AGENDA

REGULAR MEETING – SEPTEMBER 15, 2021 – 6 P.M.

BOARD OF EDUCATION

KATE BISHOP • LESLIE RAY BUNKER • CESAR T. FERNANDEZ • FRANCISCO TAMAYO • LUCY UGARTE

OSCAR ESQUIVEL

INTERIM SECRETARY/SUPERINTENDENT

THIS MEETING IS BEING RECORDED

In accordance with the Brown Act, all public Board meeting recordings are available for review for 30 days following the meeting, after which they are recycled. Audio recordings are available on the District website at www.cvesd.org.

IF YOU WISH TO ADDRESS THE BOARD OF EDUCATION

Persons wishing to address the Board of Education on any agenda item must attend in person and should complete a “Request to Be Heard” card and submit it to the Recording Secretary before the start of the meeting. No action or discussion shall be undertaken on any item not appearing on the posted agenda, except the Board of Education or District staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code Section 54954.3. Speakers must limit remarks to three minutes (generally, statements of 390 words may be spoken out loud within three minutes). The Board shall limit the total time for public input on each topic to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public presentation depending on the subject and the number of persons wishing to be heard. The meeting will also be livestreamed. For access to the livestream, please click here (English) and click here (Spanish) or on the links at the bottom of this page.

AGENDA AND DISTRIBUTION OF WRITINGS TO MEMBERS OF THE PUBLIC

In compliance with Government Code Section 54957.5, nonexempt writings that are distributed to a majority or all of the Board of Education in advance of a meeting may be reviewed on our website by clicking on the following link: http://cvesd.org/board_of_education/board_meetings.

EQUAL OPPORTUNITY EMPLOYER

The Chula Vista Elementary School District prohibits discrimination, harassment, intimidation and bullying based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; the perception of one or more of such characteristics, or association with a person or group with one or more of these actual or perceived characteristics in any program, practice or activity it conducts. The Chula Vista Elementary School District is committed to providing equal educational, contracting, and employment opportunity to all in strict compliance with all applicable State and Federal laws and regulations. Any individual who believes they have been a victim of unlawful discrimination in employment, contracting or in an education program or activity may file a formal complaint.

To watch the livestream of the Board Meeting click on the link below or cut and paste it into your browser:
https://teams.microsoft.com/l/meetup-join/19%3ameeting_MjFmM2E5MWQtM2MyOS00MjNhLTg5YjEtMTZlZjEtMTZlZjY5%40thread.v2/0?context=%7b%22Tid%22%3a%22e87a6e0c-c08e-46b2-bb73-45dd072baa33%22%2c%22Id%22%3a%22af92a27c-ab25-47cd-bce4-2b08102509e6%22%2c%22isBroadcastMeeting%22%3atrue%7d&btype=a&role=a

To watch the livestream of the Board Meeting in Spanish click on the link below or cut and paste it into your browser:
https://teams.microsoft.com/l/meetup-join/19%3ameeting_MjFmM2E5MWQtM2MyOS00MjNhLTg5YjEtMTZlZjEtMTZlZjY5%40thread.v2/0?context=%7b%22Tid%22%3a%22e87a6e0c-c08e-46b2-bb73-45dd072baa33%22%2c%22Id%22%3a%22af92a27c-ab25-47cd-bce4-2b08102509e6%22%2c%22isBroadcastMeeting%22%3atrue%7d&btype=a&role=a
CHULA VISTA ELEMENTARY SCHOOL DISTRICT
84 EAST “J” STREET • CHULA VISTA, CALIFORNIA 91910 • (619) 425-9600
EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH
AGENDA
BOARD OF EDUCATION

Regular Meeting
September 15, 2021
6 P.M.
Dr. Lowell J. Billings Board Room, Education Service and Support Center
Streamed Online

ORDER OF BUSINESS

1. OPENING PROCEDURES
   A. Call to Order
   B. Roll Call
      Members Present:
      Members Absent:
      Others Present:
   C. Pledge of Allegiance

2. APPROVE AGENDA (Action)
   Motion:__________, Second:__________, Vote:__________

3. SPECIAL RECOGNITION, AWARDS, AND HONORS
   A. Presentation of Newly Hired and Promoted Employees

4. COMMUNICATIONS TO THE BOARD OF EDUCATION
   A. Chula Vista Classified Employees Organization
   B. Chula Vista Educators

5. ORAL COMMUNICATIONS
   The Oral Communications section provides the public with an opportunity
to address the Board on non-agenda items. Persons wishing to be heard
must complete a “Request to Be Heard” card and submit it to the
Recording Secretary before the start of the meeting. Speakers are
requested to limit their remarks to three minutes. The Board shall limit the
total time for public input on each topic to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public comments depending on the number of persons wishing to be heard. No Board action can be taken.

6. ORAL PRESENTATIONS AND WRITTEN REPORTS

   A. Report on District Innovation Efforts

   B. Report on Community Choice Energy Program

   C. Report on District Solar Power Project

7. APPROVE CONSENT CALENDAR (Action)

   The following items listed under Consent Calendar are considered by the Board in one action. There will be no discussion on these items prior to the time the Board votes on the motion unless members of the Board, staff, or public request specific items to be discussed and/or removed from the Consent Calendar.

   Motion:__________, Second:__________, Vote:__________

   A. Approve and/or Ratify Human Resources Items A Through M

   B. Approve Memorandum of Understanding with Chula Vista Educators Regarding Necessary Added Authorizations for Certain Members of Chula Vista Educators

   C. Approve Memorandum of Understanding with the San Diego County Superintendent of Schools for a Multilingual California Project led by the California Association for Bilingual Education for the Period of October 1, 2021, Through June 30, 2022

   D. Approve Letter of Agreement and Amendment with Hanover Research Council for Research Services for the Period of September 16, 2021, Through September 15, 2024

   E. Ratify Second Amendment to Memorandum of Agreement with the YMCA of San Diego County for the After-School Education and Safety Program for the 2020-21 School Year

   F. Ratify Memorandum of Understanding with Centro de Salud de la Comunidad de San Ysidro, Inc., dba San Ysidro Health, for School-Based Dental Services for the 2021-22 School Year

   G. Ratify Agreement with the National Association for Latino Elected Officials and the Chula Vista Community Collaborative for the Period of September 1, Through October 31, 2021
H. Ratify Memorandum of Understanding with Jewish Family Service Positive Parenting Program for the Period of September 1, 2021, Through June 30, 2022

I. Ratify Agreement with the California Family Resource Association and the Chula Vista Community Collaborative for the Period of May 9, Through December 31, 2021

J. Ratify Agreement with the City of Chula Vista for the Community Development Block Grant Project and Chula Vista Community Collaborative for the Period of July 1, 2021, Through June 30, 2022

K. Ratify Memorandum of Understanding with the University of Miami Engagement Award Special Cycle: Hearing Disparities and the Chula Vista Community Collaborative for the Period of September 1, 2021, Through June 30, 2022

L. Ratify Memorandum of Understanding with Sweetwater Union High School District and Chula Vista Community Collaborative for Intervention Services for the 2021-22 School Year

M. Adopt Resolution Proclaiming October 10-16, 2021, as Week of the School Administrator in the Chula Vista Elementary School District

N. Adopt Resolution Endorsing the 2021 RED RIBBON CAMPAIGN


R. Adopt Resolution Authorizing Utilization of the National Association of State Procurement Officials Value Point Contract No. MNWNC-108, Through the State of California, Department of General Services, Participating Addendum No. 7-15-70-34-003 for Computer Equipment Awarded to Dell Marketing, L.P., Through July 31, 2022
S. Adopt Resolution Establishing Appropriations Limits for Fiscal Years 2020-21 and 2021-22 Pursuant to Article XIIIIB (Gann Amendment) of the California State Constitution

T. Ratify Purchase Orders, Warrants, and Checks Written/Issued Through August 31, 2021

U. Approve and/or Ratify Inservice/Travel Requests

8. PUBLIC HEARINGS

The Public Hearings section provides the public with an opportunity to address the Board on specific items. Persons wishing to address the Board on any public hearing items must complete a “Request to Be Heard” card and submit it to the Recording Secretary before the start of the meeting. Speakers are requested to limit their remarks to three minutes. The Board shall limit the total time for input on each public hearing item to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public comments on each public hearing item depending on the topic and the number of persons wishing to be heard.

A. Conduct Public Hearing on Elementary and Secondary School Emergency Relief III Plan

B. (1) Conduct Public Hearing Regarding Sufficiency of Instructional Materials and the Williams Class Action Settlement; and

(2) Adopt Resolution for the 2021-22 School Year Regarding Sufficiency of Instructional Materials and the Williams Class Action Settlement with the State of California

C. 1) Conduct Public Hearing Regarding Establishment of Community Facilities District No. 21, Levy of Special Taxes, Bonded Indebtedness, and Related Matters;

2) Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Determining the Validity of Prior Proceedings, Establishing Community Facilities District No. 21, Authorizing the Levy of Special Taxes Within Community Facilities District No. 21, Establishing an Appropriations Limit, Calling an Election, and Taking Related Actions;

ACTING AS THE GOVERNING BOARD OF COMMUNITY FACILITIES DISTRICT NO. 21
3) Conduct Election of the Landowner-Voters Within Community Facilities District No. 21 and Declare Election Results;

4) Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Canvassing the Results of the Election Held Within Community Facilities District No. 21 of the Chula Vista Elementary School District; and

5) Approve Motion to Direct Clerk to Conduct the First Reading, by Title Only, of Ordinance of Community Facilities District No. 21, Authorizing the Levy of Special Tax Within Community Facilities District No. 21

9. ADMINISTRATIVE ACTION ITEMS

A. Approve Changes to Injury and Illness Prevention Program, COVID-19 Prevention Plan and District Guidance to Staff, Students, Parents/Guardians and Community Regarding COVID-19

Motion:__________, Second:__________, Vote:__________

B. Approve Timeline and Direction for Superintendent Search Committee

Motion:__________, Second:__________, Vote:__________

C. Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Authorizing the Execution and Delivery of the Chula Vista Elementary School District 2021 Refunding Certificates of Participation, Series A (Tax Exempt) in an Aggregate Principal Amount Not to Exceed $21,500,000, Authorizing the Distribution of an Official Statement in Connection Therewith, and Authorizing the Execution of Various Documents and Related Actions

Motion:__________, Second:__________, Vote:__________

D. Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Authorizing the Execution and Delivery of the Chula Vista Elementary School District 2021 Refunding Certificates of Participation, Series B (Federally Taxable) in an Aggregate Principal Amount Not to Exceed $6,500,000, Authorizing the Distribution of an Official Statement in Connection Therewith, and Authorizing the Execution of Various Documents and Related Actions

Motion:__________, Second:__________, Vote:__________

E. Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Authorizing the Execution and Delivery of the Chula Vista Elementary School District 2021 Certificates of Participation in an Aggregate Principal Amount Not to Exceed
$60,000,000, Authorizing the Distribution of an Official Statement in Connection Therewith, and Authorizing the Execution of Various Documents and Related Actions

Motion:__________, Second:__________, Vote:__________

F. Approve Submittal of 2020-21 Year-End Summary of Revenues, Expenditures, and Changes in Fund Balances

Motion:__________, Second:__________, Vote:__________

10. FIRST AND SECOND READINGS, BOARD POLICIES, ADMINISTRATIVE REGULATIONS, AND BOARD BYLAWS

First and Second Readings

11. GENERAL INFORMATION ITEMS/REPORTS

Information Items/Reports

A. Report Calendar to Board of Education

B. Additions and Clarifications to the Chula Vista Elementary School District’s Local Control and Accountability Plan for the 2021-22 School Year

12. RECESS TO CHULA VISTA ELEMENTARY SCHOOL DISTRICT PUBLIC FACILITIES FINANCING CORPORATION

Public Facilities Financing Corporation
Appointing Officers and Taking Related Action in Connection Therewith

Motion:__________, Second:__________, Vote:__________

B. Adopt Resolution of the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation Authorizing the Execution by the Corporation of Various Documents with Respect to the Chula Vista Elementary School District 2021 Refunding Certificates of Participation Series A (Tax Exempt) in an Aggregate Principal Amount Not to Exceed $21,500,000 and Authorizing Related Action in Connection Therewith

Motion:__________, Second:__________, Vote:__________

C. Adopt Resolution of the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation Authorizing the Execution by the Corporation of Various Documents with Respect to the Chula Vista Elementary School District 2021 Refunding Certificates of Participation Series B (Federally Taxable) in an Aggregate Principal Amount Not to Exceed $6,500,000 and Authorizing Related Action in Connection Therewith

Motion:__________, Second:__________, Vote:__________

D. Adopt Resolution of the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation Authorizing the Execution by the Corporation of Various Documents with Respect to the Chula Vista Elementary School District 2021 Certificates of Participation in an Aggregate Principal Amount Not to Exceed $60,000,000 and Authorizing Related Action in Connection Therewith

Motion:__________, Second:__________, Vote:__________

3. ADJOURNMENT OF CHULA VISTA ELEMENTARY SCHOOL DISTRICT PUBLIC FACILITIES FINANCING CORPORATION MEETING

Adjournment
Government Code Sections 3549.1(d) and 54957.6: Collective Bargaining/Employee Negotiations; Agency Negotiators: Fagen Friedman & Fulford LLP and Adams Silva & McNally LLP; Employee Organizations: Chula Vista Classified Employees Organization (CVCEO); Chula Vista Educators (CVE); Nonrepresented Employees

Government Code Section 54957: Public Employee Discipline/Dismissal/Release

Government Code Section 54956.9(d)(4): Conference with Legal Counsel – Anticipated Litigation: one case

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in JPA Claim #17-04512

Government Code Section 54956.9(d)(1): Conference with Legal Counsel – Existing Litigation in Office of Administrative Hearings, Case No. 2021070796 for Student No. 307622

16. RECONVENE TO OPEN SESSION

17. ADJOURNMENT

THE NEXT REGULAR MEETING OF THE BOARD OF EDUCATION OF THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT IS SCHEDULED ON WEDNESDAY, OCTOBER 20, 2021, AT 6 P.M.
ITEM TITLE:

Report on District Innovation Efforts

_________ Action _______ X _______ Information

BACKGROUND INFORMATION:

For nearly 30 years, the District, in collaboration with staff members at the Living Coast Discovery Center, have maintained a unique partnership that supports hands-on science education through the Coastal Education Program (CEP). In August 2016, along with staff members from Qualcomm and the Chula Vista (CV) Public Library, the District launched the Innovation Station (IS) that supports career exploration and development aligned with the Information and Communication Technologies and Digital Media Priority Sector. This effort began as what has become a series of innovative partnerships with industry leaders including San Diego Gas and Electric, the International Brotherhood of Electrical Workers, and National Electrical Contractors Association for the Energy Station (ES); Sweetwater Authority and Otay Water District for the Hydro Station (HS); and the City of CV and CV Elite Athlete Training Center for the Health Station (HES). In total, three of the San Diego Workforce Partnership’s Priority Sectors (Information and Communication Technologies and Digital Media, Energy, Construction, and Utilities, and Health Care) will be experienced by the District’s Grades 4, 5, and 6 students.

The District has developed and maintained innovative partnerships with the City of CV and outside agencies for over 25 years. The District’s CEP is located at the Living Coast Discovery Center. Two separate libraries house the IS (Civic Center Branch) and the ES (South Branch), while the HS is located at the Richard A. Reynolds Groundwater Desalination Facility, and the HES is located at the CV Elite Athlete Training Center.

ADDITIONAL DATA:

Tonight, District staff will provide an overview of partnership efforts to ensure the CEP, IS, ES, HS, and HES partnership experiences maintain their places as world-class learning opportunities for students and community members.
Additional information is available for review in the Office of the Assistant Superintendent of Innovation and Instruction.

**FISCAL IMPACT/FUNDING SOURCE:**

The total estimated cost for four District Teachers is $570,933 and will be paid from Department of Defense Education Activity, and Titles I, II, and IV funds.

**STAFF RECOMMENDATION:**

This is an information item.
ITEM TITLE:
Report on Community Choice Energy Program

_________Action  X Information

BACKGROUND INFORMATION:

President Kate Bishop requested an informational report from San Diego Community Power (SDCP). SDCP is a community choice energy program (CCE). The SDCP launched in March 2021 and includes the cities of Chula Vista, Encinitas, Imperial Beach, La Mesa, and San Diego. The County Board of Supervisors on August 31, 2021, authorized the County to join SDCP.

Community choice allows cities and counties to buy electricity, including renewable energy like solar and wind for residents and businesses.

ADDITIONAL DATA:

Currently, there are 24 CCEs operating throughout the state including two in San Diego County, San Diego Community Power and the Clean Energy Alliance. San Diego Community Power is the second largest CCE in California and is expected to begin serving county customers in spring 2023.

Tonight, representatives from SDCP will provide information to the Board.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

This is an information item.
ITEM TITLE:

Report on District Solar Power Project

Action X Information

BACKGROUND INFORMATION:

In April 2018, the Board of Education authorized the Chula Vista Elementary School District (District) to undertake a third-party, independent feasibility study of the District solar power and storage options. EcoMotion, Inc. (EcoMotion) prepared the study.

On September 11, 2019, EcoMotion reported the results of the solar feasibility study to the Board, and the Board approved the services of EcoMotion to provide procurement support to solicit and invite the solar market to provide actual prices for installation, guarantees, and maintenance for a District Solar Power Project (“Project”).

On June 12, 2020, the District issued a Request for Proposals for the Chula Vista Elementary School District Solar Power Project (RFP). The RFP requested proposals from experienced and qualified contractors for installation, maintenance, and operation of solar photovoltaic energy-generation systems at locations throughout the District (PV Systems) and battery-energy storage systems at the District’s administrative and maintenance/operations facilities (Energy Storage Systems). The District received five responses to the RFP, including responses from Ameresco Inc. (Ameresco), Baker Electric, Inc., ENGIE Services U.S. Inc. (ENGIE), Schneider Electric, and SunPower Corporation. District staff and the District’s consultant, EcoMotion, reviewed the responses and narrowed the selection to Ameresco and ENGIE. Following interviews and further discussions, District staff recommended, based on price and other relevant factors, that ENGIE be selected as the contractor to install, maintain, and operate the PV Systems and Energy Storage Systems (collectively, the Systems).

The District and ENGIE negotiated an agreement providing for installation of the Systems (Installation Agreement) and a separate agreement providing for maintenance and operation of the Systems (M&O Agreement). The District anticipated that ENGIE will complete the installation within an 18-month period,
and the M&O Agreement will have a 25-year term, during which ENGIE will guarantee that the PV Systems will generate about 85% to 95% of the currently-estimated electrical output of the Systems. The cost for installation of all of the Systems will total approximately $32,588,000.

On November 18, 2020, the Board conducted a public hearing pursuant to Government Code 4217.12 regarding an agreement for installation of energy generation and resiliency systems and agreement for maintenance and operation of an energy generation and resilience system with ENGIE. Additionally, the Board adopted a resolution making findings, approving an agreement for installation of energy generation and reliance and an agreement for maintenance and operation of energy generation and resilience systems. District staff provided to the Board a copy of a financial analysis indicating that anticipated savings attributable to the installation, maintenance, and operation of the Systems (Project) will be greater than anticipated costs to the District of the Project.

In June 2021, ENGIE began construction of the District’s solar power project that is projected to be completed by June 2022.

Tonight, representatives from EcoMotion and ENGIE will provide an update on the District’s solar energy project and include the energy rate basis attributable to the anticipated savings projected from the solar project. The electrical savings projection attributable to the Solar Project is based on the electrical rates provided by San Diego Gas and Electric.

**ADDITIONAL DATA:**

The Project includes the 47 District school sites, the District ESSC Offices, and the Transportation Bus Yard and is anticipated to generate about 8.1 Mega Watt (MW) and projected to generate 85% to 95% of all energy used by the District. The Project also includes one battery microgrid system at the District office to provide backup during power outages. The Project is projected to generate approximately $109 million in electrical savings over a twenty-five year period.

**FISCAL IMPACT/FUNDING SOURCE:**

The District will use Measure M General Obligation Bond proceeds to pay the initial costs associated with the installation of the Systems. District General or other funds will be used to pay ongoing maintenance and operations costs, and District Facilities funds will be used to pay repair costs. Based on the financial analysis provided to the Board, the District anticipates that the energy-cost savings achieved by the District as a result of implementing the Project will exceed the costs to the District attributable to the Project.
STAFF RECOMMENDATION:

This is an information item.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Human Resources Services and Support

ITEM TITLE:

Approve and/or Ratify Human Resources Items A Through M

____X____Action  ________Information

BACKGROUND INFORMATION:

A. NEW EMPLOYMENT

Ana Adame, Special Education Teacher, 177 days, Class V, Step 1, salary $55,935.54, effective July 29, 2021

Pamela Alarcon, Temporary School Counselor (per Education Code Section 44920), 164 days, Class IV, Step 2, salary $51,382.84, effective August 17, 2021, through June 6, 2022

Melissa Babineau, Library Technology Technician, 3 hours per day, 5 days per week, Range 25, Step 1, $19.41 per hour, effective August 26, 2021

David Barraza, Temporary Teacher (per Education Code Section 44920), 159 days, Class V, Step 1, salary $50,247.18, effective August 24, 2021, through June 6, 2022

Nadia Bergado, Special Education Teacher, 175 days, Class I, Step 1, salary $49,596.75, effective August 2, 2021

Amor Cajes, Clerk II, 8 hours per day, 5 days per week, Range 19, Step 3, $18.56 per hour, effective August 16, 2021

Sandra Campos, Temporary Social Worker (per Education Code Section 44920), 165 days, Class V, Step 1, salary $52,143.50, effective August 16, 2021, through June 6, 2022

Luis Castellon, Gardener-Groundskeeper, 10 hours per day, 4 days per week, Range 26, Step 5, $23.92 per hour, effective August 18, 2021

Ricardo Ceniceros, Custodian I, 8 hours per day, 5 days per week, Range 22, Step 4, $20.74 per hour, effective August 23, 2021
Eva Contreras Flores, Accounting Technician II Accounts Payable-Student Organization, 8 hours per day, 5 days per week, Range 31, Step 5, $27.09 per hour, effective August 16, 2021

Martin Coopwood, Temporary Teacher (per Education Code Section 44920), 155 days, Class III, Step 6, salary $54,595.65, effective August 30, 2021, through June 6, 2022

Karla Cortez, Temporary Teacher (per Education Code Section 44920), 155 days, Class IV, Step 6, salary $57,404.25, effective August 30, 2021, through June 6, 2022

Jorge Flores, Instructional Assistant-Special Education, 5.8 hours per day, 5 days per week, Range 17, Step 1, $16.13 per hour, effective August 26, 2021

Kayla Hayes, Temporary Teacher (per Education Code Section 44920), 151 days, Class III, Step 1, salary $43,863.99, effective September 3, 2021, through June 6, 2022

Ruth Hill, Temporary Teacher (per Education Code Section 44920), 175 days, Class IV, Step 1, salary $52,447.50, effective August 2, 2021, through June 6, 2022

Ivonne Jimenez, School Attendance Secretary/Health Specialist, 8 hours per day, 5 days per week, Range 28, Step 2, $21.79 per hour, effective July 27, 2021

Veronica Jimenez, Instructional Assistant-ELL, 6 hours per day, 5 days per week, Range 17, Step 4, $18.56 per hour, effective July 26, 2021

Kellie Johanson, Instructional Assistant, 7 hours per day, 5 days per week, Range 14, Step 3, $16.46 per hour, effective August 16, 2021

Sharon Jones, Resource Specialist, 164 days, Class V, Step 1, salary $51,827.28, effective August 17, 2021

Mariana Lopez, Instructional Assistant-ELL, 6 hours per day, 5 days per week, Range 17, Step 1, $16.13 per hour plus 4 percent, effective July 21, 2021

Mayela Martin Del Campo, Instructional Assistant, 7 hours per day, 5 days per week, Range 14, Step 3, $16.46 per hour, effective August 2, 2021

Maribel Mendoza, School Attendance Secretary/Health Specialist, 8 hours per day, 5 days per week, Range 28, Step 4, $23.92 per hour, effective August 31, 2021
Alejandra Mercado, Instructional Assistant-ELL, 6 hours per day, 5 days per week, Range 17, Step 1, $16.13 per hour, effective July 21, 2021

Adalinda Morales, Instructional Assistant (Preschool and Child Development Center), 3.5 hours per day, 5 days per week, Range 17, Step 1, $16.13 per hour plus 2 percent, effective September 13, 2021

Maddi Northcutt, Resource Specialist, 155 days, Class I, Step 1, salary $43,928.55, effective August 30, 2021

Adrianna Orozco, Library Technology Technician, 3.5 hours per day, 5 days per week, Range 25, Step 3, $21.34 per hour, effective July 21, 2021

Vanessa Ortiz, Instructional Assistant, 4.75 hours per day, 4 days per week, Range 14, Step 1, $14.97 per hour, effective September 7, 2021

Joel Osorio, Bus Driver, 5 hours per day, 5 days per week, Range 26, Step 1, $19.81 per hour, effective August 30, 2021

Sergio Paz, Painter, 8 hours per day, 5 days per week, Range 37, Step 6, $32.69 per hour, effective July 19, 2021

Yolanda Pena, Student Attendant, 6.3 hours per day, 5 days per week, Range 20, Step 1, $17.21 per hour, effective August 23, 2021

Ebony Peralta, Temporary Teacher (per Education Code Section 44920), 155 days, Class V, Step 5, salary $57,909.55, effective August 30, 2021, through June 6, 2022

Paul Pham, School Psychologist, 153 days, Psychologist Schedule Step 2, salary $73,345.14, effective September 1, 2021

Steven Porter, Trades III-HVAC, 8 hours per day, 5 days per week, Range 39, Step 6, $34.29 per hour, effective August 23, 2021

Jennifer Rubio, School Attendance Secretary/Health Specialist, 8 hours per day, 5 days per week, Range 28, Step 1, $20.74 per hour, effective August 3, 2021

Nubia Santiago Ramos, Student Attendant, 6.3 hours per day, 5 days per week, Range 20, Step 1, $17.21 per hour, effective August 16, 2021

Morgen Schroen, Temporary Teacher (per Education Code Section 44920), 163 days, Class I, Step 1, salary $46,195.83, effective August 18, 2021, through June 6, 2022

Jesse Vega, Jr, General Maintenance, 8 hours per day, 5 days per week, Range 33, Step 2, $24.55 per hour, effective July 12, 2021
Alberto Villareal-Gerardo, Instructional Assistant-ELL, 6 hours per day, 5 days per week, Range 17, Step 1, $16.13 per hour, effective July 21, 2021

Michelle Watkins, Library Media Technician, 7.5 hours per day, 2 days per week, Range 23, Step 1, $18.56 per hour, effective July 21, 2021

Elizabeth Wiedemann, VAPA Teacher, 153 days, Class III, Step 1, salary $44,444.97, effective September 1, 2021

Nadia Zamarripa, Contact Tracer, 8 hours per day, 5 days per week, Confidential Range 14, Step 3, $4,233 per month plus 4 percent, effective August 30, 2021

B. REEMPLOYMENT OF TEMPORARY CERTIFICATED EMPLOYEES PREVIOUSLY EMPLOYED UNDER EDUCATION CODE SECTIONS 44909, 44911, OR 44920 FOR THE 2021-22 SCHOOL YEAR

Sara Aegerter-Price, Temporary Teacher (per Education Code Section 44920), 170 days, Class IV, Step 1, salary $50,949.00, effective August 9, 2021, through June 6, 2022

Reena Gumban, Temporary Teacher (per Education Code Section 44920), 184 days, Class IV, Step 1, salary $55,144.80, effective July 20, 2021, through June 6, 2022

Linda Kolbe, Temporary Teacher (per Education Code Section 44920), 170 days, Class IV, Step 1, salary $50,949.00, effective August 9, 2021, through June 6, 2022

C. REEMPLOYMENT OF CLASSIFIED EMPLOYEES UNDER EDUCATION CODE SECTIONS 45114, 45298, AND 45308

Mireya Andrade, Student Attendant, 31.5 hours per day, 5 days per week, Range 20, Step 3, $18.94 per hour, effective July 22, 2021

Catalina Casillas, Instructional Assistant-Special Education, 5.8 hours per day, 5 days per week, Range 20, Step 3, $18.94 per hour, effective July 26, 2021

Natalie Chipana, Noon Duty Supervisor, 2 hours per day, 5 days per week, Range 12, Step 1, $14.28 per hour plus 4 percent, effective July 21, 2021

Monica Esqueda, Student Attendant, 6.3 hours per day, 5 days per week, Range 20, Step 2, $18.04 per hour plus 4 percent, effective July 26, 2021

Ana Hernandez, Student Attendant, 31.5 hours per day, 5 days per week, Range 20, Step 4, $19.81 per hour, effective August 2, 2021
Dulce Hunt, Instructional Assistant-Special Education, 6.3 hours per day, 5 days per week, Range 20, Step 3, $18.94 per hour, effective July 22, 2021

Kenia Rodriguez, Student Attendant, 6.3 hours per day, 5 days per week, Range 20, Step 3, $18.94 per hour plus 2 percent, effective July 21, 2021

Gina Saterstrom, Instructional Assistant-Special Education, 5.8 hours per day, 5 days per week, Range 14, Step 4, $17.21 per hour, effective July 28, 2021

Concepcion Solano, Student Attendant, 6.3 hour per day, 5 days per week, Range 20, Step 1, $17.21 per hour, effective August 16, 2021

Alejandra Zuniga, Instructional Assistant-Special Education, 5.8 hours per day, 5 days per week, Range 17, Step 3, $17.68 per hour, effective July 21, 2021

D. LEAVE OF ABSENCE

Melanie Crane, Psychologist, effective August 26, 2021

Erin Mahoney, Principal, effective August 24, 2021

E. EXTENSION OF LEAVE OF ABSENCE

Jacqueline Samson, Special Education Teacher, effective September 7, 2021

Magdalena Toral, Teacher, effective October 4, 2021

F. EXHAUSTED ALL PAID LEAVE—PLACED ON 39-MONTH REEMPLOYMENT LIST

Employee No.: 2010221266

G. PROMOTION

Leigh Anne Bartlett, from Technology Services Technician to Secretary to the Director, 8 hours per day, 5 days per week, Range 32, Step 5, $27.60 per hour, effective August 5, 2021

Maribel Campos, from Passenger Van Driver to Bus Driver, 5 hours per day, 5 days per week, Range 26, Step 1, $19.81 per hour, effective August 26, 2021

Claudia Caro, from Instructional Assistant to Instructional Assistant-ELL, 4 hours per day, 5 days per week, Range 17, Step 6, $20.39 per hour, effective July 21, 2021
Diana De La Torre, from School Secretary to Human Resources Technician IV, 8 hours per day, 5 days per week, Confidential Range 14, Step 6, $4,905 per month plus 4 percent, effective July 14, 2021

MariaRita Gumban, from CNS Supervisor to Accountant, 8 hours per day, 5 days per week, Range 41, Step 5, $34.29 per hour plus 4 percent, effective August 30, 2021

Melissa Northcutt, from Credentials Officer to Credentials Officer II, 8 hours per day, 5 day per week, Confidential Range 25, Step 5, $6,104 per month, effective September 16, 2021

Gwendolyne Rodriguez, from Instructional Assistant-Special Education to Student Attendant, 5.8 hours per day, 5 days per week, Range 20, Step 6, $21.79 per hour, effective August 9, 2021

Barbie Simpauco, from Human Resources Analyst to Human Resources Supervisor, 8 hours per day, 5 days per week, Supervisory Range 25, Step 1, $5,515 per month plus 4 percent, effective September 16, 2021

H. JOB DESCRIPTION

Credentials Officer II (Restructure)
Human Resources Supervisor (Restructure)

I. RECLASSIFICATION OF RANGE CHANGE FOR CLASSIFIED EMPLOYEES EFFECTIVE JULY 1, 2020, AS A RESULT OF REALLOCATION

Clerk II from Range 19 to Range 21
CNS I from Range 12 to Range 15
Library Technology Technician from Range 30 to Range 33
Pupil Services/Special Education Technician from Range 30 to Range 33

J. EMPLOYEE CONTRACT

Executive Director of Special Education and Instruction Services and Support

K. RESIGNATION

Marco Barragan, Instructional Assistant-Special Education, effective August 14, 2021

Nadia Bergardo, Instructional Assistant-Special Education, effective July 31, 2021

Kimberly Downey, Special Education Teacher, effective September 4, 2021
Soraya Faya Cordero, Student Attendant, effective August 11, 2021
Anne Fernandez, Student Attendant, effective August 20, 2021
Ninoschcka Galliano Ortiz, Student Attendant, effective September 1, 2021
Jesus Gomez, Custodian I, effective August 13, 2021
Hailey Gregg, Teacher, effective August 5, 2021
Jacob Lerma, Counselor, effective August 25, 2021
Sarah Llorente, Psychologist, effective August 31, 2021
Renato Mercado Osorio, Student Attendant, effective August 21, 2021
Angelina Miranda, Instructional Assistant-Special Education, effective August 28, 2021
Laura Ortega Nava, Special Education Teacher, effective August 18, 2021
Yusen Robles, Student Attendant, effective September 1, 2021
Cortiss Smith, Instructional Assistant, effective August 27, 2021
Miriam Solano, Noon Duty Supervisor, effective August 27, 2021
Jennifer Townsend, Bus Driver, effective August 21, 2021
Maria Vidrio, Passenger Van Driver, effective August 28, 2021
Calen Winters, Instructional Assistant-Special Education, effective August 7, 2021
Rita Young, CNS I, effective August 26, 2021

L. RETIREMENT

Carlos Palma, Custodian II, effective August 21, 2021

M. CONSULTANTS

Benchmark Education Company LLC, is providing professional development on Benchmark Advance Curriculum at Rohr. Services commenced July 1, 2021, and continue through July 1, 2022. The sum not to exceed $25,000 will be paid from Title I funds.

