

**WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT**

**BOARD OF TRUSTEES**



**MISSION STATEMENT**

We provide the highest quality education to enable all students to make positive life choices, strengthen our community, and successfully participate in a diverse and global society.

We provide excellent learning and teaching experiences; safe, student-centered learning environments; and support for all students and employees. We develop and maintain productive community partnerships and individual and collective accountability.

**MEETING OF**  
September 21, 2011

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
JOINT BOARD OF EDUCATION AND  
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING**

**LOVONYA DEJEAN MIDDLE SCHOOL  
MULTI-PURPOSE ROOM  
3400 MACDONALD AVENUE  
RICHMOND, CA 94805**

**SEPTEMBER 21, 2011**

**6:00 – 7:20 PM**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION MEETING**

**SEPTEMBER 21, 2011**

**7:30 PM**

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**BOARD AGENDA PACKETS AND INFORMATION:**

Complete Board meeting packets are available for review at the Administration Building, the District's six high schools, and at public libraries throughout West County.

Complete Board agendas and packets are available online at:  
<http://www.wccusd.net>

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**VIEWING AND LISTENING TO THE BOARD MEETINGS:**

**Television:**

Live television broadcast of regularly scheduled Board meetings is available by the City of Pinole on PCTV Channel 26/28, the City of Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. Please check the city websites for local listings of broadcast schedules.

You may also find the complete meeting available on a tape-delay basis through the Richmond City Web Page at:  
<http://www.kcrt.com> within a few days of the recording date.

Audio tapes of Board meetings are kept on file at the Administration Building, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1101).

The Board of Education would like to acknowledge Comcast, the cities of Pinole and Richmond, and WCCUSD staff for their generosity and efforts in helping to televise WCCUSD Board of Education meetings.

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## **ATTENDING BOARD MEETINGS:**

The public is warmly invited to attend and participate in all WCCUSD Board of Education meetings.

**Location:**     **LOVONYA DEJEAN MIDDLE SCHOOL  
3400 MACDONALD AVENUE  
RICHMOND, CA 94805**

**Time:**             The meeting times for tonight are as follows:

5:30 PM	The Board will convene at 5:30 PM in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (see Exhibit A). The Board will then adjourn to closed session.
6:00 PM	Joint Meeting of the Board of Education and Citizens' Bond Oversight Committee
7:20 PM	Break
7:30 PM	The Board will reconvene in open session to address the regular agenda.

**Order of Business:** **ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE**

**Special Accommodations:** Upon written request to the District, disability-related modifications or accommodations, including auxiliary aids or services, will be provided. Please contact the Superintendent's Office at 510-231-1101 at least 48 hours in advance of meetings.

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“of children be more careful than anything.”  
e.e. cummings

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
JOINT BOARD OF EDUCATION AND  
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING  
MEETING AGENDA**

**SEPTEMBER 21, 2011**

**6:00 – 7:20 PM**

**A. OPENING PROCEDURES**

**A.1 Welcome and Meeting Procedures**

**A.2 Roll Call**

**B. DISCUSSION ITEMS**

\* **B.1 Chair's Report**  
CBOC's current progress and meeting agendas

\* **B.2 Secretary's Report**  
Membership Issues/Concerns

\* **B.3 Program Update**  
Engineering Officer – Program Status Summary

**C. PUBLIC AND COMMITTEE COMMUNICATIONS**  
(Education Code 35145.5; Government Code 54950 et seq.)

**C.1 Public Comment**

Public Comment for items not on the agenda. Public comment on agenda items shall be at the time of consideration of the items.

**D. ADJOURNMENT**

The public may address items which are marked with an asterisk (\*).

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION MEETING  
MEETING AGENDA  
SEPTEMBER 21, 2011  
7:30 PM**

**B. OPENING PROCEDURES**

- B.1 Pledge of Allegiance**
- B.2 Welcome and Meeting Procedures**
- B.3 Roll Call**

**B.4 Presentation of Student Board Representative from Youth Commission**

Comment:

A Student Board Representative from Youth Commission will attend the Board of Education on September 21, 2011. We would like to recognize and commend their participation.

Recommendation:

For Information Only

Fiscal Impact:

None

**B.5 Report/Ratification of Closed Session**

- \* B.6 Agenda Review and Adoption (Public Comment)**
- \* B.7 Board Minutes: September 7, 2011; September 13, 2011**

**C. BUSINESS ITEMS**

**CONSENT ITEMS (Routine Matters)**

Consent Calendar Items designated by "CI" are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal, discussion or explanation is received from any Board member or member of the public in attendance. Items the Board pulls for discussion or explanation will be addressed following Section E.

**\*CI C.1 Grants/Awards/Agreements**

Comment:

Formal Acceptance is requested of the Board of Education to accept the grants/awards/agreements as detailed dated September 21, 2011.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

**\*CI C.2 Acceptance of Donations**

Comment:

The District has received donations as summarized dated September 21, 2011. The estimated values for any non-cash donations are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per donations summary

**\*CI C.3 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2010-11 school year are summarized dated September 21, 2011.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

**\*CI C.4 Summary of Payroll and Vendor Warrant Reports**

Comment:

The summaries of Payroll and Vendor Warrants issued during the month of June:

Total of payroll warrants (August 2011):	\$ 4,431,592
Total of vendor warrants (August 2011):	\$15,977,419

Recommendation:

Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:

As noted above

**\*CI C.5 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve the following contracts for services as detailed dated September 21, 2011.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contracts summary

**\*CI C.6 Adoption of Resolution No. 18-1112: Replacement of Outdated Warrant**

Comment:

Government Code Section 298029(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Ruby Williams. Staff recommend replacement of the stale dated warrant.

Recommendation:

Recommend approval to replace the outdated warrant

Fiscal Impact:

None

**\*CI C.7 Certificated Board Authorization - Education Code 44285.3**

Comment:

Ed Code 44285.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.8 Routine Personnel Changes - Certificated**

Comment:

Routine personnel changes include actions to hire, promote, or terminate certificated employees in accord with appropriate laws, established policies and procedures.

Recommendation:

For Information Only

Fiscal Impact:

None

**\*CI C.9 Routine Personnel Changes – Classified**

Comment:

Routine personnel changes include actions to hire, promote, or terminate classified employees in accord with appropriate laws, established policies and procedures.

Recommendation:

For Information Only

Fiscal Impact:

None

**\*CI C.10 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this district provide supervision and evaluation for students seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher at no cost to the district.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed dated September 21, 2011.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.11 Approve Job Description: Technology Operations Supervisor**

Comment:

With the increasing demands for current knowledge of operating systems, programs, and supervisory responsibilities, within the District's Integrated Technology Services, a request for a Desk Audit was submitted to Human Resources. As a result, it was determined that an upgrade of one Desktop Support Technician be made. The District and School Supervisors Association (SSA) have met and approved the new Technology Operations Supervisor job description.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.12 Shimada Exchange Trip, October 25-November 4**

Comment:

The Shimada Exchange Club is a unique and venerable institution at De Anza High School which has been promoting international cultural friendship and Japanese language study for over 20 years. As a result we have developed a Japanese language class for Japanese 1, 2, and 3 in the last 3 years, and all current student visitors are studying Japanese. Students have been welcoming other students into their homes from Shimada Commercial High School, and also other visitors that come through the Richmond Shimada City Exchange during the summer, and on school visits during the year. The two schools have traditionally been alternating ten day long visits in which the students attend classes, perform and teach all the students in the school aspects of their own country's culture and crafts, song and dance. In addition they usually take fieldtrips in Tokyo, to a Shimada crafts center, and to a temples founded by Emperor Tokugawa. They are immersed in the Japanese language at school and in their host students' homes.

Recommendation:

Recommend Approval

Fiscal Impact:

None

**\*CI C.13 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation:

Ratify and approve contracts as noted

Fiscal Impact:

Total for this action: \$99,643. Funding sources as noted

**\*CI C.14 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Ford Elementary New Campus and El Cerrito High School Fields. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Order for the Kennedy High School Admin Interiors & Renovations project is required by the Board, with special findings as noted below, because this is in excess of the Public Contract Code limit of 10% of the original contract value. In

accordance with Public Contract Code 20118.4, the Board, by approving and ratifying these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation:

Ratify negotiated Change Orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$297,353.26

**\*CI C.15 Program Management General Conditions Reimbursable Expenses Contract Amendment Approval**

Comment:

The District retains Seville Group (“SGI”) as our Bond Program Manager. Reimbursable expenses include operating expenses incurred as a part of providing program management—for example network support, reception, and fiscal controls. One portion of their services is to provide estimating and scheduling support services for all District projects. The scope of work related to these services has increased significantly over the last year as the District has instituted more stringent cost estimating and scheduling protocols. Another portion of SGI’s services is to provide Design Phase Management. All of these services are provided as a “General Conditions” cost item and are considered Reimbursable Expenses, meaning that the direct costs + plus service charge are paid by the District. The approved amounts for this fiscal year have been exhausted and it is appropriate to approve an amendment to SGI’s contract for the completion of the anticipated work during the remainder of this fiscal year.

Recommendation:

Approve amended contract

Fiscal Impact:

\$682,217 for General Conditions Reimbursables and \$320,602 for Design Phase Management. Measure J Bond fund, pro-rata share of costs assigned to individual project budgets for all current projects.

**\*CI C.16 Resolution No. 21-1112: Hazard Mitigation Plan Adoption**

Comment:

The District has participated with local jurisdictions throughout Contra Costa County to develop a Hazard Mitigation Plan to prepare for and lessen the impacts of specified natural hazards. Responding to federal mandates in the Disaster Mitigation Act of 2000 (Public Law 106-390), the partnership was formed to pool resources and create a uniform hazard mitigation strategy that can be consistently applied to the defined planning area and used to ensure eligibility for specified grant funding sources. The result of the organizational efforts has been to produce a Federal Emergency Management Agency (FEMA) and the California Emergency Management Agency (CalEMA)-approved multi-agency multi-hazard mitigation plan. Mitigation is defined in this context as any sustained action taken to reduce or eliminate long-term risk to life and property from a hazard event. Mitigation planning is the systematic process of learning about the hazards that can affect the community, setting clear goals, identifying appropriate actions and following through with an effective mitigation strategy. Mitigation encourages long-term reduction of

hazard vulnerability and can reduce the enormous cost of disasters to property owners and all levels of government. Mitigation can also protect critical community facilities, reduce exposure to liability, and minimize post-disaster community disruption. The hazard identification and profiling in the hazard mitigation plan addresses the following hazards considered to be of paramount importance within the Contra Costa County Operational Area: Dam Failure; Drought; Earthquake; Flood; Landslide and Other Mass Movements; Severe Weather; and, Wildfire.

Once the hazard mitigation plan is adopted by all of the jurisdictional partners and approved by FEMA, the partnership will collectively and individually become eligible to apply for hazard mitigation project funding from both the Pre-Disaster Mitigation Grant Program (PDM) and the Hazard Mitigation Grant Program (HMGP). Upon adoption of Volume I and our jurisdictional Annex of Volume II of the Contra Costa County Hazard Mitigation Plan and subsequent approval of said plan by CalEMA and FEMA, the West Contra Costa Unified School District will be eligible to apply for specified grants. The grant funds are made available to states and local governments and can be used to implement the long-term hazard mitigation measures specified within the District's annex of the CCCHMP before and after a major disaster declaration.

The plan document will be provided under separate cover.

Recommendation:

Approve Resolution No. 21-1112, Hazard Mitigation Plan Adoption

Fiscal Impact:

Not known. Potential funding for future mitigation projects.

**\* C.17 Lake and Shannon Elementary School – Affirm Removal From Closure List**

Comment:

At the September 7, 2011 School Board meeting Resolution Number 15-1112 was passed, directing staff to move forward with the activities necessary to pay off the State Loan. Within the agenda item staff had contemplated the Board setting budget priorities, as a result of the pending pay off and also to plan for State mid-year triggers that could result in a reduction of school district revenue. After taking the vote on the resolution, the Board began the discussion of priorities with a focus on the Lake and Shannon Elementary School closures which were part of the multi-year projection when the 2011-12 budget was adopted. The Board decided to take action that night to take Lake and Shannon Elementary off of the school closure list. There was some debate as to whether or not the action to take schools off the closure list was clearly stated on the agenda. In order to ensure that all stakeholders are aware of the Board's intent, staff is suggesting that the decision to take Lake and Shannon off the school closure list be affirmed on this separate agenda item.

Recommendation:

That the Board affirm the removal of Lake and Shannon from the closure list.

Fiscal Impact:

\$600,000 per year ongoing – offset by the savings of the State Loan Pay Off of \$1.4 million for a net savings of \$800,000 per year.

\* **C.18 Resolution No. 22-1112: In Support of Doctors Medical Center**

Comment:

Doctors Medical Center in San Pablo serves a large number of families of West Contra Costa students. The hospital provides critical emergency room facilities that are threaten with closure if a parcel tax to keep the emergency room open is not passed. The West Contra Costa Healthcare District has authorized a parcel tax measure for the November 15, 2011 mail-in ballot.

Recommendation:

That the Board adopt Resolution No. 22-1112 asking voters to support the parcel tax for Doctors Medical Center

Fiscal Impact:

None directly for WCCUSD

\* **C.19 Appointment to the Citizens' Bond Oversight Committee**

Comment:

One of the five mandatory positions on the Citizens Bond Oversight Committee is the senior citizen position. Joe Fisher is life-long resident of Richmond who attended Nystrom Elementary School. He is a member of a senior citizen organization.

Recommendation:

That the Board appoint Joe Fisher as the senior citizen representative to the Citizens Bond Oversight Committee.

Fiscal Impact:

None

**D. AWARDS, RECOGNITIONS, AND REPORTS**

**D.1 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a "Request to Address the Board" form. Five minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee  
Bayside Parent Teacher Association  
Citizens' Bond Oversight Committee  
Community Budget Advisory Committee  
Facilities Subcommittee  
Ivy League Connection

Linked Learning – Multiple Pathways  
Safety Committee  
Special Education Citizens Advisory Committee  
Youth Commission  
Public Employees Local 1  
United Teachers of Richmond

\* **D.2 In Memory of Members of the School Community**

Comment:

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Marilyn Harrison, former employee and volunteer of Samuel L. Gompers Continuation High School recently passed away. Ms. Harrison was known throughout the Richmond community for her dedication to families in need and the annual resource fair that she created through her "Project Marilyn" program at Gompers.

Our thoughts go out to the family and friends in the loss of their loved one.

Recommendation:

For Information Only

Fiscal Impact:

None

**E. PUBLIC AND COMMITTEE COMMUNICATIONS**  
(Education Code 35145.5; Government Code 54950 et seq.)

\* **E.1 Superintendent's Report**

\* **E.2 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time limit, "WCCUSD Public Comment" will continue after Item G. Individuals wishing to speak must submit a "WCCUSD Public Comment" form prior to the beginning of this item on the agenda. Depending on the number of persons who wish to speak, from one to three minutes will be allocated to each speaker at the discretion of the President of the Board in order to accommodate as many speakers as possible. The Board cannot dialogue on any issues brought before it by the public that have not been previously agendized, but may refer these to staff for response and/or placement on future agendas.

**F. ACTION ITEMS**

\* **F.1 Resolution No. 20-1112: 2010 Measure "D" Series "A" and "A1" Bond Issuance**

Comment:

The District has received an allocation in the amount of \$21,000,000 of qualified school construction bonds from the California School Finance Authority. The QSC bonds are for the benefit of charter school construction. This resolution authorizes the issuance of up to \$100,000,000 of bonds approved by the District's voters at the June 8, 2010, bond election. The bonds will be sold through a negotiated sale with Piper Jaffray as senior manager. The Resolution authorizes the staff to sell up to \$21,000,000 in Qualified School Construction Bonds introduced as part of the American Reinvestment and Recovery Act of 2009

and to sell up to \$79,000,000 in tax-exempt general obligation bonds under the government code. The bonds are tentatively scheduled to price on November 1, 2011, and funds will become available when the bonds are delivered, currently scheduled for November 15, 2011. The Resolution requests the Board of Education to take the necessary actions, and approves the form of documents to be used in marketing and issuing the Bonds:

1. The Preliminary Official Statement (POS), describing the security for and repayment provisions of the bonds and giving financial and operating information about the District;
2. The Continuing Disclosure Certificate in Appendix D of POS;
3. The Bond Purchase Contract;
4. The Paying Agent/Transfer Agent agreement.

The resolution will enable the District to issue this series of bonds in an amount not to exceed \$100,000,000.

Recommendation:

The Board approve Resolution 20-1112 authorizing the issuance of \$100,000,000 of the District's general obligation bonds.

Fiscal Impact:

\$100,000,000 in proceeds for Bond Fund

\* **F.2 Approval of the 2010-2011 Unaudited Actuals Financial Report**

Comment:

By September 15 of each year, the District must file the Unaudited Actuals Financial Report for the prior year with the Contra Costa County Office of Education and the California Department of Education. This report reflects the financial activities of the District by major object of revenue and expense for each fund operated in the district.

Staff will present an overview of the financial activity and its impact on the ending balance.

Included in the Unaudited Actuals is a Summary of the General Fund and all Funds. The complete Unaudited Actuals Financial Report will be delivered under separate cover.

Recommendation:

Staff requests approval to file this report with the County Superintendent

Fiscal Impact:

Year end closing

\* **F.3 Resolution No. 19-1112: Adoption of Gann Limit, 2011-2012**

Comment:

Education Code Section 42132 specifies that school district governing boards shall adopt a resolution identifying their annual appropriations limit for the preceding fiscal year, known as the Gann Limit. The

Gann Limit Calculation is part of the year end closing, unaudited actuals, reports submitted under separate cover. It establishes limits on allowable growth in government spending.

Recommendation:

Staff requests board adoption of the 2011-2012 annual appropriations

Fiscal Impact:

None

\* **F.4 Public Hearing and Adoption, Initial Bargaining Proposal of Public Employees, Local One for 2011-2012**

Presentation and Public Hearing of Initial Bargaining Proposal

Comment:

The CBA (Collective Bargaining Agreement) with West Contra Costa Unified School District and the Public Employees Union Local One is in its fourth and final year. Article 1 of the CBA provides that each party may open one article and one mutually agreeable article for each of the last two years of the contract. Public Employees, Local 1 is exercising its option to open Article 15 Benefits, at this time. The District may exercise its option to open an article at the October 5, 2011 Board Meeting.

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the Public Employees, Local One for 2011-2012 will be presented, at which time the public is allowed comment on this proposal.

Recommendation:

That the Board of Education hold a public hearing on the initial bargaining proposal of Public Employees, Local One for 2011-2012.

Board Adoption of Initial Bargaining Proposal

Comment:

Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the proposal of Public Employees, Local One for 2011-2012.

Recommendation:

That the Board of Education adopt the initial bargaining proposal for labor negotiations with Public Employees, Local One.

Fiscal Impact:

To be determined

**G. DISCUSSION ITEMS**

**H. UNFINISHED REQUESTS TO ADDRESS THE BOARD** (continued from Item E)

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – Tuesday, October 4, 2011

**K. ADJOURNMENT**

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (\*).

Agenda Item: A

**A. CLOSED SESSION**

**A.1 CALL TO ORDER**

**A.2 DISCLOSURE OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**  
(Government Code 54957.7)

**A.3 RECESS TO CLOSED SESSION AS SCHEDULED**

**See Exhibit A**

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **7:30 PM**.

**EXHIBIT A**

(Government Code Section 54954.5)

**CLOSED SESSION AGENDA**

**September 21, 2011**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**  
[Government Code Section 54956.9(a)]

1. WCCUD v. Orrick

**3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION**  
[Government Code Section 54956.9(b)]

Four cases

**4. LIABILITY CLAIMS (Government Code Section 54956.95)**

Four cases

**5. CONFERENCE WITH LABOR NEGOTIATORS**

a. Superintendent/Dr. Bruce Harter

b. Employee Organizations

- UTR
- Local One
- School Supervisors Association

- WCCAA

- c. Unrepresented Employees

- Confidential and Management

**6. PUBLIC EMPLOYEE APPOINTMENT**

**7. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**

**8. STUDENT DISCIPLINE (Education Code Section 35146)**

- a. Expulsions

**9. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT  
(Government Code Section 54957)**

Certificated / Classified Employee Dismissal

**10. REPORT OF CLOSED SESSION ACTIONS**

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Wendell C. Greer  
Associate Superintendent, K – Adult Operations

**Agenda Item:** B.4

**Subject:** Presentation of Student Board Representative from Youth Commission

**Background Information:**

A Student Board Representative from Youth Commission will attend the Board of Education on September 21, 2011. We would like to recognize and commend their participation.

**Recommendation:** For Information Only

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

**West Contra Costa Unified School District  
Minutes of the Board of Education Meeting  
Lovonya DeJean Middle School  
3400 Macdonald Avenue  
Richmond, CA 94805**

Agenda Item B.7

**September 7, 2011**

**A. CLOSED SESSION**

**B. OPENING PROCEDURES**

President Charles Ramsey called the meeting to order at 6:00 PM. The Board recessed into Closed Session. President Ramsey called the Public Session to order at 6:36 PM.

**B.1 Pledge of Allegiance**

President Ramsey led the pledge of allegiance.

**B.2 Welcome and Meeting Procedures**

President Ramsey offered welcome and instructions to the public regarding the meeting.

**B.3 Roll Call**

**Board Members Present:** Madeline Kronenberg, Antonio Medrano, Elaine Merriweather, Charles Ramsey, and Tony Thurmond

**Staff Present:** Mike Aaronian, Coordinator Linked Learning; Magdy Abdalla, Director Facilities Construction; Pamala Blake, Director; Linda Cohen, Principal; Rosa Cornejo, Staff Secretary; Martin Coyne, Executive Director/Bond Finance; Otilia Espinosa, Interpreter; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-12 Adult Schools; Bruce Harter, Superintendent; Rhonda Haney, Health Services; Ken McDaniel, Maintenance Supervisor; Nia Rashidchi, Assistant Superintendent Educational Services; Ann Reinlagen, Assistant Superintendent Human Resources; Bill Savidge, District Engineering Officer, Marin Trujillo, Coordinator Community Engagement; Mike Wasilchin, Coordinator Disaster Preparation/Safety

**B.4 Report/Ratification of Closed Session**  
None

**B.5 Agenda Review and Adoption**

Mr. Ramsey requested that items D.1 and F.1 be moved to follow item B.6 to accommodate speakers.

**MOTION:** Mr. Medrano moved approval of the agenda with the moving of agenda items D.1 and F.1 to follow B.6. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

**B.6 Minutes: August 17, 2011**

**MOTION:** Ms. Merriweather moved approval of the Minutes of August 17, 2011. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

**D.1 Summer Legal Fellowship Program**

Superintendent Harter introduced Ms. Nancy Schiff who provided an indepth presentation of the Summer Legal Fellowship Program and extended an offer for partnership with the District. Ms. Schiff introduced three students from Richmond High School to share their experiences in the program.

**Public Comment:**  
None

**Board Comment:**

Ms. Kronenberg shared that she had the pleasure to meet with Ms. Schiff and Judge Ramsey to discuss the details of the program. The program will provide Mock Trial coaches to the Law Academies at Kennedy and Richmond High. Mr. Thurmond thanked the group for providing youth with this opportunity and for accepting more students into the program. He said he would like to see the program expanded.

Ms. Merriweather and Mr. Medrano said they were in support of the program.

Ms. Kronenberg clarified that this will be a \$50,000 program cost.

Mr. Thurmond asked if the source of funding had been identified. Mr. Greer responded.

All Board members were supportive of the program.

**F.1 Resolution No. 15-1112: State Loan Pay Off and Budget Implications**

Ms. Gamba gave a presentation on the state loan and budget implications.

**Public Comment:**

Tim Banuelos, Mark Bell, Diane Brown, Leigh Brown, Tom Butt, Tammy Campbell, Shelby Chapel, Mel Collins, Charles Cowens, Arturo Cruz, Karen Fenton, John Fischbach, Cathy Garza, Adrienne Harris, Amanda Henderson, Ellen Hartigan-O'Connor, Bell Kavanagh, Juan Kenyon, Bea Lieberman, Debbie Long, Robert Mann, Maria Poblano, Patricia Ponce, Thomas Prather, Eric Reed, Helen Couture Rodriguez, Katrina Soelter, Jill Sprague, Mark Suarez, Robert Studdiford, Eric Swabeck, Roy Swearingen, Laurie Tanaka, Lea Taylor, Esmeralda Topete

**Board Comment:**

Mr. Ramsey acknowledged and commended former Board members for their experiences in the District over the last 20 years. He also thanked former Superintendents who served in the District. Mr. Ramsey invited Council Member from the City of Pinole Debbie Long and Council Member Cecilia Valdez of the City of San Pablo to speak.

Mr. Ramsey stated that he was ready to vote to keep Shannon and Lake off the closure list.

Mr. Thurmond thanked all the speakers, commending former Boards members. He said he would like to encourage taking a step by step approach in order to look what the revenues will be in November and begin to assess priorities.

Mr. Medrano agreed with Mr. Thurmond in taking a step by step approach. He also agreed with the need to set priorities. He asked for different budget scenarios to include keeping Shannon and Lake open.

Ms. Merriweather said she believed this was an historical moment and that the Board should give the Shannon and Lake communities assurance that both schools will be kept open.

Ms. Kronenberg also supported keeping both schools open.

Mr. Thurmond asked for clarification as to the action required by the agenda item, saying he understood that the Board was being asked is to take action on paying off the debt. Mr. Ramsey clarified.

Mr. Thurmond asked if the Board had the legal standing to take such action at this time. Mr. Ramsey responded that the Lake and Shannon closures were on the agenda item. Mr. Ramsey asked Superintendent Harter to put into the record what his understanding was. Superintendent Harter said he heard Mr. Medrano state to keep Shannon and Lake open and develop that into the 2012-13 budget as a priority.

Mr. Thurmond said that he does not feel comfortable voting on how to spend savings that have yet to be achieved. He is not opposed of keeping Lake and Shannon open.

**MOTION: Mr. Medrano moved approval of Resolution No. 15-1112: State Loan Pay Off and Budget Implications. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**MOTION: Mr. Medrano moved approval to keep Lake and Shannon schools open. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, and President Ramsey voted yes with Mr. Thurmond abstaining and no absences. Motion carried 4-0-1-0.**

**MOTION: Mr. Medrano moved approval to have a Special Board meeting in October regarding the budget. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**C. BUSINESS ITEMS**

**C.1 Grants/Awards/Agreements**

**C.2 Acceptance of Donations**

**C.3 Approval of Fund-Raising Activities**

**C.4 Contracted Services**

- C.5**     **Certificated Board Authorization - Education Code 44285.3**
- C.6**     **Routine Personnel Changes - Certificated**
- C.7**     **Certificated Provisional Internship Permit (PIP) Request(s)**
- C.8**     **Acceptance of Contracts for Placement of Student Teachers**
- C.9**     **Resolution No. 17-1112: Hispanic Heritage Month, September 14, 2011 – October 14, 2011**
- C.10**    **State Approved Course List/A-22 Course Approval**
- C.11**    **Ratification and Approval of Engineering Services Contracts**
- C.12**    **Ratification and Approval of Negotiated Change Orders**
- C.13**    **Helms Middle School Surveillance Cameras Project Award of Contract**
- C.14**    **Pinole Valley High School Surveillance Cameras Project Award of Contract**

Superintendent Harter read the following revision into the record for item C.14:

**Background Information:**

The District has been working closely with the City of Pinole, including Pinole Police Department, to develop a surveillance camera system for the Pinole Valley High School campus. The system will enhance student safety on the campus.

TCG International consultants has prepared plans and specifications for the project. The District conducted a public bid process for the project. Bids were opened on August 24, 2011. Two Contractors submitted bids. They are as follows: ERA Construction \$335,000; and, Ojo Technology \$330,000. The apparent lowest responsive, responsible bidder is Ojo Technology, at \$330,000.

*Unfortunately, after opening the bids the District received a Bid Protest relating to local hiring compliance by the apparent low bidder. In reviewing the bid documents and requirements it was clear that neither bidder had provided required information regarding local hiring. In addition, the District received information regarding the bid process, license and qualifications requirements, and completeness of the bid documents which raised questions regarding the bids. Staff considers that the best approach would be to reject all bids, update and revise the bid documents with additional information, and rebid the project. While this will delay the installation, nonetheless staff believes this will provide a better project. .*

**Recommendation:** *Reject all bids and authorize rebid of the project.*

**Fiscal Impact:** *None at this time.* Funded by the Measure J Bond, under the Pinole Valley High School project budget.

- C.15**    **Approval of Valley View Elementary School Master Plan**  
This item was pulled for discussion.
- C.16**    **Selection of the Independent Performance Auditor for the Bond Program**
- C.17**    **Contra Costa County School Boards Association Representative Alternate**
- C.18**    **Antonio Medrano earns California School Boards Association (CSBA) Masters in Governance certificate**
- C.19**    **National School Boards Association (NSBA) Program and the Council of Urban Boards of Education (CUBE)**
- C.20**    **Change of Meeting Date**

**MOTION:** Mr. Medrano moved approval of Consent Items C.1 – C.14 and C.16 - C.20. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

- C.15**    **Approval of Valley View Elementary School Master Plan**  
A representative from DLM Architects gave a presentation of the Valley View Master Plan.

**Board Comments:**

Mr. Ramsey asked about community involvement. Mr. Savidge responded.

**MOTION:** Ms. Kronenberg moved approval of Consent Item C.15 Approval of Valley View Elementary School Master Plan. Ms. Merriweather seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

**D. AWARDS, RECOGNITIONS, AND REPORTS**

**D.1 Summer Legal Fellowship Program**

This item was moved to follow B.6.

**D.2 Standing Reports**

**Bayside Parent Teacher Association.** President Laura Ramos gave an update. She encouraged everyone to become members. She also commented that Bayside was the only council in Contra Costa County to increase memberships in the last year. She announced the next meeting will be held Monday, September 26 at 7:00 at Alvarado Adult School.

**United Teachers of Richmond.** Diane Brown, UTR President, took the opportunity to introduce UTR Board Members.

Diane Brown, President (Mira Vista)  
Amanda Henderson, Vice President (Chavez Elementary)  
Robert Mann, Secretary (Riverside Elementary)  
Eric Reed, Treasurer (Middle College)  
Mike Rossi, Area 1 Director (Pinole Valley High School)  
Thomas Prather, Area 2 Director (Grant Elementary)  
Christine Nordstrom, Area 3 Director (El Cerrito High School)  
Holly Ruff, Elementary Director (Kensington Elementary)  
Pallop Wilairat, Jr. High/Middle School Director (Helms Middle School)  
Tiffani Neal, Senior High Director (Gompers)  
Grace Murphy-Jenkins, Special Services Director (DeJean Middle School)  
Eric Swabeck, State Council Representative (Lake Elementary)  
Mel Collins, State Council Representative (DeJean Middle School)  
Robert Ellis, State Council Representative (Washington Elementary)

**Public Employees Local One.** Peter Tiernan introduced Julio Arroyo, new Local One Business Agent.

**Citizens' Bond Oversight Committee.** Chairperson Robert Studdiford gave an update on the last meeting, including discussion on a program update report. The Executive Board of CBOC was reelected and administrative regulations were approved. He announced the next joint meeting with the Board of Education on September 21, 2011.

**Safety Committee.** Mr. Thurmond announced the upcoming meeting on September 14, 2011 at King Elementary. They will tour the new school and District Attorney Mark Peterson will attend to discuss truancy.

**Community Budget Advisory Committee.** Ms. Gamba gave an update on the last meeting. They discussed the state of the district budget and looked at state triggers.

**Academic Subcommittee.** Ms. Rashidchi announced the first meeting on September 13, 2011 at 6:30 at Helms Middle School.

**Ivy League Connection.** Ms. Kronenberg announced being nominated for the Golden Bell Award from CSBA. West Contra Costa Unified School District is the only district competing from Contra Costa County.

**E. PUBLIC AND COMMITTEE COMMUNICATIONS**

(Education Code 35145.5; Government Code 54950 et seq.)

**E.1 Superintendent's Report**

Superintendent Harter provided a report of activities in the District.

**E.2 WCCUSD Public Comment**

Tammy Campbell, Charles Cowens, James Sanders

**F. ACTION ITEMS**

**F.1 Resolution No. 15-1112: State Loan Pay Off and Budget Implications**

This item was moved to follow D.1.

**F.2 Resolution No. 16-1112: Reimbursement Resolution – 2010 Series A Bond Sale**

Ms. Gamba gave background information on the 2010 Series A Bond Sale. She explained that bond counsel had been working with staff to advise on the validity of charging current costs associated with the Gompers/Leadership project to the future issuance of the 2010 Series A Bond – QSCB (Quality School Construction Bond). Counsel prepared a resolution so that costs recognized as “capital costs” can be tracked and charged to the new issuance, once those bonds are sold. Approving this resolution will permit the District to go back 60 days from the date of this resolution to capture these costs. Ms. Gamba introduced Mr. Olson of KNN Public Finance and Ms. Catrina Cartagena representing Stradling, Yocca, Carlson & Rauth, the District Bond Counsel.

**Public Comments:**

None

**Board Comments:**

Mr. Ramsey asked if this resolution related to the QSCB Bonds, 2010 regular Bonds and the Gompers/Leadership project. Ms. Cartagena responded that it includes both. Mr. Ramsey asked for clarification some of the language. Mr. Olson responded that he was comfortable and that many districts approve the same type of resolution. Mr. Ramsey asked for the resolution to be amended.

After further discussion this item was withdrawn to a future meeting for revisions.

**DISCUSSION ITEMS**

**G.1 Project Status Report – Facilities Planning and Construction**

Mr. Savidge provided a status report of construction activities in the District.

**Public Comment:**

None

**Board Comment:**

Mr. Ramsey asked about Ohlone’s ground breaking ceremony. Mr. Savidge responded that it was scheduled for September 20, 2011. Mr. Ramsey asked for updates of the Peres Dental Clinic and Montalvin. Mr. Savidge said he will bring updates to the next meeting.

**H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item E)**

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

Ms. Merriweather said she was glad to be part of the historical night. She wished everyone a good school year. Ms. Kronenberg recalled the hunger strike and march to Sacramento and efforts by Dolores Huerta to reduce the debt. She announced that on September 13, 2011 the City of Richmond will host the Richmond Economic Summit. Mr. Thurmond welcomed back students, parent and staff. He congratulated the Board members for retiring the debt. Mr. Medrano said he was proud to have been part of the discussion process to pay off the loan. Mr. Ramsey adjourned the meeting in the names of former Board members and Superintendents and most of all the current Board Members and Superintendent, Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, President Ramsey and Superintendent Harter.

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – September 21, 2011

**K. ADJOURNMENT**

President Ramsey adjourned the meeting at 10:45 PM.

*Motion vote count order: Yes-No-Abstain-Absent*

**West Contra Costa Unified School District  
Minutes of the Special Board of Education Meeting  
Facilities Operations Center  
1300 Potrero Ave., Conference Room C  
Richmond, CA 94804**

**September 13, 2011**

**A. OPENING PROCEDURES**

President Charles Ramsey called the meeting to order at 3:45 PM

**A.1 Pledge of Allegiance**

President Ramsey led those in attendance in the pledge of allegiance.

**A.2 Welcome and Meeting Procedures**

President Ramsey offered welcome and instructions to the public regarding the meeting.

**A.3 Roll Call**

**Board Members Present:** Madeline Kronenberg, Antonio Medrano, Charles Ramsey

**Board Members Absent:** Elaine Merriweather, Tony Thurmond

**Staff Present:** Madgy Abdalla, Director Facilities Construction; Martin Coyne, Executive Director Bond Finance; Sheri Gamba, Associate Superintendent for Business Services; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Bill Savidge, District Engineering Officer

**B. BUSINESS ITEMS**

**B.1 Resolution No. 16-1112: Reimbursement Resolution – 2010 Series A Bond Sale**

Ms. Gamba presented information regarding the resolution and pointed out edits that resulted from Board discussion at the previous meeting. Catrina Cartagena and David Casnocha, attorneys from the firm Stradling, Yocca, Carlson and Rauth, were available to answer questions.

**Public Comment:**

None

**Board Comment:**

President Ramsey had questions about terminology used in the document. Mr. Casnocha provided clarification.

**MOTION: Mr. Medrano moved approval of Resolution No. 16-1112: Reimbursement Resolution – 2010 Series A Bond Sale. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, and President Ramsey voted yes with no abstentions and Ms. Merriweather and Mr. Thurmond absent. Motion carried 3-0-0-2.**

**C. ADJOURNMENT**

President Ramsey adjourned the meeting at 4:52 PM.

**The next regularly scheduled Board of Education Meeting:**  
Lovonya DeJean Middle School – September 21, 2011

*Motion vote count order: Yes-No-Abstain-Absent*


WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** CI C.1

**Subject:** Grants/Awards/Agreements

**Background Information:** Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed on the attached sheet dated September 21, 2011.

**Recommendation:** Recommend Approval

**Fiscal Impact:** As noted per grants summary

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

September 21, 2011 Board Meeting

## GRANT / AWARD / AGREEMENT NOTIFICATIONS

[illegible]


WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

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To: Board of Education

Meeting Date: September 21, 2011

From: Sheri Gamba   
Associate Superintendent Business Services

Agenda Item: CI C.2

Subject: Acceptance of Donations

**Background Information:** The District has received donations as summarized on the attached sheet dated September 21, 2011. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor. Staff recommends acceptance of these donations.

**Recommendation:** Recommend Approval

**Fiscal Impact:** As noted per donations summary.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
September 21, 2011 Board Meeting

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Wells Fargo community Support Campaign	Materials and Supplies	\$60.00	Madera Elementary
Riverside PTA	Leaders for Recess Play	\$25,500.00	Riverside Elementary
Chris & Tammy Campbell	4 Adjustable Office Chairs	*\$75.00	Pinole Valley High

\*Estimated values for the non-cash donations are provided by the donor  
Donation Précis 092111

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** CI C.3

**Subject:** Approval of Fund-Raising Activities

**Background Information:** The planned fund-raising events for the 2011-12 school year are summarized on the attached sheet dated September 21, 2011.

**Recommendation:** Recommend Approval

**Fiscal Impact:** Additional revenue for schools

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
September 21, 2011 Board Meeting

APPROVAL OF FUND-RAISERS

<b><u>School</u></b>	<b><u>Fund-Raising Activity</u></b>	<b><u>Activity Sponsor</u></b>
Chavez Elementary	Holiday Collection of Catalog	Community Resources
Dover Elementary	Sell Chocolate	Parents Club
Harding Elementary	Sell Chinook Book Coupon	Harding PTA
Harding Elementary	Silent Auction	Harding PTA
Madera Elementary	Annual Auction	Madera PTA
Madera Elementary	Spaghetti Dinner	Madera PTA
Madera Elementary	Book Fair	Madera PTA
Madera Elementary	Madera Market	School Staff
Madera Elementary	Pizza in the Park	Madera PTA
Madera Elementary	Restaurant Night	Madera PTA
Madera Elementary	Carnival	Madera PTA
Murphy Elementary	Little Caesars Pizza	Murphy PTA
Murphy Elementary	Chuck E. Cheese	Murphy PTA
Murphy Elementary	Sale of Yankee Candle Catalog	Murphy PTA
Murphy Elementary	Candy Cane Lane Gift Shop	Murphy PTA
Murphy Elementary	Penny Drive for Assemblies	Murphy PTA
Murphy Elementary	Spring Catalog Fundraiser	Murphy PTA
Murphy Elementary	Using "Shares" Card at Lucky, Food Maxx, Save Mart and Smart Food Stores	Murphy PTA
Murphy Elementary	Sale of T-Shirts, Sweatshirts, Bracelets and Window Decals	Murphy PTA
Murphy Elementary	Register Murphy at Target	Murphy PTA
Murphy Elementary	Sell items from World's Finest Chocolate	Murphy PTA
Murphy Elementary	Afterschool Popcorn Sales	Murphy PTA
Murphy Elementary	Afterschool Frozen Treats	Murphy PTA
Murphy Elementary	Catalog Fundraiser	Murphy PTA
Shannon Elementary	Sell items from World's Finest Chocolate	Shannon PTA
Shannon Elementary	Ice-Cream Sales	Shannon PTA
De Anza High	Jamba Juice	De Anza PTA
De Anza High	Online Shopping	De Anza PTA

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Sheri Gamba  
Associate Superintendent Business Services

**Agenda Item:** CI C.4

**Subject:** Summary of Payroll and Vendor Warrant Reports

**Background Information:** Attached are the summaries of Payroll & Vendor Warrants issued during the month of June.

Total of payroll warrants (August 2011):	\$ 4,431,592
Total of vendor warrants (August 2011):	\$15,977,419

**Recommendation:** Recommend approval of the payroll and vendor warrant reports

**Fiscal Impact:** As noted above

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

## West Contra Costa Unified School District

Month of : August 2011

Payrolls	Warrant From	Numbers To	Total Warrants Current	Total Warrants Previous	Total Warrants To Date
Variable	627365	627833	431,628	984,136	1,415,764
Regular	627834	628376	944,541	356,595	1,301,136
Special				0	0
Variable <b>EFT</b>	311112	311851	845,455	1,516,203	2,361,658
Regular <b>EFT</b>	311852	312908	2,639,862	1,042,049	3,681,911
Special <b>EFT</b>				0	0
Typed	297346	297355	9,593	42,410	52,003
BENEFITS				0	0
Cancelled	Various	Various	(7,860)	(10,583)	(18,443)
Totals			4,431,592	2,946,674	7,378,266

Salary detail is available in the Payroll office upon request.



Cheryl Lewis, Payroll Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2010-2011 (ACCRUAL)

PAYMENT

DATE: August 4, 2011

PAGE-1

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	441679	441795	916,403	99,617,850	100,534,253
7706	CAFETERIA	441764	441770	4,329	5,326,889	5,331,218
7707	CHILD DEVELOPMENT	441684	441684	120	333,259	333,379
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	441753	441760	13,212	5,115,780	5,128,992
7710	BUILDING	441680	441798	606,196	100,884,346	101,490,542
7711	CAPITAL FACILITIES	441746	441797	18,563	1,439,780	1,458,343
7712	SELF INSURANCE PROPERTY & LIABILITY	441686	441686	30,000	3,180,053	3,210,053
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				131,499	131,499
7770	ADULT EDUCATION	441701	441780	3,163	290,822	293,985
7785	DEFERRED MAINTENANCE				37,823	37,823
7701	PAYROLL REVOLVING				59,735,110	59,735,110
	TOTALS			1,591,986	276,093,211	277,685,197

Prepared By

Accounting Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

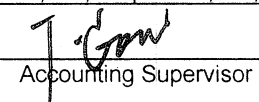
PAYMENT

DATE: August 4, 2011

PAGE-1

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	441805	441860	3,738,579	5,918,220	9,656,799
7706	CAFETERIA	441801	441863	20,133	64,969	85,102
7707	CHILD DEVELOPMENT				407	407
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY					0
7710	BUILDING	441799	441851	73	26,812	26,885
7711	CAPITAL FACILITIES					0
7712	SELF INSURANCE PROPERTY & LIABILITY					0
7713	STATE SCHOOL LEASE/PURCHASE					0
7714	COUNTY SCHOOL FACILITIES					0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY					0
7719	CHARTER SCHOOL					0
7725	MRAD					0
7728	DEBT SERVICE					0
7744	RETIREE BENEFITS	441804	441859	5,995	5,977	11,972
7770	ADULT EDUCATION	441800	441852	8,217		8,217
7785	DEFERRED MAINTENANCE					0
7790	BOND INTEREST & REDEMPN					0
7701	PAYROLL REVOLVING				2,216,687	2,216,687
	TOTALS			3,772,997	8,233,072	12,006,069

  
Prepared By

  
Accounting Supervisor

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

PAGE-2

DATE: August 11, 2011

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	441886	441937	907,227	9,656,799	10,564,026
7706	CAFETERIA	441910	442029	35,281	85,102	120,383
7707	CHILD DEVELOPMENT	441987	441987	7,200	407	7,607
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	441938	441938	32,895	0	32,895
7710	BUILDING	441887	442023	1,645,122	26,885	1,672,007
7711	CAPITAL FACILITIES				0	0
7712	SELF INSURANCE PROPERTY & LIABILITY	441938	442008	1,217,416	0	1,217,416
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				11,972	11,972
7770	ADULT EDUCATION	441920	441996	9,121	8,217	17,338
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN	441902	441902	2,400	0	2,400
7701	PAYROLL REVOLVING				2,216,687	2,216,687
	TOTALS			3,856,662	12,006,069	15,862,731

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

DATE: August 17, 2011

PAGE-3

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	442032	442080	353,551	10,564,026	10,917,577
7706	CAFETERIA	442044	442156	112,963	120,383	233,346
7707	CHILD DEVELOPMENT				7,607	7,607
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	442049	442079	18,340	32,895	51,235
7710	BUILDING	442035	442164	402,822	1,672,007	2,074,829
7711	CAPITAL FACILITIES	442123	442123	10,000	0	10,000
7712	SELF INSURANCE PROPERTY & LIABILITY	442045	442045	14,020	1,217,416	1,231,436
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				11,972	11,972
7770	ADULT EDUCATION	442075	442153	902	17,338	18,240
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				2,216,687	2,216,687
	TOTALS			912,598	15,862,731	16,775,329

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

DATE: August 23, 2011

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				10,917,577	10,917,577
7706	CAFETERIA				233,346	233,346
7707	CHILD DEVELOPMENT				7,607	7,607
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				51,235	51,235
7710	BUILDING				2,074,829	2,074,829
7711	CAPITAL FACILITIES				10,000	10,000
7712	SELF INSURANCE PROPERTY & LIABILITY				1,231,436	1,231,436
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS	442167	442260	45,634	11,972	57,606
7770	ADULT EDUCATION				18,240	18,240
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				2,216,687	2,216,687
	TOTALS			45,634	16,775,329	16,820,963

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

PAGE-5

DATE: August 24, 2011

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	442262	442393	921,593	10,917,577	11,839,170
7706	CAFETERIA	442334	442361	11,190	233,346	244,536
7707	CHILD DEVELOPMENT	442340	442368	3,875	7,607	11,482
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	442281	442364	10,401	51,235	61,636
7710	BUILDING	442261	442384	741,120	2,074,829	2,815,949
7711	CAPITAL FACILITIES	442359	442359	115	10,000	10,115
7712	SELF INSURANCE PROPERTY & LIABILITY	442337	442358	24,822	1,231,436	1,256,258
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				57,606	57,606
7770	ADULT EDUCATION	442360	442385	1,291	18,240	19,531
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				2,216,687	2,216,687
	TOTALS			1,714,407	16,820,963	18,535,370

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

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DATE: August 31, 2011

FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL	442435	442632	667,625	11,839,170	12,506,795
7706	CAFETERIA	442450	442617	136,050	244,536	380,586
7707	CHILD DEVELOPMENT				11,482	11,482
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY	442473	442491	102,291	61,636	163,927
7710	BUILDING	442435	442633	722,033	2,815,949	3,537,982
7711	CAPITAL FACILITIES				10,115	10,115
7712	SELF INSURANCE PROPERTY & LIABILITY	442542	442626	26,420	1,256,258	1,282,678
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS	442516	442568	475	57,606	58,081
7770	ADULT EDUCATION	442463	442617	11,965	19,531	31,496
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING				2,216,687	2,216,687
	TOTALS			1,666,859	18,535,370	20,202,229

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT

DATE: August 10, 2011

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				12,506,795	12,506,795
7706	CAFETERIA				380,586	380,586
7707	CHILD DEVELOPMENT				11,482	11,482
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				163,927	163,927
7710	BUILDING				3,537,982	3,537,982
7711	CAPITAL FACILITIES				10,115	10,115
7712	SELF INSURANCE PROPERTY & LIABILITY				1,282,678	1,282,678
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				58,081	58,081
7770	ADULT EDUCATION				31,496	31,496
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING	441867	441885	675,532	2,216,687	2,892,219
	TOTALS			675,532	20,202,229	20,877,761

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
WEEKLY VENDOR WARRANT REPORT  
2011-2012

PAYMENT  
DATE: August 31, 2011

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FUND#	FUND DESCRIPTION	WARRANT FROM	NUMBERS TO	TOTAL WARRANTS THIS REPORT	TOTAL PREVIOUS WARRANTS	TOTAL WARRANTS TO DATE
7701	GENERAL				12,506,795	12,506,795
7706	CAFETERIA				380,586	380,586
7707	CHILD DEVELOPMENT				11,482	11,482
7708	SPECIAL RESERVE FOR CAPITAL OUTLAY				163,927	163,927
7710	BUILDING				3,537,982	3,537,982
7711	CAPITAL FACILITIES				10,115	10,115
7712	SELF INSURANCE PROPERTY & LIABILITY				1,282,678	1,282,678
7713	STATE SCHOOL LEASE/PURCHASE				0	0
7714	COUNTY SCHOOL FACILITIES				0	0
7715	SPECIAL RESERVE FOR NON-CAPITAL OUTLAY				0	0
7719	CHARTER SCHOOL				0	0
7725	MRAD				0	0
7728	DEBT SERVICE				0	0
7744	RETIREE BENEFITS				58,081	58,081
7770	ADULT EDUCATION				31,496	31,496
7785	DEFERRED MAINTENANCE				0	0
7790	BOND INTEREST & REDEMPTN				2,400	2,400
7701	PAYROLL REVOLVING	442394	442434	1,740,744	2,892,219	4,632,963
	TOTALS			1,740,744	20,877,761	22,618,505


WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Sheri Gamba   
Associate Superintendent Business Services

**Agenda Item:** CI C.5

**Subject:** Contracted Services

**Background Information:** Permission is requested of the Board of Education to approve the following contracts for services as detailed on the attached sheets dated September 21, 2011.

