Benton, Trustees approved the new job descriptions for: Administrative Secretary, District Office; Child Nutrition Services Director; Fiscal Analyst; Mental Health Counselor. Ayes: Areias, Benton, Martinez, Munoz, Parreira Smith; Noes: 0; Absent: Goin; Motion carried

New Job Descriptions

On a Motion by Member Smith, seconded by Member Munoz, Trustees approved the salary schedules to accompany the new job descriptions for Child Nutrition Services Director, Fiscal Analyst, and Mental Health Counselor. Ayes: Areias, Benton, Martinez, Munoz, Parreira Smith; Noes: 0; Absent: Goin; Motion carried.

Revised Salary Schedules

On a Motion of Member Benton, seconded by Member Martinez, Trustees declared their intent to adopt the following board policies: AR-3320 and BP 3320 Claims And Actions Against The District. Ayes: Areias, Benton, Martinez, Munoz, Parreira Smith; Noes: 0; Absent: Goin; Motion carried.

Board Policy (First Read)

Paul Enos, Assistant Superintendent came forward and said Item K on the Consent Calendar 2018-19 Agricultural Career Technical Education Incentive Grant funding application should have been titled Agricultural Incentive Grant for Los Banos and Pacheco High Schools. Board President Anthony Parreira asked that the item titled 2018-19Agricultural Career Technical Education Incentive Grant funding applications for Los Banos and Pacheco High Schools, be removed from the consent calendar and be discussed separately.

CONSENT CALENDAR

On motion by Member Munoz seconded by Member Martinez, Trustees approved the Consent Calendar as amended. Ayes: Areias, Benton, Martinez, Munoz, Parreira, Smith; Noes: 0; Absent: Goin. Motion carried.

Trustees approved minutes of the: Special Meeting on June 6, 2018, Regular Meeting on June 14, 2018, and Special Meeting on June 21, 2018

Minutes

Trustees approved Certificated Report: Appointments: Arias, Aaron – English/Drama Teacher, Pacheco High School – effective 08-06-2018, Bates, Pamela – English Teacher, Creekside Junior High – effective 08-06-2018, Contreras-Isaola, Iliana – Associate Pre School Teacher – effective 07-01-2018, Fifield, Troy – Digital Media Teacher, Creekside Junior High – effective 08-06-2018, Hitchcock, Brittnay – Science Teacher, Pacheco High School – effective 08-06-2018, Hurd, Allison – Kindergarten Teacher, Miano Elementary – effective 08-06-2018, Latta, April – Assistant Principal, Los Banos High School – effective 07-01-2018, Moody, Robert – Special Education Teacher, Henry Miller Elementary – effective 08-06-2018, Robertson, Chris – Mathematics Teacher, Creekside Junior High – effective 08-06-2018, Rotandi, Matthew – Learning Director, Los Banos High School – effective 08-06-2018, Spinelli, Christina – English Teacher, Pacheco High School – effective 08-06-2018, Walker, Daniel – Mathematics Teacher, Creekside Junior High – effective 08-06-2018, Wren, Amelia – English Teacher, Pacheco High School – effective 08-06-2018, Zamora, Elbia – Mathematics Teacher, Creekside Junior High – effective 08-06-2018 Retired: Santos,

Personnel Actions

Patricia – Inclusions Specialist, Los Banos Elementary – effective 06-30-2018, Resigned: Teresi, Katherine – Mathematics Teacher, Los Banos High School – effective 06-30-2018, Collins, Linwood – Special Education Teacher, District Wide - effective 06-30-2018 Released: Germinaro, Deborah – English Teacher, Pacheco High School – effective 06-30-2018, Lander, Marcee – Science Teacher, Pacheco High School – effective 06-30-2018, Ortiz, Kim - English Teacher, Los Banos High School – effective 06-30-2018, Solis, Josh – Science Teacher, Pacheco High School – effective 06-30-2018. Extra Duty Appointments: Greg Alvarez-Frosh Football-LBHS, Joey Barcellos-Activities Director, Athletic Director, Cross Country coach-LBHS, Lynn Barcellos-Tennis Coach-Girls-LBHS, Sergio De Alba-Pentathlon Coach-RME, Danny Crosby-Tennis Coach-Girls-PHS, Manuel Faria-Choir Director-LBHS, Jeannie Fournier-Auxiliary Unit Advisor-PHS, Flag Team Advisor-LBJH, Winter Guard-LBJH, Letter Girl Advisor-LBJH, Damien Kennedy-Athletic Director-CJHS, Asst. Football Coach Varsity-LBHS, Daniel Maldonado-Head Varsity Volleyball Coach-Girls-PHS, John Painter-Asst. JV Football Coach-LBHS, Charlie Pikas-Athletic Director, Activities Director-PHS, Nichole Souza-Spirit Team Advisor-LBJH, Carlos Rodriguez-Asst. JV Football Coach, Athletic Trainer Equipment-PHS, David Snapp- Head Varsity Football coach-PHS, Brandi Tate- Head Spirit Team Advisor- LBHS, Shelly Weathers-Theatre Director-LBHS, Manuel Zorra- Asst. JV Football Coach-LBHS, Laura Barger-Golf Coach-LBHS, Darryl Barger-Water Polo Coach-Boys-LBHS, Erin Degough-Scholarship Advisor-LBHS, Lori Moore-Head Spirit Team Advisor-PHS, Kiana Tart-Spirit Team Advisor-JV-PHS, John Cook-Asst. Football Coach-Frosh-LBHS, Chris Witt- Asst. Football Coach-Varsity-PHS, Hannah Green-JV Volleyball Coach-Girls-PHS, Issac Samaniego-JV Volleyball Coach-Girls-LBHS

Classified Report: New Hires: Galarza, Enedina – TK, Administrative Secretary (8.0 Hrs), Valenzuela, Jose – VE, Computer Technician (8.0 Hrs), Vasquez, Martitza – SS, Nurse Assistant (8.0 Hrs) Promotional: Melton, Yanel – DO, Accounting Technician (8.0 Hrs), Montez, Esmeralda – PHS, Paraprofessional (6.0 Hrs)

The Monthly Fiscal Report was submitted for Board information.

Fiscal Report

The annual GASB 45 Trust Investment Report is submitted for information

Quarterly SISC
GASB 45 Trust
Investment Report

Trustees approved the 2018 inflation adjustment factor of an additional 4.17% to all appropriate fees outlined in all School Impact Mitigation Agreements and that the same inflation adjustment be applied to all future developer School Impact Mitigation Agreements.

Mitigation
Agreement
Inflation Factor

Trustees approved employee stipends for Paid Preps.

Paid Prep Stipends

Trustees approved the April/June Williams Complaint Summary Report as submitted.

Williams
Complaint
Summary

Trustees adopted the following new courses: French 4 & Portuguese 4 , LBHS LOTE Creative Writing Course , LBHS Elective; Chamber Singers: Honors, LBHS Music; Honors Chemistry, PHS Science

New Course
Adoptions (Second
Reading)

Trustees approved the 2018-19 Consolidated Application

2018-19
Consolidated
Application

Trustees approved the Common Core State Standards (CCSS) as adopted by the California Department of Education (CDE) for the 2018-19 school year.	2018-19 Annual Adoption of Common Core State Standards
Trustees approved the following agreements/proposals: MCOE, Jack L. Boyd Outdoor School LBE March 12-15, 2019; Imagine Learning Inc. Contract for Educational Software; MCOE, Lease Agreement for PHS Culinary Arts Classroom; MCOE, Lease Agreements, Special Ed Classrooms; Agreement, Mandate Resource Services, LLC for Mandated Cost; Agreement, Passantino-Andersen, LLC, for communication services; Agreement, KeepnTrack, Student and Volunteer Management; Agreement, Indoor Environment Services (IES), Energy Services; Agreement, Craig & Craig Security, After hours Security PHS; Agreement, Knowledge Saves Lives, for Threat Assessment Services; Agreement, Stuff the Bus Initiative; Agreement, MCOE Parent Leadership Training Institute cohorts; Proposal, The Office City, PHS Modulares Furniture.	Agreements/ Contracts
Trustees approved the following overnight/out-of-state travel: LBE 6 th Graders, Jack L. Boyd Outdoor School, March 12-15, 2019; LBHS FFA Officer Retreat, Groveland, CA, July 24-26, 2018; LBHS Girls' Tennis, Clovis September 7-8, 201; PHS Girls Cheer, UC Santa Cruz July 20-23, 2018.	Travel
The Board declared specific library books and/or textbooks as obsolete and dispose of in accordance with Board Policy #3270.	Obsolete Books
Trustees declared specified electronic equipment as obsolete and authorized disposal in accordance with Board Policy #3270.	Obsolete Equipment
Trustees approved the warrants for payment.	Warrants
On motion by Member Areia, seconded by Member Benton, Trustees approved the 2018-19 Agricultural Incentive Grant funding applications for Los Banos and Pacheco High Schools. Ayes: Areias, Benton, Martinez, Munoz, Parreira Smith; Noes: 0; Absent: Goin; Motion carried.	Agricultural Incentive Grants, PHS & LBHS
There was no action to report	Reporting Closed Session
Member Areias asked for a report on summer school at the next board meeting.	Future Agenda/ Discussion Items
The Meeting was adjourned at 7:52 P.M.	Adjournment

SECRETARY

LOS BANOS UNIFIED SCHOOL DISTRICT

*Asst Superintendent, Tammie Calzadillas
Human Resources*

REPORT OF CERTIFICATED EMPLOYMENT FOR BOARD APPROVAL – August 9, 2018

APPOINTMENT:

Diaz, Grace – Special Education Teacher, Los Banos Elementary – effective 8/6/2018

Hurd, Allison – Elementary Teacher, Miano Elementary – effective 8/9/2018

Rutledge, Amanda – ELD Teacher, Creekside Junior High – effective 8/6/2018

Gutierrez, Claudine – Learning Director, Los Banos High School – effective 8/6/2018

EXTRA DUTY

APPOINTMENTS:

Anthony Santos -Asst. Football Coach-Varsity-LBHS; **Amanda Baker**-Memory Book, Activities Director-LBJH; **Demond Thomas**-Asst. Football Coach-Frosh-PHS; **Mike Tate**-Asst. Football Coach -Frosh-LBHS; **Jon Betschart**-Asst. Football Coach-Varsity - LBHS; **Greg Solis**- Head Varsity Volleyball Coach-Girls-LBHS; **Dustin Caropreso**- Head Varsity Football Coach – LBHS; **Kim McCullough**-Yearbook Advisor-LBHS; **Tony Robledo**- Athletic Director-LBJH; **Imani Percoats**-Asst. Football Coach-Varsity-LBHS; **Hector Gonzalez**-Cross Country-Varsity - PHS; **Mark Cicairos**-Asst. Football Coach-Varsity-LBHS; **Mike Medrano** – Asst. Football Coach-Varsity-PHS; **Jesse Bellinger**-Head Volleyball Coach -8th Grade-LBJHS; **Scott Brady**- Asst. Football Coach-Varsity-PHS; **Shirley Brand**-Flag Team Adviser-CJHS and Asst. Band Director-LBHS; **Cliff Brand**-Band Director-CJHS; **David Duke**-Varsity Water Polo Coach-Girls-PHS;