CGI Math Teacher Learning Center is providing professional development in math to Rice staff. Services commenced August 1, 2021, and continue...
through May 31, 2022. The sum not to exceed $20,160 will be paid from Title I funds.

EdTheory will provide Special Education teacher services. Services will commence September 16, 2021, and continue through June 30, 2022. The sum not to exceed $441,000 will be paid from Special Education, Resource Special-Mild/Moderate funds.

Higher Level Leadership provided culturally responsive teaching training to Loma Verde staff. Services were provided July 20, 2021. The sum not to exceed $500 will be paid from Title I funds.

Kelly Wraight is providing oversight and logistical support on COVID-19 related matters including, but not limited to, contact tracing, testing, and other safety mitigations. Services commenced August 1, 2021, and continue through June 30, 2022. The sum not to exceed $145,600 will be paid from District General Fund through Federal or State COVID-19 response funds.

Kelsie Nolan is providing oversight and logistical support on COVID-19 related matters including, but not limited to, contact tracing, testing, and other safety mitigations. Services commenced August 23, 2021, and continue through June 30, 2022. The sum not to exceed $145,600 will be paid from District General Fund through Federal or State COVID-19 response funds.

On July 14, 2021, the Board approved a contract with Maxim Healthcare Staffing Services to provide COVID-19 Testing for CVESD Schools on a bi-weekly basis. Services will be provided by Registered Nurses, Licensed Vocational Nurses, Medical Assistants, Lab Assistants, Certified Nurse Assistants, and Emergency Medical Technicians. Services commenced July 1, 2021, and continue through June 30, 2022. The contract is being amended to modify the services provided to add Health Technicians and/or Specimen Collectors to conduct COVID testing and vaccination services. The amendment will increase the initial contract of $877,760 by $1,718,080, for a total amount not to exceed $2,595,840.00. The contract will be paid from California Department of Health COVID and Elementary and Secondary Schools Emergency Relief funds.

Nikiesha Lumpkin is providing oversight and logistical support on COVID-19 related matters including, but not limited to, contact tracing, testing, and other safety mitigations. Services commenced August 1, 2021, and continue through June 30, 2022. The sum not to exceed $145,600 will be paid from District General Fund through Federal or State COVID-19 response funds.
RoHealth, Inc., will provide speech therapy services. Services will commence September 16, 2021, and continue through June 30, 2022. The sum not to exceed $167,000 will be paid from Special Education-Speech and Special Education-Resource Specialist funds.

Ruhnau Clarke Architect will provide architectural design and engineering services for Education Service and Support Center for Improvement Projects for Child Nutrition Services, Publications, and Information Technology Departments. Services will commence, September 16, 2021, through the completion of the project. The cost not to exceed $7,928 will be paid from Capital funds.

The Family Guidance and Therapy Center is providing behavior intervention services. Services commenced July 1, 2021, and continue through June 30, 2022. The sum not to exceed $10,590 will be paid from Special Education-Resource Specialist funds.

On April 14, 2021, the Board of Education authorized a contract with The Solis Group to provide project labor agreement coordination services for roof replacements for Castle Park, Harborside, Kellogg, Los Altos, Montgomery, and Rosebank Elementary Schools for an amount not to exceed $7,352. The Solis Group is requesting Amendment No. 1 to the contract to extend the duration by two months and by $3,676 for a total duration of seven months to cover the duration of construction and closeout. The adjusted cost in the amount not to exceed $11,028 will be paid from General Obligation Bonds and other Capital funds.

Wilkinson Hadley King & Co., LLP, will prepare the 2020-21 State nonprofit corporation tax returns for the Chula Vista Elementary School District Public Facilities Financing Corporation (PFFC). The PFFC facilitates issuances of District Certificates of Participation (COP) debt issuances which provide the funding for construction of new schools paid by Community Facilities District (CFD) funds. The Board of Education serves as the Board of Directors for the PFFC, with the School Board President presiding as Chairperson. The sum not to exceed $975 has not changed from the 2019-20 audit and will be paid primarily from Community Facilities District funds.

**ADDITIONAL DATA:**

Additional information is available for review in the Office of the Assistant Superintendent for Human Resources Services and Support.

**STAFF RECOMMENDATION:**

Recommend approval and/or ratification.
CONFIDENTIAL JOB DESCRIPTION

CREDSENTIALS OFFICER II

JOB SUMMARY:
Serves as the Credentials Officer II and monitors all credentials and California State Assignment Accountability System (CalSAAS) assignment monitoring for the District; assists in administering the certificated employment process and affairs related to certificated personnel, including intern and student teachers; provides confidential administrative support to the Coordinator of the District Teacher Induction Program, and the Chair of the District Peer Assistance and Review (PAR) Program, performs other professional duties of a specialized nature, including human resources technology, negotiation issues and related work as required involving cross training within the Human Resources Department.

ESSENTIAL JOB FUNCTIONS:
• Collaborates with the Human Resources Administrators to provide support:
  o Involving universities and San Diego County Office of Education (SDCOE) intern programs for acute staffing needs.
  o Involving student teacher placements and Memorandum of Understanding.
• Provides support:
  o To the Instructional Services and Support Induction Program Coordinator.
  o To the PAR Joint Chair and Joint Committee.
• Works collaboratively with Human Resources Technicians:
  o Ensuring positions are posted with appropriate subject matter credentials and authorizations.
  o Screening credentials and support staffing needs.
  o Developing an innovative certificated onboarding process.
• Provides guidance and resources to out-of-state applicants regarding State of California credentialing process, communicates with universities and outside agencies.
• Works closely with site administrators on certificated assignment monitoring, providing support in resolving credential matters and required applications and processing.
• Monitors monthly credential pay hold lists, communicates with District payroll department and site administrators of potential pay holds.
• Monitors preliminary credential requirements for certificated staff, providing support as directed for the California Teaching Commission (CTC) Accreditation audit, stays relevant with new CTC guidelines for first time teachers.
• Oversees the District’s annual assignment monitoring review for the CalSAAS, works collaboratively with the technology and education services departments and SDCOE to resolve CALPADS exceptions and misassignments in a timely manner.
• Maintains relevant and accurate emergency staffing reports for annual Declaration of Need projections.
• Acts as the Charter school liaison for all credentialing matters.
• Assists with monitoring certificated evaluation lists for site administrators.
• Monitors Independent Contractor Agreements with District sites and prepares related Board agenda items.
• Coordinates and prepares agenda items as assigned for the Board of Education as related to certificated staffing (i.e.: Annual Declaration of Need, job descriptions).
• Provides information, completes reports and surveys requested by staff, school districts, and government agencies as related to certificated staffing.
• Works on specialized projects, prepares and distributes meeting materials, publications, and various documents.
• May attend, record, prepare and distribute summary minutes of other meetings as assigned.
• Composes letters, memoranda, and other materials independently or from minimal instructions.
• Provides overlap support as needed during peak times in the department.
• In specific situations, coordinates activities of other divisional staff members to attain a specific goal and maintains an even distribution and flow of work.
• Performs other duties as assigned.

ESSENTIAL JOB REQUIREMENTS - QUALIFICATIONS:
• Five years of broad and increasingly responsible full-time administrative assistant or secretary experience, preferably in a school district human resources department.

• Ability to maintain the security of sensitive, confidential, and privileged information; relate to employees and the public in a positive, solutions based, and caring manner; compose correspondence independently; understand and give concise explanations, work independently in the absence of specific instructions, retain the confidentiality of the work assigned, type or keyboard at a net corrected speed of 60 words per minute; understand and carry out oral and written directions; establish and maintain cooperative working relationships, including being a team player; problem-solve and make decisions.

• Knowledge of modern office procedures, methods, and practices; personal computer applications (Microsoft Office Suite, One Drive); policies, laws, rules, and regulations affecting the work of the Certificated Director of Human Resources; appropriate English usage, spelling, grammar, punctuation, and mathematical processes; standard office machines, equipment, and personal computer applications.
• Graduation from high school or equivalent, supplemented by a minimum of two years of college in secretarial science, business and/or personnel, or relevant human resources administrative support experience.
SUPERVISORY JOB DESCRIPTION

HUMAN RESOURCES SUPERVISOR

JOB SUMMARY:
Under the direction of the Assistant Superintendent of Human Resources and Director of Human Resources, plans, manages, directs, and coordinates complex human resources operation activities carried out by District human resources staff. Provides expertise, information, and assistance in all matters related to human resources functions of the District.

ESSENTIAL JOB FUNCTIONS:
- Supervises and plans, manages, directs, and coordinates the daily activities of the human resources technicians, including Sub Desk technicians and HR Analyst, to accomplish District human resources functions.
- Trains, manages, and provides input of performance of assigned staff to Director of Human Resources for evaluation.
- Monitors absences of all assigned staff and manage daily office coverage as appropriate.
- Assists Human Resources Technicians and serves as a resource for the purpose of supporting the completion of assigned duties.
- Provides support and assists Human Resources Analyst as needed.
- Trains and provides support to newly hired Human Resources Technicians.
- Ensures that cross training is provided and completed by all Human Resources Technicians.
- Provides input and recommendations to the Director of Human Resources for the purpose of establishing standard operating procedures and ensuring efficiency of department operations.
- Serves as the liaison between the Director of Human Resources and assigned staff to resolve issues and conflicts.
- Calculates and prepares annual certificated evaluation lists for District administrators for the purpose of ensuring timely completion of employee evaluations.
- Works in collaboration with Payroll Manager to review, prepare, and process reports for monthly or negotiated salary computations.
- Provides technical support between multiple human resources information systems (HRIS) for the purpose of meeting department and payroll needs.
- Serves as liaison between Human Resources, Payroll, Budget, and the San Diego County Office of Education (SDCOE).
- Serves as a liaison between Human Resources, Information Technology Department and SDCOE to integrate systems and business processes.
- Participates in all trainings related to HRIS as directed by the Director of Human Resources.
- Assists with rollout and training of any HRIS upgrades or changes.
• Serves as a technical and analytical resource to the Assistant Superintendent of Human Resources and Director of Human Resources.
• Provides support for labor negotiations as directed by the Director of Human Resources.
• Assists public and employees in matters relating to Human Resources and employment.
• Provides immediate administrative support to the Director of Human Resources.
• Maintains databases for various management positions. Assists public and employees in matters relating to Human Resources and employment.
• Screens visitors, telephone calls, and mail.
• Composes letters, memos, and reports.
• Audits, verifies, and reconciles salary computations in conjunction with Payroll.
• Works within timelines as assigned.
• Responds to inquiries, provides information regarding Human Resources, Payroll, and retirement system issues.
• Inputs data into HRIS systems and generates various database reports.
• Compiles technical data and information for Human Resources and Payroll reports.
• Collects confidential information and develops reports for use during labor negotiations and grievances.
• Explains and provides information and interpretation of procedures, policies, and regulations.
• Issues security access to all employees utilizing S2NetBox database.
• Performs other duties as assigned.

ESSENTIAL JOB REQUIREMENTS - QUALIFICATIONS:
• Ability to maintain the security of sensitive, confidential, and privileged information; relate to employees and the public in a positive and caring manner; understand and carry out oral and written directions; and establish and maintain cooperative working relationships.

• Ability to meet schedules and timelines; work confidentially with discretion; and operate a computer and assigned software.

• At least five years’ experience in related human resources functions/responsibilities, providing working knowledge in recruitment, onboarding and payroll.

• Graduation from a recognized college or university with course work in human resources, or related field, or equivalent combination of education and experience.
ITEM TITLE:

Approve Memorandum of Understanding with Chula Vista Educators Regarding Necessary Added Authorizations for Certain Members of Chula Vista Educators

X Action Information

BACKGROUND INFORMATION:

On August 13, 2021, the District and Chula Vista Educators (CVE) agreed to a Memorandum of Understanding (MOU) regarding fulfilling new credential requirements for Visual and Performing Arts (VAPA)/Science Technology Engineering, and Mathematics (STEM)/Physical Education (PE) positions. The MOU provides up to $1,200 in tuition reimbursement for our teachers. There is also an expectation that the teachers who obtain reimbursement for classes will stay with the District a minimum of three years or repay the District the reimbursement they received.

ADDITIONAL DATA:

A copy of the MOU is available for review in the Office of the Assistant Superintendent for Human Resources Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

The cost is up to $1,200 per VAPA/STEM/PE position for approximately 35 teachers and will be funded by the General Fund.

STAFF RECOMMENDATION:

Recommend approval.
ITEM TITLE:
Approve Memorandum of Understanding with the San Diego County Superintendent of Schools for a Multilingual California Project Led by the California Association for Bilingual Education for the Period of October 1, 2021, Through June 30, 2022

X Action Information

BACKGROUND INFORMATION:
The Multilingual California Project operates through a state grant and is led by the California Association for Bilingual Education in partnership with the San Diego County Office of Education (SDCOE). The program provides professional learning support for implementation of the English Learner (EL) Roadmap Policy. This policy is intended to welcome, understand, and educate the diverse population of students who are ELs attending California public schools.

This year, four participating site teams, consisting of the site leader and up to three teachers, will engage in Year 2 of their exploration of an innovation area of their choice. Professional learning innovation areas are designed to help address the gaps in EL opportunities and achievement.

ADDITIONAL DATA:
A Memorandum of Understanding (MOU) was developed for the District to participate. The four participating sites include Enrique S. Camarena, J. Calvin Lauderbach, Palomar, and Veterans Elementary Schools.

Each team will select an innovation area, receive professional learning in that area, collaborate with a statewide network, and work on moving the site system forward. Following are the innovation areas:

- Parent/Family and Leadership: Building Multilingual and Multicultural Communities.
- Bilingual Teacher Pathway.
- Dual Language Teacher Academy.
• Project Guided Language Acquisition Design.
• Instructional Strategies for Preschool Teachers of Dual Language.
• Writing Redesigned for Innovative Teaching and Equality.
• Special Education in Multilingual Settings.
• Language Development through Science.

The MOU and additional information are available for review in the Office of the Executive Director of Language Development and Instruction Services and Support.

**FISCAL IMPACT/FUNDING SOURCE:**

There is no fiscal impact to the District. The SDCOE will pay the District approximately $12,000 to be used for teacher participant stipends and resources.

**STAFF RECOMMENDATION:**

Recommend approval.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Instructional Services and Support

ITEM TITLE:

Approve Letter of Agreement and Amendment with Hanover Research Council for Research Services for the Period of September 16, 2021, Through September 15, 2024

____X____ Action

__________Information

BACKGROUND INFORMATION:

The Hanover Research Council levels the information playing field by providing high-quality research and analytics delivered through a subscription model that helps executives make informed decisions, identify and seize opportunities, and heighten their effectiveness. Hanover Research’s data-driven insights will help the District develop programs, allocate resources, and implement best practices to optimize student outcomes.

ADDITIONAL DATA:

The Hanover Research Council will conduct a research study/survey and data analysis for the District and provide access to online archives of best practices research. Services will commence September 16, 2021, and will continue through September 15, 2024.

Additional information is available for review in the Office of the Assistant Superintendent of Innovation and Instruction Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

The total sum not to exceed $115,900 will be paid for in three yearly installments and will be paid from the Expanded Learning Opportunities Grant Fund.

STAFF RECOMMENDATION:

Recommend approval.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Instructional Services and Support

ITEM TITLE:

Ratify Second Amendment to Memorandum of Agreement with the YMCA of San Diego County for the After-School Education and Safety Program for the 2020-21 School Year

X Action

__________Information

BACKGROUND INFORMATION:

The District, as part of the San Diego Regional After-School Consortium, receives funding from the California Department of Education to operate the After-School Education and Safety (ASES) Program at 20 Title I school sites. School districts are strongly encouraged to implement ASES Program through collaborative agreements with community-based organizations.

For many years, the District has partnered with the YMCA of San Diego for this type of services, specifically for the Safe Time for Recreation and Tutoring of Children (STRETCH) Program.

On July 15, 2020, the Board approved a Memorandum of Agreement (MOA) with the YMCA of San Diego County for continued operation of the STRETCH Program during the 2020-21 school year at 20 sites.

- Castle Park
- Chula Vista Learning Community Charter
- Hazel Goes Cook
- Mae L. Feaster Charter
- Myrtle S. Finney
- Harborside
- Hilltop Drive
- Juarez-Lincoln
- J. Calvin Lauderbach
- Loma Verde
- Los Altos
- John J. Montgomery
- Robert L. Mueller Charter
- Otay
- Palomar
- Lilian J. Rice
- Fred H. Rohr
- Silver Wing
- Valle Lindo
- Vista Square
ADDITIONAL DATA:

On April 14, 2021, the San Diego County Office of Education notified the District that they would be extending the 2020-21 ASES Program MOA and that grantees may spend 2020-21 funds due to COVID-19.

A copy of the MOA is available for review in the Office of the Executive Director of Student, Family, Community, and Instruction Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

ASES funds in the amount of $280,334.65 are available for District use through December 31, 2021.

STAFF RECOMMENDATION:

Recommend ratification.
ITEM TITLE:

Ratify Memorandum of Understanding with Centro de Salud de la Comunidad de San Ysidro, Inc., dba San Ysidro Health, for School-Based Dental Services for the 2021-22 School Year

____ X ____ Action _________ Information

BACKGROUND INFORMATION:

The District wishes to enter into a Memorandum of Understanding (MOU) with San Ysidro Health (SYH) to provide, through a licensed dentist, school-based dental services. Included in the services are dental screenings, topical fluoride varnish applications, oral health education, dental report cards, and dental referrals for procedures that need to be completed off-site. SYH shall provide all equipment and supplies that are necessary and proper to deliver services provided under this MOU.

ADDITIONAL DATA:

A copy of the MOU is available for review in the Office of the Executive Director of Special Education and Instruction Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

Services provided to insured students will be billed to their dental insurance company, if agreed to by parents. Donated services will be available for uninsured students. In the event additional dental care is required, students will be referred to SYH’s nearest dental facilities for follow-up.

STAFF RECOMMENDATION:

Recommend ratification.
ITEM TITLE:

Ratify Agreement with the National Association for Latino Elected Officials and the Chula Vista Community Collaborative for the Period of September 1, Through October 31, 2021

X Action

Information

BACKGROUND INFORMATION:

The Chula Vista Community Collaborative (CVCC) oversees the management of five Family Resource Centers (FRCs). The FRCs assist individuals and families with assessments, referrals, and support services to increase their ability to lead productive and self-sufficient lives including, but not limited to, emergency food assistance, food stamps, health insurance enrollment, energy cost assistance, counseling, teen parent case management, kinship services, youth services, support groups, and parenting classes.

The National Association for Latino Elected Officials (NALEO) is seeking to address the needs of the most vulnerable children and families during the COVID-19 crisis and provide outreach, education, and support around the COVID-19 vaccine to Hispanic/Latinos and African Americans. The CVCC will conduct COVID-19 vaccine and testing outreach, education, and information to our families and Chula Vista residents.

ADDITIONAL DATA:

This agreement would be between NALEO and the District on behalf of the CVCC. Additional information is available for review in the Office of the Executive Director of Student, Family, Community, and Instruction Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

The District, as the fiscal agent for CVCC, will receive funds up to $40,000 for use by the CVCC.

STAFF RECOMMENDATION:

Recommend ratification.
ITEM TITLE:
Ratify Memorandum of Understanding with Jewish Family Service Positive Parenting Program for the Period of September 1, 2021, Through June 30, 2022

X Action

BACKGROUND INFORMATION:

Jewish Family Service is the County of San Diego contractor for the Positive Parenting Behavioral Health Contract (County Agreement 553898) Positive Parenting Program (Triple P). Triple P is an evidence-based, preventive, early-intervention parent education program focused on improving child behavior management techniques and is offered FREE to select San Diego County elementary schools, preschools and Head Start Centers each year. The program has been funded by a contract with the County of San Diego, Health and Human Services Agency since 2009. The program’s goal is to help promote improved effectiveness and wellness of parents which, as research attributes, is the foundation for healthy and well-adjusted students.

The Memorandum of Understanding authorizes the continuation of services provided by Jewish Family Services through Triple P to children and families enrolled in the District. Over the last few years, Hazel Goes Cook, Mae L. Feaster Charter, Harborside, Juarez-Lincoln, Karl H. Kellogg, J. Calvin Lauderbach, Los Altos, Robert L. Mueller Charter, Otay, Lilian J. Rice, Silver Wing, and Vista Square schools have utilized Triple P.

ADDITIONAL DATA:

The Triple P three-seminar series can be presented in three consecutive weeks. Each session lasts two hours when presented live and 90 minutes when presented online via Zoom. Based on each school’s needs, presentations may occur in the morning (8:30 AM to 10:30 AM) or the evening (6:00 PM to 8:00 PM) in both English and Spanish.

Additional information is available for review in the Office of the Executive Director of Student, Family, Community, and Instruction Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend ratification.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Instructional Services and Support

ITEM TITLE:

Ratify Agreement with the California Family Resource Association and the Chula Vista Community Collaborative for the Period of May 9, Through December 31, 2021

X Action

Information

BACKGROUND INFORMATION:

The Chula Vista Community Collaborative (CVCC) oversees the management of five Family Resource Centers (FRCs). The FRCs assist individuals and families with assessments, referrals, and support services to increase their ability to lead productive and self-sufficient lives including, but not limited to, emergency food assistance, food stamps, health insurance enrollment, energy cost assistance, counseling, teen parent case management, kinship services, youth services, support groups, and parenting classes.

The California Family Resource Association is seeking to address the needs of the most vulnerable children and families during the COVID-19 crisis and provide direct support and services to families. The CVCC staff will provide outreach education on the latest information on the Pandemic Electronic Benefits Transfer (EBT) program. This partnership will ensure children and families in the Chula Vista community receive support services related to this program.

This agreement would be between the California Family Resource Association and the District on behalf of the CVCC for Pandemic EBT information.

ADDITIONAL DATA:

Additional information is available for review in the Office of the Executive Director of Student, Family, Community, and Instruction Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

The District, as the fiscal agent for CVCC, will receive funds up to $37,390 for use by the CVCC.

STAFF RECOMMENDATION:

Recommend ratification.
ITEM TITLE:
Ratify Agreement with the City of Chula Vista for the Community Development Block Grant Project and Chula Vista Community Collaborative for the Period of July 1, 2021, Through June 30, 2022

X Action Information

BACKGROUND INFORMATION:
The Chula Vista Community Collaborative (CVCC) oversees the management of five Family Resource Centers (FRCs). The FRCs assist individuals and families by providing referrals and support services to increase their ability to lead productive and self-sufficient lives. FRC support services include, but are not limited to, emergency food assistance, food stamps, health insurance enrollment, energy cost assistance, counseling, teen parent case management, kinship services, youth services, support groups, and parenting classes.

The CVCC has been awarded funding through the City of Chula Vista Community Development Block Grant (CDBG) since the 2008-09 school year. The 2021-22 CDBG funds will be used for continued service delivery through the FRCs. The CVCC staff will provide outreach, information education, and assistance to local families regarding social services provided by the City of Chula Vista (e.g., emergency food, assistance with clothing, transportation, and housing applications).

ADDITIONAL DATA:
Additional information is available for review in the Office of the Executive Director of Student, Family, Community, and Instruction Services and Support.

FISCAL IMPACT/FUNDING SOURCE:
The District, as the fiscal agent for CVCC, will receive funds up to $25,000 for use by the FRCs during the 2021-22 school year.

STAFF RECOMMENDATION:
Recommend ratification.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Instructional Services and Support

ITEM TITLE:

Ratify Memorandum of Understanding with the University of Miami Engagement Award Special Cycle: Hearing Disparities and the Chula Vista Community Collaborative for the Period of September 1, 2021, Through June 30, 2022

X Action Information

BACKGROUND INFORMATION:

The Chula Vista Community Collaborative (CVCC) oversees the management of five Family Resource Centers (FRCs). The FRCs assist individuals and families with assessments, referrals, and support services to increase their ability to lead productive and self-sufficient lives including, but not limited to, emergency food assistance, food stamps, health insurance enrollment, energy cost assistance, counseling, teen parent case management, kinship services, youth services, support groups, and parenting classes. This work is done with the assistance of community health workers.

This Memorandum of Understanding is between the University of Miami and the District on behalf of the CVCC, and builds on the prior work of training Community Health Workers. The CVCC staff will provide guidance, input, and education materials regarding a project that facilitates outreach to Latino communities to increase awareness to hearing and communication disparities and where to go for assistance.

ADDITIONAL DATA:

Additional information is available for review in the Office of the Executive Director of Student, Family, Community, and Instruction Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

The District, as the fiscal agent for CVCC, will receive funds up to $28,216 for use by the CVCC.

STAFF RECOMMENDATION:

Recommend ratification.
ITEM TITLE:

Ratify Memorandum of Understanding with Sweetwater Union High School District and Chula Vista Community Collaborative for Intervention Services for the 2021-22 School Year

________X______Action ____________Information

BACKGROUND INFORMATION:

The Chula Vista Community Collaborative (CVCC), and Sweetwater Union High School District (SUHSD), have developed a Memorandum of Understanding (MOU) for the purpose of collaboration to provide intervention services for students, families, and community in the SUHSD. Services provided through the CVCC Family Resource Centers (FRCs) include counseling/psychological services, access to necessities such as food, clothing, and shelter, access to Medi-Cal related services, and employment outreach services.

CVCC and SUHSD have been in partnership since the early 1990’s, supporting the work of the FRCs as a resource for SUHSD families. SUHSD refers families directly to the FRCs for support services. The MOU outlines the specific responsibilities of each party.

ADDITIONAL DATA:

Additional information is available for review in the Office of the Executive Director of Student, Family, Community, and Instruction Services and Support.

FISCAL IMPACT/FUNDING SOURCE:

The District, as the fiscal agent for CVCC, will receive funds up to $130,000 for use by CVCC during the 2021-22 school year.

STAFF RECOMMENDATION:

Recommend ratification.
ITEM TITLE:

Adopt Resolution Proclaiming October 10-16, 2021, as Week of the School Administrator in the Chula Vista Elementary School District

X Action

Information

BACKGROUND INFORMATION:

The State of California believes that leadership is important in education and has declared the week of October 10-16 as Week of the School Administrator in accordance with Education Code Section 44015.1. This declaration is made in recognition of the fact that leadership matters for California’s public education system and the more than 6 million students it serves.

ADDITIONAL DATA:

The future of California’s public education system depends upon the quality of its leadership. Research shows that great schools are led by great principals and great districts are led by great superintendents.

In the District, site instructional leaders are supported by administrative leaders. District school administrators are passionate lifelong learners who believe in the value of quality public education and that providing quality service for student success is paramount for the profession.

Additional information is available for review in the Office of the Assistant Superintendent of Innovation and Instruction.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend adoption.
Resolution Proclaiming October 10-16, 2021, as Week of the School Administrator in the Chula Vista Elementary School District

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

WHEREAS, leadership matters for California’s public education system and the more than 6 million students it serves; and

WHEREAS, school administrators are passionate lifelong learners who believe in the value of quality public education; and

WHEREAS, the title “school administrator” is a broad term used to define many education leadership posts. Superintendents, Assistant Superintendents, Executive Directors, Directors, Academy Directors, Principals, Associate Principals, special education leaders, curriculum and assessment leaders, school business officials, classified educational leaders, and other District employees are considered administrators; and

WHEREAS, providing quality service for student success is paramount for the profession; and

WHEREAS, most school administrators began their careers as teachers. The average administrator has served in public education for more than a decade. Most of California’s Superintendents have served in education for more than 20 years. Such experience is beneficial in their work to effectively and efficiently lead public education and improve student achievement; and

WHEREAS, public schools operate with lean management systems. Across the nation, public schools employ fewer managers and supervisors than most public and private sector industries including transportation, food service, manufacturing, utilities, construction, publishing, and public administration; and

WHEREAS, school leaders depend upon a network of support from school communities—fellow administrators, teachers, parents, students, businesses, community members, boards of trustees, colleges and universities, community and faith-based organizations, elected officials, and district and county staffs and resources—to promote ongoing student achievement and school success; and

WHEREAS, research shows that great schools are led by great principals and great districts are led by great superintendents. These site leaders are supported by extensive administrative networks throughout the state; and
Chula Vista Elementary School District  
Resolution No.  
Page 2  

WHEREAS, the State of California has declared the week of October 10-16, 2021, as *Week of the School Administrator* in accordance with Education Code Section 44015.1; and

WHEREAS, the future of California’s public education system depends upon the quality of its leadership.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education commends all school leaders in the District for the contributions they make to successful student achievement and declares October 10-16, 2021, as *Week of the School Administrator* in the Chula Vista Elementary School District.

BE IT FURTHER RESOLVED that each department and school is encouraged to undertake activities to recognize and honor school administrators during this week.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA 
) ss
COUNTY OF SAN DIEGO

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Interim Secretary to the Board of Education
ITEM TITLE:

Adopt Resolution Endorsing the 2021 RED RIBBON CAMPAIGN

X Action

Information

BACKGROUND INFORMATION:

The annual RED RIBBON CAMPAIGN is scheduled from October 23-31, 2021. The theme for this year is “Drug Free Looks Like Me.” The RED RIBBON CAMPAIGN originated when Drug Enforcement Administration Agent Enrique S. Camarena was murdered by drug traffickers in Mexico in 1985. This was the first awareness campaign to choose a red ribbon as its symbol. In 1988, Red Ribbon Week was proclaimed by Congress, and each year, the last week in October is designated Red Ribbon/Drug Awareness Week.

The RED RIBBON CAMPAIGN offers an excellent opportunity to unite families and communities in supporting drug- and tobacco-free lifestyles. In our schools, Red Ribbon Week offers the opportunity to strengthen students’ resolve to live healthy, drug- and tobacco-free lives. This program is an outgrowth of the “Drug-Free Schools and Communities Act of 1986,” which states that schools and communities throughout the nation have a responsibility to work together to combat the scourge of drug and tobacco use and alcohol abuse.

During Red Ribbon Week, ribbons are distributed to students and staff, to be worn as a symbol of drug-and tobacco-free choice and to represent a commitment to healthy, drug-and tobacco-free lives. Schools have been encouraged to promote Red Ribbon Week activities during this week. Activities may include:

- Discuss the Red Ribbon Pledge: To grow up safe, healthy, and drug free.
- Promote Red Ribbon themed activities: Spirit days, in-person, or virtual schoolwide assemblies, etc.
- Art, poster, or essay contests sponsored by PTA, Booster Clubs, Community Partners, and/or Student Council.
**ADDITIONAL DATA:**

Additional information is available for review in the Office of the Executive Director of Student, Family, Community, and Instruction Services and Support.

**FISCAL IMPACT/FUNDING SOURCE:**

Red ribbons will be purchased and distributed to students and staff throughout the District. The amount not to exceed $5,000 will be paid from the General Fund.

**STAFF RECOMMENDATION:**

Recommend adoption.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. _____________

Resolution Endorsing the 2021) RED RIBBON CAMPAIGN )

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

WHEREAS, drug abuse is a serious problem which adversely affects students, family members, and the community; and

WHEREAS, addiction to nicotine is a major public health problem. Tobacco use continues to be the most common cause of preventable disease and death in the United States. Cigarette smoking and tobacco use are associated with many forms of cancer, lung and heart disease, and high blood pressure; and

WHEREAS, schools, businesses, law enforcement agencies, health and social services organizations, sports teams, religious institutions, governmental agencies, media, and the general public can demonstrate a visible commitment to a drug- and tobacco-free society by wearing and/or displaying red ribbons during the campaign; and

WHEREAS, the choice to live a healthy and drug- and tobacco-free lifestyle enhances the individual, the family, the school, and the community; and

WHEREAS, the RED RIBBON CAMPAIGN will be celebrated in every community in America during Red Ribbon Week, October 23-31, 2021, with the theme “Drug Free Looks Like Me”, and

WHEREAS, the Board of Education of the Chula Vista Elementary School District supports efforts to free San Diego County of drug abuse and tobacco use.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Chula Vista Elementary School District hereby officially endorses Red Ribbon Week, October 23-31, 2021, and pledges its support for the campaign.

BE IT FURTHER RESOLVED that the Board of Education encourages schools and departments to actively plan, conduct, support, and/or participate in drug and tobacco prevention activities, and to provide special virtual activities in support of drug- and tobacco-free alternatives during this week.
PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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STATE OF CALIFORNIA )
COUNTY OF SAN DIEGO ) ss

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Interim Secretary to the Board of Education
ITEM TITLE:


☐ X ☐ Action ☐ ☐ Information

BACKGROUND INFORMATION:

On December 22, 2020, the Los Angeles Unified School District (LAUSD) issued a notice to conduct a competitive bid for the purchase of personal computer systems and related equipment and services. On April 13, 2021, the LAUSD awarded Bid No. 2000002150, Contract No.’s 4400009343 (Dell); 4400009344 (HP); 4400009345 (Lenovo), and 4400009346 (Integration Services) to Arey Jones Educational Solutions (Arey Jones). The District is allowed to purchase or contract with Arey Jones, a local San Diego Company, under the bid at the same prices and upon the same terms and conditions as the LAUSD pursuant to Public Contract Code Sections 20118 and 20652.