**Recommendation:** Recommend Approval

**Fiscal Impact:** As noted per contracts summary

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
September 21, 2011 Board Meeting

CONTRACTED SERVICES

The following professional consultant services are recommended for approval.

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<u>DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST &amp; FUNDING</u>	<u>PURPOSE</u>
Curriculum	7/1/11 thru 6/30/12	Teach for America, Inc. R30598	up to \$96,000 per year General Fund	The West Contra Costa Unified School District seeks to recruit qualified new teachers and to equip them with the ongoing support and professional development necessary to ensure that they succeed in the classroom. Teach for America has a proven history of successfully recruiting and training high quality teachers who are specifically equipped to positively impact student achievement in under-resourced communities and developing a pipeline of people with the potential to serve as future leaders in the District and beyond – as exceptional teachers, school principals, district staff and community leaders in an array of capacities. This year Teach for America has recruited teachers for De Anza, Kennedy, Richmond, High Schools, Helms and DeJean Middle School, Dover and Lincoln Elementary Schools.
Curriculum Federal Project	9/22/11 Thru 6/30/12	Napa/Solano/Contra Costa Educational Support Team R30469	\$60,328 ARRA	The Napa/Solano/Contra Costa County Educational Support Team is partnering with the District to help continue monitoring the full implementation of West Contra Costa Unified School District's Local Education Agency (LEA) Plan. The collaborative will help create monitoring tools, train District staff on the use of those tools, carry out site observations, gather data, help facilitate meetings with varied stakeholders, and provide feedback and recommendations for meeting state expectations.
Curriculum Federal Project	9/22/11 Thru 6/30/12	Opportunity West	\$68,238 Title I	Provide outreach, expedited school enrollment services and case management to homeless children and youth and their families. Coordinate services with local shelters, food banks and Building Blocks for Kids (BBK). Provide no-cost Saturday programs, counseling and community awareness training.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of the Superintendent

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Date:** September 21, 2011

**From:** Sheri Gamba *SG*  
Associate Superintendent Business Services

**Agenda Item:** CI C.6

**Subject:** Adoption of Resolution No.18-1112 Replacement of Outdated Warrant

**Background Information:** Government Code Section 298029(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Ruby Williams. Staff recommend replacement of the stale dated warrant.

**Recommendation:** Recommend approval to replace the outdated warrant

**Fiscal Impact:** None

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

BOARD OF EDUCATION  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
RESOLUTION NO.18-1112  
REPLACEMENT OF OUTDATED WARRANT  
September 21, 2011

WHEREAS Government Code Section 29802(c) allows the governing board, by resolution, to order that a replacement check be issued for a warrant that is stale dated.

BE IT RESOLVED, by the Board of Education of the West Contra Costa Unified School District, that we issue a check to replace the following stale dated check:

Type:	Payroll Check
Payee:	Ruby Williams
Check No.:	887592
Amount:	\$89.68
Issue Date:	June 10, 1999

PASSED AND ADOPTED on the 21st day of September, 2011, at a regular meeting of the Board of Education by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I hereby certify that the foregoing is a full, true and correct copy of a resolution passed at a meeting of the Board of Education, of the West Contra Costa Unified School District.

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Bruce Harter  
Secretary, Board of Education

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION—BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Ann Reinhausen,  
Assistant Superintendent Human Resources

**Agenda Item:** CI C.7

**Subject:** Certificated Board Authorization - Education Code 44285.3

**Background Information:** Ed Code 44285.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

**Recommendation:** Recommend Approval

**Fiscal Impact:** None

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**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

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<b>Waivers</b>		
<b>Name</b>	<b>Site</b>	<b>Assignment</b>
Williams, Monique	Itinerant	Speech
Definition: Variable term waivers provide applicants with additional time to complete the requirements for the credential that authorizes the service or provide employing agencies with time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the assignment options. (Assignment pending fingerprint clearance when applicable)		

<b>Consent</b>		
<b>Name</b>	<b>Site</b>	<b>Assignment</b>
Butler, Jared	Gompers Continuation School	English
Eral, John	Gompers Continuation School	Read 180
Hyun, Daryl	Gompers Continuation School	Advance Film Studies
Moore, Larue	Gompers Continuation School	Math CAHSEE
Neal, Tiffany	Gompers Continuation School	Math CAHSEE
Ojeda, Amalia	Gompers Continuation School	Yearbook
Olson, Ronald	Gompers Continuation School	Read 180
Alameda, Steve	Pinole Valley High School	Intro to Health
Harris, William	Pinole Valley High School	Social Science
Bodwin, Lucas	Pinole Valley High School	Intro to Health
Dibble, Dayna	Pinole Valley High School	Leadership
Wilson, Donald	Pinole Valley High School	Work Experience
Ahuna, Marilyn	Richmond High School	AVID
Alejandre, Edel	Richmond High School	English CAHSEE
Jenkins, Allen	Richmond High School	English CAHSEE
Kleiman, Kyle	Richmond High School	Office Experience
Byrne, Mallory	El Cerrito High School	AVID
Zara, Louise	El Cerrito High School	Leadership
Blevins, Sonya	Vista High Independent Study	Independent Study
Collins, Susan	Vista High Independent Study	Independent Study
Druck, Catherine	Vista High Independent Study	Independent Study
Easton-Brown, Dyann	Vista High Independent Study	Independent Study
King, Caroline	Vista High Independent Study	Independent Study
Kraus, Janet	Vista High Independent Study	Independent Study
Love, Margaret	Vista High Independent Study	Independent Study
Muth, Carolyn	Vista High Independent Study	Independent Study
O'Neill, Eunice	Vista High Independent Study	Independent Study
Patterson, Cheryl	Vista High Independent Study	Independent Study
Robinson, Carol N.	Vista High Independent Study	Independent Study
Robinson, Rebecca E	Vista High Independent Study	Independent Study
Breedlove, Cynthia	North Campus	Read 180
Koutz, Jeffrey	North Campus	World History
Morris, Estella	North Campus	English
Stolarz, Juana	North Campus	English

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Ann Reinlagen,  
Assistant Superintendent Human Resources

**Agenda Item:** CI C.8

**Subject:** Routine Personnel Changes - Certificated

**Background Information:**

Routine personnel changes include actions to hire, promote, or terminate certificated employees in accord with appropriate laws, established policies and procedures.

**Recommendation:** For Information Only

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT****September 21, 2011****For Information Only****Certificated Board Changes****New Hire/Rehire/Transfer**

<b><u>First Name</u></b>	<b><u>Last Name</u></b>	<b><u>Site</u></b>	<b><u>Position</u></b>	<b><u>Status</u></b>	<b><u>Hire Date</u></b>
Meleah	Hall	Transition Program	SH	New Hire	8/10/2011
Nicole	Zektser	King	2nd SEI	New Hire	8/23/2011
Joyce	Yoon	King	2nd SEI	New Hire	8/23/2011
Heather	Best	Madera	4th/5th SEI	New Hire	8/23/2011
Kenneth	Bonner	Stege	3rd SEI	New Hire	8/23/2011
Heidi	Holmoe	Washington	K DI	New Hire	8/23/2011
Claudia	Ibarra	Lupine Hills	NSH SEI	New Hire	8/23/2011
Linda	Landeros	Lincoln	2nd SEI	New Hire	8/23/2011
Brenda	Lynn	Montalvin	K SEI	Rehire	8/23/2011
Melissa	Gray	Kensington	2nd SEI	Rehire	8/23/2011
Elizabeth	Maki	Coronado	Transition K SEI	New Hire	8/23/2011
Melissa	Martin	Murphy	SH	New Hire	8/23/2011
Melorie	Masacupan	Fairmont	K SEI	New Hire	8/23/2011
Kimberely	Skraby	Ford	3rd SEI 1st Sem.	New Hire	8/23/2011
Alejandro	Larios	Pinole Valley High	60% Art	New Hire	8/23/2011
William Michael	Hamilton	Helms	Social Science SEI	Rehire	8/23/2011
Neil	Gagen	Richmond High	Social Science SEI	Rehire	8/23/2011
Ruth	Okubo	Grant	Inst.Supp, Reading and ELD Coach	Rehire	8/25/2011
Shannon	Shrestha	Hanna Ranch	RSP SEI	New Hire	9/6/2011
William	Grimm	Sheldon	1st/2nd SEI	New Hire	9/8/2011
Dana	Schurr	Pinole Valley High	40% Soc Science SEI	New Hire	9/13/2011

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Ann Reinhausen,  
Assistant Superintendent Human Resources

**Agenda Item:** CI C.9

**Subject:** Routine Personnel Changes – Classified

**Background Information:**

Routine personnel changes include actions to hire, promote, or terminate classified employees in accord with appropriate laws, established policies and procedures.

**Recommendation:** For Information Only

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

September 21, 2011

**FOR INFORMATION ONLY****Classified Personnel Changes**

<b>NEW HIRES</b>			
<b>Name</b>	<b>Job Title</b>	<b>Site</b>	<b>Date</b>
HOWARD, DONALD K	WELDER	MAINTENANCE	7/6/2011
OREILLY, MARGARET T	OCCUPATIONAL THERAPIST	SPECIAL ED	8/29/2011
TEACH, JAMES E	ROOFER	MAINTENANCE	7/5/2011

<b>PROMOTION</b>			
ABKI, JAMAL	NETWORK ENGINEER	TECHNOLOGY	7/1/2011
AGUWA, BERNADETTE IJEOMA	CLASSROOM SUPPORT AIDE	PORTOLA MIDDLE	8/23/2011
BANUELOS, KIMBERLEY KEEGAN	CLASSROOM SUPPORT AIDE	TARA HILLS	8/23/2011
BASSI, SHANNON N	TYPIST CLERK II	EL CERRITO HIGH	7/25/2011
BELLO, ELEANOR MARTINEZ	CLASSROOM SUPPORT AIDE	WILSON	8/23/2011
BRAHAN-PENBERTHY, MEGAN	CLASSROOM SUPPORT AIDE	HIGHLAND	8/23/2011
BROCK, DERRIC WENDALL	CLASSROOM SUPPORT AIDE	EL CERRITO HIGH	8/23/2011
BROWDER, TESS MARIE	CLASSROOM SUPPORT AIDE	EL CERRITO HIGH	8/23/2011
BROWN, DISREWE J	CLASSROOM SUPPORT AIDE	HERCULES MIDDLE	8/23/2011
BROWNWHITE, ANNA MARIE	CLASSROOM SUPPORT AIDE	FAIRMONT	8/23/2011
BRYDIE, CLAUDETTE C.	CLASSROOM SUPPORT AIDE	VERDE	8/23/2011
BURGOS, RAYMOND ALAN	CLASSROOM SUPPORT AIDE	DE ANZA HIGH	8/23/2011
BYRD, BARBARA CARLA	SENIOR ADMIN SECRETARY	ED SVC ELEM/SEC	7/15/2011
CABRAL, THERESA K	SCHOOL SECRETARY I	WASHINGTON	8/15/2011
CASTANCHOA, NIKKI ANN	CLASSROOM SUPPORT AIDE	ELLERHORST	8/23/2011
CAVNESS-SPEARS, DENISE	CLASSROOM SUPPORT AIDE	HERCULES MIDDLE	8/23/2011
CHANTAROTWONG, SHAWNA	CLASSROOM SUPPORT AIDE	SHANNON	8/23/2011
CHISAKI, MIKA	INST ASST SP ED VISUAL IMPAIR	HERCULES HIGH	8/23/2011
CORTEZ, MARIA MAGDA	CLASSROOM SUPPORT AIDE	HERCULES HIGH	8/23/2011
COSTELLO, TERESSA C	CLASSROOM SUPPORT AIDE	FAIRMONT	8/23/2011
DARROW, ADELA B	CLASSROOM SUPPORT AIDE	EL CERRITO HIGH	8/23/2011
DE ALBA, SANDRA	CLASSROOM SUPPORT AIDE	TARA HILLS	8/23/2011
DE ARCO, SHIRLEY	TYPIST CLERK II-WORK EXPERIENC	DE ANZA HIGH	8/15/2011
DEL CASTILLO, VILMA E	CLASSROOM SUPPORT AIDE	FAIRMONT	8/23/2011
DEROSANT, SONIA A	CUSTODIAL SUPV SR HIGH SCHOOL	KENNEDY HIGH	7/1/2011
DIXON, RICHARD MICHAEL	CLASSROOM SUPPORT AIDE	STEWART	8/23/2011
DIXON, TAMIKA SIMONE	INST ASSISTANT SP ED	NORTH CAMPUS	8/23/2011
DOUGHERTY, SONJA MARITA	CLASSROOM SUPPORT AIDE	EL CERRITO HIGH	8/23/2011
DRISKELL, RONALD	CLASSROOM SUPPORT AIDE	HELMS MIDDLE	8/23/2011
DUPRAT, ANNA-MARIE CHRISTINE	CLASSROOM SUPPORT AIDE	OLINDA	8/23/2011
ESCALERA RODRIGUEZ, JOSE DE JE	CLASSROOM SUPPORT AIDE	HELMS MIDDLE	8/23/2011
ESPINOZA, CLAUDIA WENDY	INST ASSISTANT SP ED BIL	RICHMOND HIGH	8/23/2011
FAUMUINA, LUIPOUOMALO	CLASSROOM SUPPORT AIDE	RIVERSIDE	8/23/2011
FELDMAN, KRISTI LEE	CLASSROOM SUPPORT AIDE	TARA HILLS	8/23/2011
GAINES, MICHELLE F.	CLASSROOM SUPPORT AIDE	EL CERRITO HIGH	8/23/2011
GALLEA, IRMA C	SCHOOL SECRETARY I	SHANNON	8/15/2011
GARCIA, LEONOR	CLASSROOM SUPPORT AIDE	CRESPI JUNIOR	8/23/2011
GARTRELL, ADRIANNE C	CLASSROOM SUPPORT AIDE	HIGHLAND	8/23/2011
GASCA, MAIRA	CLASSROOM SUPPORT AIDE	ELLERHORST	8/23/2011
GORDON, ELIZABETH	CLASSROOM SUPPORT AIDE	RIVERSIDE	8/23/2011
GREENEBAUM, GREG KEVIN	CUSTODIAN	CUSTODIAL	7/1/2011
GUERRA, MARIA E	TYPIST CLERK III BILINGUAL	CHILD DEVELOP	7/5/2011
GUTIERREZ, ANNA MARIE	CLASSROOM SUPPORT AIDE	LUPINE HILLS	8/23/2011
HALL, DAVID ALLEN	CLASSROOM SUPPORT AIDE	SHELDON	8/23/2011
HARGRAVES, DOMINIQUE N	CLASSROOM SUPPORT AIDE	RIVERSIDE	8/23/2011
HAWKINS, YVETTE MECHELLE	CLASSROOM SUPPORT AIDE	HERCULES MIDDLE	8/23/2011
HAYNES, NINA C	CLASSROOM SUPPORT AIDE	FAIRMONT	8/23/2011
HUMPHREY, OMOTADE	CLASSROOM SUPPORT AIDE	SHELDON	8/23/2011

<b>PROMOTION</b>			
<b>Name</b>	<b>Job Title</b>	<b>Site</b>	<b>Date</b>
HUNT, NATASHA EVETTE	CLASSROOM SUPPORT AIDE	STEGE	8/23/2011
HUNTER, KITARA	CLASSROOM SUPPORT AIDE	FAIRMONT	8/23/2011
JACKSON, WILLIE JAMES	CLASSROOM SUPPORT AIDE	TRANSITION	8/10/2011
JOHNSON, ERICA NICOLE	CLASSROOM SUPPORT AIDE	MAKING WAVES	8/23/2011
JOHNSON, LARRINE	CLASSROOM SUPPORT AIDE	EL CERRITO HIGH	8/23/2011
JOHNSON-HOLLINS, KAYA LI	INST ASSISTANT SP ED	LAKE	8/23/2011
JONES, SHARONDA TERA	INST ASSISTANT SP ED	PINOLE VALLEY HI	8/23/2011
KING, DAWUAN KAHLIL	CLASSROOM SUPPORT AIDE	DE ANZA HIGH	8/23/2011
KING, ERICA T.	CLASSROOM SUPPORT AIDE	TRANSITION	8/10/2011
KING, TANITA T	CLASSROOM SUPPORT AIDE	NYSTROM	8/23/2011
LAMBERT, JEANNETTE	CLASSROOM SUPPORT AIDE	PINOLE VALLEY HI	8/23/2011
LARA, MARIA A	HEAD CUSTODIAN ELEMENTARY	GRANT	7/5/2011
LEDESMA, EUGENIA	CLASSROOM SUPPORT AIDE	DE ANZA HIGH	8/23/2011
LEWIS, CATHERYN R	CLASSROOM SUPPORT AIDE	HARDING	8/23/2011
LIGI, ARIA TITAN	CLASSROOM SUPPORT AIDE	PORTOLA MIDDLE	8/23/2011
MANGLE, DAVID JOSEPH	CLASSROOM SUPPORT AIDE	LUPINE HILLS	8/23/2011
MANGLE, REBECCA SUE	CLASSROOM SUPPORT AIDE	STEWART	8/23/2011
MARTINEZ, ANDREA ROSE	CLASSROOM SUPPORT AIDE	MURPHY	8/23/2011
MCCLENDON, SOPHIA TOINETTE	CLASSROOM SUPPORT AIDE	HERCULES HIGH	8/23/2011
MILES, STEPHEN	HEAD CUSTODIAN ELEMENTARY	SHANNON	8/10/2011
MIZE, CHE RON	CLASSROOM SUPPORT AIDE	TRANSITION	8/10/2011
MORENO, KRISTINA	CLASSROOM SUPPORT AIDE	ELLERHORST	8/23/2011
MOUNTAIN, TRACY L	CLASSROOM SUPPORT AIDE	FAIRMONT	8/23/2011
NELSON HAYES, ELVA CELESTE	CLASSROOM SUPPORT AIDE	PERES	8/23/2011
ODONNELL, MEGAN JULIA	STAFF SECRETARY	SPED - CAMERON	7/5/2011
PARKER, MARIE EVELYN	CLASSROOM SUPPORT AIDE	DEJEAN MIDDLE	8/23/2011
PEREZ, DORA ERISEMA	CLASSROOM SUPPORT AIDE	HIGHLAND	8/23/2011
PETTY JR, HERBERT	CLASSROOM SUPPORT AIDE	PINOLE VALLEY HI	8/23/2011
PINKSTON, DORENE ELOISE	CLASSROOM SUPPORT AIDE	STEWART	8/23/2011
RAMIREZ, MARIA A	CLASSROOM SUPPORT AIDE	DOWNER	8/23/2011
RAMIREZ, SILVIA R	INST ASSISTANT SP ED	DEJEAN MIDDLE	8/23/2011
RASCON, GEORGINA	CLASSROOM SUPPORT AIDE	ELLERHORST	8/23/2011
RICHARDSON, JOAN	CLASSROOM SUPPORT AIDE	FAIRMONT	8/23/2011
RICHARDSON, JONTINEKA R.	CLASSROOM SUPPORT AIDE	PORTOLA MIDDLE	8/23/2011
RUIZ, ELOISA	CLASSROOM SUPPORT AIDE	HERCULES HIGH	8/23/2011
SAMSON, CHRISTINA	CLASSROOM SUPPORT AIDE	MIRA VISTA	8/23/2011
SANCHEZ, SCARLET	CLASSROOM SUPPORT AIDE	DE ANZA HIGH	8/23/2011
SANDHU, BALBIR	TYPIST CLERK II	CHILD DEVELOP	8/15/2011
SANTOYO, CLAUDIA MILENA	INST ASSISTANT SP ED	CORONADO	8/23/2011
SAP, SOPHEAP	CLASSROOM SUPPORT AIDE	CRESPI JUNIOR	8/23/2011
SAPIEN, STEPHANIE MERCEDES	CLASSROOM SUPPORT AIDE	TARA HILLS	8/23/2011
SERAPHIN, MOIRA K	CLASSROOM SUPPORT AIDE	PINOLE MIDDLE	8/23/2011
SERRANO, VERONICA	CLASSROOM SUPPORT AIDE	DEJEAN MIDDLE	8/23/2011
SHEATS, JACOB RAY	CUSTODIAN	HELMS MIDDLE	7/14/2011
SILVA, LESLIE MICHELLE	CLASSROOM SUPPORT AIDE	MURPHY	8/23/2011
SMALL, KERIN ROCHELLE	CLASSROOM SUPPORT AIDE	COLLINS	8/23/2011
SMITH, KENDRA Y	CLASSROOM SUPPORT AIDE	HERCULES MIDDLE	8/23/2011
STA ANA, IVIN JELL	CLASSROOM SUPPORT AIDE	ELLERHORST	8/23/2011
TAYLOR, SHANNON MARIE	CLASSROOM SUPPORT AIDE	WILSON	8/23/2011
TECHACHOOCHERD, ORAWAN	CLASSROOM SUPPORT AIDE	HERCULES HIGH	8/23/2011
TERRIQUEZ, DEYSI M.	INST AIDE BILINGUAL	CORONADO	8/23/2011
TIMMONS, ANDREA ANN	CLASSROOM SUPPORT AIDE	EL CERRITO HIGH	8/23/2011
TIRADO, ANTONIO HERNANDEZ	FOOD SERVICES WAREHOUSE SUPERV	CENTRAL KITCHEN	8/17/2011
WILLIAMS, WANDA P	CLASSROOM SUPPORT AIDE	SHELDON	8/23/2011
WILLOUGHBY, HAMILTON W.	CLASSROOM SUPPORT AIDE	HERCULES MIDDLE	8/23/2011
WIVAGG, BERNICE L	CLASSROOM SUPPORT AIDE	EL CERRITO HIGH	8/23/2011

**REHIRE**

<b>Name</b>	<b>Job title</b>	<b>Site</b>	<b>Date</b>
CASTRO, JOSE S	DESKTOP SUPPORT TECHNICIAN	ADMIN-FOOD SERV	7/27/2011
ROBBINS, LORI D	AFTER SCHOOL PROGRAM MANAGER	AFTER SCHOOL - CENTRAL	8/30/2011
SMALLS, PEQUITA	SENIOR ADMIN SECRETARY	ED SERVICES ASSIST SUPT	8/18/2011

**RETURN FROM LEAVE**

JOYNER, NICOLE DENISE	ADMIN GRANTS SPECIAL PROJECTS	K-12 OPERATIONS	7/1/2011
MOLDEN, KENDRA S.	SPECIAL EDUCATION ASSISTANT	DEJEAN MIDDLE	7/1/2011

**LAYOFF RECALL**

AGREDANO, EVELIA A	SCH COMMUNITY OUTREACH SPC BIL	LINCOLN	7/1/2011
BON LEY, YILISABO	INST AIDE BILINGUAL	CAESAR CHAVEZ	8/1/2011
CHAPPELL, DARREN SCOTT	GRADUATE TUTOR	GRANT	7/1/2011
ESCOTO, ADRIANA H	GRADUATE TUTOR	WILSON	7/1/2011
GARCIA, MARIA M.	UPPER DIVISION TUTOR BILINGUAL	PERES	7/1/2011
GODINEZ, MARIA	SCH COMMUNITY WORKER BILINGUAL	HELMS MIDDLE	7/1/2011
KEYS, SABRINA PEARL	GRADUATE TUTOR	VERDE	7/1/2011
MACIEL, ESMERALDA	INST AIDE BILINGUAL	WILSON	8/1/2011
MELANO, MARTHA	INST AIDE BILINGUAL	CORONADO	7/1/2011
MENDOZA, SANDRA LETICIA	FOOD SERVICE AIDE/CLERK	SHANNON	7/1/2011
MOORE III, ALLEN	SCH COMMUNITY WORKER	PERES	7/1/2011
MYERS, BARBARA	FOOD SERVICE AIDE-BREAKFAST	RICHMOND HIGH	7/1/2011
OLIVA, CARLOS	SCH COMMUNITY WORKER BILINGUAL	RIVERSIDE	7/1/2011
OROZCO, GLORIA E	SCH COMMUNITY OUTREACH SPC BIL	DOWNER	7/1/2011
ORTEGA, BEATRIZ	SCH COMMUNITY WORKER BILINGUAL	GRANT	7/1/2011
PAPPACHAN, SAKARIAH	GRADUATE TUTOR	RICHMOND HIGH	7/1/2011
PENA, MARIA ALICIA	UPPER DIVISION TUTOR BILINGUAL	DOVER	7/1/2011
PONCE, KARINA	SCHOOL SECRETARY I	DOWNER	7/1/2011
VITE, BERTILDE T	GRADUATE TUTOR	DOWNER	7/1/2011

**RESIGNATIONS**

FRANCO, PAUL XAVIER	GRADUATE TUTOR	HELMS	6/9/2011
GASS, STEPHANIE	GRADUATE TUTOR	HELMS	6/9/2011
PONCE, LUCIANO M.	CUSTODIAN	PORTOLA MIDDLE	8/12/2011
SAECHAO, MUANG SENG	AFTER SCHOOL PROGRAM MANAGER	BRIGHT FUTURES	8/15/2011
VAZQUEZ, IVETTE M	GRADUATE TUTOR	ELD	8/19/2011

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION—BOARD OF EDUCATION**

**To:** Board of Education

**From:** Ann Reinlagen,  
Assistant Superintendent Human Resources



**Meeting Date:** September 21, 2011

**Agenda Item:** CI C.10

**Subject:** Acceptance of Contracts for Placement of Student Teachers

**Background Information:**

Teachers in this district provide supervision and evaluation for students seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher at no cost to the district.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed on the attached sheet dated September 21, 2011.

**Recommendation:** Recommended Approval.

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

West Contra Costa Unified School District  
September 21, 2011

**ACCEPTANCE OF CONTRACTS FOR PLACEMENT OF STUDENT TEACHERS**

The following institutions of higher education have submitted a contract with West Contra Costa Unified School District. These institutions intend to place student teachers in the West Contra Costa Unified School District schools.

Saint Mary's College of California, MOU for Intern Teachers/School Psychology or Counselors  
Mills College, Practice Teaching Agreement

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Ann Reinhausen  
Assistant Superintendent Human Resources

**Agenda Item:** CI C.11

**Subject:** Approve Job Description: Technology Operations Supervisor

**Background Information:**

With the increasing demands for current knowledge of operating systems, programs, and supervisory responsibilities, within the District's Integrated Technology Services, a request for a Desk Audit was submitted to Human Resources. As a result, it was determined that an upgrade of one Desktop Support Technician be made. The District and School Supervisors Association (SSA) have met and approved the new Technology Operations Supervisor job description.

**Recommendation:** Recommend Approval

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

# **WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

## **Technology Operations Supervisor**

### **DEFINITION:**

Under general supervision this position leads complex, district-wide projects working in a large, wide area network (WAN) and multiple local area networks (LANs); develops ad-hoc desktop level system instruction and provides ongoing user training; establishes and performs data and access protection processes; integrates hardware, operating systems and program applications; establishes and maintains standards; responsible for providing support and supervision of various systems, applications, and all onsite support teams.

### **EXAMPLES OF DUTIES:**

Serves as an escalation point of contact for problems in the field operations environment. Aggressively pursues root causes for service failures; proposes and implements solutions to local or area-wide problems. Works onsite or remote, supporting customers' day-to-day environment needs. Supervises and supports the technical support staff in the maintenance of computers, peripheral devices, and complex networks of personal computers used for a variety of applications. Assists with new site technology planning, acquisition and development; tasks may include project documentation, resource planning, cost estimates and adherence to set deliverables. Develops or assists with the development and implementation of policies and procedures consistent with those of the organization to ensure efficient and safe technical operation of the department. Conduct Train-the-Trainer and End User training as necessary. Coordinate support for improved service diagnostics, ensures compliance with accepted maintenance procedures and policies. Develop and implement processes for managing core business activities, i.e., asset management and tracking and technical support. Provide second-level support for customer complaints, suggestions, and concerns. Respond to calls within a specified area and contact the appropriate field staff to resolve a system problem. Work closely with other IT staff on implementation and deployment of print technology and support services, including inventory collection and management, tracking system reports, and consumables management while monitoring adherence to Service Level Agreements. Monitors department vehicles and assigned equipment according to District Technology policy. Follow up on all network related issues, to ensure customer satisfaction. Participates in special projects planning teams for new sites as well as moves, adds and changes at existing sites. Facilitate weekly status meeting, providing timely and accurate update on project status, and conduct performance reviews as needed. Other related duties as assigned.

### **QUALIFICATIONS:**

#### **Knowledge of:**

- Broad-based technical, operational, programming and analytical problem-solving support;
- Installation, maintenance, expansion and upgrading of software, hardware, networks and peripherals;
- Common operating systems and relational database systems;
- Desktop, server or web-based applications;
- Data processing methods;
- Training techniques;
- Functional requirements, structured systems or procedure analysis;
- Project management techniques, including work planning, scheduling, supervision and reporting;
- Industry-standard software deployment terms, tools, and techniques,
- Microsoft Office Productivity Suite.

**Ability to:**

Analyze data and information using established criteria, in order to determine consequences and identify and select alternatives; advise others on how to apply and interpret policies, procedures and standards in specific situations  
Prioritize competing requests for service  
Communicate effectively orally and in writing  
Diffuse and resolve conflicts or contention among staff and users  
Establish and maintain effective working relationships  
Direct the execution of large system installations  
Configure packaged software installs for remote installation to Windows XP workstations.  
Troubleshoot/resolve software installation problems.  
Train others  
Exercise decisiveness and creativity in situations involving the evaluation of information against judgmental criteria  
Work effectively and independently on assigned projects

**Education/Experience:**

Any combination equivalent to: an Associate Degree in computer science or closely related field and three years of personal computer hardware/software work experience including one year of experience in a technology supervisory role.

**License:**

Possession of a valid California Drivers License to operate a motor vehicle.

**WORKING CONDITIONS:****Environment:**

Mostly indoor environment. Travel from worksite to worksite.

**Physical Demands:**

1. Sitting or standing for extended periods of time.
2. Hearing and speaking to exchange information.
3. Seeing to read materials and view computer monitor
4. Lifting, carrying, pushing or pulling moderately heavy objects as assigned by position.
5. Dexterity of hands and fingers to operate a variety of equipment.
6. Reaching overhead, above shoulders and horizontally.
7. Bending at the waist, kneeling or crouching.
8. Driving a vehicle to conduct work.

**SALARY:**

Schedule: 04

Range: 80

Approved by the Human Resources Division: \_\_\_\_\_

Approved by the Board of Education: \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Wendell C. Greer  
Associate Superintendent, K – Adult Operations

**Agenda Item:** CI C.12

**Subject:** Shimada Exchange Trip, October 25-November 4

**Background Information:**

The Shimada Exchange Club is a unique and venerable institution at De Anza High School which has been promoting international cultural friendship and Japanese language study for over 20 years. As a result we have developed a Japanese language class for Japanese 1, 2, and 3 in the last 3 years, and all current student visitors are studying Japanese. Students have been welcoming other students into their homes from Shimada Commercial High School, and also other visitors that come through the Richmond Shimada City Exchange during the summer, and on school visits during the year. The two schools have traditionally been alternating ten day long visits in which the students attend classes, perform and teach all the students in the school aspects of their own country's culture and crafts, song and dance. In addition they usually take fieldtrips in Tokyo, to a Shimada crafts center, and to a temples founded by Emperor Tokugawa. They are immersed in the Japanese language at school and in their host students' homes.

**Recommendation:** Recommend Approval

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

**WCCUSD STUDY TRIP REQUEST FORM (Form must be typed)**

<b>SCHOOL:</b> <b>De Anza HS</b>	<b>Date of Submission:</b> <b>9/7/2011</b>
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**TYPE OF TRIP:** Please indicate the type of trip. ☐ DAY TRIP ☒ OVERNIGHT TRIP

Submissions must be received in the Executive Director's office by the following timeline:

<input type="checkbox"/> Chartered Transportation (Bus reservations via district Transportation Office)	25 school days prior to trip date
<input type="checkbox"/> Automobile (Driving to destination)	15 school days prior to trip date
<input checked="" type="checkbox"/> Public Transportation (BART, bus, Amtrak, etc)	15 school days prior to trip date
<input type="checkbox"/> Walking	15 school days prior to trip date

**TRIP AND CHAPERONE INFORMATION:** Adult to Student Ratio: K-3 1:5 & 4-12 1:10 Short Term Insurance: K-3 1:4 & 4-12 1:8

Date of Trip: <b>10/25/2011-11/4/2011</b>	Time Leave: <b>6:55p</b> Return: <b>5:15pm</b>	Grade/Group: <b>Shimada Club</b>	Total number of students participating: <b>7</b>
Trip Destination: (Include Address/phone) <b>Shimada Commercial HS</b>		Teacher in Charge of Group: (Name, phone, e-mail) <b>Heather Handa 707 372-0863 hhanda@wccusd. Kelko Takenaka 562 964-3509 ktakenaka@wcc.</b>	
Number of chaperones accompanying the group: <b>2</b>		<input checked="" type="checkbox"/> Names of Chaperones and Position/Title form attached	
Student Study Trip Insurance: The following study trips require insurance: <input type="checkbox"/> Trips a round/near water (including trips near creeks, ponds, etc, trips on boats, to hatcheries, hiking, etc) <input type="checkbox"/> Trips where students will be swimming <input type="checkbox"/> Trips with an overnight stay			<input checked="" type="checkbox"/> Insurance form attached <input checked="" type="checkbox"/> Check attached/account code listed <input checked="" type="checkbox"/> List of student names attached

**TRANSPORTATION ARRANGEMENTS:**

<b>Chartered Transportation</b>	<b>CHARTERED TRANSPORTATION REQUEST FORM.</b> All requests using district funds must be booked through the Transportation Office. Completed Chartered Transportation request must be attached to study trip request.  <b>FUNDING SOURCE</b> Requests using other funding sources (i.e. PTA) must be booked by trip organizer and paid for at the site level. Funding source MUST be indicated.  <b>COMPANY</b> Must be from District approved list as indicated on Bulletin. Attach confirmation from chartered transportation company.	<input type="checkbox"/> Completed form attached. (Funding Source Account Code indicated on form)  <b>FUNDING SOURCE ACCOUNT CODE</b>  <b>COMPANY NAME AND CONTACT:</b>
<b>Automobile</b>	<b>AUTOMOBILE TRANSPORTATION FORM</b> Form must be completed with driver's information attached. Valid California Drivers license and insurance requirements are mandatory.	<input type="checkbox"/> Completed form attached. <input type="checkbox"/> Valid driver's license and insurance attached
<b>Public Transportation</b>	<b>TYPE OF PUBLIC TRANSPORTATION (BART, BUS, AMTRAK, FERRY)</b> Funding source required if transportation tickets/arrangements are to be purchased using District funds. Funding source MUST be indicated if applicable.	Funding Source Account Code: <b>041374118</b> Bitech Purchase Order #
<b>Admission Fees</b>	<b>FEES TO DESTINATION, I.E., ZOO, THEATER, MUSEUM, ETC.</b> Funding source required if tickets are to be purchased using District funds. Funding source MUST be indicated if applicable. Purchase requisitions should be initiated three weeks in advance of the trip.	Funding Source Account Code:  Bitech Purchase Order #

**EDUCATIONAL VALUE**


Must include standards reference number and a brief explanation of how the trip relates to the classroom activity. Standards Number(s):		
Substitute(s) Requested <b>2</b>	FOR SECONDARY SITES ONLY, SUBSTITUTES NEEDED FOR TEACHERS ON STUDY TRIPS.	Funding Source Account Code: <b>3520111100</b> Substitutes Needed for <b>5 &amp; 3, 1</b> paid periods

**LAST DATE FOR SUBMISSION OF STUDY TRIP:** **APRIL 15, 2011** (3<sup>RD</sup> Friday in April)  
**LAST DATE FOR STUDY TRIP TO BE TAKEN:** **JUNE 3, 2011** (1<sup>ST</sup> Friday in June)

\* No late requests will be accepted. Study trips should not be scheduled during testing periods.

STUDY TRIP REQUEST FORM MUST HAVE PRINCIPAL SIGNATURE AND FUNDING SOURCE INDICATED BEFORE SENDING TO THE EXECUTIVE DIRECTOR'S OFFICE. INCOMPLETE STUDY TRIP REQUESTS WILL BE RETURNED AND MAY RESULT IN DELAY IN PROCESSING OR DENIAL OF REQUEST. APPROVALS WILL BE SENT BACK VIA EMAIL TO SECRETARY/OFFICE MANAGER AND PRINCIPAL.

**APPROVALS:**

 \_\_\_\_\_  
 Principal Signature Date

Funding Authorization Dept. \_\_\_\_\_

Signature

Date

Executive Director \_\_\_\_\_

Date  
17

**EXECUTIVE DIRECTOR OFFICE USE ONLY:**

Received:

Approval Sent:

By: \_\_\_\_\_

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

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** September 21, 2011  
**From:** Bill Fay **Agenda Item:** CI C.13  
Associate Superintendent for Operations  
**Subject:** Ratification and Approval of Engineering Services Contracts

**Background Information:**

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

**Recommendation:** Ratify and approve contracts as noted.

**Fiscal Impact:** Total for this action: **\$99,643.** Funding sources as noted

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
FACILITIES PLANNING AND CONSTRUCTION**

**ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS**

<b>Project/Funding</b>	<b>Dates</b>	<b>Firm</b>	<b>Contract Cost</b>	<b>Reference</b>
Downer Elementary School Restroom Wall Finishes Repair Project  Measure J Bond	September 2011 thru December 2011	BCA Architects	\$19,000	Architectural and engineering services for construction documents and construction administration.
Dover Elementary New Campus Project  Measure J Bond	December 2010 thru December 2011	HY Architects	\$33,043	Additional services for multiple changes in scope to the project including redesign of systems, adding hand dryers, changing hardware, adding temporary playground.
Hanna Ranch Elementary School Canopy Roof Repairs Project  Special Reserve for Capital Facilities	September 2011 thru November 2011	Allana Buick and Bers	\$14,800	Roofing and waterproofing consulting to correct damaged canopy roof areas.
Pinole Middle School Portables Demolition Project  Measure J Bond	September 2011 thru April 2012	Powell and Partners Architects	\$10,300	Additional services adding electrical engineering.
Hercules Middle High—Original Construction, DSA Closeout with Certification  Capital Facilities Fund	September 2011 thru December 2011	HY Architects	\$22,500	Architectural and engineering services to prepare, compile, and submit documents for Certification to Division of State Architect.

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION**

**To:** Board of Education **Meeting Date:** September 21, 2011  
**From:** Bill Fay **Agenda Item:** CI C.14  
Associate Superintendent for Operations  
**Subject:** Ratification and Approval of Negotiated Change Orders

**Background information:**

Staff is seeking ratification of Change Orders on the following current District construction projects: Ford Elementary New Campus and El Cerrito High School Fields. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Order for the Kennedy High School Admin Interiors & Renovations project is required by the Board, with special findings as noted below, because this is in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by approving and ratifying these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

**Recommendation:** Ratify negotiated Change Orders as noted.

**Fiscal Impact:** Total ratification and approval by this action: **\$297,353.26.**

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**September 21, 2011 Change Order Ratification Summary**

	Project	Company	Original Contract	Previously Approved CO's	Items Pending Board Action		Total CO's	CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
					CO's Pending Ratification	CO's Pending Approval				
1	Kennedy HS	Am Woo Construction	\$366,000.00	\$63,771.96	\$0.00	\$5,541.18	\$69,313.14	18.94%	\$435,313.14	2
2	Ford ES	Alten Construction, Inc.	\$16,734,206.00	\$1,301,990.00	\$222,329.00	\$0.00	\$1,524,319.00	9.11%	\$18,258,525.00	23
3	El Cerrito HS Multi-Use Sports Field	Michael Paul Company, Inc.	\$3,749,000.00	\$177,588.10	\$69,483.08	\$0.00	\$247,071.18	6.59%	\$3,996,071.18	3

Pending Board Actions	Ratifications	\$291,812.08
	Approvals	\$5,541.18
	Total Board Action	\$297,353.26

Note: the proposed Board Action is to Ratify all Change Orders below ten percent (10%) of the Contract Value; the change order amounts pending Board Approval is the portion of the Change Order(s) above 10%.

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** September 21, 2011  
**From:** Bill Fay **Agenda Item:** CI C.15  
Associate Superintendent for Operations  
**Subject:** Program Management General Conditions Reimbursable Expenses Contract Amendment  
Approval

**Background Information:** The District retains Seville Group ("SGI") as our Bond Program Manager. Reimbursable expenses include operating expenses incurred as a part of providing program management—for example network support, reception, and fiscal controls. One portion of their services is to provide estimating and scheduling support services for all District projects. The scope of work related to these services has increased significantly over the last year as the District has instituted more stringent cost estimating and scheduling protocols. Another portion of SGI's services is to provide Design Phase Management. All of these services are provided as a "General Conditions" cost item and are considered Reimbursable Expenses, meaning that the direct costs + plus service charge are paid by the District. The approved amounts for this fiscal year have been exhausted and it is appropriate to approve an amendment to SGI's contract for the completion of the anticipated work during the remainder of this fiscal year.

**Recommendation:** Approve amended contract.

**Fiscal Impact:** \$682,217 for General Conditions Reimbursables and \$320,602 for Design Phase Management. Measure J Bond fund, pro-rata share of costs assigned to individual project budgets for all current projects.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION----BOARD OF EDUCATION**

**To:** Board of Education **Meeting Date:** September 21, 2011  
**From:** Bill Fay **Agenda Item:** CI C.16  
Associate Superintendent for Operations  
**Subject:** Resolution No. 21-1112: Hazard Mitigation Plan Adoption.

**Background Information:** The District has participated with local jurisdictions throughout Contra Costa County to develop a Hazard Mitigation Plan to prepare for and lessen the impacts of specified natural hazards. Responding to federal mandates in the Disaster Mitigation Act of 2000 (Public Law 106-390), the partnership was formed to pool resources and create a uniform hazard mitigation strategy that can be consistently applied to the defined planning area and used to ensure eligibility for specified grant funding sources. The result of the organizational efforts has been to produce a Federal Emergency Management Agency (FEMA) and the California Emergency Management Agency (CalEMA)-approved multi-agency multi-hazard mitigation plan. Mitigation is defined in this context as any sustained action taken to reduce or eliminate long-term risk to life and property from a hazard event. Mitigation planning is the systematic process of learning about the hazards that can affect the community, setting clear goals, identifying appropriate actions and following through with an effective mitigation strategy. Mitigation encourages long-term reduction of hazard vulnerability and can reduce the enormous cost of disasters to property owners and all levels of government. Mitigation can also protect critical community facilities, reduce exposure to liability, and minimize post-disaster community disruption. The hazard identification and profiling in the hazard mitigation plan addresses the following hazards considered to be of paramount importance within the Contra Costa County Operational Area: Dam Failure; Drought; Earthquake; Flood; Landslide and Other Mass Movements; Severe Weather; and, Wildfire.

Once the hazard mitigation plan is adopted by all of the jurisdictional partners and approved by FEMA, the partnership will collectively and individually become eligible to apply for hazard mitigation project funding from both the Pre-Disaster Mitigation Grant Program (PDM) and the Hazard Mitigation Grant Program (HMGP). Upon adoption of Volume I and our jurisdictional Annex of Volume II of the Contra Costa County Hazard Mitigation Plan and subsequent approval of said plan by CalEMA and FEMA, the West Contra Costa Unified School District will be eligible to apply for specified grants. The grant funds are made available to states and local governments and can be used to implement the long-term hazard mitigation measures specified within the District's annex of the CCCHMP before and after a major disaster declaration.

The plan document will be provided under separate cover.

**Recommendation:** Approve Resolution No. 21-1112, Hazard Mitigation Plan Adoption.

**Fiscal Impact:** Not known. Potential funding for future mitigation projects.

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**RESOLUTION NO. 21-1112**  
**A RESOLUTION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**AUTHORIZING THE ADOPTION OF THE**  
**CONTRA COSTA COUNTY HAZARD MITIGATION PLAN**

**WHEREAS**, all of Contra Costa County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

**WHEREAS**; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

**WHEREAS**; a coalition of Contra Costa County stakeholders with like planning objectives has been formed to pool resources and create consistent mitigation strategies to be implemented within each partners identified capabilities, within the Contra Costa County Operational Area; and

**WHEREAS**, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Education of the West Contra Costa Unified School District

- 1.) Adopts in its entirety, Volume I and parts 1, the West Contra Costa Unified School District jurisdictional annex of part 2, part 3 and the appendices of Volume II of the Contra Costa County Hazard Mitigation Plan (CCCHMP).
- 2.) Will use the adopted and approved portions of the CCCHMP to guide pre and post disaster mitigation of the hazards identified.
- 3.) Will coordinate the strategies identified in the CCCHMP with other planning programs and mechanisms under its jurisdictional authority.
- 4.) Will continue its support of the Steering Committee and continue to participate in the Planning Partnership as described by the CCCHMP.
- 5.) Will help to promote and support the mitigation successes of all CCCHMP Planning Partners.

PASSED AND ADOPTED on this 21<sup>st</sup> day of September, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Board President, Charles Ramsey

ATTEST:

\_\_\_\_\_  
Board Clerk, Madeline Kronenberg

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Sheri Gamba  
Associate Superintendent Business Services

**Agenda Item:** CI C.17

**Subject:** Lake and Shannon Elementary School – Affirm Removal From Closure List

**Background Information:**

At the September 7, 2011 School Board meeting Resolution Number 15-1112 was passed, directing staff to move forward with the activities necessary to pay off the State Loan. Within the agenda item staff had contemplated the Board setting budget priorities, as a result of the pending pay off and also to plan for State mid-year triggers that could result in a reduction of school district revenue. After taking the vote on the resolution, the Board began the discussion of priorities with a focus on the Lake and Shannon Elementary School closures which were part of the multi-year projection when the 2011-12 budget was adopted. The Board decided to take action that night to take Lake and Shannon Elementary off of the school closure list. There was some debate as to whether or not the action to take schools off the closure list was clearly stated on the agenda. In order to ensure that all stakeholders are aware of the Board's intent, staff is suggesting that the decision to take Lake and Shannon off the school closure list be affirmed on this separate agenda item.

**Recommendation:** That the Board affirm the removal of Lake and Shannon from the closure list.

**Fiscal Impact:** \$600,000 per year ongoing – offset by the savings of the State Loan Pay Off of \$1.4 million for a net savings of \$800,000 per year.

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Bruce Harter  
Superintendent

**Agenda Item:** CI C.18

**Subject:** Resolution No. 22-1112: In Support of Doctors Medical Center

**Background Information:**

Doctors Medical Center in San Pablo serves a large number of families of West Contra Costa students. The hospital provides critical emergency room facilities that are threaten with closure if a parcel tax to keep the emergency room open is not passed. The West Contra Costa Healthcare District has authorized a parcel tax measure for the November 15, 2011 mail-in ballot.