LOS BANOS UNIFIED SCHOOL DISTRICT

DIVISION OF HUMAN RESOURCES

REPORT OF CLASSIFIED EMPLOYMENT FOR BOARD APPROVAL – August 9, 2018

Tammie Calzadillas, Assistant Superintendent

New Hires:

Antuna, Christina – SS, Behavior Support Assistant (6.0 Hrs)
Avalos, Sandra – SS, Behavior Support Assistant (6.0 Hrs)
De La Torre, Elizar – LFE, Custodian (8.0 Hrs)
Duke, Brandon – CJHS, Campus Security (6.0 Hrs)
Erreca, Dana – SS, Behavior Support Assistant (6.0 Hrs)
Hjelm, Aaron – SS, Behavior Support Assistant (6.0 Hrs)
Hockless, Jاليا – SS, Behavior Support Assistant (6.0 Hrs)
Leal, Bianca – SS, Behavior Support Assistant (6.0 Hrs)
Ornelas, Angie – SS, Behavior Support Assistant (6.0 Hrs)

Appointments:

Promotional:

Escobar, Erica – DO, Human Resource Specialist (8.0 Hrs)
Garcia, Maria – HME, Custodian (8.0 Hrs)
Silva, Nanette – DO, Administrative Secretary (8.0 Hrs)

Retired:

Termination:

Resigned:

Aguilar, Abigail – LEAP, Paraprofessional - Effective 7/20/2018
Alvarez, Montserrat- WUES, Paraprofessional – Effective 7/13/2018

Leave of Absence:

Board Reference Material

SUBJECT TITLE: **Monthly Fiscal Report**

REQUESTED ACTION: None—report only

Action_____

Discussion/Information___X___

RECOMMENDATION:

The attached reports are provided for informational purposes only.

BACKGROUND INFORMATION:

- Board Financial Summary Report, General Fund
- Enrollment Graphs
- Developer Fee Collection Report (summary only)

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is an operational activity and does not directly support a specific Board goal.

ALTERNATIVES/IDENTIFIED OPPOSITION:

N/A

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

N/A

ORIGINATOR: Amer Iqbal, Director of Fiscal Services
Date: August 9, 2018

UNRESTRICTED/RESTRICTED COMBINED FUND: 01 GENERAL FUND/COUNTY SSF

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
REVENUE DETAIL							
REVENUE LIMIT SOURCES :		113,778,785.00		113,778,785.00	4,306,548.35	109,472,236.65	3.78
FEDERAL REVENUES :		5,487,500.00		5,487,500.00	9,330.16	5,478,169.84	0.17
OTHER STATE REVENUES :		15,200,891.00		15,200,891.00	117,583.00	15,083,308.00	0.77
OTHER LOCAL REVENUES :		851,802.00		851,802.00	134.40	851,667.60	0.01
* TOTAL YEAR TO DATE REVENUES		* * 135,318,978.00 *	.00	* 135,318,978.00 *	4,433,595.91	* 130,885,382.09 *	3.27
EXPENDITURE DETAIL							
CERTIFICATED SALARIES :		52,793,069.00		52,793,069.00	3,820,402.95	48,972,666.05	7.23
CLASSIFIED SALARIES :		17,485,493.00		17,485,493.00	1,404,256.95	16,081,236.05	8.03
EMPLOYEE BENEFITS :		37,719,861.00		37,719,861.00	2,441,250.78	35,278,610.22	6.47
BOOKS AND SUPPLIES :		10,575,960.00	450,800.00-	10,125,160.00	31,739.82	10,093,420.18	0.31
SERVICES, OTHER OPER. EXPENSE:		8,604,900.00	439,600.00	9,044,500.00	340,353.19	8,704,146.81	3.76
CAPITAL OUTLAY :		1,912,000.00		1,912,000.00	32,000.00	1,880,000.00	1.67
OTHER OUTGOING :		1,730,000.00		1,730,000.00	75,362.00	1,654,638.00	4.35
DIRECT SUPPORT/INDIRECT COSTS:		351,742.00-		351,742.00-	.00	351,742.00-	0.00
PRIOR YEAR EXPENDITURE :		987,288.00		987,288.00	1,550.06	985,737.94	0.15
* TOTAL YEAR TO DATE EXPENDITURES		* * 131,456,829.00 *	11,200.00-	* 131,445,629.00 *	8,146,915.75	* 123,298,713.25 *	6.19
OTHER FINANCING SOURCES (USES)							
INTERFUND TRANSFERS - OUT :		3,515,000.00-		3,515,000.00-	.00	3,515,000.00-	0.00
CONTRIB.- RESTRICTED PROGRAMS:		.00		.00	.00	.00	NO BDGT
* TOTAL YEAR TO DATE OTHER FINANCING		* 3,515,000.00-*	.00	* 3,515,000.00-*	.00	* 3,515,000.00-*	0.00

UNRESTRICTED/RESTRICTED COMBINED FUND: 01 GENERAL FUND/COUNTY SSF

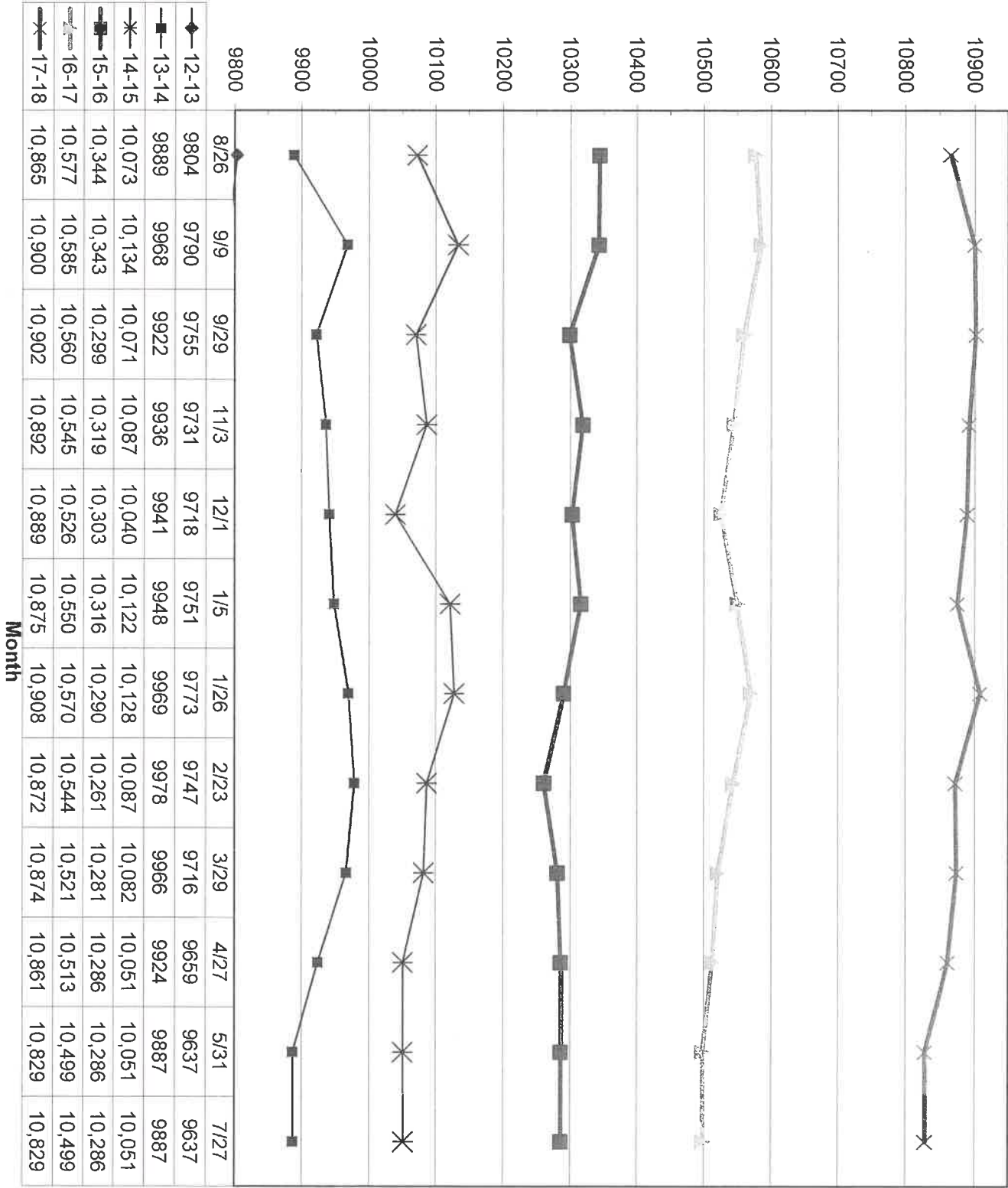
OBJECT NUMBER	DESCRIPTION	BEGINNING BALANCE	YEAR TO DATE ACTIVITY	ENDING BALANCE
FUND RECONCILIATION				
ASSETS AND LIABILITIES :				
9110	CASH IN COUNTY TREASURY	21,505,129.16	5,485,483.98-	16,019,645.18
9130	REVOLVING CASH ACCOUNT	25,000.00	.00	25,000.00
9210	ACCOUNTS RECEIVABLE PRIOR YEAR	106,251.27	121,690.15-	15,438.88-
9310	DUE FROM OTHER FUNDS	30,000.00	.00	30,000.00
9340	OTHER CURRENT ASSETS	2,250.00	.00	2,250.00
9510	ACCOUNTS PAYABLE CURRENT LIAB	452,243.37-	1,768,818.61	1,316,575.24
9522	STRS REF EXCESS CONTRIBUTION	863.90-	.00	863.90-
9550	USE TAX LIABILITY	11,420.29-	326.00-	11,746.29-
9553	REPAY	996.83-	651.27-	1,648.10-
9554	INSURANCE	21,468.26	35,644.63	57,112.89
9556	MISC DISTRICT VOL-DEDS (1)		5,136.28-	5,136.28-
9557	Refunds of PERS, STRS, SS, MED		1,543.03	1,543.03
9564	RETIREE LIABILITY	111,422.31-	93,961.57	17,460.74-
9650	UNEARNED (DEFERRED) REVENUE	555,843.72-	.00	555,843.72-
* NET YEAR TO DATE FUND BALANCE	**	20,557,308.27 *	3,713,319.84-*	16,843,988.43 *
* EXCESS REVENUES/(EXPENDITURES)	**	20,557,308.27 *	3,713,319.84-*	16,843,988.43 *