Utilization of this bid provides the District the ability to acquire needed personal computer desktops, laptops, tablet computers, and services from a variety of manufacturers, at reduced-price points. In addition, this contract includes provisions to purchase subsequent model releases at pre-negotiated discounts.

The initial contract term for each manufacturer covered under this bid is three (3) years, with an option to extend for two (2) additional years.

ADDITIONAL DATA:

Copies of the LAUSD bid documents are available for review in the Office of the Interim Superintendent.
**FISCAL IMPACT/FUNDING SOURCE:**

Purchases will be made as needs arise and will be paid through various funding sources determined at the time of the purchase.

**STAFF RECOMMENDATION:**

Recommend adoption.

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

WHEREAS, the Los Angeles Unified School District (LAUSD) has conducted a cooperative bid process that allows the Chula Vista Elementary School District, to purchase or contract under the bid at the same prices and upon the same terms and conditions as the LAUSD pursuant to Sections 20118 and 20652 of the Public Contract Code of California; and

WHEREAS, the Los Angeles Unified School District awarded Bid No. 2000002150, Contract No.’s 4400009343 (Dell), 4400009344 (HP), 4400009345 (Lenovo), and 4400009346 (Integration Services) to Arey Jones Educational Solutions (Arey Jones).

WHEREAS, the awarded contracts enable the District to purchase personal computer desktops, laptops, tablet computers, and related services from major computer manufacturers through Arey Jones; and

WHEREAS, this contract includes provisions to purchase subsequent model releases at pre-negotiated discounts

WHEREAS, this Board has determined it to be in the best interest of the District to contract with Arey Jones to meet the needs of the Chula Vista Elementary School District.

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND DECLARED that participation by the Chula Vista Elementary School District in the Los Angeles Unified School District Bid No. 2000002150 for personal computer systems and related equipment and services is hereby authorized and approved and is subject to all terms, conditions, and documents as specified in the Los Angeles Unified School District bid documents.
BE IT FURTHER RESOLVED, ORDERED, AND DECLARED that Oscar Esquivel, Interim Superintendent and Interim Secretary to the Board of Education of the Chula Vista Elementary School District, or his designee, is hereby authorized to execute the necessary contract documents with Arey Jones Educational Solutions.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15\textsuperscript{th} day of September, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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STATE OF CALIFORNIA )
COUNTY OF SAN DIEGO )

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Interim Secretary to the Board of Education

Page 4 of 4
Agenda Item 7.O.
September 15, 2021
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and Support

ITEM TITLE:

Adopt Resolution Authorizing Utilization of Sourcewell Contract No. 030321-SEC for Copiers, Printers, and Multi-Function Devices with Related Supplies, Accessories, and Services for the Period of September 15, 2021, Through April 18, 2025

X Action

Background Information:

On October 31, 2002, the District became a member of Sourcewell to utilize contracts that have been nationally solicited and provide nationally leveraged volume pricing. Sourcewell offers a cooperative procurement solution which is open to Federal, state/province, and municipal governmental entities, higher education, K-12 education, nonprofit, tribal government and other public entities located in the United States and Canada. Under Public Contract Code 20118 the District is able to utilize this contract.

On January 12, 2021, Sourcewell released its Request for Proposal No. 030321. Fifteen proposals were received by the due date of March 3, 2021, and submitted for review by the Sourcewell Evaluation Committee.

The proposals were evaluated in conformance with Request for Proposal Requirements, Pricing, Financial Viability and Marketplace Successes; Ability to Sell and Deliver Service; Marketing Plan; Value Added Attributes; Warranty; Depth and Breadth of Offered Equipment, Products or services. Sharp Electronics Corporation (SEC) received the highest overall ranking of the proposals submitted.

On April 19, 2021, after thorough evaluation of the proposals received, Sourcewell awarded a four-year national contract, with the option to extend for an additional year if mutually agreed upon, for the procurement of multifunction copiers, printers and equipment applicable to scanned data and management, image duplicating and related solutions to SEC.

Utilization of this contract will allow the District to purchase, or enter into lease agreements, with local SEC vendors for Sharp Copiers and equipment per the terms and conditions awarded by Sourcewell.
In addition to providing equipment and supplies, SEC is committed to protecting the environment by partnering with a zero waste-to-landfill recycler. The Stop, Drop Recycle Program will accept all Sharp consumable products from the District at no cost. The program prevents toner cartridges and drums from being deposited in local landfills.

**ADDITIONAL DATA:**

Copies of the bid documents are available for review in the Office of the Interim Superintendent.

**FISCAL IMPACT/FUNDING SOURCE:**

The cost per machine will vary depending on the machine selected, and whether the unit is being purchased or leased. Funding will be determined at the time of purchase.

**STAFF RECOMMENDATION:**

Recommend adoption.
Adopt Resolution Authorizing )
Utilization of Sourcewell Contract )
No. 030321-SEC for Copiers, Printers, )
Multi-function Devices with Related )
Supplies, Accessories, and Services )
for the Period of September 15, 2021 )
through April 18, 2025. )

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

WHEREAS, Sourcewell nationally solicited, competitively bid, and awarded Contract No. 030321-SEC to Sharp Electronics Corporation (SEC), allowing the Chula Vista Elementary School District ("District"), as an educational member, the ability to utilize this contract; and

WHEREAS, the awarded contract allows the District to purchase or lease Sharp copiers, office equipment, accessories, supplies and related services through local SEC vendors; and

WHEREAS, Sourcewell, in conjunction with local SEC vendors, will provide the District with nationally leveraged pricing per the terms and conditions of the Sourcewell contract; and

WHEREAS, this Board has determined it to be in the best interest of the District to purchase or lease products and services under this contract in order to meet the needs of the District.

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND DECLARED that participation by the Chula Vista Elementary School District in the Sourcewell Contract No. 030321-SEC for copiers, printers, multi-function devices with related supplies, accessories and services is hereby authorized and approved and is subject to all terms, conditions, and documents as specified in the Sourcewell bid documents.

BE IT FURTHER RESOLVED, ORDERED, AND DECLARED that Oscar Esquivel, Interim Superintendent and Interim Secretary to the Board of Education of the Chula Vista Elementary School District, or his designee is hereby authorized to execute the necessary contract documents with local Sharp Electronics Corporation vendors providing equipment under the Sourcewell contract.
BE IT FURTHER RESOLVED, ORDERED, AND DECLARED that Oscar Esquivel, Interim Superintendent and Secretary to the Board of Education of the Chula Vista Elementary School District, or his designee is hereby authorized to execute the necessary contract documents with local Sharp Electronics Corporation vendors providing equipment under the Sourcewell contract.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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STATE OF CALIFORNIA )
) ss
COUNTY OF SAN DIEGO)  

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

______________________________

Interim Secretary to the Board of Education
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and Support

ITEM TITLE:

Adopt Resolution Authorizing Utilization of the State of California Contract No. 1-19-70-19B-2 with Presidio Networked Solutions Group, LLC, for Cisco SmartNet Technology Support Services in an Amount Not to Exceed $41,650.04 for the Period of October 1, 2021, Through September 30, 2022

X Action

Information

BACKGROUND INFORMATION:

The State of California, Department of General Services Procurement Division, conducted a competitive bid process that provides Cisco SmartNet Technology Support Services (Cisco) at contracted pricing for the State of California and local governmental agencies. The Chula Vista Elementary School District (District) is allowed to purchase or contract with Presidio Networked Solutions Group, LLC, at the same prices and upon the same terms and conditions as the State of California pursuant to Sections 20118 and 20652 of the Public Contract Code of California.

The District will utilize this contract to purchase Cisco remote technical support services and hardware replacement in case of unexpected failure for covered equipment. The equipment to be covered by Cisco currently provides critical functionality for the District's network infrastructure. Malfunction or failure would hamper significantly the operation of the network.

ADDITIONAL DATA:

Copies of the State contract are available for review in the Office of the Interim Superintendent.

FISCAL IMPACT/FUNDING SOURCE:

The IT Department requested quotes from two authorized Cisco SmartNet resellers under California Contract No. 1 19 70-19B-2, Presidio Networked Solutions Group, LLC and NWN Carousel Corp. Presidio Networked Solutions provided the lower cost quote. The District will spend $41,650.04 for the services provided under this contract. Services will be funded through the General Fund.

STAFF RECOMMENDATION:

Recommend adoption.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. __________

Resolution Authorizing Utilization of the State of California, Contract No. 1-19-70-19B-2 with Presidio Networked Solutions Group, LLC, for Cisco SmartNet Technology Support Services in an Amount Not to Exceed $41,650.04 for the Period of October 1, 2021, Through September 30, 2022

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

WHEREAS, the State of California, Department of General Services, Procurement Division has conducted a cooperative bid process that allows the Chula Vista Elementary School District (District) the ability to purchase or contract under the contract at the same prices and upon the same terms and conditions as the State of California pursuant to Sections 20118 and 20652 of the Public Contract Code of California; and

WHEREAS, this Board has determined it to be in the best interest of the District to contract with Presidio Networked Solutions Group, LLC, to meet the needs of the Chula Vista Elementary School District.

WHEREAS, Presidio Networked Solutions Group, LLC, in conjunction with Cisco SmartNet Technology Support Services (Cisco), have agreed to provide Cisco products, services, and related items to the Chula Vista Elementary School District under the terms and conditions of the State of California contract; and

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND DECLARED that participation by the Chula Vista Elementary School District in the State of California, Contract No. 1-19-70-19B-2 for SmartNet Technology Support Services is hereby authorized and approved and is subject to all terms, conditions, and documents as specified in the State of California contract documents.

BE IT FURTHER RESOLVED, ORDERED, AND DECLARED that Francisco Escobedo, Superintendent and Secretary to the Board of Education of the Chula Vista Elementary School District, or his designee is hereby authorized to execute the necessary contract documents with Presidio Networked Solutions Group, LLC.
PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.
ITEM TITLE:

Adopt Resolution Authorizing Utilization of the National Association of State Procurement Officials Value Point Contract No. MNWNC-108, Through the State of California, Department of General Services, Participating Addendum No. 7-15-70-34-003 for Computer Equipment Awarded to Dell Marketing, L.P., Through July 31, 2022

X Action

BACKGROUND INFORMATION:

In October 1993, purchasing directors from 15 western states formed the Western State Contracting Alliance (WSCA), a cooperative multistate contracting agency. Despite having a separate name, the WSCA cooperative was a program under National Association of State Procurement Officials (NASPO). NASPO, through its collective buying power stimulates competition and assists states in achieving cost-effective and efficient acquisition of products and services. As public agencies, school districts are made allowed to use NASPO contracts to procure products and services. The Chula Vista Elementary School District (District) has participated in NASPO/WSCA since 2008-09.

NASPO developed a “lead state” process to issue cooperative solicitations. The lead state awards and manages contracts with the vendors. NASPO’s member states that wish to participate enter into a cooperative agreement with the lead state and a participating addendum is executed with the vendor supplying the product or service.

On October 1, 2015, the State of Minnesota, the lead state, executed the award of NASPO Value Point (NVLPT) Contract #MNWNC-108; and the State of California’s Participating Addendum NO. 7-15-70-34-003, was awarded to Dell Marketing, L.P.(Dell). Dell works in conjunction with system integrators, who were identified as part of the contract award by the State of California.

In 2016, the District installed new servers, storage pools, and battery backup power for its core computer programs. In addition, the District completed the integration of Dell Hardware and Microsoft software to create a private cloud, which included the data migration from our old infrastructure to the new equipment.
The District will utilize this contract to purchase Dell remote technical support services and hardware replacement in case of unexpected failure for covered equipment. The equipment to be covered by Dell currently provides critical functionality for the District’s computing resources. Malfunction or failure would significantly hamper the operation of systems such as eSchool, BusinessPlus, and other critical infrastructure.

**ADDITIONAL DATA:**

Copies of contract documents are available for review in the Office of the Interim Superintendent.

**FISCAL IMPACT/FUNDING SOURCE:**

The IT Department requested quotes from two authorized Dell technical support resellers under the NASPO Value Point contract, Sidepath Inc. and CDW-G, LLC. Sidepath provided the lower cost quote. The cost for this service will be $41,536.61 and will be paid through the General fund.

**STAFF RECOMMENDATION:**

Recommend adoption.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. __________

Authorize Utilization of the National Association of State Procurement Officials Value Point Contract No. MNWNC-108, Through the State of California, Department of General Services, Participating Addendum No. 7-15-70-34-003 for Computer Equipment Awarded to Dell Marketing, L.P., Through July 31, 2022

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

WHEREAS, the State of California has entered into an agreement through the National Association of State Procurement Offices (NASPO), formerly known as Western States Contracting Alliance (WSCA), a cooperative multistate contracting agency that with its collective buying power stimulates competition and assists states in achieving cost-effective and efficient acquisition of products and services; and

WHEREAS, Dell Marketing, LLP (DELL), was awarded the contract through the NASPO Value Point (NVLPT) Contract No. MNWNC-108 and the State of California, Department of General Services, Participating Addendum No. 7-15-70-34-003; and

WHEREAS, the Chula Vista Elementary School District (District) as a participating agency may purchase equipment and services provided by Dell, in conjunction with Sidepath Inc., who is an authorized system integrator identified by the State of California, utilizing the pricing, terms and conditions stipulated in the NVLPT Contract No. MNWNC108 and the California Participating Addendum Contract No. #7-15-70-34-003; and

WHEREAS, this Board has determined it to be in the best interest of the District to utilize the NVLPT contract to purchase additional equipment and services that may be required to maintain high performance and reliability for District programs; and
WHEREAS, NASPO and the State of California waived its right to require other districts to draw warrants for such purchases or contracts in favor of NASPO or the State of California.

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND DECLARED that the use of the NVLPT contract for computer equipment and services for the District, to be provided by Dell through the approved system integrators under NVLPT Contract No. MNWNC-108 and California Participating Addendum No. 7-15-70-34-003 is hereby authorized and approved; and is subject to all terms and conditions as specified in the NVLPT contract documents.

BE IT FURTHER RESOLVED, ORDERED, AND DECLARED that the Superintendent, or his designee, is hereby authorized to execute the necessary contract documents to purchase Dell computer equipment and services.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 12th day of August, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

- - - - - - - - - - - - - - -
Chula Vista Elementary School District
Resolution No.
Page 3

STATE OF CALIFORNIA )
COUNTY OF SAN DIEGO ) ss

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at its organizational meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

__________________________
Interim Secretary to the Board of Education
ITEM TITLE:

Adopt Resolution Establishing Appropriations Limits for Fiscal Years 2020-21 and 2021-22 Pursuant to Article XIIIIB (Gann Amendment) of the California State Constitution

X Action

BACKGROUND INFORMATION:

The Gann Initiative, which was approved by voters in November 1979, added an amendment to the State Constitution requiring all public agencies to annually determine and adopt appropriations limits. Implementation of the amendment and related calculations places a ceiling on each year's appropriations of tax dollars for the state, cities, counties, school districts, and special districts.

Using 1978-79 as a base year, subsequent years' limits have been adjusted for the following:

- An inflation increase equal to the change in the Consumer Price Index or per capita personal income, whichever is smaller.

- The change in average daily attendance.

Proposition 111, adopted in June 1990, amended the Gann limit inflation factor to be based only on the change in per capita personal income. Per Education Code Section 42132, school districts are required to report their actual appropriations limit for fiscal year 2020-21 and an estimated appropriations limit for fiscal year 2021-22 by September 15, 2021.

ADDITIONAL DATA:

The 2020-21 Appropriations Limit Recalculation and 2021-22 Estimated Appropriations Limitation Calculation forms have been completed and are available for review in the Office of the Interim Superintendent.
FISCAL IMPACT/FUNDING SOURCE:

Fiscal Year 2020-21 Actual Appropriations Limit = $200,463,124.43
Fiscal Year 2021-22 Estimated Appropriations Limit = $202,433,121.66

The District’s fiscal year 2020-21 appropriations subject to the Gann limit is $200,463,124.43.

STAFF RECOMMENDATION:

Recommend adoption.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. _____________

Resolution Establishing Appropriations Limits (for Fiscal Years 2020-21 and 2021-22 Pursuant to Article XIIIB (Gann Amendment) of the California State Constitution)

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

WHEREAS, in November 1979, the California electorate adopted Proposition 4, commonly called the Gann Amendment, which added Article XIIIB to the California Constitution; and

WHEREAS, each public agency is required to determine and adopt an actual appropriations limit for fiscal year 2020-21 as a legislative act; and

WHEREAS, each public agency is required to determine and adopt an estimated appropriations limit for fiscal year 2021-22 as a legislative act; and

WHEREAS, the appropriations limits for both fiscal years for the Chula Vista Elementary School District have been calculated in accordance with applicable constitutional and statutory law.

NOW, THEREFORE, BE IT RESOLVED as a legislative act of the Chula Vista Elementary School District Board of Education that for the purposes of Article XIIIB (Gann Amendment), there is hereby established this agency’s actual appropriations limit of $200,463,124.43 for fiscal year 2020-21 and an estimated appropriations limit of $202,433,121.66 for fiscal year 2021-22.

BE IT FURTHER RESOLVED that this Board of Education hereby declares the appropriations in the budget for fiscal years 2020-21 and 2021-22 do not exceed the limitations imposed by Proposition 4.

BE IT FURTHER RESOLVED that the Interim Superintendent provide copies of this resolution along with the appropriate attachments to interested citizens of this District.
PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.
### A. PRIOR YEAR DATA

(2019-20 Actual Appropriations Limit and Gann ADA are from district's prior year Gann data reported to the CDE)

1. **FINAL PRIOR YEAR APPROPRIATIONS LIMIT**
   - Preload/Line D11, PY column
   - 2019-20 Actual: 192,946,009.64
   - 2020-21 Actual: 192,946,009.64
   - 2021-22 Calculations: 200,463,124.43

2. **PRIOR YEAR GANN ADA**
   - Preload/Line B3, PY column
   - 2019-20 Actual: 28,358.43
   - 2020-21 Actual: 28,405.16

### ADJUSTMENTS TO PRIOR YEAR LIMIT

3. **District Lapses, Reorganizations and Other Transfers**
4. **Temporary Voter Approved Increases**
5. **Less: Lapses of Voter Approved Increases**
6. **TOTAL ADJUSTMENTS TO PRIOR YEAR LIMIT**
   - Lines A3 plus A4 minus A5
   - 2019-20: 0.00
   - 2020-21: 0.00

### ADJUSTMENTS TO PRIOR YEAR ADA

- Only for district lapses, reorganizations and other transfers, and only if adjustments to the appropriations limit are entered in Line A3 above

### B. CURRENT YEAR GANN ADA

(2020-21 data should tie to Principal Apportionment Software Attendance reports and include ADA for charter schools reporting with the district)

1. **Total K-12 ADA** (Form A, Line A6)
   - 2020-21 Actual: 22,438.08
   - 2021-22 P2 Estimate: 21,129.42

2. **Total Charter Schools ADA** (Form A, Line C9)
   - 2020-21 Actual: 5,967.08
   - 2021-22 P2 Estimate: 5,999.68

3. **TOTAL CURRENT YEAR P2 ADA**
   - 2020-21 Actual: 28,405.16
   - 2021-22 P2 Estimate: 27,129.10

### C. CURRENT YEAR LOCAL PROCEEDS OF TAXES/STATE AID RECEIVED

**TAXES AND SUBVENTIONS (Funds 01, 09, and 62)**

1. **Homeowners' Exemption (Object 8021)**
   - 2020-21 Actual: 633,519.24
   - 2021-22 Budget: 633,519.24

2. **Timber Yield Tax (Object 8022)**
   - 2020-21 Actual: 0.00
   - 2021-22 Budget: 0.00

3. **Other Subventions/In-Lieu Taxes (Object 8029)**
   - 2020-21 Actual: 0.00
   - 2021-22 Budget: 0.00

4. **Secured Roll Taxes (Object 8041)**
   - 2020-21 Actual: 105,933,576.82
   - 2021-22 Budget: 105,933,576.82

5. **Unsecured Roll Taxes (Object 8042)**
   - 2020-21 Actual: 3,287,510.13
   - 2021-22 Budget: 3,287,510.13

6. **Prior Years' Taxes (Object 8043)**
   - 2020-21 Actual: 6,766.17
   - 2021-22 Budget: 6,766.17

7. **Supplemental Taxes (Object 8044)**
   - 2020-21 Actual: 3,215,749.17
   - 2021-22 Budget: 3,215,749.17

   - 2020-21 Actual: (96,593.00)
   - 2021-22 Budget: (96,593.00)

9. **Penalties and Int. from Delinquent Taxes (Object 8048)**
   - 2020-21 Actual: 0.00
   - 2021-22 Budget: 0.00

10. **Other In-Lieu Taxes (Object 8082)**
    - 2020-21 Actual: 13,452.29
    - 2021-22 Budget: 13,452.29

11. **Comm. Redevelopment Funds (objects 8047 & 8625)**
    - 2020-21 Actual: 4,172,642.81
    - 2021-22 Budget: 3,958,187.00

12. **Parcel Taxes (Object 8621)**
    - 2020-21 Actual: 0.00
    - 2021-22 Budget: 0.00

13. **Other Non-Ad Valorem Taxes (Object 8622) (Taxes only)**
    - 2020-21 Actual: 0.00
    - 2021-22 Budget: 0.00

14. **Penalties and Int. from Delinquent Non-LCFF Taxes (Object 8629) (Only those for the above taxes)**
    - 2020-21 Actual: 0.00
    - 2021-22 Budget: 0.00

15. **Transfers to Charter Schools in Lieu of Property Taxes (Object 8096)**

16. **TOTAL TAXES AND SUBVENTIONS**
    - Lines C1 through C15
    - 2020-21 Actual: 117,166,623.63
    - 2021-22 Budget: 117,166,623.63

**OTHER LOCAL REVENUES (Funds 01, 09, and 62)**

17. **To General Fund from Bond Interest and Redemption Fund (Excess debt service taxes) (Object 8914)**
    - 2020-21 Actual: 0.00
    - 2021-22 Budget: 0.00

18. **TOTAL LOCAL PROCEEDS OF TAXES**
    - Lines C16 plus C17
    - 2020-21 Actual: 117,166,623.63
    - 2021-22 Budget: 117,166,623.63
### EXCLUDED APPROPRIATIONS

19. Medicare (Enter federally mandated amounts only from obj. 3301 & 3302; do not include negotiated amounts)

<table>
<thead>
<tr>
<th>2020-21</th>
<th>2021-22</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extracted Data</td>
<td>Adjustments*</td>
</tr>
<tr>
<td>3,120,323.00</td>
<td></td>
</tr>
</tbody>
</table>

### OTHER EXCLUSIONS

20. Americans with Disabilities Act

21. Unreimbursed Court Mandated Desegregation Costs

22. Other Unfunded Court-ordered or Federal Mandates

23. TOTAL EXCLUSIONS (Lines C19 through C22)

<table>
<thead>
<tr>
<th>2020-21</th>
<th>2021-22</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,120,323.00</td>
<td>3,318,024.00</td>
</tr>
</tbody>
</table>

### STATE AID RECEIVED (Funds 01, 09, and 62)

24. LCFF - CY (objects 8011 and 8012)

25. LCFF/Revenue Limit State Aid - Prior Years (Object 8019)

26. TOTAL STATE AID RECEIVED (Lines C24 plus C25)

<table>
<thead>
<tr>
<th>2020-21</th>
<th>2021-22</th>
</tr>
</thead>
<tbody>
<tr>
<td>158,740,957.65</td>
<td>173,298,976.00</td>
</tr>
</tbody>
</table>

### DATA FOR INTEREST CALCULATION

27. Total Revenues (Funds 01, 09 & 62; objects 8000-8799)

28. Total Interest and Return on Investments (Funds 01, 09, and 62; objects 8660 and 8662)

<table>
<thead>
<tr>
<th>2020-21</th>
<th>2021-22</th>
</tr>
</thead>
<tbody>
<tr>
<td>398,358,383.60</td>
<td>402,533,498.28</td>
</tr>
</tbody>
</table>

### APPROPRIATIONS LIMIT CALCULATIONS

#### PRELIMINARY APPROPRIATIONS LIMIT

1. Revised Prior Year Program Limit (Lines A1 plus A6)

2. Inflation Adjustment

3. Program Population Adjustment (Lines B3 divided by [A2 plus A7]) (Round to four decimal places)

4. PRELIMINARY APPROPRIATIONS LIMIT (Lines D1 times D2 times D3)

<table>
<thead>
<tr>
<th>2020-21 Actual</th>
<th>2021-22 Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>192,946,099.04</td>
<td>200,463,124.43</td>
</tr>
<tr>
<td>1.0373</td>
<td>1.0573</td>
</tr>
<tr>
<td>1.0016</td>
<td>0.9551</td>
</tr>
<tr>
<td>200,463,124.43</td>
<td>202,433,121.66</td>
</tr>
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</table>

#### APPROPRIATIONS SUBJECT TO THE LIMIT

5. Local Revenues Excluding Interest (Line C18)

6. Preliminary State Aid Calculation
   a. Minimum State Aid in Local Limit (Greater of $120 times Line B3 or $2,400; but not greater than Line C26 or less than zero)
   
   b. Maximum State Aid in Local Limit (Lesser of Line C26 or Lines D4 minus D5 plus C23; but not less than zero)

7. Local Revenues in Proceeds of Taxes
   a. Interest Counting in Local Limit (Line C28 divided by [Lines C27 minus C28] times [Lines D5 plus D6c])
   
   b. Total Local Proceeds of Taxes (Lines D5 plus D7a)

8. State Aid in Proceeds of Taxes (Greater of Line D6a, or Lines D4 minus D7b plus C23; but not greater than Line C26 or less than zero)

9. Total Appropriations Subject to the Limit
   a. Local Revenues (Line D7b)
   
   b. State Subventions (Line D6)
   
   c. Less: Excluded Appropriations (Line C23)

   d. TOTAL APPROPRIATIONS SUBJECT TO THE LIMIT (Lines D9a plus D9b minus D9c)

<table>
<thead>
<tr>
<th>2020-21</th>
<th>2021-22</th>
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<tbody>
<tr>
<td>117,166,623.63</td>
<td>116,368,061.00</td>
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<tr>
<td>3,408,619.20</td>
<td>3,255,492.00</td>
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<tr>
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<td>3,255,492.00</td>
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<tr>
<td>86,416,823.80</td>
<td>89,363,084.66</td>
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<tr>
<td>86,416,823.80</td>
<td>89,363,084.66</td>
</tr>
<tr>
<td>709,663.11</td>
<td>459,798.00</td>
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<tr>
<td>117,876,286.74</td>
<td>116,827,859.00</td>
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<tr>
<td>85,707,160.69</td>
<td>88,923,286.66</td>
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<tr>
<td>117,876,286.74</td>
<td>116,827,859.00</td>
</tr>
<tr>
<td>200,463,124.43</td>
<td>202,433,121.66</td>
</tr>
</tbody>
</table>
### 10. Adjustments to the Limit Per Government Code Section 7902.1

(Line D9d minus D4; if negative, then zero)

If not zero report amount to:
- Keely Bosler, Director
- State Department of Finance
- Attention: School Gann Limits
- State Capitol, Room 1145
- Sacramento, CA 95814

#### SUMMARY

11. Adjusted Appropriations Limit (Lines D4 plus D10)

12. Appropriations Subject to the Limit (Line D9d)

<table>
<thead>
<tr>
<th></th>
<th>2020-21 Actual</th>
<th>2021-22 Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>200,463,124.43</td>
<td>202,433,121.66</td>
</tr>
</tbody>
</table>

* Please provide below an explanation for each entry in the adjustments column.

---

Theresa Villanueva
Gann Contact Person

619-425-9600 x 1391

Contact Phone Number
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Business Services and Support

ITEM TITLE:

Ratify Purchase Orders, Warrants, and Checks Written/Issued Through August 31, 2021

X Action Information

BACKGROUND INFORMATION AND FISCAL IMPACT:

The following purchase orders, warrants, and checks were written/issued through August 31, 2021

i. Purchase Orders: 22000941-22001747 $13,519,059.17

ii. Alternative Revolving Cash: 001373-001374 $400.00

iii. Commercial Warrants: 330149-330758 $7,390,706.88
    Cafeteria Warrants: 00008519-00008613 $1,049,515.21

iv. Payroll Warrants: Series 10 13330496-13332170; N-2948855-2952354 $18,836,007.87

v. Revolving Cash Checks: 009664-009784 25,245.30

ADDITIONAL DATA:

Additional information is available for review in the Office of the Deputy Superintendent in accordance with Board Policies 3310, 3314, and 3314.2.

STAFF RECOMMENDATION:

Recommend ratification.
ITEM TITLE:

Approve and/or Ratify Inservice/Travel Requests

____ X ______ Action ________ Information

BACKGROUND INFORMATION:

See attached listing.

ADDITIONAL DATA:

Inservice/travel requests are available for review in the Office of the Deputy Superintendent in accordance with Board Policies 4133, 4233, and 4333.

FISCAL IMPACT/FUNDING SOURCE:

See attached listing.

STAFF RECOMMENDATION:

Recommend approval and/or ratification.
<table>
<thead>
<tr>
<th>Individual</th>
<th>Event</th>
<th>Destination</th>
<th>From</th>
<th>To</th>
<th>Est'd Cost</th>
<th>Funding</th>
<th>CVESD Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seligman, J</td>
<td>AOSA Professional Development Conference</td>
<td>North Carolina</td>
<td>11/03/21</td>
<td>11/07/21</td>
<td>$1,538.00</td>
<td>Title I</td>
<td>Casillas Elem.</td>
</tr>
<tr>
<td>Dombrowski, J</td>
<td>Design for Health and Training Center</td>
<td>San Diego</td>
<td>10/04/21</td>
<td>10/05/21</td>
<td>$410.00</td>
<td>District Operations</td>
<td>Facilities</td>
</tr>
<tr>
<td>Heredia, J</td>
<td>Design for Health and Training Center</td>
<td>San Diego</td>
<td>10/04/21</td>
<td>10/05/21</td>
<td>$410.00</td>
<td>District Operations</td>
<td>Facilities</td>
</tr>
<tr>
<td>Lopez, J</td>
<td>Fall Technical Assistance Conference</td>
<td>Sacramento, CA</td>
<td>10/26/21</td>
<td>10/29/21</td>
<td>$1,626.00</td>
<td>Preschool</td>
<td>Instructional Services</td>
</tr>
<tr>
<td>Palet, R</td>
<td>Fall Technical Assistance Conference</td>
<td>Sacramento, CA</td>
<td>10/26/21</td>
<td>10/29/21</td>
<td>$1,626.00</td>
<td>Preschool</td>
<td>Instructional Services</td>
</tr>
<tr>
<td>Salas, N</td>
<td>Fall Technical Assistance Conference</td>
<td>Sacramento, CA</td>
<td>10/26/21</td>
<td>10/29/21</td>
<td>$1,626.00</td>
<td>Preschool</td>
<td>Instructional Services</td>
</tr>
<tr>
<td>Williams, A</td>
<td>CMC - South Mathematics</td>
<td>Palm Springs, CA</td>
<td>11/04/21</td>
<td>11/07/21</td>
<td>$429.00</td>
<td>District Admin</td>
<td>Instructional Services</td>
</tr>
<tr>
<td>Williams, A</td>
<td>Equity Conference 2022</td>
<td>San Diego</td>
<td>01/20/22</td>
<td>01/21/22</td>
<td>$380.00</td>
<td>District Admin</td>
<td>Instructional Services</td>
</tr>
<tr>
<td>Casey, S</td>
<td>Critical Issues Conference</td>
<td>Palm Springs, CA</td>
<td>10/19/21</td>
<td>10/21/21</td>
<td>$1,029.00</td>
<td>SELPA Reimb.</td>
<td>Pupil Services</td>
</tr>
<tr>
<td>Garcia, M</td>
<td>Critical Issues Conference</td>
<td>Palm Springs, CA</td>
<td>10/19/21</td>
<td>10/21/21</td>
<td>$1,029.00</td>
<td>SELPA Reimb.</td>
<td>Pupil Services</td>
</tr>
<tr>
<td>Gaudet, Y</td>
<td>Critical Issues Conference</td>
<td>Palm Springs, CA</td>
<td>10/19/21</td>
<td>10/21/21</td>
<td>$1,029.00</td>
<td>SELPA Reimb.</td>
<td>Pupil Services</td>
</tr>
<tr>
<td>Masek, K</td>
<td>Critical Issues Conference</td>
<td>Palm Springs, CA</td>
<td>10/19/21</td>
<td>10/21/21</td>
<td>$1,029.00</td>
<td>SELPA Reimb.</td>
<td>Pupil Services</td>
</tr>
</tbody>
</table>

*Estimated cost per participant. Funds may vary by site for this event

NOTE: Actual Inservice/Travel costs may differ from estimated costs as shown above.
ITEM TITLE:

Conduct Public Hearing on Elementary and Secondary School Emergency Relief III Plan

Action X Information

BACKGROUND INFORMATION:

In response to the 2019 Novel Coronavirus (COVID-19), the U.S. Congress passed American Rescue Plan (ARP) Act, which was signed into law on March 11, 2021. This federal stimulus funding is the third act of federal relief in response to COVID-19, following the Coronavirus Aid, Relief, and Economic Security Act signed into law on March 27, 2020, and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 signed into law on December 27, 2020.