**Recommendation:**

That the Board adopt Resolution No. 22-1112 asking voters to support the parcel tax for Doctors Medical Center

**Fiscal Impact:**

None directly for WCCUSD

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

**West Contra Costa Unified School Board  
Doctors Medical Center Resolution  
Resolution No. 22-1112**

WHEREAS Doctors Medical Center has served the West County community for more than 60 years, and

WHEREAS Doctors Medical Center provides critical health care services to residents of West County and,

WHEREAS Doctors Medical Center provides essential emergency room services and is one of only two emergencies rooms within West County, and

WHEREAS Doctors Medical Center accounts for nearly 60% of the emergency room care in West County, and

WHEREAS state budget reductions and general economic conditions have pushed Doctors Medical Center to the brink of bankruptcy, and

WHEREAS Doctors Medical Center is a service providing organization for the West Contra Costa Health Care District, and

WHEREAS the West Contra Costa Health Care District has called a special election as a mail-in ballot for the November 15, 2011 to seek voter approval of a parcel tax to support the emergency services provided by Doctors Medical Center,

***NOW THEREFORE BE IT RESOLVED*** that the Board of Education and the West Contra Costa Unified School District encourages voters in the West Contra Costa Unified School District to review the language and arguments concerning the parcel tax measure and thereafter vote "Yes" on the November 15, 2011 mail-in ballot as this parcel tax measure is not only beneficial but is essential to the quality of life and education of West County residents.

***PASSED AND ADOPTED*** by the Board of Education of the West Contra Costa Unified School District on this, 21<sup>st</sup> Day of September, 2011 by the following vote:

AYE's \_\_\_\_ NO's \_\_\_\_ ABSENT \_\_\_\_ ABSTAIN \_\_\_\_

***I HEREBY CERTIFY*** that the foregoing resolution was duly and regularly introduced, passed, and adopted by the Board of Education of the West Contra Costa Unified School District, Contra Costa County, at a meeting of said Board on the 21<sup>st</sup> of September 2011.

\_\_\_\_\_  
President of the Board of Education

\_\_\_\_\_  
Secretary of the Board of Education

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** September 21, 2011

**From:** Bruce Harter  
Superintendent

**Agenda Item:** CI C.19

**Subject:** Appointment to the Citizens' Bond Oversight Committee

**Background Information:**

One of the five mandatory positions on the Citizens Bond Oversight Committee is the senior citizen position. Joe Fisher is life-long resident of Richmond who attended Nystrom Elementary School. He is a member of a senior citizen organization.

**Recommendation:**

That the Board appoint Joe Fisher as the senior citizen representative to the Citizens Bond Oversight Committee.

**Fiscal Impact:**

None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** September 21, 2011  
**From:** Bruce Harter **Agenda Item:** D.2  
**Subject:** In Memory of Members of the School Community

**Background Information:**

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Marilyn Harrison, former employee and volunteer of Samuel L. Gompers Continuation High School recently passed away. Ms. Harrison was known throughout the Richmond community for her dedication to families in need and the annual resource fair that she created through her "Project Marilyn" program at Gompers.

Our thoughts go out to the family and friends in the loss of their loved one.

**Recommendation:** For Information Only

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education **Meeting Date:** September 21, 2011  
**From:** Sheri Gamba **Agenda Item:** F.1  
Associate Superintendent Business Services  
**Subject:** Resolution No. 20-1112: 2010 Measure "D" Series "A" and "A1" Bond Issuance

**Background Information:** The District has received an allocation in the amount of \$21,000,000 of qualified school construction bonds from the California School Finance Authority. The QSC bonds are for the benefit of charter school construction. This resolution authorizes the issuance of up to \$100,000,000 of bonds approved by the District's voters at the June 8, 2010, bond election. The bonds will be sold through a negotiated sale with Piper Jaffray as senior manager. The Resolution authorizes the staff to sell up to \$21,000,000 in Qualified School Construction Bonds introduced as part of the American Reinvestment and Recovery Act of 2009 and to sell up to \$79,000,000 in tax-exempt general obligation bonds under the government code. The bonds are tentatively scheduled to price on November 1, 2011, and funds will become available when the bonds are delivered, currently scheduled for November 15, 2011. The Resolution requests the Board of Education to take the necessary actions, and approves the form of documents to be used in marketing and issuing the Bonds:

1. The Preliminary Official Statement (POS), describing the security for and repayment provisions of the bonds and giving financial and operating information about the District;
2. The Continuing Disclosure Certificate in Appendix D of POS;
3. The Bond Purchase Contract;
4. The Paying Agent/Transfer Agent agreement.

The resolution will enable the District to issue this series of bonds in an amount not to exceed \$100,000,000.

**Recommendation:** The Board approve Resolution 20-1112 authorizing the issuance of \$100,000,000 of the District's general obligation bonds.

**Fiscal Impact:** \$100,000,000 in proceeds for Bond Fund.

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**A WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 20-1112**

**A RESOLUTION OF THE BOARD OF EDUCATION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, CONTRA COSTA COUNTY, CALIFORNIA, AUTHORIZING THE ISSUANCE OF WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, CONTRA COSTA COUNTY, CALIFORNIA GENERAL OBLIGATION BONDS, ELECTION OF 2010, SERIES A, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT-TO-EXCEED \$100,000,000.**

**WHEREAS**, a duly called election was held in the West Contra Costa Unified School District (the “District”), Contra Costa County (the “County”), State of California, on June 8, 2010 (the “Election”) at which the following proposition ( “Measure D”) was submitted to the qualified electors of the District:

**“Measure D:** To make schools safe, complete essential health/safety repairs, qualify for State matching grants, shall West Contra Costa Unified School District upgrade schools for earthquake safety/handicap accessibility, remove asbestos, upgrade restrooms, vocational classrooms/technology/energy systems to reduce costs, install lighting and security systems, acquire, repair, construct, equipment/sites/facilities, by issuing \$380,000,000 in bonds within legal rates and bonding capacity limits with independent audits, citizen oversight, and no money for administrators’ salaries?”

**WHEREAS**, at such election Measure D received the affirmative vote of more than the requisite 55% vote of the qualified electors of the District voting on the proposition as certified by the Registrar of Voters of the County of Contra Costa in the official canvassing of votes (the “Authorization”);

**WHEREAS**, the American Reinvestment and Recovery Act of 2009 (“ARRA”) grants a national allocation of \$11 billion to provide for the issuance of qualified school construction tax credit bonds (“QSC Bonds”) to provide financing for the construction, reconstruction and repair of public school facilities, in accordance with the qualified tax credit bond program found in Section 54A of the Internal Revenue Code of 1986, as amended (the “Code”),

**WHEREAS**, the California School Finance Authority (the “Authority”), a public instrumentality of the State of California created by the California School Finance Authority Act, as amended (constituting Chapter 18, commencing with section 17170 of Part 10 of Division 1 of Title 1 of the Education Code of the State of California (the “Act”) has received approximately \$141 million of QSC Bond allocation for assignment and distribution by the Authority to or for the benefit of charter schools (the “Charter School Bond Allocation”);

**WHEREAS**, this Board of Education (the “Board”) previously adopted a resolution authorizing District officials to submit an application requesting that a portion of said Charter School Bond Allocation be granted to the District;

**WHEREAS**, the District received an allocation in the amount of \$21,000,000 from the

Authority on March 23, 2011 (the "District QSCB Allocation");

**WHEREAS**, the Hiring Incentives to Restore Employment Act recently implemented changes to certain provisions in the Code permitting the issuance of QSC Bonds in the form of taxable interest bearing bonds with respect to which the issuer thereof may receive a cash subsidy payment from the United States Treasury on or about each interest payment date for such bonds ("Direct-Payment QSC Bonds");

**WHEREAS**, at this time this Board has determined that it is necessary and desirable to issue one or more series of bonds pursuant to the Authorization in an aggregate principal amount not-to-exceed \$100,000,000 to be styled as the "West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A," or such other designation or designations as are specified in the Purchase Contract for the Bonds (defined below) pursuant to Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with Section 53506 *et seq.*) (the "Act");

**WHEREAS**, this Board desires to authorize the issuance of the Bonds in one or more series of taxable or tax-exempt bonds, and further as any combination of Direct-Payment QSC Bonds, current interest bonds, capital appreciation bonds, or convertible capital appreciation bonds;

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

**WHEREAS**, the District Board requested the State Board of Education waive the requirement in Section 15106 of the California Education Code that a California unified public school district may only issue bonds in an amount not to exceed 2.50% of the assessed value within the District;

**WHEREAS**, on March 11, 2011 the State Board of Education approved the District's request for a waiver, allowing the District to issue bonds in an amount not to exceed 5.00% of the assessed value of property within the District (the "Waiver");

**WHEREAS**, the Waiver applies to the Bonds issued between March 11, 2011 and December 31, 2021;

**WHEREAS**, this Board desires to appoint certain professionals to provide services related to the issuance of the Bonds; and

**WHEREAS**, all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation bonds of the District, and the indebtedness of the District, including this proposed issue of Bonds, is within all limits prescribed by law;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT AS FOLLOWS:

**SECTION 1. Authorization for the Issuance of the Bonds.** The proceeds from the Bonds will be used to finance specific construction and modernization projects listed in the ballot for the Authorization, and to pay all necessary legal, financial, engineering and contingent costs in connection therewith. The Board hereby authorizes the issuance of the Bonds in the name of the

District, pursuant to the Act in one or more series of taxable or tax-exempt bonds, with appropriate designation if more than one series is issued, and as any combination of Direct-Payment QSC Bonds, Current Interest Bonds, Capital Appreciation Bonds and Convertible Capital Appreciation Bonds (as such terms are defined herein), set forth in the fully-executed Purchase Contract (defined herein). The Board further orders such Bonds sold such that the Bonds shall be dated as of a date to be determined by the Board, shall be payable upon such terms and provisions as shall be set forth in the Bonds, and shall be in an aggregate principal amount not-to-exceed \$100,000,000.

**SECTION 2. Terms and Conditions of Sale.** The Treasurer, as defined below, is hereby authorized to negotiate the sale of the Bonds in consultation with the District's Superintendent (the "Superintendent"), the Associate Superintendent for Business Services of the District (the "Associate Superintendent") or the Executive Director of Business Services of the District (the "Executive Director"), or designated deputy thereof (each an "Authorized Officer"). The Bonds shall be issued and sold pursuant to Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, and pursuant to terms and conditions set forth in the form of Purchase Contract, as described below. In accordance with the Purchase Contract, the Bonds may be issued in one or more series, some or all of which may be issued in the form of Direct-Payment QSC Bonds; provided that the aggregate principal amount of Bonds issued as Direct-Payment QSC Bonds may not exceed \$21,000,000.

**SECTION 3. Approval of Purchase Contract.** The form of the purchase contract for the Bonds (the "Purchase Contract") between the District and Piper Jaffray & Co., on behalf of itself and as representative of any other underwriters named in the Purchase Contract, (collectively "the Underwriter") on file with the Clerk of the Board is hereby approved. In connection with the sale of the Bonds, the Board authorizes the Authorized Officers, each alone, on behalf of the District, to execute and deliver to the Underwriter a Purchase Contract for the Bonds, with such terms and conditions as may be acceptable to such official; provided, however, that the interest rate on the Bonds shall not exceed that authorized at the Election, the underwriting discount (excluding original discount) shall not exceed 0.75% of the aggregate principal amount of the Bonds issued, and the aggregate principal amount of the Bonds shall not exceed \$100,000,000. The Board hereby approves the sale of the Bonds at a negotiated sale, which is determined to provide more flexibility in the timing of the sale, an ability to implement the sale in a shorter time period, an increased ability to structure the Bonds to fit the needs of particular purchasers, and a greater opportunity for the Underwriter to pre-market the Bonds to potential purchasers prior to the sale, all of which will contribute to the District's goal of achieving the lowest overall cost of funds. The Board estimates that the costs associated with the issuance of the Bonds, including compensation to the Underwriter and any such costs which the Underwriter agrees to pay pursuant to the Purchase Contract, if any, will equal approximately 2.5% of the principal amount of the Bonds, as set forth in Exhibit A hereto.

**SECTION 4. Certain Definitions.** As used in this Resolution, the terms set forth below shall have the meanings ascribed to them (unless otherwise set forth in the Purchase Contract):

(a) **"Accreted Interest"** means, with respect to Capital Appreciation Bonds and Convertible Capital Appreciation Bonds prior to the Conversion Date, the Accreted Value thereof minus the Principal Amount thereof as of the date of calculation.

(b) **"Accreted Value"** means, as of the date of calculation, with respect to Capital Appreciation Bonds and Convertible Capital Appreciation Bonds prior to the Conversion Date, the Principal Amount thereof plus Accreted Interest thereon to such date of

calculation, compounded semiannually on each February 1 and August 1, commencing on February 1, 2012 (unless otherwise provided in the Purchase Contract) at the stated Accretion Rate to maturity or conversion thereof, assuming in any such semiannual period that such Accreted Value increases in equal daily amounts on the basis of a 360-day year of 12 30-day months.

(c) **“Accretion Rate”** means, unless otherwise provided by the Purchase Contract, that rate which, when applied to the Principal Amount of a Capital Appreciation Bond or a Convertible Capital Appreciation Bond prior to the Conversion Date, and compounded semiannually on each February 1 and August 1 (commencing on February 1, 2012), produces the Maturity Value on the maturity date (with respect to Capital Appreciation Bonds) and the Conversion Value on the Conversion Date (with respect to Convertible Capital Appreciation Bonds).

(d) **“Bond Insurer”** means any insurance company which issues a municipal bond insurance policy insuring the payment of Principal, Conversion Value and Maturity Value of and interest on the Bonds.

(e) **“Bond Payment Date”** means (unless otherwise provided by the Purchase Contract), February 1 and August 1 of each year commencing February 1, 2012 with respect to the interest on the Current Interest Bonds and Convertible Capital Appreciation Bonds after the Conversion Date; August 1 of each year with respect to the principal payments on the Current Interest Bonds; and, with respect to the Capital Appreciation Bonds and Convertible Capital Appreciation Bonds, the stated maturity dates thereof, as applicable.

(f) **“Capital Appreciation Bonds”** means the Bonds the interest component of which is compounded semiannually on each February 1 and August 1 (commencing on February 1, 2012, unless otherwise provided in the Purchase Contract) to maturity as shown in the table of Accreted Value for such Bonds in the Official Statement.

(g) **“Continuing Disclosure Certificate”** means that certain Continuing Disclosure Certificate executed by the District and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

(h) **“Conversion Date”** means, with respect to Convertible Capital Appreciation Bonds, the date stated in the Purchase Contract as the date on which such Bonds, originally issued as Capital Appreciation Bonds, convert to Current Interest Bonds.

(i) **“Conversion Value”** means, with respect to Convertible Capital Appreciation Bonds, the Accreted Value as of the Conversion Date.

(j) **“Convertible Capital Appreciation Bonds”** means the Bonds which are originally issued as Capital Appreciation Bonds, but which convert to Current Interest Bonds on the Conversion Date.

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

(l) **“Denominational Amount”** means, with respect to the Capital Appreciation Bonds, the initial principal amount thereof, and, with respect to the Current Interest Bonds, the principal amount thereof.

(m) **“Depository”** means the securities depository acting as Depository pursuant to Section 5(c) hereof.

(n) **“Direct-Payment QSC Bonds”** or **“QSC Bonds”** means those Bonds issued as qualified school construction tax credit bonds pursuant to ARRA for which the District has elected to have subsection (f) of Section 6431 of the Code apply.

(o) **“DTC”** means The Depository Trust Company, New York, New York, a limited purpose trust company organized under the laws of the State of New York, in its capacity as securities depository for the Bonds.

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

(q) **“Information Services”** means Financial Information, Inc.'s Financial Daily Called Bond Service; Mergent, Inc. Called Bond Department; or Standard & Poor's J. J. Kenny Information Services Called Bond Service.

(r) **“Maturity Value”** means the Accreted Value of any Capital Appreciation Bond on its maturity date.

(s) **“Nominee”** means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to Section 5(c) hereof.

(t) **“Mandatory QSC Bond Reserve Fund Deposit”** means the scheduled of deposits which are required to be made into the QSC Bond Reserve Fund in each fiscal year during the term of the QSC Bonds, as set forth in the Purchase Contract.

(u) **“Non-AMT Bonds”** means obligations the interest on which is excludable from gross income for federal income tax purposes under Section 103(a) of the Code and not treated as an item of tax preference under Section 57(a)(5)(C) of the Code, that are legal

investments pursuant to Section 53601 of the Government Code.

(v) **“Owner”** means the registered owner of a Bond as set forth on the registration books maintained by the Paying Agent pursuant to Section 7 hereof.

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

(x) **“Paying Agent”** means The Bank of New York Mellon Trust Company, N.A..

(y) **“Permitted Investments”** means (i) any lawful investments permitted by Section 16429.1 and Section 53601 of the Government Code, including Non-AMT Bonds and Qualified Non-AMT Mutual Funds, (ii) shares in a California common law trust established pursuant to Title 1, Division 7, Chapter 5 of the Government Code which invests exclusively in investments permitted by Section 53635 of the Government Code, but without regard to any limitations in such Section concerning the percentage of moneys available for investment being invested in a particular type of security, (iii) a guaranteed investment contract with a provider rated in at least the second highest category by each rating agency then rating the Bonds ; provided that the County Treasurer shall be a signatory to any such investment contract, (iv) the Local Agency Investments Fund of the California State Treasurer, (v) the county investment pool maintained by the Treasurer, and (vi) State and Local Government Series Securities.

(z) **“Principal” or “Principal Amount”** means, with respect to any Current Interest Bond, the principal or principal amount thereof and, with respect to any Capital Appreciation Bond and Convertible Capital Appreciation Bonds, the initial principal amount (the “Denominational Amount”) thereof.

(aa) **“Qualified Non-AMT Mutual Fund”** means stock in a regulated investment company to the extent that at least 95% of the income of such regulated investment company is interest that is excludable from gross income under Section 103 of the Code and not an item of tax preference under Section 57(a)(5)(C) of the Code.

(bb) **“Qualified Permitted Investments”** means (i) Non-AMT Bonds, (ii) Qualified Non-AMT Mutual Funds, (iii) other Permitted Investments authorized by an opinion of Bond Counsel to the effect that such investment would not adversely affect the tax-exempt status of the Bonds, and (iv) Permitted Investments of proceeds of the Bonds, and interest earned on such proceeds, held not more than thirty days pending reinvestment or Bond redemption. A guaranteed investment contract or similar investment agreement (e.g. a forward supply contract, GIC, repo, etc.) does not constitute a Qualified Permitted Investment.

(cc) **“Rating Agencies”** means Standard & Poor’s Rating Services, Moody’s Investor’s Services, and Fitch Ratings.

(dd) **“Record Date”** means, with respect to Current Interest Bonds, the close of business on the fifteenth day of the month preceding each Bond Payment Date.

(ee) **“Required QSC Bond Reserved Fund Balance”** means, as of any date, the aggregate amount of all Mandatory QSC Bond Reserve Fund Payments which are required to be on deposit in the QSC Reserve Fund as of that date.

(ff) **“Securities Depositories”** means The Depository Trust Company, 55 Water Street, New York, New York 10041, Tel: (212) 855-1000 or Fax: (212) 855-7320.

(gg) **“Taxable Bonds”** means any Bonds not issued as Tax-Exempt Bonds.

(hh) **“Tax-Exempt Bonds”** means any Bonds the interest in which is excludable from gross income for federal income tax purposes and is not treated as an item of tax preference for purposes of calculating the federal alternative minimum tax, as further described in an opinion of Bond Counsel supplied to the original purchasers of such Bonds.

(ii) **“Term Bonds”** means those Bonds for which mandatory redemption dates have been established in the Purchase Contract.

(jj) **“Transfer Amount”** means, (i) with respect to any Outstanding Current Interest Bond, the Principal Amount, (ii) with respect to any Outstanding Capital Appreciation Bond, the Maturity Value, and (iii) with respect to any Outstanding Convertible Capital Appreciation Bonds, the Conversion Value.

**SECTION 5. Terms of the Bonds.** (a) Denomination, Interest, Dated Dates. The Bonds shall be issued as Bonds registered as to both principal and interest, in the following denominations: (i) with respect to the Current Interest Bonds, \$5,000 Principal Amount or any integral multiple thereof, (ii) with respect to the Capital Appreciation Bonds, \$5,000 Maturity Value, or any integral multiple thereof, and (iii) with respect to Convertible Capital Appreciation Bonds, \$5,000 Conversion Value or any integral multiple thereof. The Bonds shall bear or accrete interest at a rate or rates such that the interest rate shall not exceed that authorized at the Election.

Each Current Interest Bond shall be dated their date of delivery or such other date as shall appear in the Purchase Contract or Official Statement (the “Dated Date”), and shall bear interest from the Bond Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before January 15, 2012, in which event it shall bear interest from its Dated Date. Interest shall be payable on the respective Bond Payment Dates and shall be calculated on the basis of a 360-day year of 12 30-day months.

Each Capital Appreciation Bond shall be dated, and shall accrete interest from, its date of initial delivery. Capital Appreciation Bonds will not bear interest on a current basis. The Capital Appreciation Bonds shall mature in the years, shall be issued in aggregate Principal Amounts, shall have Accretion Rates and shall have denominational amounts per each \$5,000 in Maturity Value as shown in the Accreted Value Table attached to the Official Statement. The Convertible Capital Appreciation Bonds shall mature in the years, shall be issued in the aggregate Principal Amounts, shall have Accretion Rates and shall have denominational amounts per each \$5,000 in Conversion Value as shown in such Accreted Value Table; provided, that in the event that the amount shown in such Accreted Value Table and the Accreted Value caused to be calculated by the District and approved by the Bond Insurer, if any, by application of the definition of Accreted Value set forth in

Section 4 differ, the latter amount shall be the Accreted Value of such Capital Appreciation Bond or Convertible Capital Appreciation Bond, as applicable.

The Convertible Capital Appreciation Bonds shall convert to Current Interest Bonds on the Conversion Date. During the period while the Convertible Capital Appreciation Bonds are in the form of Capital Appreciation Bonds, they will not bear interest but will accrete value through the Conversion Date. From and after the Conversion Date, the Convertible Capital Appreciation Bonds will bear interest as Current Interest Bonds, and such interest will accrue based upon the Conversion Value of such Bonds at the Conversion Date. No payment will be made to the Owners of Convertible Capital Appreciation Bonds on the Conversion Date.

With respect to Bonds issued as Direct-Payment QSC Bonds, the District expects to receive, on or about each Bond Payment Date, a cash subsidy payment (each, a "Subsidy Payment") from the United States Treasury (the "Treasury") equal to the lesser of (a) the interest payable on such Direct-Payment QSC Bonds on such Bond Payment Date or (b) the amount of interest that would have been payable on such Bond Payment Date under such Direct-Payment QSC Bonds if such interest were determined under at the applicable credit rate determined under Section 54A(b)(3) of the Code. The District Board has directed the Paying Agent, prior to each such Bond Payment Date, to submit or cause to be submitted to the Treasury a subsidy reimbursement request in accordance with applicable Federal regulations. Upon receipt of such Subsidy Payment, the District shall deposit or cause to be deposited any such Subsidy Payments into the Debt Service Fund established under Section 11 hereof.

To the extent that the Bonds are issued as Direct-Payment QSC Bonds, such Bonds shall have, in addition to any applicable terms and provisions herein, such additional terms and provisions as may be set forth in the Purchase Contract.

(b) Redemption.

(i) Optional Redemption. The Bonds shall be subject to optional redemption prior to maturity as provided in the Purchase Contract or the Official Statement.

(ii) Mandatory Redemption. Any Bonds sold as Term Bonds shall be subject to mandatory redemption as provided in the Purchase Contract or in the Official Statement.

(iii) Selection of Bonds for Redemption. Whenever provision is made in this Resolution for the optional redemption of Bonds and less than all Outstanding Bonds are to be redeemed, the Paying Agent identified below, upon written instruction from the District, shall select Bonds for redemption as so directed and if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select Bonds (other than any Bonds issued as Direct-Payment QSC Bonds) for redemption by lot and shall select any Direct-Payment QSC Bonds for redemption on a pro rata basis. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that (A) the portion of any Current Interest Bond to be redeemed in part shall be in the Principal Amount of \$5,000 or any integral multiple thereof, (B) the portion of any Capital Appreciation Bond to be redeemed in part shall be in integral multiples of the Accreted Value per \$5,000 Maturity Value thereof, (C) and the portion of any Convertible Capital Appreciation Bond to be redeemed in part shall be in integral multiples of the Accreted Value per \$5,000 Conversion Value thereof.

(iv) Notice of Redemption. When redemption is authorized or required pursuant to this Resolution, the Paying Agent, upon written instruction from the District, shall give notice (a "Redemption Notice") of the redemption of the Bonds. Such Redemption Notice shall specify: the Bonds or designated portions thereof (in the case of redemption of the Bonds in part but not in whole) which are to be redeemed, the date of redemption, the place or places where the redemption will be made, including the name and address of the Paying Agent, the redemption price, the CUSIP numbers (if any) assigned to the Bonds to be redeemed, the Bond numbers of the Bonds to be redeemed in whole or in part and, in the case of any Bond to be redeemed in part only, the Principal Amount, Conversion Value or Accreted Value of such Bond to be redeemed, and the original issue date, interest rate or Accretion Rate and stated maturity date of each Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued or accreted to the redemption date, and that from and after such date, interest with respect thereto shall cease to accrue or accrete.

The Paying Agent shall take the following actions with respect to such Redemption Notice:

(a) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given to the respective Owners of Bonds designated for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the bond register.

(b) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, (ii) telephonically confirmed facsimile transmission, or (iii) overnight delivery service, to each of the Securities Depositories.

(c) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, or (ii) overnight delivery service, to one of the Information Services.

Neither failure to receive any Redemption Notice nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Bonds. Each check issued or other transfer of funds made by the Paying Agent for the purpose of redeeming Bonds shall bear or include the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

(v) Partial Redemption of Bonds. Upon the surrender of any Bond redeemed in part only, the Paying Agent shall execute and deliver to the Owner thereof a new Bond or Bonds of like tenor and maturity and of authorized denominations equal in Transfer Amounts to the unredeemed portion of the Bond surrendered. Such partial redemption shall be valid upon payment of the amount required to be paid to such Owner, and the District shall be released and discharged thereupon from all liability to the extent of such payment.

(vi) Effect of Notice of Redemption. Notice having been given as aforesaid, and the moneys for the redemption (including the interest to the applicable date of redemption) having been set aside in the District's Debt Service Fund, the Bonds to be redeemed shall become due and payable on such date of redemption.

If on such redemption date, money for the redemption of all the Bonds to be redeemed as provided in Section 5(b)(i) and (ii) hereof, together with interest accrued to such redemption date, shall be held by the Paying Agent so as to be available therefor on such redemption date, and if notice of redemption thereof shall have been given as aforesaid, then from and after such redemption date, interest with respect to the Bonds to be redeemed shall cease to accrue or accrete and become payable. All money held by or on behalf of the Paying Agent for the redemption of Bonds shall be held in trust for the account of the Owners of the Bonds so to be redeemed.

All Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 5 shall be cancelled upon surrender thereof and be delivered to or upon the order of the District. All or any portion of a Bond purchased by the District shall be cancelled by the Paying Agent.

(vii) Bonds No Longer Outstanding. When any Bonds (or portions thereof), which have been duly called for redemption prior to maturity under the provisions of this Resolution, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Paying Agent, in form satisfactory to it, and sufficient moneys shall be held by the Paying Agent irrevocably in trust for the payment of the redemption price of such Bonds or portions thereof, and, in the case of Current Interest Bonds, accrued interest with respect thereto to the date fixed for redemption, all as provided in this Resolution, then such Bonds shall no longer be deemed Outstanding and shall be surrendered to the Paying Agent for cancellation.

(c) Book-Entry System.

(i) Definitions. As used in this Section, the terms set forth below shall have the meanings ascribed to them:

“Nominee” means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to this Section.

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

(ii) Election of Book-Entry System. The Bonds shall initially be delivered in the form of a separate single fully-registered bond (which may be typewritten) for each maturity date of such Bonds in an authorized denomination (except for any odd denomination Capital Appreciation Bond). The ownership of each such Bond shall be registered in the bond register in the name of the Nominee, as nominee of the Depository and ownership of the Bonds, or any portion thereof may not thereafter be transferred except as provided in Section 5(c)(i)(4).

With respect to book-entry Bonds, the District and the Paying Agent shall have no responsibility or obligation to any Participant or to any person on behalf of which such a Participant holds an interest in such book-entry Bonds. Without limiting the immediately preceding sentence, the District and the Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in book-entry Bonds, (ii) the delivery to any Participant or any other person, other than an owner as shown in the bond register, of any notice with respect to book-entry Bonds, including any notice of redemption, (iii) the selection by the Depository and its Participants of the

beneficial interests in book-entry Bonds to be prepaid in the event the District redeems the Bonds in part, or (iv) the payment by the Depository or any Participant or any other person, of any amount with respect to Accreted Value, Conversion Value, Principal, premium, if any, or interest on the book-entry Bonds. The District and the Paying Agent may treat and consider the person in whose name each book-entry Bond is registered in the bond register as the absolute owner of such book-entry Bond for the purpose of payment of Accreted Value, Conversion Value, or Principal of and premium and interest on and to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent shall pay all Accreted Value, Conversion Value, or Principal of and premium, if any, and interest on the Bonds only to or upon the order of the respective owner, as shown in the bond register, or his respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to payment of Accreted Value, Conversion Value, or Principal of, and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an owner, as shown in the bond register, shall receive a certificate evidencing the obligation to make payments of Accreted Value or Principal of, and premium, if any, and interest on the Bonds. Upon delivery by the Depository to the owner and the Paying Agent, of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to the Record Date, the word Nominee in this Resolution shall refer to such nominee of the Depository.

1. Delivery of Letter of Representations. In order to qualify the book-entry Bonds for the Depository's book-entry system, the District and the Paying Agent shall execute and deliver to the Depository a Letter of Representations. The execution and delivery of a Letter of Representations shall not in any way impose upon the District or the Paying Agent any obligation whatsoever with respect to persons having interests in such book-entry Bonds other than the owners, as shown on the bond register. By executing a Letter of Representations, the Paying Agent shall agree to take all action necessary at all times so that the District will be in compliance with all representations of the District in such Letter of Representations. In addition to the execution and delivery of a Letter of Representations, the District shall take such other actions, not inconsistent with this Resolution, as are reasonably necessary to qualify book-entry Bonds for the Depository's book-entry program.

2. Selection of Depository. In the event (i) the Depository determines not to continue to act as securities depository for book-entry Bonds, or (ii) the District determines that continuation of the book-entry system is not in the best interest of the beneficial owners of the Bonds or the District, then the District will discontinue the book-entry system with the Depository. If the District determines to replace the Depository with another qualified securities depository, the District shall prepare or direct the preparation of a new single, separate, fully registered bond for each maturity date of such book-entry Bond, registered in the name of such successor or substitute qualified securities depository or its Nominee as provided in subsection (4) hereof. If the District fails to identify another qualified securities depository to replace the Depository, then the Bonds shall no longer be restricted to being registered in such bond register in the name of the Nominee, but shall be registered in whatever name or names the owners transferring or exchanging such Bonds shall designate, in accordance with the provisions of this Section 5(c).

3. Payments to Depository. Notwithstanding any other provision of this Resolution to the contrary, so long as all outstanding Bonds are held in book-entry and registered in the name of the Nominee, all payments with respect to Accreted Value, Conversion Value, or Principal of and premium, if any, or interest on the Bonds and all notices with respect to such Bonds shall be made and given, respectively to the Nominees, as provided in the Letter of Representations or as otherwise instructed by the Depository and agreed to by the Paying Agent notwithstanding any inconsistent provisions herein.

4. Transfer of Bonds to Substitute Depository.

(A) The Bonds shall be initially issued as described in this Resolution as may be modified by the Purchase Contract. Registered ownership of such Bonds, or any portions thereof, may not thereafter be transferred except:

(1) to any successor of DTC or its nominee, or of any substitute depository designated pursuant to Section 5(c)(i)(4)(A)(2) ("Substitute Depository"); provided that any successor of DTC or Substitute Depository shall be qualified under any applicable laws to provide the service proposed to be provided by it;

(2) to any Substitute Depository designated by the District, upon (1) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (2) a determination by the District that DTC (or its successor) is no longer able to carry out its functions as depository; provided that any such Substitute Depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(3) to any person as provided below, upon (1) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (2) a determination by the District that DTC or its successor (or Substitute Depository or its successor) is no longer able to carry out its functions as depository.

(B) In the case of any transfer pursuant to Section 5(c)(i)(4)(A)(1) or (2), upon receipt of all outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent designating the Substitute Depository, a single new Bond, which the District shall prepare or cause to be prepared, shall be executed and delivered for each maturity of Bonds then outstanding, registered in the name of such successor or such Substitute Depository or their Nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to Section 5(c)(i)(4)(A)(3), upon receipt of all outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, new Bonds, which the District shall prepare or cause to be prepared, shall be executed and delivered in such denominations and registered in the names of such persons as are requested in such written request of the District, provided that the Paying Agent shall not be required to deliver such new Bonds within a period of less than sixty (60) days from the date of receipt of such written request from the District.

(C) In the case of a partial redemption or an advance refunding of any Bonds evidencing a portion of the Maturity Value, Conversion Value or Principal maturing in a particular year, DTC or its successor (or any Substitute Depository or its successor) shall

make an appropriate notation on such Bonds indicating the date and amounts of such reduction in Maturity Value, Conversion Value or Principal, in form acceptable to the Paying Agent, all in accordance with the Letter of Representations. The Paying Agent shall not be liable for such Depository's failure to make such notations or errors in making such notations.

(D) The District and the Paying Agent shall be entitled to treat the person in whose name any Bond is registered as the owner thereof for all purposes of this Resolution and any applicable laws, notwithstanding any notice to the contrary received by the Paying Agent or the District; and the District and the Paying Agent shall not have responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any beneficial owners of the Bonds. Neither the District nor the Paying Agent shall have any responsibility or obligation, legal or otherwise, to any such beneficial owners or to any other party, including DTC or its successor (or Substitute Depository or its successor), except to the Owner of any Bonds, and the Paying Agent may rely conclusively on its records as to the identity of the owners of the Bonds.

**SECTION 6. Execution of Bonds.** The Bonds shall be executed by the President of the Board by their manual or facsimile signatures and countersigned by the manual or facsimile signature and countersigned by the manual or facsimile signature of the Secretary to the Board or Clerk of the Board, all in their official capacities. No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the Bond is signed by the Paying Agent as authenticating agent. Authentication by the Paying Agent shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

**SECTION 7. Paying Agent; Transfer and Exchange.** The Board does hereby appoint The Bank of New York Mellon Trust Company, N.A. to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Paying Agent") for the Bonds.

So long as any of the Bonds remain outstanding, the District will cause the Paying Agent to maintain and keep at its designated office all books and records necessary for the registration, exchange and transfer of the Bonds as provided in this Section. Subject to the provisions of Section 8 below, the person in whose name a Bond is registered on the bond register shall be regarded as the absolute owner of that Bond for all purposes of this Resolution. Payment of or on account of the Principal, Conversion Value, or Accreted Value of and premium, if any, and interest on any Bond shall be made only to or upon the order of that person; neither the District nor the Paying Agent shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the District's liability upon the Bonds, including interest, to the extent of the amount or amounts so paid.

Any Bond may be exchanged for Bonds of like tenor, maturity and Transfer Amount upon presentation and surrender at the designated office of the Paying Agent, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. A Bond may be transferred on the bond register only upon presentation and surrender of the Bond at the designated office of the Paying Agent together with an assignment executed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. Upon exchange or transfer, the Paying Agent shall complete, authenticate and deliver

a new Bond or Bonds of like tenor and of any authorized denomination or denominations requested by the Owner equal to the Transfer Amount of the Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date. Capital Appreciation Bonds, Convertible Capital Appreciation Bonds, Current Interest Bonds, and QSC Bonds may not be exchanged for one another.

If any Bond shall become mutilated, the District, at the expense of the Owner of said Bond, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like series, tenor and Transfer Amount in exchange and substitution for the Bond so mutilated, but only upon surrender to the Paying Agent of the Bond so mutilated. If any Bond issued hereunder shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Paying Agent and, if such evidence be satisfactory to the Paying Agent and indemnity for the Paying Agent, and the District satisfactory to the Paying Agent shall be given by the owner, the District, at the expense of the Bond owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like tenor in lieu of and in substitution for the Bond so lost, destroyed or stolen (or if any such Bond shall have matured or shall have been called for redemption, instead of issuing a substitute Bond the Paying Agent may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Paying Agent). The Paying Agent may require payment of a reasonable fee for each new Bond issued under this paragraph and of the expenses which may be incurred by the District and the Paying Agent.

If manual signatures on behalf of the District are required in connection with an exchange or transfer, the Paying Agent shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the District. In all cases of exchanged or transferred Bonds, the District shall sign and the Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Resolution. All fees and costs of transfer shall be paid by the requesting party. Those charges may be required to be paid before the procedure is begun for the exchange or transfer. All Bonds issued upon any exchange or transfer shall be valid obligations of the District, evidencing the same debt, and entitled to the same security and benefit under this Resolution as the Bonds surrendered upon that exchange or transfer.

Any Bond surrendered to the Paying Agent for payment, retirement, exchange, replacement or transfer shall be cancelled by the Paying Agent. The District may at any time deliver to the Paying Agent for cancellation any previously authenticated and delivered Bonds that the District may have acquired in any manner whatsoever, and those Bonds shall be promptly cancelled by the Paying Agent. As requested by the District, written reports of the surrender and cancellation of Bonds shall be made to the District by the Paying Agent. The cancelled Bonds shall be retained for two years, then destroyed by the Paying Agent.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any Bonds during a period beginning with the opening of business on the 15<sup>th</sup> day of the month next preceding any Bond Payment Date or the 15<sup>th</sup> day preceding any date of selection of Bonds to be redeemed and ending with the close of business on the Bond Payment Date or any day on which the applicable notice of redemption is given or (b) to transfer any Bonds which have been selected or called for redemption in whole or in part.

**SECTION 8. Payment.** Payment of interest on any Current Interest Bond or Convertible Capital Appreciation Bond after the Conversion Date on any Bond Payment Date shall be made to the person appearing on the registration books of the Paying Agent as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by wire

transfer or check mailed to such Owner on the Bond Payment Date at his address as it appears on such registration books or at such other address as he may have filed with the Paying Agent for that purpose on or before the Record Date. The Owner in an aggregate Principal Amount, Conversion Value or Maturity Value of One Million Dollars (\$1,000,000) or more may request in writing to the Paying Agent that such Owner be paid interest by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date. The principal, and redemption premiums, if any, payable on the Current Interest Bonds and the Accreted Value, Conversion Value and redemption premiums, if any, on the Capital Appreciation Bonds shall be payable upon maturity or redemption upon surrender at the designated office of the Paying Agent. The interest, Accreted Value, Conversion Value, Principal and premiums, if any, on the Bonds shall be payable in lawful money of the United States of America. The Paying Agent is hereby authorized to pay the Bonds when duly presented for payment at maturity, and to cancel all Bonds upon payment thereof. The Bonds are general obligations of the District.

**SECTION 9. Form of Bonds.** The Bonds shall be in substantially the following form, allowing those officials executing the Bonds to make the insertions and deletions necessary to conform the Bonds to this Resolution and the Purchase Contract.

[REMAINDER OF PAGE LEFT BLANK]

(Form of Current Interest Bond)

REGISTERED  
NO.

REGISTERED  
\$

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
(CONTRA COSTA COUNTY, CALIFORNIA)  
GENERAL OBLIGATION BONDS, ELECTION OF 2010, SERIES A

<u>INTEREST RATE:</u>	<u>MATURITY DATE:</u>	<u>DATED AS OF:</u>	<u>CUSIP</u>
___% per annum	August 1, 20__	_____, 2011	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_

The West Contra Costa Unified School District (the "District") in Contra Costa County, California (the "County"), for value received, promises to pay to the Registered Owner (as defined below) named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on February 1 and August 1 of each year (the "Bond Payment Dates"), commencing February 1, 2012. This bond will bear interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before January 15, 2012, in which event it shall bear interest from its Dated Date. Interest on this bond shall be computed on the basis of a 360-day year of twelve 30-day months. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the "Registered Owner") on the register maintained by the Paying Agent, initially The Bank of New York Mellon Trust Company, N.A. Principal is payable upon presentation and surrender of this bond at the designated office of the Paying Agent. Interest is payable by check or draft mailed by the Paying Agent on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown and at the address appearing on the register at the close of business on the 15th day of the calendar month next preceding that Bond Payment Date (the "Record Date"). The Owner of Current Interest Bonds in the aggregate principal amount of One Million Dollars (\$1,000,000) or more may request in writing to the Paying Agent that the Owner be paid interest by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date.

This bond is one of an authorization of \$\_\_\_\_\_ of bonds approved for the purpose of raising money for the purposes authorized by the voters of the District at the Election, as defined below; and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, in particular Chapter 1.5 of Part 10 of Division 1 of Title 1 (commencing with Section 15264 *et seq.*) of the California Education Code, the requisite 55% vote of the voters of the District cast at an election held on June 8, 2010 (the "Election"), upon the question of issuing bonds in the amount of \$380,000,000, the resolution of the Board of Education of the District adopted on July 27, 2011 (the "Bond

Resolution”). This bond is being issued under the provisions of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code. This bond and the issue of which this bond is one are payable as to both principal and interest from the proceeds of the levy of *ad valorem* taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount. The bonds of this issue are general obligations of the District.

The bonds of this issue comprise (i) \$\_\_\_\_\_ principal amount of Current Interest Bonds, of which this bond is a part (each, a “Current Interest Bond”), (ii) Capital Appreciation Bonds of which \$\_\_\_\_\_ represents the principal amount and \$\_\_\_\_\_ represents the Maturity Value, and (iii) Convertible Capital Appreciation Bonds, of which \$\_\_\_\_\_ represents the principal amount and \$\_\_\_\_\_ represents the Conversion Value.

This bond is exchangeable and transferable for bonds of like tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the designated office of the Paying Agent, by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute owner of this bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District, nor the Paying Agent shall be affected by any notice to the contrary.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any bond during a period beginning with the opening of business on the 15<sup>th</sup> day of the month next preceding either any Bond Payment Date or the 15<sup>th</sup> day preceding any date of selection of bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any bond which has been selected or called for redemption in whole or in part.

The Current Interest Bonds maturing on or before August 1, 20\_\_ are not subject to redemption prior to their fixed maturity dates. The Current Interest Bonds maturing on or after August 1, 20\_\_ are subject to redemption at the option of the District, as a whole or in part, on any date on or after August 1, 20\_\_, at a redemption price equal to 100% of the principal amount of the Current Interest Bonds called for redemption plus interest accrued thereon to the date fixed for redemption, without premium.

The Current Interest Bonds maturing on August 1, 20\_\_ are subject to redemption prior to maturity from mandatory sinking fund payments on August 1 of each year, on and after August 1, 20\_\_, at a redemption price equal to the principal amount thereof, together with accrued interest to the date fixed for redemption, without premium. The principal amount represented by such Bonds to be so redeemed and the dates therefor and the final principal payment date is as indicated in the following table:

Redemption Date (August 1)	Principal Amount
(1)	\$
TOTAL	\$
<hr/> (1) Maturity.	

If less than all of the bonds of any one maturity shall be called for redemption, the particular bonds or portions of bonds of such maturity to be redeemed shall be selected by lot by the District in such manner as the District in its discretion may determine; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of Five Thousand Dollars (\$5,000) or some multiple thereof. If less than all of the bonds stated to mature on different dates shall be called for redemption, the particular bonds or portions thereof to be redeemed shall be called in any order of maturity selected by the District or, if not so selected, in the inverse order of maturity.

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

It is certified and recited that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that payment in full for the bonds has been received; and that due provision has been made for levying and collecting *ad valorem* property taxes on all of the taxable property within the District in an amount sufficient to pay principal and interest when due.

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

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**IN WITNESS WHEREOF**, the West Contra Costa Unified School District, Contra Costa County, California, has caused this bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signatures of the President of the Board of Education and to be countersigned by the manual or facsimile signature of the Secretary to of the Board of Education all as of the date stated above.

WEST CONTRA COSTA UNIFIED SCHOOL  
DISTRICT

By: \_\_\_\_\_  
President of Board of Education

COUNTERSIGNED:

\_\_\_\_\_  
Secretary to the Board of Education

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the bonds described in the Bond Resolution referred to herein which has been authenticated and registered on \_\_\_\_\_, 2011.

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A., as Paying Agent

By: \_\_\_\_\_  
Authorized Signatory

## ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and zip code of Transferee): \_\_\_\_\_  
this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the within bond in every particular, without alteration or any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: \_\_\_\_\_

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

(Form of Capital Appreciation Bond)

REGISTERED  
NO.

REGISTERED  
\$

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
(CONTRA COSTA COUNTY, CALIFORNIA)  
GENERAL OBLIGATION BONDS, ELECTION OF 2010, SERIES A

<u>ACCRETION RATE:</u>	<u>MATURITY DATE:</u>	<u>DATED AS OF:</u>	<u>CUSIP</u>
_____	August 1, 20__	Date of Delivery	_____

REGISTERED OWNER: CEDE & CO.

DENOMINATIONAL AMOUNT: \_\_\_\_\_

MATURITY VALUE: \_\_\_\_\_

The West Contra Costa Unified School District (the "District") in Contra Costa County, California (the "County"), for value received, promises to pay to the Registered Owner (as defined below) named above, or registered assigns, the Maturity Value on the Maturity Date, each as stated above, such Maturity Value comprising the Denominational Amount and interest accreted thereon. This bond will not bear current interest but will accrete interest, compounded on each February 1 and August 1, commencing on February 1, 2012, at the Accretion Rate specified above to the Maturity Date, assuming that in any such semiannual period the sum of such compounded accreted interest and the Denominational Amount (such sum being herein called the "Accreted Value") increases in equal daily amounts on the basis of a 360-day year consisting of twelve 30-day months. Accreted Value and redemption premium, if any, are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the "Registered Owner") on the register maintained by the Paying Agent, initially The Bank of New York Mellon Trust Company, N.A. Accreted Value and redemption premium, if any, are payable upon presentation and surrender of this bond at the designated office of the Paying Agent.

This bond is one of an authorization of \$\_\_\_\_\_ of bonds approved for the purpose of raising money for the purposes authorized by the voters of the District at the Election, as defined below; and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, in particular Chapter 1.5 of Part 10 of Division 1 of Title 1 (commencing with Section 15264 *et seq.*) of the California Education Code, the requisite 55% vote of the voters of the District cast at an election held on June 8, 2010 (the "Election"), upon the question of issuing bonds in the amount of \$380,000,000, the resolution of the Board of Education of the District adopted on July 27, 2011 (the "Bond Resolution"). This bond is being issued under the provisions of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code. This bond and the issue of which this bond is one are payable as to both principal and interest from the proceeds of the levy of ad valorem taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount. The bonds of this issue are general obligations of the District.

The bonds of this issue comprise (i) \$\_\_\_\_\_ principal amount of Current Interest Bonds, (ii) Capital Appreciation Bonds, of which this Bond is a part, and of which \$\_\_\_\_\_ represents the principal amount and \$\_\_\_\_\_ represents the Maturity Value, and (iii) Convertible Capital Appreciation Bonds, of which \$\_\_\_\_\_ represents the principal amount and \$\_\_\_\_\_ represents the Conversion Value.

This bond is exchangeable and transferable for bonds of like tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the designated office of the Paying Agent, by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute owner of this bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any bond during a period beginning with the opening of business on the 15<sup>th</sup> day of the month next preceding any Bond Payment Date or the 15<sup>th</sup> day preceding any date of selection of bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any bond which has been selected or called for redemption in whole or in part.

The Capital Appreciation Bonds are not subject to redemption prior to maturity.

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

It is certified and recited that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that payment in full for the bonds has been received; and that due provision has been made for levying and collecting *ad valorem* property taxes on all of the taxable property within the District in an amount sufficient to pay principal and interest when due.

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

**IN WITNESS WHEREOF**, the West Contra Costa Unified School District, Contra Costa County, California, has caused this bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signatures of the President of the Board of Education and to be countersigned by the manual or facsimile signature of the Secretary to of the Board of Education all as of the date stated above.