OBJECT NUMBER	DESCRIPTION	ADOPTED BUDGET	BUDGET ADJUSTMENTS	CURRENT BUDGET	INCOME/ EXPENSE	BUDGET BALANCE	BUDGET % USED
REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE							
A.	REVENUES	135,318,978.00	.00	135,318,978.00	4,433,595.91	130,885,382.09	3.27
B.	EXPENDITURES	131,456,829.00	11,200.00-	131,445,629.00	8,146,915.75	123,298,713.25	6.19
C.	EXCESS REVENUES (EXPENDITURES)	3,862,149.00	11,200.00	3,873,349.00	3,713,319.84-	7,586,668.84	0.00
D.	OTHER FINANCING SOURCES (USES)	3,515,000.00-	.00	3,515,000.00-	.00	3,515,000.00-	0.00
E.	NET CHANGE IN FUND BALANCE	347,149.00	11,200.00	358,349.00	3,713,319.84-	4,071,668.84	0.00
F. FUND BALANCE :							
	BEGINNING BALANCE (9791)	.00	.00	.00	.00	.00	NO BDGT
	AUDIT ADJUSTMENTS (9793)	.00	.00	.00	.00	.00	NO BDGT
	OTHER RESTATEMENTS (9795)	.00	.00	.00	.00	.00	NO BDGT
	ADJUSTED BEGINNING BALANCE	.00	.00	.00	.00	.00	NO BDGT
G.	ENDING BALANCE	347,149.00	11,200.00	358,349.00	3,713,319.84-	4,071,668.84	0.00

K-12 Enrollment (including SDC) by Month

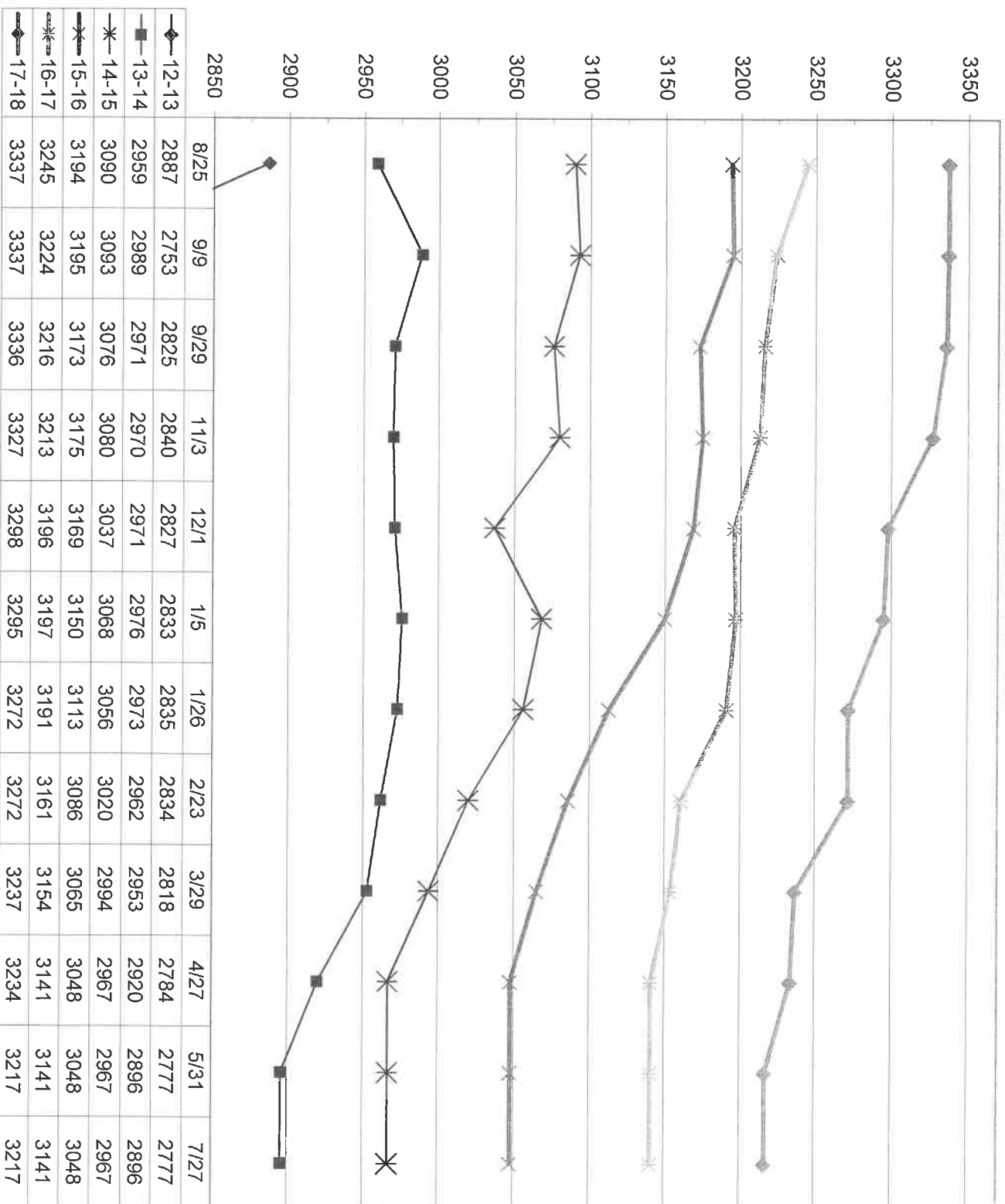
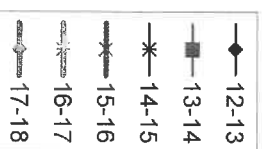
Enrollment

- 12-13
- 13-14
- 14-15
- 15-16
- 16-17
- 17-18

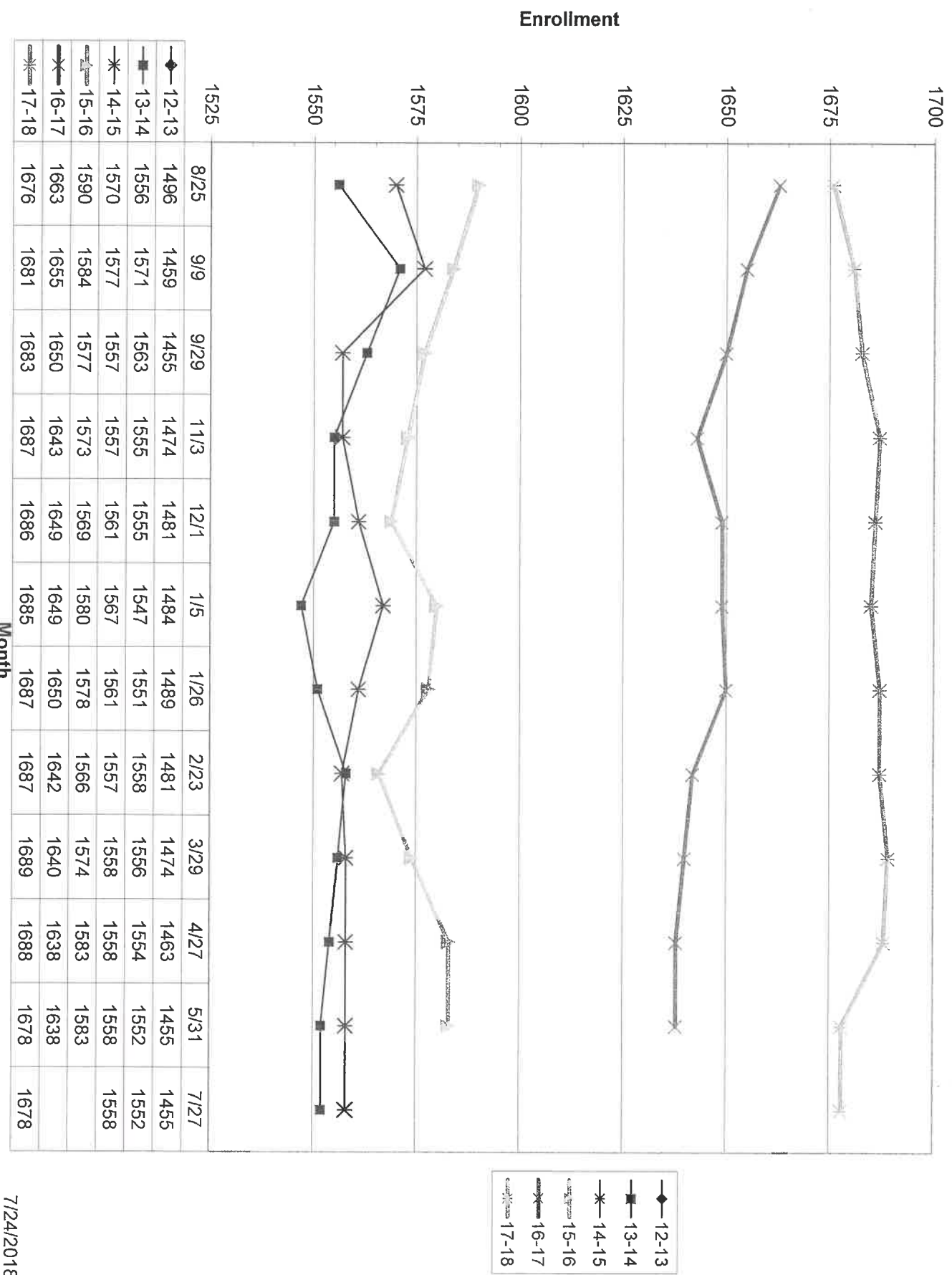


9-12 Enrollment (including SDC)