The main funding source for local educational agencies (LEAs) in the ARP Act is the Elementary and Secondary School Emergency Relief (ESSER) III Fund. The ESSER III Fund accounts for nearly $122 billion of funding for all states and California’s allocation is $15,068,884,546. The ARP Act also requires the U.S. Department of Education to reserve $800 million to support efforts to identify homeless children and youth, and provide such youth with comprehensive, wrap-around services that address needs arising from the COVID-19 pandemic and allows them to attend school and participate fully in all school activities. California’s allocation for these funds is $98,709,231. The ESSER III funding provides LEAs with emergency relief funds to address the impact of COVID-19 on elementary and secondary schools across the nation.

Section 2001(c) of the ARP Act requires ED to allocate the ESSER III Fund based on the proportion that each State received under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA) in the most recent fiscal year. Funds may be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. These funds are available for obligation by the state and subrecipients through September 30, 2024.
**ADDITIONAL DATA:**

The District worked closely with stakeholder input groups including, Chula Vista Classified Employees Organization, Chula Vista Educators, District Advisory Council/District English Learner Advisory Committee, Black Learner Advisory Council, and Parent-Teacher Associations to gather input for the ESSER III Plan.

Additional information is available for review in the Office of the Assistant Superintendent of Innovation and Instruction.

**FISCAL IMPACT/FUNDING SOURCE:**

The District’s preliminary allocation of ESSER III funding is anticipated to be $44,557,127.

**STAFF RECOMMENDATION:**

Recommend conduct public hearing.
ITEM TITLE:

(1) Conduct Public Hearing Regarding Sufficiency of Instructional Materials and the Williams Class Action Settlement; and

(2) Adopt Resolution for the 2021-22 School Year Regarding Sufficiency of Instructional Materials and the Williams Class Action Settlement with the State of California

X Action

Information

BACKGROUND INFORMATION:

The Eliezer Williams, et al. vs. State of California, et al. (Williams) case was filed as a class action in 2000 in San Francisco County Superior Court. The basis of the lawsuit was that state educational agencies failed to provide public school students with equal access to instructional materials, safe and decent school facilities, and qualified teachers.

The case was settled in 2004, resulting in the state allocating $138 million in additional funding for standards-aligned instructional materials for schools in the first and second ranks (known as Deciles) determined through the 2003 Academic Performance Index (API) Base. The purpose of the funds allocated by the Williams settlement is to ensure that all students at Deciles 1-3 schools have access to textbooks in the five core subject areas of reading/language arts, history/social science, mathematics, science, and English language development. The settlement includes an additional $50 million for implementation costs and other oversight-related activities for schools in Deciles 1-3 (2003 API Base). These two amounts were included in the state budget (Outside Source) signed in July 2004 by Governor Schwarzenegger. The settlement is implemented through legislation adopted in August 2004: Senate Bill (SB) 6, SB 550, Assembly Bill (AB) 1550, AB 2727, and AB 3001. AB 831 was signed on July 26, 2005, to further clarify implementation of Williams legislation.

Previously, schools most affected by the Williams case were in Deciles 1-3 as determined by the 2006 API Base. In 2012-13, the list of schools was updated and now includes schools in Deciles 1-3 as determined by the 2012 API Base. There are no District schools on the list.
Since the 2004-05 school year, the San Diego County Office of Education (SDCOE) has conducted annual visits to the API Deciles 1-3 schools to ascertain sufficiency of instructional materials in the core subject areas. If insufficient materials are determined, SDCOE prepares a report identifying and documenting areas of noncompliance. If the deficiency is not remedied by the local education agency within 20 days, SDCOE requests that the California Department of Education, with State Board of Education approval, purchase materials to comply with the sufficiency requirement. The SDCOE did not conduct site visits to any District schools.

Additionally, the Board must conduct a public hearing to make a determination and adopt a resolution, every year, that every student has sufficient core subject textbooks/instructional materials consistent with the content and cycles of the state framework. The Board is required to submit the resolution to the California Department of Education.

**ADDITIONAL DATA:**

Additional information is available for review in the Office of the Assistant Superintendent of Innovation and Instruction.

**FISCAL IMPACT/FUNDING SOURCE:**

Adoption of the attached resolution will provide for continued funding under Education Code Section 60119, Instructional Materials.

**STAFF RECOMMENDATION:**

Recommend conduct public hearing and adoption.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. _________

Resolution for the 2021-22 School Year Regarding Sufficiency of Instructional Materials and the Williams Class Action Settlement with the State of California

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

WHEREAS, the Board of Education of the Chula Vista Elementary School District, in order to comply with the requirements of Education Code Section 60119, held a public hearing on September 15, 2021, at 6 p.m., which is on or before the eighth week of District schools opening (between the first day that students attend school and the eighth week from that day) and which did not take place during or immediately following school hours; and

WHEREAS, the Board of Education provided at least ten days’ notice of the public hearing posted in at least three public places within the District that stated the time, place, and purpose of the hearing; and

WHEREAS, the Board of Education encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing; and

WHEREAS, information provided at the public hearing and to the Board of Education at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English Learners, in the District; and

WHEREAS, between 2008 and 2021, the definition of “sufficient textbooks or instructional materials” also means that all students who are enrolled in the same course within the District have standards-aligned textbooks or instructional materials from the same adoption cycle; and

WHEREAS, sufficient textbooks and instructional materials are normally provided to each student enrolled in foreign language or health classes; and

WHEREAS, sufficient textbooks and instructional materials are normally provided to each student, including English Learners, that are aligned to the academic content standards and consistent with the cycles and content of the
curriculum frameworks in English-Language Arts/English Language Development (Benchmark Advance/Benchmark Adelante), History/Social Science (Harcourt Reflections/Reflexiones), Mathematics (Go Math!®), and Science (Houghton Mifflin Science/Ciencias); and

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Chula Vista Elementary School District has provided each student with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT: - - - - - - - - - - - - - - -

STATE OF CALIFORNIA )
COUNTY OF SAN DIEGO) ss

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Interim Secretary to the Board of Education
ITEM TITLE:

1) Conduct Public Hearing Regarding Establishment of Community Facilities District No. 21, Levy of Special Taxes, Bonded Indebtedness, and Related Matters;

2) Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Determining the Validity of Prior Proceedings, Establishing Community Facilities District No. 21, Authorizing the Levy of Special Taxes Within Community Facilities District No. 21, Establishing an Appropriations Limit, Calling an Election, and Taking Related Actions;

ACTING AS THE GOVERNING BOARD OF COMMUNITY FACILITIES DISTRICT NO. 21

3) Conduct Election of the Landowner-Voters Within Community Facilities District No. 21 and Declare Election Results;

4) Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Canvassing the Results of the Election Held Within Community Facilities District No. 21 of the Chula Vista Elementary School District; and

5) Approve Motion to Direct Clerk to Conduct the First Reading, by Title Only, of Ordinance of Community Facilities District No. 21, Authorizing the Levy of Special Tax Within Community Facilities District No. 21

ACTION INFORMATION

X Action

BACKGROUND INFORMATION:

Introduction

A HomeFed Corporation entity ("Developer") and certain merchant builders are presently in the process of developing real property within Otay Ranch Village 8 West (Village 8 West) to include single-family detached, single-family attached, and apartment dwelling units.
On June 16, 2021, the Board took the initial actions to establish a Mello-Roos Community Facilities District (“CFD”) to finance the Developer’s and merchant builders’ obligations to mitigate the impacts on the District’s school facilities arising from development of Village 8 West. Such CFD is to be known as “Community Facilities District No. 21 of the Chula Vista Elementary School District” or “CFD No. 21.” Those initial actions by the Board included adoption of the following resolutions:

Resolution No. 2020-21.092 Resolution of the Board of Education of the Chula Vista Elementary School District Stating its Intention to Establish Community Facilities District No. 21 and to Authorize Submittal of the Levy of Special Taxes to the Qualified Electors of Community Facilities District No. 21


Resolution No. 2020-21.094 Resolution of the Board of Education of the Chula Vista Elementary School District Stating its Intention to Incur Bonded Indebtedness in an Aggregate Principal Amount Not to Exceed $60,000,000.00 Within Proposed Community Facilities District No. 21 of the Chula Vista Elementary School District

During its July 14, 2021, meeting, the Board approved a “School Facilities Mitigation Agreement for Otay Ranch Village 8 West” by and among the District, the Developer, the merchant builders, and other owners of property within Village 8 West (“Mitigation Agreement”). The Mitigation Agreement sets forth the final agreed-upon terms and conditions for the District to establish CFD No. 21, to cause CFD No. 21 to levy special taxes, for use of the special tax proceeds to finance certain of the Developer’s and merchant builder’s mitigation obligations, and, as applicable, for payments by the Developer or merchant builders to mitigate certain properties within Village 8 West that will not be subject to the levy of CFD No. 21 special taxes.

The District initially intended that, during its August 11 meeting, the Board would take additional steps required to establish CFD No. 21, authorize the special taxes and bonds of CFD No. 21, and conduct an election among the owners of the properties within Village 8 West. However, District staff determined that additional time was required to coordinate with HomeFed and prepare for the
election. Because District staff published and posted notice that the public hearing would occur on August 11, 2021, the Board opened the public hearing on August 11, 2021, and, without closing the public hearing, continued it to the September 15, 2021, meeting of the Board.

The following actions by the Board are necessary to continue the process of establishing CFD No. 21 and authorizing the special taxes and bonds of CFD No. 21.

**Agenda Item No. 1: Conduct Continued Public Hearing**

A public hearing is a required element of the formation of CFD No. 21. The purpose of the public hearing is to allow all interested persons the opportunity to comment regarding the proposed formation of CFD No. 21, the extent of CFD No. 21, and the public facilities to be funded by CFD No. 21. Resolution No. 2020-21.027 established that the public hearing would continue on September 15, 2021. After all interested parties, if any, have been heard during the public hearing in regard to the proposed formation of CFD No. 21, the proposed levy of special taxes and any related matters, the Board should then close the public hearing.

**Agenda Item No 2: Adopt Resolution of Formation**

This Resolution, to be adopted following the close of the public hearing, determines the validity of prior proceedings relating to CFD No. 21, establishes CFD No. 21, authorizes the levy of special taxes within CFD No. 21, establishes an appropriations limit, and calls the landowner election.

**Agenda Item No. 3: Conduct Election**

The Executive Director of Facilities Planning, Risk Management, and Legal Services, acting as the Election Official, will conduct the required landowner election and certify the results of the election.

**Agenda Item 4: Adopt Resolution Canvassing Election Results**

This Resolution describes the landowner election and sets forth the official results of the election.

**Agenda Item 5: Conduct First Reading of Ordinance**

The reading of the ordinance authorizing the special taxes of CFD No. 21 (“Special Tax Ordinance”), which occurs in two steps, a first and second reading, is necessary in connection with authorizing the levy of special taxes of
CFD No 21. The second reading of the Special Tax Ordinance will be scheduled for the meeting of the Board to occur on October 20, 2021.

**ADDITIONAL INFORMATION:**

Additional information is available for review in the Office of the Interim Superintendent.

**FISCAL IMPACT/FUNDING SOURCE:**

Proposed CFD No. 21 will fund school facilities needed as a result of the development of Village 8 West through the receipt of agreed-upon special taxes and, as applicable, proceeds of bonds or other securities. As provided in the Mitigation Agreement, the Developer and merchant builders will also make mitigation payments for property not subject to the special taxes of CFD No. 21.

**STAFF RECOMMENDATION:**

Recommend:

(i) Continue, conduct, and close public hearing;

(ii) Approve/Adopt Resolution of Formation;

(iii) Conduct Landowner Election;

(iv) Approve/Adopt Resolution Canvassing Election Results; and

(v) Conduct first reading of Special Tax Ordinance.
 Resolution of the Board of Education of the Chula Vista Elementary School District Determining the Validity of Prior Proceedings, Establishing Community Facilities District No. 21, Authorizing the Levy of Special Taxes Within Community Facilities District No. 21, Establishing an Appropriations Limit, Calling an Election, and Taking Related Actions

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

WHEREAS, the Chula Vista Elementary School District ("District") is a public school district organized and existing pursuant to California law; and

WHEREAS, on June 16, 2021, the Board of Education of the Chula Vista Elementary School District ("Board") adopted Resolution No. 2020-21.092, thereby stating its intention to form Community Facilities District No. 21 of the Chula Vista Elementary School District ("CFD No. 21") in accordance with the provisions of the Mello-Roos Community Facilities Act of 1982, as amended ("Mello-Roos Act"); and

WHEREAS, Resolution No. 2020-21.092 sets forth a description of the proposed boundaries of CFD No. 21, the public facilities to be funded and/or financed by or through CFD No. 21 ("CFD Facilities"), and the proposed Rate and Method of Apportionment of the special taxes to be levied within CFD No. 21 to pay for CFD Facilities and other costs, including, without limitation, payment of the principal and interest on bonds and/or other types of securities that may be authorized to be issued or executed by or on behalf of CFD No. 21 ("Bonds"); and

WHEREAS, a copy of Resolution No. 2020-21.092 is on file with the Clerk of the Board; and

WHEREAS, pursuant to the directives of Resolution No. 2020-21.093, also adopted by the Board on June 16, 2021, District staff caused a copy of the proposed boundary map of CFD No. 21 ("Boundary Map") to be recorded in the Office of the County Assessor/Recorder/Clerk of the County of San Diego, State of California, on June 22, 2021, as Instrument No. 2021-70000197, commencing...
Chula Vista Elementary School District  
Resolution No.  
Page 2  

on page 20 of Book No. 49 of Maps of Assessment and Community Facilities Districts, in compliance with Section 3110 et seq. of the Streets and Highways Code of the State of California and the Mello-Roos Act; and

WHEREAS, also on June 16, 2021, the Board adopted Resolution No. 2020-21.094, thereby stating its intention that CFD No. 21 shall be authorized to incur bonded indebtedness through issuance of bonds and/or other securities (“Bonds”), in an aggregate principal amount not to exceed $60,000,000.00; and

WHEREAS, pursuant to the directives of Resolution Nos. 2020-21.092 and 2020-21.094, District staff caused notice of a combined public hearing regarding the formation of CFD No. 21, the issuance of Bonds, and related matters (“Public Hearing”) to be posted, published, and provided to the owners of the property within proposed CFD No. 21; and

WHEREAS, on August 11, 2021, the Board opened the Public Hearing and, without closing the public hearing, continued it to the September 15, 2021, meeting of the Board.

WHEREAS, District staff and consultants posted and otherwise provided notice of the continuance of the Public Hearing as required by law, including, among others, providing written notice directly to the owners of the property within the boundaries of CFD No. 21; and

WHEREAS on September 15, 2021, the Board continued and completed the Public Hearing as required by the Mello-Roos Act; and

WHEREAS, during the Public Hearing, the Board heard the testimony of any and all persons who desired to be heard regarding the formation of CFD No. 21, the issuance of the Bonds and related matters, and the Board held a full and fair hearing; and

WHEREAS, during the Public Hearing, the Board considered a report containing, among other things, a brief description of the CFD Facilities by type that will be required to meet the needs of CFD No. 21, and the estimated cost of providing those facilities (“CFD Report”); and
WHEREAS, by letter dated July 6, 2021, the Registrar of Voters for the County of San Diego (“Registrar of Voters”) certified that there are no registered voters residing within the boundaries of CFD No. 21.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED as follows:

Section 1. The foregoing recitals are all true and correct, and the Board hereby adopts such recitals as findings of the Board.

Section 2. In accordance with Section 53325.1(b) of the Mello-Roos Act, the Board hereby determines and finds that all prior proceedings relating to CFD No. 21 were valid and in conformity with the requirements of the Mello-Roos Act including, without limitation: (i) the adoption by the Board of Resolution No. 2020-21.092; (ii) the publication, posting, and provision of notices of the Public Hearing; (iii) the filing of Resolution No. 2020-21.092 with the City of Chula Vista; (iv) the adoption by the Board of Resolution No. 2020-21.093; (v) the recording of the Boundary Map; (vi) the adoption by the Board of Resolution No. 2020-21.094 stating the Board’s intent that CFD No.21 be authorized to issue bonds or other securities; (vii) the continuance of the Public Hearing to September 15, 2021; and (viii) the completion by the Board of the continued Public Hearing, during which the Board received and considered the CFD Report, and all persons who desired to testify were permitted to testify for or against the establishment of CFD No. 21, the special taxes of CFD No. 21, the issuance of bonds or other securities by CFD No. 21, and the furnishing of the CFD Facilities.

Section 3. The Board hereby approves the CFD Report, reviewed as part of the hearing process and made a part of the record of the Public Hearing, and orders that the District keep the CFD Report on file with the record of these proceedings and available for public inspection in accordance with applicable District record retention policies, rules, and practices.

Section 4. The Board finds that public convenience and necessity require the CFD Facilities proposed to be funded by and/or financed through CFD No. 21.

Section 5. A community facilities district to be named “Community Facilities District No. 21 of the Chula Vista Elementary School District” is hereby established pursuant to the Mello-Roos Act for the property within CFD No. 21 as shown on the Boundary Map attached as Exhibit “A” hereto.
Section 6. The types of CFD Facilities proposed to be funded by and/or financed through CFD No. 21 are described in the CFD Report and in Exhibit “B” attached hereto.

Section 7. To obtain the funds needed to accomplish the actions described herein, the District intends, in accordance with the procedures set forth in the Mello-Roos Act, to annually levy special taxes secured by the recording of liens against all nonexempt real property within CFD No. 21, which liens will be continuing liens that shall secure each annual levy of the special taxes and that shall continue in effect until the special tax obligation is prepaid, permanently satisfied, and canceled in accordance with law, or until the special tax ceases to be levied and appropriate notices of cessation of special taxes are recorded in accordance with Government Code Section 53330.5. Such special taxes shall be used to pay: (i) the costs of planning, engineering, designing, acquiring, constructing, leasing, coordinating, expanding, relocating, improving, modernizing, rehabilitating, and/or reconstructing the CFD Facilities (or any combination of such activities); and (ii) related and incidental costs and expenses, including, without limitation, costs and expenses of or associated with (1) administering the CFD, (2) determining, levying, and administering the special taxes, (3) establishing and replenishing reserve funds, (4) lease and/or other payments for the CFD Facilities, (5) financing the CFD Facilities and use of special taxes as security for such financing, (6) special tax and Bond elections, (7) issuing and administering each series of Bonds, (8) bond counsel and other legal and financial consultant services, (9) underwriter discount fees, (10) capitalized interest on Bonds for a period not to exceed twenty-four months, and (11) principal and interest on the Bonds and other periodic costs. The Board also reserves the right to establish a revolving fund and to use special tax revenues pursuant to Government Code Section 53314.5. As provided herein, CFD No. 21 may issue or execute and deliver Bonds in the form of, but not limited to, bonds, lease revenue bonds, revenue anticipation notes, and/or certificates of participation, which may involve a lease-purchase financing arrangement for property and/or facilities with a nonprofit public benefit corporation.

Section 8. The Rate and Method of Apportionment of Special Tax (“RMA”) attached as Exhibit “C” hereto sets forth the rates and methods of apportionment of the special taxes to be levied within CFD No. 21. The special taxes are based on the general benefit to owners of parcels of real property
within CFD No. 21 associated with having the CFD Facilities available to serve such area. The special taxes are apportioned to each parcel on the foregoing basis in accordance with Section 53325.3 of the Mello-Roos Act and such special taxes are not based on the ownership of real property by any particular person or entity. Any special taxes collected pursuant to the authorization of the qualified electors shall be collected for a maximum of 30 fiscal years, as provided in the RMA. Under no circumstances shall the special tax levied against any parcel within CFD No. 21 be increased by more than 10% as a consequence of delinquency or default in paying the special taxes by the owner of any other parcel or parcels within CFD No. 21.

Section 9. The Board intends that owners of parcels within CFD No. 21 may prepay the special tax obligation to CFD No. 21 for such parcel(s) to the extent and in the manner set forth in the RMA.

Section 10. In the event a portion of the property within CFD No. 21 shall become exempt for any reason, wholly or partially, from the levy of the special taxes specified in the RMA, the Board, on behalf of CFD No. 21, shall increase the levy to the extent necessary and permitted by statute, up to the authorized maximum tax, on the remaining property within CFD No. 21 that is not exempt, in order to yield the required funding, debt service payments or other payments.

Section 11. Written protests have not been filed by 50% or more of the registered voters residing within the territory of CFD No. 21 or by the owners of one-half or more of the area of land within CFD No. 21, including, without limitation, protests related to the levy of special taxes.

Section 12. The Board hereby calls and orders a special election (“CFD Election”), and submits to the qualified electors of CFD No. 21: (i) a proposition to levy special taxes on the property within CFD No. 21; (ii) a proposition to authorize CFD No. 21 to incur bonded indebtedness in an amount not to exceed $60,000,000.00; and (iii) a proposition to establish an appropriations limit (as defined by subdivision (h) of Section 8 of Article XIIIB of the California Constitution) for CFD No. 21 equal to $60,000,000.00, the maximum bonded indebtedness proposed to be incurred by CFD No. 21.

Section 13. As authorized by Section 53353.5 of the Mello-Roos Act, the propositions described in Section 12 herein shall be combined into a single proposition on the ballot for the CFD Election. The combined ballot proposition
for the CFD Election shall be substantially in the form shown on the sample ballot attached as Exhibit “D” hereto.

Section 14. In accordance with Section 53326 of the Mello-Roos Act and based on the information furnished by the Registrar of Voters, the Board hereby determines that, in each of the 90 days preceding the close of the Public Hearing, fewer than 12 persons have been registered to vote within CFD No. 21. Pursuant to Section 53326(b) of the Mello-Roos Act, the Board hereby determines and directs that the CFD Election shall be a landowner election with each landowner having one vote for each acre of property or portion thereof that they own within CFD No. 21 as of the date of this Resolution.

Section 15. The date and time for the CFD Election for CFD No. 21 shall be September 15, 2021, at 6:00 p.m. or as soon thereafter as practicable.

Section 16. In accordance with the provisions of Section 53327(b) of the Mello-Roos Act, the Board hereby directs that the District’s Executive Director of Facilities Planning, Risk Management, and Legal Services shall be the election official for the CFD Election (“Election Official”). The Election Official is authorized to, and shall, take all actions necessary to conduct the CFD Election as provided for herein.

Section 17. Pursuant to the requirements and provisions of the Mello-Roos Act, the Board hereby finds, determines, and directs as follows:

(a) The special taxes to be authorized at the CFD Election shall be used in accordance with Mello-Roos Act and the RMA for the purposes described in Section 7 of this Resolution.

(b) All special taxes so levied and collected within CFD No. 21 shall be used only for the purposes described in Paragraph (a) of this Section.

(c) District staff shall create a fund or account, which may include subaccounts, into which the special taxes levied and collected within CFD No. 21 shall be deposited. Such fund(s) and/or account(s) may, at the appropriate time, be combined or merged with funds, accounts, and subaccounts created and used to pay debt service or for other purposes in connection with
outstanding Bonds issued or executed by or on behalf of CFD No. 21 to finance the CFD Facilities.

(d) The District’s Superintendent, Deputy Superintendent, or other District staff as the Superintendent or Deputy Superintendent may designate, acting on behalf of CFD No. 21 and not less than annually, shall provide the Board with a written report that sets forth at least the following information: (i) the amount of special taxes collected within CFD No. 21 and expended, for an identified period or period, which may be quarterly, semiannually, or annually; and (ii) a brief discussion of the status of the acquisition, construction, or financing of the CFD Facilities with such special taxes.

(e) The provisions of this Section 17 shall terminate and be of no further force or effect upon the earliest of any of the following events: (i) the dissolution of CFD No. 21; (ii) the recordation of a Notice of Cessation of Special Taxes for all of the territory within CFD No. 21; or (iii) the expiration of the final year in which special taxes may be collected within CFD No. 21 as provided in the RMA.

Section 18. As required by Elections Code Sections 9400 through 9404, and unless waived by unanimous consent of all landowners for a landowner election, the Election Official shall furnish a tax-rate statement to the qualified electors of CFD No. 21. District staff and consultants are hereby authorized to assist in the preparation of such tax-rate statement.

Section 19. The Clerk of the Board, District staff, and District consultants are hereby directed to take all necessary and appropriate actions as may be required by the Election Official to conduct the CFD Election and to carry out the directives of this Resolution.

Section 20. In accordance with Section 53340.2 of the Mello-Roos Act, the Board hereby directs that the Interim Superintendent or Deputy Superintendent and District staff or, at the discretion of the District, a District consultant shall: (i) annually prepare a roll of then-current special tax levy obligations by assessor parcel number and (ii) estimate future tax levies in CFD No. 21. Inquiries regarding current and future tax liability may be submitted in writing to the Chula Vista Elementary School District, Attention: Business Support Services, 84 East J Street, Chula Vista, CA, 91910.
Section 21. Upon recordation of the Notice of Special Tax Lien pursuant to Section 3114.5 of the Streets and Highways Code, a continuing lien to secure each levy of the special taxes shall attach to all nonexempt real property within CFD No. 21; and this lien shall continue in full force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the Board ceases.

Section 22. The Board hereby approves, as the official seal of CFD No. 21, a seal consisting of two concentric circles with the name “Community Facilities District No. 21 of the Chula Vista Elementary School District” imprinted between such circles and the words “Established September 15, 2021” imprinted in the center thereof.

Section 23. The regular meetings of the legislative body of CFD No. 21 shall coincide with the times, dates, and locations of the regular meetings of the Board.

Section 24. The District may at any time accept advances of funds from any sources, including, without limitation, real property developers, builders, and/or other private persons or entities, and is authorized and directed to use such funds for any authorized purpose, including, without limitation, to pay any cost incurred by or on behalf of the District in connection with establishing CFD No. 21, negotiating, drafting and entering into necessary or convenient agreements, authorizing special taxes, and/or issuing Bonds. In accordance with Government Code Section 53314.9, the District may: (i) refund all such advanced funds as are not expended or committed for any authorized purpose at the time of the election regarding the levy of the special tax, if the proposal to levy such tax should fail; and/or (ii) repay all advanced funds using CFD No. 21 special taxes and/or Bond Proceeds. On July 14, 2021, the Board approved a “Mitigation Agreement” that provides for repayment of advance funding for purposes described in this Section, and CFD No. 21 may also repay the District for costs it incurred in connection with the establishment of CFD No. 21, authorization of the special taxes and Bonds, issuance of Bonds, and related matters.

Section 25. This Resolution shall take effect immediately upon approval and adoption by the Board.
PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA )
COUNTY OF SAN DIEGO) ss

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote set forth above, which resolution is on file and of record in the main administrative offices of the District.

Interim Secretary to the Board of Education
EXHIBIT “B”

DESCRIPTION OF CFD FACILITIES

The CFD Facilities include, without limitation, all of the following:

1. Any school facility or facilities with an estimated useful life of five years or longer needed by the Chula Vista Elementary School District (“District”), including, without limitation: real property sites; on-site and off-site improvements (including, among other things, landscaping, access roadways, drainage, sidewalks and gutters, utility lines, playground areas and equipment); classrooms; recreational facilities; on-site school offices and other administrative spaces; central (off-site) support and administrative facilities; interim student housing; transportation facilities; and furnishings and equipment (including, to the extent permitted by law, vehicles and technology equipment and infrastructure).

2. The costs attributable to (i) any combination of planning, engineering, designing, coordinating, leasing, financing, acquiring, expanding, relocating, rehabilitating, and/or constructing the CFD Facilities described in this Exhibit, including, without limitation, services such as construction management, inspection, materials testing, and construction staking; (ii) any “debt” as defined in Government Code Section 53317(d); (iii) the costs to issue and sell any such debt, including, without limitation, underwriters discount, appraisals, market studies, reserve fund, capitalized interest, bond counsel, special tax consultant, bond trustee or fiscal agent, and bond and official statement printing; (iv) administrative expenses of the District and/or CFD No. 21; and (v) all other incidental expenses.

The CFD Facilities shall be constructed, whether or not acquired in their completed states, pursuant to plans and/or specifications approved by the District.

The CFD Facilities described in this Exhibit are representative of the types of improvements to be funded or financed by the CFD No. 21. CFD Facilities may be added, deleted, or modified consistent with the requirements of the District, CFD No. 21, and the Mello-Roos Act.
EXHIBIT “C”

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 21
(OTAY RANCH VILLAGE 8-WEST)

This Rate and Method of Apportionment of Special Tax ("RMA") sets forth the Special Tax applicable to each Assessor’s Parcel within Community Facilities District No. 21 of the Chula Vista Elementary School District ("CFD") to be apportioned, levied and collected according to the Special Tax liability determined by the Board of Education of the Chula Vista Elementary School District ("Board"), acting as the Legislative Body of the CFD. The applicable Annual Maximum Special Tax shall be determined by applying the appropriate amount or rate for Developed Property and Undeveloped Property, as described below. All Developed Property and Undeveloped Property within the CFD, unless exempted by law or the provisions of Section IX below, shall in each Fiscal Year be subject to the levy and collection of the applicable Annual Maximum Special Tax to the extent and in the manner hereinafter provided.

SECTION I
DEFINITIONS

"Acre(s)" or "Acreage" means the acreage of an Assessor’s Parcel as set forth on the latest San Diego County Assessor’s Parcel Map if such acreage is shown thereon. If such acreage is not shown on such Assessor’s Parcel Map, the acreage shall be the acreage information shown upon any recorded subdivision map, parcel map, record of survey, or other recorded document describing the property. If none of the above information is available, the determination of the Acreage shall be made by the School District.

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

"Administrative Expense" means any cost incurred by the School District on behalf of the CFD related to the determination of the amount of the annual levy of the Special Tax, the collection of the Special Tax, the administration of the Bonds of the CFD, and the other costs incurred in order to carry out the authorized purposes of the CFD.

"Administrator" means an official of the School District or designee thereof, responsible for determining the levy and collection of the Special Taxes.

"Age Restricted Unit" means a Unit designated as senior citizen housing, part of a residential care facility for the elderly, or part of a multilevel care facility for the elderly as referred to in California Government Code Section 65995.1 for which a senior citizen restriction has been effected. Age Restricted Units shall not be subject to a Special Tax; however, they shall be required to pay all applicable contractual mitigation payments, as detailed in the Mitigation Agreement.

"Annual Maximum Special Tax" means the maximum Special Tax that may be levied in each Fiscal Year pursuant to Section III on each Assessor’s Parcel classified as Developed Property or Undeveloped
Property.

“Annual Special Tax Requirement” means the amount required in any Fiscal Year to pay for: (i) the
debt service on all outstanding Bonds, (ii) the costs associated with the release of funds from an
escrow account(s) established in association with the Bonds, (iii) any amount required to establish
or replenish any reserve funds established in connection with the Bonds, (iv) a sinking fund for the
acquisition, construction, equipment and finance costs of future facilities provided that the inclusion
of such amount does not cause an increase in the levy of Special Tax on Undeveloped Property, (v)
Administrative Expense, less (vi) a credit for funds available to reduce the annual Special Tax levy
as determined pursuant to any bond indenture.

“Assessor’s Parcel” means a parcel of land as designated on an applicable Assessor’s Parcel Map and
that has been assigned a discrete identifying Assessor’s Parcel Number.

“Assessor’s Parcel Map” means an official map of the San Diego County Assessor designating
parcels by Assessor’s Parcel Number.

“Assessor’s Parcel Number” means that number assigned to an Assessor’s Parcel by the San Diego
County Assessor for purposes of identifying the Assessor’s Parcel.

“Assigned Annual Special Tax” means the Special Tax of that name described in Section IV.

“Backup Annual Special Tax” means the Special Tax of that name described in Section V.

“Bond Yield” means the yield of the most recent series of Bonds, calculated at the time such Bonds
are issued, pursuant to Section 148 of the Internal Revenue Code of 1986, as amended, for the
purpose of the non-arbitrage certificate or other similar bond issuance document.

“Bonds” means the bonds or other debt obligations (as defined in Section 53317(d) of the Act),
including, but not limited to certificates of participation or leases, as to which the School District uses,
or anticipates that it will use, the Special Taxes to pay some or all of the debt service for such debt
obligations.

“Building Square Footage” or “BSF” of a Unit means the square footage of “assessable space”
as defined in Government Code Section 65995 or any successor law) of the Unit, as determined
by reference to the building permit(s) for such Unit or to other reasonable and verifiable
information.

“Condominium” means a Unit, whether attached or detached, meeting the statutory definition of a
condominium set forth in California Civil Code Section 4125.

“Cost Index” means the latest Building Cost Index for the City of Los Angeles available as of July 1st
of each year and published in the Engineering News Record, McGraw-Hill Construction Weekly, or
if not available, the School District shall determine a suitable replacement.