WEST CONTRA COSTA UNIFIED SCHOOL  
DISTRICT

By: \_\_\_\_\_  
President of Board of Education

COUNTERSIGNED:

\_\_\_\_\_  
Secretary to the Board of Education

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the bonds described in the Bond Resolution referred to herein which has been authenticated and registered on \_\_\_\_\_, 2011.

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A., as Paying Agent

By: \_\_\_\_\_  
Authorized Signatory

## ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and ZIP code of Transferee): \_\_\_\_\_ this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or by any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: \_\_\_\_\_

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

(Form of Convertible Capital Appreciation Bond)

REGISTERED  
NO.

REGISTERED  
\$

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
(CONTRA COSTA COUNTY, CALIFORNIA)  
GENERAL OBLIGATION BONDS, ELECTION OF 2010, SERIES A

ACCRETION RATE TO <u>CONVERSION DATE</u>	<u>CONVERSION</u> <u>DATE</u>	INTEREST RATE AFTER THE <u>CONVERSION DATE</u>	MATURITY <u>DATE</u>	<u>DATED AS OF:</u>	<u>CUSIP</u>
_____	_____, 20__	_____	_____, 20__	_____, 2011	

REGISTERED OWNER: CEDE & CO.

DENOMINATIONAL AMOUNT:

CONVERSION VALUE :

The West Contra Costa Unified School District (the "District") in Contra Costa County, California (the "County"), for value received, promises to pay to the Registered Owner named above, or registered assigns, the Conversion Value on the Maturity Date, each as stated above, and interest thereon from the Conversion Date until the Denominational Amount is paid or provided for at the Interest Rate stated above, on February 1 and August 1 of each year (the "Bond Payment Dates"), commencing \_\_\_\_\_, 20\_\_. Prior to the Conversion Date, this bond will not bear current interest but will accrete interest, compounded on each February 1 and August 1, commencing on February 1, 2012 at the Accretion Rate specified above to the Conversion Date, assuming that in any such semiannual period the sum of such compounded accreted interest and the Denominational Amount (such sum being herein called the "Accreted Value") increases in equal daily amounts on the basis of a 360-day year consisting of twelve 30-day months. This bond will bear such interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before \_\_\_\_\_ 15, 20\_\_, in which event it will bear interest from the Conversion Date. Conversion Value and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the "Registered Owner") on the register maintained by the Paying Agent, initially The Bank of New York Mellon Trust Company, N.A. Accreted Value and redemption premium, if any, are payable upon presentation and surrender of this bond at the designated office of the Paying Agent.

This bond is one of an authorization of \$\_\_\_\_\_ of bonds approved for the purpose of raising money for the purposes authorized by the voters of the District at the Election, as defined below; and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, in particular Chapter 1.5 of Part 10 of Division 1 of Title 1 (commencing with Section 15264 *et seq.*) of the California Education Code, the requisite 55% vote of the voters of the District cast at an election held on June 8,

2010 (the "Election"), upon the question of issuing bonds in the amount of \$380,000,000, the resolution of the Board of Education of the District adopted on July 27, 2011 (the "Bond Resolution"). This bond is being issued under the provisions of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code. This bond and the issue of which this bond is one are payable as to both principal and interest from the proceeds of the levy of ad valorem taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount. The bonds of this issue are general obligations of the District.

The bonds of this issue comprise (i) \$ \_\_\_\_\_ principal amount of Current Interest Bonds, (ii) Capital Appreciation Bonds of which \$ \_\_\_\_\_ represents the principal amount and \$ \_\_\_\_\_ represents the Maturity Value, and (iii) Convertible Capital Appreciation Bonds, of which this bond is a part, and of which \$ \_\_\_\_\_ represents the principal amount and \$ \_\_\_\_\_ represents the Conversion Value.

This bond is exchangeable and transferable for bonds of like tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the designated office of the Paying Agent, by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute owner of this bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any bond during a period beginning with the opening of business on the 15<sup>th</sup> day of the month next preceding any Bond Payment Date or the 15<sup>th</sup> day preceding any date of selection of bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any bond which has been selected or called for redemption in whole or in part.

The Convertible Capital Appreciation Bonds are not subject to redemption prior to maturity.

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

It is certified and recited that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that payment in full for the bonds has been received; and that due provision has been made for levying and collecting *ad valorem* property taxes on all of the taxable property within the District in an amount sufficient to pay principal and interest when due.

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

**IN WITNESS WHEREOF**, the West Contra Costa Unified School District, Contra Costa County, California, has caused this bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signatures of the President of the Board of Education and to be countersigned by the manual or facsimile signature of the Secretary to of the Board of Education all as of the date stated above.

WEST CONTRA COSTA UNIFIED SCHOOL  
DISTRICT

By: \_\_\_\_\_  
President of Board of Education

COUNTERSIGNED:

\_\_\_\_\_  
Secretary to the Board of Education

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the bonds described in the Bond Resolution referred to herein which has been authenticated and registered on \_\_\_\_\_, 2011.

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A., as Paying Agent

By: \_\_\_\_\_  
Authorized Signatory

## ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and ZIP code of Transferee): \_\_\_\_\_ this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or by any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: \_\_\_\_\_

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

(Form of Direct-Payment QSC Bond)

REGISTERED  
NO.

REGISTERED  
\$

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
(CONTRA COSTA COUNTY, CALIFORNIA)  
GENERAL OBLIGATION BONDS, ELECTION OF 2010, SERIES A  
(Qualified School Construction Bonds – Direct Payment to District)  
(Federally Taxable)

<u>INTEREST RATE:</u>	<u>MATURITY DATE:</u>	<u>DATED AS OF:</u>	<u>CUSIP</u>
___% per annum	August 1, 20__	_____, 2011	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_

The West Contra Costa Unified School District (the "District") in Contra Costa County, California (the "County"), for value received, promises to pay to the Registered Owner (as defined below) named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on February 1 and August 1 of each year (the "Bond Payment Dates"), commencing February 1, 2012. This bond will bear interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before January 15, 2012, in which event it shall bear interest from its Dated Date. Interest on this bond shall be computed on the basis of a 360-day year of twelve 30-day months. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the "Registered Owner") on the register maintained by the Paying Agent, initially The Bank of New York Mellon Trust Company, N.A. Principal is payable upon presentation and surrender of this bond at the designated office of the Paying Agent. Interest is payable by check or draft mailed by the Paying Agent on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown and at the address appearing on the register at the close of business on the 15th day of the calendar month next preceding that Bond Payment Date (the "Record Date"). The Owner of Current Interest Bonds in the aggregate principal amount of One Million Dollars (\$1,000,000) or more may request in writing to the Paying Agent that the Owner be paid interest by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date.

This bond is one of an authorization of \$\_\_\_\_\_ of bonds approved for the purpose of raising money for the purposes authorized by the voters of the District at the Election, as defined below; and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, in particular Chapter 1.5 of Part 10 of Division 1 of Title 1 (commencing with Section 15264 *et seq.*) of the California Education Code, the requisite 55% vote of the voters of the District cast at an election held on June 8,

2010 (the "Election"), upon the question of issuing bonds in the amount of \$380,000,000, the resolution of the Board of Education of the District adopted on July 27, 2011 (the "Bond Resolution"). This bond is being issued under the provisions of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code. This bond and the issue of which this bond is one are payable as to both principal and interest from the proceeds of the levy of ad valorem taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount. The bonds of this issue are general obligations of the District.

The bonds of this issue (the "Bonds") have been designated as "Qualified School Construction Bonds" for purposes of the American Recovery and Reinvestment Act of 2009, signed into law on February 17, 2009 (the "Recovery Act"), and as amended by the Hiring Incentives to Restore Employment Act of 2010 (the "HIRE Act"). Pursuant to the Recovery Act, the District expects to receive a cash subsidy payment (each, a "Subsidy Payment") from the United States Department of the Treasury (the "Treasury") equal to [the interest payable on such Bonds on each Bond Payment Date] [the amount of interest that would have been payable on such Bond Payment Date with respect to such Bonds if such interest were determined at the tax credit rate applicable to the Bonds (the "Tax Credit Rate"), which Tax Credit Rate was published by the Treasury and determined under Section 54A(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code").] The Subsidy Payments do not constitute a full faith and credit guarantee of the United States Government, but are required to be paid by the Treasury under the Recovery Act. The District is obligated to deposit any Subsidy Payments it receives into the debt service fund for the Bonds.

This bond is exchangeable and transferable for bonds of like tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the designated office of the Paying Agent in Los Angeles, California, by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute owner of this bond for the purpose of receiving payment of or on account of Principal or interest and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any bond during a period beginning with the opening of business on the 15th business day next preceding either any Bond Payment Date or any date of selection of bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any bond which has been selected or called for redemption in whole or in part.

The Current Interest Bonds maturing on or before August 1, 20\_\_ are not subject to redemption prior to their fixed maturity dates. The Current Interest Bonds maturing on or after August 1, 20\_\_ are subject to redemption at the option of the District, as a whole or in part, on any date on or after August 1, 20\_\_ at a redemption price equal to the principal amount of the Current Interest Bonds to be redeemed, plus interest thereon to the date fixed for redemption, without premium.

The Current Interest Bonds maturing on August 1, 20\_\_, are subject to redemption prior to maturity from mandatory sinking fund payments on August 1 of each year, on and after August 1, 20\_\_, at a redemption price equal to the principal amount thereof, together with accrued interest to

the date fixed for redemption, without premium. The principal amount represented by such Bonds to be so redeemed and the dates therefor and the final principal payment date is as indicated in the following table:

Redemption Dates

Principal Amounts

TOTAL

Upon the occurrence of an Extraordinary Event (as defined below) the Bonds shall be subject to redemption, at the option of the District, prior to their maturity date, in whole or in part, on any date designated by the District, at the Make-Whole Redemption Price (defined below).

The **“Make-Whole Redemption Price”** means the amount equal to the greater of the following: (i) the initial offering price of the Bonds set forth above (but not less than 100% of the principal amount of the Bonds to be prepaid), or (ii) the sum of the present value of the remaining scheduled payments of principal and interest with respect to the Bonds to be redeemed to the maturity date of such Bonds, not including any portion of those payments of interest accrued and unpaid as of the date on which the Bonds are to be redeemed, discounted to the date on which the Bonds are to be redeemed on a semiannual basis, assuming a 360-day year containing twelve 30-day months, at the Treasury Rate, plus 100 basis points, plus in each case accrued interest on the Bonds to be redeemed to the redemption date.

For the purpose of determining the Make-Whole Redemption Price, **“Treasury Rate”** means, with respect to any redemption date for a particular Bond, the yield to maturity as of such redemption date of United States Treasury securities with a constant maturity (as compiled and published in the most recent Federal Reserve Statistical Release H.15 (519) (the “Statistical Release”) that has become publicly available at least two Business Days prior to the redemption date (excluding inflation-indexed securities) (or, if the Statistical Release is no longer published, any publicly available source of similar market data) most nearly equal to the period from the redemption date to the maturity date of the Bonds to be redeemed; provided, however that if the period from the redemption date to the maturity date is less than one year, the weekly average yield on actually traded United States Treasury securities adjusted to a constant maturity of one year shall be used.

The term **“Extraordinary Event”** means

(a) the occurrence of a Determination of Loss of Qualified School Construction Bond Status, or

(b) (i) the occurrence of a material adverse change under Section 54F or 6431 of the Code, (ii) the publication by the IRS or the Treasury of any guidance with respect to such sections; or (iii) any other determination by the IRS or the Treasury, which determination is not the result of a failure of the District to satisfy certain requirements of the Resolution, the result of which, as reasonable determined by the District (and which determination shall be conclusive), is to eliminate or reduce the Subsidy Payments expected to be received with respect to the Bonds.

The term **“Accountable Event of Loss of Qualified School Construction Bond Status”**

means (i) any act or any failure to act on the part of the District constituting a breach of a covenant or agreement thereof contained in the Resolution and the Bonds which causes such bonds to lose their status, or fail to qualify, as Qualified School Construction Bonds within the meaning of Section 54F of the Code, or (ii) the making by the District of any representation contained in the Resolution, the Tax Certificate or the Bonds, as applicable, which was untrue when made and the untruth of which representation at such time causes the Bonds to lose their status, or fail to qualify, as Qualified School Construction Bonds within the meaning of Section 54F of the Code.

The term **"Date of Loss of Qualified School Construction Bond Status"** is the date specified in a Determination of Loss of Qualified School Construction Bond Status as the date from and after which the Bonds lost their status, or failed to qualify, as Qualified School Construction Bonds as defined in Section 54F of the Code as a result of an Accountable Event of Loss of Qualified School Construction Bond Status, which date could be as early as the date of initial issuance and delivery of the Bonds.

The term **"Determination of Loss of Qualified School Construction Bond Status"** means (i) a final determination by the IRS (after the District has exhausted or waived all administrative appeal remedies) determining that an Accountable Event of Loss of Qualified School Construction Bond Status has occurred and specifying the Date of Loss of Qualified School Construction Bond Status and the amount of Bonds that are subject to the Accountable Event of Loss of Qualified School Construction Bond Status, or (ii) a non-appealable holding by a court of competent jurisdiction holding that an Accountable Event of Loss of Qualified School Construction Bond Status has occurred and specifying the Date of Loss of Qualified School Construction Bond Status.

The County shall cause the tax levy imposed to pay the principal of and interest on the Bonds to be adjusted, as necessary, to reflect any reduction of Subsidy Payments.

If less than all of the bonds of any one maturity shall be called for redemption, the particular bonds or portions of bonds of such maturity to be redeemed shall be selected by lot by the District in such manner as the District in its discretion may determine; provided, however, that the portion of any bond to be redeemed shall be in the Principal Amount of \$5,000 or some multiple thereof (except for one odd maturity, if any). If less than all of the bonds stated to mature on different dates shall be called for redemption, the particular bonds or portions thereof to be redeemed shall be called in any order of maturity selected by the District or, if not so selected, in the inverse order of maturity.

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

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

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

[REMAINDER OF THIS PAGE LEFT BLANK]

**IN WITNESS WHEREOF**, the West Contra Costa Unified School District, Contra Costa County, California, has caused this bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signatures of the President of the Board of Education and to be countersigned by the manual or facsimile signature of the Secretary to of the Board of Education all as of the date stated above.

WEST CONTRA COSTA UNIFIED SCHOOL  
DISTRICT

By: \_\_\_\_\_  
President of Board of Education

COUNTERSIGNED:

\_\_\_\_\_

#### **CERTIFICATE OF AUTHENTICATION**

This bond is one of the bonds described in the Bond Resolution referred to herein which has been authenticated and registered on \_\_\_\_\_, 2011.

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A., as Paying Agent

By: \_\_\_\_\_  
Authorized Signatory

## ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and zip code of Transferee): \_\_\_\_\_ this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the within bond in every particular, without alteration or any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: \_\_\_\_\_

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

**SECTION 10. Delivery of Bonds.** The proper officials of the District shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered to the original purchaser upon payment of the purchase price therefor.

**SECTION 11. Deposit of Proceeds of Bonds.** (a) The proceeds from the sale of the Bonds to the extent of the Principal Amount thereof, shall be paid to the County to the credit of the fund hereby created and established and to be known as the "West Contra Costa Unified School District General Obligation Bonds, Election of 2010, Series A and Series A-1 QSCB Building Fund" (the "Building Fund") of the District, shall be kept separate and distinct from all other District and County funds, and those proceeds shall be used solely for the purpose for which the Bonds are being issued and provided further that such proceeds shall be applied solely to the purposes of the Election. The Building Fund may contain subaccounts if the Bonds are issued in more than one series. The accrued interest and any premium received by the District from the sale of the Bonds shall be kept separate and apart in the fund hereby created and established and to be designated as the "West Contra Costa Unified School District General Obligation Bonds, Election of 2010, Series A and Series A-1 Debt Service Fund" (the "Debt Service Fund") for the Bonds and used only for payment of Accreted Value or Principal of and interest on the Bonds. Interest earnings on moneys held in the Building Fund shall be retained in the Building Fund. Interest earnings on moneys held in the Debt Service Fund shall be retained in the Debt Service Fund. Any excess proceeds of the Bonds not needed for the authorized purposes set forth herein for which the Bonds are being issued upon written notice from the District shall be transferred to the Debt Service Fund and applied to the payment of Accreted Value or Principal of and interest on the Bonds. If, after payment in full of the Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the General Fund of the District. Costs associated with the issuance of the Bonds may be paid by the Underwriter, on behalf of the District, from premium paid on the Bonds pursuant to the Purchase Contract, or may be paid by the District from Bond Proceeds deposited in the Building Fund, or as otherwise permitted by the California Education Code. Notwithstanding any other provision of this Resolution, to the extent the District elects to pay costs associated with the issuance of the Bonds, the Authorized Officers, each alone, may direct the deposit of a portion of the Bond Proceeds, not exceeding two percent of the aggregate Principal Amount of the Bonds, in a cost of issuance account to be held by a fiscal agent of the District appointed for such purpose.

(b) Moneys in the Debt Service Fund and the Building Fund shall be invested at the written direction of the District, and after consultation with the County, in Permitted Investments. If at the time of issuance the District determines to issue some or all of the Bonds as Tax-Exempt Bonds without regard to the Internal Revenue Code "temporary period" restrictions, all investment of Bond proceeds shall be subject to paragraph (1) below; and the District, in consultation with the County, may provide for an agent to assist the District in investing funds pursuant to paragraph (1) below. If the District fails to direct such agent, the agent shall invest or cause the funds in the Building Fund to be invested in Qualified Permitted Investments, subject to the provisions of paragraph (1) below, until such time as the District provides written direction to invest such funds otherwise. Neither the County nor its officers and agents, as the case may be, shall have any responsibility or obligation to determine the tax consequences of any investment. The interest earned on the moneys deposited to the Building Fund shall be applied as set forth in subparagraph (1)(C) below:

(1) Covenant Regarding Investment of Proceeds.

(A) Permitted Investments. Beginning on the delivery date, and at all

times until expenditure for authorized purposes, not less than 95% of the proceeds of the Bonds deposited in the Building Fund, including investment earnings thereon, will be invested in Qualified Permitted Investments which are rated in at least the second highest rating category by one of the two Rating Agencies. Notwithstanding the preceding provisions of this Section, for purposes of this paragraph, amounts derived from the disposition or redemption of Qualified Permitted Investments and held pending reinvestment or redemption for a period of not more than 30 days may be invested in Permitted Investments.

(B) Recordkeeping and Monitoring Relating to Building Fund.

i. Information Regarding Permitted Investments. The District hereby covenants that it will record or cause to be recorded with respect to each Permitted Investment in the Building Fund the following information: purchase date; purchase price; information establishing the Fair Market Value of such Permitted Investment; face amount; coupon rate; periodicity of interest payments; disposition price; disposition date; and any accrued interest received upon disposition.

ii. Information in Qualified Non-AMT Mutual Funds. The District hereby covenants that, with respect to each investment of proceeds of the Bonds in a Qualified Non-AMT Mutual Fund pursuant to paragraph (1)(A) above, in addition to recording, or causing to be recorded, the information set forth in paragraph (1)(B)(i) above, it will retain a copy of each IRS information reporting form and account statement provided by such Qualified Non-AMT Mutual Fund.

iii. Monthly Investment Fund Statements. The District covenants that it will obtain, at the beginning of each month following the delivery date, a statement of the investments in the Building Fund detailing the nature, amount and value of each investment as of such statement date.

iv. Retention of Records. The County hereby covenants that it will or will cause the District to retain the records referred to in paragraph (1)(B)(i) and each IRS information reporting form referred to in paragraph (1)(B)(ii) with its books and records with respect to the Bonds until three years following the last date that any obligation comprising the Bonds is retired.

(c) Interest Earned on Permitted Investments. The interest earned on the moneys deposited in the Building Fund shall be deposited in the Building Fund and used for the purposes of that fund

Except as required below to satisfy the requirements of the Code, interest earned on the investment of monies held in the Debt Service Fund shall be retained in the Debt Service Fund and used by the County to pay the Accreted Value or Principal of and interest on the Bonds when due.

**SECTION 12. Rebate Fund.**

(a) The District shall create and establish a special fund designated the "West Contra Costa Unified School District General Obligation Bonds, Election of 2010, Series A Rebate Fund" (the "Rebate Fund"). All amounts at any time on deposit in the Rebate Fund shall be held in trust, to

the extent required to satisfy the requirement to make rebate payments to the United States (the "Rebate Requirement") pursuant to Section 148 of the Code, and the Treasury Regulations promulgated thereunder (the "Treasury Regulations"). Such amounts shall be free and clear of any lien hereunder and shall be governed by this Section and by the Tax Certificate to be executed by the District.

(b) Within forty-five (45) days of the end of each fifth Bond Year (as such term is defined in the Tax Certificate), (1) the District shall calculate or cause to be calculated with respect to the Bonds the amount that would be considered the "rebate amount" within the meaning of Section 1.148-3 of the Treasury Regulations, using as the "computation date" for this purpose the end of such Bond Year, and (2) the District shall deposit to the Rebate Fund from amounts on deposit in the other funds established hereunder or from other District funds, if and to the extent required, amounts sufficient to cause the balance in the Rebate Fund to be equal to the "rebate amount" so calculated. The District shall not be required to deposit any amount to the Rebate Fund in accordance with the preceding sentence, if the amount on deposit in the Rebate Fund prior to the deposit required to be made under this subsection (b) equals or exceeds the "rebate amount" calculated in accordance with the preceding sentence. Such excess may be withdrawn from the Rebate Fund to the extent permitted under subsection (g) of this Section. The District shall not be required to calculate the "rebate amount" and shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b), with respect to all or a portion of the proceeds of the Bonds (including amounts treated as proceeds of the Bonds) (1) to the extent such proceeds satisfy the expenditure requirements of Section 148(f)(4)(B) or Section 148(f)(4)(C) of the Code or Section 1.148-7(d) of the Treasury Regulations, whichever is applicable, and otherwise qualify for the exception to the Rebate Requirement pursuant to whichever of said sections is applicable, (2) to the extent such proceeds are subject to an election by the District under Section 148(f)(4)(C)(vii) of the Code to pay a one and one-half percent (1½%) penalty in lieu of arbitrage rebate in the event any of the percentage expenditure requirements of Section 148(f)(4)(C) are not satisfied, or (3) to the extent such proceeds qualify for the exception to arbitrage rebate under Section 148(f)(4)(A)(ii) of the Code for amounts in a "bona fide debt service fund." In such event, and with respect to such amounts, the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b).

(c) Any funds remaining in the Rebate Fund after redemption of all the Bonds and any amounts described in paragraph (2) of subsection (d) of this Section, or provision made therefor satisfactory to the District, including accrued interest, shall be remitted to the District.

(d) Subject to the exceptions contained in subsection (b) of this Section to the requirement to calculate the "rebate amount" and make deposits to the Rebate Fund, the District shall pay to the United States, from amounts on deposit in the Rebate Fund,

(1) not later than sixty (60) days after the end of (i) the fifth (5th) Bond Year, and  
(ii) each fifth (5th) Bond Year thereafter, an amount that, together with all previous rebate payments, is equal to at least 90% of the "rebate amount" calculated as of the end of such Bond Year in accordance with Section 1.148-3 of the Treasury Regulations; and

(2) not later than sixty (60) days after the payment of all Bonds, an amount equal to one hundred percent (100%) of the "rebate amount" calculated as of the date of such payment (and any income attributable to the "rebate amount" determined to be due and payable) in accordance with Section 1.148-3 of the Treasury Regulations.

(e) In the event that, prior to the time any payment is required to be made from the Rebate Fund, the amount in the Rebate Fund is not sufficient to make such payment when such payment is due, the District shall calculate (or have calculated) the amount of such deficiency and deposit an amount equal to such deficiency into the Rebate Fund prior to the time such payment is due.

(f) Each payment required to be made pursuant to subsection (d) of this Section shall be made to the Internal Revenue Service Center, on or before the date on which such payment is due, and shall be accompanied by Internal Revenue Service Form 8038-T, such form to be prepared or caused to be prepared by the District.

(g) In the event that immediately following the calculation required by subsection (b) of this Section, but prior to any deposit made under said subsection, the amount on deposit in the Rebate Fund exceeds the "rebate amount" calculated in accordance with said subsection, the District may withdraw the excess from the Rebate Fund and credit such excess to the Debt Service Fund.

(h) The District shall retain records of all determinations made hereunder until three years after the complete retirement of the Bonds.

(i) Notwithstanding anything in this Resolution to the contrary, the rebate requirement shall survive the payment in full or defeasance of the Bonds.

**SECTION 13. Security for the Bonds.** There shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* tax annually during the period the Bonds are outstanding in an amount sufficient to pay the principal of and interest on the Bonds when due, which moneys when collected will be placed in the Debt Service Fund of the District, which is for the payment of the principal and Accreted Value of and interest on the Bonds when and as the same fall due.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal, Conversion Value and Accreted Value of and interest on the Bonds as the same become due and payable, shall be transferred by the Treasurer to the Paying Agent which, in turn, shall pay such moneys to DTC to pay the principal, Conversion Value and Accreted Value of and interest on the Bonds. DTC will thereupon make payments of principal, Conversion Value and Accreted Value and interest on the Bonds to the DTC Participants who will thereupon make payments of principal, Conversion Value and Accreted Value and interest to the beneficial owners of the Bonds. Any moneys remaining in the Debt Service Fund after the Bonds and the interest thereon have been paid, or provision for such payment has been made, shall be transferred to the General Fund of the District, pursuant to the Education Code Section 15234.

**SECTION 14. Arbitrage Covenant.** The District has covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, so that the Bonds will not constitute arbitrage bonds under Section 148 of the Code and the applicable regulations prescribed under that Section or any predecessor section. Calculations for determining arbitrage requirements are the sole responsibility of the District.

**SECTION 15. Conditions Precedent.** The Board determines that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid

and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law.

**SECTION 16. Insurance.** In the event the District purchases bond insurance for the Bonds, and to the extent that the Bond Insurer makes payment of the principal, interest or Accreted Value on the Bonds, it shall become the owner of such Bonds with the right to payment of principal, interest or Accreted Value on the Bonds, and shall be fully subrogated to all of the Owners' rights, including the Owners' rights to payment thereof. To evidence such subrogation (i) in the case of subrogation as to claims that were past due interest components, the Paying Agent shall note the Bond Insurer's rights as subrogee on the registration books for the Bonds maintained by the Paying Agent upon receipt of a copy of the cancelled check issued by the Bond Insurer for the payment of such interest to the Owners of the Bonds, and (ii) in the case of subrogation as to claims for past due Principal or Accreted Value, the Paying Agent shall note the Bond Insurer as subrogee on the registration books for the Bonds maintained by the Paying Agent upon surrender of the Bonds by the Owners thereof to the Bond Insurer or the insurance trustee for the Bond Insurer.

**SECTION 17. Official Statement.** The Preliminary Official Statement relating to the Bonds, substantially in the form on file with the Secretary to the Board is hereby approved and the Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Preliminary Official Statement to the Underwriter to be used in connection with the offering and sale of the Bonds. The Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deem the Preliminary Official Statement "final" pursuant to 15c2-12 of the Securities Exchange Act of 1934, prior to its distribution and to execute and deliver to the Underwriter a final Official Statement, substantially in the form of the Preliminary Official Statement, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve. The Underwriter is hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of the Bonds and is directed to deliver copies of any final Official Statement to the purchasers of the Bonds. Execution of the Official Statement shall conclusively evidence the District's approval thereof.

**SECTION 18. Defeasance.** All or any portion of the outstanding maturities of the Bonds may be defeased prior to maturity in the following ways:

(a) Cash: by irrevocably depositing with an independent escrow agent selected by the District, an amount of cash which together with amounts then on deposit in the Debt Service Fund (as defined herein) is sufficient to pay all Bonds outstanding and designated for defeasance, including all principal and interest and premium, if any; or

(b) Government Obligations: by irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations together with cash, if required, in such amount as will, in the opinion of an independent certified public accountant, together with interest to accrue thereon and moneys then on deposit in the Debt Service Fund together with the interest to accrue thereon, be fully sufficient to pay and discharge all Bonds outstanding and designated for defeasance (including all principal and interest represented thereby and prepayment premiums, if any) at or before their maturity date;

then, notwithstanding that any of such Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated outstanding Bonds shall cease and terminate, except only the obligation of the Paying Agent or an independent escrow agent selected by the District, to pay or cause to be paid from funds deposited pursuant to paragraphs (a) or (b) of this Section, to the owners of such designated Bonds not so surrendered and paid all sums due with respect thereto.

For purposes of this Section, "Government Obligations" shall mean:

Direct and general obligations of the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations that are unconditionally guaranteed as to principal and interest by the United States of America, or "prerefunded" municipal obligations rated in the highest rating category by Moody's Investors Service or Standard & Poor's. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (a) a bank or trust company acts as custodian and holds the underlying United States obligations; (b) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (c) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed "AAA" by Standard & Poor's or "Aaa" by Moody's Investors Service.

**SECTION 19. Amendments.** (a) The District may from time to time, and at any time, without notice to or consent of any of the Owners, by action of the Board, amend the provisions of this Resolution for any of the following reasons:

(1) to cure any ambiguity, to correct or supplement any provision herein which may be inconsistent with any other provision herein or therein, or to make any other provision with respect to matters or questions arising under this Resolution, provided that such action shall not adversely affect the interests of the Bond owners;

(2) to add to the covenants and agreements of and the limitations and the restrictions upon the District contained in this Resolution which are not contrary to or inconsistent with this Resolution as theretofore in effect; and

(3) to modify, alter, amend or supplement this Resolution in any other respect which is not materially adverse to the Bond owners.

In the event of any such amendment, the District shall promptly provide the Paying Agent with copies of such amendment and the action of the Board approving such amendment.

(b) Notwithstanding any other provision herein, the provisions of this Resolution as they relate to the terms of the Bonds may be amended by the Purchase Contract.

**SECTION 20. Other Actions.** The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance of the Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such Authorized Officers are hereby ratified, confirmed and approved.

**SECTION 21. Indemnification of County.** The District shall defend, indemnify and hold harmless, to the extent permitted by law, the County, its officers and employees ("Indemnified Parties"), against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject because of action or inaction related to the adoption of this Resolution, or related to the proceedings for sale, award, issuance and delivery of the Bonds in accordance herewith and with the District Resolution, and that the District shall also reimburse any such Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending any such claims or actions.

**SECTION 22. Request to County to Levy Tax.** The Board of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of property taxes in each year sufficient to pay all principal and interest coming due on the Bonds in such year, and to pay from such taxes all amounts due on the Bonds. The District hereby requests the Board of Supervisors to annually levy a tax upon all taxable property in the District sufficient to redeem the Bonds, and to pay the principal, redemption premium, in any, and interest thereon as and when the same become due.

**SECTION 23. Qualified School Construction Bonds; QSC Bond Reserve Fund.** To the extent necessary and as provided in the Purchase Contract, the County shall establish, hold and maintain a fund to be known as the West Contra Costa Unified School District Election of 2010 General Obligation Bonds QSC Bond Reserve Fund (the "QSC Bond Reserve Fund"), to be maintained by the Treasurer of the County as a separate account, distinct from all other funds of the County and the District. An amount equal to the Required QSC Bond Reserve Fund Balance shall be maintained on deposit in the QSC Bond Reserve Fund at all times. The QSC Bond Reserve Fund is hereby pledged for the payment of the principal of the QSC Bonds when due, including the principal coming due and payable if the QSC Bonds are redeemed pursuant to Section 6(b) hereof. In the event of a redemption of QSC Bonds prior to maturity, the District will provide the County with a revised schedule of Mandatory QSC Bond Reserve Fund Payments. Amounts in the QSC Bond Reserve Fund, to the extent necessary to pay the principal of the QSC Bonds when due, shall be transferred by the County to the Paying Agent as required. The QSC Bond Reserve Fund shall be funded in accordance the restrictions of that certain Tax Certificate to be executed and delivered by the District on the date of issuance of such QSC Bonds (the "QSC Bond Tax Certificate").

**SECTION 24. Continuing Disclosure.** The District has covenanted and agreed that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Section.

**SECTION 25. Professional Services.** The District hereby appoints Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California as Bond Counsel and Garcia Calderon Ruiz, LLP as Disclosure Counsel in connection with the issuance of the Bonds. The District also appoints Piper Jaffray & Co., San Francisco, California, and any other firms identified in

the Purchase Contract as underwriters with respect to the Bonds (collectively the "Underwriters") and KNN Public Finance, Oakland, California, as Financial Advisor in connection with the issuance of the Bonds.

**SECTION 25. Unclaimed Funds.** Notwithstanding any other provisions of this Resolution, any moneys held in any fund created pursuant to this Resolution, or by the Paying Agent in trust, for the payment of the Principal, Conversion Value of Maturity Value of, redemption premium, if any, and interest on the Bonds remaining unclaimed for one year after such Principal, Conversion Value and Maturity Value of all of the Bonds have become due and payable (whether by maturity or upon prior redemption) shall be, after payment in full of the Bonds, transferred to the general fund of the District to be applied in accordance with law; provided, however, that the Paying Agent, before making such payment, shall cause notice to be mailed to the Owners of all Bonds that have not been paid, by first-class mail at the addresses on the Bonds register, postage prepaid, no less than 90 days prior to the date of such payment. Thereafter, the District shall have all responsibility and liability for the payment of such Bonds.

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**SECTION 26. Effective Date.** This Resolution shall take effect immediately upon its passage.

**PASSED AND ADOPTED** this 21st day of September, 2011, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

BOARD OF EDUCATION OF THE WEST  
CONTRA COSTA UNIFIED SCHOOL  
DISTRICT

---

President Board of Education

Attest:

By: \_\_\_\_\_  
Secretary, Board of Education

### SECRETARY'S CERTIFICATE

I, \_\_\_\_\_, Secretary of the Board of Education of the West Contra Costa Unified School District, hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of said District duly and regularly and legally held at the regular meeting place thereof on September 21, 2011, of which meeting all of the members of the Board of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: September 21, 2011

By: \_\_\_\_\_  
Secretary

## PRELIMINARY OFFICIAL STATEMENT DATED OCTOBER \_\_, 2011

## NEW ISSUE—FULL BOOK-ENTRY

## RATINGS:

Moody's: \_\_\_\_\_

S&amp;P: \_\_\_\_\_

Fitch: \_\_\_\_\_

See "MISCELLANEOUS—Ratings"

*In the opinion of Bond Counsel, under existing statutes, regulations, rulings and judicial decisions, interest (and original issue discount) on the Bonds designated as Qualified School Construction Bonds (the "Federally Taxable Bonds") is exempt from State of California personal income tax. In the opinion of Bond Counsel, under existing statutes, regulations, rulings and judicial decisions, and assuming certain representations and compliance with certain covenants and requirements described herein, interest (and original issue discount) on the Bonds not designated as Qualified School Construction Bonds (the "Federally Tax-Exempt Bonds") is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations. In the opinion of Bond Counsel, under existing statutes, regulations, rulings and judicial decisions, interest on the Federally Taxable Bonds which are designated as Qualified School Construction Bonds is not excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"). In the further opinion of Bond Counsel, interest (and original issue discount) on the Federally Tax-Exempt Bonds is exempt from State of California personal income tax. See "TAX MATTERS" with respect to tax consequences relating to the Bonds.*

\$100,000,000\*

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
(Contra Costa County, California)

**\$79,000,000\* General Obligation Bonds,**  
**Election of 2010, Series A (Tax Exempt)**

**\$21,000,000\* General Obligation Bonds,**  
**Election of 2010, Series A-1 (Qualified School**  
**Construction Bonds – Direct Payment)**  
**(Federally Taxable)**

**\$0\* 2011A General Obligation**  
**Refunding Bonds**

Dated: Date of Delivery

Due: August 1, as shown on the inside cover

*This cover page is to be viewed as a reference to the information contained in this Official Statement. It is not a summary of this issue. Investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision.*

The West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A (Tax Exempt) (the "Series A Bonds") and the West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A-1 (Qualified School Construction Bonds – Direct Payment) (Federally Taxable) (the "Series A-1 Bonds," and together with the Series A Bonds, the "Election of 2010 Bonds") are being issued by the West Contra Costa Unified School District (the "District"), located in Contra Costa County (the "County") to (i) construct and upgrade school facilities, and (ii) pay costs of issuance of the Election of 2010 Bonds.

The West Contra Costa Unified School District (Contra Costa County, California) 2011A General Obligation Refunding Bonds (the "2011A Refunding Bonds," and together with the Election of 2010 Bonds, the "Bonds") are being issued by the District to refund a portion of the District's outstanding (i) General Obligation Bonds, Election of 2002, Series A (the "Election of 2002, Series A Bonds"), (ii) General Obligation Bonds, Election of 2002, Series B (the "Election of 2002, Series B Bonds"), (iii) General Obligation Bonds, Election of 2000, Series C (the "Election of 2000, Series C Bonds" and together with the Election of 2002, Series A Bonds and the Election of 2002, Series B Bonds the "Refunded Bonds") and (iv) to pay costs of issuance of the 2011A Refunding Bonds. See "THE 2011A REFUNDING BONDS—Plan of Refunding."

The Board of Supervisors of the County is empowered and is obligated to levy *ad valorem* taxes upon all property subject to taxation by the District, without limitation as to rate or amount (except certain personal property which is taxable at limited rates), for the payment of principal of and interest on the Bonds when due. See "TAX BASE FOR REPAYMENT OF THE BONDS—Ad Valorem Property Taxation" and "SECURITY FOR THE BONDS." The District expects to irrevocably elect to receive a direct cash subsidy payment from the United States Department of the Treasury (the "Treasury") relating to the interest payable on the Series A-1 Bonds. The levy of *ad valorem* property taxes will take into account amounts received from the Treasury; but shall be levied in amounts at least sufficient to make all payments of interest, principal, and premium, if any, on the Bonds, when due, whether or not such subsidy payments are received from the Treasury and deposited into the Election of 2010 Debt Service Fund (defined herein).

Interest on the Bonds is payable semiannually on February 1 and August 1 of each year, commencing February 1, 2012, to maturity or prior redemption thereof. Principal on the Bonds is payable on August 1 in each of the years and in the amounts shown in the Maturity Schedule, on the inside front cover. See "SECURITY FOR THE BONDS—Payment of Principal and Interest."

The Bonds will be issued in book-entry form only, and will be initially issued and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). Purchasers will not receive physical certificates representing their interest in the Bonds. Payments of principal of and interest on the Bonds will be paid by the Paying Agent (initially, The Bank of New York Mellon Trust Company, N.A., Los Angeles, California), to DTC for subsequent disbursement to DTC Participants, who will remit such payments to the beneficial owners of the Bonds. See "THE BONDS—Book-Entry Only System."

The Bonds are subject to redemption as more fully described herein. See "THE ELECTION OF 2010 BONDS—Redemption of Series A Bonds" and "—Redemption of Series A-1 Bonds" and "THE 2011A REFUNDING BONDS—Redemption of 2011A Refunding Bonds."

The District has applied for a policy of municipal bond insurance with respect to the Bonds. If bond insurance is purchased, the scheduled payment of principal and interest on the Bonds when due will be guaranteed under an insurance policy to be issued concurrently with the delivery of the Bonds.

**THE BONDS ARE GENERAL OBLIGATION BONDS OF THE DISTRICT AND DO NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF THE COUNTY. NO PART OF ANY FUND OF THE COUNTY IS PLEDGED OR OBLIGATED TO THE PAYMENT OF THE BONDS.**

**MATURITY SCHEDULE\***  
(See Inside Front Cover)

*The Bonds will be offered when, as and if issued by the District and received by the Underwriter, subject to approval of their legality by Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California, Bond Counsel to the District. Certain legal matters will be passed upon for the District by GCR, LLP, Emeryville, California, as Disclosure Counsel to the District; and for the Underwriter by Nossaman LLP, Irvine, California. It is anticipated that the Bonds, in book-entry form, will be available for delivery through DTC on or about November \_\_, 2011.*

PIPER JAFFRAY &amp; CO.

Dated: November \_\_, 2011

\$79,000,000\*  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
 (Contra Costa County, California)  
 General Obligation Bonds, Election of 2010, Series A  
 (Tax Exempt)

**MATURITY SCHEDULE\***  
 Base CUSIP<sup>†</sup>: 952347

\$ \_\_\_\_\_ Serial Maturities

<b>Maturity (August 1)</b>	<b>Principal Amount</b>	<b>Interest Rate</b>	<b>Yield</b>	<b>CUSIP<sup>†</sup> Suffix</b>
--------------------------------	-----------------------------	--------------------------	--------------	-------------------------------------

\$ _____	% Term Bonds due August 1, 20 _____	— Yield _____	% CUSIP <sup>†</sup> Suffix _____
\$ _____	% Term Bonds due August 1, 20 _____	— Yield _____	% CUSIP <sup>†</sup> Suffix _____

\$21,000,000\*  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
 (Contra Costa County, California)  
 General Obligation Bonds, Election of 2010, Series A-1  
 (Qualified School Construction Bonds – Direct Payment)  
 (Federally Taxable)

**MATURITY SCHEDULE\***  
 Base CUSIP<sup>†</sup>: 952347

<b>Maturity (August 1)</b>	<b>Principal Amount</b>	<b>Interest Rate</b>	<b>Yield</b>	<b>CUSIP<sup>†</sup> Suffix</b>
--------------------------------	-----------------------------	--------------------------	--------------	-------------------------------------

\$ _____	% Term Bonds due August 1, 20 _____	— Yield _____	% CUSIP <sup>†</sup> Suffix _____
\$ _____	% Term Bonds due August 1, 20 _____	— Yield _____	% CUSIP <sup>†</sup> Suffix _____

\* Preliminary, subject to change.

<sup>†</sup> Copyright 2011, American Bankers Association. CUSIP data herein is provided by Standard & Poor's, CUSIP Service Bureau, a division of The McGraw-Hill Companies, Inc. The CUSIP numbers are provided solely for the convenience of the holders of the Bonds. The District takes no responsibility for the accuracy of such data.

\$0<sup>\*</sup>  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**(CONTRA COSTA COUNTY, CALIFORNIA)**  
**2011A GENERAL OBLIGATION REFUNDING BONDS**  
**Base CUSIP<sup>†</sup>: 952347**

<i><u>Maturity Date</u></i> <i><u>(August 1)</u></i>	<i><u>Principal</u></i> <i><u>Amount</u></i>	<i><u>Interest</u></i> <i><u>Rate</u></i>	<i><u>Yield</u></i>	<i><u>CUSIP<sup>†</sup></u></i> <i><u>Suffix</u></i>
	\$ _____	____%	____%	

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<sup>\*</sup> Preliminary, subject to change.

<sup>†</sup> Copyright 2011, American Bankers Association. CUSIP data herein is provided by Standard & Poor's, CUSIP Service Bureau, a division of The McGraw-Hill Companies, Inc. The CUSIP numbers are provided solely for the convenience of the holders of the Bonds. The District takes no responsibility for the accuracy of such data.

No dealer, broker, salesperson or other person has been authorized by the District, the County or the Underwriter to give any information or to make any representations other than those contained herein. If given or made, such other information or representations must not be relied upon as having been authorized by the District, the County or the Underwriter.

***The Bonds have not been registered under the Securities Act of 1933, as amended, in reliance upon an exemption contained in such act and have not been registered or qualified under the securities laws of any state.*** This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds by a person in any jurisdiction in which it is unlawful for such person to make such an offer, solicitation or sale.

The information and expression of opinion herein are subject to change without notice and neither delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District or any other parties described herein since the date hereof. This Official Statement is being submitted in connection with the sale of the Bonds referred to herein and may not be reproduced or used, in whole or in part, for any other purpose, unless authorized in writing by the District. All summaries of documents and laws are made subject to the provisions thereof and do not purport to be complete statements of any or all such provisions.

Certain statements included or incorporated by reference in this Official Statement constitute "forward-looking statements" within the meaning of the United States Private Securities Litigation Reform Act of 1995, Section 21E of the United States Securities Exchange Act of 1934, as amended, and Section 27A of the United States Securities Act of 1933, as amended. Such statements are generally identifiable by the terminology used such as a "plan," "expect," "estimate," "project," "budget" or similar words. Such forward-looking statements include, but are not limited to certain statements contained in the information under "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION."

The achievement of certain results or other expectations contained in such forward-looking statements involves known and unknown risks, uncertainties and other factors which may cause actual results, performance or achievements described to be materially different from any future results, performance or achievements expressed or implied by such forward-looking statements. While the District has agreed to provide certain on-going financial and operating data on an annual basis, it does not plan to issue any updates or revisions to those forward-looking statements if or when its expectations or events, conditions or circumstances on which statements are based change. See "CONTINUING DISCLOSURE" and "APPENDIX D—FORM OF CONTINUING DISCLOSURE CERTIFICATE."

All information material to the making of an informed investment decision with respect to the Bonds is contained in this Official Statement. While the District maintains an internet website for various purposes, none of the information on its website is incorporated by reference into this Official Statement. Any such information that is inconsistent with the information set forth in this Official Statement should be disregarded.

The Underwriter has provided the following sentence for inclusion in this Official Statement: "The Underwriter has reviewed the information in this Official Statement in accordance with, and as a part of, its responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriter does not guarantee the accuracy or completeness of such information."

**WITH RESPECT TO THIS OFFERING, THE UNDERWRITER MAY ALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICE OF THE BONDS AT A LEVEL ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME. THE UNDERWRITER MAY OFFER AND SELL THE BONDS DESCRIBED HEREIN TO CERTAIN DEALERS AND DEALER BANKS AND BANKS ACTING AS AGENTS AND OTHERS AT PRICES LOWER THAN THE PUBLIC OFFERING PRICES STATED IN THIS OFFICIAL STATEMENT AND SAID PUBLIC OFFERING PRICES MAY BE CHANGED FROM TIME TO TIME BY THE UNDERWRITER.**

## **WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

### **BOARD OF EDUCATION**

Charles T. Ramsey, President  
Madeline Kronenberg, Clerk  
Antonio Medrano, Member  
Elaine R. Merriweather, Member  
Tony Thurmond, Member

### **ADMINISTRATION**

Dr. Bruce Harter, Superintendent  
Sheri Gamba, Associate Superintendent, Business Services  
Wendell C. Greer, Associate Superintendent, K-Adult Education  
William Fay, Associate Superintendent, Operations  
Nia Rashidchi, Assistant Superintendent, Education Services  
Ann Reinhausen, Assistant Superintendent, Human Resources  
Steve Collins, Special Education Local Plan Director

### **PROFESSIONAL SERVICES**

#### **Financial Advisor**

KNN Public Finance, a Division of Zions First National Bank  
Oakland, California

#### **Bond Counsel**

Stradling Yocca Carlson & Rauth, a Professional Corporation  
San Francisco, California

#### **Disclosure Counsel**

GCR, LLP  
Emeryville, California

#### **Paying Agent and Escrow Agent**

The Bank of New York Mellon Trust Company, N.A.  
Los Angeles, California

#### **Verification Agent**

Causey, Demgen & Moore, Inc.

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**\$100,000,000\***  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**(Contra Costa County, California)**

**\$79,000,000\* General Obligation Bonds,  
Election of 2010, Series A (Tax Exempt)**

**\$21,000,000\* General Obligation Bonds,  
Election of 2010, Series A-1 (Qualified School  
Construction Bonds – Direct Payment)  
(Federally Taxable)**

**\$0\* 2011A General Obligation  
Refunding Bonds**

## **INTRODUCTION**

This Official Statement, which includes the cover page, inside cover page, and appendices hereto, is provided to furnish information concerning the West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A (the “Series A Bonds”), the West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A-1 (Qualified School Construction Bonds – Direct Payment) (Federally Taxable) (the “Series A-1 Bonds,” and together with the Series A Bonds, the “Election of 2010 Bonds”), and the West Contra Costa Unified School District (Contra Costa County, California) 2011A General Obligation Refunding Bonds (the “2011A Refunding Bonds,” and together with the Election of 2010 Bonds, the “Bonds”).

This Introduction is not a summary of this Official Statement. It is only a brief description of and guide to, and is qualified by, more complete and detailed information contained in the entire Official Statement. A full review should be made of the entire Official Statement. The offering of the Bonds to potential investors is made only by means of the entire Official Statement; provided, however, that this Official Statement is not to be construed as a contract or agreement of the District with the Underwriter or the owners of any of the Bonds.

Statements contained in this Official Statement which involve estimates, forecasts or matters of opinion, whether or not expressly so stated, are intended solely as such and are not to be construed as representations of fact.