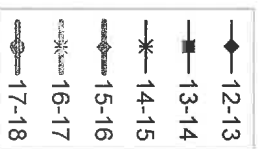
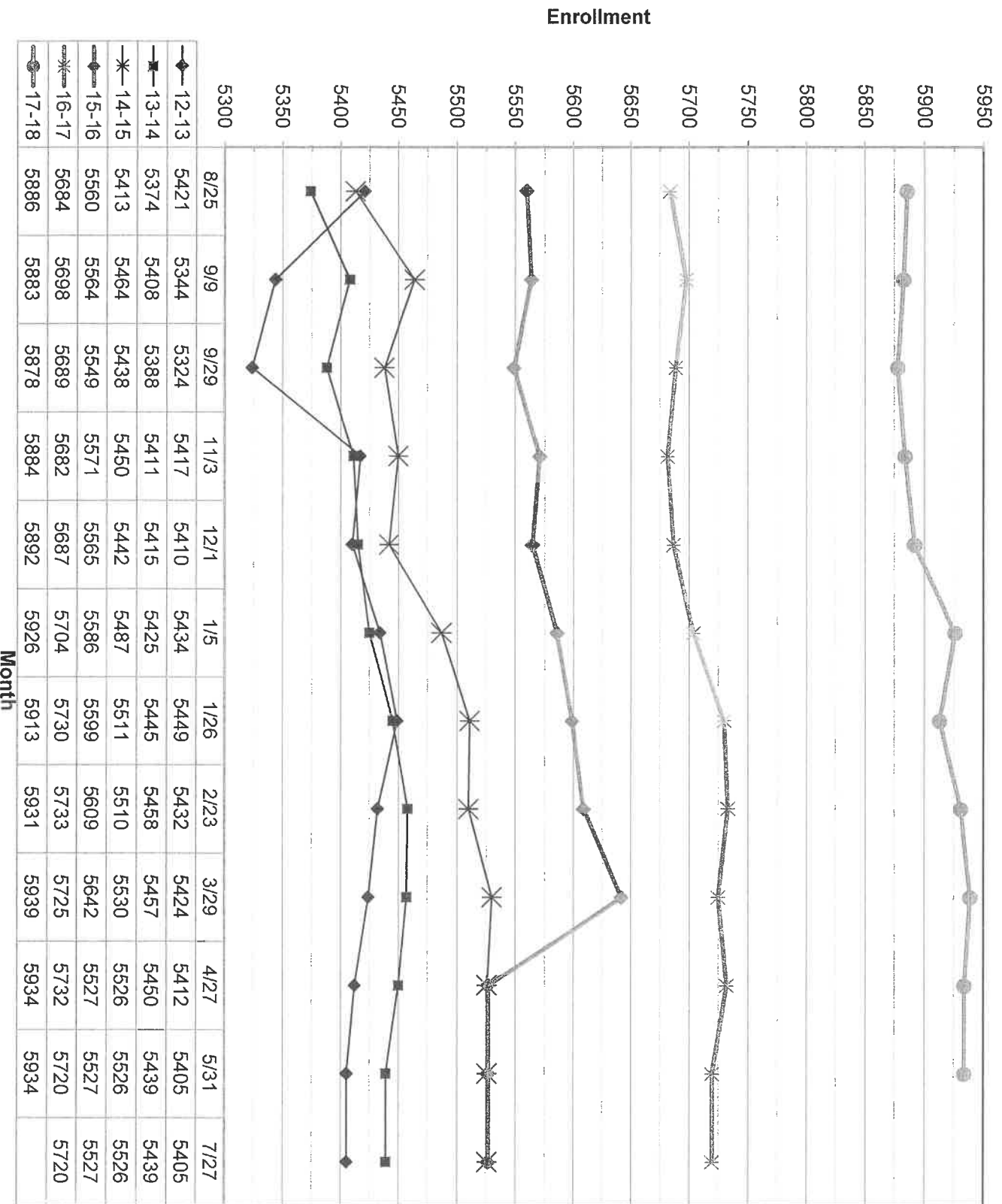
Enrollment



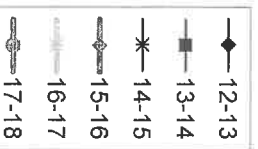
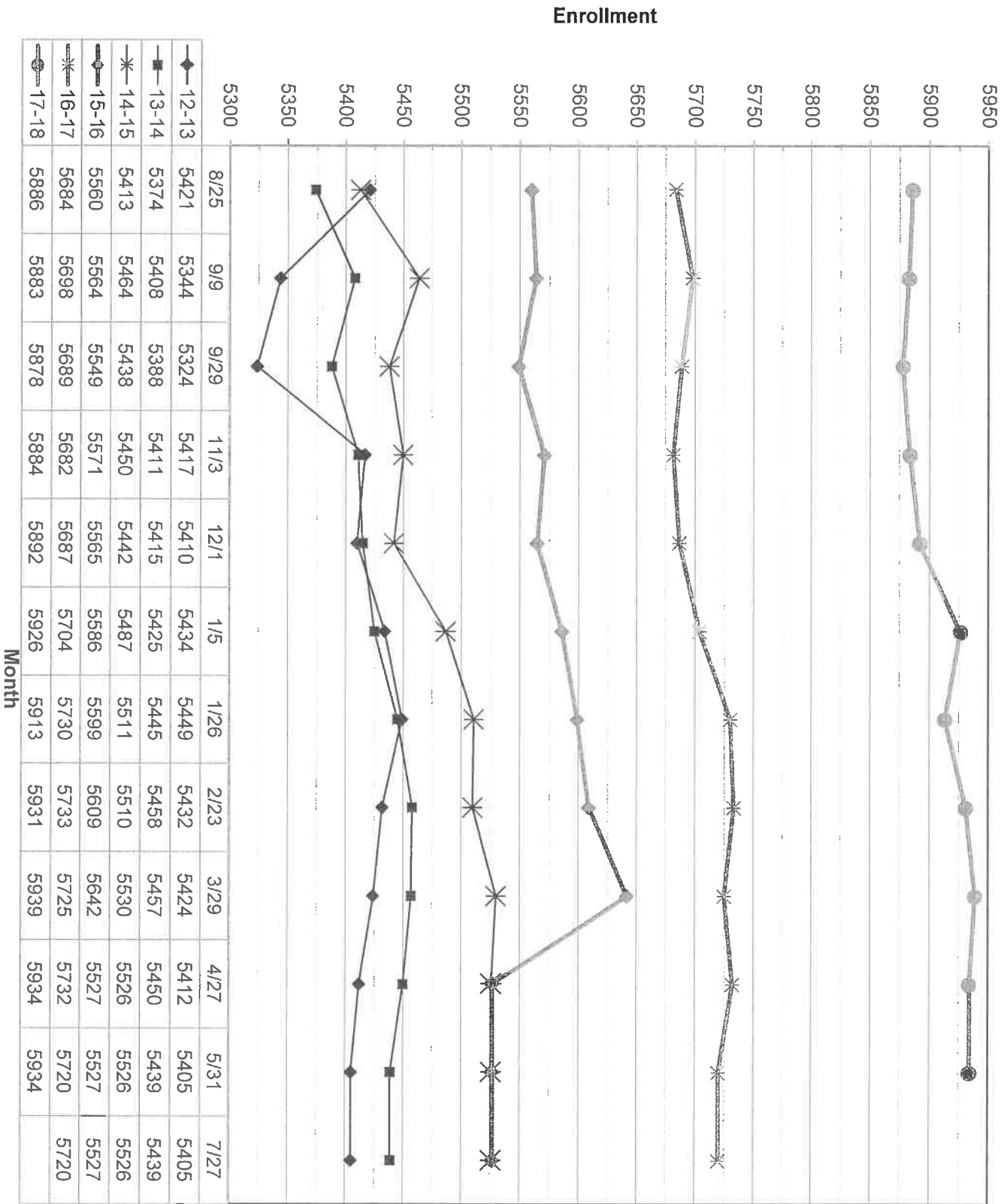
7-8 Enrollment (including SDC)



K-6 Enrollment (including SDC) by Month



K-6 Enrollment (including SDC) by Month



Los Banos Unified School District
2017-2018 Developer Fees

	2015-16	Monthly %	Cumulative	2016-17	Monthly %	Cumulative %	2017-18	Monthly %	Cumulative %	2018-19	Monthly %	Cumulative %
JUL	\$109,941.25	7.48%	7.48%	\$5,731.20	0.25%	0.25%	\$274,657.79	8.01%	8.01%	\$175,999.16	100.00%	100.00%
AUG	\$105,310.08	7.17%	14.65%	\$26,649.18	1.16%	1.41%	\$208,796.85	6.09%	14.10%		0.00%	100.00%
SEP	\$37,320.27	2.54%	17.19%	\$47,479.74	2.07%	3.48%	\$275,404.32	8.03%	22.13%		0.00%	100.00%
OCT	\$19,825.11	1.35%	18.54%	\$51,686.41	2.25%	5.74%	\$218,715.47	6.38%	28.50%		0.00%	100.00%
NOV	\$28,945.89	1.97%	20.51%	\$186,628.12	8.14%	13.88%	\$197,943.82	5.77%	34.28%		0.00%	100.00%
DEC	\$82,174.85	5.59%	26.11%	\$60,503.79	2.64%	16.51%	\$217,111.35	6.33%	40.61%		0.00%	100.00%
JAN		0.00%	26.11%	\$365,848.48	15.95%	32.47%	\$635,341.43	18.53%	59.13%		0.00%	100.00%
FEB	\$61,428.06	4.18%	30.29%	\$273,114.28	11.91%	44.38%	\$247,502.17	7.22%	66.35%		0.00%	100.00%
MAR	\$111,836.09	7.61%	37.90%	\$165,196.51	7.20%	51.58%	\$66,820.53	1.95%	68.30%		0.00%	100.00%
APR	\$304,266.24	20.71%	58.61%	\$145,515.82	6.35%	57.93%	\$278,641.73	8.12%	76.42%		0.00%	100.00%
MAY	\$436,037.69	29.68%	88.29%	\$787,362.62	34.34%	92.27%	\$549,872.46	16.03%	92.45%		0.00%	100.00%
JUN	\$171,996.03	11.71%	100.00%	\$177,319.04	7.73%	100.00%	\$258,832.61	7.55%	100.00%		0.00%	100.00%
TOTAL	\$1,469,081.56	100.00%		\$2,293,035.19	100.00%		\$3,429,640.53	100.00%		\$175,999.16	100.00%	

Board Reference Material

SUBJECT TITLE: Board Policy (Second Reading)

REQUESTED ACTION: Adopt

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board adopt the changes detailed in the attached AR-3320/BP-3320 in order to comply with current practice.

BACKGROUND INFORMATION:

Administrative Regulation AR-3320/BP3320 was last updated in 1996 and this adjustment brings the AR in alignment with current practice.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is an operational activity and does not directly support a specific Board goal.

ALTERNATIVES/IDENTIFIED OPPOSITION:

N/A

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

We expect no change in costs due to this update.

ORIGINATOR: Don Laursen, Assistant Superintendent-Administrative Services
Date: August 9, 2018

Los Banos USD

Administrative Regulation

Claims And Actions Against The District

AR 3320
Business and Non-instructional Operations

Claim Presentation Requirements

California law requires that prior to filing a a complainant against los Banos Unified School District or its employees, the complaint must present a claim under the California Tort Claims Act. (Government Code 911 et esq.)