“Developed Property” means each and all Assessor’s Parcels of Taxable Property for which building
permits were issued to permit the construction of Residential Dwelling Units on or before June 30 of
the preceding Fiscal Year.
“Exempt Property” means all Assessor’s Parcels designated as being exempt from Special Taxes pursuant to Section IX.

“Final Map” means a subdivision of property by recordation of a final map, parcel map, or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 4285 that creates individual lots for which building permits may be issued without further subdivision.

“Fiscal Year” means the period starting on July 1 and ending on the following June 30.

“Initial Fiscal Year” means the first Fiscal Year in which the Annual Maximum Special Tax will be apportioned and levied on an Assessor’s Parcel of Developed Property, i.e., the first Fiscal Year after a Taxable Property becomes Developed Property on or before June 30 of the preceding Fiscal Year.

“Lot” means an individual legal lot created by a Final Map for which a building permit for residential construction has been or could be issued. Notwithstanding the foregoing, in the case of an individual legal lot created by a Final Map and upon which Condominiums are entitled to be developed, the number of Lots allocable to such legal lot for purposes of calculating the Backup Annual Special Tax applicable to such Final Map shall equal the number of Condominiums which are permitted to be constructed on such legal lot as shown on such Final Map.

“Mitigation Agreement” means the “School Facilities Mitigation Agreement for Otay Ranch Village 8 West” as it may be amended.

“Multi-Family Apartment Unit” means one or more apartment units available for rent or lease, and not purchase, by the general public and not subject to a condominium map. For the purpose of classifying Residential Dwelling Units, only the first 1,205 apartment units issued a building permit will be classified as a Multi-Family Apartment Unit and all apartments units permitted that are in excess of 1,205 will be classified as Residential Dwelling Units. The apartment units classified as Multi-Family Apartment Units shall not be subject to a Special Tax; however, they shall be required to pay all applicable contractual mitigation payments, as detailed in the Mitigation Agreement. The apartment units classified as Residential Dwelling Units will be subject to the levy of the Special Tax.

“Net Taxable Acreage” means the total Acreage of Developed Property expected to exist in the CFD after all Final Maps are recorded. When making this determination, the Administrator shall exclude all Acreage expected to be classified as Exempt Property, Restricted Residential Property, or Non-Residential Property.

“Non-Residential Property” means each and all Assessor’s Parcels for which building permits were issued for non-residential uses. Non-Residential Property shall not be subject to the Annual Maximum Special Tax; however, it shall be required to pay all applicable contractual mitigation payments, as detailed in the Mitigation Agreement.

“Prepayment Administrative Fees” means any fees or expenses of the School District or the CFD associated with the prepayment of the Special Tax obligation of an Assessor’s Parcel. Prepayment Administrative Fees shall include among other things the cost of computing the Prepayment
Amount, redeeming Bonds, and preparing and recording any notices to evidence the prepayment and redemption of Bonds.

“Prepayment Amount” means the amount required to prepay the Special Tax obligation in full for an Assessor’s Parcel as described in Section VII.

“Present Value of Taxes” means for any Assessor’s Parcel the sum total of (i) the unpaid portion, if any, of the Special Tax applicable to such Assessor’s Parcel in the then-current Fiscal Year, plus (ii) the present value of the Special Taxes expected to be levied on such Assessor’s Parcel in each remaining Fiscal Year, as determined by the Administrator, until the termination date specified in Section VIII. The discount rate used to calculate the Present Value of Taxes shall: (i) prior to issuance of Bonds, be equal to four and one-quarter percent (4.25%); and (ii) after issuance of Bonds, be equal to the lesser of (a) the Bond Yield plus 100 basis points or (b) 4 and one-quarter percent (4.25%).

“Proportionately” means that the ratio of (i) the Special Tax levied or to be levied to (ii) the applicable Assigned Annual Special Tax, is equal for all applicable Assessor’s Parcels. In the case of Developed Property subject to apportionment of the Special Tax under Step Three of Section VI, “Proportionately” shall mean that the quotient of (i) the Special Tax less the Assigned Annual Special Tax, divided by (ii) the applicable Backup Annual Special Tax less the Assigned Annual Special Tax, is equal for all applicable Assessor’s Parcels.

“Provisional Undeveloped Property” means all Assessor’s Parcels of Taxable Property that would otherwise be classified as Exempt Property pursuant to Section IX, but cannot be classified as Exempt Property because to do so would reduce the Net Taxable Acreage below the required minimum Acreage set forth in Section IX, as applicable.

“Residential Dwelling Unit” means a Unit that is not an Age Restricted Unit or a Multi-Family Apartment Unit.

“Restricted Residential Property” means each and all Assessor’s Parcels for which building permits have been issued for the construction of Age Restricted Units and/or Multi-Family Apartment Units.

“School District” means the Cluva Vista Elementary School District.

“Special Tax” means any of the special taxes authorized to be levied by the CFD pursuant to the Act and this RMA.

“Taxable Property” means all Assessor’s Parcels that are not Exempt Property.

“Undeveloped Property” means all Assessor’s Parcels of Taxable Property that are not Developed Property.

“Unit” means each separate residential dwelling unit, including, but not limited to, a single family attached or detached unit, Condominium, apartment unit, mobile home or otherwise, but not including hotel and motels.
SECTION II
CLASSIFICATION OF ASSESSOR’S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2021/22, each Assessor’s Parcel within the CFD shall be classified as Taxable Property or Exempt Property. In addition, each Assessor’s Parcel of Taxable Property shall be classified as Developed Property, Undeveloped Property, or Provisional Undeveloped Property.

SECTION III
ANNUAL MAXIMUM SPECIAL TAX RATE

1. Developed Property

The Annual Maximum Special Tax for each Assessor’s Parcel classified as Developed Property shall be the greater of the amount derived by the application of the (a) Assigned Annual Special Tax or (b) Backup Annual Special Tax.

2. Undeveloped Property

The Annual Maximum Special Tax for each Assessor’s Parcel classified as Undeveloped Property or Provisional Undeveloped Property shall be derived by the application of the Assigned Annual Special Tax.

SECTION IV
ASSIGNED ANNUAL SPECIAL TAXES

1. Developed Property

Subject to increases as described below in this Section, the Assigned Annual Special Tax for each Assessor’s Parcel of Developed Property for Fiscal Year 2021/22 shall be an amount equal to $0.7336 multiplied by the applicable Building Square Footage.

2. Undeveloped Property and Provisional Undeveloped Property

Subject to increases as described below in this Section, the Assigned Annual Special Tax per Acre for each Assessor’s Parcel of Undeveloped Property or Provisional Undeveloped Property for Fiscal Year 2021/22 shall be $18,513 per Acre.

3. Increases in the Assigned Annual Special Tax
   a. Newly Classified Developed Property

On July 1 of each Fiscal Year, commencing on July 1, 2022, the Assigned Annual Special Tax rate for Assessor’s Parcels of Developed Property specified in
Paragraph 1 of this Section IV shall be increased by an amount equal to the greater of: (i) the positive change in the Cost Index over the previous 12-month period (as a percentage) multiplied by the applicable Assigned Annual Special Tax rate in effect in that prior Fiscal Year, and (ii) the applicable Assigned Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by two percent (2.0%). For avoidance of doubt, the Assigned Annual Special Tax rate applicable in the Initial Fiscal Year of any particular Assessor’s Parcel of Developed Property shall be subject to adjustment in accordance with this Paragraph 3.a.

b. **Existing Developed Property**

On July 1 of each Fiscal Year following the Initial Fiscal Year of an Assessor’s Parcel of Developed Property, the Assigned Annual Special Tax rate for such Assessor’s Parcel shall be increased by an amount equal to the Assigned Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by two percent (2.0%).

c. **Undeveloped Property and Provisional Undeveloped Property**

On July 1 of each Fiscal Year, commencing on July 1, 2022, the Assigned Annual Special Tax rate per Acre for Undeveloped Property and for Provisional Undeveloped Property shall be increased by an amount equal to the greater of: (i) the Assigned Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by the positive change in the Cost Index over the previous 12-month period (as a percentage), and (ii) the Assigned Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by two percent (2.0%).

**SECTION V**

**BACKUP ANNUAL SPECIAL TAX**

Each Fiscal Year, each Assessor’s Parcel of Developed Property shall be subject to a Backup Annual Special Tax.

1. **Calculation of the Backup Annual Special Tax Rate**

Subject to increases as described below in this Section, the Backup Annual Special Tax rate for an Assessor’s Parcel of Developed Property within a Final Map shall be the rate per Lot calculated in accordance with the following formula, as of the Fiscal Year in which the Final Map is recorded:

\[ B = \frac{(U \times A)}{L} \]

The terms above have the following meanings:

\( B \) = Backup Annual Special Tax per Lot for the applicable Fiscal Year
\[ U = \text{Assigned Annual Special Tax per Acre of Undeveloped Property in the Fiscal Year the calculation is performed} \]

\[ A = \text{Acreage of Developed Property expected to exist in such Final Map at the time of calculation, as determined by the Administrator. The Acreage applicable to a Condominium shall be computed as described in the definition of "Lot" herein.} \]

\[ L = \text{Number of Lots in the applicable Final Map at the time of calculation, exclusive of any Lots which are expected to be classified as Exempt Property or Provisional Undeveloped Property.} \]

2. **Changes to a Final Map**

If the Final Map(s) described in the preceding paragraph are subsequently changed or modified, then the Backup Annual Special Tax for each Assessor's Parcel of Developed Property changed or modified in each such Final Map shall be a rate per square foot of Acreage calculated as follows:

a. Determine the total Backup Annual Special Tax revenue anticipated to apply to the changed or modified Assessor's Parcels prior to the change or modification.

b. The result of paragraph a above shall be divided by the Acreage of Taxable Property of the modified Assessor's Parcels, as reasonably determined by the Administrator.

c. The result of paragraph b above shall be divided by 43,560. The result is the Backup Annual Special Tax per square foot of Acreage that shall be applicable to the modified Assessor's Parcels, subject to increases as described below.

3. **Increase in the Backup Annual Special Tax**

On July 1 of each Fiscal Year, commencing on July 1, 2022, the Backup Annual Special Tax rate for Assessor's Parcels of Developed Property shall be increased by an amount equal to the greater of: (i) the Backup Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by the positive change in the Cost Index over the preceding 12-month period, and (ii) the Backup Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by two percent (2.00%) of the Backup Annual Special Tax amount in effect in the immediately prior Fiscal Year. For avoidance of doubt, the Backup Annual Special Tax rate applicable in the Initial Fiscal Year of any particular Assessor's Parcel of Developed Property shall be subject to adjustment in accordance with this the foregoing provisions of this Paragraph 3. On July 1 of each Fiscal Year following the Initial Fiscal Year of an Assessor's Parcel of Developed Property, the Backup Annual Special Tax rate for such Assessor's Parcel shall be increased by an amount equal to the Backup Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by two percent (2.0%).
SECTION VI
METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing Fiscal Year 2021/2022 and for each subsequent Fiscal Year, the Board shall levy Special Taxes on all Taxable Property in accordance with the following steps:

Step One: The Special Tax shall be levied on each Assessor's Parcel of Developed Property in an amount not in excess of the Assigned Annual Special Tax applicable to each such Assessor's Parcel.

Step Two: If additional moneys will be needed to satisfy the Annual Special Tax Requirement after the Step One calculations have been completed, the Special Tax shall be levied proportionately on each Assessor's Parcel of Undeveloped Property in an amount not in excess of the Assigned Annual Special Tax applicable to each such Assessor's Parcel, as needed to satisfy the Annual Special Tax Requirement.

Step Three: If additional moneys will be needed to satisfy the Annual Special Tax Requirement after the Step Two calculations have been completed, the Special Tax on each Assessor’s Parcel of Developed Property whose Annual Maximum Special Tax is the Backup Annual Special Tax shall be increased proportionately from the Assigned Annual Special Tax by an amount not in excess of the Backup Annual Special Tax applicable to each such Assessor's Parcel, as needed to satisfy the Annual Special Tax Requirement.

Step Four: If additional moneys will be needed to satisfy the Annual Special Tax Requirement after the Step Three calculations have been completed, the Special Tax shall be levied proportionately on each Assessor's Parcel of Provisional Undeveloped Property in an amount not in excess of the Assigned Annual Special Tax applicable to each such Assessor's Parcel, as needed to satisfy the Annual Special Tax Requirement.

SECTION VII
PREPAYMENT OF SPECIAL TAXES

The Special Tax obligation of an Assessor's Parcel of Developed Property or Undeveloped Property for which a building permit has been issued may be prepaid, in full only, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor’s Parcel, or that all of such amounts are paid concurrently with the Prepayment Amount. An owner of an Assessor's Parcel intending to prepay the Annual Maximum Special Tax shall provide the CFD with written notice of intent to prepay. Within thirty (30) days of receipt of such written notice, the Administrator shall determine the Prepayment Amount for such Assessor’s Parcel and shall notify the owner of such Prepayment Amount.

Full Prepayment of Special Tax

The Prepayment Amount shall be calculated according to the following formula:
\[ P = PVT + PAF \]

The terms above have the following meanings:

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>P</td>
<td>Prepayment Amount</td>
</tr>
<tr>
<td>PVT</td>
<td>Present Value of Taxes</td>
</tr>
<tr>
<td>PAF</td>
<td>Prepayment Administrative Fees</td>
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</tbody>
</table>

With respect to any Assessor's Parcel for which the Special Tax has been prepaid, the Board shall indicate in the records of the CFD that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Special Tax shall cease.

Notwithstanding the foregoing, no prepayment shall be allowed unless the amount of Assigned Annual Special Taxes that subsequently may be levied on Taxable Property, other than Provisional Undeveloped Property, less Administrative Expenses, shall be at least 1.1 times the regularly scheduled annual interest and principal payments on all currently outstanding Bonds in each future Fiscal Year, and such prepayment will not impair the security of all currently outstanding Bonds, as reasonably determined by the Administrator. Such determination shall take into account all Assessor's Parcels that are expected to be classified as Exempt Property, Restricted Residential Property, or Non-Residential Property.

SECTION VIII
TERMINATION OF SPECIAL TAX

Provided that Special Taxes previously levied on an Assessor's Parcel are not delinquent, the lien of Special Taxes of the CFD shall terminate as to such Assessor's Parcel as follows: i) the close of the 30th Fiscal Year following the beginning of the Initial Fiscal Year for such Assessor's Parcel, or ii) the Special Tax obligation has been fully and completely discharged pursuant to Section VII.

The Board shall cause to be recorded in the official records of San Diego County a Notice of Cessation of Special Tax applicable to an Assessor’s Parcel upon termination of the lien on such Assessor’s Parcel.

SECTION IX
EXEMPTIONS

The Administrator shall classify as Exempt Property in the chronological order in which each Assessor Parcel becomes (i) owned by any State of California, federal or local governmental entity, (ii) owned by a homeowners' association, (iii) burdened with one or more public or utility easements making impractical its use for other than the purposes set forth in the easement(s), (iv) Restricted Residential Property, (v) Non-Residential Property, or (vi) any other Assessor’s Parcels at the reasonable discretion of the Board, provided that no such classification would reduce the Net Taxable Acreage to less than 103.16 Acres. Notwithstanding the above, the Administrator or Board shall not classify an Assessor’s Parcel as Exempt Property if such classification would reduce the
sum of all Taxable Property to less than 103.16 Acres. Assessor’s Parcels that otherwise would be Exempt Property, but cannot be classified as Exempt Property because such classification would reduce the Acreage of all Taxable Property to less than the minimum Net Taxable Acreage, shall be classified as Provisional Undeveloped Property, and shall be subject to the levy and collection of Special Taxes accordingly.

SECTION X
APPEALS

Any owner or resident of a property within the CFD who paid a Special Tax levied on such property and who reasonably believes that the Special Tax was not correctly calculated and/or levied in accordance with this RMA may file a notice with the School District, to thereby appeal the levy of that Special Tax, together with such documentation as the property owner or resident believes evidences the incorrect calculation or levy. An appeal panel of three members appointed by the School District (“Appeals Panel”) will review the appeal and communicate its findings to the property owner or resident. If the Appeals Panel determines that the Special Tax should be modified or other correction implemented, it will recommend such correction to the Board and, as appropriate, the Special Tax levy shall be corrected, and in applicable cases, refunds shall be granted. An appeal relating to any particular Special Tax must be filed with the School District not later than one year and five days following the mailing to the property owner or resident of the tax bill that includes such Special Tax, and the Property Owner and/or resident shall be deemed and construed to have waived any and all rights to an appeal and to any refund, if the appeal is not filed within such one-year and five-day period.

Interpretations may be made by the School District for purposes of clarifying any vagueness or ambiguity as it relates to any category, rate or definition applicable to any appeal proceedings so long as such interpretations are consistent with the Mitigation Agreement.

SECTION XI
MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes and shall be subject to the same penalties, the same procedure, sale and lien priority in the case of delinquency; provided, however, that the CFD may directly bill all or a portion of the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of ten percent (10%) of the Special Tax will attach at 5:00 p.m. on the date the Special Tax becomes delinquent and interest at 1.5% per month of the Special Tax will attach on the July 1 after the delinquency date and the first of each month thereafter until such Special Taxes are paid.
**EXHIBIT “D”**

**SAMPLE BALLOT**

**BALLOT:** ✑

**HOW TO VOTE:** USING BLUE INK, INSERT A CHECK MARK (√) AFTER “YES” OR “NO” TO INDICATE YOUR SELECTION

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**COMMUNITY FACILITIES DISTRICT ELECTION**

**COMMUNITY FACILITIES DISTRICT NO. 21**

**OF THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT**

September 15, 2021

Detailed Voting Instructions: To vote, insert a check mark (√), using a pen with blue ink, the voting square after “YES” or after the word “NO.” Any and all other marks on this ballot are forbidden and will render this ballot void. If you erroneously mark or otherwise damage your ballot, you may obtain a replacement ballot by returning the original ballot to the Election Official. If your ballot is lost or stolen, you may obtain a replacement ballot by providing a written certification to the Election Official, using such form of certification as approved in advance by the Election Official.

---

**PROPOSITION 21-A:**

Shall Community Facilities District No. 21 of the Chula Vista Elementary School District (“CFD No. 21”) be authorized to levy special taxes on property within the boundaries of CFD No. 21, and to use such special taxes to pay for public facilities of the Chula Vista Elementary School District and costs of bonded indebtedness and/or other securities issued to finance such facilities and related costs, all as provided and described in Resolution Nos. 2020-21.092 and 2020-21.094 of the Board of Education of the Chula Vista Elementary School District (“Board”), and the subsequent resolution of the Board determining the validity of prior proceedings and establishing CFD No. 21; and for the 2020-21 fiscal year and each year thereafter, shall an appropriations limit, as defined in Section 8(b) of Article XIIIB of the California Constitution, be established for CFD No. 21 in an amount equal to $60,000,000, as such amount periodically may be adjusted in accordance with applicable law?

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<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
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**THIS BALLOT HAS A VALUE OF ✑ VOTES**

Page 27 of 44
Agenda Item 8.C.
September 15, 2021
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

RESOLUTION NO. __________

Resolution of the Board of Education of the Chula Vista Elementary School District Canvassing the Results of the Election Held Within Community Facilities District No. 21 of the Chula Vista Elementary School District

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

WHEREAS, the Chula Vista Elementary School District ("District") is a public school district organized and existing pursuant to California law; and

WHEREAS, on September 15, 2021, after it continued and completed a related public hearing on that same date, the Board of Education of the Chula Vista Elementary School District ("Board") adopted that certain "Resolution of the Board of Education of the Chula Vista Elementary School District Determining the Validity of Prior Proceedings, Establishing Community Facilities District No. 21, Authorizing the Levy of Special Taxes Within Community Facilities District No. 21, Establishing an Appropriations Limit, Calling an Election, and Taking Related Actions" ("Resolution of Formation"); and

WHEREAS, subsequently on September 15, 2021, and in conformance with the Resolution of Formation, the District conducted a combined election within CFD No. 21 regarding the levy of the Special Taxes, the authorization for CFD No. 21 to issue bonds or other securities, and the establishment of an appropriations limit for CFD No. 21 ("CFD Election"); and

WHEREAS, at such CFD Election, the landowner-voters within CFD No. 21 approved the levy of the Special Taxes, the authorization for CFD No. 21 to issue Bonds, and the establishment of an appropriations limit for CFD No. 21; and

WHEREAS, in adopting this Resolution, the Board is acting as the Legislative Body of CFD No. 21.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED as follows:

Section 1. The foregoing recitals are all true and correct, and the Board hereby adopts such recitals as findings of the Board.
Section 2. The Board hereby determines that the CFD Election conducted within CFD No. 21 in accordance with the provisions and directives of the Resolution of Formation was duly and validly conducted. A copy of the Certificate of the Election Results is attached hereto as Exhibit “A” and made a part hereof by this reference.

Section 3. The Board, acting as the Legislative Body of CFD No. 21, is authorized to levy the Special Taxes on behalf of CFD No. 21, as provided in Resolution No. 2020-21.092, adopted by the Board on June 16, 2021.

Section 4. The Board, acting as the Legislative Body of CFD No. 21, is authorized to establish an appropriations limit for CFD No. 21 and hereby does so establish such limit in the amount of $60,000,000.00.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September, 2021, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  

STATE OF CALIFORNIA )  
) ss  
COUNTY OF SAN DIEGO)  

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote set forth above, which resolution is on file and of record in the main administrative offices of the District.
EXHIBIT “A”
CERTIFICATE OF ELECTION RESULTS
(to be attached after CFD Election)
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

ORDINANCE NO. __________

Ordinance of Community Facilities )
District No. 21 Authorizing the Levy of a )
Special Tax Within Community Facilities )
District No. 21 )

On motion of Member ____________________, seconded by Member ________________________, the following ordinance is adopted:

WHEREAS, on June 16, 2021, the Board of Education ("Board") of the Chula Vista Elementary School District ("District"), adopted Resolution No. 2020-21.092 to thereby state its intention to form proposed Community Facilities District No. 21 of the Chula Vista Elementary School District ("CFD No. 21") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended ("Mello-Roos Act"); and

WHEREAS, on September 15, 2021, in accordance with the Mello-Roos Act, the Board conducted and completed a continued public hearing regarding the formation of CFD No. 21, the authorization of CFD No. 21 to levy special taxes ("Special Taxes") in accordance with the Rate and Method of Apportionment of Special Tax ("RMA") attached as Exhibit "A" hereto, the authorization for CFD No. 21 to incur bonded indebtedness, the public facilities to be paid for and/or financed by CFD No. 21 ("CFD Facilities"), and related matters; and

WHEREAS, subsequent to concluding the continued public hearing, the Board adopted Resolution No. 2020-21._____ to thereby establish CFD No. 21 and call a special election within CFD No. 21 to be held on September 15, 2021, regarding the combined proposition to levy the Special Taxes within CFD No. 21, authorize CFD No. 21 to incur bonded indebtedness, and to establish an appropriations limit for CFD No. 21 ("Proposition"); and

WHEREAS, on September 15, 2021, a special election was held within CFD No. 21 in which the eligible voters approved the Proposition by more than two-thirds of the total votes;

NOW, THEREFORE, the Board of Education of the Chula Vista Elementary School District, acting as the Legislative Body of Community Facilities District No. 21, does hereby ordain as follows:
Section 1. The foregoing recitals are all true and correct, and the Board hereby adopts such recitals as findings of the Board.

Section 2. CFD No. 21 is authorized to levy Special Taxes on property within the boundaries of CFD No. 21, in accordance with the RMA and in such amounts as necessary to pay all amounts payable with respect to financing and/or otherwise paying for the CFD Facilities and other related obligations.

Section 3. The Board is hereby authorized to annually determine, by adoption of an applicable resolution, the rates and amounts of the Special Taxes to be levied during the next subsequent fiscal year; provided that the rates at which the Special Taxes are levied shall not exceed the rates determined in accordance with the RMA.

Section 4. To the extent provided in the RMA, properties or entities of the state, federal, or other local governments shall be exempt from the above-authorized Special Taxes within CFD No. 21, except that, notwithstanding this Ordinance, when property not otherwise exempt from such Special Taxes is acquired by a public entity through a negotiated transaction, or by gift or devise, the Special Taxes shall continue to be levied on such property and shall be enforceable against the public entity that acquired the property.

Section 5. No other properties or entities shall be exempt from the levy of the Special Taxes unless the properties or entities are expressly exempted by applicable law, Resolution No. 2021-22, adopted by the Board on September 15, 2021, and the RMA.

Section 6. All of the Special Taxes as are collected shall be used as provided for in the Mello-Roos Act and in Resolution No. 2021-22.

Section 7. The Special Taxes may be collected in the same manner as ordinary ad valorem taxes are collected and may be subject to the same penalties and the same procedure, sale, and lien priority in cases of delinquency as provided for ad valorem taxes, or the Board may adopt another procedure for levy and collection of the Special Taxes within CFD No. 21.
Section 8. The San Diego County Treasurer-Tax Collector may deduct its reasonable administrative costs incurred in collecting the Special Taxes.

Section 9. If any portion of the Special Taxes levied pursuant to this Ordinance for purposes of paying interest and/or principal on any bonds or other securities, together with any penalties and other charges accruing under this Ordinance, are not paid when due, then, not later than four years after the due date of the last installment of principal, and without limiting any other remedies it may have, the Board may order that such amounts be collected through the filing of an action in the superior court to foreclose any lien securing such amount.

Section 10. This Ordinance relating to the levy of the Special Taxes within CFD No. 21 shall take effect thirty days after adoption by the Board.

SO ORDAINED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, acting as the Legislative Body of Community Facilities District No. 21 of the Chula Vista Elementary School District, this 20th day of October, 2021, by the following vote:

AYES: Presentation Version Only

NOES: Presentation Version Only

ABSTAIN: Presentation Version Only

ABSENT: Presentation Version Only
STATE OF CALIFORNIA  )
COUNTY OF SAN DIEGO )

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing, together with attached Exhibit “A,” is a full, true, and correct copy of an ordinance, adopted by said Board, acting as the Legislative Body of Community Facilities District No. 21 of the Chula Vista Elementary School District, during its regular meeting on the date and by the vote set forth above, which ordinance is on file and of record in the main administrative offices of the District.

Interim Secretary to the Board of Education
EXHIBIT “A”

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 21
(OTAY RANCH VILLAGE 8-WEST)

This Rate and Method of Apportionment of Special Tax (“RMA”) sets forth the Special Tax applicable to each Assessor’s Parcel within Community Facilities District No. 21 of the Chula Vista Elementary School District (“CFD”) to be apportioned, levied and collected according to the Special Tax liability determined by the Board of Education of the Chula Vista Elementary School District (“Board”), acting as the Legislative Body of the CFD. The applicable Annual Maximum Special Tax shall be determined by applying the appropriate amount or rate for Developed Property and Undeveloped Property, as described below. All Developed Property and Undeveloped Property within the CFD, unless exempted by law or the provisions of Section IX below, shall in each Fiscal Year be subject to the levy and collection of the applicable Annual Maximum Special Tax to the extent and in the manner hereinafter provided.

SECTION I
DEFINITIONS

“Acre(s)” or “Acreage” means the acreage of an Assessor’s Parcel as set forth on the latest San Diego County Assessor’s Parcel Map if such acreage is shown thereon. If such acreage is not shown on such Assessor’s Parcel Map, the acreage shall be the acreage information shown upon any recorded subdivision map, parcel map, record of survey, or other recorded document describing the property. If none of the above information is available, the determination of the Acreage shall be made by the School District.

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

“Administrative Expense” means any cost incurred by the School District on behalf of the CFD related to the determination of the amount of the annual levy of the Special Tax, the collection of the Special Tax, the administration of the Bonds of the CFD, and the other costs incurred in order to carry out the authorized purposes of the CFD.

“Administrator” means an official of the School District or designee thereof, responsible for determining the levy and collection of the Special Taxes.

“Age Restricted Unit” means a Unit designated as senior citizen housing, part of a residential care facility for the elderly, or part of a multilevel care facility for the elderly as referred to in California Government Code Section 65995.1 for which a senior citizen restriction has been effected. Age Restricted Units shall not be subject to a Special Tax; however, they shall be required to pay all applicable contractual mitigation payments, as detailed in the Mitigation Agreement.

“Annual Maximum Special Tax” means the maximum Special Tax that may be levied in each Fiscal Year pursuant to Section III on each Assessor’s Parcel classified as Developed Property or Undeveloped
Property.

“Annual Special Tax Requirement” means the amount required in any Fiscal Year to pay for: (i) the debt service on all outstanding Bonds, (ii) the costs associated with the release of funds from an escrow account(s) established in association with the Bonds, (iii) any amount required to establish or replenish any reserve funds established in connection with the Bonds, (iv) a sinking fund for the acquisition, construction, equipment and finance costs of future facilities provided that the inclusion of such amount does not cause an increase in the levy of Special Tax on Undeveloped Property, (v) Administrative Expense, less (vi) a credit for funds available to reduce the annual Special Tax levy as determined pursuant to any bond indenture.

“Assessor’s Parcel” means a parcel of land as designated on an applicable Assessor’s Parcel Map and that has been assigned a discrete identifying Assessor’s Parcel Number.

“Assessor’s Parcel Map” means an official map of the San Diego County Assessor designating parcels by Assessor’s Parcel Number.

“Assessor’s Parcel Number” means that number assigned to an Assessor’s Parcel by the San Diego County Assessor for purposes of identifying the Assessor’s Parcel.

“Assigned Annual Special Tax” means the Special Tax of that name described in Section IV.

“Backup Annual Special Tax” means the Special Tax of that name described in Section V.

“Bond Yield” means the yield of the most recent series of Bonds, calculated at the time such Bonds are issued, pursuant to Section 148 of the Internal Revenue Code of 1986, as amended, for the purpose of the non-arbitrage certificate or other similar bond issuance document.

“Bonds” means the bonds or other debt obligations (as defined in Section 53317(d) of the Act), including, but not limited to certificates of participation or leases, to which the School District uses, or anticipates that it will use, the Special Taxes to pay some or all of the debt service for such debt obligations.

“Building Square Footage” or “BSF” of a Unit means the square footage of “assessable space” (as defined in Government Code Section 65995 or any successor law) of the Unit, as determined by reference to the building permit(s) for such Unit or to other reasonable and verifiable information.

“Condominium” means a Unit, whether attached or detached, meeting the statutory definition of a condominium set forth in California Civil Code Section 4125.

“Cost Index” means the Latest Building Cost Index for the City of Los Angeles available as of July 1st of each year and published in the Engineering News Record, McGraw-Hill Construction Weekly, or if not available, the School District shall determine a suitable replacement.

“Developed Property” means each and all Assessor’s Parcels of Taxable Property for which building permits were issued to permit the construction of Residential Dwelling Units on or before June 30 of the preceding Fiscal Year.
“Exempt Property” means all Assessor’s Parcels designated as being exempt from Special Taxes pursuant to Section IX.

“Final Map” means a subdivision of property by recordation of a final map, parcel map, or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 4285 that creates individual lots for which building permits may be issued without further subdivision.

“Fiscal Year” means the period starting on July 1 and ending on the following June 30.

“Initial Fiscal Year” means the first Fiscal Year in which the Annual Maximum Special Tax will be apportioned and levied on an Assessor’s Parcel of Developed Property, i.e., the first Fiscal Year after an Assessor’s Parcel of Developed Property on or before June 30 of the preceding Fiscal Year.

“Lot” means an individual legal lot created by a Final Map for which a building permit for residential construction has been or could be issued. Notwithstanding the foregoing, in the case of an individual legal lot created by a Final Map and upon which Condominiums are entitled to be developed, the number of Lots allocable to such legal lot for purposes of calculating the Backup Annual Special Tax applicable to such Final Map shall equal the number of Condominiums which are permitted to be constructed on such legal lot as shown on such Final Map.

“Mitigation Agreement” means the “School Facilities Mitigation Agreement for Otay Ranch Village 8 West” as it may be amended.

“Multi-Family Apartment Unit” means one or more apartment units available for rent or lease, and not purchase, by the general public and not subject to a conduminium map. For the purpose of classifying Residential Dwelling Units, only the first 1,205 apartment units issued a building permit will be classified as a Multi-Family Apartment Unit and all apartments units permitted that are in excess of 1,205 will be classified as Residential Dwelling Units. The apartment units classified as Multi-Family Apartment Units shall not be subject to a Special Tax; however, they shall be required to pay all applicable contractual mitigation payments, as detailed in the Mitigation Agreement. The apartment units classified as Residential Dwelling Units will be subject to the levy of the Special Tax.

“Net Taxable Acreage” means the total Acreage of Developed Property expected to exist in the CFD after all Final Maps are recorded. When making this determination, the Administrator shall exclude all Acreage expected to be classified as Exempt Property, Restricted Residential Property, or Non-Residential Property.

“Non-Residential Property” means each and all Assessor’s Parcels for which building permits were issued for non-residential uses. Non-Residential Property shall not be subject to the Annual Maximum Special Tax; however, it shall be required to pay all applicable contractual mitigation payments, as detailed in the Mitigation Agreement.

