

**LIVINGSTON UNION SCHOOL DISTRICT**

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**September 21, 2017**

**BOARD STUDY SESSION**

**District Board Room  
922 B Street, Livingston**

**Public Session: 5:30 P.M.**

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**AGENDA**

**I. CALL OPEN SESSION TO ORDER**

**II. PUBLIC COMMENTS PERIOD**

The public is invited to address the Board at this time on matters on this agenda only. In the interest of time and order, the maximum for any one speaker is three minutes.

**III. BOARD STUDY SESSION**

The Board will participate in a study session regarding the district's modernization projects.

**IV. AUTHORIZING THE REIMBURSEMENT OF THE GENERAL FUND WITH FUNDS RECEIVED UNDER THE SCHOOL FACILITY PROGRAM IN CONNECTION WITH THE PORTABLE CLASSROOM REPLACEMENT PROJECT: RESOLUTION NO. 5—2017/2018**

The Board will be requested to adopt a resolution authorizing the Superintendent to transfer funds to contribute to the financing of completing the portable classroom replacement project.

**V. ADJOURNMENT**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Superintendent's office at 209-394-5421. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting. Special Board meetings are posted 24 hours in advance, therefore, above timelines will not apply.

All documents provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 922 B Street, Livingston, CA during normal business hours.

Posted: September 20, 2017

LIVINGSTON UNION SCHOOL DISTRICT

Board Study Session

September 21, 2017

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**Agenda Item IV: Authorizing the Reimbursement of the General Fund with Funds Received under the School Facility Program in Connection with the Portable Classroom Replacement Project: Resolution No. 5—2017/2018**

Board Consideration:  Action  Information/Discussion

Enclosure(s): Resolution No. 5—2017/2018

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Background

The Board approved Facilities Master Plan prioritized eminent needs of the district which include removal of the majority of the aging portable classrooms at all three elementary schools and replacing them with modernized classrooms designed to enhance the teaching and learning spaces for future-ready students.

In February 2017, the Board approved the plan to begin implementation of replacing portables not to exceed the available amount of \$7.8 million in bond funds. In June 2017, the board approved a construction bid from JTS Modular, Inc. of \$6,205,000 to construct the modular classrooms at all three elementary sites. On top of construction costs, additional costs will include, site work, change orders and soft costs for an estimated total project cost of \$10.5 million. During budget adoption, the Board recognized the need for securing additional funds by assigning general fund dollars to complete the approved projects.

Discussion

The District intends to fully fund the project utilizing the entire balance of the bond funds and augmenting with general fund dollars for the remaining balance. All general fund dollars used will be transferred and tracked in Fund 40. The District will apply for Proposition 51 funds through the School Facility Program (SFP) to contribute to the financing of the portable classroom replacement project. When the Prop 51 funds are released to the District through the SFP, the District will reimburse the general fund for any general fund dollars used to complete the above modernization/new construction projects.

The attached proposed resolution declares the Board’s support in using general fund dollars to contribute to the completion of this project and, affirms the intent to reimburse the District’s General Fund upon the receipt of Proposition 51 matching funds from the State to the District.

Recommended Action

To adopt Resolution No. 5 as proposed and authorize the Superintendent or designee to transfer funds as needed to contribute to the financing of completing the portable classroom replacement project.

RESOLUTION OF THE GOVERNING BOARD OF  
LIVINGSTON UNION SCHOOL DISTRICT

**RESOLUTION NO. 5—2017/2018**

**AUTHORIZING THE REIMBURSEMENT OF THE GENERAL FUND  
WITH FUNDS RECEIVED UNDER THE SCHOOL FACILITY PROGRAM  
IN CONNECTION WITH THE PORTABLE CLASSROOM  
REPLACEMENT PROJECT**

**WHEREAS**, the School Facility Program (“SFP”) provides funding grants for school districts to acquire school sites, construct new school facilities, or modernize existing school facilities; and

**WHEREAS**, on November 8, 2005 the voters of the Livingston Union School District (“District”) approved Measure B, approving the issuance and sale of General Obligation Bonds of the District in the maximum principal amount of \$10,000,000 for various purposes, payable from the levy of an ad valorem tax against the taxable property in the District (the “2005 Authorization”); and

**WHEREAS**, the District intends to fund one-hundred percent of the Board approve modernization projects using the remaining balance of the General Obligation Bond; and

**WHEREAS**, now that Proposition 51 (“Prop 51”) has passed, the District intends to submit an eligibility application with the Office of Public School Construction for the receipt of funds under the SFP and anticipates the receipt of such funding; and

**WHEREAS**, the SFP funds will contribute, in part, to the financing of the portable classroom replacement project (the “Project”); and

**WHEREAS**, SFP funding is expected to take several months and up to five (5) years to be received by the District; and

**WHEREAS**, the District’s facilities needs are such that it cannot wait until SFP funds are available and the District intends to proceed with the Project.

**WHEREAS**, total cost of the Project is projected to be \$10.5 million; and

**WHEREAS**, the District intends to fund 100% of the Project utilizing the remaining balance of the proceeds of the District’s General Obligation Bond and augment any additional project expenditures with the District’s general fund, as may be necessary; and

**WHEREAS**, it is the Board’s intent that when Prop 51 funds are released to the District through the SFP, such funds will be used to reimburse the General Fund to the extent of a general fund contribution to the Project; and

**WHEREAS**, section 1859.90.4 of title 2 of the California Code of Regulations provides that when a school district uses local bond funds to make SFP-eligible project expenditures and SFP funds are made available to reimburse the state's share of those eligible project expenditures, the reimbursement funds, to the extent local bond funds were used to advance the State's share, shall be used (a) toward retiring the local bonds; and/or (2) toward uses permitted by the local bond; or (3) for any high priority capital outlay expenditure in the school district as permitted under the SFP; and

**THEREFORE, BE IT RESOLVED** that the Governing Board of the Livingston Union School District authorizes District Administration (including its Superintendent, and each of the Superintendent's designees) to transfer funds from the District's general fund, as needed, for the purposes of paying the eligible costs of the Project. Upon its receipt of SFP funding, the District shall dedicate approximately \$2.6 million of such funds to the reimbursement of the District's general fund.

**THE FOREGOING RESOLUTION WAS ADOPTED** upon the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, at a special meeting of the Governing Board on the 21<sup>st</sup> day of September, 2017 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
Vernon Boyd, President

\_\_\_\_\_  
Luis Enrique Flores, Vice President

\_\_\_\_\_  
Anne Land, Clerk

\_\_\_\_\_  
Yolanda Correia, Trustee

\_\_\_\_\_  
Kanwaldeep Bains, Trustee

\_\_\_\_\_  
Andrés Zamora, Secretary/Superintendent