Time Limitations To Present Claim

1. Claims for money or damages relating to a cause of action for death or for injury to person, personal property or growing crops shall be presented to the Governing Board no later than six months after the accrual of the cause of action. (Government Code 905, 911.2)

~~2. Claims for money or damages as authorized in Government Code 905 and not included in paragraph #1 above shall be filed not later than one year after the accrual of the cause of action. (Government Code 905, 911.2)~~

2. Pursuant to government Code 935, claims for money or damages that are listed as exceptions in Government Code 905 shall be presented no later than six months after the accrual of the cause of action. Such claims include:

- (a) Claims under the Revenue and Taxation Code or the other statute prescribing procedures for the refund, rebate, exemption, cancellation, amendment, modification, or adjustment of any tax, assessment, fee, or charge or any portion thereof, or of any penalties, costs, or changes related thereto;
- (b) Claims in connection with which the filing of a notice of lien, statement of claim, or stop notice is required under any law relating to liens of mechanics, laborers, or material men;
- (c) Claims by public employees for fees, salaries, wages, mileage, or other expenses and allowances;
- (d) Claims which the workers' compensation authorized by Division 4 (commencing with Section 3200) of the Labor Code is the exclusive remedy;
- (e) Applications or claims for any form of public assistance under the Welfare and Institutions Code or other provisions of law relating to public assistance

- programs, and claims for goods, services, provisions, or other assistance rendered for or on behalf of any recipient of any form of public assistance;
- (f) Applications or claims for money or benefits under any public retirement or pension system;
 - (g) Claims for principal or interest upon any bonds, note, warrants, or other evidences of indebtedness;
 - (h) Claims that relate to a special assessment constituting a specific lien against the property assessed and that are payable from the proceeds of the assessment, by offset of a claim for damages against it or by delivery of any warrant or bonds representing it;
 - (i) Claims by the state or by a state department or agency or by another local public entity or by a judicial branch entity;
 - (j) Claims arising under any provision of the Unemployment Insurance Code, including, but not limited to, claims for money or benefits, or for refunds or credits of employer or worker contributions, penalties, or interest, or for refunds to workers of deductions from wages in excess of the amount prescribed;
 - (k) Claims for the recovery of penalties or forfeitures made pursuant to Article 1 (commencing with Section 1720) of Chapter 1 of Part 7 of Division 2 of the Labor Code;
 - (l) Claims governed by the Pedestrian Mall Law of 1960 (Part 1 (commencing with Section 11000) of Division 13 of the Streets and Highways Code);
 - (m) Claims made pursuant to Section 340.1 of the Code of Civil Procedure for the recovery of damages suffered as a result of childhood sexual abuse. This subdivision shall apply only to claims arising out of conduct occurring on or after January 1, 2009;
 - (n) Claims made pursuant to Section 701.820 of the Code of Civil Procedure for the recovery of money pursuant to Section 26680; and
 - (o) Claims made pursuant to Section 49013 of the Education Code for reimbursement of pupils fees for participation in educational activities. (Government Code 905, 911.2, 935)

3. ~~Claims for money or damages specifically excepted from Government Code 905 shall be filed not later than six months after the accrual of the cause of action. (Government Code 905, 911.2, 935)~~

3. Claims for money or damages as authorized in Government Code 905 and not included in paragraph #1 or paragraph #2 above, including claims for damages to real property, shall be presented not later than one year after the accrual of the cause of action. (Government Code 905, 911.2)

Claims against the District shall further be subject to the provisions of Government Code 945.4 relating to the prohibition of suits in the absence of the presentation of claims and action thereon by the District.

Late Claims

Any person presenting a claim under item #1 or #2 above later than six months after the accrual of the cause of action shall present, along with the claim, an application to the file a late claim. Such claim and application to file a late claim shall be filed not later than one year after the accrual of the cause of action. (Government Code 911.4)

~~Claims under paragraphs #1 and #3 above which are filed later than six months after the accrual of the cause of action must be accompanied by an application to file a late claim. Such claim and application to file a late claim must be filed not later than one year after the accrual of the cause of action.~~

~~If a claim under paragraphs #1 or #3 is filed late and is not accompanied by the application, the Board or Superintendent shall, within 45 days, give written notice that the claim was not filed timely and that it is being returned without further action. The notice shall be in the form set forth in Exhibit A.~~

If a claim under item #1 or #2 is filed late and is not accompanied by an application to file a late claim, the Governing Board or Superintendent (collectively referred to as the "Board") shall, within 45 days, give written notice that the claim was not filed timely and that it is being returned without further action.

The "Board" shall grant or deny the application to file a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the "Board" provided that such agreement is made before the expiration of the 45-day period. (Government Code 911.6)

The "Board" shall grant the application to file a late claim under any one of the following circumstances: (Government Code 911.6)

- 1 The failure to present the claim was through mistake, inadvertence, surprise or excusable neglect and the district was not prejudiced in its defense of the claim by the failure to present the claim within the time limit.
- 2 The person who sustained the alleged injury, damage or loss was a minor during all of the time specified for presentation of the claim.

- 3 The person who sustained the alleged injury, damage or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason he/she failed to present the claim.
- 4 The person who sustained the alleged injury, damage or loss died before the expiration of the time specified for the presentation of the claim.

If the application to present a late claim is denied, the claimant shall be given notice in the form set forth in Government Code 911.3. (Government Code 911.3) If the “Board” does not take action on the application to file a late claim within 45 days, the application shall be deemed to have been denied on the 45th day unless such time period has been extended, in which case it shall be denied on the lastday of the period specified in the extention agreement. (Governement Code 911.6)

~~The application to file a late claim shall state the reason for the delay. The Board shall grant or deny the application within 45 days after it is presented. By mutual agreement of the claimant and the Board, this 45-day period may be extended by written agreement made before the expiration of such period. If the Board does not take action on the application within 45 days, it shall be deemed to have been denied on the 45th day unless such time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement.~~

~~If the application to present a late claim is denied, the claimant shall be given notice in the form set forth in Exhibit B. (Government Code 911.3, 911.4, 911.6, 911.8, 912.2, 935)~~

Delivery and Form of Claim

A claim, any amendment thereto, or an application for leave to present a late claim shall be deemed presented when delivered to the office of the Superintendent or deposited in a post office, subpost office, substation, or mail chute or other like facility maintained by the U.S. Government in a sealed envelope properly addressed to the district office with postage paid. (Government Code 915, 915.2)

~~Claims may be submitted on the district claim form or as prescribed in Section 910 and 910.2 of the Government Code. (Government Code 910, 910.2, 910.4)~~

Claims must be submitted on the district claim form. The “Board” may return a claim not using the district’s claim form. (Government Code 910.4). The required Claim Form is attached to this administrative regulation.

Notice of Claim Insufficiency

~~The Superintendent or designee shall review all claims for sufficiency of information. The Superintendent or designee may, within 20 days of receipt of claim, either personally deliver or mail to claimant a notice as set forth in Exhibit C stating deficiencies in the claim presented. If such notice is delivered or sent to claimant, the Board shall not act upon the claim until at least 15~~

~~days after such notice is sent. (Government Code 910.8, 915.4)~~

The Superintendent or designee shall review all claims for sufficiency of information.

If the claim is found insufficient or found not to satisfy the form requirements under Government Code 910.4, the “Board” may, within 20 days of receipt of the claim personally deliver or mail to the claimant, at the address stated in the claim form, a notice stating with particularity the defects or omissions in the claim. (Government Code 910.8, 915.4)

If such a notice is delivered or sent to the claimant, the “Board” shall not act upon the claim until at least 15 days after such notice is given. (Government Code 910.8)

Amendments to Claim

~~Claims may be amended within the above time limits or prior to final action by the Board, whichever is later, if the claim, as amended, relates to the same transaction or occurrence which gave rise to the original claim.~~

Claims may be amended within the time limits provided under section entitled “Time Limitations” above or prior to final action by the “Board” whichever is later, if the claim, as amended, relates to the same transactions or occurrence which gave rise to the original claim. (Government Code 910.6)

Action on Claim

~~Within 45 days after the presentation or amendment of a claim, the Board (or Superintendent, if delegated this authority) shall take action on the claim. (Government Code 912.4) This time limit may be extended by written agreement before the expiration of the 45-day period or before legal action is commenced or barred by legal limitations. (Government Code 912.4) The Superintendent or designee shall transmit to the claimant a notice of action taken. The notice shall be in the form set forth in Exhibit D. (Government Code 913)~~

Within 45 days after the presentation or amendment of a claim, the “Board” may take action on the claim. This time limit may be extended by written agreement before the expiration of the 45-day period or before legal action is commenced or barred by legal limitations. (Government Code 912.4)

The “Board” may act on the claim in one of the following ways: (Government Code 912.6)

- 1. If the “Board” finds that the claims not a proper claim against the district or its employees, the claim shall be rejected.**
- 2. If the “Board” finds that the claim is a proper claim against the district and is for an amount justly due, the claim shall be allowed.**
- 3. If the “Board” finds that the claim is a proper claim against the district but is for an**

amount greater than is justly due, the "Board" shall either reject the claim or allow it in the amount justly due and reject it as to the balance.

4. If legal liability of the district or the amount justly due is disputed, the "Board" may reject or compromise the claim.

~~If no action is taken within the prescribed time limits, the claim shall be deemed to have been rejected and the claimant notified in accordance with Government Code 913. (Government Code 945.6)~~

If the "Board" allows the claim in whole or in part or compromises the claim and the claimant accepts the amount allowed or offered to settle the claim, the "Board" may require the claimant to accept it in settlement of the entire claim. (Government Code 912.6)

Roster of Public Agencies

~~The Superintendent or designee shall annually verify that all information regarding the school district and the Board is filed accurately with the Roster of Public Agencies in the office of the Secretary of State and the County Clerk. The verified information shall include the name of the school district, the mailing address of the Board, and the names and addresses of the Board-presiding officer, the Board clerk or secretary and other members of the Board. (Government Code 53051)~~

The Superintendent or designee shall transmit to the claimant written notice of action taken or inaction which is deemed rejection. The notice shall be in the form set forth in Government Code 913 and shall either be personally delivered or mailed to the address stated in the claim form. (Government Code 913, 915.4)

If no action is taken within the prescribed time limits, the claim shall be deemed to have been rejected. (Government Code 912.4, 945.6)

All claimants are encouraged to promptly seek the advice of an attorney so as to protect their legal rights with respect to any claim or potential claim.

This policy is effective immediately and applies retroactively to any and all claims, including to claims which accrued prior to the enactment of this policy.

Regulation LOS BANOS UNIFIED SCHOOL DISTRICT
approved: December 12, 1996 Los Banos, California

Approved: July 12, 2018

Los Banos USD

Board Policy

Claims And Actions Against The District

BP 3320

~~Business and Noninstructional Operations~~

Business and Non-instructional Operations

~~Any and all claims for money or damages against the district must be presented to and acted upon in accordance with Governing Board policy and administrative regulation. Compliance with district procedures is a prerequisite to any court action, unless the claim is governed by statutes or regulations which expressly free the claimant from the obligation to comply with this policy and the claims procedures set forth in the Government Code.~~

Claim Presentation Requirements

Any and all claims for money or damages against the District must be presented to and acted upon in accordance with Governing Board Policy 3320 and Administrative Regulation 3320 which have been adopted by the Governing Board pursuant to Government Code Section 935. Compliance with these District Claim Procedures is a prerequisite to any court action, including specifically those claims excepted by Government Code Section 905, unless the claim is governed by statutes or regulations which expressly free the claimant from the obligation to comply with this policy and the claims procedures set forth in the Government Code.

This policy is effective immediately and applies retroactively to any and all claims, including to claims which accrued prior to the enactment of this policy.