“Prepayment Administrative Fees” means any fees or expenses of the School District or the CFD associated with the prepayment of the Special Tax obligation of an Assessor’s Parcel. Prepayment Administrative Fees shall include among other things the cost of computing the Prepayment
Amount, redeeming Bonds, and preparing and recording any notices to evidence the prepayment and redemption of Bonds.

“Prepayment Amount” means the amount required to prepay the Special Tax obligation in full for an Assessor’s Parcel as described in Section VII.

“Present Value of Taxes” means for any Assessor’s Parcel the sum total of (i) the unpaid portion, if any, of the Special Tax applicable to such Assessor’s Parcel in the then-current Fiscal Year, plus (ii) the present value of the Special Taxes expected to be levied on such Assessor’s Parcel in each remaining Fiscal Year, as determined by the Administrator, until the termination date specified in Section VIII. The discount rate used to calculate the Present Value of Taxes shall: (i) prior to issuance of Bonds, be equal to four and one-quarter percent (4.25%); and (ii) after issuance of Bonds, be equal to the lesser of (a) the Bond Yield plus 100 basis points or (b) 4 and one-quarter percent (4.25%).

“Proportionately” means that the ratio of (i) the Special Tax levied or to be levied to (ii) the applicable Assigned Annual Special Tax, is equal for all applicable Assessor’s Parcels. In the case of Developed Property subject to apportionment of the Special Tax under Step Three of Section VI, “Proportionately” shall mean that the quotient of (i) the Special Tax less the Assigned Annual Special Tax, divided by (ii) the applicable Backup Annual Special Tax less the Assigned Annual Special Tax, is equal for all applicable Assessor’s Parcels.

“Provisional Undeveloped Property” means all Assessor’s Parcels of Taxable Property that would otherwise be classified as Exempt Property pursuant to Section IX, but cannot be classified as Exempt Property because to do so would reduce the Net Taxable Acreage below the required minimum Acreage set forth in Section IX, as applicable.

“Residential Dwelling Unit” means a Unit that is not an Age Restricted Unit or a Multi-Family Apartment Unit.

“Restricted Residential Property” means each and all Assessor’s Parcels for which building permits have been issued for the construction of Age Restricted Units and/or Multi-Family Apartment Units.

“School District” means the Chula Vista Elementary School District.

“Special Tax” means any of the special taxes authorized to be levied by the CFD pursuant to the Act and this RMA.

“Taxable Property” means all Assessor’s Parcels that are not Exempt Property.

“Undeveloped Property” means all Assessor’s Parcels of Taxable Property that are not Developed Property.

“Unit” means each separate residential dwelling unit, including, but not limited to, a single family attached or detached unit, Condominium, apartment unit, mobile home or otherwise, but not including hotel and motels.
SECTION II
CLASSIFICATION OF ASSESSOR’S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2021/22, each Assessor’s Parcel within the CFD shall be classified as Taxable Property or Exempt Property. In addition, each Assessor’s Parcel of Taxable Property shall be classified as Developed Property, Undeveloped Property, or Provisional Undeveloped Property.

SECTION III
ANNUAL MAXIMUM SPECIAL TAX RATE

1. Developed Property

The Annual Maximum Special Tax for each Assessor’s Parcel classified as Developed Property shall be the greater of the amount derived by the application of the (a) Assigned Annual Special Tax or (b) Backup Annual Special Tax.

2. Undeveloped Property

The Annual Maximum Special Tax for each Assessor’s Parcel classified as Undeveloped Property or Provisional Undeveloped Property shall be derived by the application of the Assigned Annual Special Tax.

SECTION IV
ASSIGNED ANNUAL SPECIAL TAXES

1. Developed Property

Subject to increases as described below in this Section, the Assigned Annual Special Tax for each Assessor’s Parcel of Developed Property for Fiscal Year 2021/22 shall be an amount equal to $0.7336 multiplied by the applicable Building Square Footage.

2. Undeveloped Property and Provisional Undeveloped Property

Subject to increases as described below in this Section, the Assigned Annual Special Tax per Acre for each Assessor’s Parcel of Undeveloped Property or Provisional Undeveloped Property for Fiscal Year 2021/22 shall be $18,513 per Acre.

3. Increases in the Assigned Annual Special Tax
   a. Newly Classified Developed Property

On July 1 of each Fiscal Year, commencing on July 1, 2022, the Assigned Annual Special Tax rate for Assessor’s Parcels of Developed Property specified in
Paragraph 1 of this Section IV shall be increased by an amount equal to the greater of: (i) the positive change in the Cost Index over the previous 12-month period (as a percentage) multiplied by the applicable Assigned Annual Special Tax in effect in that prior Fiscal Year, and (ii) the applicable Assigned Annual Special Tax rate in effect in that preceding Fiscal Year multiplied by two percent (2.0%). For avoidance of doubt, the Assigned Annual Special Tax rate applicable in the Initial Fiscal Year of any particular Assessor’s Parcel of Developed Property shall be subject to adjustment in accordance with this Paragraph 3.a.

b. **Existing Developed Property**

On July 1 of each Fiscal Year following the Initial Fiscal Year of an Assessor’s Parcel of Developed Property, the Assigned Annual Special Tax rate for such Assessor’s Parcel shall be increased by an amount equal to the Assigned Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by two percent (2.0%).

c. **Undeveloped Property and Provisional Undeveloped Property**

On July 1 of each Fiscal Year, commencing on July 1, 2022, the Assigned Annual Special Tax rate per Acre for Undeveloped Property and for Provisional Undeveloped Property shall be increased by an amount equal to the greater of: (i) the Assigned Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by the positive change in the Cost Index over the previous 12-month period (as a percentage), and (ii) the Assigned Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by two percent (2.0%).

**SECTION V**

**BACKUP ANNUAL SPECIAL TAX**

Each Fiscal Year, each Assessor’s Parcel of Developed Property shall be subject to a Backup Annual Special Tax.

1. **Calculation of the Backup Annual Special Tax Rate**

Subject to increases as described below in this Section, the Backup Annual Special Tax rate for an Assessor’s Parcel of Developed Property within a Final Map shall be the rate per Lot calculated in accordance with the following formula, as of the Fiscal Year in which the Final Map is recorded:

\[ B = \frac{(U \times A)}{L} \]

The terms above have the following meanings:

- **B** = Backup Annual Special Tax per Lot for the applicable Fiscal Year
- **U** = Assigned Annual Special Tax rate for the applicable Fiscal Year
- **A** = Acreage of the Assessor’s Parcel
- **L** = Number of Lots in the Final Map
U = Assigned Annual Special Tax per Acre of Undeveloped Property in the Fiscal Year the calculation is performed

A = Acreage of Developed Property expected to exist in such Final Map at the time of calculation, as determined by the Administrator. The Acreage applicable to a Condominium shall be computed as described in the definition of “Lot” herein.

L = Number of Lots in the applicable Final Map at the time of calculation, exclusive of any Lots which are expected to be classified as Exempt Property or Provisional Undeveloped Property.

2. Changes to a Final Map

If the Final Map(s) described in the preceding paragraph are subsequently changed or modified, then the Backup Annual Special Tax for each Assessor’s Parcel of Developed Property changed or modified in each such Final Map shall be a rate per square foot of Acreage calculated as follows:

a. Determine the total Backup Annual Special Tax revenue anticipated to apply to the changed or modified Assessor’s Parcels prior to the change or modification.

b. The result of paragraph a above shall be divided by the Acreage of Taxable Property of the modified Assessor’s Parcels, as reasonably determined by the Administrator.

c. The result of paragraph b above shall be divided by 43,560. The result is the Backup Annual Special Tax per square foot of Acreage that shall be applicable to the modified Assessor’s Parcels, subject to increases as described below.

3. Increase in the Backup Annual Special Tax

On July 1 of each Fiscal Year, commencing on July 1, 2022, the Backup Annual Special Tax rate for Assessor’s Parcels of Developed Property shall be increased by an amount equal to the greater of: (i) the Backup Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by the positive change in the Cost Index over the preceding 12-month period, and (ii) the Backup Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by two percent (2.0%) of the Backup Annual Special Tax amount in effect in the immediately prior Fiscal Year. For avoidance of doubt, the Backup Annual Special Tax rate applicable in the Initial Fiscal Year of any particular Assessor’s Parcel of Developed Property shall be subject to adjustment in accordance with this the foregoing provisions of this Paragraph 3. On July 1 of each Fiscal Year following the Initial Fiscal Year of an Assessor’s Parcel of Developed Property, the Backup Annual Special Tax rate for such Assessor’s Parcel shall be increased by an amount equal to the Backup Annual Special Tax rate in effect in the immediately prior Fiscal Year multiplied by two percent (2.0%).
SECTION VI
METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing Fiscal Year 2021/2022 and for each subsequent Fiscal Year, the Board shall levy Special Taxes on all Taxable Property in accordance with the following steps:

**Step One:** The Special Tax shall be levied on each Assessor’s Parcel of Developed Property in an amount not in excess of the Assigned Annual Special Tax applicable to each such Assessor’s Parcel.

**Step Two:** If additional moneys will be needed to satisfy the Annual Special Tax Requirement after the Step One calculations have been completed, the Special Tax shall be levied proportionately on each Assessor’s Parcel of Undeveloped Property in an amount not in excess of the Assigned Annual Special Tax applicable to each such Assessor’s Parcel, as needed to satisfy the Annual Special Tax Requirement.

**Step Three:** If additional moneys will be needed to satisfy the Annual Special Tax Requirement after the Step Two calculations have been completed, the Special Tax on each Assessor’s Parcel of Developed Property whose Annual Maximum Special Tax is the Backup Annual Special Tax shall be increased proportionately from the Assigned Annual Special Tax by an amount not in excess of the Backup Annual Special Tax applicable to each such Assessor’s Parcel, as needed to satisfy the Annual Special Tax Requirement.

**Step Four:** If additional moneys will be needed to satisfy the Annual Special Tax Requirement after the Step Three calculations have been completed, the Special Tax shall be levied proportionately on each Assessor’s Parcel of Provisional Undeveloped Property in an amount not in excess of the Assigned Annual Special Tax applicable to each such Assessor’s Parcel, as needed to satisfy the Annual Special Tax Requirement.

SECTION VII
PREPAYMENT OF SPECIAL TAXES

The Special Tax obligation of an Assessor’s Parcel of Developed Property or Undeveloped Property for which a building permit has been issued may be prepaid, in full or in part, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor’s Parcel, or that all of such amounts are paid concurrently with the Prepayment Amount. An owner of an Assessor’s Parcel intending to prepay the Annual Maximum Special Tax shall provide the CFD with written notice of intent to prepay. Within thirty (30) days of receipt of such written notice, the Administrator shall determine the Prepayment Amount for such Assessor’s Parcel and shall notify the owner of such Prepayment Amount.

**Full Prepayment of Special Tax**

The Prepayment Amount shall be calculated according to the following formula:
\[ P = PVT + PAF \]

The terms above have the following meanings:

- \( P \) = Prepayment Amount
- \( PVT \) = Present Value of Taxes
- \( PAF \) = Prepayment Administrative Fees

With respect to any Assessor’s Parcel for which the Special Tax has been prepaid, the Board shall indicate in the records of the CFD that there has been a prepayment of the Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act to indicate the prepayment of the Special Tax obligation and the release of the Special Tax lien on such Assessor’s Parcel, and the obligation of such Assessor’s Parcel to pay such Special Tax shall cease.

Notwithstanding the foregoing, no prepayment shall be allowed unless the amount of Assigned Annual Special Taxes that subsequently may be levied on Taxable Property, other than Provisional Undeveloped Property, less Administrative Expenses, shall be at least 1.1 times the regularly scheduled annual interest and principal payments on all currently outstanding Bonds in each future Fiscal Year, and such prepayment will not impair the security of all currently outstanding Bonds, as reasonably determined by the Administrator. Such determination shall take into account all Assessor’s Parcels that are expected to be classified as Exempt Property, Restricted Residential Property, or Non-Residential Property.

SECTION VIII
TERMINATION OF SPECIAL TAX

Provided that Special Taxes previously levied on an Assessor’s Parcel are not delinquent, the lien of Special Taxes of the CFD shall terminate as to such Assessor’s Parcel as follows: i) the close of the 30th Fiscal Year following the beginning of the Initial Fiscal Year for such Assessor’s Parcel, or ii) the Special Tax obligation has been fully and completely discharged pursuant to Section VII.

The Board shall cause to be recorded in the official records of San Diego County a Notice of Cessation of Special Tax applicable to an Assessor’s Parcel upon termination of the lien on such Assessor’s Parcel.

SECTION IX
EXEMPTIONS

The Administrator shall classify as Exempt Property in the chronological order in which each Assessor Parcel becomes (i) owned by any State of California, federal or local governmental entity, (ii) owned by a homeowners’ association, (iii) burdened with one or more public or utility easements making impractical its use for other than the purposes set forth in the easement(s), (iv) Restricted Residential Property, (v) Non-Residential Property, or (vi) any other Assessor’s Parcels at the reasonable discretion of the Board, provided that no such classification would reduce the Net Taxable Acreage to less than 103.16 Acres. Notwithstanding the above, the Administrator or Board shall not classify an Assessor’s Parcel as Exempt Property if such classification would reduce the
sum of all Taxable Property to less than 103.16 Acres. Assessor’s Parcels that otherwise would be Exempt Property, but cannot be classified as Exempt Property because such classification would reduce the Acreage of all Taxable Property to less than the minimum Net Taxable Acreage, shall be classified as Provisional Undeveloped Property, and shall be subject to the levy and collection of Special Taxes accordingly.

SECTION X
APEALS

Any owner or resident of a property within the CFD who paid a Special Tax levied on such property and who reasonably believes that the Special Tax was not correctly calculated and/or levied in accordance with this RMA may file a notice with the School District, to thereby appeal the levy of that Special Tax, together with such documentation as the property owner or resident believes evidences the incorrect calculation or levy. An appeal panel of three members appointed by the School District (“Appeals Panel”) will review the appeal and communicate its findings to the property owner or resident. If the Appeals Panel determines that the Special Tax should be modified or other correction implemented, it will recommend such correction to the Board and, as appropriate, the Special Tax levy shall be corrected, and in applicable cases, refunds shall be granted. An appeal relating to any particular Special Tax must be filed with the School District not later than one year and five days following the mailing to the property owner or resident of the tax bill that includes such Special Tax. and the Property Owner and/or resident shall be deemed and construed to have waived any and all rights to an appeal and to any refund, if the appeal is not filed within such one-year and five-day period.

Interpretations may be made by the School District for purposes of clarifying any vagueness or ambiguity as it relates to any category, rate or definition applicable to any appeal proceedings so long as such interpretations are consistent with the Mitigation Agreement.

SECTION XI
MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes and shall be subject to the same penalties, the same procedure, sale and lien priority in the case of delinquency; provided, however, that the CFD may directly bill all or a portion of the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and if so collected, a delinquent penalty of ten percent (10%) of the Special Tax will attach at 5:00 p.m. on the date the Special Tax becomes delinquent and interest at 1.5% per month of the Special Tax will attach on the July 1 after the delinquency date and the first of each month thereafter until such Special Taxes are paid.
CHULA VISTA ELEMENTARY SCHOOL DISTRICT

GOVERNING BOARD AGENDA ITEM

Prepared by: Superintendent’s Office

ITEM TITLE:

Approve Changes to Injury and Illness Prevention Program, COVID-19 Prevention Plan and District Guidance to Staff, Students, Parents/Guardians and Community Regarding COVID-19

X Action

BACKGROUND INFORMATION:

Throughout the COVID-19 pandemic, the Chula Vista Elementary School District has complied with regulatory requirements from Federal, State and local public health agencies. To ensure documentation outlines the requirements within public health guidelines, the District has created a parent handbook and staff handbook. In addition, the District is required to maintain an Injury and Illness Prevention Program (IIPP) which includes a COVID-19 Prevention Plan (CPP) to outline our COVID-19 procedures for staff. While the California Department of Public Health provides requirements and guidance for K-12 Education, it is incumbent upon local school districts to address local needs. At a Special Meeting on August 25, 2021, the Board of Education approved changes to the Injury and Illness Prevention Program, COVID-19 Prevention Plan noted below.

- The Chula Vista Elementary School District will mandate properly positioned and correctly fitted masks to be worn on District campuses at all times, regardless of vaccination status. Adults may only remove masks when actively eating or drinking. Students may remove their masks only to play at recess and to eat, both of which should happen outdoors. Masks are required in hallways while traveling to and from the playground and lunch area.

- The Chula Vista Elementary School District will form a District-level Safety Committee, with representation from certificated, classified, and non-represented employees, as well as parents, to advise on the creation and implementation of COVID-19 safety measures, and to oversee site level committees. All school sites will create a Site Safety Committee, with representation from certificated, classified, and non-represented employees, as well as parents, to address site specific safety concerns and help implement District safety measures.
• The Chula Vista Elementary School District will publish a weekly COVID-19 update with simple, bulleted information, including current District case numbers (including the last reporting date for those numbers) as well as any changes made in COVID-19 guidelines that week. It will be sent directly to stakeholders including, but not limited to, staff and parents/guardians via email and School Messenger and published on the District website in an easily accessible location.

• All staff meetings must offer a virtual attendance option and/or take place in rooms that can accommodate the number of staff in attendance with minimum three feet distance between attendees.

After the August 25, 2021 approval of the changes noted above, the District provided masking flexibility as noted below:

• Masks are not required during afterschool parent-teacher conferences if there are no other persons in the classroom.

ADDITIONAL DATA:

Tonight, the Board will discuss approval of the masking flexibility during afterschool parent-teacher conferences and propose additional changes to the Injury and Illness Prevention Program and COVID-19 Prevention Plan. Additional information is available for review in the Office of the Interim Superintendent.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

For Board consideration.
ITEM TITLE:

Approve Timeline and Direction for Superintendent Search Committee

X Action

Information

BACKGROUND INFORMATION:

The Chula Vista Elementary School District Governing Board will have a discussion surrounding the superintendent search. The purpose of this open dialogue will be to provide direction and guidance on how the Superintendent Search Committee will proceed. The Board will also share goals and expectations for the Superintendent Search Committee.

ADDITIONAL DATA:

Board members will provide direction on superintendent search timeline, compensation, and benefits.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend approval.
ITEM TITLE:

Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Authorizing the Execution and Delivery of the Chula Vista Elementary School District 2021 Refunding Certificates of Participation, Series A (Tax Exempt) in an Aggregate Principal Amount Not to Exceed $21,500,000, Authorizing the Distribution of an Official Statement in Connection Therewith, and Authorizing the Execution of Various Documents and Related Actions

X Action Information

BACKGROUND INFORMATION:

The Chula Vista Elementary School District Public Facilities Financing Corporation, a nonprofit public benefit corporation organized under the laws of the State of California, is authorized pursuant to the Articles of Incorporation to assist in financing public capital improvements that benefit the Chula Vista Elementary School District.

In order to provide funding for school facilities in the Mello-Roos/Community Facilities District (CFD) development areas, the District has issued debt through Certificates of Participation (COPs) or special tax bonds that are then paid from the Mello-Roos tax assessments. Since 1989, the Chula Vista Elementary School District has issued 16 COPs or special tax bonds and has refunded (refinanced) thirteen. Based on analyses with District financial advisor Dale Scott & Company, the 2011 COPs is positioned for a COPs refunding. The 2011 COPs were used to partially fund the construction of Enrique S. Camarena Elementary school. Generally, a refunding is considered when net savings reach at least 5 percent. An initial review estimates a potential 15.86 percent net savings or approximately $4,133,235 in reduced debt.

ADDITIONAL DATA:

Dale Scott & Company (DS&C) will provide financial advisory services and Stradling Yocca Carlson & Rauth (SYCR) will provide bond and disclosure counsel services. A three-year agreement with DS&C was approved by the Board on
August 14, 2019, and a two-year agreement with SYCR was approved by the Board on November 13, 2019.

**FISCAL IMPACT/FUNDING SOURCE:**

The requested refunding will provide a potential 15.86 percent estimated net savings or approximately $4,133,235 in reduced debt.

COPs in an amount not to exceed $21,500,000 will be issued and sold through a negotiated sale. The COPs sale is expected to close in October 2021. All debt service on the COPs are paid from the CFD Funds.

**STAFF RECOMMENDATION:**

Recommend adoption.
On motion of Member ____________________, seconded by Member ____________________, the following resolution is adopted:

WHEREAS, the Chula Vista Elementary School District (the “District”) is a school district duly organized and existing under and pursuant to the Constitution and laws of the State of California (the “State”);

WHEREAS, the District previously caused the execution and delivery of its $25,000,000 Chula Vista Elementary School District 2011 Certificates of Participation (Elementary School Building Project) (the “2011 Certificates”) on December 15, 2011 for the purpose of financing the acquisition, construction, installation and equipping of a new elementary school (the “Project”);

WHEREAS, to prepay the 2011 Certificates on a current basis and refinance the Project, the District now desires to authorize the execution and delivery of the Chula Vista Elementary School District 2021 Refunding Certificates of Participation, Series A (Tax-Exempt) (the “Certificates”) pursuant to a Trust Agreement (the “Trust Agreement”), by and among the District, the Chula Vista Elementary School District Public Facilities Financing Corporation (the “Corporation”) and U.S. Bank National Association (the “Trustee”);

WHEREAS, in order to accomplish the refinancing of the Project, the District will lease certain real property and the improvements described herein (the “Property”) to the Chula Vista Elementary School District Public Facilities Financing Corporation (the “Corporation”) pursuant to a Site Lease (the “Site Lease”) to be entered into by and between the District and the Corporation, and will sublease the Property back from the Corporation pursuant to a Lease
Agreement to be entered into by and between the District and the Corporation (the "Lease Agreement");

WHEREAS, the District and the Corporation have determined that it would be in the best interests of the District and the Corporation to provide the funds necessary to refinance the Project through the sale and delivery, pursuant to the Trust Agreement, of the Certificates;

WHEREAS, all rights to receive such lease payments will be assigned, without recourse, by the Corporation to the Trustee pursuant to an Assignment Agreement to be entered into by such parties;

WHEREAS, in consideration of such assignment and the execution of the Trust Agreement, the Trustee will execute and deliver the Certificates, each evidencing a direct, fractional undivided interest in the lease payments to be paid under the Lease Agreement;

WHEREAS, a form of Certificate Purchase Agreement (the "Purchase Agreement") relating to the Certificates has been prepared whereby the District will sell the Certificates to UBS Financial Services, Inc. (the "Underwriter");

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended ("Rule 15c2-12"), requires that, in order to be able to purchase or sell the Certificates, the purchaser or underwriter thereof must have reasonably determined that the District has undertaken in a written agreement or contract for the benefit of the holders of the Certificates to provide disclosure of certain financial information and certain enumerated events on an ongoing basis;

WHEREAS, in order to allow the Underwriter to comply with Rule 15c2-12, the District proposes to enter into a Continuing Disclosure Certificate (the "Continuing Disclosure Certificate");

WHEREAS, a form of the Preliminary Official Statement (the “Preliminary Official Statement”) to be distributed in connection with the public offering of the Certificates has been prepared;

WHEREAS, an Escrow Agreement (the “Escrow Agreement”), by and between the District and The Bank of New York Mellon Trust Company, N.A., as escrow bank (the "Escrow Bank"), has been prepared to effect the defeasance and prepayment of the 2011 Certificates;
WHEREAS, the Board of Education of the District (the “Board”) has been presented with the form of each document referred to herein relating to the actions contemplated hereby, and the Board has examined and approved each document and desires to authorize and direct the execution of such documents and the consummation of such actions;

WHEREAS, the District has complied with Education Code Section 17150.1 in connection with the Lease Agreement and the related Certificates by providing the required notices and supporting information to the Auditor-Controller and Superintendent of Schools of the County of San Diego; and

WHEREAS, in accordance with Government Code Section 5852.1, there has been presented to this Board and disclosed to the public certain good faith estimates provided to the District by Dale Scott & Company, Inc., its municipal advisor (the “Municipal Advisor”) with respect to the Certificates, which are attached as Exhibit A hereto, and the requirements of Section 5852.1 have been satisfied; 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;

NOW, THEREFORE, this Board hereby ORDERS, RESOLVES, and DETERMINES, as follows:

SECTION 1. Recitals. All of the recitals herein contained are true and correct and the Board so finds.

SECTION 2. Approval of Site Lease. The form of the Site Lease, on file with the Clerk of the Board, is hereby approved, and each of the President of the Board, and such other members of the Board as the President may designate, the Interim Superintendent/Deputy Superintendent of the District, the Director of Fiscal Services of the District, and such other officers or employees of the District as the Interim Superintendent/Deputy Superintendent may designate (collectively, the “Authorized Officers”), acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Site Lease 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.

SECTION 3. Approval of Lease Agreement. The form of the Lease Agreement, on file with the Clerk of the Board, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Lease Agreement 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; provided, however, that the aggregate amount of the principal components of the lease payments payable under the Lease Agreement shall not exceed $21,500,000, the term of the Lease Agreement shall end on or before September 1, 2036 (provided that such term may be extended as provided therein), the prepayment of the 2011 Certificates being prepaid will result in net present value savings of at least 5%, as calculated by the District’s Municipal Advisor, and the rate applicable to the interest components of the lease payments payable under the Lease Agreement shall not exceed 12% per annum. The Property to be leased under the Site Lease and the Lease Agreement shall consist of Wolf Canyon Elementary School and/or such other or additional school sites and facilities of the District as are selected by the Interim Superintendent/Deputy Superintendent and are determined by such official to have an annual fair rental value at least equal to the annual lease payments to be made under the Lease Agreement. The Board hereby determines that the lease payments due under the Lease Agreement in each fiscal year are reasonable and will not exceed the fair market rental value of the Property to the District in each fiscal year and that each individual lease payment will be accompanied by consideration received by the District corresponding to that payment.

SECTION 4. Approval of Trust Agreement. The form of Trust Agreement, on file with the Clerk of the Board, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Trust Agreement 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.
SECTION 5. Bond Insurance. Each of the Authorized Officers, acting alone, is hereby authorized (a) to solicit bids on a municipal bond insurance policy and a reserve fund surety policy, (b) to negotiate the terms of such policies, (c) to finalize the form of such policies with a municipal bond insurer (the “Insurer”), (d) to pay the insurance premium of such policies from the proceeds of the sale of the Certificates, and (e) to make any changes to the agreements approved herein as are necessary to satisfy the terms of the commitments for such policies provided by the Insurer.

SECTION 6. Approval of Execution and Delivery of Certificates of Participation. U.S. Bank National Association is hereby appointed to act as trustee under the Trust Agreement. The execution and delivery of the Certificates by the Trustee evidencing principal in an aggregate amount not to exceed $21,500,000, payable in the years and in the amounts, and evidencing interest as specified in the Trust Agreement as finally executed, are hereby authorized and approved.

SECTION 7. Terms and Conditions of Sale; Approval of Certificate Purchase Agreement. The Certificates shall be sold as a negotiated sale to the Underwriter. The form of the Purchase Agreement on file with the Clerk of the Board, is hereby approved and each of the Authorized Officers, acting alone, is hereby authorized and directed to approve, execute and deliver such Purchase Agreement, in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, with such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the Underwriter's discount, excluding original issue discount or premium on the Certificates, shall not exceed 0.30% of the aggregate of principal amount of Certificates sold pursuant to the Purchase Agreement. Each Authorized Officer is further authorized to determine the principal amount of the Certificates to be sold pursuant to the Purchase Agreement, up to $21,500,000.

SECTION 8. Approval of Continuing Disclosure Certificate. The form of Continuing Disclosure Certificate, on file with the Clerk of the Board, is hereby approved, and each of the Authorized Officers, acting alone, is 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.
SECTION 9. Approval of Preliminary Official Statement. The form of Preliminary Official Statement, on file with the Clerk of the Board, with such changes therein as may be approved by an Authorized Officer as necessary to deem the Preliminary Official Statement final as of its date for purposes of Rule 15c2-12, is hereby approved, and the use of the Preliminary Official Statement in connection with the offering and sale of the Certificates is hereby authorized and approved. Each of the Authorized Officers, acting alone, is 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 (except for the omission of certain final pricing, rating and related information as permitted by Rule 15c2-12).

SECTION 10. Approval of Official Statement. The preparation and delivery of an Official Statement, and its use by the Underwriter in connection with the offering and sale of the Certificates, is hereby authorized and approved. 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 delivery thereof to the Underwriter. The Authorized Officers are each hereby authorized and directed, for and in the name of and on behalf of the District, to execute the final Official Statement and any amendment or supplement thereto deemed necessary by and Authorized Officer to make the Official Statement, as amended or supplemented, accurate and thereupon to cause the final Official Statement and any such amendment or supplement to be delivered to the Underwriter.

SECTION 11. Approval of Escrow Agreement. The form of the Escrow Agreement, on file with the Clerk of the Board, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Escrow Agreement 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.

SECTION 12. Additional Actions. Each of the Authorized Officers, acting alone, is hereby authorized and directed to do any and all things and to execute any and all certificates and agreements not inconsistent with the provisions hereof 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, but not limited to, the execution of termination agreements and any other agreements necessary to release the real property securing the 2011 Certificates.
SECTION 13. Prior Actions. All actions heretofore taken by the officers, employees and agents of the District with respect to the transactions set forth above are hereby approved, confirmed and ratified.

SECTION 14. Retention of Services. Each of the Authorized Officers is authorized to provide for all services necessary to effect the execution and delivery of the Certificates. Such services shall include, but are not limited to, obtaining legal services, municipal advisor services, trustee services and any other services deemed by an Authorized Officer to be appropriate and necessary to effect the execution and delivery of the Certificates. Any one of the Authorized Officers is authorized to pay for the cost of such services, together with other costs of issuance for the Certificates, from the proceeds of the Certificates, and to execute and any all agreements required to obtain such services.

SECTION 15. Good Faith Estimates. In accordance with Government Code section 5852.1, good faith estimates of the following have been obtained from the Municipal Advisor and presented at the meeting at which this resolution is adopted: (a) the true interest cost of the Certificates, (b) the sum of all fees and charges paid to third parties with respect to the Certificates, including an estimate of the costs of issuance, (c) the amount of proceeds of the Certificates 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 Certificates, and (d) the sum total of all debt service payments on the Certificates calculated to the final maturity of the Certificates plus the fees and charges paid to third parties not paid with the proceeds of the Certificates. The good faith estimates are set forth in Exhibit A hereto and incorporated herein by reference, and the Board finds and determines on the basis of the information set forth in Exhibit A that the provisions of Government Code section 5852.1 have been satisfied with respect to the authorization of the Certificates.

SECTION 16. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.
PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

- - - - - - - - - - - - - - -

STATE OF CALIFORNIA  )
                       ) ss
COUNTY OF SAN DIEGO)  

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Interim Secretary to the Board of Education
EXHIBIT A

GOOD FAITH ESTIMATES

The good faith estimates set forth herein are provided with respect to the Certificates in accordance with California Government Code Section 5852.1. Such good faith estimates have been provided to the District by Dale Scott & Company, Inc. (the District’s “Municipal Advisor”).

Principal Amount. The Municipal Advisor has informed the District that, based on the District’s financing plan and current market conditions, its good faith estimate of the aggregate principal amount of the Certificates to be sold is $17,110,000 (the “Estimated Principal Amount”), exclusive of net premium. Net premium is generated when, on a net aggregate basis for a single issuance of certificates, the price paid for the certificates is higher than the face value of such certificates.

True Interest Cost of the Certificates. The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the true interest cost of the Certificates, 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 Certificates, is 1.7%.

Finance Charge of the Certificates. The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the finance charge for the Certificates, which means the sum of all fees and charges paid to third parties (including costs of issuance associated with the Certificates), is $365,000.

Amount of Proceeds to be Received. The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the amount of proceeds expected to be received by the District for sale of the Certificates, less the finance charge of the Certificates, as estimated above, and any reserves or capitalized interest paid or funded with proceeds of the Certificates, is $19,065,000.

Total Payment Amount. The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the total payment amount, which means the sum total of all payments the District will make to pay debt service on the Certificates, plus the finance charge for the Certificates, as described above, not paid with the proceeds of the Certificates, calculated to the final maturity of the Certificates, is $21,911,300.
ITEM TITLE:

Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Authorizing the Execution and Delivery of the Chula Vista Elementary School District 2021 Refunding Certificates of Participation, Series B (Federally Taxable) in an Aggregate Principal Amount Not to Exceed $6,500,000, Authorizing the Distribution of an Official Statement in Connection Therewith, and Authorizing the Execution of Various Documents and Related Actions

X Action

Information

BACKGROUND INFORMATION:

The Chula Vista Elementary School District Public Facilities Financing Corporation, a nonprofit public benefit corporation organized under the laws of the State of California, is authorized pursuant to the Articles of Incorporation to assist in financing public capital improvements that benefit the Chula Vista Elementary School District.

The District previously caused the execution and delivery of its $6,845,000 Chula Vista Elementary School District 2013 Certificates of Participation (Charter School Improvement Projects) (Federally Taxable) on September 12, 2013, for the purpose of financing improvements at the Chula Vista Learning Community Charter (CVLCC) School and Feaster Charter School. Based on analyses with District financial advisor Dale Scott & Company, the 2013 Certificates of Participation (Charter School Improvement Projects) are positioned for a COPs refunding. Generally, a refunding is considered when net savings reach at least 5 percent. An initial review estimates a potential 6.33 percent net savings or approximately $424,862 in reduced debt.