The summaries and information concerning the Bonds, references to either of the Resolutions (defined below) providing for the issuance of the Bonds, statutes and constitutional provisions of the State of California referred to herein do not purport to be comprehensive or definitive, and are qualified in their entireties by reference to such resolutions, statutes and constitutional provisions. Furthermore, the information set forth herein, other than that provided by the District, has been obtained from official sources which are believed to be reliable, but it is not guaranteed as to accuracy or completeness by the District. This Official Statement is submitted in connection with the sale of the Bonds referred to herein and may not be reproduced or used, in whole or in part, for any other purpose.

This Official Statement speaks only as of its date, and the information contained herein is subject to change without notice. Neither delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District since the date hereof. The District has no obligation to update the information in this Official Statement, except as required by the Continuing Disclosure Certificate to be executed by the District. See “CONTINUING DISCLOSURE” and “APPENDIX D—FORM OF CONTINUING DISCLOSURE CERTIFICATE.”

## **THE DISTRICT**

The West Contra Costa Unified School District (the “District”) is located in Contra Costa County (the “County”), State of California (the “State”), approximately 15 miles northeast of San Francisco, California. The District encompasses approximately 110 square miles and provides educational services to approximately 235,000 residents of the cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo, the unincorporated communities of El Sobrante, Kensington and North Richmond, and certain other unincorporated areas within

\* Preliminary, subject to change.

the County. The District's average daily attendance ("ADA") for fiscal year 2010-11 was 27,589 and for fiscal year 2011-12 is projected to be 26,938. Taxable property in the District had a fiscal year 2010-11 assessed valuation of approximately \$21.93 billion and has a fiscal year 2011-12 assessed valuation of approximately \$22.17 billion. See "TAX BASE FOR REPAYMENT OF THE BONDS." Additional information on the District's operating and financial information is provided in "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION" and "APPENDIX C—EXCERPTS FROM THE DISTRICT'S 2009-10 AUDITED FINANCIAL STATEMENTS."

The District is governed by a five-member Board of Education (the "District Board"), each member of which is elected to a four-year term. Elections for positions to the District Board are held every four years, alternating between two and three available positions. The management and policies of the District are administered by a Superintendent, who is appointed by the District Board and is responsible for day-to-day operations as well as the supervision of the District's personnel. Dr. Bruce Harter is the District Superintendent. More detailed information concerning the District's governance, organization and finances is provided in "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION."

## **THE ELECTION OF 2010 BONDS**

### **Authority for Issuance of Election of 2010 Bonds; Purpose**

The Election of 2010 Bonds are being issued pursuant to the Constitution and laws of the State, including the provisions of the Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code (the "Act"), commencing with Section 53506, applicable provisions of the California Education Code and other applicable provisions of law, pursuant to the terms and conditions of a Bond Purchase Contract (the "Purchase Contract") by and between the District and Piper Jaffray & Co. (the "Underwriter"), and pursuant to a resolution adopted by the District Board on September 21, 2011 (the "Election of 2010 Bonds Resolution").

The Bonds were authorized to be issued by more than 55% of the votes cast at an election held by the County within the boundaries of the District on June 8, 2010 (the "2010 Authorization"). The 2010 Authorization presented to and approved by the voters authorizes the District to issue general obligation bonds in an aggregate principal amount not to exceed \$380,000,000 for purposes summarized as follows: To make schools safe, complete essential health and safety repairs, qualify for State matching grants, upgrade schools for earthquake safety and handicap accessibility, remove asbestos, upgrade restrooms, upgrade vocational classrooms, technology and energy systems to reduce costs, install lighting and security systems, and acquire, repair and construct equipment, sites and facilities. The Bonds are the first and second series to be issued pursuant to the 2010 Authorization. After the issuance of the Bonds, \$280,000,000\* will remain authorized and unissued.

### **Designation of Series A-1 Bonds as Qualified School Construction Bonds**

The Series A-1 Bonds have been designated as "Qualified School Construction Bonds" pursuant to the provisions of the American Reinvestment and Recovery Act of 2009, as set forth in Section 54F of the Internal Revenue Code of 1986, as amended (the "Code"), and pursuant to a volume cap allocation from the California Department of Education. The California State Finance Authority (the "Authority") received approximately \$141 million of the allocation for distribution to or for the benefit of charter schools. On March 23, 2011, the District received an allocation in the amount of \$21 million from the Authority for the issuance of bonds to fund the costs of a charter school known as Leadership Public Schools-Richmond ("LPS Richmond").

The proceeds of the Series A-1 Bonds will be applied for the LPS Richmond project and the payment of costs of issuance of the Series A-1 Bonds not in excess of 2% of the issue price of such Bonds. The LPS

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\* Preliminary; subject to change.

Richmond project includes the full reconstruction of the buildings designated for LPS Richmond, including a pro-rata share of a gymnasium facility to be shared between LPS Richmond and an adjacent continuation school operated by the District, site preparation, including but not limited to demolition, clean-up and any required environmental work, and temporary facilities for LPS Richmond students, if needed, during construction of the permanent facilities.

With respect to the Series A-1 Bonds, the District expects to receive, on or about each Bond Payment Date, a cash subsidy payment (each, a “Subsidy Payment”) from the United States Treasury (the “Treasury”) equal to the lesser of: the interest payable on such Bonds on each Bond Payment Date or the amount of interest that would have been payable on such Bond Payment Date with respect to such Bonds if such interest were determined at the tax credit rate applicable to the Bonds (the “Tax Credit Rate”), which Tax Credit Rate was published by the Treasury and determined under Section 54A(b)(3) of the Code. The District Board has directed the Paying Agent, prior to each such Bond Payment Date, to submit or cause to be submitted to the Treasury a subsidy reimbursement request in accordance with applicable Federal regulations. Upon receipt of each Subsidy Payment, the District shall deposit or cause to be deposited such monies into the Election of 2010 Debt Service Fund established for the payment of principal and interest on the Series A-1 Bonds. See “SECURITY FOR THE BONDS—Payment of Principal and Interest.”

Failure to comply with certain of such requirements may result in a delay or forfeiture of all or a portion of the Subsidy Payments and may cause the Series A-1 Bonds to cease to be treated as qualified bonds either prospectively from the date of determination of a failure to comply with the requirements or retroactively to the date of their delivery.

The Subsidy Payments do not constitute a full faith and credit guarantee of the United States with respect to the Series A-1 Bonds, but are required to be paid by the Treasury under the Code. The District is obligated to pay debt service on the Series A-1 Bonds whether or not any Subsidy Payments are received. The District makes no assurances about future legislation or policy changes or other actions of the federal government that may decrease or eliminate the amount or receipt of such payments. If Subsidy Payments are not received, are decreased or are otherwise not deposited in the Election of 2010 Debt Service Fund, the County is required to levy *ad valorem* taxes in an amount sufficient to pay the full amount of debt service on the Series A-1 Bonds.

### **Book-Entry Only System**

The Election of 2010 Bonds will be issued as one fully registered bond without coupons for each maturity and, when issued, will be registered in the name of Cede & Co., as nominee of DTC. DTC will act as securities depository of the Bonds. Individual purchases may be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive certificates representing their interest in the Bonds purchased. Principal and interest will be paid to DTC, which will in turn remit such principal and interest to its participants for subsequent disbursement to the Beneficial Owners of the Bonds, as applicable, as described herein. See “APPENDIX E—BOOK-ENTRY ONLY SYSTEM.”

### **Redemption of Series A Bonds\***

**Optional Redemption.** The Series A Bonds maturing on or before August 1, 2021, are not subject to redemption prior to their respective stated maturity dates. The Series A Bonds maturing on and after August 1, 2022, shall be subject to redemption prior to their respective stated maturity dates, at the option of the District, from any source of available funds, as a whole or in part on any date on or after August 1, 2021, at a redemption price equal to 100% of the principal amount thereof called for redemption, together with interest accrued thereon to the date of redemption, without premium.

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\* Preliminary, subject to change.

***Mandatory Sinking Fund Redemption.*** The Series A Term Bonds maturing on August 1, 20\_\_ are subject to mandatory sinking fund redemption on August 1 of each Mandatory Sinking Fund Redemption Date and in the respective principal amounts as set forth in the following schedule, at a redemption price equal to the principal amount thereof to be redeemed plus accrued interest thereon to the date fixed for redemption, without premium:

Mandatory Sinking Fund Redemption Date (August 1)	Principal Amount to be Redeemed
---	------------------------------------

†

† Maturity.

The principal amount to be redeemed in each year shown in the table above will be reduced proportionately, in integral multiples of \$5,000 by the amount of such Series A Bond called for optional redemption prior to the mandatory sinking fund redemption date.

***Selection of Series A Bonds for Redemption.*** If less than all Series A Bonds are called for optional redemption, the Paying Agent, upon written instruction from the District, shall select Series A Bonds for redemption as so directed and, if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select Series A Bonds for redemption by lot in such manner as the Paying Agent shall determine; provided, however, that the portion of any Series A Bond to be redeemed in part shall be in the principal amount of \$5,000 or any integral multiple thereof.

#### **Redemption of Series A-1 Bonds\***

***Optional Redemption.*** The Series A-1 Bonds are not subject to optional redemption prior to maturity.

***Mandatory Sinking Fund Redemption.*** The Series A-1 term bonds maturing on August 1, 20\_\_ are subject to mandatory sinking fund redemption on August 1 of each Mandatory Sinking Fund Redemption Date and in the respective principal amounts as set forth in the following schedule, at a redemption price equal to the principal amount thereof to be redeemed plus accrued interest thereon to the date fixed for redemption, without premium:

Mandatory Sinking Fund Redemption Date (August 1)	Principal Amount to be Redeemed
---	------------------------------------

†

† Maturity.

The principal amount to be redeemed in each year shown in the table above will be reduced proportionately, in integral multiples of \$5,000, by any portion of such Series A-1 Bond called for extraordinary mandatory or optional redemption prior to the mandatory sinking fund redemption date.

***Extraordinary Mandatory Redemption due to Unexpended Proceeds of Series A-1 Bonds.*** The Series A-1 Bonds are subject to extraordinary mandatory redemption, in whole or in part, within 90 days following the third anniversary of the delivery date of the Series A-1 Bonds, or within 90 days following the date of termination of any period of time negotiated with the IRS that extends the date by which the proceeds

\* Preliminary, subject to change.

of the sale of the Series A-1 Bonds must be expended (as required by Section 54F of the Code) as evidenced in writing by the IRS. Any such redemption shall be in a total amount equal to the unexpended proceeds of the Series A-1 Bonds, at a redemption price equal to the principal amount of the Series A-1 Bonds called for redemption, without premium, plus accrued interest to the redemption date.

***Extraordinary Optional Redemption Due to Extraordinary Event.*** Upon the occurrence of an Extraordinary Event (as defined below), the Series A-1 Bonds are subject to redemption prior to their maturity date at the option of the District, as a whole or in part, on any date designated by the District, at the Make-Whole Redemption Price (as defined below).

***Selection of Series A-1 Bonds for Redemption.*** If less than all of the Series A-1 Bonds are called for redemption, the portions of any Series A-1 Bonds of a given maturity to be redeemed will be determined on a *pro rata* basis. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that the portion of any Series A-1 Bond to be redeemed in part shall be in the Principal Amount of \$5,000 or any integral multiple thereof, except that, so long as the Series A-1 Bonds are in book-entry only form, selection shall be made in accordance with the operational arrangements of DTC then in effect on the basis of a "Pro-Rata Pass-Through Distribution of Principal" or any other applicable procedures adopted by DTC.

***Certain Defined Terms Applicable to the Redemption of Series A-1 Bonds.*** The term "Accountable Event of Loss of Qualified School Construction Bond Status" means (i) any act or any failure to act on the part of the District constituting a breach of a covenant or agreement thereof contained in the Election of 2010 Bonds Resolution and Series A-1 Tax Certificate which causes such Series A-1 Bonds to lose their status, or fail to qualify, as Qualified School Construction Bonds within the meaning of Section 54F of the Code, or (ii) the making by the District of any representation contained in the Election of 2010 Bonds Resolution and the Series A-1 Tax Certificate, as applicable, which was untrue when made and the untruth of which representation at such time causes the Series A-1 Bonds to lose their status, or fail to qualify, as Qualified School Construction Bonds within the meaning of Section 54F of the Code.

The term "Extraordinary Event" means (a) a final determination by the Internal Revenue Service ("IRS") (after the District has exhausted all administrative appeal remedies) determining that an Accountable Event of Loss of Qualified School Construction Bond Status has occurred and specifying the Date of Loss of Qualified School Construction Bond Status; (b) a non-appealable holding by a court of competent jurisdiction holding that an Accountable Event of Loss of Qualified School Construction Bond Status has occurred and specifying the Date of Loss of Qualified School Construction Bond Status; (c) the occurrence of a material adverse change under Section 54F or 6431 of the Code; (d) the publication by the IRS or the United States Treasury of any guidance with respect to such sections; or (e) any other determination by the IRS or the United States Treasury, which determination is not the result of a failure of the District to satisfy certain requirements of the Election of 2010 Bonds Resolution and the tax certificate of the District relating to the Series A-1 Bonds (the "Series A-1 Tax Certificate"), if as a result of an event as described in (c), (d), or (e) of this sentence, the direct subsidy payments expected to be received with respect to the Series A-1 Bonds are eliminated or reduced, as reasonably determined by the Superintendent of the District or his designee, which determination shall be conclusive.

The term "Date of Loss of Qualified School Construction Bond Status" is the date specified in a Determination of Loss of Qualified School Construction Bond Status as the date from and after which the Series A-1 Bonds lost their status, or failed to qualify, as Qualified School Construction Bonds as defined in Section 54F of the Code as a result of an Accountable Event of Loss of Qualified School Construction Bond Status, which date could be as early as the date of initial issuance and delivery of the Series A-1 Bonds.

The term "Determination of Loss of Qualified School Construction Bond Status" means (i) a final determination by the IRS (after the District has exhausted or waived all administrative appeal remedies) determining that an Accountable Event of Loss of Qualified School Construction Bond Status has occurred and specifying the Date of Loss of Qualified School Construction Bond Status and the amount of Series A-1

Bonds that are subject to the Accountable Event of Loss of Qualified School Construction Bond Status, or (ii) a non-appealable holding by a court of competent jurisdiction holding that an Accountable Event of Loss of Qualified School Construction Bond Status has occurred and specifying the Date of Loss of Qualified School Construction Bond Status.

The term “Make-Whole Redemption Price” means, with respect to any Series A-1 Bonds to be redeemed, the principal amount thereof to be redeemed, plus an amount calculated by a Designated Banking Institution (as defined below) equal to the positive difference, if any, between:

- (i) the initial offering price of the Series A-1 Bonds to be redeemed; and
- (ii) the sum of the present value of the remaining scheduled payments of principal and interest with respect to the Series A-1 Bonds to be redeemed to the maturity date of such Series A-1 Bonds, not including any portion of those payments of interest accrued and unpaid as of the date on which the Series A-1 Bonds are to be redeemed, discounted to the date on which the Series A-1 Bonds are to be redeemed on a semiannual basis, assuming a 360-day year containing twelve 30-day months, at the Treasury Rate, plus 100 basis points, plus in each case accrued interest on the Series A-1 Bonds to be redeemed to the redemption date.

For the purpose of determining the Make-Whole Redemption Price, “Treasury Rate” means, with respect to any redemption date for a particular Series A-1 Bond, the yield to maturity as of such redemption date of United States Treasury securities with a constant maturity (as compiled and published in the most recent Federal Reserve Statistical Release H.15 (519) (the “Statistical Release”) that has become publicly available at least two business days prior to the redemption date (excluding inflation-indexed securities) (or, if the Statistical Release is no longer published, any publicly available source of similar market data) most nearly equal to the period from the redemption date to the maturity date of the Series A-1 Bonds to be redeemed; provided, however that if the period from the redemption date to the maturity date is less than one year, the weekly average yield on actually traded United States Treasury securities adjusted to a constant maturity of one year shall be used.

The term “Designated Banking Institution” means an investment banking institution of national standing which is a primary United States government securities dealer in the City of New York designated by the District (which may be the Underwriter (as defined herein) of the Bonds).

#### **Notice of Redemption for Election of 2010 Bonds**

At least 30 but not more than 45 days prior to the redemption date, a redemption notice (the “Redemption Notice”) shall be given (i) to those persons in whose name the Bonds designated for redemption are registered (the “Owners”) by registered or certified mail, postage prepaid, at their addresses appearing on the registration books of the Paying Agent; and (ii) as further required in the Election of 2010 Bonds Resolution and as may be further required in accordance with the Continuing Disclosure Certificate of the District. See “APPENDIX D-FORM OF CONTINUING DISCLOSURE CERTIFICATE.”

Such Redemption Notice shall specify: the Bonds or designated portions thereof (in the case of redemption of the Bonds in part but not in whole) which are to be redeemed, the date of redemption, the place or places where the redemption will be made, including the name and address of the Paying Agent, the redemption price, the CUSIP numbers (if any) assigned to the Bonds to be redeemed, the Bond numbers of the Bonds to be redeemed in whole or in part and, in the case of any Bond to be redeemed in part only, the Principal Amount of such Bond to be redeemed, and the original issue date, interest rate and stated maturity date of each Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued to the redemption date, and that from and after such date, interest with respect thereto shall cease to accrue.

Neither failure to receive nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Bonds, as applicable.

Any Redemption Notice for an optional redemption of the Bonds delivered may be conditional, and, if any condition stated in the Redemption Notice shall not have been satisfied on or prior to the redemption date: (i) the Redemption Notice shall be of no force and effect, (ii) the District shall not be required to redeem such Bonds, (iii) the redemption shall not be made, and (iv) the Paying Agent shall within a reasonable time thereafter give notice to the persons in the manner in which the conditional Redemption Notice was given that such condition or conditions were not met and that the redemption was canceled.

### **Effect of Notice of Redemption for Election of 2010 Bonds**

Notice having been given in the manner described above and in compliance with the provisions of the Election of 2010 Bonds Resolution, and the monies for the redemption (including the interest to the applicable date of redemption) having been set aside for such purpose, the Bonds to be redeemed shall become due and payable on such date of redemption. If on such redemption date, money for the redemption of all the Bonds to be redeemed, together with interest accrued to such redemption date, shall be held by the Paying Agent so as to be available therefor on such redemption date, then from and after such redemption date, interest with respect to the Bonds to be redeemed shall cease to accrue and become payable.

### **Defeasance of Election of 2010 Bonds**

All or a portion of the outstanding Bonds may be paid and discharged in any one or more of the following ways:

(1) by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which, together with amounts then on deposit in the Election of 2010 Debt Service Fund, is fully sufficient to pay any or all of the Election of 2010 Bonds outstanding and designated for defeasance, including all principal and interest and premium, if any, at or before their maturity date selected by the District; or

(2) by irrevocably depositing with an independent escrow agent noncallable Government Obligations (as defined below), together with cash, if required, in such amount as will, in the opinion of an independent certified public accountant, together with the interest to accrue thereon and monies then on deposit in the Election of 2010 Debt Service Fund together with interest to accrue thereon, be fully sufficient to pay and discharge any or all of the Election of 2010 Bonds outstanding and designated for defeasance (including all principal and interest and premium, if any), at or before their maturity date.

If an Election of 2010 Bond is defeased as described above, then, all obligations of the District under the Election of 2010 Bonds Resolution with respect to such outstanding Election of 2010 Bond shall cease and terminate, whether or not such Election of 2010 Bond has been surrendered for payment, except only the obligation of the District and the Paying Agent to pay or cause to be paid from the amounts on deposit pursuant to (1) and (2) above, to the owners of such Election of 2010 Bonds not so surrendered and paid all sums due with respect thereto.

In the Election of 2010 Bonds Resolution, Government Obligations are defined as:

Direct and general obligations of the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations that are unconditionally guaranteed as to principal and interest by the United States of America, or "prerefunded" municipal obligations rated in the highest rating category by Moody's Investors Service or Standard & Poor's. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations.

Investments in such proportionate interests must be limited to circumstances where (a) a bank or trust company acts as custodian and holds the underlying United States obligations; (b) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (c) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed "AAA" by Standard & Poor's or "Aaa" by Moody's Investors Service.

### **Unclaimed Election of 2010 Bonds Funds**

Anything in the Election of 2010 Bonds Resolution to the contrary notwithstanding, any monies held in any fund created pursuant to the Election of 2010 Bonds Resolution, or by the Paying Agent in trust, for the payment of the principal of, redemption premium, if any, and interest on the Bonds remaining unclaimed for one year after such principal of all of the Bonds have become due and payable (whether by maturity or upon prior redemption) shall be, after payment in full of the Bonds, transferred to the general fund of the District to be applied in accordance with law; provided, however, that the Paying Agent, before making such payment, shall cause notice to be mailed to the Owners of all Bonds that have not been paid, by first-class mail at the addresses on the Bonds register, postage prepaid, no less than 90 days prior to the date of such payment. Thereafter, the District shall have all responsibility and liability for the payment of such Bonds.

### **Application and Investment of Election of 2010 Bonds Proceeds**

The proceeds from the sale of the Election of 2010 Bonds to the extent of the principal amount thereof, shall be paid to the County to the credit of the applicable fund created and established under the Election of 2010 Bonds Resolution and known as the "West Contra Costa Unified School District General Obligation Bonds, Election of 2010, Series A" (the "Series A Building Fund") and the "West Contra Costa Unified School District General Obligation Bonds, Election of 2010, Series A-1 Building Fund" (the "Series A-1 Building Fund") of the District, each of which shall be kept separate and distinct from all other District and County funds, and those proceeds shall be used solely for the purpose for which the Election of 2010 Bonds are being issued and provided further that such proceeds shall be applied solely to the purposes of the 2010 Authorization. Interest earnings on monies held in the Series A Building Fund and the Series A-1 Building Fund shall be retained in each such fund to be used for the purposes authorized therefor.

The accrued interest and any premium received by the District from the sale of the Election of 2010 Bonds shall be kept separate and apart in the fund created and established pursuant to the Election of 2010 Resolution and designated as the "West Contra Costa Unified School District General Obligation Bonds, Election of 2010, Series A and Series A-1 Debt Service Fund" (the "Election of 2010 Debt Service Fund") and used only for payment of principal of and interest on the Election of 2010 Bonds. Interest earnings on monies held in the Election of 2010 Debt Service Fund shall be retained in the Election of 2010 Debt Service Fund.

Any excess proceeds of the Election of 2010 Bonds not needed for the authorized purposes for which the Election of 2010 Bonds are being issued upon written notice from the District shall be transferred to the Election of 2010 Debt Service Fund and applied to the payment of principal of and interest on the Election of 2010 Bonds. See "SECURITY FOR THE BONDS—Payment of Principal and Interest." If, after payment in full of the Election of 2010 Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the General Fund of the District.

Monies held in the Series A Building Fund, the Series A-1 Building Fund and the Election of 2010 Debt Service Fund, including the *ad valorem* property taxes levied to repay the Election of 2010 Bonds, may be invested in any investment permitted by law. It is anticipated that such monies will be invested in the County Investment Pool, although the District could provide instructions to invest in other lawful investments. See "APPENDIX G—CONTRA COSTA COUNTY INVESTMENT POLICY AND EXCERPTS FROM TREASURER'S QUARTERLY INVESTMENT REPORT AS OF JUNE 30, 2011."

## THE 2011A REFUNDING BONDS

### Authority for Issuance of the 2011A Refunding Bonds; Purpose

The 2011A Refunding Bonds are being issued pursuant to the provisions of Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code (the "Refunding Act"), pursuant to the Purchase Contract and pursuant to a resolution adopted by the Board of Education of the District on July 27, 2011 (the "Refunding Bonds Resolution," and together with the Election of 2010 Bonds Resolution, the "Resolutions").

### Plan of Refunding\*

In accordance with the Refunding Act, the net proceeds of the 2011A Refunding Bonds are being issued by the District to refund, on \_\_\_\_\_, 20\_\_, a portion of its outstanding: (i) Election of 2002, Series A Bonds maturing from August 1, \_\_\_\_ through August 1, \_\_\_\_, (ii) Election of 2002, Series B Bonds maturing from August 1, \_\_\_\_ through August 1, \_\_\_\_, and (iii) Election of 2000, Series C Bonds maturing from August 1, \_\_\_\_ through August 1, \_\_\_\_. The table below sets forth the anticipated portions of such series of bonds (the "Refunded Bonds") being refunded with the net proceeds of the 2011A Refunding Bonds.

### REFUNDED BONDS

<b>Maturity Date</b> <b><u>August 1</u></b>	<b>Election of 2002,</b> <b><u>Series A Bonds</u></b>	<b>Election of 2002,</b> <b><u>Series B Bonds</u></b>	<b>Election of 2000,</b> <b><u>Series C Bonds</u></b>
	\$ _____	\$ _____	\$ _____

### TOTAL

The Refunding Bonds Resolution provides that an amount of net proceeds from the sale of the 2011A Refunding Bonds will be transferred to the Escrow Agent for deposit into the escrow fund (the "Escrow Fund") established under an Escrow Agreement, dated as of \_\_\_\_\_, 2011 (the "Escrow Agreement"), by and between the District and The Bank of New York Mellon Trust Company, N.A., as escrow agent (the "Escrow Agent"), which amount, together with cash held uninvested therein, shall be sufficient to refund the Refunded Bonds. Moneys so transferred will be held in the form of cash.

Causey, Demgen & Moore, Inc., (the "Verification Agent") an independent certified public accountant licensed to practice in the State, acting as verification agent with respect to the Escrow Fund, will certify in writing that moneys deposited and invested in the Escrow Fund, together with earnings thereon, will be sufficient to pay the redemption price of, and interest on the Refunded Bonds, as the same become due.

### Redemption of 2011A Refunding Bonds\*

**Optional Redemption of 2011A Refunding Bonds.** The 2011A Refunding Bonds maturing on or before August 1, 2021, are not subject to redemption prior to their maturity dates. The 2011A Refunding Bonds maturing on or after August 1, 2022, may be redeemed before maturity at the option of the District on any date on or after August 1, 2021, as a whole, or in part, by lot, from such maturities as are selected by the District. The 2011A Refunding Bonds will be deemed to consist of \$5,000 portions, and any such portion may

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\* Preliminary, subject to change.

\* Preliminary, subject to change.

be separately redeemed. The 2011A Refunding Bonds redeemed prior to maturity, if any, will be redeemed at the principal amount thereof together with accrued interest to date of redemption, without premium).

***Selection of 2011A Refunding Bonds for Redemption.*** Whenever provision is made in the Refunding Bonds Resolution for the redemption of the 2011A Refunding Bonds, and less than all 2011A Refunding Bonds are to be redeemed, the Paying Agent, upon written instruction from the District, shall select 2011A Refunding Bonds for redemption as so directed and, if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select 2011A Refunding Bonds for redemption by lot. The portion of any 2011A Refunding Bond to be redeemed in part shall be in the principal amount of \$5,000 or any integral multiple thereof.

### **Notice of and Effect of Redemption of 2011A Refunding Bonds**

At least 30 but not more than 45 days prior to the redemption date, a redemption notice shall be given to those persons in whose name the 2011A Refunding Bonds designated for redemption are registered (the "Owners") by registered or certified mail, postage prepaid, at their addresses appearing on the registration books of the Paying Agent.

If on a redemption date money for the redemption of the 2011A Refunding Bonds to be redeemed, together with interest accrued to such redemption date, are held by the Paying Agent, and if notice of redemption thereof shall have been given as set forth in the Refunding Bonds Resolution, then from and after such redemption date, interest with respect to the 2011A Refunding Bonds to be redeemed shall cease to accrue and become payable. When any 2011A Refunding Bonds (or portions thereof) which have been duly called for redemption prior to maturity, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Paying Agent and sufficient moneys are held by the Paying Agent irrevocably in trust for the payment of the redemption price of such 2011A Refunding Bonds, or portions thereof, then such 2011A Refunding Bonds shall no longer be deemed outstanding and shall be surrendered to the Paying Agent for cancellation.

Any redemption notice for an optional redemption of the 2011A Refunding Bonds delivered may be conditional, and, if any condition stated in the redemption notice shall not have been satisfied on or prior to the redemption date: (i) the redemption notice shall be of no force and effect, (ii) the District shall not be required to redeem such 2011A Refunding Bonds, (iii) the redemption shall not be made, and (iv) the Paying Agent shall within a reasonable time thereafter give notice to the persons in the manner in which the conditional redemption notice was given that such condition or conditions were not met and that the redemption was canceled.

Neither failure to receive nor any defect in any such redemption notice so given shall affect the sufficiency of the proceedings for the redemption of the affected 2011A Refunding Bonds, as applicable.

### **Book-Entry Only System**

The 2011A Refunding Bonds will be issued as one fully registered bond without coupons for each maturity and, when issued, will be registered in the name of Cede & Co., as nominee of DTC. DTC will act as securities depository of the 2011A Refunding Bonds. Individual purchases may be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive certificates representing their interest in the 2011A Refunding Bonds purchased. Principal and interest will be paid to DTC, which will in turn remit such principal and interest to its participants for subsequent disbursement to the Beneficial Owners of the 2011A Refunding Bonds, as applicable, as described herein. See "APPENDIX E—BOOK-ENTRY ONLY SYSTEM."

## **Defeasance of 2011A Refunding Bonds**

All or a portion of the outstanding 2011A Refunding Bonds may be paid and discharged in any one or more of the following ways:

(1) by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which, together with amounts then on deposit in the 2011A Refunding Bonds Debt Service Fund, is fully sufficient to pay any or all of the 2011A Refunding Bonds outstanding and designated for defeasance, including all principal and interest and premium, if any, at or before their maturity date selected by the District; or

(2) by irrevocably depositing with an independent escrow agent noncallable Government Obligations (as defined below), together with cash, if required, in such amount as will, in the opinion of an independent certified public accountant, together with the interest to accrue thereon and moneys then on deposit in the 2011A Refunding Bonds Debt Service Fund together with interest to accrue thereon, be fully sufficient to pay and discharge any or all of the 2011A Refunding Bonds outstanding and designated for defeasance (including all principal and interest and premium, if any), at or before their maturity date.

If a 2011A Refunding Bond is defeased as described above, then, all obligations of the District under the Refunding Bonds Resolution with respect to such outstanding Bond shall cease and terminate, whether or not such 2011A Refunding Bond has been surrendered for payment, except only the obligation of the District and the Paying Agent to pay or cause to be paid from the amounts on deposit pursuant to (1) and (2) above, to the owners of such 2011A Refunding Bonds not so surrendered and paid all sums due with respect thereto.

In the Refunding Bonds Resolution, Government Obligations are defined as:

Direct and general obligations of the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations that are unconditionally guaranteed as to principal and interest by the United States of America, or “pre-refunded” municipal obligations rated in the highest rating category by Moody’s Investors Service or Standard & Poor’s. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership or proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances wherein (a) a bank or trust company acts as custodian and holds the underlying United States Obligations; (b) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States Obligations; and (c) the underlying United States Obligations are held in a special account, segregated from the custodian’s general assets, and are not available to satisfy any claims of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated “AAA” by Standard & Poor’s and “Aaa” by Moody’s Investors Service.

## **Application and Investment of 2011A Refunding Bonds Proceeds and Tax Revenues**

***Proceeds of the Bonds.*** The net proceeds from the sale of the 2011A Refunding Bonds shall be transferred to the Escrow Agent for deposit in the Escrow Fund established under the Escrow Agreement, which amount, together with an amount of cash held uninvested therein, if any, shall be sufficient to refund the 2011A Refunding Bonds. Premium or proceeds of the sale of the 2011A Refunding Bonds necessary to pay all or a portion of the costs of issuing the 2011A Refunding Bonds may be deposited in a fund held by the Paying Agent and known as “West Contra Costa Unified School District 2011A General Obligation Refunding Bonds Cost of Issuance Fund” (the “2011A Refunding Bonds Cost of Issuance Fund”) and shall be kept separate and distinct from all other District funds, and those proceeds shall be used solely for the purpose of paying costs of issuance of the 2011A Refunding Bonds.

Any accrued interest received by the District from the sale of the 2011A Refunding Bonds shall be kept separate and apart in the fund created under the Refunding Bonds Resolution and designated as the "West Contra Costa Unified School District 2011A General Obligation Refunding Bonds Debt Service Fund" (the "2011A Refunding Bonds Debt Service Fund") for the 2011A Refunding Bonds and used only for payments of principal of and interest on the 2011A Refunding Bonds. Any excess proceeds of the 2011A Refunding Bonds remaining after the required deposit to the Escrow Fund and payment of the costs of issuance of the 2011A Refunding Bonds shall be transferred to the 2011A Refunding Bonds Debt Service Fund and applied to the payment of the principal of and interest on the 2011A Refunding Bonds.

The proceeds of the 2011A Refunding Bonds deposited in the 2011A Refunding Bonds Debt Service Fund and the *ad valorem* property taxes levied to repay the 2011A Refunding Bonds, when received, shall be kept separate and apart in the 2011A Refunding Bonds Debt Service Fund and used only for payments of principal of and interest on the 2011A Refunding Bonds. If after payment in full of the Bonds any excess amounts remain in the 2011A Refunding Bonds Debt Service Fund, such amounts shall be transferred to the District's General Fund.

***Investment of 2011A Refunding Bond Proceeds and Other Monies.*** The 2011A Refunding Bond proceeds deposited in the Escrow Fund will be held uninvested, in cash, as described under the caption "THE 2011A REFUNDING BONDS—Plan of Refunding." The proceeds of the *ad valorem* property taxes levied to repay the 2011A Refunding Bonds and monies held in the 2011A Refunding Bonds Debt Service Fund may be invested in any investment permitted by law. It is anticipated that the *ad valorem* tax proceeds, and moneys in the 2011A Refunding Bonds Debt Service Fund will be invested in the County Investment Pool, although the District could provide instructions to invest in other lawful investments. See "APPENDIX G—CONTRA COSTA COUNTY TREASURY INVESTMENT POLICY AND DESCRIPTION OF INVESTMENT POOL."

#### **ESTIMATED SOURCES AND USES OF FUNDS**

The proceeds of the Election of 2010 Bonds are expected to be applied as follows:

<b><u>Sources of Funds</u></b>	<b><u>Series A Bonds</u></b>	<b><u>Series A-1 Bonds</u></b>	<b><u>Total</u></b>
Par Amount	\$ _____	\$ _____	\$ _____
Original Issue Premium	_____	_____	_____
Total Sources:	\$ _____	\$ _____	\$ _____
<b><u>Uses of Funds</u></b>			
Deposits to Building Funds	\$ _____	\$ _____	\$ _____
Deposits to Election of 2010 Debt Service Fund	_____	_____	_____
Underwriter's Discount	_____	_____	_____
Costs of Issuance of Election of 2010 Bonds <sup>(1)</sup>	_____	_____	_____
Total Uses:	\$ _____	\$ _____	\$ _____

<sup>(1)</sup> Includes Financial Advisor fees, Bond Counsel fees, Disclosure Counsel fees, rating agency fees, paying agent fees, printing fees and other miscellaneous fees and expenses. The District will pay, or cause to be paid, the costs of issuance of the Election of 2010 Bonds from proceeds of the Election of 2010 Bonds.

The proceeds of the 2011A Refunding Bonds are expected to be applied as follows:

<b><u>Sources of Funds</u></b>	<b><u>Total</u></b>
Par Amount	\$ _____
Net Original Issue Premium	_____
Total Sources:	\$ _____
<b><u>Uses of Funds</u></b>	

Escrow Fund Refunded Bonds	\$ _____
2011A Refunding Bonds Debt Service Fund	\$ _____
Costs of Issuance of 2011A Refunding Bonds <sup>(1)</sup>	_____
Total Uses:	\$ _____

<sup>(1)</sup> Includes Financial Advisor fees, Bond Counsel fees, Disclosure Counsel fees, rating agency fees, paying agent fees, escrow agent fees, verification agent fees, printing fees and other miscellaneous fees and expenses. The District will pay, or cause to be paid, the costs of issuance of the 2010A Refunding Bonds from proceeds of the 2010A Refunding Bonds.

## SECURITY FOR THE BONDS

The Bonds are general obligations of the District payable solely from *ad valorem* property taxes levied on taxable property within the District. The County, on behalf of the District, is empowered and obligated to levy *ad valorem* taxes, without limitation as to rate or amount, for the payment of the principal and interest on the Bonds due and payable in the next succeeding bond year (less amounts on deposit in the applicable debt service fund established under each of the Resolutions), upon all property subject to taxation by the District (except certain personal property which is taxable at limited rates). See “TAX BASE FOR REPAYMENT OF THE BONDS” herein.

The Election of 2010 Bonds Resolution provides that there shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* tax annually during the period the Election of 2010 Bonds are outstanding in an amount sufficient to pay the principal of and interest on the Election of 2010 Bonds when due, which moneys when collected will be placed in the Election of 2010 Debt Service Fund. The Election of 2010 Debt Service Fund is irrevocably pledged for the payment of the principal of and interest on the Election of 2010 Bonds when and as the same fall due. The Refunding Bonds Resolution similarly provides that there shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* tax annually during the period the 2011A Refunding Bonds are outstanding in an amount sufficient to pay the principal of and interest on the 2011A Refunding Bonds when due, which moneys when collected will be placed in the 2011A Refunding Bonds Debt Service Fund. The Refunding Bonds Resolution pledges the amounts in the 2011A Refunding Bonds Debt Service Fund for the payment of the principal of and interest on the 2011A Refunding Bonds when due. See “SECURITY FOR THE BONDS—Payment of Principal and Interest” for a description of the manner in which such payments will be made.

The amount of annual *ad valorem* taxes levied by the County to repay the Bonds will be determined by the relationship between the assessed valuation of taxable property in the District and the amount of debt service due on the Bonds and the then outstanding prior general obligation bonds of the District (collectively, the “Prior General Obligation Bonds”). Fluctuations in the annual debt service on the Bonds and the Prior General Obligation Bonds and the assessed value of taxable property in the District may cause the annual tax rates to fluctuate. See “SECURITY FOR THE BONDS—Combined Annual Debt Service.” Economic and other factors beyond the District’s control could cause a reduction in the assessed value of taxable property within the District and necessitate a corresponding increase in the annual tax rate. These factors include a general market decline in real property values, reclassification of property to a class exempt from taxation, whether by ownership or use (such as exemptions for property owned by the federal government, the State of California (the “State”) and local agencies and property used for qualified educational, hospital, charitable or religious purposes), or the complete or partial destruction of taxable property caused by a natural or manmade disaster, such as earthquake, flood or toxic contamination.

**THE BONDS ARE GENERAL OBLIGATION BONDS OF THE DISTRICT AND DO NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF THE COUNTY. NO PART OF ANY FUND OF THE COUNTY IS PLEDGED OR OBLIGATED TO THE PAYMENT OF THE BONDS.**

## **Payment of Principal and Interest on the Bonds**

Payments of principal and interest shall be made from the funds on deposit in the applicable debt service fund for each of the series of the Bonds. Interest on the Bonds is payable semiannually on February 1 and August 1 of each year (each a "Bond Payment Date"), commencing February 1, 2012, to maturity or prior redemption thereof. The interest on the Bonds shall be payable in lawful money of the United States of America. Payment of interest on any Bond Payment Date shall be made to the person appearing on the registration books of the Paying Agent as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by wire transfer or check mailed to such Owner on the Bond Payment Date at his address as it appears on such registration books or at such other address as he may have filed with the Paying Agent for that purpose on or before the Record Date. The Owner in an aggregate principal amount of One Million Dollars (\$1,000,000) or more may request in writing to the Paying Agent that such Owner be paid interest by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date.

Principal on the Bonds is payable on August 1 in each of the years and in the amounts shown in the Maturity Schedule, on the inside front cover. The principal, and redemption premiums, if any, payable on the Bonds shall be payable in lawful money of the United States of America upon maturity or redemption upon surrender at the designated office of the Paying Agent. The Paying Agent is authorized to pay the Bonds when duly presented for payment at maturity or early redemption, and to cancel all Bonds upon payment thereof.

## Semi-Annual Debt Service on the Bonds

The scheduled payments of principal and interest on the Bonds, assuming no optional redemptions prior to maturity, are set forth on the following table:

<u>Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Series A-1 Bonds Subsidy</u>	<u>Semi-Annual Net Debt Service<sup>(1)</sup></u>
2/1/2012				
8/1/2012				
2/1/2013				
8/1/2013				
2/1/2014				
8/1/2014				
2/1/2015				
8/1/2015				
2/1/2016				
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2/1/2033				
8/1/2033				
2/1/2034				
8/1/2034				
2/1/2035				
8/1/2035				
2/1/2036				
8/1/2036				
2/1/2037				
8/1/2037				

**Semi-Annual Debt Service on the Bonds (Continued)**

<u>Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Series A-1 Bonds Subsidy</u>	<u>Semi-Annual Net Debt Service<sup>(1)</sup></u>
2/1/2038				
8/1/2038				
2/1/2039				
8/1/2039				
2/1/2040				
8/1/2040				
2/1/2041				
8/1/2041				
<b>Total</b>				

(1) Reflects required semi-annual debt service, including sinking fund deposits required for the Bonds, reduced by the expected Subsidy Payments, assuming receipt of those Subsidy Payments prior to each related Series A-1 Bonds interest payment.

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## Combined Annual Debt Service

The District currently has general obligation bonds outstanding under four separate voter-approved authorizations, as follows: (i) On June 2, 1998, the District received authorization from voters to issue \$40 million in general obligation bonds (the “1998 Authorization”). The District issued all \$40 million of the 1998 Authorization, but such bonds were fully refunded in 2001; (ii) On November 7, 2000, the District received authorization from voters to issue \$150 million (the “2000 Authorization”). The District has issued all \$150 million of the 2000 Authorization; (iii) On March 2, 2002, the District received authorization from voters to issue \$300 million (the “2002 Authorization”). The District has issued all of the 2002 Authorization; (iv) On November 8, 2005, the District received authorization from voters to issue \$400 million (the “2005 Authorization”). As of June 30, 2011, the District has issued approximately \$322.4 million and approximately \$77.6 million of the 2005 Authorization remain authorized but unissued. The Bonds constitute the first and second series bonds to be issued under a fifth voter-approved authorization, the 2010 Authorization. See “THE BONDS-Authority for Issuance; Purpose.” and “APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION - District Debt Structure.” Upon the Issuance of the Bonds, annual debt service obligations for all outstanding bonds of the District, including the Bonds (assuming no optional redemptions prior to maturity), will be as follows:

Year Ending August 1	1998 Authorization	2000 Authorization	2002 Authorization	2005 Authorization	The Bonds <sup>(1)</sup>	Total Annual Debt Service
2012	\$ 2,938,732.50	\$11,569,092.50	\$13,175,760.83	\$16,245,491.26		
2013	2,936,845.00	12,318,100.00	13,444,847.50	16,790,491.26		
2014	2,939,467.50	12,674,350.00	16,455,247.50	17,933,691.26		
2015	2,940,867.50	14,010,150.00	17,142,722.50	19,155,291.26		
2016	2,939,942.50	14,673,550.00	17,869,422.50	20,496,266.26		
2017	2,941,287.50	15,228,212.50	19,120,137.50	21,925,953.76		
2018	2,945,323.75	6,282,462.50	20,129,675.00	23,477,853.76		
2019	2,941,912.50	6,248,212.50	20,431,937.50	25,146,953.76		
2020	2,950,107.50	6,212,962.50	21,160,137.50	26,954,013.76		
2021	2,949,052.50	6,176,462.50	22,186,137.50	28,904,213.76		
2022	2,953,852.50	6,153,462.50	23,415,425.00	30,940,463.76		
2023	2,949,832.50	6,128,937.50	24,112,162.50	31,606,389.76		
2024	1,533,275.00	6,110,750.00	25,210,725.00	32,214,506.50		
2025	743,575.00	6,093,000.00	26,361,500.00	33,637,257.50		
2026	--	6,081,250.00	27,566,000.00	35,080,457.50		
2027	--	6,069,750.00	28,832,750.00	36,585,820.00		
2028	--	6,058,000.00	30,176,000.00	38,160,582.50		
2029	--	6,050,500.00	31,589,750.00	39,809,232.50		
2030	--	6,041,500.00	33,078,000.00	41,529,907.50		
2031	--	6,035,500.00	34,644,000.00	43,328,670.00		
2032	--	6,021,750.00	35,697,000.00	45,206,995.00		
2033	--	--	35,570,500.00	47,173,495.00		
2034	--	--	37,403,500.00	48,608,980.00		
2035	--	--	--	28,575,875.00		
2036	--	--	--	29,860,000.00		
2037	--	--	--	--		
2038	--	--	--	--		
2039	--	--	--	--		
2040	--	--	--	--		
2041	--	--	--	--		
2042	--	--	--	--		
2043	--	--	--	--		
2044	--	--	--	--		
2045	--	--	--	--		
<b>Total</b>	<b>\$37,604,073.75</b>	<b>\$172,237,955.00</b>	<b>\$574,773,338.33</b>	<b>\$779,348,852.62</b>		

<sup>(1)</sup> Annual Debt Service for the Bonds includes Qualified School Construction Bonds’ subsidy payment.

## **BOND INSURANCE**

The District has applied for a policy of municipal bond insurance with respect to the Bonds. If bond insurance is purchased, the scheduled payment of principal and interest on the Bonds when due will be guaranteed under an insurance policy to be issued concurrently with the delivery of the Bonds.

## **TAX BASE FOR REPAYMENT OF THE BONDS**

The information in this section describes *ad valorem* property taxation, assessed valuation, and other measures of the tax base of the District. The Bonds are payable solely from *ad valorem* taxes levied and collected by the County on taxable property in the District. The District's General Fund is not a source for the repayment of the Bonds.

### ***Ad Valorem Property Taxation***

The collection of property taxes is significant to the District and the owners of the Bonds in two respects. First, the County will levy and collect *ad valorem* taxes on all taxable parcels within the District which are pledged specifically to the repayment of the Bonds and the Prior General Obligation Bonds. Second, the general *ad valorem* property tax levy levied in accordance with Article XIII A of the California Constitution ("Article XIII A") and its implementing legislation is a source of funding to operate the District's educational program. As described below, the general *ad valorem* property tax levy and the additional *ad valorem* property tax levy pledged to repay the Bonds and the Prior General Obligation Bonds will be collected through annual tax bills distributed by the County to the owners of parcels within the boundaries of the District. The additional *ad valorem* property tax levy pledged to repay the Bonds and the Prior General Obligation Bonds may be used only to repay such bonds and may not be used to fund other District expenditures.

***Method of Property Taxation.*** Beginning in fiscal year 1978-79, Article XIII A and its implementing legislation permitted each county to levy and collect all property taxes (except for levies to support prior voter approved indebtedness) and prescribed how levies on county-wide property values were to be shared with local taxing entities within each county. All property is assessed using full cash value as defined by Article XIII A. State law, however, provides exemptions from *ad valorem* property taxation for certain classes of property such as churches, colleges, non-profit hospitals, and charitable institutions.

Future assessed valuation growth allowed under Article XIII A (new construction, certain changes of ownership, up to 2% inflation) will be allocated on the basis of "situs" among the jurisdictions that serve the tax rate area within which the growth occurs. Local agencies and schools will share the growth of "base" sources from the tax rate area. Each year's growth allocation becomes part of each agency's allocation in the following year. The availability of revenue from growth in the tax bases in such entities may be affected by the existence of redevelopment agencies which, under certain circumstances, may be entitled to sources resulting from the increase in certain property values. State law exempts \$7,000 of the assessed valuation of an owner-occupied principal residence. This exemption does not result in any loss of revenue to local agencies since an amount equivalent to the taxes that would have been payable on such exempt values is made up by the State.

Taxes are levied for each fiscal year on taxable real and personal property which is situated in a county as of the preceding January 1. Real property which changes ownership or is newly constructed is revalued at the time the change in ownership occurs or the new construction is completed. The current year property tax rate will be applied to the reassessment, and the taxes will then be adjusted by a proration factor to reflect the portion of the remaining tax year for which taxes are due.

For assessment and collection purposes, property is classified either as “secured” or “unsecured” and is listed accordingly on separate parts of the assessment roll. The “secured roll” is that part of the assessment roll containing State-assessed property and real property having a tax lien which is sufficient, in the opinion of the county assessor, to secure payment of the taxes. Unsecured property comprises all property not attached to land such as personal property or business property. Unsecured property is assessed on the “unsecured roll.”