~~This policy is intended to apply retroactively to any existing causes of action and/or claims for money and/or damages.~~

Legal Reference:

EDUCATION CODE

~~35200—Liability for debts and contracts~~

~~35202—Claims against districts; applicability of Government Code~~

GOVERNMENT CODE

~~800—Cost in civil actions~~

~~810-996.6—Claims and actions against public entities~~

~~53051—Information filed with secretary of state and county clerk~~

PENAL CODE

~~72—Fraudulent claims~~

COURT DECISIONS

~~CSEA v. Azusa Unified School District, (1984) 152 Cal.App.3d 580~~

Legal References

EDUCATION CODE

35200 Liability for debts and contracts

35202 Claims against districts; applicability of Government Code

CODE OF CIVIL PROCEDURE

340.1 Damages suffered as a result of childhood sexual abuse

GOVERNMENT CODE

800 Cost in civil actions

935 Authority to enact local claims procedure

810-996.6 Claims and actions against public entities

53051 Information filed with secretary of state and county clerk

PENAL CODE

72 Fraudulent claims

COURT DECISIONS

City of Stockton v. Superior Court (2007) 42 Cal.4th 730

Connelly v. County of Fresno (2006) 146 Cal.App.4th 29

CSEA v. South Orange Community College District (2004) 123 Cal.App.4th 574

CSEA v. Azusa Unified School District (1984) 152 Cal.App.3d 580

State of California v. Superior Court (Bodde) (2004) 32 Cal.4th 1234

Tapia v. County of San Bernardino (1994) 29 Cal.App.4th 375

Policy LOS BANOS UNIFIED SCHOOL DISTRICT

adopted: ~~December 12, 1996~~ Los Banos, California

Adopted: July 12, 2018

Board Reference Material

SUBJECT TITLE: **Agreement: Santa Cruz County Office of Education and CE**

REQUESTED ACTION: Approve

Action X
Discussion/Information

RECOMMENDATION:

It is recommended the Board approve the agreement between the Santa Cruz County Office of Education and the Los Banos Unified School District for the use of the Santa Cruz County Outdoor Science School by Charleston Elementary from October 22-26, 2018.

BACKGROUND INFORMATION:

Charleston Elementary School's 6th grade class plans to attend the Santa Cruz County Outdoor Science School from October 22-26, 2018. The District must have an agreement in place with the Santa Cruz County Office of Education prior to attendance.

The Santa Cruz County Outdoor Science School is a residential outdoor science and environmental education program for 6th grade students from schools throughout California. The subject area most emphasized in this hands-on learning experience is the science of ecology, the relationship between living things and their environment. From an understanding of basic ecological concepts, it is hoped that a deeper concern and sense of responsibility for the environment will result. The students will be immersed in nature and science for 4 full days in this outdoor environmental facility. They will be participating in standards based/outdoor curriculum that also supports the instruction of the California 6th grade content standards for science.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

Board Goal #3: Create and sustain inspirational learning environments that are safe, drug-free, and conducive to learning:

Board Goal #11: Continue to collaborate with other agencies to provide extended educational opportunities for students, and effective community use of school facilities.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None identified

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

LBUSD will provide \$8,740 to be used to help fund this outdoor science experience for 6th grade students at Charleston Elementary.

All other expenses for this activity will be raised by the 6th grade classes with the help of parents and the Charleston Elementary Parent Club.

Santa Cruz County Outdoor Science School: \$356/student (min. of 55 students) = \$19,580.00
\$165/teacher x 2 teachers = \$330

Travel: 1 district bus + driver = \$631.00

Teacher stipend: 2 teachers @ \$123/day x 5 days = \$1,230

Mandatory Outdoor School Teacher in-service: \$35x2 teachers = \$70

Total estimated expense for outdoor camp: = **\$21,841.00**

LBUSD contribution = **-\$8,740**

Total expense raised by students and CE Parent Club
= **\$13,101.00**

Substitutes for teachers: None

No impact on school district facilities

ORIGINATOR: Lou S. Ruiz, Principal, Charleston Elementary School

DATE: August 9, 2018

SANTA CRUZ COUNTY OFFICE OF EDUCATION

Michael C. Watkins, Superintendent
400 Encinal St. Santa Cruz, CA 95060

AGREEMENT

SANTA CRUZ COUNTY OUTDOOR SCIENCE SCHOOL

This agreement is entered into this 21st day of June by and between the office of Santa Cruz County Superintendent of Schools, hereafter called "Superintendent" and Los Banos Unified School District in Merced County, hereinafter called "District."

WHEREAS, section 8700-8707, 8760-8764, 8767-8769, 1700, 1703, 35160-35160.2, 35330 and 35335 of the Education Code of the State of California authorizes the County Superintendent of Schools to contract with school district to provide programs and classes in outdoor science and conservation education to pupils in the district; and

WHEREAS, said Education Codes further authorize school district to participate in such program provided under contract with the County Superintendent of Schools upon payment by the district of the actual cost of providing such programs or classes;

NOW, THEREFORE, pursuant to such authority and in consideration of the mutual premises herein contained, the parties hereto agree as follow:

1. Superintendent agrees to conduct a program of outdoor science and conservation education during the school year 2018-2019
2. a. District agrees to participate with a minimum of 60 students of its fifth or sixth grade classes in said program during the Fall and/or Spring of the 2018-2019 school year and further agrees to pay the amount due according to the attached fee schedule. Payment is expected within 30 days of participation unless a prior arrangement has been made. A Purchase Order number, or other appropriate authorization from the district, is to be attached to the signed acceptance form.
b. District agrees to have at least one *District-certificated teacher* per thirty (35) students in attendance at the Outdoor Science School.
c. District also agrees to pay \$35.00 for each teacher participating in the mandatory pre-session Classroom Teacher In-service.
d. If a student is unable to complete the program in which s/he is participating after arrival at the Outdoor Science School for any reason other than injury, illness, or family emergency, his/her absence shall not reduce the fee.
3. The District recognizes this activity is a school sponsored field trip and as such, agrees to provide transportation to and from the Outdoor Science School for all students, teachers and other personnel from that district participating in the program pursuant to this agreement, including accepting responsibility for transportation of students needing medical treatment due to injury and students who have been suspended from the Outdoor Science School program for infraction of the ground rules.
4. The District may share responsibility for the recruiting of the volunteer high school students that aid in the supervision of the visiting students. If the District recruits adults, the District shall submit an affidavit confirming a current Live Scan Fingerprint clearance 30 days in advance of participation for said adult volunteer.
5. The District shall give Superintendent at least thirty (30) days written notice if, for any reason, the guaranteed number of students will not attend. If, for any reason, more than 5% of the guaranteed number of students do not attend as agreed, and the written notification requirement, as indicated above, has not been met, the District will be held liable and will be billed for those program costs for

each non-attending student. If the District does follow the written notification requirement, the District will be exonerated from liability under this agreement to the extent it cannot fulfill the guaranteed number of students.


6. District agrees that students and adult personnel will adhere to the Outdoor Science School Ground Rules. If an infraction occurs, the Superintendent reserves the right to exclude offender from the program.
7. Superintendent agrees to indemnify and save District harmless from and against any and all claims arising from any act, omission, or negligence of Superintendent or its contractions, licensees, agents, servants, or employees or arising from any accident, injury, or damage whatsoever caused to any person or property arising out of or in any way connected with the program of outdoor science and conservation education being offered by Superintendent, excluding claims arising from loss or injury due to any act, omission, or negligence of District with respect to matters for which District is responsible. District, in turn, agrees to indemnify and save superintendent harmless from and against any and all claims arising from any act, omission, or negligence of District from an accident, injury, or damage whatsoever caused to any person or property arising out of or in connection with providing transportation to participants to and from the Outdoor Science School.
8. It is understood and agreed to by the parties hereto that Superintendent will exercise general supervision of the program and will employ the necessary personnel for that purpose.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures on the date above written



Santa Cruz Superintendent of Schools (or Designee)

School District: Los Banos Unified of Merced County



Principal

7/5/18

Date

Attachments: Statement of Policy
 Attendance Dates
 Tuition Schedules

Board Reference Material

SUBJECT TITLE: Agreement ODeLL Planning and Research Inc.

REQUESTED ACTION:

Action X

Discussion/Information

RECOMMENDATION:

It is recommended that the Board approve the attached contract approving ODELL Planning & Research, Inc. to assist the District with the Volta Elementary School California Environmental Quality Act (CEQA) process.

BACKGROUND INFORMATION:

The District would like to add 3 modular classrooms at Volta for use in the 19-20 school year and must comply with CEQA regarding the project. This is a very technical legal process and we've always had a consultant to help us.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is an operational activity and does not directly support a specific Board goal.

ALTERNATIVES/IDENTIFIED OPPOSITION:

There are other firms that do this work, but we used ODELL for last year's Volta, Pacheco and Loftin projects with good results.

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

The contract is an estimated not to exceed contract of \$19,700 and is budgeted from the Developer Fees Fund 25.

ORIGINATOR: Don Laursen, Assistant Superintendent, Administrative Services
Date: August 9, 2018

Agreement for Professional Services

**Los Banos Unified School District
and
Odell Planning & Research, Inc.**

Volta Elementary School CEQA Documentation

This Agreement is by and between the Los Banos Unified School District ("District") and Odell Planning & Research, Inc. ("Odell Planning"), a California Corporation.

RECITALS

WHEREAS, the District is required to comply with the California Environmental Quality Act ("CEQA") for additional classrooms and other improvements at Volta Elementary School, located at 24307 Ingomar Grade, northwest of the City of Los Banos in unincorporated Merced County ("project"); and

WHEREAS, the District has determined that compliance with CEQA for the project requires professional and technical environmental planning services of a temporary nature; and

WHEREAS, the District does not have available employees to perform these services; and

WHEREAS, the District has determined that Odell Planning is qualified to perform the necessary services.

THEREFORE, the District and Odell Planning enter the Agreement set forth in the following sections.

SECTION I SCOPE OF WORK

The scope of work encompasses preparing and processing an Initial Study for the project and, if warranted by the Initial Study, preparing and processing a Mitigated Negative Declaration for the project. Specific tasks include the following:

- A. Consultation with District staff and consultants regarding the Initial Study and Mitigated Negative Declaration;
- B. Informal consultation with all responsible, trustee, and interested agencies regarding potential environmental impacts of the project;
- C. Preparation of an Initial Study in accordance with the requirements of CEQA and the *State CEQA Guidelines*. The evaluation of potential environmental impacts will be based upon the Environmental Checklist in Appendix G of the State CEQA Guidelines and requirements applicable to school projects in CEQA;
- D. Review of the draft Initial Study with District staff and preparation of one revision of the Initial Study based on the District's comments;
- E. Preparation of a Proposed Mitigated Negative Declaration and distribution of the document to the State Clearinghouse and to appropriate local agencies and individuals for a 30-day public review period;
- F. Preparation of a Notice of Intent to Issue a Mitigated Negative Declaration for publication in a local newspaper of general circulation;
- G. Preparation of responses to comments received from agencies and individuals during the public review period;

- H. Review of the responses to comments with District staff and preparation of one revision of the responses based on the District's combined comments;
- I. Preparation of a mitigation monitoring program;
- J. Preparation of a Final Mitigated Negative Declaration;
- K. Preparation of a resolution adopting the Mitigated Negative Declaration;
- L. Preparation of a staff report describing the results of the Initial Study/Mitigated Negative Declaration process;
- M. Preparation and filing of a Notice of Determination if the project is approved;
- N. Preparation of an electronic copy of draft and final documents and one hard copy of final documents.