ADDITIONAL DATA:

Dale Scott & Company (DS&C) will provide financial advisory services and Stradling Yocca Carlson & Rauth (SYCR) will provide bond and disclosure counsel services. A three-year agreement with DS&C was approved by the Board on August 14, 2019, and a two-year agreement with SYCR was approved by the Board on November 13, 2019.
**FISCAL IMPACT/FUNDING SOURCE:**

The requested refunding will provide a potential 6.33 percent estimated net savings or approximately $424,862 in reduced debt.

COPs in an amount not to exceed $6,500,000 will be issued and sold through a negotiated sale. The COPs sale is expected to close in October 2021. All debt service on this COP is paid by CVLCC and Feaster Charter School.

**STAFF RECOMMENDATION:**

Recommend adoption.
On motion of Member ____________________, seconded by Member ____________________, the following resolution is adopted:

WHEREAS, the Chula Vista Elementary School District (the “District”) is a school district duly organized and existing under and pursuant to the Constitution and laws of the State of California (the “State”);

WHEREAS, the District previously caused the execution and delivery of its $6,845,000 Chula Vista Elementary School District 2013 Certificates of Participation (Charter School Improvement Projects) (Federally Taxable) (the “2013 Certificates”) on September 12, 2013 for the purpose of financing improvements to two of the District’s elementary schools (the “Project”);

WHEREAS, to prepay the 2013 Certificates on an advanced basis and refinance the Project, the District now desires to authorize the execution and delivery of the Chula Vista Elementary School District 2021 Refunding Certificates of Participation, Series B (Federally Taxable) (the “Certificates”) pursuant to a Trust Agreement (the “Trust Agreement”), by and among the District, the Chula Vista Elementary School District Public Facilities Financing Corporation (the “Corporation”) and U.S. Bank National Association (the “Trustee”);

WHEREAS, in order to accomplish the refinancing of the Project, the District will lease certain real property and the improvements described herein (the “Property”) to the Chula Vista Elementary School District Public Facilities Financing Corporation (the “Corporation”) pursuant to a Site Lease (the “Site Lease”) to be entered into by and between the District and the Corporation, and will sublease the Property back from the Corporation pursuant to a Lease
Agreement to be entered into by and between the District and the Corporation (the “Lease Agreement”);

WHEREAS, the District and the Corporation have determined that it would be in the best interests of the District and the Corporation to provide the funds necessary to refinance the Project through the sale and delivery, pursuant to the Trust Agreement, of the Certificates;

WHEREAS, all rights to receive such lease payments will be assigned, without recourse, by the Corporation to the Trustee pursuant to an Assignment Agreement to be entered into by such parties;

WHEREAS, in consideration of such assignment and the execution of the Trust Agreement, the Trustee will execute and deliver the Certificates, each evidencing a direct, fractional undivided interest in the lease payments to be paid under the Lease Agreement;

WHEREAS, a form of Certificate Purchase Agreement (the “Purchase Agreement”) relating to the Certificates has been prepared whereby the District will sell the Certificates to UBS Financial Services, Inc. (the “Underwriter”);

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended (“Rule 15c2-12”), requires that, in order to be able to purchase or sell the Certificates, the Underwriter thereof must have reasonably determined that the District has undertaken in a written agreement or contract for the benefit of the holders of the Certificates to provide disclosure of certain financial information and certain enumerated events on an ongoing basis;

WHEREAS, in order to allow the Underwriter to comply with Rule 15c2-12, the District proposes to enter into a Continuing Disclosure Certificate (the “Continuing Disclosure Certificate”);

WHEREAS, a form of the Preliminary Official Statement (the “Preliminary Official Statement”) to be distributed in connection with the public offering of the Certificates has been prepared;

WHEREAS, an Escrow Agreement (the “Escrow Agreement”), by and between the District and The Bank of New York Mellon Trust Company, as escrow bank (the “Escrow Bank”), has been prepared to effect the defeasance and prepayment of the 2013 Certificates;
WHEREAS, the Board of Education of the District (the “Board”) has been presented with the form of each document referred to herein relating to the actions contemplated hereby, and the Board has examined and approved each document and desires to authorize and direct the execution of such documents and the consummation of such actions;

WHEREAS, the District has complied with Education Code Section 17150.1 in connection with the Lease Agreement and the related Certificates by providing the required notices and supporting information to the Auditor-Controller and Superintendent of Schools of the County of San Diego.

WHEREAS, in accordance with Government Code Section 5852.1, there has been presented to this Board and disclosed to the public certain good faith estimates provided to the District by Dale Scott & Company, Inc., its municipal advisor (the “Municipal Advisor”) with respect to the Certificates, which are attached as Exhibit A hereto, and the requirements of Section 5852.1 have been satisfied; 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;

NOW, THEREFORE, this Board hereby ORDERS, RESOLVES, and DETERMINES, as follows:

SECTION 1. Recitals. All of the recitals herein contained are true and correct and the Board so finds.

SECTION 2. Approval of Site Lease. The form of the Site Lease, on file with the Clerk of the Board, is hereby approved, and each of the President of the Board, and such other members of the Board as the President may designate, the Interim Superintendent/Deputy Superintendent of the District, the Director of Fiscal Services of the District, and such other officers or employees of the District as the Interim Superintendent/Deputy Superintendent may designate (collectively, the “Authorized Officers”), acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Site Lease 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.

SECTION 3. Approval of Lease Agreement. The form of the Lease Agreement, on file with the Clerk of the Board, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Lease Agreement 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; provided, however, that the aggregate amount of the principal components of the lease payments payable under the Lease Agreement shall not exceed $6,500,000, the term of the Lease Agreement shall end on or before September 1, 2033 (provided that such term may be extended as provided therein), the prepayment of the 2013 Certificates being prepaid will result in net present value savings of at least 5%, as calculated by the District’s Municipal Advisor, and the rate applicable to the interest components of the lease payments payable under the Lease Agreement shall not exceed 12% per annum. The Property to be leased under the Site Lease and the Lease Agreement shall consist of the Chula Vista Learning Community Charter School and/or such other or additional school sites and facilities of the District as are selected by the Interim Superintendent/Deputy Superintendent and are determined by such official to have an annual fair rental value at least equal to the annual lease payments to be made under the Lease Agreement. The Board hereby determines that the lease payments due under the Lease Agreement in each fiscal year are reasonable and will not exceed the fair rental value of the Property to the District in each fiscal year and that each individual lease payment will be accompanied by consideration received by the District corresponding to that payment.

SECTION 4. Approval of Trust Agreement. The form of Trust Agreement, on file with the Clerk of the Board, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Trust Agreement 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.

SECTION 5. Bond Insurance. Each of the Authorized Officers, acting alone, is hereby authorized (a) to solicit bids on a municipal bond insurance policy and a reserve fund surety policy, (b) to negotiate the terms of such policies, (c) to finalize the form of such policies with a municipal bond insurer (the “Insurer”), (d) to
pay the insurance premium of such policies from the proceeds of the sale of the
Certificates, and (e) to make any changes to the agreements approved herein as
are necessary to satisfy the terms of the commitments for such policies provided
by the Insurer.

SECTION 6. Approval of Execution and Delivery of Certificates of
Participation. The execution and delivery of the Certificates by the Trustee
evidencing principal in an aggregate amount not to exceed $6,500,000, payable in
the years and in the amounts, and evidencing interest as specified in the Trust
Agreement as finally executed, are hereby authorized and approved.

SECTION 7. Terms and Conditions of Sale; Approval of Certificate
Purchase Agreement. The Certificates shall be sold as a negotiated sale to the
Underwriter. The form of the Purchase Agreement on file with the Clerk of the
Board, is hereby approved and each of the Authorized Officers, acting alone, is
hereby authorized and directed to approve, execute and deliver such Purchase
Agreement, in substantially said form, with such changes therein as the Authorized
Officer executing the same may require or approve, with such approval to be
conclusively evidenced by the execution and delivery thereof; provided, however,
that the Underwriter’s discount, excluding original issue discount or premium on
the Certificates, shall not exceed 0.40% of the aggregate of principal amount of
Certificates sold pursuant to the Purchase Agreement. Each Authorized Officer is
further authorized to determine the principal amount of the Certificates to be sold
pursuant to the Purchase Agreement, up to $6,500,000.

SECTION 8. Approval of Continuing Disclosure Certificate. The form of
Continuing Disclosure Certificate, on file with the Clerk of the Board, is hereby
approved, and each of the Authorized Officers, acting alone, is 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.

SECTION 9. Approval of Preliminary Official Statement. The form of
Preliminary Official Statement, on file with the Clerk of the Board, with such
changes therein as may be approved by an Authorized Officer as necessary to
deed the Preliminary Official Statement final as of its date for purposes of Rule
15c2-12, is hereby approved, and the use of the Preliminary Official Statement in
connection with the offering and sale of the Certificates is hereby authorized and
approved. Each of the Authorized Officers, acting alone, is hereby authorized to
certify on behalf of the District that the Preliminary Official Statement is deemed
SECTION 10. Approval of Official Statement. The preparation and delivery of an Official Statement, and its use by the purchaser or Underwriter in connection with the offering and sale of the Certificates, is hereby authorized and approved. 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 delivery thereof to the purchaser or Underwriter. The Authorized Officers are each hereby authorized and directed, for and in the name of and on behalf of the District, to execute the final Official Statement and any amendment or supplement thereto deemed necessary by and Authorized Officer to make the Official Statement, as amended or supplemented, accurate and thereupon to cause the final Official Statement and any such amendment or supplement to be delivered to the Underwriter.

SECTION 11. Approval of Escrow Agreement. The form of the Escrow Agreement, on file with the Clerk of the Board, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Escrow Agreement 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.

SECTION 12. Official Action. Each of the Authorized Officers, acting alone, is hereby authorized and directed to do any and all things and to execute any and all certificates and agreements not inconsistent with the provisions hereof 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.

SECTION 13. Prior Actions. All actions heretofore taken by the officers, employees and agents of the District with respect to the transactions set forth above are hereby approved, confirmed and ratified.

SECTION 14. Retention of Services. Each of the Authorized Officers is authorized to provide for all services necessary to effect the execution and delivery of the Certificates. Such services shall include, but are not limited to, obtaining legal services, municipal advisor services, trustee services and any other services deemed by an Authorized Officer to be appropriate and necessary to effect the execution and delivery of the Certificates. Any one of the Authorized Officers is authorized
to pay for the cost of such services, together with other costs of issuance for the Certificates, from the proceeds of the Certificates, and to execute and any all agreements required to obtain such services.

SECTION 15. Good Faith Estimates. In accordance with Government Code section 5852.1, good faith estimates of the following have been obtained from the Municipal Advisor and presented at the meeting at which this resolution is adopted: (a) the true interest cost of the Certificates, (b) the sum of all fees and charges paid to third parties with respect to the Certificates, including an estimate of the costs of issuance, (c) the amount of proceeds of the Certificates 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 Certificates, and (d) the sum total of all debt service payments on the Certificates calculated to the final maturity of the Certificates plus the fees and charges paid to third parties not paid with the proceeds of the Certificates. The good faith estimates are set forth in Exhibit A hereto and incorporated herein by reference, and the Board finds and determines on the basis of the information set forth in Exhibit A that the provisions of Government Code section 5852.1 have been satisfied with respect to the authorization of the Certificates.

SECTION 16. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September, 2021 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  

- - - - - - - - - - - - - - -
Chula Vista Elementary School District
Resolution No.
Page 8

STATE OF CALIFORNIA  
) ss
COUNTY OF SAN DIEGO

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Interim Secretary to the Board of Education
EXHIBIT A

GOOD FAITH ESTIMATES

The good faith estimates set forth herein are provided with respect to the Certificates in accordance with California Government Code Section 5852.1. Such good faith estimates have been provided to the District by Dale Scott & Company, Inc. (the District’s “Municipal Advisor”).

**Principal Amount.** The Municipal Advisor has informed the District that, based on the District’s financing plan and current market conditions, it’s good faith estimate of the aggregate principal amount of the Certificates to be sold is $5,495,000 (the “Estimated Principal Amount”), exclusive of net premium. Net premium is generated when, on a net aggregate basis for a single issuance of certificates, the price paid for the certificates is higher than the face value of such certificates.

**True Interest Cost of the Certificates.** The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the true interest cost of the Certificates, 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 Certificates, is 2.40%.

**Finance Charge of the Certificates.** The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the finance charge for the Certificates, which means the sum of all fees and charges paid to third parties (including costs of issuance associated with the Certificates), is $190,000.

**Amount of Proceeds to be Received.** The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the amount of proceeds expected to be received by the District for sale of the Certificates, less the finance charge of the Certificates, as estimated above, and any reserves or capitalized interest paid or funded with proceeds of the Certificates, is $5,300,150.

**Total Payment Amount.** The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the total payment amount, which means the sum total of all payments the District will make to the principal and interest with respect to the Certificates, plus the finance charge, if any, for the Certificates, as described above, not paid with the proceeds of the Certificates, calculated to the final maturity of the Certificates, is $6,291,700.
ITEM TITLE:

Adopt Resolution of the Board of Education of the Chula Vista Elementary School District Authorizing the Execution and Delivery of the Chula Vista Elementary School District 2021 Certificates of Participation in an Aggregate Principal Amount Not to Exceed $60,000,000, Authorizing the Distribution of an Official Statement in Connection Therewith, and Authorizing the Execution of Various Documents and Related Actions

X Action

Close Information

BACKGROUND INFORMATION:

The Chula Vista Elementary School District Public Facilities Financing Corporation, a nonprofit public benefit corporation organized under the laws of the State of California, is authorized pursuant to the Articles of Incorporation to assist in financing public capital improvements which benefit the Chula Vista Elementary School District. Adoption of the attached resolution will authorize the sale and delivery of Certificates of Participation (COPs) to partially finance the acquisition, construction, installation, and equipping an elementary school on behalf of the Chula Vista Elementary School District. The proposed elementary school is projected to be located in the Otay Ranch Village 2 area of the District and would be the District’s 48th Elementary School. The projected completion date is July 2023. Revenue from Mello-Roos/Community Facilities Districts (CFD) special taxes is the expected source of repayment of the debt service on the COPs.

ADDITIONAL DATA:

Dale Scott & Company (DS&C) will provide financial advisory services and Stradling Yocca Carlson & Rauth (SYCR) will provide bond and disclosure counsel services. A three-year agreement with DS&C was approved by the Board on August 14, 2019, and a two-year agreement with SYCR was approved by the Board on November 13, 2019.
FISCAL IMPACT/FUNDING SOURCE:

COPs in an amount not to exceed $60,000,000 will be issued and sold through a competitive bid process with the option of a negotiated or private placement sale if the District determines that the competitive bid process is not in the best interests of the District. The COPs sale is expected to close in October 2021 and will provide partial funding for the construction of the District’s next school, School No. 48, with remaining costs paid from existing CFD funds and/or State new school funds.

STAFF RECOMMENDATION:

Recommend adoption.
On motion of Member ____________________, seconded by Member ____________________, the following resolution is adopted:

WHEREAS, the Chula Vista Elementary School District (the “District”) is a school district duly organized and existing under and pursuant to the Constitution and laws of the State of California (the “State”);

WHEREAS, to finance the costs of acquiring, constructing, furnishing, installing and equipping an elementary school to be owned by the District (the “Project”), the District now desires to authorize the execution and delivery of the Chula Vista Elementary School District 2021 Certificates of Participation (the “Certificates”) pursuant to a Trust Agreement (the “Trust Agreement”), by and among the District, the Chula Vista Elementary School District Public Facilities Financing Corporation (the “Corporation”) and U.S. Bank National Association (the “Trustee”);

WHEREAS, in order to accomplish the financing of the Project, the District will lease certain real property and the improvements described herein (the “Property”) to the Chula Vista Elementary School District Public Facilities Financing Corporation (the “Corporation”) pursuant to a Site Lease (the “Site Lease”) to be entered into by and between the District and the Corporation, and will sublease the Property back from the Corporation pursuant to a Lease Agreement to be entered into by and between the District and the Corporation (the “Lease Agreement”);
WHEREAS, the District and the Corporation have determined that it would be in the best interests of the District and the Corporation to provide the funds necessary to finance the Project through the sale and delivery, pursuant to the Trust Agreement, of the Certificates;

WHEREAS, all rights to receive such lease payments will be assigned, without recourse, by the Corporation to the Trustee pursuant to an Assignment Agreement to be entered into by such parties;

WHEREAS, in consideration of such assignment and the execution of the Trust Agreement, the Trustee will execute and deliver the Certificates, each evidencing a direct, fractional undivided interest in the lease payments to be paid under the Lease Agreement;

WHEREAS, a form of the Official Notice of Sale (the “Notice of Sale”) relating to the Certificates has been prepared;

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended (“Rule 15c2-12”), requires that, in order to be able to purchase or sell the Certificates, the purchaser or underwriter thereof must have reasonably determined that the District has undertaken in a written agreement or contract for the benefit of the holders of the Certificates to provide disclosure of certain financial information and certain enumerated events on an ongoing basis;

WHEREAS, in order to allow the Underwriter of the Certificates to comply with Rule 15c2-12, the District proposes to enter into a Continuing Disclosure Certificate (the “Continuing Disclosure Certificate”);

WHEREAS, a form of the Preliminary Official Statement (the “Preliminary Official Statement”) to be distributed in connection with the public offering of the Certificates has been prepared;

WHEREAS, the Board of Education of the District (the “Board”) has been presented with the form of each document referred to herein relating to the actions contemplated hereby, and the Board has examined and approved each document and desires to authorize and direct the execution of such documents and the consummation of such actions;
WHEREAS, the District has complied with Education Code Section 17150.1 in connection with the Lease Agreement and the related Certificates by providing the required notices and supporting information to the Auditor-Controller and Superintendent of Schools of the County of San Diego;

WHEREAS, in accordance with Government Code Section 5852.1, there has been presented to this Board and disclosed to the public certain good faith estimates provided to the District by Dale Scott & Company, Inc., its municipal advisor (the “Municipal Advisor”) with respect to the Certificates, which are attached as Exhibit A hereto, and the requirements of Section 5852.1 have been satisfied; 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;

NOW, THEREFORE, this Board hereby ORDERS, RESOLVES, and DETERMINES, as follows:

SECTION 1. Recitals. All of the recitals herein contained are true and correct and the Board so finds.

SECTION 2. Approval of Site Lease. The form of the Site Lease, on file with the Clerk of the Board, is hereby approved, and each of the President of the Board, and such other members of the Board as the President may designate, the Interim Superintendent/Deputy Superintendent of the District, the Director of Fiscal Services of the District, and such other officers or employees of the District as the Interim Superintendent/Deputy Superintendent may designate (collectively, the “Authorized Officers”), acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Site Lease 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.
SECTION 3. Approval of Lease Agreement. The form of the Lease Agreement, on file with the Clerk of the Board, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Lease Agreement 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; provided, however, that the aggregate amount of the principal components of the lease payments payable under the Lease Agreement shall not exceed $60,000,000, the term of the Lease Agreement shall end on or before September 1, 2051 (provided that such term may be extended as provided therein) and the rate applicable to the interest components of the lease payments payable under the Lease Agreement shall not exceed 12% per annum. The Property to be leased under the Lease Agreement shall consist of one or more of the: Eastlake Elementary School, Sunnyside School, Olympic View School, Thurgood Marshall School, Greg Rogers School and Salt Creek Elementary School, and/or such other or additional school sites and facilities of the District as are selected by the Interim Superintendent/Deputy Superintendent and are determined by such official to have an annual fair rental value at least equal to the annual lease payments to be made under the Lease Agreement. The Board hereby determines that the lease payments due under the Lease Agreement in each fiscal year are reasonable and will not exceed the fair market rental value of the Property to the District in each fiscal year and that each individual lease payment will be accompanied by consideration received by the District corresponding to that payment.

SECTION 4. Approval of Trust Agreement. The form of Trust Agreement, on file with the Clerk of the Board, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the District, to execute and deliver the Trust Agreement 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.

SECTION 5. Bond Insurance. Each of the Authorized Officers, acting alone, is hereby authorized (a) to solicit bids on a municipal bond insurance policy and a reserve fund surety policy, (b) to negotiate the terms of such policies, (c) to finalize the form of such policies with a municipal bond insurer (the “Insurer”), (d) to pay the insurance premium of such policies from the proceeds of the sale of the Certificates, and (e) to make any changes to the agreements approved herein as are necessary to satisfy the terms of the commitments for such policies provided by the Insurer.
SECTION 6. Approval of Execution and Delivery of Certificates of Participation. U.S. Bank National Association is hereby appointed to act as trustee under the Trust Agreement. The execution and delivery of the Certificates by the Trustee evidencing principal in an aggregate amount not to exceed $60,000,000, payable in the years and in the amounts, and evidencing interest as specified in the Trust Agreement as finally executed, are hereby authorized and approved.

SECTION 7. Approval of Notice of Sale. The form of the Notice of Sale on file with the Clerk of the Board is hereby approved, and each of the Interim Superintendent/Deputy Superintendent and the Director of Fiscal Services, acting alone, is hereby authorized to direct the sale of the Certificates on a competitive basis in accordance with the terms of the Trust Agreement and the Notice of Sale in substantially said form, with such changes as the Authorized Officer executing the same may require or approve to reflect the final terms of the sale. A summary of the Notice of Sale shall be published in accordance with any notice requirements imposed by law. The Certificates shall be sold for the purposes set forth herein and in such principal amount as described in the Notice of Sale not to exceed $60,000,000, provided that (i) the winning bid shall be that which represents the lowest true interest cost to the District, as calculated by the Municipal Advisor, while satisfying all other conditions set forth in the Notice of Sale (except as waived by an Authorized Officer as permitted therein) and this Resolution, and (ii) the sale shall be approved by the Interim Superintendent/Deputy Superintendent or the Director of Fiscal Services of the District as evidenced by a written acceptance of such winning bid. Notwithstanding the foregoing, each of the Interim Superintendent/Deputy Superintendent and the Director of Fiscal Services, acting alone, may reject all bids by notifying the Municipal Advisor that none of the bids are acceptable to the District or, before or after publication of the summary of the Notice of Sale, that the sale is not in the best interests of the District, and, in such event, the District may proceed with the sale of the Certificates on a negotiated basis as described in Section 8 below.

SECTION 8. Approval of Certificate Purchase Agreement. Should the Interim Superintendent/Deputy Superintendent determine pursuant to Section 7 above to proceed with a negotiated sale for the Certificates, each of the Interim Superintendent/Deputy Superintendent and the Director of Fiscal Services, acting alone, is hereby authorized to select one or more underwriting firms (the “Underwriter”) to sell the Certificates at a negotiated sale in accordance with this Section 8. The form of the Certificate Purchase Agreement (the “Purchase Agreement”) by and between the District and the Underwriter, on file with the Clerk of the Board, is hereby approved and, if the Certificates are to be sold pursuant to a negotiated sale, each of the Authorized Officers, acting alone, is hereby
authorized and directed to approve, execute and deliver such Purchase Agreement, in substantially said form, with such changes therein as the Authorized Officer executing the same may require or approve, with such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the Underwriter’s discount, excluding original issue discount or premium on the Certificates, shall not exceed 1.0% of the aggregate principal amount of Certificates and the rate applicable to the interest components of the lease payments payable under the Lease Agreement shall not exceed 12% per annum. Each Authorized Officer is further authorized to determine the principal amount of the Certificates to be sold pursuant to the Purchase Agreement, up to $60,000,000.

SECTION 9. Approval of Continuing Disclosure Certificate. The form of Continuing Disclosure Certificate, on file with the Clerk of the Board, is hereby approved, and each of the Authorized Officers, acting alone, is 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.

SECTION 10. Approval of Preliminary Official Statement. The form of Preliminary Official Statement, on file with the Clerk of the Board, with such changes therein as may be approved by an Authorized Officer as necessary to deem the Preliminary Official Statement final as of its date for purposes of Rule 15c2-12, is hereby approved, and the use of the Preliminary Official Statement in connection with the offering and sale of the Certificates is hereby authorized and approved. Each of the Authorized Officers, acting alone, is 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 (except for the omission of certain final pricing, rating and related information as permitted by Rule 15c2-12).

SECTION 11. Approval of Official Statement. The preparation and delivery of an Official Statement, and its use by the purchaser or Underwriter in connection with the offering and sale of the Certificates, is hereby authorized and approved. 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 delivery thereof to the purchaser or Underwriter. The Authorized Officers are each hereby authorized and directed, for and in the name of and on behalf of the District, to execute the final Official Statement and any amendment or supplement thereto deemed necessary by and Authorized Officer to make the
Official Statement, as amended or supplemented, accurate and thereupon to cause the final Official Statement and any such amendment or supplement to be delivered to the purchaser or Underwriter.

SECTION 12. Additional Actions. Each of the Authorized Officers, acting alone, is hereby authorized and directed to do any and all things and to execute any and all certificates and agreements not inconsistent with the provisions hereof 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.

SECTION 13. Prior Actions. All actions heretofore taken by the officers, employees and agents of the District with respect to the transactions set forth above are hereby approved, confirmed and ratified.

SECTION 14. Retention of Services. Each of the Authorized Officers is authorized to provide for all services necessary to effect the execution and delivery of the Certificates. Such services shall include, but are not limited to, obtaining legal services, municipal advisor services, trustee services and any other services deemed by an Authorized Officer to be appropriate and necessary to effect the execution and delivery of the Certificates. Any one of the Authorized Officers is authorized to pay for the cost of such services, together with other costs of issuance for the Certificates, from the proceeds of the Certificates, and to execute and any all agreements required to obtain such services.

SECTION 15. Good Faith Estimates. In accordance with Government Code section 5852.1, good faith estimates of the following have been obtained from the Municipal Advisor and presented at the meeting at which this resolution is adopted: (a) the true interest cost of the Certificates, (b) the sum of all fees and charges paid to third parties with respect to the Certificates, including an estimate of the costs of issuance, (c) the amount of proceeds of the Certificates 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 Certificates, and (d) the sum total of all debt service payments on the Certificates calculated to the final maturity of the Certificates plus the fees and charges paid to third parties not paid with the proceeds of the Certificates. The good faith estimates are set forth in Exhibit A hereto and incorporated herein by reference, and the Board finds and determines on the basis of the information set forth in Exhibit A that the provisions of Government Code section 5852.1 have been satisfied with respect to the authorization of the Certificates.
SECTION 16. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the Board of Education of the Chula Vista Elementary School District, County of San Diego, State of California, this 15th day of September 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

----------------------

STATE OF CALIFORNIA  )
                      ) ss
COUNTY OF SAN DIEGO  )

I, Oscar Esquivel, Interim Secretary to the Board of Education of the Chula Vista Elementary School of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Interim Secretary to the Board of Directors
EXHIBIT A
GOOD FAITH ESTIMATES

The good faith estimates set forth herein are provided with respect to the Certificates in accordance with California Government Code Section 5852.1. Such good faith estimates have been provided to the District by Dale Scott & Company, Inc. (the District’s “Municipal Advisor”).

Principal Amount. The Municipal Advisor has informed the District that, based on the District’s financing plan and current market conditions, its good faith estimate of the aggregate principal amount of the Certificates to be sold is $60,000,000 (the “Estimated Principal Amount”), exclusive of net premium. Net premium is generated when, on a net aggregate basis for a single issuance of certificates, the price paid for the certificates is higher than the face value of such certificates.

True Interest Cost of the Certificates. The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the true interest cost of the Certificates, 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 Certificates, is 2.35%.

Finance Charge of the Certificates. The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the finance charge for the Certificates, which means the sum of all fees and charges paid to third parties (including costs of issuance associated with the Certificates), is $800,000.

Amount of Proceeds to be Received. The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the amount of proceeds expected to be received by the District for sale of the Certificates, less the finance charge of the Certificates, as estimated above, and any reserves or capitalized interest paid or funded with proceeds of the Certificates, is $60,000,000.

Total Payment Amount. The Municipal Advisor has informed the District that, assuming that the Estimated Principal Amount of the Certificates is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the total payment amount, which means the sum total of all payments the District will make to pay the principal and interest with respect to the Certificates, plus the finance charge for the Certificates, as described above, not paid with the proceeds of the Certificates, calculated to the final maturity of the Certificates, is $81,338,000.
ITEM TITLE:

Approve Submittal of 2020-21 Year-End Summary of Revenues, Expenditures, and Changes in Fund Balances

X Action

Information

BACKGROUND INFORMATION:

Assembly Bill 1200 requires each local educational agency to file an unaudited actuals financial report with its county office of education. The District’s 2020-21 revenues, expenditures, and fund balances will be filed with the San Diego County Superintendent of Schools by September 15, 2021, on the Standardized Account Code Structure (SACS) 2020-21 unaudited actuals series of reports.

ADDITIONAL DATA:

The District’s certification is attached in addition to Schedule A (Year-End Summary of Revenues, Expenditures, and Changes in Fund Balance, 2020-21). Detailed information from year-end financial reports will be available for review by September 15, 2021, in the Office of the Interim Superintendent.

FISCAL IMPACT/FUNDING SOURCE:

See attached.

STAFF RECOMMENDATION:

Recommend approval.
UNAUDITED ACTUAL FINANCIAL REPORT:

To the County Superintendent of Schools:

2020-21 UNAUDITED ACTUAL FINANCIAL REPORT. This report was prepared in accordance with Education Code Section 41010 and is hereby approved and filed by the governing board of the school district pursuant to Education Code Section 42100.

Signed: _________________________ Date of Meeting: Sept. 15, 2021

Clerk/Secretary of the Governing Board
(Original signature required)

To the Superintendent of Public Instruction:

2020-21 UNAUDITED ACTUAL FINANCIAL REPORT. This report has been verified for accuracy by the County Superintendent of Schools pursuant to Education Code Section 42100.