Property taxes on the secured roll are due in two installments, on November 1 and February 1 of each fiscal year, and if unpaid become delinquent on December 10 and April 10, respectively. A penalty of 10 percent attaches immediately to all delinquent payments. Property on the secured roll with respect to which taxes are delinquent becomes tax defaulted on or about June 30 of the fiscal year. Such property may thereafter be redeemed by payment of a penalty of 1.5 percent per month to the time of redemption, plus costs and a redemption fee. If taxes are unpaid for a period of five years or more, the property is subject to sale by the Treasurer-Tax Collector of the county levying the tax.

Property taxes on the unsecured roll are due as of the January 1 lien date and become delinquent, if unpaid, on August 31. A 10 percent penalty attaches to delinquent unsecured taxes. If unsecured taxes are unpaid at 5 p.m. on October 31, an additional penalty of 1.5 percent attaches to them on the first day of each month until paid. A county has four ways of collecting delinquent unsecured personal property taxes: (1) bringing a civil action against the taxpayer; (2) filing a certificate in the office of the county clerk specifying certain facts in order to obtain a lien on certain property of the taxpayer; (3) filing a certificate of delinquency for record in the county recorder’s office in order to obtain a lien on certain property of the taxpayer; and (4) seizing and selling personal property improvements or possessory interests belonging or assessed to the delinquent taxpayer.

***District Assessed Valuation.*** Both the general *ad valorem* property tax levy and the additional *ad valorem* levy for the Bonds is based upon the assessed valuation of the parcels of taxable property in the District. Property taxes allocated to the District are collected by the County at the same time and on the same tax rolls as are county, city and special district taxes. The assessed valuation of each parcel of property is the same for both District and county taxing purposes. The valuation of secured property by the County is established as of January 1, and is subsequently equalized in September of each year.

***Taxation of State-Assessed Utility Property.*** A portion of property tax revenue of the District is derived from utility property subject to assessment by the State Board of Equalization (“SBE”). State-assessed property, or “unitary property,” is property of a utility system with components located in many taxing jurisdictions that are assessed as part of a “going concern” rather than as individual pieces of real or personal property. The assessed value of unitary and certain other state-assessed property is allocated to the counties by the SBE, taxed at special county-wide rates, and the tax revenues distributed to taxing jurisdictions (including the District) according to statutory formulae generally based on the distribution of taxes in the prior year.

***Teeter Plan.*** Certain counties in the State of California operate under a statutory program entitled Alternate Method of Distribution of Tax Levies and Collections and of Tax Sale Proceeds (the “Teeter Plan”). Under the Teeter Plan local taxing entities receive 100% of their secured tax levies net of delinquencies, but do not receive interest or penalties on delinquent taxes collected by the county. See “TAX BASE FOR REPAYMENT OF THE BONDS—Teeter Plan and Tax Losses Reserve Fund.”

## **Historic Assessed Valuations**

*The information provided in Tables 1 through 5 below has been provided by California Municipal Statistics, Inc. The District has not independently verified this information and does not guarantee its accuracy.*

The greater the assessed value of taxable property within the District, the lower the tax rate necessary to generate sufficient tax proceeds to pay scheduled debt service on the Bonds. The following table shows the

recent history of assessed valuation in the District commencing in 2007-08. The secured and unsecured property within the District has assessed values of \$20,967,316,009 and \$1,192,454,380, respectively, for fiscal year 2011-12, reflecting an estimated increase of approximately 1.1% on the District's tax base.

**TABLE 1**  
**FIVE-YEAR SUMMARY OF ASSESSED VALUATION<sup>(1)</sup>**  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

<u>Fiscal Year</u>	<u>Local Secured</u>	<u>Utility<sup>(2)</sup></u>	<u>Unsecured</u>	<u>Total<sup>(3)</sup></u>	<u>Annual % Change<sup>(4)</sup></u>
2007-08	\$ 25,972,526,364	\$12,872,037	\$ 986,267,215	\$ 26,971,665,616	--
2008-09	25,968,908,280	12,850,519	1,080,701,277	27,062,460,076	0.3 %
2009-10	22,527,198,702	12,079,880	1,206,474,766	23,745,753,348	(12.3)
2010-11	20,862,423,058	12,710,612	1,052,023,491	21,927,157,161	(7.7)
2011-12	20,967,316,009	10,792,683	1,192,454,380	22,170,563,072	1.1

<sup>(1)</sup> Does not include unitary property valuation.

<sup>(2)</sup> Includes property owned by each utility within the District. The decrease in anticipated utility revenue for fiscal year 2011-12 is due to a reallocation of approximately \$2,000,000 dollars from utility assessments to unsecured assessments in connection with the reclassification of a large parcel.

<sup>(3)</sup> Totals before the redevelopment increment deduction.

<sup>(4)</sup> Due to the financial crisis, commencing in 2008-09, the Assessor reduced the assessed value of a number of parcels throughout the County. Taxpayers are also entitled to seek a reduction in assessed valuations by way of the appeals process.

Source: California Municipal Statistics, Inc.

### **Tax Levies, Collections and Delinquencies**

A 10% penalty attaches to any delinquent payment for secured roll taxes. In addition, property on the secured roll for which taxes are delinquent becomes tax-defaulted. Such property may thereafter be redeemed by payment of the delinquent taxes and the delinquency penalty, plus a redemption penalty to the time of redemption. If taxes are unpaid for a period of five years or more, the property is subject to auction sale by the Treasurer. Collection efforts against a taxpayer who has sought protection from creditors in United States Bankruptcy Court, or against secured property the value of which has been compromised by environmental contamination or natural disaster, may be fruitless to recover unpaid taxes due with respect to such property.

In the case of unsecured property taxes, a 10% penalty attaches to delinquent taxes on property on the unsecured roll, and an additional penalty of 1.5% per month begins to accrue beginning November 1<sup>st</sup> of the fiscal year, and a lien is recorded against the assessee. The taxing authority has four ways of collecting unsecured personal property taxes: (a) filing a civil action against the taxpayer; (b) filing a bond in the office of the County Clerk specifying certain facts in order to obtain a judgment lien on specific property of the taxpayer, (c) filing a bond of delinquency for record in the County Recorder's office in order to obtain a lien on specified property of the taxpayer; and (d) seizing and selling personal property, improvements or possessory interests belonging or assessed to the taxpayer.

**TABLE 2**  
**SECURED TAX CHARGES AND DELINQUENCIES**  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

<u>Fiscal Year</u>	<u>Secured Tax Charge<sup>(1)</sup></u>	<u>Amount Delinquent as of June 30</u>	<u>Percent Delinquent June 30</u>
2006-07	\$ 26,418,406.60	\$ 1,210,210.04	4.58%
2007-08	31,299,773.17	1,550,643.72	4.95
2008-09	26,534,360.10	1,663,455.48	6.27
2009-10	40,349,223.42	1,282,023.52	3.18
2010-11	38,278,694.81	845,259.12	2.21

<sup>(1)</sup> Reflects tax charges for District's general obligation bonds debt service only.

Note: Under the Teeter Plan described below, as long as the Teeter Plan remains in effect, taxes levied by the County will be credited to the District for repayment of the Bonds as if received in their entirety and will not be reduced by any taxpayer delinquencies.

Source: California Municipal Statistics, Inc.

**Teeter Plan and Tax Losses Reserve Fund.** The County has adopted the Teeter Plan, as provided for in Section 4701 *et seq.* of the State Revenue and Taxation Code and has created a tax losses reserve fund. Under the Teeter Plan, each participating local agency, including school districts, levying property taxes in the County receives the amount of uncollected taxes credited to its fund, in the same manner as if the amount credited had been collected. In return, the County receives and retains delinquent payments, penalties and interest as collected that would have been due the local agency.

The Teeter Plan is to remain in effect unless the County Board of Supervisors orders its discontinuance or unless, prior to the commencement of any fiscal year of the County (which commences on July 1) the Board of Supervisors receives a petition for its discontinuance from two-thirds of the participating revenue districts in the County. The board of supervisors of a county may, after holding a public hearing on the matter, discontinue the procedures under the Teeter Plan with respect to any tax levying agency in its county in which delinquencies exceed 3% in any tax year. Although delinquencies in the District exceeded 3% in fiscal years 2006-07 through 2009-10, the County did not order discontinuance of the Teeter Plan and the Teeter Plan is in effect as of the date of this Official Statement.

### **Tax Rates**

Tables 3A, 3B and 3C provide information concerning the ad valorem tax levies within the District. Table 3A summarizes the largest component parts of the Tax Rate Area in which the District is located from fiscal year 2006-07 to fiscal year 2010-11. Table 3B reflects the 2011-12 assessed valuation and parcels by land use within the District. Table 3C provides the 2011-12 assessed valuation of single family residential parcels within the District.

**TABLE 3A**  
**LARGEST COMPONENT PARTS OF — TRA 0-8001**  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**(Percentage of Assessed Valuation)**

	<u>2006-07</u>	<u>2007-08</u>	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>
General - Countywide	1.0000%	1.0000%	1.0000%	1.0000%	1.0000%
City of Richmond	.1400	.1400	.1400	.1400	.1400
Bay Area Rapid Transit District	.0050	.0076	.0090	.0057	.0031
East Bay Regional Park	.0085	.0080	.0100	.0108	.0084
West Contra Costa Unified School District	.1143	.1035	.1230	.1828	.1869
Contra Costa Community College District	.0043	.0108	.0066	.0126	.0133
<b>Total</b>	<b>1.2721%</b>	<b>1.2699%</b>	<b>1.2886%</b>	<b>1.3519%</b>	<b>1.3517%</b>

Source: California Municipal Statistics, Inc.

**TABLE 3B**  
**2011-12 ASSESSED VALUATION AND PARCELS BY LAND USE**  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

	<u>Assessed Valuation <sup>(1)</sup></u>	<u>% of Total</u>	<u>No. of Parcels</u>	<u>% of Total</u>
Non-Residential:				
Commercial	\$1,192,078,120	5.69%	1,419	1.84%
Vacant Commercial	44,462,308	0.21	301	0.39
Professional/Office	281,266,771	1.34	360	0.47
Industrial	3,455,165,092	16.48	701	0.91
Vacant Industrial	177,754,801	0.85	369	0.48
Recreational	25,959,303	0.12	30	0.04
Government/Social/Institutional	90,827,437	0.43	985	1.28
Vacant Other	14,046,590	0.07	1,098	1.43
Miscellaneous	<u>45,949,024</u>	<u>0.22</u>	<u>415</u>	<u>0.54</u>
Subtotal Non-Residential	\$5,327,509,446	25.41%	5,678	7.38%
Residential:				
Single Family Residence	\$12,046,329,831	57.45%	55,997	72.76%
Condominium/Townhouse	1,698,256,221	8.10	8,625	11.21
2-4 Residential Units	936,089,809	4.46	3,654	4.75
5+ Residential Units/Apartments	829,114,524	3.95	801	1.04
Mobile Homes	1,891,526	0.01	201	0.26
Miscellaneous Residential Improvements	7,734,499	0.04	88	0.11
Vacant Residential	<u>120,390,153</u>	<u>0.57</u>	<u>1,919</u>	<u>2.49</u>
Subtotal Residential	\$15,639,806,563	74.59%	71,285	92.62%
<b>Total</b>	<b>\$20,967,316,009</b>	<b>100.00%</b>	<b>76,963</b>	<b>100.00%</b>

<sup>(1)</sup> Local Secured Assessed Valuation; excluding tax-exempt property.

Source: California Municipal Statistics, Inc.

**TABLE 3C**  
**PER PARCEL FISCAL YEAR 2011-12 ASSESSED VALUATION OF SINGLE FAMILY HOMES**  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

	<u>No. of Parcels</u>	<u>2011-12 Assessed Valuation</u>	<u>Average Assessed Valuation</u>	<u>Median Assessed Valuation</u>
Single Family Residential	55,997	\$12,046,329,831	\$215,125	\$176,500

<u>2011-12 Assessed Valuation</u>	<u>No. of Parcels<sup>(1)</sup></u>	<u>% of Total</u>	<u>Cumulative % of Total</u>	<u>Total Valuation</u>	<u>% of Total</u>	<u>Cumulative % of Total</u>
\$0 - 99,999	14,458	25.819%	25.819%	\$ 879,869,176	7.304%	7.304%
100,000 - 199,999	16,627	29.693	55.512	2,429,131,009	20.165	27.469
200,000 - 299,999	11,327	20.228	75.740	2,796,051,588	23.211	50.680
300,000 - 399,999	6,968	12.444	88.183	2,405,918,684	19.972	70.652
400,000 - 499,999	3,589	6.409	94.593	1,575,561,549	13.079	83.731
500,000 - 599,999	1,538	2.747	97.339	833,889,741	6.922	90.654
600,000 - 699,999	773	1.380	98.720	495,228,804	4.111	94.765
700,000 - 799,999	331	0.591	99.311	245,505,038	2.038	96.803
800,000 - 899,999	172	0.307	99.618	145,324,862	1.206	98.009
900,000 - 999,999	80	0.143	99.761	75,495,474	0.627	98.636
1,000,000 - 1,099,999	56	0.100	99.861	58,019,420	0.482	99.117
1,100,000 - 1,199,999	30	0.054	99.914	34,179,158	0.284	99.401
1,200,000 - 1,299,999	17	0.030	99.945	21,222,210	0.176	99.577
1,300,000 - 1,399,999	8	0.014	99.959	10,734,702	0.089	99.666
1,400,000 - 1,499,999	5	0.009	99.968	7,278,527	0.060	99.727
1,500,000 - 1,599,999	5	0.009	99.977	7,773,439	0.065	99.791
1,600,000 - 1,699,999	4	0.007	99.984	6,516,500	0.054	99.845
1,700,000 - 1,799,999	2	0.004	99.987	3,572,368	0.030	99.875
1,800,000 - 1,899,999	1	0.002	99.989	1,800,000	0.015	99.890
1,900,000 - 1,999,999	2	0.004	99.993	3,835,292	0.032	99.922
2,000,000 and greater	4	0.007	100.000	9,422,290	0.078	100.000
<b>Total</b>	<b>55,997</b>	<b>100.000%</b>		<b>\$12,046,329,831</b>	<b>100.000%</b>	

<sup>(1)</sup> Improved single family residential parcels. Excludes condominiums and parcels with multiple family units.  
Source: California Municipal Statistics, Inc.

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## Largest Taxpayers in the District

The 20 largest taxpayers in the District, as shown on the 2011-12 secured tax roll, and the amounts of their assessed valuation for all taxing jurisdictions within the District, are shown below. Assessed valuation for the 20 largest taxpayers amounts to \$3,788,888,287, or approximately 18.07% of the District's total 2011-12 secured tax roll.

**TABLE 4**  
**LARGEST 2011-12 LOCAL SECURED TAXPAYERS**  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

<u>Property Owner</u>	<u>Primary Land Use</u>	<u>2011-12 Assessed Valuation</u>	<u>% of Total<sup>(1)</sup></u>
Chevron USA Inc.	Industrial	\$2,746,309,920	13.10%
Bio-Rad Laboratories Inc.	Industrial	130,981,809	0.62
Richmond Parkway Associates	Apartments	101,776,035	0.49
MCD-RCCA-El Cerrito LLC	Shopping Center	85,265,342	0.41
Lennar Emerald LLC	Residential Development	74,534,000	0.36
Richmond Associates LLC	Shopping Center	64,653,573	0.31
Berlex Laboratories Inc.	Industrial	60,228,256	0.29
Kaiser Foundation Health Plan	Medical Building	59,462,762	0.28
Richmond Essex LP	Apartments	47,693,832	0.23
Cherokee Simeon Venture I LLC	Office Building	46,605,291	0.22
Pacific Atlantic Terminals LLC	Industrial	42,982,587	0.20
DDRM Hilltop Plaza LP	Shopping Center	42,015,000	0.20
Dicon Fiberoptics Inc.	Industrial	40,407,901	0.19
Ford Point LLC	Industrial	37,317,142	0.18
IIT Pinole Business Park I LP	Industrial	37,250,000	0.18
Signature at Abella LLC	Shopping Center	35,405,873	0.17
Stephens & Stephens LLC	Industrial	34,800,000	0.17
BP West Coast Products	Industrial	34,559,799	0.16
California Fats & Oils Inc.	Industrial	33,550,550	0.16
Richmond Investors 2010 LLC	Apartments	33,088,615	0.16
<b>TOTAL</b>		<b>\$3,788,888,287</b>	<b>18.07%</b>

<sup>(1)</sup> Total Local Secured Assessed Valuation for 2011-12: \$20,967,316,009.

Source: California Municipal Statistics, Inc.

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Chevron USA, Inc. (“Chevron”), the largest taxpayer in the District, currently represents 13.10% of the total local secured assessed valuation. Below are historical local secured assessed valuations of Chevron for each fiscal year, commencing with fiscal year 2004-05, which is the first year for which Chevron appealed the County’s property tax assessments of the company, as discussed below.

**TABLE 5**  
**HISTORY OF SECURED ASSESSED VALUATION**  
**CHEVRON, USA, INC.**  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

<u>Year</u>	<u>Assessed Valuations<sup>(1)</sup></u>
2004-05	\$ 2,469,045,601 <sup>(2)</sup>
2005-06	2,678,641,859 <sup>(2)</sup>
2006-07	2,680,893,790 <sup>(2)</sup>
2007-08	3,433,927,316
2008-09	3,472,863,434
2009-10	3,086,587,302
2010-11	2,028,768,690
2011-12	2,746,309,920

<sup>(1)</sup> Reflects the aggregate Secured Assessed Valuation of the Chevron USA, Inc. property as reflected on the Contra Costa County Assessor’s Equalized Tax Roll. Values have not been adjusted to reflect successful property tax appeals.

<sup>(2)</sup> The County Appeals Board ruled that Chevron’s Richmond Refinery was over assessed in the amount of approximately \$346 million, approximately \$452 million and approximately \$465 million for the tax years of 2004-05, 2005-06 and 2006-07, respectively.

Source: California Municipal Statistics, Inc.

Chevron appealed its property tax assessments for fiscal years 2004, 2005 and 2006 (the “2004-06 Appeal”). On September 3, 2009, the County Assessment Appeals Board issued preliminary findings on Chevron’s 2004-06 Appeal, granting the Chevron appeal. On November 19, 2009, the County Assessment Appeals Board adopted findings and issued a decision granting Chevron retroactive reductions in its assessed valuations of approximately \$346 million for fiscal year 2004-05, approximately \$452 million for fiscal year 2005-06 and approximately \$465 million for fiscal year 2006-07. On May 17, 2010, Chevron and Chevron Corporation filed suit in Contra Costa Superior Court against Contra Costa County challenging the 2004-06 Appeal results. On October 12, 2010, Contra Costa County filed a cross-complaint against Chevron and Chevron Corporation and the County Assessment Appeals Board. On November 4, 2010, the City of Richmond filed a Complaint in Intervention against Chevron and Chevron Corporation. The case is in the early stages. Chevron has also appealed its 2007-08 and 2008-09 assessed valuations (the “2007-09 Appeal”). The 2007-09 Appeal is scheduled to be heard in the fall of 2011. The District cannot predict the final outcome of any of the Chevron appeals or the lawsuit. In June 23, 2011, thirteen local cities and special districts filed a lawsuit against the County challenging its directive that each entity refund to Chevron its portion of the taxes allegedly overpaid. The County answered the complaint on July 22, 2011 and requested complex litigation designation from the court. The District is unaware of any other actions of the parties following that date.

The assessed value reductions granted to Chevron by the County Assessment Appeals Board’s may result in an increase in the annual tax rate on all taxable property within the District. Because the District is subject to a revenue limit that is comprised of the local property tax collected and State funding, reductions in local tax collections can be offset by State funding as described more fully in “GENERAL SCHOOL DISTRICT FINANCIAL INFORMATION – Allocation of State Funding to Districts.”

#### **CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS**

The Bonds are payable from the proceeds of an *ad valorem* tax required to be levied by the County in an amount sufficient for the payment thereof. See “SECURITY FOR THE BONDS.” Articles XIII A, XIII B, XIII C and XIII D of the Constitution, Propositions 98 and 11, and certain other provisions of law discussed

below, are discussed in this section to describe the potential effect of these Constitutional and statutory measures on the ability of the County to levy taxes and the District to spend tax proceeds for operating and other purposes, and it should not be inferred from the inclusion of such materials that these laws impose any limitation on the ability of the County to levy *ad valorem* taxes for payment of the Bonds. The *ad valorem* tax levied by the County for payment of the Bonds was approved by the District's voters in compliance with Article XIII A, Article XIIC, and all applicable laws.

### **Constitutionally Required Funding of Education**

The State Constitution requires that from all State revenues there shall first be set apart the monies to be applied by the State for the support of the public school system and public institutions of higher education. School districts in the State receive a significant portion of their funding from State appropriations. As a result, fluctuations in State revenues can significantly affect appropriations made by the State Legislature to school districts.

### **Article XIII A of the State Constitution**

Article XIII A of the State Constitution, as amended, limits the amount of *ad valorem* taxes on real property to 1% of the full cash value thereof, except that additional *ad valorem* taxes may be levied to pay debt service on indebtedness approved by the voters prior to July 1, 1978, and on bonded indebtedness approved by a two-thirds vote on or after July 1, 1978, for the acquisition or improvement of real property. Proposition 39, approved by State voters on November 7, 2000, provides an alternative method of seeking voter approval for bonded indebtedness (see "Proposition 39" below). Article XIII A defines full cash value to mean "the county assessor's valuation of real property as shown on the 1975-76 tax bill under "full cash value," or thereafter, the appraised value of real property when purchased, newly constructed, or a change in ownership has occurred after the 1975 assessment." The full cash value may be adjusted annually to reflect inflation at a rate not to exceed 2% per year, or a reduction in the consumer price index or comparable local data at a rate not to exceed 2% per year, or reduced in the event of declining property value caused by damage, destruction or other factors including a general economic downturn.

Article XIII A has subsequently been amended to permit reduction of the "full cash value" base in the event of declining property values caused by damage, destruction or other factors, to provide that there would be no increase in the "full cash value" base in the event of reconstruction of property damaged or destroyed in a disaster, and in other minor or technical ways.

### **Legislation Implementing Article XIII A**

Legislation has been enacted and amended a number of times since 1978 to implement Article XIII A. Under current law, local agencies are no longer permitted to levy directly any property tax (except to pay voter approved indebtedness). The 1% property tax is automatically levied by the county and distributed according to a formula among taxing agencies. The formula apportions the tax roughly in proportion to the relative shares of taxes levied prior to 1989.

Increases of assessed valuation resulting from reappraisals of property due to new construction, change in ownership or from the 2% annual adjustment are allocated among the various jurisdictions in the "taxing area" based upon their respective "situs." Article XIII A effectively prohibits the levying of any other *ad valorem* property tax above the 1% limit except for taxes to support indebtedness approved by the voters as described above.

All taxable property value included in this Official Statement is shown at 100 percent of taxable value (unless noted differently) and all tax rates reflect the \$1 per \$100 of taxable value.

## **Article XIII B of the State Constitution**

An initiative to amend the State Constitution entitled “Limitation of Government Appropriations” was approved on September 6, 1979 thereby adding Article XIII B to the State Constitution (“Article XIII B”). In June 1990, Article XIII B was amended by the voters through their approval of Proposition 111. Under Article XIII B, the State and each local governmental entity has an annual “appropriations limit” and is not permitted to spend certain monies that are called “appropriations subject to limitation” (consisting of tax revenues, State subventions and certain other funds) in an amount higher than the appropriations limit. Article XIII B does not affect the appropriations of monies that are excluded from the definition of “appropriations subject to limitation,” including debt service on indebtedness existing or authorized as of January 1, 1979, or bonded indebtedness subsequently approved by the voters. In general terms, the appropriations limit is to be based on certain fiscal year 1978-79 expenditures, and is to be adjusted annually to reflect changes in costs of living and changes in population, and adjusted where applicable for transfer of financial responsibility of providing services to or from another unit of government. Among other provisions of Article XIII B, if these entities’ revenues in any year exceed the amounts permitted to be spent, the excess would have to be returned by revising tax rates or fee schedules over the subsequent two years. However, in the event that a school district’s revenues exceed its spending limit, the district may, in any fiscal year, increase its appropriations limit to equal its spending by borrowing appropriations limit from the State, provided the State has sufficient excess appropriations limit in such year.

## **Article XIII C and Article XIII D of the State Constitution**

On November 5, 1996, the voters of the State approved Proposition 218, the so called “Right to Vote on Taxes Act.” Proposition 218 added Articles XIII C and XIII D to the State Constitution, which contain a number of provisions affecting the ability of local agencies, including school districts, to levy and collect both existing and future taxes, assessments, fees and charges.

Article XIII D deals with assessments and property related fees and charges. Article XIII D explicitly provides that nothing in Article XIII C or XIII D shall be construed to affect existing laws relating to the imposition of fees or charges as a condition of property development; however it is not clear whether the initiative power is therefore unavailable to repeal or reduce developer and mitigation fees imposed by the District. Developer fees imposed by the District are neither pledged nor available to pay the Bonds.

## **Proposition 62**

On November 4, 1986, State voters adopted Proposition 62, a statutory initiative which amended the Government Code by the addition of Sections 53720-53730. Proposition 62 requires that (i) any local tax for general governmental purposes (a “general tax”) must be approved by a majority vote of the electorate; (ii) any local tax for specific purposes (a “special tax”) must be approved by a two-thirds vote of the electorate; (iii) any general tax must be proposed for a vote by two-thirds of the legislative body; and (iv) proceeds of any tax imposed in violation of the vote requirements must be deducted from the local agency’s property tax allocation. Provisions applying Proposition 62 retroactively from its effective date to 1985 are unlikely to be of any continuing importance; certain other restrictions were already contained in the State Constitution.

Most of the provisions of Proposition 62 were affirmed by the 1995 State Supreme Court decision in *Santa Clara County Local Transportation Authority v. Guardino* (“*Santa Clara*”), which invalidated a special sales tax for transportation purposes because fewer than two-thirds of the voters voting on the measure had approved the tax. Following the State Supreme Court’s decision upholding Proposition 62, several actions were filed challenging taxes imposed by public agencies since the adoption of Proposition 62, which was passed in November 1986. On June 4, 2001, the State Supreme Court released its decision in one of these cases, *Howard Jarvis Taxpayers Association v. City of La Habra, et al.* (“*La Habra*”). In this case, the court held that public agency’s continued imposition and collection of a tax is an ongoing violation, upon which the statute of limitations period begins anew with each collection. The court also held that, unless another statute

or constitutional rule provided differently, the statute of limitations for challenges to taxes subject to Proposition 62 is three years. Accordingly, a challenge to a tax subject to Proposition 62 may only be made for those taxes received within three years of the date the action is brought.

Although by its terms Proposition 62 applies to school districts, the District has not experienced any substantive adverse financial impact as a result of the passage of this initiative or the *Santa Clara* or *La Habra* decisions and believes that any impact experienced by the District will not adversely affect the ability of the District to make payments with respect to the Bonds.

### **Proposition 98**

On November 8, 1988, State voters approved Proposition 98, a combined initiative, constitutional amendment and statute called the "Classroom Instructional Improvement and Accountability Act" (the "Accountability Act"). The Accountability Act changed State funding of public education below the university level, and the operation of the State's Appropriations Limit, primarily by guaranteeing K-12 school districts and community college districts (collectively, "K-14 districts") a minimum share of State General Fund Revenues.

Under Proposition 98 (as modified by Proposition 111, which was enacted on June 5, 1990), K-14 districts are guaranteed the greater of (a) approximately 40.9% of State General Fund revenues ("Test 1"), (b) the amount appropriated to K-14 schools in the prior year, adjusted for changes in the cost of living (measured as in Article XIII B by reference to State per capita personal income) and enrollment ("Test 2"), or (c) a third test, which would replace Test 2 in any year when the percentage growth in per capita State General Fund revenues from the prior year plus one half of one percent is less than the percentage growth in State per capita personal income ("Test 3"). Under Test 3, schools would receive the amount appropriated in the prior year adjusted for changes in enrollment and per capita State General Fund revenues, plus an additional small adjustment factor. If Test 3 is used in any year, the difference between Test 3 and Test 2 would become a "credit" to schools which would be paid in future years when per capita State General Fund revenue growth exceeds per capita personal income growth.

Proposition 98 permits the Legislature by two-thirds vote of both houses, with the Governor's concurrence, to suspend the K-14 schools' minimum funding formula for a one-year period, and any corresponding reduction in funding for that year will not be paid in subsequent years. However, in determining the funding level for the succeeding year, the formula base for the prior year will be reinstated as if such suspension had not taken place. In certain fiscal years, the State Legislature and the Governor have utilized this provision to avoid having the full Proposition 98 funding paid to support K-14 schools.

Proposition 98 also changes how tax revenues in excess of the State Appropriations Limit are distributed. "Excess" tax revenues are determined based on a two-year cycle, so that the State could avoid having to return to taxpayers excess tax revenues in one year if its appropriations in the next fiscal year were under its limit. After any two-year period, if there are excess State tax revenues, 50% of the excess would be transferred to K-14 schools with the balance returned to taxpayers. Further, any excess State tax revenues transferred to K-14 schools are not built into the school districts' base expenditures for calculating their entitlement for State aid in the next year, and the State's appropriations limit will not be increased by this amount.

Since Proposition 98 is unclear in some details, there can be no assurance that the Legislature or a court might not interpret Proposition 98 to require a different percentage of State General Fund revenues to be allocated to K-14 districts, or to apply the relevant percentage to the State's budgets in a different way than is proposed in the Governor's Budget. In any event, some fiscal observers expect Proposition 98 to place increasing pressure on the State's budget over future years, potentially reducing resources available for other State programs, especially to the extent the Article XIII B spending limit would restrain the State's ability to fund such other programs by raising taxes.

### **Proposition 39**

Proposition 39, which was approved by State voters in November 2000, provides an alternative method for passage of school facilities bond measures which lowers the constitutional voting requirement from two-thirds to 55% of voters and allows property taxes to exceed the 1% limit in order to repay such bonds. The lower 55% vote requirement would apply only for bond issues to be used for construction, rehabilitation, equipping of school facilities or the acquisition of real property for school facilities. The Legislature enacted additional legislation that placed certain limitations on this lowered threshold, requiring that (i) two-thirds of the governing board of a school district approve placing a bond issue on the ballot, (ii) the bond proposal be included on the ballot of a statewide or primary election, a regularly scheduled local election, or a statewide special election (rather than a school board election held at any time during the year), (iii) the tax rate levied as a result of any single election not exceed \$25 for a community college district, \$60 for a unified school district, or \$30 for an elementary school or high school district per \$100,000 of taxable property value, and (iv) the governing board of the school district appoint a citizen's oversight committee to inform the public concerning the spending of the bond proceeds. In addition, the school board of the applicable district is required to perform an annual, independent financial and performance audit until all bond funds have been spent to ensure that the funds have been used only for the projects listed in the measure.

Notwithstanding the legislative limitation that the tax rate levied as a result of any single election may not exceed \$60 per \$100,000 of taxable property value within the District, the County has the power and is obligated under State law, to levy a tax in any amount to pay the principal of, redemption premium, if any, and interest on the District's general obligation bonds, including the Bonds.

### **Proposition 1A**

On November 2, 2004, California voters approved Proposition 1A, which amended the State Constitution to reduce significantly the State's authority over major local government revenue sources. Under Proposition 1A, the State may not (i) reduce local sales tax rates or alter the method of allocating the revenue generated by such taxes, (ii) shift property taxes from local governments to schools or community colleges, (iii) change in how property tax revenues are shared among local governments without two-thirds approval of both houses of the State Legislature, or (iv) decrease Vehicle License Fees revenues without providing local governments with equal replacement funding. Beginning in 2008-09, the State may shift to schools and community colleges a limited amount of local government property tax revenue if certain conditions are met, including (a) a proclamation by the Governor that the shift is needed due to a severe financial hardship of the State, and (b) approval of the shift by the State Legislature with a two-thirds vote of both houses. Under such a shift, the State must repay local governments for their property tax losses, with interest, within three years. Proposition 1A does allow the State to approve voluntary exchanges of local sales tax and property tax revenues among local governments within a county. Proposition 1A also amends the State Constitution to require the State to suspend certain State laws creating mandates in any year that the State does not fully reimburse local governments for their costs to comply with the mandates. This provision does not apply to mandates relating to schools or community colleges or to those mandates relating to employee rights.

The application of Proposition 98 and other statutory regulations has become increasingly difficult to predict accurately in recent years. One major reason is that Proposition 98 minimums under the first test and the second test described above are dependent on State General Fund revenues. In several recent fiscal years, the State made actual allocations to K-14 districts based on an assumption of State General Fund revenues at a level above that which was ultimately realized. In such years, the State has considered the amounts appropriated above the minimum as a loan to K-14 districts, and has deducted the value of these loans from future years' estimated Proposition 98 minimums.

### **Proposition 22**

Under Proposition 1A, the State no longer has the authority to permanently shift city, county, and special district property tax revenues to schools, or take certain other actions that affect local governments. In

addition, Proposition 1A restricts the State's ability to borrow state gasoline sales tax revenues. (See "— Proposition 1A" above). These provisions in the Constitution, however, do not eliminate the State's authority to temporarily borrow or redirect some city, county, and special district funds or the State's authority to redirect local redevelopment agency revenues. However, Proposition 22, The Local Taxpayer, Public Safety, and Transportation Protection Act, approved by the voters of the State on November 2, 2010, reduces or eliminates the State's authority: (1) to use State fuel tax revenues to pay debt service on state transportation bonds; (2) to borrow or change the distribution of state fuel tax revenues; (3) to direct redevelopment agency property taxes to any other local government; (4) to temporarily shift property taxes from cities, counties, and special districts to schools; (5) and to use vehicle license fee revenues to reimburse local governments for state mandated costs. As a result, Proposition 22 impacts resources in the State's General Fund and transportation funds, the State's main funding source for schools and community colleges, as well as universities, prisons and health and social services programs. According to the LAO's analysis of Proposition 22 submitted by the LAO on July 15, 2010, the expected reduction in resources available for the State to spend on these other programs as a consequence of the passage of Proposition 22 will be approximately \$1 billion in fiscal year 2010–11, with an estimated immediate fiscal effect equal to approximately 1 percent of the State's total General Fund spending. The longer-term effect of Proposition 22, according to the LAO analysis, will be an increase in the State's General Fund costs by approximately \$1 billion annually for several decades.

### **Future Initiatives**

From time to time other amendments to the State constitution, propositions and initiative measures could be adopted that further affect District revenues or the District's ability to expend revenues.

## **GENERAL SCHOOL DISTRICT FINANCIAL INFORMATION**

### **State Funding of Education**

**General.** The State Constitution requires that from all State revenues there shall first be set apart the moneys to be applied by the State for the support of the public school system and public institutions of higher education. Proposition 98 guarantees K-14 schools a minimum share of the State's General Fund revenues. See "CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS—Proposition 98." School districts within the state receive a significant portion of their funding from State appropriations. State income tax and other receipts can fluctuate significantly from year to year, depending on economic conditions in the State and the nation. As a result, decreases in State revenues can affect appropriations made by the Legislature to school districts. In periods when State funding for public education is reduced or the State experiences budget problems, the District's financial position may be affected, even in the absence of significant education policy changes. The District cannot predict how State income or State education funding will vary over the entire term to maturity of the Bonds. See "STATE OF CALIFORNIA FISCAL ISSUES".

For additional information concerning revenues received by the District from the State and other sources. See "Allocation of State Funding to Districts," below, and "APPENDIX A-- DISTRICT FINANCIAL AND OPERATING INFORMATION-District Revenues."

### **Allocation of State Funding to Districts**

Under Education Code Section 42238 *et seq.* each school district is determined to have a target funding level: a base revenue limit ("Revenue Limit") per student multiplied by the school district's student enrollment measured in units of average daily attendance ("ADA"), a measure based upon the actual attendance of students without provision for excused absences. Enrollment can fluctuate due to factors such as school district population, competition from private, parochial, and public charter schools, inter-district transfers in or out, and other causes. Losses in enrollment lower a school district's Revenue Limit (and may result in loss of operating revenues), without necessarily permitting the district to make adjustments in

fixed operating costs.

The Revenue Limit is calculated from the school district's prior-year funding level, as adjusted for a number of factors such as inflation, special or increased instructional needs and costs, and especially low enrollment. Generally, the amount of State funding allocated to each school district is the amount needed to reach that district's Revenue Limit after taking into account certain other revenues, in particular, locally generated property taxes. This is referred to as State equalization aid or colloquially as "backfill". To the extent local tax revenues increase due to growth in local property assessed valuation, the additional revenue is offset by a decline in the State's contribution.

The principal component of local revenues is the District's property tax revenue; that is, the District's share of the local 1% property tax received pursuant to Sections 75 *et seq.* and Sections 95 *et seq.* of the California Revenue and Taxation Code. Education Code section 42238(h) itemizes the local revenues that are counted towards the base revenue limit before calculating the amount the State must provide in equalization aid. The more local property taxes a school district receives, the less State equalization aid it is entitled to. If a school district's local property tax revenues exceed its Revenue Limit, it is not entitled to State equalization aid and receives only its special categorical aid and the "basic aid" of \$120 per student per year guaranteed by Article IX, Section 6 of the State Constitution. Such school districts are known as "basic aid districts." School districts that receive equalization aid, such as the District, may be referred to as "revenue limit districts".

The District is a revenue limit district. See "APPENDIX A—DISTRICT FINANCIAL AND OPERATING INFORMATION—District Revenues" for historical and projected ADA and the Revenue Limit per ADA of the District.

### **School District Budgets**

State law requires school districts to maintain a balanced budget in each fiscal year. The State Department of Education imposes a uniform budgeting and accounting format for school districts.

Under current law, AB 1200 County Fiscal Oversight of school districts, a school district governing board must adopt and file with the County Superintendent of Schools a tentative budget by July 1 in each fiscal year. The District is under the jurisdiction of the Contra Costa County Superintendent of Schools.

A County Superintendent of Schools must review and approve or disapprove the budgets for each school district under its jurisdiction no later than August 15. The County Superintendent of Schools is required to examine a school district's adopted budget for compliance with the standards and criteria adopted by the State Board of Education and identify technical corrections necessary to bring the budget into compliance with the established standards. If a budget is disapproved, it is returned to the school district with recommendations for revision. The school district is then required to revise the budget, hold a public hearing thereon, adopt the revised budget and file it with the County Superintendent of Schools no later than September 8. Pursuant to State law, the County Superintendent of Schools has available various remedies by which to impose and enforce a budget that complies with State criteria, depending on the circumstances, if a budget is disapproved. After approval of an adopted budget, the school district's administration may submit budget revisions for governing board approval.

Subsequent to approval, the County Superintendent of Schools will monitor each school district in its jurisdiction throughout the fiscal year pursuant to its adopted budget to determine on an ongoing basis if the district can meet its current and subsequent year financial obligations. If the County Superintendent of Schools determines that the district cannot meet its current or subsequent year obligations, the County Superintendent of Schools will notify the district's governing board of the determination and may then do either or both of the following: (a) assign a fiscal advisor to enable the district to meet those obligations or (b) if a study and recommendations are made and a district fails to take appropriate action to meet its financial obligations, the County Superintendent will so notify the State Superintendent of Public Instruction, and then

may do any or all of the following for the remainder of the fiscal year: (i) request additional information regarding the district's budget and operations; (ii) develop and impose, after also consulting with the district's governing board, revisions to the budget that will enable the district to meet its financial obligations; and (iii) stay or rescind any action inconsistent with such revisions. However, the County Superintendent of Schools may not abrogate any provision of a collective bargaining agreement that was entered into prior to the date upon which the County Superintendent of Schools assumed authority.

At minimum, school districts file with their County Superintendent and the State Department of Education a First Interim Financial Report by December 15 covering financial operations from July 1 through October 31 and a Second Interim Financial Report by March 15 covering financial operations from November 1 through January 31. Section 42131 of the Education Code requires that each interim report be certified by the school board as either (a) "positive," certifying that the district, "based upon current projections, will meet its financial obligations for the current fiscal year and subsequent two fiscal years," (b) "qualified," certifying that the district, "based upon current projections, may not meet its financial obligations for the current fiscal year or two subsequent fiscal years," or (c) "negative," certifying that the district, "based upon current projections, will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year." A certification by a school board may be revised by the County Superintendent. If either the First or Second Interim Report is not "positive," the County Superintendent may require the district to provide a Third Interim Financial Report covering financial operations from February 1 through April 30 by June 1. If not required, a Third Interim Financial Report is not prepared. Each interim report shows fiscal year to date financial operations and the current budget, with any budget amendments made in light of operations and conditions to that point. The District's Second Interim Report, dated January 30, 2011, has been certified "positive" by the County Superintendent. After the close of the fiscal year on June 30, an unaudited financial report for the fiscal year is prepared and filed without certification with the County Superintendent and the State Department of Education. As a part of the legislation enacting the State's budget for fiscal year 2011-12, the requirement that districts demonstrate that they can meet their financial obligations for the subsequent two fiscal years was suspended for fiscal year 2011-12. Thus, school districts will only be required to budget for the current year, and will not be required to demonstrate that they can meet their financial obligations for the subsequent two fiscal years (2012-13 and 2013-14). School districts, however, will be required to project the same level of revenue per student in 2011-12 as in 2010-11, as well as maintain staffing and program levels commensurate with such level of funding. See "State of California Fiscal Issues—2011-12 State Budget."

On June 28, 2011, the District adopted a line-item budget for fiscal year 2011-12 setting forth revenues and expenditures reflecting that budgeted appropriations from its General Fund during fiscal year 2011-12 will not exceed the expected audited July 1, 2011 beginning General Fund balance. See "APPENDIX A-Comparative Financial Statements" for the projected year-end figures and the portion of the adopted budget relating to the General Fund.

The District has conducted a full and complete analysis of the 2011-12 State Budget and determined that due to the District's utilization of "best practice" budgeting, and reserving \$10 million in excess of the normal 3% for economic uncertainty, the District has limited its exposure to any significant changes to education under the 2011-12 State Budget, including any mid-year cuts that might be triggered due to less than anticipated State revenues, as discussed under "STATE OF CALIFORNIA FISCAL ISSUES—2011-12 State Budget."

### **County Investment Pool**

In accordance with Education Code section 41001, each school district in the State maintains substantially all of its operating funds in the county treasury of the county in which it is located. Each county treasurer serves as *ex officio* treasurer for those school districts under jurisdiction of the County Superintendent of Schools of the county. Each county treasurer has the authority to implement and oversee the investment of school district funds held in the county treasury. Generally, the county treasurer pools county funds with school district funds and funds from certain other public agencies and invests the cash. These pooled funds are

carried at cost. Interest earnings are accounted for on either a cash or accrual basis and apportioned to pool participants on a regular basis.

Each county is required to invest funds, including those pooled funds described above, in accordance with Government Code Section 53601 *et seq.* In addition, each county is required to establish its own investment policies, which may provide further limitations beyond those required by the Government Code.

See “APPENDIX G– CONTRA COSTA COUNTY INVESTMENT POLICY AND EXCERPTS FROM TREASURER’S QUARTERLY INVESTMENT REPORT AS OF JUNE 30, 2011” for a discussion of the County Pool, valuation procedures, and investment policies.

### **Accounting Practices**

The accounting policies of the District conform to generally accepted accounting principles in accordance with policies and procedures of the State School Accounting Manual. This manual, according to Section 41010 of the Education Code, is to be followed by all State school districts. Revenues are recognized in the period in which they become both measurable and available to finance expenditures of the current fiscal period. Expenditures are recognized in the period in which the liability is incurred.

The financial statements of the District for fiscal year ended June 30, 2010, appearing in APPENDIX C of this Official Statement, have been audited by Perry-Smith LLP, independent accountants (the “Auditors”), as set forth in their report thereon. The District considers its audited financial statements to be public information, and accordingly no consent has been sought or obtained from the Auditors in connection with the inclusion of such statements in this Official Statement. The Auditors have not made any representation in connection with inclusion of the audit herein that there has been no material change in the financial condition of the District since the audit was concluded.

## **STATE OF CALIFORNIA FISCAL ISSUES**

### **General Overview**

*The following information concerning the State’s budget has been extracted and summarized from publicly available information which the District believes to be reliable, including information provided by the State in connection with its issuance of certain of its bonds, by the Governor’s Office in the Governor’s Proposed Budget for Fiscal Year 2011-12 and its summary of the 2011-12 adopted State budget and by the Legislative Analyst’s Office (the “LAO”) regarding the State’s budget and fiscal outlook for the next several years. The District does not guarantee the accuracy or completeness of this information and has not independently verified such information.*

As a result of State budget shortfalls in recent years, the District has received significantly less revenue from the State and has had to reduce expenditures. See “APPENDIX A- DISTRICT FINANCIAL AND OPERATING INFORMATION - Comparative Financial Statements.”

**Current Financial Stress on State Budget.** Since early 2008, the State has been experiencing the most significant economic downturn and financial pressure since the Great Depression of the 1930s. As a result of continuing weakness in the State economy, State tax revenues have declined precipitously, resulting in large budget gaps and cash shortfalls. In response, the State implemented substantial spending reductions, program eliminations, revenue increases, and other solutions in order to close an estimated \$60 billion budget gap over the combined 2008-09 and 2009-10 fiscal years. On October 8, 2010, the State adopted a budget for fiscal year 2010-11 (the “2010-11 State Budget”) to close an estimated budget gap of \$17.9 billion for the current fiscal year. Many of the 2010-11 State Budget assumptions did not materialize and in adopting the fiscal year 2011-12 budget, the State took steps to close a budget gap of \$8.2 billion in fiscal year 2010-11 and

an additional \$17.2 billion in fiscal year 2011-12. The State's budget for fiscal year 2011-12 was enacted on June 30, 2011. See "STATE OF CALIFORNIA FISCAL ISSUES - 2011-12 State Budget."

There can be no assurances that the fiscal stress and cash pressures currently facing the State will not continue or become more difficult, or that continuing declines in State tax receipts or other impacts of the current economic recession will not further materially adversely affect the financial condition of the State. The Department of Finance has projected that multi-billion dollar budget gaps will occur annually for several years in the future.

***Enacted Budget Trailer Bills.*** On March 24, 2011, the governor signed into law several budget trailer bills, even though the fiscal year 2011-12 State budget had yet to be finalized. One bill signed into law, Senate Bill No. 70 (Chapter 7, Statutes of 2011), provides certain statutory changes in the area of education in order to enact modifications to the fiscal year 2010-11 State budget and fiscal year 2011-12 State budget. Among other things Senate Bill No. 70:

- Provides a revenue limit deficit factor of 19.892% for fiscal years 2011-12 and 2012-13 to reflect a \$106.6 million deficit for county offices of education (COEs). Provides a revenue limit deficit factor of 19.608% for fiscal year 2011-12 to reflect a deficit of \$7.7 billion for school districts.
- Defers an additional \$2.1 billion in K-12 funds from fiscal year 2011-12 to fiscal year 2012-13. Specifically, Senate Bill No. 70 shifts \$1.3 billion in March 2012 payments and \$763 million in April 2012 payments to August 2012. This schedule is shorter than the 13 month deferral proposed in the 2011-12 Proposed State Budget.
- Extends various flexibility options to school districts for an additional two years (to fiscal year 2014-15), including categorical flexibility, instructional materials purchase and adoption requirements, routine and deferred maintenance requirements, surplus property, class size reduction, instructional minutes and local budget reserve requirements.
- Extends until fiscal year 2014-15, authorization for new schools, the majority of which are charter schools, to access flexible categorical program funding on par with existing schools.
- Appropriates \$5 million from the State General Fund to augment the Charter School Revolving Loan Fund, which makes low-interest, start-up loans to new charter schools in order to meet the purposes of their charters.
- Establishes a zero percent cost-of-living adjustment (COLA) for K-12 programs in fiscal year 2010-11. Though the actual COLA of 1.67% is not provided, it is applied to the deficit factors established in the bill.
- Provides \$2.3 million in federal funds (\$1.5 million in Title VI and \$781,000 in Title II) for fiscal year 2010-11 for the California Longitudinal Pupil Achievement Data System (CALPADS).
- Applies an 8.9% reduction to categorical programs for basic aid districts in fiscal year 2010-11 and fiscal year 2011-12 commensurate to the revenue limit reduction rate for other school districts in fiscal year 2010-11 and fiscal year 2011-12. Specifies the intent to restore these reductions at the same time, and in direct proportion to restoration of revenue limit reductions.
- Authorizes a statutory appropriation for the K-3 Class Size Reduction program for fiscal year 2011-12. The statute authorizes the Superintendent of Public Instruction to certify the funding needed for the program in fiscal year 2011-12 to ensure full funding for the program.
- Reduces ongoing Proposition 98 funding for special education by about \$13.1 million in fiscal year 2011-12 and backfills with one-time Proposition 98 savings from various programs to cover fiscal year 2010-11 program adjustments.