SECTION II COMPENSATION

- A. The work specified in Section I shall be performed on a time and expense basis up to an estimated maximum fee of \$19,700.
- B. The budget includes attendance at one Board meeting at which the Mitigated Negative Declaration will be considered for adoption. Additional meetings will constitute an additional service to be billed in accordance with Attachment A.
- C. It is understood by District:
 - 1. Preparing an Initial Study is an investigative process intended to identify and mitigate environmental issues. As the process proceeds, environmental issues and mitigation requirements may be identified that require modifications to the scope of work, budget, and schedule. Odell Planning will review with District the need for any modifications and will perform the work encompassed by modifications only if authorized by District.
 - 2. The budget will require modification if, in response to the consultation and Initial Study research specified in Section I, environmental issues are identified that require preparation of studies by specialized consultants, such as traffic engineering, air quality/greenhouse gas, noise, or cultural resources. Odell Planning will advise District if such studies are necessary and will obtain proposals from qualified consultants for District to review and approve.
- D. The District shall pay newspaper notice publication costs and the California Department of Fish and Wildlife CEQA document filing fee.
- E. Attachment A presents Odell Planning's hourly rate schedule for this Agreement.

SECTION III SCHEDULE

The Initial Study will be prepared and ready for consideration by the District Board within 150 days (5 months) of receipt of a signed copy of this agreement.

**SECTION IV
TERMS AND CONDITIONS**

- A. District shall provide complete project description and justification information for use in the Initial Study. At no cost, Odell Planning shall be able to consult with District's staff, legal counsel, architect, civil engineer, and other consultants to obtain design, operational, and other project-related information.
- B. The scope of work, schedule, and compensation do not include preparation of design or construction-related information or specifications for the project.
- C. The scope of work, schedule, and compensation may require modification if additional work is required or costs incurred due to any of the following:
 - 1. Modifications are made to the Project, subsequent to the approval of this Agreement, which necessitate making substantial and material changes in the Initial Study analysis, text, tables, maps, or figures;
 - 2. Modifications are required in the scope of work due to comments received or environmental issues identified in responses to the Request for Consultation or during the Initial Study research process;
 - 3. Special studies or specific mitigation monitoring/implementation programs are required that are beyond the scope of work described in Section I.
- D. Odell Planning shall commence work upon receiving a signed copy of this Agreement from the District.
- E. Odell Planning and the District agree that the completion schedule in Section III represents their best estimate with respect to completion date, and both Odell Planning and the District acknowledge that the need for modifications to the schedule may occur.
- F. Odell Planning shall not be responsible for performance delays caused by failure of the District to provide information reasonably required by Odell Planning to complete its work and timely requested by Odell Planning, by valid order of a court of competent jurisdiction, or by changes made to the Project by District.
- G. The consulting services provided by Odell Planning, as described in this Agreement, are professional services only. Nothing in this Agreement shall be construed as a guarantee, promise, or assurance that Negative Declaration or Mitigated Negative Declaration may be adopted for the project or that the Project will or may be approved.
- H. Odell Planning shall not be liable for any time or costs that may result if the Initial Study, Negative Declaration, Mitigated Negative Declaration or the Project is subject to litigation. Odell Planning shall be available to consult with District regarding such litigation at Odell Planning's then hourly rates for litigation-related services.
- I. The relationship of Odell Planning to District is that of an independent contractor and not an officer, employee or agent of District. The agents and employees of Odell Planning, in the performance of this Agreement, are employees of Odell Planning and not officers, employees or agents of District.
- J. Odell Planning and District agree to use reasonable care and diligence to perform their respective obligations under this Agreement.
- K. Odell Planning shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.
- L. Odell Planning is an Equal Opportunity Employer and, as such, does not and shall not fail or refuse to hire or discharge any individual or otherwise unlawfully discriminate against any individual with

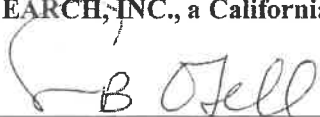
respect to his or her compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, national origin, age, or physical handicap.

- M. All reports, exhibits, maps, drawings and other documents prepared by Odell Planning pursuant to this Agreement shall become the property of District upon completion of this Agreement and upon final payment by District to Odell Planning.
- N. District may terminate this Agreement, with or without cause, by giving written notice to Odell Planning. The written notice shall specify the effective date of termination and may state the reasons for termination. District shall pay Odell Planning for all work performed through the effective date of termination at the hourly rates set forth in this Agreement, not to exceed any maximum amount specified in this Agreement, within 30 days of the termination date.
- O. Odell Planning may terminate agreement this Agreement, with or without cause, by giving written notice to District. The written notice shall specify the effective date of termination and may state the reasons for termination. District shall pay Odell Planning for all work performed through the effective date of termination at the hourly rates set forth in this Agreement, not to exceed any maximum amount specified in this Agreement, within 30 days of the termination date.
- P. If Odell Planning breaches the terms of this Agreement, District shall have the following remedies in addition to any other remedies that District may have at law or equity:
 - 1. Immediately terminate the Agreement with Odell Planning, and
 - 2. Retain any reports, exhibits, drawings, and other design documents prepared by Odell Planning.
- Q. This Agreement is binding upon District and Odell Planning and its successors. Except as otherwise provided herein, neither District nor Odell Planning shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other. Any attempted assignment, sublease, or transfer without such consent shall be void.
- R. This Agreement represents the entire and integrated Agreement between District and Odell Planning and supersedes all prior negotiations, representations, or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. No written or oral promise, understanding, representation, or Agreement shall have any force or effect unless reduced to writing and signed by both parties.
- S. Odell Planning shall maintain adequate records to permit inspection and audit of Odell Planning's performance under this Agreement. Odell Planning shall make such records available to District during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records, and they will be available only to District and any public agencies specified by law or by District. Odell Planning shall maintain such records for at least three (3) years following completion of all work under this Agreement.
- T. Odell Planning shall employ no District official or employee in the work performed pursuant to this Agreement. No official or employee of District shall have any financial interest in this Agreement.
- U. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement and shall also govern the interpretation of this Agreement.
- V. In the event of any controversy, claim, or dispute between the parties arising out of or relating to this Agreement or the breach, interpretation, or enforcement of same, the prevailing party shall be entitled to recover from the other party reasonable expenses, attorneys' fees, and costs.
- W. In the event any provision of this Agreement shall be held to be invalid and unenforceable, the other provisions of this Agreement shall be valid and binding on Odell Planning and District.

IN WITNESS WHEREOF, the parties caused their authorized representatives to execute this Agreement, as follows:

ODELL PLANNING & RESEARCH, INC., a California Corporation, by:

Signature:



Name:

Scott B. Odell, AICP

Title:

President

Date:

July 31, 2018

LOS BANOS UNIFIED SCHOOL DISTRICT, by:

Signature:

Name:

Title:

Date:

Attachment A

HOURLY RATE SCHEDULE
(Effective through 06/30/19)

Principal Planner	\$187.50
Senior Project Manager	\$166.00
Senior Planner	\$142.00
Associate Planner	\$126.00
Assistant Planner	\$105.00
Administrative Assistant	\$69.00
Mileage is charged at \$0.545 per mile. Direct expenses and subconsultant charges are billed at cost plus 10 percent. Litigation support charges are available upon request.	

Board Reference Material

SUBJECT TITLE: Agreement: ICU Technologies, Inc. for Los Banos High School Security Cameras

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve the agreement with ICU Technologies, Inc. for Los Banos High School securities cameras.

BACKGROUND INFORMATION:

We've had theft at LBHS where our existing security camera system was inadequate to protect the facility and equipment. This proposal is for an extension of the current system and will greatly expand the coverage to capture perpetrators.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This activity directly supports Board Goal #3.

ALTERNATIVES/IDENTIFIED OPPOSITION:

N/A

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

\$51,826.60 from the General Fund Maintenance Budget.

ORIGINATOR: Don Laursen, Assistant Superintendent-Administrative Services
Date: August 9, 2018

QUOTE

ICU Technologies Inc.

9303 W Airport Drive
 Visalia, Ca. 93277
 mrieder@icu-tech-inc.com
 559 761.1262 O



Contract Holder
 Contract 47QSWA18D003K

GSA Schedule 84 Contract #47QSWA18D003K
Business Size: Veteran Owned-Small Business
Contract Period: April 13, 2018 – April 12, 2023
Contract Admin: Matthew Rieder- 559.761.1262
 mrieder@icu-techinc.com

DATE: 7.24.2018

Customer ID: LBHSD

Prepared by: Mathew Rieder

Project Name: Los Banos High School Rev 2

Prepared for: Don Laursen

AGENT	SHIP DATE		SHIP VIA		DELIVERED	TERMS	EXPIRATION
MJR	TBD	TBD	TBD	TBD	TBD	Upon Receipt	6.25.18
EQUIPMENT & MATERIALS							
SIN	MFG	PART	MATERIAL DESCRIPTIONS		QTY	PRICE	TOTAL
426 4S	Avigilon	3.0C-H4A-DO1-IR-B	3.0 MP OUTDOOR DOME IR		4	\$803.00	\$3,212.00
426 4S	Avigilon	8.0-H4A-BO1-IR-B	8.0 MP BULLET 4.3-8 MM		3	\$1,224.00	\$3,672.00
426 4S	Avigilon	H4-BO-JBOX1	JUNCTION BOX FOR BULLET CAMERA		3	\$73.00	\$219.00
426 4S	Avigilon	9W-H3-3MH-DP1-B	3X3 PENDANT MULTISENSOR CAMERA		1	\$1,530.00	\$1,530.00
4264S	Avigilon	4C-ACC6-ENT	ACC6 ENTERPRISE LICENSE 4 CAMERAS		1	\$942.00	\$942.00
426 4S	Avigilon	8C-ACC6-ENT	ACC6 ENTERPRISE LICENSE 8 CAMERAS		1	\$273.00	\$273.00
426 4S	Avigilon	8C-ACC5-ACC6 ENT	ACC5 TO ACC6 ENT UPGRADE		1	\$1,868.00	\$1,868.00
426 4S	Avigilon	4C ACC5-ACC6-ENT	ACC5-ACC6 ENT UPGRADE		1	\$85.00	\$85.00
426 4S	Avigilon	S8	8 port gig switch		1	\$568.00	\$568.00
426 4S	Avigilon	CM-MT-WALL1	PENDANT WALL MNT MULTISENSOR		1	\$57.00	\$57.00
426 4S	Avigilon	H4-MT-CRNR1	CORNER MNT APARTER MULTISENSOR		1	\$73.00	\$73.00
Misc	ICU Technologies	Misc	Conduit/Fittings/Blocks/Connectors/Cabling/Patch Cables		1	\$22,646.00	\$22,646.00
						Subtotal	\$35,145.00
LABOR							
SIN		PART	DESCRIPTIONS		QTY	PRICE	TOTAL
426 1000	ICU Technologies	ICU-TECH1	SECURITY TECHNICIAN LEVEL 1		118	\$115.00	\$13,570.00
	ICU Technologies	ICU-SLA3	ANNUAL SERVICE LEVEL AGREEMENT		0	\$2,760.00	\$0.00
						Subtotal	\$13,570.00
NOTE(S):							
EQUIPMENT & MATERIALS SUBTOTAL							
TAX RATE 8.00%							
SALES TAX \$2,811.60							
SHIPPING \$300.00							
LABOR \$13,570.00							
TOTAL \$51,826.60							

NOTE(S):

Board Reference Material

SUBJECT TITLE: Agreement: Delta Bluegrass Co. for Pacheco High School Baseball Infield Reconstruction

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve the agreement with Delta Bluegrass Company for the Pacheco High School varsity baseball infield reconstruction.