Signed: _________________________ Date: ____________

County Superintendent/Designee
(Original signature required)

For additional information on the unaudited actual reports, please contact:

For County Office of Education: For School District:

Roxanna Travers Theresa Villanueva
Name Name
Accounting & Data Support Specialist Interim ED of Fiscal Services
Title Title
(858)295-6700 (619)425-9600 x 1391
Telephone Telephone
roxanna.travers@sdcoe.net mariath.villanueva@cvesd.org
E-mail Address E-mail Address
### General Fund (Unrestricted and Restricted)

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<thead>
<tr>
<th>Description</th>
<th>Estimated</th>
<th>Unaudited</th>
<th>Actuals</th>
<th>Estimated</th>
<th>Unaudited</th>
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<td>5,720,941</td>
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### Building Fund (21-09)

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### Bond Building Fund (21-33) (Measure VV)

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### Bond Building Fund (21-37) (Measure M)

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<tr>
<td><strong>Reserve for Economic Uncertainties</strong></td>
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### Capital Improvement Fund Developers' Fees (25-18)

<table>
<thead>
<tr>
<th>Description</th>
<th>Estimated</th>
<th>Unaudited</th>
<th>Actuals</th>
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<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td>$2,214,000</td>
<td>$2,383,505</td>
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<td><strong>Expenditures</strong></td>
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<td>958,406</td>
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<td>379,039</td>
<td>1,425,099</td>
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<td>7,889,895</td>
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<tr>
<td><strong>Ending Balance</strong></td>
<td>$8,268,934</td>
<td>$9,314,994</td>
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<td>8,268,934</td>
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<td><strong>Reserve for Economic Uncertainties</strong></td>
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### SB-50 Modernization/New Construction Fund (35-00)

<table>
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</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td>19,958,160</td>
<td>19,964,265</td>
<td></td>
</tr>
<tr>
<td><strong>Expenditures</strong></td>
<td>19,958,160</td>
<td>19,958,160</td>
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</tr>
<tr>
<td><strong>Increase/Decrease</strong></td>
<td>0</td>
<td>6,105</td>
<td>(130,220)</td>
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<td>7,889,895</td>
<td>7,889,895</td>
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<td><strong>Ending Balance</strong></td>
<td>$8,268,934</td>
<td>$9,314,994</td>
<td>$0</td>
</tr>
<tr>
<td><strong>Reserved/Designated</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>Reserve for Economic Uncertainties</strong></td>
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### Pupil Transportation Equipment Fund (15-00)

<table>
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<tr>
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</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td>$3,300,270</td>
<td>$3,301,446</td>
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<tr>
<td><strong>Expenditures</strong></td>
<td>3,430,490</td>
<td>3,430,491</td>
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<tr>
<td><strong>Increase/Decrease</strong></td>
<td>(130,220)</td>
<td>(129,045)</td>
<td>357,282</td>
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<td><strong>Beginning Balance</strong></td>
<td>357,282</td>
<td>357,282</td>
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<tr>
<td><strong>Ending Balance</strong></td>
<td>$227,062</td>
<td>$228,237</td>
<td>$227,062</td>
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<td><strong>Reserved/Designated</strong></td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>Reserve for Economic Uncertainties</strong></td>
<td>0</td>
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### Cafeteria Account Fund (13-00)

<table>
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<tr>
<th>Description</th>
<th>Estimated</th>
<th>Unaudited</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Increase/Decrease</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Beginning Balance</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ending Balance</strong></td>
<td></td>
<td></td>
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<tr>
<td><strong>Reserved/Designated</strong></td>
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<tr>
<td><strong>Reserve for Economic Uncertainties</strong></td>
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Chula Vista Elementary School District  
Year-End Summary of Revenues, Expenditures and Changes in Fund Balance  
2020-21  

Schedule A
## Year-End Summary of Revenues, Expenditures and Changes in Fund Balance 2020-21

### Child Development Fund (12-06)

<table>
<thead>
<tr>
<th>Description</th>
<th>Estimated</th>
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<tr>
<td>Revenues</td>
<td>$5,128,875</td>
<td>$4,872,626</td>
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<tr>
<td>Expenditures</td>
<td>4,782,690</td>
<td>4,519,726</td>
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<td>Increase/Decrease</td>
<td>346,185</td>
<td>352,900</td>
<td>(120,000)</td>
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<td>Beginning Balance</td>
<td>769,892</td>
<td>769,892</td>
<td>828,539</td>
</tr>
<tr>
<td>Ending Balance</td>
<td>$1,116,077</td>
<td>$1,122,792</td>
<td>$708,539</td>
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<td>Reserved/Designated</td>
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<td>1,122,792</td>
<td>708,539</td>
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### Student Activity Special Revenue Funds (08-00)

<table>
<thead>
<tr>
<th>Description</th>
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<th>Unaudited</th>
<th>Actuals</th>
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<tr>
<td>Revenues</td>
<td>$50,000</td>
<td>$53,318</td>
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<td>Expenditures</td>
<td>170,000</td>
<td>145,300</td>
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<td>Increase/Decrease</td>
<td>(120,000)</td>
<td>(91,982)</td>
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<td>Beginning Balance</td>
<td>828,539</td>
<td>828,539</td>
<td>20,440,493</td>
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<tr>
<td>Ending Balance</td>
<td>$708,539</td>
<td>$736,557</td>
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<td>708,539</td>
<td>736,557</td>
<td>24,692,349</td>
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<td>Reserve for Economic Uncertainties</td>
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### Charter Schools Fund (09-00)

<table>
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</thead>
<tbody>
<tr>
<td>Revenues</td>
<td>$74,270,548</td>
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<td>Expenditures</td>
<td>70,018,692</td>
<td>70,401,947</td>
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<td>Increase/Decrease</td>
<td>4,251,856</td>
<td>3,586,410</td>
<td>60,000</td>
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<td>20,440,493</td>
<td>20,440,493</td>
<td>14,875,363</td>
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<tr>
<td>Ending Balance</td>
<td>$24,692,349</td>
<td>$24,026,903</td>
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<tr>
<td>Reserved/Designated</td>
<td>24,692,349</td>
<td>24,026,903</td>
<td>14,935,363</td>
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<tr>
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### Self Insurance Fund (67-00)

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<tr>
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<td>60,000</td>
<td>(57,256)</td>
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</tr>
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<td>14,875,363</td>
<td>14,875,363</td>
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<tr>
<td>Ending Balance</td>
<td>$14,935,363</td>
<td>$14,818,107</td>
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<tr>
<td>Reserved/Designated</td>
<td>14,935,363</td>
<td>14,818,107</td>
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<tr>
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### CFD Capital Projects Fund (49-00)

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<td>Revenues</td>
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<td>22,062,027</td>
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<td>6,338,668</td>
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<td>81,893,350</td>
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### CFD Debt Service Fund (52-00)

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<tr>
<td>Revenues</td>
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<td>$14,288,880</td>
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<td>Expenditures</td>
<td>14,288,880</td>
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</tr>
<tr>
<td>Increase/Decrease</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Beginning Balance</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Ending Balance</td>
<td>$0</td>
<td>$0</td>
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</tr>
<tr>
<td>Reserved/Designated</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Reserve for Economic Uncertainties</td>
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ITEM TITLE:
Report Calendar to Board of Education

Action

X Information

BACKGROUND INFORMATION:

<table>
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<tr>
<th>TOPIC</th>
<th>REPORT BY</th>
<th>TENTATIVE DATE</th>
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<tbody>
<tr>
<td>Report on Innovation</td>
<td>Instructional Services</td>
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<tr>
<td>Report on ESSER III/Public Hearing</td>
<td>Instructional Services</td>
<td>September 2021</td>
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<td>Cohort Presentation (Allan)</td>
<td>Instructional Services</td>
<td>October 2021</td>
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<tr>
<td>Report on Multi-Tiered Systems of Support/Mental Health Plan</td>
<td>Instructional Services</td>
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<tr>
<td>ESSER III Plan Approval</td>
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<tr>
<td>Cohort Presentation (Charter)</td>
<td>Instructional Services</td>
<td>November 2021</td>
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<tr>
<td>Report on Visual and Performing Arts Program</td>
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<tr>
<td>Report on Educator Effectiveness Grant/Public Hearing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cohort Presentation (Corona)</td>
<td>Instructional Services</td>
<td>December 2021</td>
</tr>
<tr>
<td>Report on Physical Education</td>
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<tr>
<td>Educator Effectiveness Grant Approval</td>
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</tr>
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</table>

ADDITIONAL DATA:
None.

FISCAL IMPACT/FUNDING SOURCE:
None.

STAFF RECOMMENDATION:
This is an information item.
ITEM TITLE:

Additions and Clarifications to the Chula Vista Elementary School District’s Local Control and Accountability Plan for the 2021-22 School Year

Action X Information

BACKGROUND INFORMATION:

As part of the school funding formula enacted in California in 2013—the Local Control Funding Formula (LCFF)—districts are required to prepare (or revise) a Local Control and Accountability Plan (LCAP) on an annual basis. The LCAP must align with the annual budget, contain certain elements, and be developed in consultation with teachers, principals, administrators, other school personnel, parents, and students.

On May 19, 2021, the Board conducted a Public Hearing on the District’s LCAP to receive recommendations and comments from stakeholders regarding the specific actions and expenditures proposed to be included in the LCAP update for the 2021-22 school year.

On June 16, 2021, the Board approved the District’s LCAP for the 2021-22 school year.

The LCAP approval process provides additional time for written clarification, required by August 15, between the county superintendent and the district board, where clarification is needed prior to granting approval of a district’s LCAP. This clarification timing is as follows:

- County superintendent of schools may seek clarification in writing about the contents of the LCAP or annual update.
- Within 15 days, the governing board of a school district shall respond, in writing, to requests for clarification.
- Within 15 days of receiving response, the county superintendent of schools may submit recommendations, in writing, for amendments to the LCAP or annual update.
Within 15 days of receiving recommendations, the governing board of a school district shall consider the recommendations submitted by the county superintendent of schools in a public meeting.

**ADDITIONAL DATA:**

Additional information is available for review in the Office of the Assistant Superintendent of Innovation and Instruction Services and Support.

**FISCAL IMPACT/FUNDING SOURCE:**

The LCAP addresses the minimum proportionality percentage of 13.62 percent. It allocates approximately $26,369,502 to the District for supplemental and concentration funds provided for unduplicated students who are English Learners, Low Income, and Foster Youth.

**STAFF RECOMMENDATION:**

This is an information item.
ITEM TITLE:

Adopt Resolution of the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation Appointing Officers and Taking Related Action in Connection Therewith

X Action

Information

BACKGROUND INFORMATION:

On December 15, 2020, the Board of Education of the Chula Vista Elementary School District elected new officers. At its meeting of January 20, 2021, the Board elected Board President Eduardo Reyes to be the Chairperson of the Chula Vista Elementary School District Public Facilities Financing Corporation (PFFC) Board of Directors. On July 14, 2021, President Reyes resigned from his position on the Board of Education and the PFFC, resulting in Vice President Kate Bishop’s move to President. On September 1, 2021, District Superintendent Francisco Escobedo retired from the District, leaving the PFFC temporarily without a Secretary until a new Superintendent is hired.

Accordingly, the Resolution of the Board of Directors of the PFFC desires the following:

1. Kate Bishop, Board of Education President, be appointed Chair of the PFFC Board of Directors;
2. Lucy Ugarte, Board of Education Vice President, be appointed Vice-Chair of the PFFC Board of Directors; and
3. Oscar Esquivel, current Interim Superintendent, remain the President of the PFFC.
4. Maria Theresa Villanueva, District Interim Executive Director of Finance, be appointed Assistant Secretary of the PFFC until such time as a new Superintendent is in place to assume the role of Secretary pursuant to the Bylaws.
ADDITIONAL DATA:

None.

FISCAL IMPACT/FUNDING SOURCE:

None.

STAFF RECOMMENDATION:

Recommend adoption.
WHEREAS, the Chula Vista Elementary School District Public Facilities Financing Corporation is a nonprofit public benefit corporation organized and existing under the laws of the State of California (the “PFFC”) with the authority to assist in the financing and refinancing of the acquisition, construction, installation and equipping of certain capital improvements on behalf of the Chula Vista Elementary School District (the “District”);

WHEREAS, as a result of the resignation of the previous Chair of the Corporation the PFFC is currently without an acting Chair;

WHEREAS, this Board of Directors of the PFFC (the “Board”) desires to appoint Kate Bishop as Chair of the PFFC and remove her as Vice Chair;

WHEREAS, this Board desires to appoint Lucy Ugarte as Vice Chair of the PFFC;

WHEREAS, as a result of the retirement of the previous Superintendent of the District, the PFFC is currently without an acting Secretary;

WHEREAS, this Board desires to appoint Maria Theresa Villanueva as Assistant Secretary of the PFFC until such time as a new Superintendent is in place to assume the role of Secretary pursuant to the Bylaws of the PFFC;

WHEREAS, each of the actions contemplated hereby are permitted under and in compliance with the provisions of the Bylaws of the PFFC;
NOW, THEREFORE, be it RESOLVED, ORDERED, and DECLARED as follows:

SECTION 1. All of the recitals herein contained are true and correct and the Board so finds.

SECTION 2. Until such time as this Board resolves otherwise, or other changes are made in accordance with the Bylaws, the Officers of the PFFC shall be as follows:

a) Kate Bishop shall be the Chair of the PFFC.
b) Lucy Ugarte shall be the Vice Chair of the PFFC.
c) Oscar Esquivel, as the Interim Superintendent of the District, shall be the President of the Corporation.
d) Maria Theresa Villanueva shall be the Assistant Secretary of the Corporation, with the powers and authority to take any and all actions that are otherwise granted upon the Secretary of the Corporation by the Bylaws and by operation of law.
e) Maria Theresa Villanueva, as the Interim Executive Director of Fiscal Services of the District, is the Chief Financial Officer of the Corporation pursuant to the Bylaws of the PFFC.

SECTION 3. All actions heretofore taken by the officers and agents of the PFFC with respect to the appointments set forth above are hereby approved, confirmed and ratified.

SECTION 4. This Resolution shall take effect from and after its adoption.
PASSED AND ADOPTED by the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation, County of San Diego, State of California, this 15th day of September, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

-----------------

STATE OF CALIFORNIA )
COUNTY OF SAN DIEGO ) ss

I, Mariatheresa Villanueva, Assistant Secretary to the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Assistant Secretary to the Board of Directors
ITEM TITLE:

Adopt Resolution of the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation Authorizing the Execution by the Corporation of Various Documents with Respect to the Chula Vista Elementary School District 2021 Refunding Certificates of Participation Series A (Tax Exempt) in an Aggregate Principal Amount Not to Exceed $21,500,000 and Authorizing Related Action in Connection Therewith

ACTION

BACKGROUND INFORMATION:

The Chula Vista Elementary School District Public Facilities Financing Corporation, a nonprofit public benefit corporation organized under the laws of the State of California, is authorized pursuant to the Articles of Incorporation to assist in financing public capital improvements that benefit the Chula Vista Elementary School District.

In order to provide funding for school facilities in the Mello-Roos/Community Facilities District (CFD) development areas, the District has issued debt through Certificates of Participation (COPs) or special tax bonds that are then paid from the Mello-Roos tax assessments. Since 1989, the Chula Vista Elementary School District has issued 16 COPs or special tax bonds and has refunded (refinanced) thirteen. Based on analyses with District financial advisor Dale Scott & Company, the 2011 COPs is positioned for a COPs refunding. The 2011 COPs were used to partially fund the construction of Enrique S. Camarena Elementary school. Generally, a refunding is considered when net savings reach at least 5 percent. An initial review estimates a potential 15.86 percent net savings or approximately $4,133,235 in reduced debt.

ADDITIONAL DATA:

Dale Scott & Company (DS&C) will provide financial advisory services and Stradling Yocca Carlson & Rauth (SYCR) will provide bond and disclosure counsel services. A three-year agreement with DS&C was approved by the Board on
August 14, 2019, and a two-year agreement with SYCR was approved by the Board on November 13, 2019.

**FISCAL IMPACT/FUNDING SOURCE:**

The requested refunding will provide a potential 15.86 percent estimated net savings or approximately $4,133,235 in reduced debt.

COPs in an amount not to exceed $21,500,000 will be issued and sold through a negotiated sale. The COPs sale is expected to close in October 2021. All debt service on the COPs is paid from the CFD Funds.

**STAFF RECOMMENDATION:**

Recommend adoption.
On motion of Member ____________________, seconded by Member ____________________, the following resolution is adopted:

WHEREAS, the Chula Vista Elementary School District Public Facilities Financing Corporation is a nonprofit public benefit corporation organized and existing under the laws of the State of California (the “Corporation”) with the authority to assist in the financing and refinancing of the acquisition, construction, installation and equipping of certain capital improvements on behalf of the Chula Vista Elementary School District (the “District”);

WHEREAS, the District previously caused the execution and delivery of its $25,000,000 Chula Vista Elementary School District 2011 Certificates of Participation (Elementary School Building Project) (the “2011 Certificates”) on December 15, 2011, for the purpose of financing the acquisition, construction, installation and equipping of a new elementary school (the “Project”);

WHEREAS, the District now desires to authorize the execution and delivery of the Chula Vista Elementary School District 2021 Refunding Certificates of Participation, Series A (Tax-Exempt) (the “Certificates”) in order to prepay the 2011 Certificates on a current basis and refinance the Project;

WHEREAS, in order to accomplish the refinancing of the Project, the District will lease certain real property and the improvements as described herein (the “Property”) to the Corporation pursuant to a Site Lease (the “Site Lease”) to be entered into by and between the District and the Corporation, and will sublease the Property back from the Corporation pursuant to a Lease Agreement (the

Related Action in Connection Therewith)
WHEREAS, the District and the Corporation have determined that it would be in the best interests of the District and the Corporation to provide the funds necessary to refinance the Project through the sale and delivery of the Certificates, pursuant to a Trust Agreement (the “Trust Agreement”) to be entered into by and among U.S. Bank National Association (the “Trustee”), the Corporation and the District;

WHEREAS, all rights to receive such lease payments will be assigned, without recourse, by the Corporation to the Trustee pursuant to an Assignment Agreement (the “Assignment Agreement”) to be entered into by and between the Corporation and the Trustee;

WHEREAS, in consideration of such assignment and the execution of the Trust Agreement, the Trustee will execute and deliver the Certificates, each evidencing a direct, fractional undivided interest in the lease payments to be paid by the District under the Lease Agreement;

WHEREAS, a form of Certificate Purchase Agreement (the “Purchase Agreement”) relating to the Certificates has been prepared whereby the District will sell the Certificates to UBS Financial Services Inc. (the “Underwriter”);

WHEREAS, the District expects to enter into an Escrow Agreement with The Bank of New York Mellon Trust Company, as escrow agent, in order to effect the prepayment of the 2011 Certificates;

WHEREAS, the Board of Directors of the Corporation (the “Board”) has been presented with the form of each document referred to herein relating to the actions contemplated hereby, and the Board has examined and approved each document and desires to authorize and direct the execution of such documents and the consummation of such actions;

WHEREAS, all acts, conditions and things required by the 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 Corporation 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;
NOW, THEREFORE, this Board of Directors hereby ORDERS, RESOLVES and DETERMINES, as follows:

SECTION 1. All of the recitals herein contained are true and correct and the Board so finds.

SECTION 2. The form of the Site Lease, on file with the Secretary of the Corporation, is hereby approved, and each of the President of the Corporation, the Vice President of the Corporation, the Secretary of the Corporation and Chief Financial Officer of the Corporation, or their designees and such other officers of the Corporation as the President of the Corporation may designate (collectively, the “Authorized Officers”), acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Site Lease 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 Property to be leased under the Site Lease shall consist of all or a portion of Wolf Canyon Elementary School and/or one or more other school sites or school facilities selected by the District and determined by the District to have an annual fair rental value at least equal to the annual lease payments to be made under the Lease Agreement.

SECTION 3. The form of the Lease Agreement, on file with the Secretary of the Corporation, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Lease Agreement 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; provided, however, that the aggregate amount of principal components of the lease payments payable under the Lease Agreement shall not exceed $21,500,000, the term of the Lease Agreement shall end on or before September 1, 2036 (provided that such term may be extended as provided therein), the prepayment of the 2011 Certificates being prepaid will result in net present value savings of at least 5%, as calculated by the District’s Municipal Advisor, and the rate applicable to the interest components of the lease payments payable under the Lease Agreement shall not exceed 12% per annum.

SECTION 4. The form of the Trust Agreement, on file with the Secretary of the Corporation, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Trust Agreement 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.

SECTION 5. The form of the Assignment Agreement, on file with the Secretary of the Corporation, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Assignment Agreement 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.

SECTION 6. This Board hereby approves the sale of the Certificates by negotiated sale to the Underwriter. The Authorized Officers are authorized and directed to execute any and all agreements and certificates necessary to cause such sale on a negotiated basis.

SECTION 7. The execution and delivery of the Certificates by the Trustee evidencing principal in an amount not to exceed $21,500,000, payable in the years and in the amounts, and evidencing interest as specified in the Trust Agreement as finally executed, are hereby authorized and approved.

SECTION 8. The officers of the Corporation 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 making the necessary filings for the Corporation to obtain and maintain its tax exempt status and executing termination agreements and any other agreements necessary to release the real property securing the 2011 Certificates.

SECTION 9. All actions heretofore taken by the officers and agents of the Corporation with respect to the transactions set forth above are hereby approved, confirmed and ratified.

SECTION 10. This Resolution shall take effect from and after its adoption.
PASSED AND ADOPTED by the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation, County of San Diego, State of California, this 15th day of September, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

- - - - - - - - - - - - - - -

STATE OF CALIFORNIA )
COUNTY OF SAN DIEGO ) ss

I, Mariatheresa Villanueva, Assistant Secretary to the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Assistant Secretary to the Board of Directors
ITEM TITLE:

Adopt Resolution of the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation Authorizing the Execution by the Corporation of Various Documents with Respect to the Chula Vista Elementary School District 2021 Refunding Certificates of Participation Series B (Federally Taxable) in an Aggregate Principal Amount Not to Exceed $6,500,000 and Authorizing Related Action in Connection Therewith

X Action

Information

BACKGROUND INFORMATION:

The Chula Vista Elementary School District Public Facilities Financing Corporation, a nonprofit public benefit corporation organized under the laws of the State of California, is authorized pursuant to the Articles of Incorporation to assist in financing public capital improvements that benefit the Chula Vista Elementary School District.

The District previously caused the execution and delivery of its $6,845,000 Chula Vista Elementary School District 2013 Certificates of Participation (Charter School Improvement Projects) (Federally Taxable) on September 12, 2013 for the purpose of financing improvements at the Chula Vista Learning Community Charter (CVLCC) School and Feaster Charter School. Based on analyses with District financial advisor Dale Scott & Company, the 2013 Certificates of Participation (Charter School Improvement Projects) are positioned for a COPs refunding. Generally, a refunding is considered when net savings reach at least 5 percent. An initial review estimates a potential 6.33 percent net savings or approximately $424,862 in reduced debt.

ADDITIONAL DATA:

Dale Scott & Company (DS&C) will provide financial advisory services and Stradling Yocca Carlson & Rauth (SYCR) will provide bond and disclosure counsel services. A three-year agreement with DS&C was approved by the Board on
August 14, 2019, and a two-year agreement with SYCR was approved by the Board on November 13, 2019.

**FISCAL IMPACT/FUNDING SOURCE:**

The requested refunding will provide a potential 6.33 percent estimated net savings or approximately $424,862 in reduced debt.

COPs in an amount not to exceed $6,500,000 will be issued and sold through a negotiated sale. The COPs sale is expected to close in October 2021. All debt service on this COP is paid by CVLCC and Feaster Charter School.

**STAFF RECOMMENDATION:**

Recommend adoption.
On motion of Member _________________, seconded by Member _________________, the following resolution is adopted:

WHEREAS, the Chula Vista Elementary School District Public Facilities Financing Corporation is a nonprofit public benefit corporation organized and existing under the laws of the State of California (the "Corporation") with the authority to assist in the financing and refinancing of the acquisition, construction, installation and equipping of certain capital improvements on behalf of the Chula Vista Elementary School District (the "District");

WHEREAS, the District previously caused the execution and delivery of its $6,845,000 Chula Vista Elementary School District 2013 Certificates of Participation (Charter School Improvement Projects) (Federally Taxable) (the "2013 Certificates") on September 12, 2013 for the purpose of financing improvements to two of the District’s elementary schools (the "Project");

WHEREAS, the District now desires to authorize the execution and delivery of the Chula Vista Elementary School District 2021 Refunding Certificates of Participation, Series B (Federally Taxable) (the "Certificates") in order to prepay a portion of the 2013 Certificates on an advanced basis and refinance the Project;

WHEREAS, in order to accomplish the refinancing of the Project, the District will lease certain real property and the improvements as described herein (the "Property") to the Corporation pursuant to a Site Lease (the "Site Lease") to be entered into by and between the District and the Corporation, and will sublease the Property back from the Corporation pursuant to a Lease Agreement (the
“Lease Agreement”) to be entered into by and between the District and the Corporation;

WHEREAS, the District and the Corporation have determined that it would be in the best interests of the District and the Corporation to provide the funds necessary to refinance the Project through the sale and delivery of the Certificates, pursuant to a Trust Agreement (the “Trust Agreement”) to be entered into by and among U.S. Bank National Association (the “Trustee”), the Corporation and the District;

WHEREAS, all rights to receive such lease payments will be assigned, without recourse, by the Corporation to the Trustee pursuant to an Assignment Agreement (the “Assignment Agreement”) to be entered into by and between the Corporation and the Trustee;

WHEREAS, in consideration of such assignment and the execution of the Trust Agreement, the Trustee will execute and deliver the Certificates, each evidencing a direct, fractional undivided interest in the lease payments to be paid by the District under the Lease Agreement;

WHEREAS, a form of Certificate Purchase Agreement (the “Purchase Agreement”) relating to the Certificates has been prepared whereby the District will sell the Certificates to UBS Financial Services, Inc. (the “Underwriter”);

WHEREAS, the District expects to enter into an Escrow Agreement with The Bank of New York Mellon Trust Company, N.A., as escrow agent, in order to effect the defeasance and prepayment of a portion of the 2013 Certificates;

WHEREAS, the Board of Directors of the Corporation (the “Board”) has been presented with the form of each document referred to herein relating to the actions contemplated hereby, and the Board has examined and approved each document and desires to authorize and direct the execution of such documents and the consummation of such actions;

WHEREAS, all acts, conditions and things required by the 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 Corporation 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;
NOW, THEREFORE, this Board of Directors hereby ORDERS, RESOLVES and DETERMINES, as follows:

SECTION 1. All of the recitals herein contained are true and correct and the Board so finds.

SECTION 2. The form of the Site Lease, on file with the Secretary of the Corporation, is hereby approved, and each of the President of the Corporation, the Vice President of the Corporation, the Secretary of the Corporation and Chief Financial Officer of the Corporation, or their designees and such other officers of the Corporation as the President of the Corporation may designate (collectively, the “Authorized Officers”), acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Site Lease 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 Property to be leased under the Site Lease shall consist of all or a portion of the Chula Vista Learning Community Charter School and/or one or more other school sites or school facilities selected by the District and determined by the District to have an annual fair market rental value at least equal to the annual lease payments to be made under the Lease Agreement.

SECTION 3. The form of the Lease Agreement, on file with the Secretary of the Corporation, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Lease Agreement 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; provided, however, that the aggregate amount of principal components of the lease payments payable under the Lease Agreement shall not exceed $6,500,000, the term of the Lease Agreement shall end on or before September 1, 2033 (provided that such term may be extended as provided therein), the prepayment of the 2013 Certificates being prepaid will result in net present value savings of at least 5%, as calculated by the District’s Municipal Advisor, and the rate applicable to the interest components of the lease payments payable under the Lease Agreement shall not exceed 12% per annum.

SECTION 4. The form of Trust Agreement, on file with the Secretary of the Corporation, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Trust Agreement 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.

SECTION 5. The form of Assignment Agreement, on file with the Secretary of the Corporation, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Assignment Agreement 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.

SECTION 6. This Board hereby approves the sale of the Certificates by negotiated sale to UBS Financial Service Inc. The Authorized Officers are authorized and directed to execute any and all agreements and certificates necessary to cause such sale on a negotiated basis.

SECTION 7. The execution and delivery of the Certificates evidencing principal in an amount not to exceed $6,500,000, payable in the years and in the amounts, and evidencing interest as specified in the Trust Agreement as finally executed, are hereby authorized and approved.

SECTION 8. The officers of the Corporation 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 making the necessary filings for the Corporation to obtain and maintain its tax exempt status.

SECTION 9. All actions heretofore taken by the officers and agents of the Corporation with respect to the transactions set forth above are hereby approved, confirmed and ratified.

SECTION 10. This Resolution shall take effect from and after its adoption.
PASSED AND ADOPTED by the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation, County of San Diego, State of California, this 15th day of September, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

- - - - - - - - - - - - - - -

STATE OF CALIFORNIA )
COUNTY OF SAN DIEGO ) ss

I, Mariatheresa Villanueva, Assistant Secretary to the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

______________________________
Assistant Secretary to the Board of Directors
ITEM TITLE:

Adopt Resolution of the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation Authorizing the Execution by the Corporation of Various Documents with Respect to the Chula Vista Elementary School District 2021 Certificates of Participation in an Aggregate Principal Amount Not to Exceed $60,000,000 and Authorizing Related Action in Connection Therewith

X Action

BACKGROUND INFORMATION:

The Chula Vista Elementary School District Public Facilities Financing Corporation, a nonprofit public benefit corporation organized under the laws of the State of California, is authorized pursuant to the Articles of Incorporation to assist in financing public capital improvements which benefit the Chula Vista Elementary School District.

Adoption of the attached resolution will authorize the sale and delivery of Certificates of Participation (COPs) to partially finance the acquisition, construction, installation, and equipping an elementary school on behalf of the Chula Vista Elementary School District. The proposed elementary school is projected to be located in the Otay Ranch Village 2 area of the District and would be the District’s 48th Elementary School. The projected completion date is July 2023. Revenue from Mello-Roos/Community Facilities Districts (CFD) special taxes is the expected source of repayment of the debt service on the COPs.

ADDITIONAL DATA:

Dale Scott & Company (DS&C) will provide financial advisory services and Stradling Yocca Carlson & Rauth (SYCR) will provide bond and disclosure counsel services. A three-year agreement with DS&C was approved by the Board on August 14, 2019, and a two-year agreement with SYCR was approved by the Board on November 13, 2019.
**FISCAL IMPACT/FUNDING SOURCE:**

COPs in an amount not to exceed $60,000,000 will be issued and sold through a competitive bid process with the option of a negotiated or private placement sale if the District determines that the competitive bid process is not in the best interests of the District. The COPs sale is expected to close in October 2021. The COPs sale will provide partial funding for the construction of the District’s next school, School No. 48, with remaining costs paid from existing CFD funds and/or State new school funds.

**STAFF RECOMMENDATION:**

Recommend adoption.
Resolution of the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation

Resolution No. __________

Resolution of the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation Authorizing the Execution by the Corporation of Various Documents with Respect to the Chula Vista Elementary School District 2021 Certificates of Participation in an Aggregate Principal Amount Not to Exceed $60,000,000, and Authorizing Related Action in Connection Therewith

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

WHEREAS, the Chula Vista Elementary School District Public Facilities Financing Corporation is a nonprofit public benefit corporation organized and existing under the laws of the State of California (the “Corporation”) with the authority to assist in the financing of the acquisition, construction, installation, furnishing and equipping of certain capital improvements on behalf of the Chula Vista Elementary School District (the “District”);

WHEREAS, the District now desires to authorize the execution and delivery of the Chula Vista Elementary School District 2021 Certificates of Participation (the “Certificates”) in order to finance the costs of acquiring, constructing, installing, furnishing and equipping an elementary school (the “Project”);

WHEREAS, in order to accomplish the financing of the Project, the District will lease certain real property and the improvements as described herein (the “Property”) to the Corporation pursuant to a Site Lease (the “Site Lease”) to be entered into by and between the District and the Corporation, and will sublease the Property back from the Corporation pursuant to a Lease Agreement (the “Lease Agreement”) to be entered into by and between the District and the Corporation;
WHEREAS, the District and the Corporation have determined that it would be in the best interests of the District and the Corporation to provide the funds necessary to finance the Project through the sale and delivery of the Certificates, pursuant to a Trust Agreement (the “Trust Agreement”) to be entered into by and among U.S. Bank National Association (the “Trustee”), the Corporation and the District;

WHEREAS, all rights to receive such lease payments will be assigned, without recourse, by the Corporation to the Trustee pursuant to an Assignment Agreement (the “Assignment Agreement”) to be entered into by and between the Corporation and the Trustee;

WHEREAS, in consideration of such assignment and the execution of the Trust Agreement, the Trustee will execute and deliver the Certificates, each evidencing a direct, fractional undivided interest in the lease payments to be paid by the District under the Lease Agreement;

WHEREAS, the Certificates are expected to be offered for public sale by competitive bid pursuant to an Official Notice of Sale (the “Notice of Sale”), or, at the discretion of the District, by negotiated sale; and the proceeds received from the sale of the Certificates will be used to finance the Project;

WHEREAS, the Board of Directors of the Corporation (the “Board”) has been presented with the form of each document referred to herein relating to the actions contemplated hereby, and the Board has examined and approved each document and desires to authorize and direct the execution of such documents and the consummation of such actions;

WHEREAS, all acts, conditions and things required by the 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 Corporation 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;

NOW, THEREFORE, this Board of Directors hereby ORDERS, RESOLVES and DETERMINES, as follows:

SECTION 1. All of the recitals herein contained are true and correct and the Board so finds.
SECTION 2. The form of the Site Lease, on file with the Secretary of the Corporation, is hereby approved, and each of the President of the Corporation, the Vice President of the Corporation, the Secretary of the Corporation and Chief Financial Officer of the Corporation, or their designees and such other officers of the Corporation as the President of the Corporation may designate (collectively, the “Authorized Officers”), acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Site Lease 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 Property to be leased under the Site Lease shall consist of all or a portion of the: Eastlake Elementary School, Sunnyside School, Olympic View School, Thurgood Marshall School, Greg Rogers School and Salt Creek Elementary School, and/or one or more other school sites or school facilities selected by the District and determined by the District to have an annual fair rental value at least equal to the annual lease payments to be made under the Lease Agreement.

SECTION 3. The form of the Lease Agreement, on file with the Secretary of the Corporation, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Lease Agreement 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; provided, however, that the aggregate amount of principal components of the lease payments payable under the Lease Agreement shall not exceed $60,000,000, the term of the Lease Agreement shall end on or before September 1, 2051 (provided that such term may be extended as provided therein) and the rate applicable to the interest components of the lease payments payable under the Lease Agreement shall not exceed 12% per annum.

SECTION 4. The form of Trust Agreement, on file with the Secretary of the Corporation, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Trust Agreement 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.
SECTION 5. The form of Assignment Agreement, on file with the Secretary of the Corporation, is hereby approved, and each of the Authorized Officers, acting alone, is hereby authorized and directed, for and in the name and on behalf of the Corporation, to execute and deliver the Assignment Agreement 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.

SECTION 6. This Board hereby approves the sale of the Certificates either by competitive bid pursuant to the Notice of Sale, the form of which is hereby approved in substantially the form on file with the Secretary of the Board, or by negotiated sale as determined by the District in its discretion. If the District elects to sell the Certificates on a negotiated basis with an underwriter to be selected by the District, the Authorized Officers are authorized and directed to execute any and all agreements and certificates necessary to cause such sale on a negotiated basis.

SECTION 7. The execution and delivery of the Certificates evidencing principal in an amount not to exceed $60,000,000, payable in the years and in the amounts, and evidencing interest as specified in the Trust Agreement as finally executed, are hereby authorized and approved.

SECTION 8. The officers of the Corporation 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 making the necessary filings for the Corporation to obtain and maintain its tax exempt status.

SECTION 9. All actions heretofore taken by the officers and agents of the Corporation with respect to the transactions set forth above are hereby approved, confirmed and ratified.

SECTION 10. This Resolution shall take effect from and after its adoption.
PASSED AND ADOPTED by the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation, County of San Diego, State of California, this 15th day of September, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA  )
COUNTY OF SAN DIEGO  ) ss

I, Mariatheresa Villanueva, Assistant Secretary to the Board of Directors of the Chula Vista Elementary School District Public Facilities Financing Corporation of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted by said Board at a regular meeting thereof on the date and by the vote above stated, which resolution is on file and of record in the Office of said Board.

Assistant Secretary to the Board of Directors