- Suspends the statutory division of Proposition 98 funding among K-12 educational agencies, community colleges, and other state agencies, and instead conforms the division of funding based upon actual budget appropriations in fiscal year 2011-12.
- Requires the state to adjust the Proposition 98 calculation so that any shift in local property taxes previously received by redevelopment agencies has no effect on the Proposition 98 minimum guarantee in fiscal year 2011-12.

## **2011-12 State Budget**

The 2011-12 Budget Act for the State (the “2011-12 Budget”) was signed into law by the Governor on June 30, 2011. The Department of Finance has released its summary of the 2011-12 Budget (the “Department of Finance Report”). The following information is drawn from the Department of Finance Report.

The 2011-12 Budget reports that the State economy has continued to improve. As a result, the 2011-12 Budget projects an additional \$4 billion in revenues during fiscal year 2011-12. Although the 2011-12 Budget does not include any of the Governor’s proposed tax extensions, the administration states that it plans to seek voter approval of a ballot measure, by November of 2012, which would protect public safety realignment and supplement the State’s revenues.

With the implementation of all measures, the 2011-12 Budget assumes, the State ended fiscal year 2010-11 with revenues of \$94.8 billion and expenditures of \$91.5 billion. The 2011-12 Budget also assumes the State ended fiscal year 2010-11 with a budget deficit of \$2 billion. For fiscal year 2011-12, the 2011-12 Budget projects total revenues of \$88.5 billion and authorizes total expenditures of \$85.9 billion. The 2011-12 Budget projects that the State will end fiscal year 2011-12 with a \$543 million surplus.

The 2011-12 Budget also includes a series of “trigger” reductions that are authorized to be implemented in the event the State’s revenues are less than forecasted. The first series of reductions, totaling approximately \$600 million, would be implemented if, by January 2012, State revenues fall short of projections by more than \$1 billion. If by January 2012 revenues are projected to fall short by more than \$2 billion, a second series of reductions in education spending, totaling approximately \$1.9 billion, would be implemented of which \$1.8 billion relate to K-12 revenue limit funding and the home-to-school transportation program.

As part of the second series of “trigger” reductions, the 2011-12 Budget authorizes a reduction of \$1.5 billion to school district revenue limit funding, and a corresponding reduction to the State-mandated length of the school year by seven days. In the event this reduction is implemented, school districts would be permitted to collectively bargain for a shorter school year or accommodate the revenue limit reduction through other means.

Total Proposition 98 funding is decreased in fiscal year 2011-12 to \$48.7 billion, including \$32.8 billion from the State general fund, which reflects a decrease from the prior year of \$1.1 billion. This decrease is a net figure reflective of all budgetary actions taken with respect to the State’s share of Proposition 98 funding, including increases in baseline revenues, redirection of certain sales tax revenues related to the realignment of public safety programs, and the rebenching of the Proposition 98 minimum funding guarantee (discussed below).

The 2011-12 Budget rebenches the Proposition 98 minimum funding guarantee to account for the following: (i) an increase of \$221.8 million, as part of the realignment of public programs from the State to local governments, to fund the delivery of certain mental health services by school districts, (ii) an increase of \$578.1 million to backfill general fund revenues lost from the suspension of sales and excise taxes on motor vehicle fuels, and (iii) a decrease of \$1.1 billion to reflect the exclusion of most child care programs from Proposition 98. The minimum funding guarantee is also rebenched to account for a \$1.7 billion decrease in State general fund revenues as a result of ABx1 27, a companion bill to the 2011-12 Budget, which authorizes

redevelopment agencies to continue operations provided their establishing cities or counties agree to make a specified payment to school districts and county offices of education which total \$1.7 billion statewide. Pursuant to ABx1 26 (another companion bill to the 2011-12 Budget), redevelopment agencies whose establishing cities or counties elect not to make such payments will be required to shut down, and any net tax increment revenues, after payment of redevelopment bonds debt service and administrative costs, will be distributed to cities, counties, special districts and school districts.

The 2011-12 Budget also makes a significant, one-time modification to State budgeting requirements under AB 1200. See “GENERAL SCHOOL DISTRICT FINANCIAL INFORMATION – School District Budgets.”

The 2011-12 Budget also implements other significant measures with respect to K-12 education funding, as follows:

- *Apportionment Deferral.* An additional deferral of \$1.2 billion in education spending in order to maintain programmatic funding at the fiscal year 2010-11 level.
- *Part-Day Preschool.* A decrease of \$62.3 million to reflect a reduction of income eligibility levels to 70% of the State Median Income, and across-the-board reductions to provider contracts.
- *Charter Schools.* \$11 million in supplemental categorical funding to charter schools that begin operations between 2008-09 and 2011-12.
- *Clean Technology and Renewable Energy Training.* \$3.2 million of increased funding for clean technology and renewable energy job training, career technical education and the Dropout Prevention Program, each of which is designed to provide at-risk high school students with occupational training in areas such as conservation, renewable energy and pollution reduction.
- *Child Care and Development.* A decrease of \$180.4 million to child care and development programs, including reductions to license-exempt provider rates, reductions of income eligibility levels to 70% of the State Median Income, and across-the-board reductions to provider contracts.
- *CALTIDES.* A decrease of \$2.1 million to reflect elimination of funding for the California Longitudinal Teacher Integrated Data System (CALTIDES). Although the CALTIDES program was intended to provide a central State information depository regarding the teaching workforce, the 2011-12 Budget indicates the program is not a critical need.
- *Office of the Secretary of Education.* The 2011-12 Budget projects a budget savings of \$1.6 million through the elimination of the Office of the Secretary of Education.

The complete 2011-12 Budget is available from Department of Finance at [www.dof.ca.gov/budget/](http://www.dof.ca.gov/budget/). An impartial analysis and additional information regarding the 2011-12 Budget may be obtained from the LAO at [www.lao.ca.gov](http://www.lao.ca.gov). None of the information on these websites is incorporated by reference herein.

***Future Budgets and Actions.*** The District cannot predict what actions will be taken in the future by the State Legislature and the Governor to address the current State budget deficit, changing State revenues and expenditures or the impact such actions will have on State revenues available in the current or future years for education. The State budget will be affected by national and State economic conditions and other factors over which the District will have no control. Certain actions could result in a significant shortfall of revenue and cash, and could impair the State’s ability to fund schools. Continued State budget shortfalls in future fiscal years could have an adverse financial impact on the State General Fund budget.

### **Litigation Challenging Method of School Financing**

In *Robles-Wong, et al. v. State of California* (Alameda County Superior Court, Case No. RG-10-515768), filed in May, 2010, plaintiffs challenge the State’s “education finance system” as unconstitutional.

Plaintiffs, consisting of 62 minor school children, various school districts, the California Association of School Administrators and the California School Boards Association, allege the State has not adequately fulfilled its constitutional obligation to support its public schools, and seek an order enjoining the state from continuing to operate and rely on the current financing system and to develop a new education system that meets constitutional standards as declared by the court. The State filed a demurrer seeking to dismiss the plaintiff's class complaints. The plaintiffs filed an answer urging the court to deny the State's request. The court sustained the State's demurrer but allowed plaintiffs leave to file an amended complaint prior to August 25, 2011. No trial date has been set. The District is not a party to this litigation and cannot predict the outcome or its possible impact.

## **TAX MATTERS**

### **Series A Bonds**

In the opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California ("Bond Counsel"), under existing statutes, regulations, rulings and judicial decisions, and assuming the accuracy of certain representations and compliance with certain covenants and requirements described herein, interest on the Series A Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations. In the further opinion of Bond Counsel, interest on the Series A Bonds is exempt from State of California personal income tax. Bond Counsel notes that, with respect to corporations, interest on the Series A Bonds is not included as an adjustment in the calculation of alternative minimum Series A-1 income. Bond Counsel further notes that with respect to corporations, interest on the Series A Bonds may be included as an adjustment in the calculation of alternative minimum Series A-1 income which may affect the alternative minimum tax liability of such corporations.

The difference between the issue price of a Series A Bond (the first price at which a substantial amount of the Series A Bonds of the same series and maturity is to be sold to the public) and the stated redemption price at maturity with respect to such Series A Bond constitutes original issue discount. Original issue discount accrues under a constant yield method, and original issue discount will accrue to a Series A Bond Owner before receipt of cash attributable to such excludable income. The amount of original issue discount deemed received by the Series A Bond Owner will increase the Series A Bond Owner's basis in the Series A Bond. In the opinion of Bond Counsel, the amount of original issue discount that accrues to the owner of the Series A Bond is excluded from the gross income of such owner for federal income tax purposes, is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, and is exempt from State of California personal income tax.

Bond Counsel's opinion as to the exclusion from gross income of interest (and original issue discount) on the Series A Bonds is based upon certain representations of fact and certifications made by the District and others and is subject to the condition that the District complies with all requirements of the code, that must be satisfied subsequent to the issuance of the Series A Bonds to assure that interest (and original issue discount) on the Series A Bonds will not become includable in gross income for federal income tax purposes. Failure to comply with such requirements of the Code might cause the interest (and original issue discount) on the Series A Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Series A Bonds. The District has covenanted to comply with all such requirements.

The amount by which a Series A Bond Owner's original basis for determining loss on sale or exchange in the applicable Series A Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable Series A Bond premium, which must be amortized under Section 171 of the Code; such amortizable Series A Bond premium reduces the Series A Bond Owner's basis in the applicable Series A Bond (and the amount of Series A interest received), and is not deductible for federal income tax purposes. The basis reduction as a result of the amortization of Series A Bond premium may result in a Series A Bond Owner realizing a Series A-1 gain when a Series A Bond is sold by the Owner

for an amount equal to or less (under certain circumstances) than the original cost of the Series A Bond to the Owner. Purchasers of the Series A Bonds should consult their own tax advisors as to the treatment, computation and collateral consequences of amortizable Series A Bond premium.

The IRS has initiated an expanded program for the auditing of Series A bond issues, including both random and targeted audits. It is possible that the Series A Bonds will be selected for audit by the IRS. It is also possible that the market value of the Series A Bonds might be affected as a result of such an audit of the Series A Bonds (or by an audit of similar bonds).

It is possible that subsequent to the issuance of the Series A Bonds there might be federal, state, or local statutory changes (or judicial or regulatory interpretations of federal, state, or local law) that affect the federal, state, or local tax treatment of the Series A Bonds or the market value of the Series A Bonds. No assurance can be given that subsequent to the issuance of the Series A Bonds such changes or interpretations will not occur.

Bond Counsel's opinions may be affected by actions taken (or not taken) or events occurring (or not occurring) after the date hereof. Bond Counsel has not undertaken to determine, or to inform any person, whether any such actions or events are taken or do occur. The Resolutions and the Tax Certificates relating to the Series A Bonds permit certain actions to be taken or to be omitted if a favorable opinion of Bond Counsel is provided with respect thereto. Bond Counsel expresses no opinion as to the effect on the exclusion from gross income of interest (and original issue discount) on the Series A Bonds for federal income tax purposes with respect to any Series A Bond if any such action is taken or omitted based upon the advice of counsel other than Stradling Yocca Carlson & Rauth.

Although Bond Counsel has rendered an opinion that interest (and original issue discount) on the Series A Bonds is excluded from gross income for federal income tax purposes provided that the District continues to comply with certain requirements of the Code, the ownership of the Series A Bonds and the accrual or receipt of interest (and original issue discount) with respect to the Series A Bonds may otherwise affect the tax liability of certain persons. Bond Counsel expresses no opinion regarding any such tax consequences. Accordingly, before purchasing any of the Series A Bonds, all potential purchasers should consult their tax advisors with respect to collateral tax consequences relating to the Series A Bonds.

The proposed forms of opinions of Bond Counsel for the Series A Bonds are included in APPENDIX B hereto.

### **Series A-1 Bonds**

The District has elected to issue the Series A-1 Bonds as Qualified School Construction Bonds for purposes of Section 54F of the Code for which the District is allowed a refundable credit which, with respect to any Bond Payment Date with respect to the Series A-1 Bonds, is equal to the lesser of (a) the interest payable on such Series A-1 Bonds on such Bond Payment Date or (b) the amount of interest that would have been payable on such Bond Payment Date under such Series A-1 Bonds if such interest were determined under at the applicable credit rate determined under Section 54A(b)(3) of the Code. The District will elect to receive a cash subsidy payment from the United States Treasury equal to the lesser of (a) the interest payable on such Series A-1 Bonds on such Bond Payment Date or (b) the amount of interest that would have been payable on such Bond Payment Date under such Series A-1 Bonds if such interest were determined under at the applicable credit rate determined under Section 54A(b)(3) of the Code, which will be deposited in the Election of 2010 Bonds Debt Service Fund maintained by the County. See "THE BONDS - Designation of Certain Bonds as Qualified School Construction Bonds" for a description of the treatment of such cash subsidy payments as an offset to debt service in the future. **UNDER NO CIRCUMSTANCES WILL THE SERIES A-1 BOND OWNERS RECEIVE OR BE ENTITLED AT ANY TIME TO A CREDIT AGAINST THE TAX IMPOSED BY THE CODE WITH RESPECT TO THE OWNERSHIP OF THE SERIES A-1 BONDS.** The District cannot ensure that the District will receive such a refundable credit at any time and in any given amount.

In the opinion of Bond Counsel, under existing statutes, regulations, rulings and judicial decisions, interest on the Series A-1 Bonds is exempt from State personal income tax.

Except for certain exceptions, the difference between the issue price of a Series A-1 Bond (the first price at which a substantial amount of the Series A-1 Bonds of the same series and maturity is to be sold to the public) and the stated redemption price at maturity with respect to such Series A-1 Bond (to the extent the redemption price at maturity is bigger than the issue price) constitutes original issue discount. Original issue discount accrues under a constant yield method. The amount of original issue discount deemed received by the Series A-1 Bond Owner will increase the Series A-1 Bond Owner's basis in the Series A-1 Bond. Series A-1 Bond Owners should consult their own tax advisor with respect to taking into account any original issue discount on the Series A-1 Bond.

The amount by which a Series A-1 Bond Owner's original basis for determining loss on sale or exchange in the applicable Series A-1 Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable bond premium, which the Series A-1 Bond Owner may elect to amortize under Section 171 of the Code; such amortizable bond premium reduces the Series A-1 Bond Owner's basis in the applicable Series A-1 Bond (and the amount of Series A-1 interest received) and is deductible for federal income tax purposes. The basis reduction as a result of the amortization of bond premium may result in a Series A-1 Bond Owner realizing a Series A-1 gain when a Series A-1 Bond is sold by the Series A-1 Bond Owner for an amount equal to or less (under certain circumstances) than the original cost of the Series A-1 Bond to the Series A-1 Bond Owner. The Series A-1 Bond Owners that have a basis in the Series A-1 Bonds that is greater than the principal amount of the Series A-1 Bonds should consult their own tax advisors with respect to whether or not they should elect to amortize such premium under Section 171 of the Code.

The qualification of the Series A-1 Bonds and receipt of the refundable credit for purposes of Section 54F of the Code is subject to the condition that the District and others comply with all requirements of the Code that must be satisfied subsequent to the issuance of the Series A-1 Bonds to assure that the Series A-1 Bonds qualify as Qualified School Construction Bonds under Section 54F of the Code for which the District has made an irrevocable election to receive a refundable credit. Failure to comply with such requirements of the Code might result in the District not receiving such a refundable credit, possibly retroactive to the date of issue of the Series A-1 Bonds.

The IRS has initiated an expanded program for the auditing of bond issues, including both random and targeted audits. It is possible that the Series A-1 Bonds will be selected for audit by the IRS. It is also possible that the market value of the Series A-1 Bonds might be affected as a result of such an audit of the Series A-1 Bonds (or by an audit of similar bonds). No assurance can be given that in the course of an audit, as a result of an audit, or otherwise, that Congress or the IRS might change the Code (or interpretation thereof) subsequent to the issuance of the Series A-1 Bonds to the extent that it adversely affects the status of the Series A-1 Bonds as Qualified School Construction Bonds for purposes of Section 54F of the Code for which the District is entitled to a refundable credit or the market value of a Series A-1 Bond.

It is possible that subsequent to the issuance of the Series A-1 Bonds there might be federal, state, or local statutory changes (or judicial or regulatory interpretations of federal, state or local law) that affect the federal, state, or local tax treatment of the Series A-1 Bonds or the market value of the Series A-1 Bonds. No assurance can be given that subsequent to the issuance of the Series A-1 Bonds such changes or interpretations will not occur.

The federal tax and State personal income tax discussion set forth above is included for general information only and may not be applicable depending upon a Series A-1 Bond Owner's particular situation. The ownership and disposal of the Series A-1 Bonds and the accrual or receipt of interest on the Series A-1 Bonds may otherwise affect the tax liability of certain persons. Bond Counsel expresses no opinion regarding any such tax consequences. **ANY FEDERAL TAX ADVICE CONTAINED HEREIN WITH RESPECT TO THE SERIES A-1 BONDS IS NOT INTENDED OR WRITTEN TO BE USED, AND IT CANNOT**

**BE USED, FOR THE PURPOSE OF AVOIDING PENALTIES UNDER THE CODE. THE FEDERAL TAX ADVICE CONTAINED HEREIN WITH RESPECT TO THE SERIES A-1 BONDS WAS WRITTEN TO SUPPORT THE PROMOTING AND MARKETING OF THE SERIES A-1 BONDS. BEFORE PURCHASING ANY OF THE SERIES A-1 BONDS, ALL POTENTIAL PURCHASERS SHOULD CONSULT THEIR INDEPENDENT TAX ADVISORS WITH RESPECT TO THE TAX CONSEQUENCES RELATING TO THE SERIES A-1 BONDS AND THE TAXPAYER'S PARTICULAR CIRCUMSTANCES.**

The proposed form of opinion of Bond Counsel with respect to the Series A-1 Bonds is included in APPENDIX B- hereto.

### **Refunding Bonds**

In the opinion of Bond Counsel under existing statutes, regulations, rulings and judicial decisions, and assuming the accuracy of certain representations and compliance with certain covenants and requirements described herein, interest on the Refunding Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations. Bond Counsel notes that, with respect to corporations, interest on the Refunding Bonds may be included as an adjustment in the calculation of alternative minimum taxable income which may affect the alternative minimum tax liability of corporations. In the further opinion of Bond Counsel, interest on the Bonds is exempt from State of California personal income tax.

The difference between the issue price of a Refunding Bond (the first price at which a substantial amount of the Refunding Bonds of the same series and maturity is to be sold to the public) and the stated redemption price at maturity with respect to such Refunding Bond constitutes original issue discount. Original issue discount accrues under a constant yield method, and original issue discount will accrue to a Refunding Bond Owner before receipt of cash attributable to such excludable income. The amount of original issue discount deemed received by the Refunding Bond Owner will increase the Refunding Bond Owner's basis in the Bond. In the opinion of Bond Counsel, the amount of original issue discount that accrues to the owner of the Refunding Bond is excluded from the gross income of such owner for federal income tax purposes, is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, and is exempt from State of California personal income tax.

Bond Counsel's opinion as to the exclusion from gross income of interest (and original issue discount) on the Refunding Bonds is based upon certain representations of fact and certifications made by the District and others and is subject to the condition that the District comply with all requirements of the Internal Revenue Code of 1986, as amended (the "Code"), that must be satisfied subsequent to the issuance of the Refunding Bonds to assure that interest (and original issue discount) on the Refunding Bonds will not become includable in gross income for federal income tax purposes. Failure to comply with such requirements of the Code might cause the interest (and original issue discount) on the Refunding Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Refunding Bonds. The District has covenanted to comply with all such requirements.

The amount by which a Refunding Bond Owner's original basis for determining loss on sale or exchange in the applicable Refunding Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable Refunding Bond premium, which must be amortized under Section 171 of the Code; such amortizable Refunding Bond premium reduces the Refunding Bond Owner's basis in the applicable Refunding Bond (and the amount of tax-exempt interest received), and is not deductible for federal income tax purposes. The basis reduction as a result of the amortization of Refunding Bond premium may result in a Refunding Bond Owner realizing a taxable gain when a Refunding Bond is sold by the Owner for an amount equal to or less (under certain circumstances) than the original cost of the Refunding Bond to the Owner. Purchasers of the Refunding Bonds should consult their own tax advisors as to the treatment, computation and collateral consequences of amortizable Refunding Bond premium.

The Internal Revenue Service (the "IRS") has initiated an expanded program for the auditing of tax-exempt bond issues, including both random and targeted audits. It is possible that the Refunding Bonds will be selected for audit by the IRS. It is also possible that the market value of the Bonds might be affected as a result of such an audit of the Bonds (or by an audit of similar bonds). No assurance can be given that in the course of an audit, as a result of an audit, or otherwise, Congress or the IRS might not change the Code (or interpretation thereof) subsequent to the issuance of the Bonds to the extent that it adversely affects the exclusion from gross income of interest on the Bonds or their market value.

It is possible that subsequent to the issuance of the Refunding Bonds there might be federal, state, or local statutory changes (or judicial or regulatory interpretations of federal, state, or local law) that affect the federal, state, or local tax treatment of the Refunding Bonds or the market value of the Refunding Bonds. No assurance can be given that subsequent to the issuance of the Refunding Bonds such changes or interpretations will not occur.

Bond Counsel's opinions may be affected by actions taken (or not taken) or events occurring (or not occurring) after the date hereof. Bond Counsel has not undertaken to determine, or to inform any person, whether any such actions or events are taken or do occur. The Resolution and the Tax Certificate relating to the Refunding Bonds permit certain actions to be taken or to be omitted if a favorable opinion of bond counsel is provided with respect thereto. Bond Counsel expresses no opinion as to the effect on the exclusion from gross income of interest (and original issue discount) on the Refunding Bonds for federal income tax purposes with respect to any Refunding Bond if any such action is taken or omitted based upon the advice of counsel other than Stradling Yocca Carlson & Rauth.

Although Bond Counsel has rendered an opinion that interest (and original issue discount) on the Bonds is excluded from gross income for federal income tax purposes provided that the District continues to comply with certain requirements of the Code, the ownership of the Refunding Bonds and the accrual or receipt of interest (and original issue discount) with respect to the Refunding Bonds may otherwise affect the tax liability of certain persons. Bond Counsel expresses no opinion regarding any such tax consequences. Accordingly, before purchasing any of the Refunding Bonds, all potential purchasers should consult their tax advisors with respect to collateral tax consequences relating to the Refunding Bonds.

A copy of the proposed form of opinion of Bond Counsel for the Refunding Bonds is attached hereto as APPENDIX B-3.

## **OTHER LEGAL MATTERS**

### **Legal Opinions**

The validity of the Bonds and certain other legal matters are subject to the approving opinion of Bond Counsel. Complete copies of the proposed forms of opinion of Bond Counsel with respect to the Series A Bonds, Series A-1 Bonds and 2011A Refunding Bonds are contained in APPENDICES B-1 through B-3 hereto.

### **No Litigation**

No litigation is pending or threatened concerning the validity of the Bonds, and a certificate to that effect, executed by an authorized officer of the District, will be furnished to purchasers at the time of the original delivery of the Bonds. Furthermore, the District is not aware of any litigation pending or threatened questioning the political existence of the District or contesting the District's ability to receive *ad valorem* taxes or to collect other revenues or contesting the District's ability to issue the Bonds.

## **CONTINUING DISCLOSURE**

The District has covenanted for the benefit of the holders and beneficial Owners of the Bonds to provide certain financial information and operating data relating to the District (the "Annual Report") by not later than nine (9) months following the end of the District's fiscal year (currently ending June 30) commencing with the report for the 2010-11 fiscal year (which is due no later than March 31, 2012) and to provide notices of the occurrence of certain enumerated events. The Annual Report will be filed by the District in readable PDF or other acceptable electronic form with the Electronic Municipal Market Access system ("EMMA") of the Municipal Securities Rulemaking Board. The notices of certain enumerated events, if any, will also be filed by the District with EMMA. The specific nature of the information to be contained in the Annual Report or the notices of material events is set forth in "APPENDIX D—FORM OF CONTINUING DISCLOSURE CERTIFICATE." These covenants have been made in order to assist the Underwriter in complying with Securities and Exchange Commission Rule 15c2-12(b)(5) (the "Rule"). During at least the last five years, the District has complied in all material respects with its previous undertakings to file annual reports or notices of material events as required under the Rule.

## **FINANCIAL STATEMENTS**

Excerpt's of the District's audited financial statements for the year ended June 30, 2010, including the reporting of other post-employment benefit costs and obligations of the District as required under Governmental Accounting Standards Board #45, the independent auditor's report and the statement of activities and of cash flows are included in this Official Statement as APPENDIX C. In connection with the inclusion of the financial statements and the report of Perry-Smith, LLP (the "Auditor") thereon in APPENDIX C to this Official Statement, the District did not request the Auditor to, and the Auditor has not undertaken to, update its report or to take any action intended or likely to elicit information concerning the accuracy, completeness or fairness of the statements made in this Official Statement, and no opinion is expressed by the Auditor with respect to any event subsequent to the date of its report.

## **MISCELLANEOUS**

### **Ratings**

The Bonds have received the underlying and uninsured ratings of "\_\_\_\_" from Moody's Investors Service ("Moody's"), "\_\_\_\_" from Standard & Poor's Ratings Services, a Standard & Poor's Financial Services LLC business ("S&P") and "\_\_\_\_" from Fitch Ratings ("Fitch"). Any rating issued reflects only the views of such rating agency, and any explanation of the significance of such rating should be obtained from such rating agency. The physical address of Moody's is 7 World Trade Center, 250 Greenwich Street, 23<sup>rd</sup> Floor, New York, New York 10007; and its website address is: [www.moodys.com](http://www.moodys.com). The physical address of S&P is 55 Water Street, New York, New York 10041; and its website address is: [www.standardandpoors.com](http://www.standardandpoors.com). The physical address of Fitch is One State Street Plaza, 31st Floor, New York, New York 10004; and its website address is: [www.fitchratings.com](http://www.fitchratings.com). The information contained or referenced in such websites is not incorporated herein by reference.

There is no assurance that any rating will continue for any given period or that it will not be revised downward or withdrawn entirely by the rating agency if, in the judgment of the rating agency, circumstances so warrant. Any such downgrading or withdrawal may have an adverse effect on the market price of the Bonds. The District does not undertake any responsibility to oppose any such downward revision or withdrawal.

### **Underwriting**

The Bonds are being purchased, for offering to the public, by Piper Jaffray & Co. (the "Underwriter"), pursuant to a bond purchase contract between the Underwriter and the District dated \_\_\_\_\_, 2011. The Underwriter has agreed to purchase the Bonds at a price of \$ \_\_\_\_\_. At the request of the District, the

Underwriter will wire the amount of \$\_\_\_\_\_ to the custodian selected by the District to pay costs of issuance. Pursuant to the bond purchase contract, the Underwriter will purchase all of the Bonds, if any are purchased, subject to certain terms and conditions to be satisfied by the District. The Underwriter may offer and sell the Bonds to certain dealers and others at prices lower than the offering prices stated on the cover page. The offering prices may be changed from time to time by the Underwriter. The Underwriter may offer and sell the Bonds to certain dealers and others at prices lower than the offering prices stated on the cover page. The offering prices may be changed from time to time by the Underwriter.

The Underwriter and Pershing LLC, a subsidiary of The Bank of New York Mellon Corporation ("Pershing"), entered into an agreement (the "Agreement") which enables Pershing to distribute certain new issue municipal securities underwritten by or allocated to the Underwriter, including the Bonds. Under the Agreement, the Underwriter will share with Pershing a portion of the fee or commission paid to the Underwriter.

### **Professionals Involved in the Offering**

Stradling Yocca Carlson & Rauth, a Professional Corporation, is acting as Bond Counsel to the District in connection with the Bonds. GCR, LLP is acting as Disclosure Counsel to the District in connection with the Bonds. KNN Public Finance is serving as the Financial Advisor to the District in connection with the Bonds. Bond Counsel, Disclosure Counsel and the Financial Advisor will receive compensation with respect to the Bonds contingent upon the sale and delivery of the Bonds.

### **Additional Information**

The purpose of this Official Statement is to supply information to prospective buyers of the Bonds. Quotations from and summaries and explanations of the Bonds, the Resolutions, and the constitutional provisions, statutes and other documents described herein do not purport to be complete, and reference is made to said documents, constitutional provisions and statutes for full and complete statements of their provisions.

Any statements in this Official Statement involving matters of opinion, whether or not expressly so stated, are intended as such and not as representations of fact. This Official Statement is not to be construed as a contract or agreement between the District and the purchasers or Owners of any of the Bonds.

Copies of documents referred to herein and information concerning the Bonds are available from the District through the Associate Superintendent of Business Services, West Contra Costa Unified School District, 1108 Bissell Avenue, Richmond, California 94801-3135, Telephone: (510) 231-1170. The District may impose a charge for copying, mailing and handling.

This Official Statement and its distribution have been duly authorized and approved by the District.

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

By: \_\_\_\_\_  
Associate Superintendent, Business Services

## APPENDIX A

### DISTRICT FINANCIAL AND OPERATING INFORMATION

The information in this appendix concerning the management and operations of the West Contra Costa Unified School District (the “District”), and the District’s revenues and expenditures, is provided as supplementary information only. It should not be inferred from the inclusion of this information in this Official Statement that the principal of, interest on or premium, if any, on the Bonds is payable from the General Fund of the District or from other District revenues. The Bonds are payable from the proceeds of an *ad valorem* tax required to be levied by the Board of Supervisors of Contra Costa County in an amount sufficient for the payment of principal and interest on the Bonds. See “SECURITY FOR THE BONDS” and “TAX BASE FOR REPAYMENT OF THE BONDS—*Ad Valorem* Property Taxation” in the body of this Official Statement. See also “District Debt Structure,” and “Statement of Direct and Overlapping Debt” in this appendix for information concerning the District’s outstanding general obligation bonds payable from *ad valorem* taxes on a parity with the Bonds.

#### General Information

The District, unified in November 1964, is located approximately 15 miles northeast of San Francisco, California and consists of approximately 110 square miles in the western portion of Contra Costa County (the “County”). It provides educational services to the residents of the cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo, the unincorporated communities of El Sobrante, Kensington and North Richmond, and certain other unincorporated areas in the County.

The District currently maintains 36 elementary schools, two K-8 school, six middle/junior high schools, six high schools and six alternative/continuation programs, 60 adult education sites, nine operation sites and 17 State-funded preschools. The pupil teacher ratio in the District is approximately 24:1 for kindergarten, 20:1 for grades 1 and 2, 28:1 for grade 3, 33:1 for grades 4 through 6 and for grades 6-8 in K-8 schools and 38:1 maximum for middle and high schools. The District closed three schools at the end of the 2008-09 academic year and anticipated closing five additional schools in June 2012 if additional funding was not identified. On September 7, 2011, the District removed two elementary schools from the list of schools identified for closure. See “District Revenues-Revenue Limit and ADA” for further discussion concerning the school closures.

#### Board of Education

The District is governed by a five-member Board of Education (the “Board”), each member of which is elected to a four-year term. Elections for positions to the Board of Education are held every two years, alternating between two and three available positions. The current members of the Board of Education together with the expiration of their terms are as follows:

#### BOARD OF EDUCATION AND TERM WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

<u>Name</u>	<u>Position</u>	<u>Expiration of Term</u>
Charles T. Ramsey	President	December, 2014
Madeline Kronenberg	Clerk	December, 2014
Antonio Medrano	Member	December, 2012
Elaine R. Merriweather	Member	December, 2014
Tony Thurmond	Member	December, 2012

Source: West Contra Costa Unified School District.

## **District Senior Management Team**

The District's senior management team is led by the Superintendent who has the authority and is responsible for administering the affairs of the District in accordance with the policies of the Board. Three Associate Superintendents oversee and manage the following divisions: Business Services, K-Adult Education and Operations. Two Assistant Superintendents oversee and manage Education Services and Human Resources, and a Director oversees and manages Special Education. The District's senior management team serves at the discretion of the Board. Brief biographical information for each of the principal members of the District's senior management team is provided below.

***Dr. Bruce Harter, Superintendent.*** Dr. Harter was appointed Superintendent of the District in July 2006. Prior to his appointment with the District, Dr. Harter served as superintendent at three other school districts. Dr. Harter earned his Bachelor's degree at the University of Michigan in Ann Arbor, Michigan and his Doctorate at the University of Colorado in Denver, Colorado. Dr. Harter has 39 years of service in public education.

***Sheri Gamba, Associate Superintendent, Business Services.*** Ms. Gamba was appointed Associate Superintendent of Business Services of the District in 2007. Prior to her appointment with the District, Ms. Gamba served as Chief Business Officer at Antioch Unified School District. Ms. Gamba is the Past President (2010-11) of Northern California Section of the California Association of School Business Officials, and represents the District on various Joint Powers Agency (JPA) Boards in the region. Ms. Gamba has 23 years of service in public education.

***Wendell C. Greer, Associate Superintendent, K-Adult Education.*** Mr. Greer was appointed Associate Superintendent of K-Adult Education of the District in 2002. Prior to his appointment with the District, Mr. Greer worked as a teacher and coach and served as an administrator at other school districts in Southern California. Mr. Greer has over 30 years of service in public education.

***William Fay, Associate Superintendent, Operations.*** Mr. Fay was appointed Associate Superintendent of Operations of the District in 2008, after 10 years with the Los Angeles Unified School District. Prior to his career in education, Mr. Fay held various operations management positions at the Walt Disney Corporation and he served as chair to both the Planning Commission and the Design Commission of the Planning and Development Department of the City of Pasadena, California.

***Nia Rashidchi, Assistant Superintendent, Education Services.*** Ms. Rashidchi was appointed Assistant Superintendent of Educational Services of the District in 2008. Prior to her appointment with the District, Ms. Rashidchi served as an Executive Director at a K-12 school district, a state and federal education coordinator and as an Elementary School Principal. Ms. Rashidchi earned her Bachelor's degree, *Cum Laude*, at the University of the Pacific and her Master's degree at San Jose University.

***Ann Reinhausen, Assistant Superintendent, Human Resources.*** Mrs. Reinhausen was appointed Assistant Superintendent of Human Resources of the District in 2010. Prior to her appointment with the District, she served in various certificated positions in two public school districts, advancing from her position as a teacher to a position as Executive Director. Ms. Reinhausen has over 30 years of service in public education.

***Steve Collins, Special Education Local Plan Director.*** Mr. Collins was appointed Special Education Local Plan Area (SELPA) Director of the District in 1996. He has dedicated his career to public education, 33 years of which Mr. Collins has served the District. Mr. Collins earned his Bachelor's degree at San Francisco State University in San Francisco, California and his Masters degree at La Verne University in La Verne, California.

## **District Revenues**

As is true for all school districts in the State, the District's operating income consists of four components: (1) Revenue Limit Sources (consisting of a mix of State and local property tax revenues,), (2) Federal Revenues, (3) Other State Revenues, and (4) Other Local Revenues. The Revenue Limit Sources includes both a State portion funded from the State's General Fund and a locally-generated portion derived from a district's share of the

1% local *ad valorem* property tax authorized by the State Constitution. In addition, school districts may be eligible for other funding, including State and federal program funding, as well as revenue derived from local sources including property taxes. See “District Revenues – Other District Revenues,” below.

**Revenue Limit and ADA.** The District is a “revenue limit district,” which means that it receives some equalization aid. See “GENERAL SCHOOL DISTRICT FINANCIAL INFORMATION-Allocation of State Funding to Districts” in the body of the Official Statement.

The District computes average daily attendance (“ADA”) based on actual attendance only, with no allowances for excused absences. The following table sets forth the ADA based on the District’s Second Period Report of Attendance for the past five years:

**AVERAGE DAILY ATTENDANCE  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

<u>Academic Year</u>	<u>Average Daily Attendance</u>
2006-07	28,413
2007-08	28,178
2008-09	28,094
2009-10	27,614
2010-11	27,589
2011-12 (projected)	26,938

Note: Includes grade levels K-12 and special education – adopted budget  
Source: West Contra Costa Unified School District.

A school district’s enrollment can fluctuate due to factors such as population, competition from private, parochial, and public charter schools, inter-district transfers in or out of the district, and other causes. Losses in enrollment lower a school district’s revenue limit (and may result in loss of operating revenues), without necessarily permitting the district to make adjustments in fixed operating costs. The District is considered a declining enrollment district. As permitted by law, the District’s projected revenue limit funding for fiscal year 2011-12 is based on fiscal year 2010-11 ADA.

The District’s base Revenue Limit per ADA for fiscal year 2010-11 was \$6,389.82 and for fiscal year 2011-12 is budgeted to be \$6,370.82. The base Revenue Limit is reduced due to the inclusion of a deficit factor of 19.754% for the 2011-12 fiscal year. As a result, the funded revenue limit is anticipated to be \$5,227 for each full ADA earned. The District’s total budgeted revenue limit income for fiscal year 2011-12 is \$147,994,837, or approximately 58% of its total general fund revenues.

**School Closures.** The District has experienced a decline in enrollment of over 5,000 students since the 2002-03 school year, resulting in class sizes that are smaller on average than comparable school districts in the State. To address this issue, the Board adopted a resolution on February 11, 2009 authorizing and directing the closure or consolidation of nine schools and the closure of two other District facilities, a staff development center and a warehouse facility, under a three year plan. The District also anticipates generating additional revenues and operational savings from alternative uses or from the sale of the closed school sites, which revenue, if generated, will be applied for purposes authorized by law. The District has saved a cumulative \$4.7 million in operational costs annually following the closures through the 2011-12 fiscal year. Three of the schools, the staff development center and the warehouse facility were closed in June 2009. Three schools identified for closure and located within the City of Richmond (Olinda and Grant Elementary Schools and Kennedy High School) remain open due to a \$1.5 million annual grant from the City of Richmond during fiscal years 2010-11 and 2011-12, the District anticipates continued support from the City of Richmond. Two schools identified for closure and located within the City of San Pablo remain open, one (Shannon Elementary School) due to a decision by the District to postpone closure and the other (Lake Elementary School) due to a \$300,000 annual grant commitment from the City of San Pablo during fiscal years 2009-10 to 2011-12. In order to close Shannon Elementary School the District would

have been required to provide additional housing, which costs exceeded anticipated savings. Lake Elementary School, also situated in the San Pablo area may have similar constraints. With the improved financial outlook due to the State Loan pay-off resolution adopted on September 7, 2011, the Board voted to remove Shannon and Lake Elementary Schools from the list of anticipated school closures.

***Other District Revenues.*** In addition to base Revenue Limit, the District receives other revenue from State, federal and local sources, including grants, redevelopment pass-through funds and funding for specific programs. The District also collects restricted revenues from other local sources such as parcel taxes, developer fees and certain assessments.

***Other State Revenues.*** Other State Revenues, or categorical funds, consist primarily of restricted revenues that fund specific items, such as special education programs, instructional materials, and mentor teachers. Although such funds are normally restricted, spending flexibility has been granted to school districts by the State pursuant to the 2009-10 State Budget and was extended into the 2011-12 State Budget.

The revenues received by the District from Other State Revenues, include a portion of the State Lottery (the "Lottery") revenues. Lottery revenues allocated to the District must be used for the education of students and cannot be used for non-instructional purposes, such as real property acquisition, facility construction, or the financing of research. Lottery net revenues (gross revenues less prizes and administration expenses) are allocated by computing an amount per ADA or full time equivalent ("FTE"). This figure is derived by dividing the total net revenues figures by the total ADA for grades K-12 and by the total FTE for the community colleges, University of California system and the California State University and College system. Each entity receives an amount equal to its total ADA or FTE, as applicable, multiplied by the per ADA or FTE figure. The District estimates its Lottery revenues for fiscal year 2010-11 to be \$3,672,062. The District projects and has budgeted Lottery revenues of approximately \$3,600,000 for fiscal year 2011-12.

The District also receives State Emergency Repair Program (ERP) monies from the State. The District estimates that it will receive \$1.4 million in ERP during fiscal year 2011-12 and anticipates using those funds for certain repairs and portable replacement.

***Federal Revenues.*** The federal government provides funding for several District programs, including special education programs, programs under the Educational Consolidation and Improvement Act (Title I), No Child Left Behind funding, specialized programs such as Drug Free Schools and Communities Act of 1989, and various incentives under the American Recovery and Reinvestment Act (ARRA). Most federal revenues received by the District are restricted and comprise approximately 11% of the District's general fund budgeted revenues for fiscal year 2011-12.

***Developer Fees.*** As part of its local revenue income, the District collects development fees as provided under Education Code sections 17620 and following. In order to impose developer fees on new residential construction within the district, the District prepares and adopts a School Facilities Need Analysis annually as required by State law. The law requires all developer fees collected to be applied solely to construction of school facilities and also establishes the maximum fees (adjustable for inflation) which may be collected. Expenditures are restricted by Government Code sections 65970-65981 and are generally limited to those expenditures necessary for the District to provide services to the areas impacted by the development. In prior years, the District collected millions of dollars in developer fees that were applied primarily for capital leases for portable classrooms and as otherwise required by law. Due to the decline in construction and corresponding anticipated decrease in revenue derived from developer fees, the District projects collecting approximately \$160,000 in developer fees during fiscal year 2011-12. However, collection depends on development and the District cannot guarantee that these funds will become available.

***Assessment District.*** On August 3, 1994, the District completed formation of a Maintenance and Recreation Assessment District ("MRAD") pursuant to the Landscape and Lighting Act of 1972. This allows the District to levy taxes to support the maintenance and operations of fields and outdoor areas for the purpose of

public use. Annual assessments are \$72 per single family equivalents. There are approximately 77,521 defined living units within the MRAD, and the District has received approximately \$5 million annually in assessment revenue, with approximately \$5.5 million estimated in 2011-12 for budget purposes. The use of MRAD revenue is restricted to expenditures for recreation, lighting, and landscape operations and maintenance of facilities generally available to the public; it does not count towards the District's revenue limit and effectively relieves the District from funding many of these expenditures from General Fund revenue. MRAD assessments are levied annually on approval by the Board.

*Parcel Tax.* On June 8, 2004, voters within the District approved a parcel tax to maintain reduced class sizes, purchase textbooks and teaching materials, attract and retain qualified teachers, aides and counselors, enhance core subjects, restore library services and athletic programs, and improve custodial services (the "Parcel Tax"). The District annually collects 7.2 cents (\$0.072) per square foot of total building area of buildings within the District's geographic boundaries or \$7.20 per vacant parcel, with an exemption for qualified seniors. The Parcel Tax generates approximately \$9.5 million annually. The Parcel Tax became effective on July 1, 2004 and was scheduled to expire on June 30, 2009. In November 2008, voters renewed the Parcel Tax, extending the current rate for an additional five years, beginning July 1, 2009 and ending June 30, 2014.

### **District Expenditures**

The largest part of each school district's general fund budget is used to pay salaries and benefits of certificated (credentialed teachers) and classified (non-instructional) employees. Any changes in salaries and benefits from one year to the next are generally based on changes in staffing levels, negotiated salary increases, and the overall cost of employee benefits.

In its fiscal year 2011-12 budget, the District estimates that it will expend approximately \$205 million in salaries and benefits, or approximately 79% of its general fund expenditures. This amount represents decrease of approximately 1% from the estimated \$207 million the District expended in 2010-11.

*Labor Relations and Collective Bargaining.* As of June 30, 2011, the District employs 1,572 full-time equivalent ("FTE") certificated and 1,169 FTE classified employees including management and confidential employees.

The current collective bargaining agreements with each of the District's four bargaining units are shown in the following table. Such contracts are set to expire on June 30, 2012, as indicated below.

### **LABOR ORGANIZATIONS WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

<u><b>Labor Organization</b></u>	<u><b>Number of Employees</b></u>	<u><b>Contract Expiration</b></u>
United Teachers of Richmond	1,572 full-and part-time	June 30, 2012
Public Employees Union, Local 1	1,026 full-and part-time	June 30, 2012
School Supervisors Association	94 full-and part-time	June 30, 2012
Administrators Association	91 full-and part-time	June 30, 2012

Source: West Contra Costa Unified School District.

*Retirement Programs.* The District participates in the State Teachers Retirement System ("STRS"). This plan covers all full-time certificated employees. Pursuant to Education Code sections 22950 and 22951, the District's contribution rate is 8.25% of the total creditable compensation earned by each employee enrolled in STRS. In order to receive STRS benefits, an employee must be at least 55 years old and have provided five years of service to State public schools. The District's annual contributions to STRS for the fiscal years ending June 30, 2008, 2009 and 2010 were \$9,928,367, \$9,485,900 and \$8,846,010, respectively and equal 100% of the required contributions for each year. The District's contribution in fiscal year 2010-11 is estimated to be \$8,794,654, and the District has budgeted approximately \$8,568,876 to defray its required contributions during fiscal year 2011-

12.

The District also participates in the State Public Employees Retirement System ("PERS"). This plan covers all classified personnel who are employed more than four hours per day. Unlike the STRS employer contribution rate, which is fixed by statute, the PERS rate varies and during the last five (5) fiscal years has ranged from 9.1% to 10.7% of the total creditable compensation earned by each employee enrolled in PERS. In order to receive PERS benefits, an employee must be at least 50 years old and have provided five years of creditable service in PERS. The District's annual contributions to PERS for the fiscal years ending June 30, 2008, 2009 and 2010 were \$3,738,408, \$3,669,145 and \$3,343,635, respectively and equal 100% of the required contributions for each year. The District's contribution in fiscal year 2010-11 is estimated to be \$3,772,208 and the District has budgeted approximately \$4,113,547 to defray its required contributions during fiscal year 2011-12.

Both STRS and PERS are operated on a statewide basis and, based on available information, both STRS and PERS have unfunded liabilities. The amounts of the pension-award benefit obligation (PERS) or unfunded actuarially accrued liability (STRS) will vary from time to time depending upon actuarial assumptions, rates of return on investments, salary scales, and levels of contribution. The District is unable to predict what the amount of liabilities will be in the future, or what the amount of contributions that the District may be required to make will be.

STRS and PERS each issue separate comprehensive annual financial reports that include financial statements and required supplementary information. Copies of the STRS annual financial report may be obtained from STRS, P.O. Box 15275, Sacramento, California 95851-0275, and copies of the PERS annual financial report and actuarial valuations may be obtained from the CalPERS Financial Services Division, P.O. Box 942703, Sacramento, California 94229-2703. The information presented in these reports is not incorporated by reference in this Official Statement.

See the notes to the District's audited financial statements, which are contained in "APPENDIX C – EXCERPTS FROM THE DISTRICT'S 2009-10 AUDITED FINANCIAL STATEMENTS" for additional information concerning STRS and PERS.

***Other Post-Employment Benefits.*** According to the District's most recent audited financial report, as of June 30, 2010, the District was obligated to provide certain post-employment health benefits to all employees either (i) hired prior to January 1, 2007 and who have attained five years of continuous PERS/STRS creditable service or (ii) hired after January 1, 2007 and who have attained ten years of continuous PERS/STRS creditable service with the District. Post employment dental benefits are provided to employees who meet the rule of "75" (the number of years worked plus age equals 75 or more). As of June 30, 2010, a total of 2,395 retirees met the health care benefit requirement. The extent of the District's obligations was dependent on the retirement date for the qualifying employee. For employees retiring prior to January 1, 2007, the District was obligated to pay 100% of medical and dental costs (subject to certain limitations) for both the employee and his or her dependents. For employees retiring after January 1, 2007, the District would pay medical and dental benefits based on the negotiated terms as of the employee's retirement date. The District's most recent actuarial report was prepared based on such requirements, and calculated the District's unfunded actuarial accrued liability to be \$390.3 million. As of June 30, 2010, the District had set aside \$11,799,133 in its Retiree Benefits Trust Fund against such liability.