BACKGROUND INFORMATION:

The PHS varsity baseball infield is in severe disrepair. The poor water and soil quality combined with use over the years has greatly deteriorated the infield. This has resulted in student injuries and even other high schools declining to play on the field. This proposal will completely reconstruct the infield and provide a playing surface that should last for years.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is an operational activity and does not directly support a Board goal.

ALTERNATIVES/IDENTIFIED OPPOSITION:

N/A

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

\$43,672 from the General Fund Maintenance Budget.

ORIGINATOR: Don Laursen, Assistant Superintendent-Administrative Services
Date: August 9, 2018



Contractor's License No. C-27 752734
 Provided By: Steve Abella
 Cell: 866-825-4200
 209-471-4933

SPORTS TURF ESTIMATE

Valid for 90 days

Date	Estimate #	Job #
7/19/18	revised	

Project Name & City: Pacheco High School Varsity
 Baseball Infield Los Banos, Ca.
 Customer Name: Los Banos Unified School District
 Contact Person: Hector Garcia
 Address:
 City: Los Banos State: Ca.

Terms	Rep	Contact	Phone	Fax	E-Mail
Net 30	SA	Hector	209 587-1785		H.Garcia@losbanosusd.k12.ca

Description/Details	Qty.	Rate	Total
<p><u>Pacheco High School Varsity Baseball Infield</u></p> <p>Provide all labor and equipment and infield materials to renovate the infield turf area and the infield Skin. Details are as follows:</p> <ul style="list-style-type: none"> • Cut and remove turf from infield diamond and a four-foot strip around all edges of infield • Excavate and remove approx. 1 inch of existing material from infield skin to make room for addition of new infield mix and conditioners • Provide and incorporate 1 truckload of new Dura Edge infield mix plus 2 pallets of infield conditioners • Till using our RotaDarian soil preparation unit to relieve surface compaction on both the turf area and the infield clay and mix conditioners into clay • Provide all labor and materials to install a high-speed watering system for the infield clay. • Finish Laser grade both turf and clay areas to achieve a properly balanced surface that drains into the outfield and foul territories • Pitching mound rebuild to proper specifications • Provide and incorporate a pre- plant fertilizer • Provide and install our Celebration Hybrid Bermuda in the infield diamond and around the edges of the infield 	<p><u>20,600 Sq. Ft.</u></p>	<p>\$2.12 per Sq. Ft.</p>	<p>\$43,672.00</p>
Thank you for your business!	<p>TOTAL \$43,672.00</p>		

Specific Exclusions Include:

- Flagging of Preexisting irrigation equipment
 - Grow In of product after planting
 - Weed Control during grow in
 - Water management other than on day of planting
 - Soil Amendments for the infield grass area
-
- A soil test which will provide recommendations for soil chemistry adjustments is recommended at owner's expense
 - ESTIMATE PRICE SHALL BE SUBJECT TO ADDITIONS OR DELETIONS, BASED ON CHANGES TO SQUARE FOOTAGE SHIPPED AND INSTALLED, OR CHANGES IN SCOPE OF WORK AS SET FORTH IN THIS ESTIMATE.
 - UNLESS OTHERWISE STATED, DELTA BLUEGRASS COMPANY AGREES TO SUPPLY ALL MATERIALS. LABOR AND SUPERVISION TO PERFORM WORK AS DESCRIBED IN ESTIMATE DETAILS.
 - ANY INCREASE OR DECREASE IN CONTRACT PRICE, CHANGE OF THE WORK OR CHANGES IN THE CONTRACT TIME MUST BE SET FORTH IN A CHANGE ORDER SIGNED BY OWNER AND CONTRACTOR.
 - EITHER PARTY SHALL HAVE THE RIGHT TO CANCEL THIS CONTRACT WITHIN (3) DAYS OF SIGNING SUCH CONTRACT WITHOUT INCURRING ANY PENALTIES. CANCELLATION MUST BE IN WRITING AND DELIVERED TO THE STATED ADDRESS OF THE OTHER PARTY.
 - FINANCE CHARGES WILL BE ADDED ON ALL INVOICES NOT PAID IN FULL AT 2% NET 30.
 - IF PRODUCT IS ORDERED, DELIVERED, AND, FOR REASONS BEYOND OUR CONTROL, RETURNED TO US, A RESTOCKING CHARGE MAY APPLY.
 - ESTIMATE VALID FOR 90 DAYS.
 - SIGNING THIS PROPOSAL ACKNOWLEDGES ACCEPTANCE OF PRICE, TERMS, & CONDITIONS. Proposal must be signed and returned prior to commencement of work.

DATE ACCEPTED: _____ SIGNATURE: _____

DELTA BLUEGRASS SIGNATURE:  Steve Abella

P.O. Box 307 • Stockton • California • 95201
(866)825-4200 • (209)471-4933 • (209) 939-3238 Fax •
sabellasportsturf@hotmail.com

Board Reference Material

SUBJECT TITLE: **Student Overnight Travel**

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve overnight travel for Charleston Elementary 6th grade students to attend the Santa Cruz County Office of Education Outdoor Science School from October 22-26, 2018.

BACKGROUND INFORMATION:

The Santa Cruz County Outdoor Science School is a residential outdoor science and environmental education program for 6th grade students from schools throughout California. The subject area most emphasized in this hands-on learning experience is the science of ecology, the relationship between living things and their environment. From an understanding of basic ecological concepts, it is hoped that a deeper concern and sense of responsibility for the environment will result. The students will be immersed in nature and science for 4 full days in this outdoor environmental facility. They will be participating in standards based/outdoor curriculum that also supports the instruction of the California 6th grade content standards for science.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

Board Goal #3: Create and sustain inspirational learning environments that are safe, drug-free, and conducive to learning:

Board Goal #11: Continue to collaborate with other agencies to provide extended educational opportunities for students, and effective community use of school facilities.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None identified

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

LBUSD will provide \$8,740 to be used to help fund this outdoor science experience for 6th grade students at Charleston Elementary.

All other expenses for this activity will be raised by the 6th grade classes with the help of parents and the Charleston Elementary Parent Club.

Santa Cruz County Outdoor Science School:	
\$356/student (min. of 55 students)	= \$19,580.00
\$165/teacher x 2 teachers	= \$330
Travel: 1 district bus + driver	= \$631.00
Teacher stipend: 2 teachers @ \$123/day x 5 days	= \$1,230
Mandatory Outdoor School Teacher in-service: \$35x2 teachers	= \$70
Total estimated expense for outdoor camp:	= \$21,841.00
LBUSD contribution	<u>-\$8,740</u>
Total expense raised by students and CE Parent Club	=\$13,101.00
Substitutes for teachers: None	

No impact on school district facilities

ORIGINATOR: Lou S. Ruiz, Principal, Charleston Elementary School

DATE: August 9, 2018

Board Reference Material

SUBJECT TITLE: Student Overnight Travel & Teacher Out-of-State Travel

REQUESTED ACTION: Approve

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve overnight/out-of-state travel for Los Banos High School and Pacheco High School students and teachers to travel to Indianapolis, Indiana and Washington DC to attend the National FFA Convention and Leadership Trip from October 23 to October 31, 2018.

BACKGROUND INFORMATION:

Fourteen (14) students, representing Los Banos and Pacheco High Schools, will be attending along with one teacher from each high school as well as several parents.

This activity will provide students with an opportunity to observe and experience leadership at the student level as well as the federal level. Students will be able to see first hand how their nation is run and will be able to relate what they learn in their government classes to real world experiences.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is an operational activity and does not support a specific Board goal. All student overnight and teacher out-of-state travel requires prior Board approval.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

There is no financial impact to the District; the trip is sponsored by the Los Banos Ag Boosters.

ORIGINATOR: Veli Gurgun, Principal, Los Banos High School; Daniel Sutton, Principal, Pacheco High School
Date: August 9, 2018

Board Reference Material

SUBJECT TITLE: **Morning Star Donation**

REQUESTED ACTION:

Action X

Discussion/Information

RECOMMENDATION:

It is recommended the Board approve the donation of \$17,000.00 to Los Banos Elementary School from Morning Star.

BACKGROUND INFORMATION:

Morning Star has generously donated \$17,000.00 to Los Banos Elementary School for the purpose of purchasing a digital marquee sign in recognition of the school's Centennial.

HOW DOES THIS ACTIVITY SUPPORT BOARD GOALS?

This is an operational activity and does not support a specific Board goal.

ALTERNATIVES/IDENTIFIED OPPOSITION:

None identified.

SPECIFIC FINANCIAL IMPACT (Include Impact on School District Facilities):

N/A

ORIGINATOR: Renee C Leonard, Principal, Los Banos Elementary School
Date: August 9, 2018



Los Banos Unified School District

1717 South Eleventh Street
Los Banos, California 93635-4800
Telephone (209) 826-3801 Fax (209) 826-6810
www.losbanosusd.org

DONATION ACCEPTANCE FORM

Name of Donor: Morning Star

Address: 13448 Volta Rd. City: Los Banos Zip: 93635

Phone: 209-826-8000

Type of Donation:

☒ Monetary Donation \$ 17,000.00

☐ In-Kind Donation (other than monetary)

Description of Donation: Morning Star has generously donated \$17,000.00 to

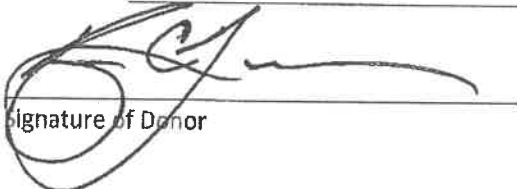
Los Banos Elementary School

Donor's estimate of approximate present value \$ 17,000.00

Intended use of donation: For the purpose of purchasing a digital marquee sign in

recognition of the school's Centennial.

Comments: _____


Signature of Donor

Date donation was approved by the Board: _____

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