The District has since negotiated stricter caps and eligibility requirements for post-employment benefits. The new terms are reflected in each of the four collective bargaining agreements described above. Under the agreements: (i) employees retiring prior to June 30, 2010 and having ten years of continuous PERS/STRS creditable service with the District will be entitled to retire under the practice in place prior to the new restrictions; (ii) employees hired prior to January 1, 2007, and retiring after June 30, 2010, will be entitled to a maximum monthly District contribution depending on years of service (\$450 per month for those employees having ten years or more of continuous PERS/STRS creditable service with the District, and \$750 per month for those employees having twenty years or more of continuous PERS/STRS creditable service to the District); and (iii) employees

hired after January 1, 2007 and having ten years or more of continuous PERS/STRS creditable service with the District will be entitled to a District contribution based on the CalPERS Health Benefits Program's minimum allowable monthly unequal contribution with no payments for prescription, vision, or dental coverage.

### **Comparative Financial Statements**

The State Constitution requires that from all State revenues there shall first be set apart the monies to be applied by the State for the support of the public school system and public institutions of higher education. Proposition 98 guarantees K-14 schools a minimum share of the State's General Fund revenues. See "CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS — Proposition 98." However, when State revenues decrease or the State experiences budget problems, funding for public education may also decrease. The District conducted a complete analysis of the 2011-12 State Budget and determined to limit its exposure to certain potential significant changes to education funding contemplated therein by utilizing "best practice" budgeting and setting aside a \$10 million reserve. The District cannot predict how State income or State education funding will vary over the entire term to maturity of the Bonds. See "State Budget" in this Section of Appendix A.

The following table summarizes the District's audited General Fund revenue, expenditures and fund balances for Fiscal Years 2006-07 through 2009-10, estimated actuals General Fund balances for Fiscal Year 2010-11, and budgeted General Fund balances for Fiscal Year 2011-12.

**GENERAL FUND  
REVENUES, EXPENDITURES AND FUND BALANCES  
FISCAL YEARS 2006-07 THROUGH 2009-10 (AUDITED),  
FISCAL YEAR 2010-11 (UNAUDITED ACTUALS) AND  
FISCAL YEAR 2011-12 (BUDGET)  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

	<b>2006-07 Actual<sup>(1)</sup></b>	<b>2007-08 Actual<sup>(1)</sup></b>	<b>2008-09 Actual<sup>(1)</sup></b>	<b>2009-10 Actual<sup>(1)</sup></b>	<b>2010-11 Unaudited Actuals<sup>(2)</sup></b>	<b>2011-12 Budget<sup>(3)</sup></b>
<b>REVENUES</b>						
Revenue Limit Sources	\$166,673,420	\$166,817,807	\$161,899,365	\$142,320,077	\$147,914,627	\$147,994,837
Federal Revenue	24,788,572	25,621,521	33,497,975	31,062,400	32,744,655	27,810,811
Other State Revenue	74,652,133	71,167,149	66,992,666	63,976,273	63,859,240	59,872,698
Other Local Revenue	22,015,726	21,327,703	20,821,034	20,199,980	22,003,709	19,363,564
Total Revenues <sup>(4)</sup>	<u>288,129,851</u>	<u>284,934,180</u>	<u>283,211,040</u>	<u>257,558,730</u>	<u>266,522,230</u>	<u>255,041,910</u>
<b>EXPENDITURES</b>						
Certificated Salaries	118,718,728	121,060,184	120,290,735	110,694,305	105,990,977	104,344,459
Classified Salaries	40,227,424	44,592,168	41,418,183	37,823,881	38,983,802	39,475,080
Employee Benefits	60,690,279	66,089,445	69,075,209	60,199,786	58,161,626	61,395,153
Books and Supplies	12,129,982	12,340,626	8,843,494	9,912,409	11,369,314	7,986,189
Contract Services and						
Operating Expenditures	39,040,722	41,425,355	39,283,607	43,130,953	41,059,033	40,853,144
Capital Outlay	795,863	889,702	457,520	1,248,554	331,904	2,846,099
Other Outgo	1,298,343	51,834	41,903	33,137	3,808,818	4,510,179
Indirect Cost Reimbursement	(843,802)	(802,241)	—	—	(690,397)	(705,835)
Debt Service						
Principal	300,000	790,000	1,415,000	2,374,214	—	—
Interest and Other	189,515	—	—	241,250	—	—
Total Expenditures <sup>(4)</sup>	<u>272,547,054</u>	<u>286,437,073</u>	<u>280,825,651</u>	<u>265,658,489</u>	<u>259,015,078</u>	<u>260,704,468</u>
<b>EXCESS OF REVENUES OVER/(UNDER) EXPENDITURES</b>	<u>15,582,797</u>	<u>(1,502,893)</u>	<u>2,385,389</u>	<u>(8,099,759)</u>	<u>7,507,153</u>	<u>(5,662,558)</u>
<b>OTHER FINANCING SOURCES/(USES)</b>						
Transfers In	2,383,192	2,839,820	916,428	1,731,887	10,115	1,872,000
Transfers Out	(3,237,865)	(3,551,157)	(794,836)	(926,928)	(3,000,000)	—
Proceeds from the issuance of long-term liabilities	189,515	—	—	—	—	—
TOTAL <sup>(4)</sup>	<u>(665,158)</u>	<u>(711,337)</u>	<u>121,592</u>	<u>804,959</u>	<u>(2,989,885)</u>	<u>1,872,000</u>
<b>NET CHANGE IN FUND BALANCE</b>	<u>14,917,639</u>	<u>(2,214,230)</u>	<u>2,506,981</u>	<u>(7,294,800)</u>	<u>4,517,267</u>	<u>(3,790,558)</u>
<b>BEGINNING FUND BALANCE, JULY 1<sup>(4)</sup></b>	<u>33,136,357</u>	<u>48,053,996</u>	<u>45,839,766</u>	<u>48,346,747</u>	<u>41,051,947</u>	<u>32,393,377</u>
<b>ENDING FUND BALANCE, JUNE 30<sup>(4)</sup></b>	<u>\$48,053,996</u>	<u>\$45,839,766</u>	<u>\$48,346,747</u>	<u>\$41,051,947</u>	<u>\$45,569,215</u>	<u>\$28,602,819</u>

<sup>(1)</sup> Excerpted from the District's respective Audited Financial Reports.

<sup>(2)</sup> Excerpted from the District's 2011-12 Unaudited Actuals Financial Report dated September 21, 2011.

<sup>(3)</sup> Excerpted from the District's 2011-12 Budget dated June 28, 2011.

<sup>(4)</sup> Totals may not add to totals due to independent rounding.

Source: West Contra Costa Unified School District.

## District Debt Structure

**General Obligation Bonds.** On June 2, 1998, the District received authorization to issue \$40 million in general obligation bonds (the “1998 Authorization”). All of the bonds under the 1998 Authorization have been issued. The bonds issued under the 1998 Authorization were refunded with proceeds of the \$28,610,000 West Contra Costa Unified School District (Contra Costa County, California) 2001 General Obligation Refunding Bonds, Series A (the “2001 Refunding Bonds, Series A”), and the \$10,255,000 West Contra Costa Unified School District (Contra Costa County, California) 2001 General Obligation Refunding Bonds, Series B (the “2001 Refunding Bonds, Series B”).

On November 7, 2000, the District received authorization to issue \$150 million in general obligation bonds (the “2000 Authorization”). All of the bonds under the 2000 Authorization have been issued.

On March 5, 2002, the District received authorization to issue \$300 million in general obligation bonds (the “2002 Authorization”). All of the bonds under the 2002 Authorization have been issued.

On November 8, 2005, the District received authorization to issue \$400 million in general obligation bonds (the “2005 Authorization”). The District issued \$70 million of the Series A Bonds pursuant to the 2005 Authorization on May 17, 2006. The District issued \$120 million of the Series B Bonds pursuant to the 2005 Authorization on July 15, 2008. The District issued \$52,084,759.30 of the Series C-1 Bonds and \$52,825,000 of the Series C-2 Bonds pursuant to the 2005 Authorization on September 3, 2009. The District issued \$25,000,000 of the Series D-1 Bonds and \$2,499,949.20 of the Series D-2 Bonds pursuant to the 2005 Authorization on June 24, 2010.

On June 8, 2010, the District received authorization to issue \$380 million in general obligation bonds (the “2010 Authorization”). The Election of 2010 Bonds described in this Official Statement are the first and second series of bonds to be issued under the 2010 Authorization.

In August of 2011, the District issued its \$85,565,000 (Contra Costa County, California) 2011 General Obligation Refunding Bonds to refund a portion of the 2000 Authorization Series 2000C Bonds and each of the 2002 Authorization Series 2002A Bonds and Series 2002B Bonds. The table below reflects the balance remaining for each such series of bonds, including amounts anticipated to be refunded with proceeds of the Series 2011A Refunding Bonds.

The bonds issued under the 1998 Authorization, the 2000 Authorization, the 2002 Authorization and the 2005 Authorization are, and the bonds to be issued under the 2010 Authorization will be, issued on a parity basis payable from an unlimited tax upon all property subject to taxation within the District. The County Board of Supervisors is empowered and obligated to levy such tax for the repayment of such bonds. See “SECURITY FOR THE BONDS” and “*AD VALOREM* PROPERTY TAXATION” in the body of this Official Statement. With respect to the Series D-1 Bonds issued under the 2005 Authorization, the District expects to also receive on or about February 1 and August 1 of each year, commencing February 1, 2011 until the Series D-1 Bonds mature on August 1, 2024, a cash subsidy payment from the United States Department of the Treasury relative to the interest payable by the District on the Series D-1 Bonds.

Under Education Code sections 15106, with respect to bonds authorized pursuant to a 2/3 vote and related requirements (such as the bonds issued under the 1998 Authorization and the 2000 Authorization), and 15270, with respect to bonds authorized pursuant to Proposition 39 (as defined in the body of this Official Statement), the amount of general obligation bond indebtedness that unified school districts, such as the District, can issue is limited to 2.5% of the assessed value of all taxable property within the school district. See, “CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING DISTRICT REVENUES AND APPROPRIATIONS-Article XIII A of the State Constitution” in the body of this Official Statement for additional information concerning Proposition 39. In May 2009, the State Board of Education (the “SBE”) granted the District’s request for a waiver of this limit (the “2009 Waiver”), allowing the District to issue general obligation bonds in an amount not to

exceed 3.5% of the assessed value. The 2009 Waiver is authorized for a period beginning May 7, 2009 and ending May 7, 2014. On March 11, 2011, the SBE approved the District's request for a new waiver from the bonding capacity limit (the "2011 Waiver"). The 2011 Waiver allows the District to issue general obligation bonds in an amount not to exceed 5% of the assessed value of taxable property within the District. The 2011 Waiver applies only to bonds issued pursuant to the 2010 Authorization between March 11, 2011 and December 31, 2021. As of the date of this Official Statement the District's general obligation bond indebtedness is below 3.5% of assessed value.

The following table reflects the District's outstanding general obligation bonds, as of October 1, 2011:

**OUTSTANDING GENERAL OBLIGATION BONDS  
AS OF OCTOBER 1, 2011  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

Authorization / Series Name	Issue Date	Final Maturity (August 1)	Original Issue Amount	Principal Outstanding
<b>1998 Authorization (\$40 million)</b>				
2001 Refunding Bonds, Series A <sup>(1)</sup>	Nov. 6, 2001	2025	\$ 28,610,000	\$ 19,530,000
2001 Refunding Bonds, Series B <sup>(1)</sup>	Nov. 16, 2001	2025	10,255,000	7,155,000
<b>2000 Authorization (\$150 million)</b>				
Series 2000C Bonds <sup>(4)</sup>	Apr. 22, 2003	2032	95,000,000	43,115,000
2009 Refunding Election of 2000 Bonds <sup>(3)</sup>	Aug. 12, 2009	2018	47,215,000	39,310,000
2011A General Obligation Refunding Bonds <sup>(4)</sup>	Aug. 25, 2011	2024	33,960,000	33,960,000
<b>2002 Authorization (\$300 million)</b>				
Series 2002A Bonds <sup>(4)</sup>	Jun. 26, 2002	2031	30,000,000	11,515,000
Series 2002B Bonds <sup>(4)</sup>	Aug. 25, 2003	2032	100,000,000	40,460,000
Series 2002C Current Interest Bonds	Aug. 1, 2004	2034	40,000,000	35,625,000
Series 2002C Capital Appreciation Bonds	Aug. 11, 2004	2034	29,999,377	28,179,129
Series 2002D Capital Appreciation Bonds	Oct. 19, 2005	2034	99,998,106	93,145,012
2011A General Obligation Refunding Bonds <sup>(4)</sup>	Aug. 25, 2011	2024	51,605,000	51,605,000
<b>2005 Authorization (\$400 million)</b>				
Series 2005-A Bonds	May 17, 2006	2035	70,000,000	61,280,000
Series 2005-B Bonds	July 15, 2008	2035	120,000,000	115,025,000
Series 2009-C Capital Appreciation Bonds	Aug. 12, 2009	2033	52,084,759	52,084,759
Series 2009-C Build America Bonds	Aug. 12, 2009	2034	52,825,000	52,825,000
2009 Refunding of Election 2005 Bonds <sup>(3)</sup>	Aug. 12, 2009	2031	10,645,000	10,645,000
Series D-1 Qualified School Construction Bonds	June 24, 2010	2024	25,000,000	25,000,000
Series D-2 Capital Appreciation Bonds	June 24, 2010	2036	<u>2,499,949</u>	<u>2,499,949</u>
<b>TOTAL</b>			<b>\$899,697,191</b>	<b>\$722,958,849</b>

<sup>(1)</sup> The 2001 Refunding Bonds, Series A and B, were issued to refund four series of bonds in the initial aggregate principal amount of \$40,000,000 issued under the 1998 Authorization.

<sup>(2)</sup> Approximate amount of Outstanding Denominational Amount of Capital Appreciation Bonds; does not include accreted interest.

<sup>(3)</sup> The 2009 Refunding Bonds were issued to refund and partially refund four series of bonds issued under the 2000 Authorization and the 2005 Authorization.

<sup>(4)</sup> The 2011A General Obligation Refunding Bonds were issued to provide funds to redeem a portion of each of the 2002 Authorization Series 2002A Bonds and 2002B Bonds and the 2000 Authorization Series 2000C Bonds on September 26, 2011. This table reflects the principal amount of those series of bonds that remains outstanding after such redemption.

Source: West Contra Costa Unified School District.

**Certificates of Participation.** On May 15, 1988, the District, under its previous name, the Richmond Unified School District, caused the execution and delivery of the 1988 Certificates of Participation in the aggregate principal amount of \$9,800,000 (the "1988 Certificates"). The 1988 Certificates were to be repaid

solely from the semi-annual lease payments made to the Richmond Unified School District Financing Corporation (the "Corporation") under the terms of a lease-purchase agreement between the Corporation and the District.

On July 15, 1991, the District defaulted on its obligation to make payments under the lease-purchase agreement that secured the 1988 Certificates. In October 1993, Assembly Bill 536 amended the Education Code to provide for the refunding of the 1988 Certificates by allowing the District to enter into a lease of its property and use the proceeds of such lease for the purpose of terminating the 1988 lease and repaying the 1988 Certificates. On April 1, 1994, the District caused the execution and delivery of the 1994 Certificates of Participation in the aggregate principal amount of \$11,150,000 to be repaid from any available funds of the District in order to cure the defaults with respect to, and defease to maturity, the 1988 Certificates (the "1994 Certificates"). On August 24, 2005, the District caused the execution and delivery of 2005 Taxable Refunding Certificates of Participation in the aggregate principal amount of \$10,600,000 to defease the 1994 Certificates (the "2005 Certificates").

The following table shows remaining base rental payments on the 2005 Certificates.

**2005 CERTIFICATES  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

<b>Year Ending June 30</b>	<b>Principal</b>	<b>Interest</b>	<b>Total</b>
2012	\$ 475,000	\$ 447,577	\$ 922,577
2013	500,000	424,967	924,967
2014	525,000	400,867	925,867
2015	555,000	375,352	930,352
2016-2020	3,205,000	1,434,204	4,639,204
2021-2024	3,630,000	511,395	4,141,395
<b>Total</b>	<b>\$8,890,000</b>	<b>\$3,594,362</b>	<b>\$12,484,362</b>

Source: West Contra Costa Unified School District

**Voluntary Integration Program.** The Voluntary Integration Program obligation represents cost disallowances of \$7,652,000 based on State audits of program expenditures in fiscal years 1988-89 to 1989-90. During the 1992-93 fiscal year, the original agreement was restructured allowing the District to make the June 30, 1992 payment as scheduled, with the remaining balance scheduled to be repaid beginning in 1998. The final payment in the amount of \$872,000 will be made during fiscal year 2011-12 and, thereafter, this obligation will be fully discharged.

**Computer Equipment Acquisition Loans.** During the fiscal year 1989-90, the District financed the acquisition of an administrative and instructional computer system with a loan from IBM. The acquired assets secured the loan. In 1993, the District and IBM restructured the obligation allowing for one payment during fiscal year 1993-94 and the remaining payments of \$3,623,744 comprised of \$2,459,111 of principal and \$1,164,633 of interest payable in fiscal years 2007-08 through 2015-16. The Pooled Money investment rate at June 30, 1993, of 4.402%, was used to impute the interest costs implicit in the repayment amounts. As reflected on the District's 2011-12 budget, as of June 30, 2011 the carrying balance of the loan was \$3,742,000.

The restructuring agreement provides that if, prior to August 1, 2015, the District receives funding for the specific purpose of paying outstanding obligations, the amounts due under the restructuring agreement will be immediately due and payable will be considered then due, and amounts owing to IBM will be paid to the same extent as outstanding debts of other creditors.

**Child Care Facilities Loan.** On February 7, 2001, the District received a no-interest loan from the California Department of Education for the development and acquisition of child care facilities. The District received an initial amount of \$573,048. In 2002-03, the District received an additional \$598,060. The carrying balance of the loan as of June 30, 2011 was \$126,347.

**Emergency Apportionment Loan.** Approximately 20 years ago, the District experienced financial difficulties that led to a default in certain lease payments with respect to its 1988 Certificates (as described above), and to a bankruptcy filing. To resolve such difficulties, the District implemented several steps, including but not limited to (i) obtaining two Emergency Apportionment Loans from the State in July 1990 and November 1991, in the aggregate amount of \$28,525,000 (the “Emergency Apportionment”), which resulted in the appointment of a State Trustee (the “State Trustee”) vested with authority to oversee the District’s financial operations, including the power to stay or rescind any Board action that may, in the opinion of the State Trustee, have an adverse effect on the financial condition of the District; (ii) the refunding of its 1998 Certificates as described above and (iii) changes of key personnel (collectively, the “Measures”). After implementation of the Measures and commencing in fiscal year 1995-96, the District began to receive positive certifications on its interim reports and has not received a negative certification since that time. See “GENERAL SCHOOL DISTRICT FINANCIAL INFORMATION—School District Budgets,” in the body of this Official Statement, for a discussion on the filing of interim reports and the certifications of such reports.

Subsequent legislation concerning the Emergency Apportionment re-amortized the loan balances and changed the interest rate. The principal balance of the loan, as of June 30, 2011, is \$9,368,387 and the annual interest rate is fixed at 1.52%. The payment schedule contemplates that the District will continue to make annual payments of approximately \$1,421,000 on February 1 of each year until the loan is fully repaid in fiscal year 2017-18. However, on September 7, 2011, the Board adopted a resolution to pay off the outstanding state loan. The long term debt fund (fund 56), which was specifically designated to acquire funds for this pay off will have sufficient funds by February of 2012 to accomplish the final principal payment. Education Code requires the Board to conduct an audit which is to be submitted to the State Superintendent of Public Schools in anticipation of the final pay off, the results of which will be used to determine if adequate fiscal systems are in place. If the fiscal systems in place are deemed adequate the District would no longer be required to retain the State Trustee.

No assurance can be given with respect to the future financial condition of the District or any actions that may or may not be taken in connection with any future financial difficulties. The financial condition of the District, however, does not impact the obligation of the Board of Supervisors of the County to levy *ad valorem* taxes for the payment of amounts due in connection with the Bonds. See “SECURITY FOR THE BONDS” in the body of the Official Statement.

### **Statement of Direct and Overlapping Debt**

Contained within the District are numerous overlapping local agencies providing public services. These local agencies have outstanding bonds issued in the form of general obligation, lease revenue and special assessment bonds and outstanding certificates of participation. The following table represents the total assessed valuation and the direct and overlapping bonded debt of the District as of September 1, 2011 (unless otherwise indicated below), according to California Municipal Statistics, Inc. The District makes no assurance as to the accuracy of the information contained in following table, and inquiries concerning the scope and methodology of procedures carried out to complete the information presented should be directed to California Municipal Statistics, Inc., Oakland, California.

The first column in the table names each public agency which has outstanding debt as of the date of the report and whose territory overlaps the District in whole or in part. The second column shows the percentage of each overlapping agency’s assessed value located within the boundaries of the District. This percentage, multiplied by the total outstanding debt of each overlapping agency (which is not shown in the table) produces the amount shown in the third column, which is the apportionment of each overlapping agency’s outstanding debt to taxable property in the District.

**DIRECT AND OVERLAPPING DEBT  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
(As of September 1, 2011)**

2011-12 Assessed Valuation: \$22,170,563,072  
2010-11 Adjusted Assessed Valuation: \$16,828,344,291 (2011-12 redevelopment incremental valuation is not yet available)

<u>DIRECT AND OVERLAPPING TAX AND ASSESSMENT DEBT:</u>	<u>% Applicable<sup>(1)</sup></u>	<u>Debt 10/15/11</u>
Bay Area Rapid Transit District	3.867%	\$ 15,952,922
East Bay Municipal Utility District, Special District No. 1	6.494	1,593,952
Contra Costa Community College District	13.484	30,735,430
<b>West Contra Costa Unified School District</b>	<b>100.</b>	<b>722,958,849<sup>(2)</sup></b>
East Bay Regional Park District	5.993	7,829,555
City of El Cerrito Parcel Tax Obligations	100.	2,685,000
West Contra Costa Healthcare District Parcel Tax Obligations	90.381	19,562,967
Richmond Redevelopment Community Facilities District No. 1998-1	100.	3,420,000
City and County 1915 Act Bonds	100.	<u>31,836,390</u>
<b>TOTAL DIRECT AND OVERLAPPING TAX AND ASSESSMENT DEBT</b>		<b>\$836,575,065</b>

<u>DIRECT AND OVERLAPPING GENERAL FUND DEBT:</u>		
Contra Costa County General Fund Obligations	13.428%	\$ 42,921,112
Contra Costa County Pension Obligations	13.428	53,690,515
Contra Costa Fire Protection District Pension Obligations	4.016	4,481,655
Alameda-Contra Costa Transit District Certificates of Participation	9.919	3,420,567
Contra Costa Community College District Certificates of Participation	13.484	124,727
<b>West Contra Costa Unified School District General Fund Obligations</b>	<b>100.</b>	<b>18,258,387<sup>(3)</sup></b>
City of El Cerrito General Fund Obligations	100.	9,225,000
City of Hercules Certificates of Participation	90.961	16,059,165
City of Pinole Pension Obligations	100.	5,344,171
City of Richmond General Fund Obligations	100.	135,995,000
City of Richmond Pension Obligations	100.	<u>113,260,133</u>
<b>TOTAL GROSS DIRECT AND OVERLAPPING GENERAL FUND DEBT</b>		<b>\$402,780,432</b>
Less: Contra Costa County obligations supported by revenue funds		16,281,463
City of Richmond obligations supported by port revenues		<u>49,776,550</u>
<b>TOTAL NET DIRECT AND OVERLAPPING GENERAL FUND DEBT</b>		<b>\$336,722,419</b>

GROSS COMBINED TOTAL DEBT \$1,239,355,497<sup>(4)</sup>  
NET COMBINED TOTAL DEBT \$1,173,297,484

Ratios to 2011-12 Assessed Valuation:  
**Direct Debt (\$722,958,849)**.....**3.26%**  
Total Direct and Overlapping Tax and Assessment Debt .....3.77%

Ratios to 2010-11 Adjusted Assessed Valuation:  
**Combined Direct Debt (\$741,217,236)**.....**4.40%**  
Gross Combined Total Debt .....7.36%  
Net Combined Total Debt.....6.97%

STATE SCHOOL BUILDING AID REPAYABLE AS OF 6/30/11: \$0

<sup>(1)</sup> Based on 2010-11 ratios.

<sup>(2)</sup> Excludes issue to be sold.

<sup>(3)</sup> Includes \$9,368,387 emergency apportionment loan. Excludes state school fund apportionment lease revenue bonds.

<sup>(4)</sup> Excludes tax and revenue anticipation notes, enterprise revenue, mortgage revenue and tax allocation bonds and non-bonded capital lease obligations.

Source: California Municipal Statistics, Inc.

## APPENDIX B-1

### FORM OF OPINION OF BOND COUNSEL FOR THE SERIES A BONDS

*Upon issuance and delivery of the Bonds, Stradling Yocca Carlson & Rauth, Bond Counsel, proposes to render its final approving opinion with respect to the Series A Bonds substantially in the following form:*

[Closing Date]

Board of Education  
West Contra Costa Unified School District

Members of the Board of Education:

We have examined a certified copy of the record of the proceedings relative to the issuance and sale of \$ \_\_\_\_\_ West Contra Costa Unified School District (Contra Costa County, California) Election of 2010 General Obligation Bonds Series A (Series A) (the "Bonds"). As to questions of fact material to our opinion, we have relied upon the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation.

Based on our examination as bond counsel of existing law, certified copies of such legal proceedings and such other proofs as we deem necessary to render this opinion, we are of the opinion, as of the date hereof and under existing law, that:

1. Such proceedings and proofs show lawful authority for the issuance and sale of the Bonds pursuant to Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code, a greater than fifty-five percent vote of the qualified electors of the West Contra Costa Unified School District (the "District") voting at an election held on November 2, 2010, and a resolution of the Board of Education of the District (the "Resolution").

2. The Bonds constitute valid and binding general obligations of the District, payable as to both principal and interest from the proceeds of a levy of *ad valorem* taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount.

3. Under existing statutes, regulations, rulings and judicial decisions, interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations. It should be noted that, with respect to corporations, such interest may be included as an adjustment in the calculation of alternative minimum Series A-1 income, which may affect the alternative minimum tax liability of such corporations.

4. Interest on the Bonds is exempt from State of California personal income tax.

5. The difference between the issue price of a Bond (the first price at which a substantial amount of the Bonds of a maturity is to be sold to the public) and the stated redemption price at maturity with respect to such Bonds constitutes original issue discount. For purposes of the previous sentence, the state redemption price at maturity includes the aggregate sum of all debt service payments on Capital Appreciation Bonds. Original issue discount accrues under a constant yield method, and original issue discount will accrue to a Bondowner before receipt of cash attributable to such excludable income. The amount of original issue discount deemed received by a Bondowner

will increase the Bondowner's basis in the applicable Bond. Original issue discount that accrues to the Bondowner is excluded from the gross income of such owner for federal income tax purposes, is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, and is exempt from State of California personal income tax.

6. The amount by which a Bondowner's original basis for determining loss on sale or exchange in the applicable Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable Bond premium, which must be amortized under Section 171 of the Internal Revenue Code of 1986, as amended (the "Code"); such amortizable Bond premium reduces the Bondowner's basis in the applicable Bond (and the amount of Series A interest received), and is not deductible for federal income tax purposes. The basis reduction as a result of the amortization of Bond premium may result in a Bondowner realizing a Series A-1 gain when a Bond is sold by the Bondowner for an amount equal to or less (under certain circumstances) than the original cost of the Bond to the Bondowner. Purchasers of the Bonds should consult their own tax advisors as to the treatment, computation and collateral consequences of amortizable Bond premium.

The opinions expressed herein may be affected by actions taken (or not taken) or events occurring (or not occurring) after the date hereof. We have not undertaken to determine, or to inform any person, whether any such actions or events are taken or do occur. The Resolution and the Tax Certificate relating to the Bonds permit certain actions to be taken or to be omitted if a favorable opinion of Bond Counsel is provided with respect thereto. No opinion is expressed herein as to the effect on the exclusion from gross income of interest (and original issue discount) for federal income tax purposes with respect to any Bond if any such action is taken or omitted based upon the advice of counsel other than ourselves. Other than expressly stated herein, we express no opinion regarding tax consequences with respect to the Bonds.

The opinions expressed herein as to the exclusion from gross income of interest (and original issue discount) on the Bonds are based upon certain representations of fact and certifications made by the District and others and are subject to the condition that the District complies with all requirements of the Code, that must be satisfied subsequent to the issuance of the Bonds to assure that such interest (and original issue discount) will not become includable in gross income for federal income tax purposes. Failure to comply with such requirements of the Code might cause interest (and original issue discount) on the Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds. The District has covenanted to comply with all such requirements.

It is possible that subsequent to the issuance of the Bonds there might be federal, state, or local statutory changes (or judicial or regulatory interpretations of federal, state, or local law) that affect the federal, state, or local tax treatment of the Bonds or the market value of the Bonds. No assurance can be given that subsequent to the issuance of the Bonds such changes or interpretations will not occur.

The rights of the owners of the Bonds and the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable and their enforcement may also be subject to the exercise of judicial discretion in appropriate cases.

Respectfully submitted,

Stradling Yocca Carlson & Rauth

## APPENDIX B-2

### FORM OF OPINION OF BOND COUNSEL FOR THE SERIES A-1 BONDS

*Upon issuance and delivery of the Bonds, Stradling Yocca Carlson & Rauth, Bond Counsel, proposes to render its final approving opinion with respect to the Series A-1 Bonds substantially in the following form:*

[Closing Date]

Board of Education  
West Contra Costa Unified School District

Members of the Board of Education:

We have examined a certified copy of the record of the proceedings relative to the issuance and sale of \$\_\_\_\_\_ West Contra Costa Unified School District (Contra Costa County, California) Election of 2008 General Obligation Bonds Series A-1 (Qualified School Construction Bonds – Direct Payment to Issuer) (Federally Series A-1) (the “Bonds”). As to questions of fact material to our opinion, we have relied upon the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation.

Based on our examination as bond counsel of existing law, certified copies of such legal proceedings and such other proofs as we deem necessary to render this opinion, we are of the opinion, as of the date hereof and under existing law, that:

1. Such proceedings and proofs show lawful authority for the issuance and sale of the Bonds pursuant to Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code, a greater than fifty-five percent vote of the qualified electors of the West Contra Costa Unified School District (the “District”) voting at an election held on November 2, 2010, and a resolution of the Board of Education of the District (the “Resolution”).
2. The Bonds constitute valid and binding general obligations of the District, payable as to both principal and interest from the proceeds of a levy of *ad valorem* taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount.
3. Interest on the Bonds is exempt from State of California personal income tax.
4. Under existing statutes, regulations, rulings and judicial decisions, interest (and original issue discount) on the Bonds is not excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”).

The opinions expressed herein may be affected by actions taken (or not taken) or events occurring (or not occurring) after the date hereof. We have not undertaken to determine, or to inform any person, whether any such actions or events are taken or do occur. The Resolution permits certain actions to be taken or to be omitted if a favorable opinion of Bond Counsel is provided with respect thereto. Other than expressly stated herein, we express no opinion regarding tax consequences with respect to the Bonds.

It is possible that subsequent to the issuance of the Bonds there might be federal, state, or local statutory changes (or judicial or regulatory interpretations of federal, state, or local law) that affect the federal,

state, or local tax treatment of the Bonds or the market value of the Bonds. No assurance can be given that subsequent to the issuance of the Bonds such changes or interpretations will not occur.

The rights of the owners of the Bonds and the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable and their enforcement may also be subject to the exercise of judicial discretion in appropriate cases.

Any federal tax advice contained herein (including any attachments) is not intended or written to be used, and it cannot be used, for the purpose of (i) avoiding penalties under the Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

Respectfully submitted,

Stradling Yocca Carlson & Rauth

## APPENDIX B-3

### FORM OF OPINION OF BOND COUNSEL FOR THE REFUNDING BONDS

*Upon issuance and delivery of the Bonds, Stradling Yocca Carlson & Rauth, Bond Counsel, proposes to render its final approving opinion with respect to the Refunding Bonds substantially in the following form:*

[Closing Date]

Board of Education  
West Contra Costa Unified School District

Members of the Board of Education:

We have examined a certified copy of the record of the proceedings relative to the issuance and sale of \$\_\_\_\_\_ West Contra Costa Unified School District (Contra Costa County, California) 2011A General Obligation Refunding Bonds (the "Bonds"). As to questions of fact material to our opinion, we have relied upon the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation.

Based on our examination as bond counsel of existing law, certified copies of such legal proceedings and such other proofs as we deem necessary to render this opinion, we are of the opinion, as of the date hereof and under existing law, that:

1. Such proceedings and proofs show lawful authority for the issuance and sale of the Bonds pursuant to Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code, and a resolution (the "Resolution") of the Board of Education of the West Contra Costa Unified School District (the "District").

2. The Bonds constitute valid and binding general obligations of the District, payable as to both principal and interest from the proceeds of a levy of *ad valorem* taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount.

3. Under existing statutes, regulations, rulings and judicial decisions, interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of calculating the federal alternative minimum tax imposed on individuals and corporations; however, it should be noted that, with respect to corporations, such interest on the Bonds may be included as an adjustment in the calculation of alternative minimum Series A-1 income, which may affect the alternative minimum tax liability of such corporations.

4. Interest on the Bonds is exempt from State of California personal income tax.

5. The difference between the issue price of a Bond (the first price at which a substantial amount of the Bonds of a maturity is to be sold to the public) and the stated redemption price at maturity with respect to such Bonds constitutes original issue discount. For purposes of the previous sentence, the state redemption price at maturity includes the aggregate sum of all debt service payments on Capital Appreciation Bonds. Original issue discount accrues under a constant yield method, and original issue discount will accrue to a Bondowner before receipt of cash attributable to such excludable income. The amount of original issue discount deemed received by a Bondowner

will increase the Bondowner's basis in the applicable Bond. Original issue discount that accrues to the Bondowner is excluded from the gross income of such owner for federal income tax purposes, is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, and is exempt from State of California personal income tax.

6. The amount by which a Bondowner's original basis for determining loss on sale or exchange in the applicable Bond (generally, the purchase price) exceeds the amount payable on maturity (or on an earlier call date) constitutes amortizable Bond premium, which must be amortized under Section 171 of the Internal Revenue Code of 1986, as amended (the "Code"); such amortizable Bond premium reduces the Bondowner's basis in the applicable Bond (and the amount of Series A interest received), and is not deductible for federal income tax purposes. The basis reduction as a result of the amortization of Bond premium may result in a Bondowner realizing a Series A-1 gain when a Bond is sold by the Bondowner for an amount equal to or less (under certain circumstances) than the original cost of the Bond to the Bondowner. Purchasers of the Bonds should consult their own tax advisors as to the treatment, computation and collateral consequences of amortizable Bond premium.

The opinions expressed herein may be affected by actions taken (or not taken) or events occurring (or not occurring) after the date hereof. We have not undertaken to determine, or to inform any person, whether any such actions or events are taken or do occur. The Resolution and the Tax Certificate relating to the Bonds permit certain actions to be taken or to be omitted if a favorable opinion of Bond Counsel is provided with respect thereto. No opinion is expressed herein as to the effect on the exclusion from gross income of interest (and original issue discount) for federal income tax purposes with respect to any Bond if any such action is taken or omitted based upon the advice of counsel other than ourselves. Other than expressly stated herein, we express no opinion regarding tax consequences with respect to the Bonds.

The opinions expressed herein as to the exclusion from gross income of interest (and original issue discount) on the Bonds are based upon certain representations of fact and certifications made by the District and others and are subject to the condition that the District complies with all requirements of the Code, that must be satisfied subsequent to the issuance of the Bonds to assure that such interest (and original issue discount) will not become includable in gross income for federal income tax purposes. Failure to comply with such requirements of the Code might cause interest (and original issue discount) on the Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds. The District has covenanted to comply with all such requirements.

It is possible that subsequent to the issuance of the Bonds there might be federal, state, or local statutory changes (or judicial or regulatory interpretations of federal, state, or local law) that affect the federal, state, or local tax treatment of the Bonds or the market value of the Bonds. No assurance can be given that subsequent to the issuance of the Bonds such changes or interpretations will not occur.

The rights of the owners of the Bonds and the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable and their enforcement may also be subject to the exercise of judicial discretion in appropriate cases.

Respectfully submitted,

Stradling Yocca Carlson & Rauth

**APPENDIX C**

**FINANCIAL STATEMENTS OF THE DISTRICT FOR THE YEAR ENDED JUNE 30, 2010**

## APPENDIX D

### FORM OF CONTINUING DISCLOSURE CERTIFICATE

THIS CONTINUING DISCLOSURE CERTIFICATE (the "Disclosure Certificate") is executed and delivered by the West Contra Costa Unified School District (the "District") in connection with the issuance and delivery of \$\_\_\_\_\_ West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A (Tax Exempt) (the "Series A Bonds"), \$\_\_\_\_\_ West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A-1 (Qualified School Construction Bonds – Direct Payment) (Federally Taxable) (the "Series A-1 Bonds," and together with the Series A Bonds, the "Election of 2010 Bonds"), and \$\_\_\_\_\_ West Contra Costa Unified School District (Contra Costa County, California) 2011A General Obligation Refunding Bonds (the "2011A Refunding Bonds," and, together with the Election of 2010 Bonds, the "Bonds"). The Election of 2010 Bonds are being issued pursuant to a resolution adopted by the Board of Education of the District on September \_\_, 2011 (the "Election of 2010 Bonds Resolution"). The 2011A Refunding Bonds are being issued pursuant to a resolution of the District, adopted on July 27, 2011 (the "Refunding Bonds Resolution," and together with the Election of 2010 Bonds Resolution, the "Resolutions").

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the District for the benefit of the Holders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriter in complying with the Rule.

SECTION 2. Definitions. In addition to the definitions set forth in the Resolutions, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the District pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Disclosure Representative" shall mean the Superintendent or Associate Superintendent of Business Services or either of their designees, or such other officer or employee as the District shall designate in writing from time to time.

"Beneficial Owner" shall mean any person which (a) has or shares the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

"Dissemination Agent" shall mean KNN Public Finance, a Division of Zions First National Bank, or any successor Dissemination Agent designated in writing by the District (which may be the District) and which has filed with the District a written acceptance of such designation.

"Holders" shall mean registered owners of the Bonds.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"Participating Underwriter" shall mean Piper Jaffray & Co. as the original underwriter of the Bonds required to comply with the Rule in connection with offering the Bonds.

"Repository" shall mean the Municipal Securities Rulemaking Board, which can be found at <http://emma.msrb.org>, or any other repository of disclosure information that may be designated by the Securities and Exchange Commission as such for purpose of the Rule in the future.

“Rule” shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“State” shall mean the State of California.

SECTION 3. Provision of Annual Reports.

(a) The District shall, or shall cause the Dissemination Agent upon written direction to, not later than nine months following the end of the District’s fiscal year (presently ending on June 30), commencing with the report for the 2010-11 fiscal year, provide to the MSRB an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report shall be provided to the MSRB in an electronic format as prescribed by the MSRB and shall be accompanied by identifying information as prescribed by the MSRB. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may include by reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the District may be submitted separately from and later than the balance of the Annual Report if they are not available by the date required above for the filing of the Annual Report.

(b) If the Dissemination Agent is a person or entity other than the District then, not later than fifteen (15) days prior to the date specified in subsection (a) for providing the Annual Report to the MSRB, the District shall provide the Annual Report to the Dissemination Agent. If by fifteen (15) days prior to such date the Dissemination Agent has not received a copy of the Annual Report, the Dissemination Agent shall contact the District to determine if the District is in compliance with subsection (a).

(c) If the Dissemination Agent is unable to verify that an Annual Report has been provided to the MSRB by the date required in subsection (a), the Dissemination Agent shall file a notice with the MSRB, in the form required by the MSRB.

(d) The Dissemination Agent shall:

(i) confirm the electronic filing requirements of the MSRB for the Annual Reports; and

(ii) promptly after receipt of the Annual Report, file a report with the District certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, stating the date it was provided the MSRB. The Dissemination Agent’s duties under this clause (ii) shall exist only if the District provides the Annual Report to the Dissemination Agent for filing.

(e) Notwithstanding any other provision of this Disclosure Certificate, all filings shall be made in accordance with the MSRB’s EMMA system or in another manner approved under the Rule.

SECTION 4. Content of Annual Reports. The District’s Annual Report shall contain or include by reference the following:

1. The audited financial statements of the District for the prior fiscal year, prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board. If the District’s audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

2. Material financial information and operating data with respect to the District of the type included in the Official Statement in the following categories (to the extent not included in the District’s audited financial statements):

- (a) State funding received by the District for the last completed fiscal year;
- (b) average daily attendance of the District for the last completed fiscal year;
- (c) outstanding District indebtedness; and
- (d) summary financial information on revenues, expenditures and fund balances for the District's general fund reflecting adopted budget for the current fiscal year.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the District or related public entities, which have been submitted to the MSRB or the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available from the MSRB. The District shall clearly identify each such other document so included by reference.

#### SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the District shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds in a timely manner not more than ten (10) business days after the event:

- 1. principal and interest payment delinquencies;
- 2. unscheduled draws on debt service reserves reflecting financial difficulties;
- 3. unscheduled draws on credit enhancements reflecting financial difficulties;
- 4. substitution of credit or liquidity providers, or their failure to perform;
- 5. events affecting the Direct Payment associated with the Series A-1 Bonds or issuance by the Internal Revenue Service of proposed or final determinations of taxability or of a Notice of Proposed Issue (IRS Form 5701-TEB) in connection with the Series A Bonds;
- 6. tender offers;
- 7. defeasances;
- 8. ratings changes; and
- 9. bankruptcy, insolvency, receivership or similar proceedings.

Note: for the purposes of the event identified in subparagraph (9), the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governmental body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(b) Pursuant to the provisions of this Section 5, the District shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds, if material:

1. unless described in paragraph 5(a)(5), adverse tax opinions or other material notices or determinations by the Internal Revenue Service with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
2. the consummation of a merger, consolidation or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;
3. appointment of a successor or additional trustee or the change of the name of a trustee;
4. nonpayment related defaults;
5. modifications to the rights of Owners of the Bonds;
6. notices of redemption;
7. release, substitution or sale of property securing repayment of the Bonds; and
8. final expenditure of proceeds of the Series A-1 Bonds.

(c) Whenever the District obtains knowledge of the occurrence of a Listed Event described in Section 5(b), the District shall as soon as possible determine if such event would be material under applicable federal securities laws.

(d) If the District determines that knowledge of the occurrence of a Listed Event under Section 5(b) would be material under applicable federal securities laws, the District shall file a notice of such occurrence with EMMA in a timely manner not more than ten (10) business days after the event.

(e) The District hereby agrees that the undertaking set forth in this Disclosure Certificate is the responsibility of the District and that the Dissemination Agent shall not be responsible for determining whether the District's instructions to the Dissemination Agent under this Section 5 comply with the requirements of the Rule.

(g) Any of the filings required to be made under this Section 5 shall be made in accordance with the MSRB's EMMA system or in another manner approved under the Rule.

**SECTION 6. Termination of Reporting Obligation.** The obligation of the District and the Dissemination Agent under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of Bonds. If such termination occurs prior to the final maturity of the Bonds, the District shall give notice of such termination in the same manner as for a Listed Event under Section 5.

**SECTION 7. Dissemination Agent.** The District may, from time to time, appoint or engage a Dissemination Agent (or substitute Dissemination Agent) to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent may resign upon fifteen (15) days written notice to the District. Upon such resignation, the District shall act as its own Dissemination Agent until it appoints a successor. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the District pursuant to this Disclosure Certificate and shall not be responsible to verify the accuracy, completeness or materiality of any continuing disclosure information provided by the District. The District shall compensate the Dissemination Agent for its fees and expenses hereunder as agreed by the parties. Any entity succeeding to all or substantially all of the Dissemination Agent's corporate trust business shall be

the successor Dissemination Agent without the execution or filing of any paper or further act.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the District may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Sections 3(a), 4, or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances;

(c) The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Holders or Beneficial Owners of the Bonds; and

(d) No duties of the Dissemination Agent hereunder shall be amended without its written consent thereto.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the District shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the District. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, notice of such change shall be given in the same manner as for a Listed Event under Section 5 and the Annual Report for the year in which the change is made should present a comparison between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the District from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the District chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the District shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the District to comply with any provision of this Disclosure Certificate any Holder or Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under either of the Resolutions, and the sole remedy under this Disclosure Certificate in the event of any failure of the District to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate. The Dissemination Agent acts hereunder solely for the benefit of the District; this Disclosure Certificate shall confer no duties on the Dissemination Agent to the Participating Underwriter, the Holders and the Beneficial Owners. The District agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of

its powers and duties hereunder, including the costs and expenses (including attorneys fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's gross negligence or willful misconduct. The obligations of the District under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds. The Dissemination Agent shall have no liability for the failure to report any event or any financial information as to which the District has not provided an information report in format suitable for filing with the Repository. The Dissemination Agent shall not be required to monitor or enforce the District's duty to comply with its continuing disclosure requirements hereunder.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the District, the Dissemination Agent, the Participating Underwriter and Holders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Date: November \_\_, 2011

WEST CONTRA COSTA UNIFIED SCHOOL  
DISTRICT

By: [FORM ONLY]  
Associate Superintendent of  
Business Services

Dissemination Agent:

KNN PUBLIC FINANCE

By: [FORM ONLY]  
Authorized Officer

**EXHIBIT A**

**NOTICE TO REPOSITORY OF FAILURE TO FILE ANNUAL REPORT**

Name of District: WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

Name of Bond Issue: West Contra Costa Unified School District (Contra Costa County, California)  
General Obligation Bonds, Election of 2010, Series A-1 (Qualified School  
Construction Bonds – Direct Payment) (Federally Taxable); and

West Contra Costa Unified School District (Contra Costa County, California)  
General Obligation Bonds, Election of 2010, Series A (Tax Exempt)

West Contra Costa Unified School District (Contra Costa County, California)  
2011A General Obligation Refunding Bonds

Date of Issuance: November \_\_, 2011

NOTICE IS HEREBY GIVEN that the District has not provided an Annual Report with respect to the above-named Bonds as required by the Continuing Disclosure Certificate relating to the Bonds. The District anticipates that the Annual Report will be filed by \_\_\_\_\_.

Dated: \_\_\_\_\_

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

By: \_\_\_\_\_ [FORM ONLY]  
Authorized Officer

## APPENDIX E

### BOOK-ENTRY ONLY SYSTEM

The Depository Trust Company (“DTC”), New York, NY, will act as securities depository for the securities (the “Bonds”). The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered security certificate will be issued for each maturity of each series of the Bonds, each in the aggregate principal amount of such issue, and will be deposited with DTC.

DTC, the world’s largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC’s participants (“Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC is the holding company for DTC, National Securities Clearing Corporation, and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). DTC has a Standard & Poor’s rating of: AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com).

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Bond (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co. or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not affect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Bonds may wish to take certain steps to augment

transmission to them of notices of significant events with respect to the Bonds, such as redemptions, tenders, defaults, and proposed amendments to the bond documents. For example, Beneficial Owners of Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners, in the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of the notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor such other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC's Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the District as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Payments of principal of, premium, if any, and interest on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts, upon DTC's receipt of funds and corresponding detail information from the District or the Paying Agent on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent, or the District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payments of principal of, premium, if any, and interest to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the District or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as securities depository with respect to the Bonds at any time by giving reasonable notice to the District or the Paying Agent. Under such circumstances, in the event that a successor securities depository is not obtained, Bond certificates are required to be printed and delivered as described in the applicable Resolution.

The District may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC as described in the applicable Resolution.

In the event that the book-entry system is discontinued, the following provisions would also apply: (a) Bonds may be exchanged for a like aggregate principal amount of Bonds or other authorized denominations of the same maturity and interest rate, upon surrender thereof to the Paying Agent; (b) the transfer of any Bond may be registered on the books maintained by the Paying Agent under the applicable Resolution for such purpose only upon the surrender thereof to the Paying Agent together with a duly executed written instrument of transfer in a form approved by the Paying Agent; (c) for every exchange or transfer of Bonds, the Paying Agent shall require the payment by any owner requesting such transfer or exchange of any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer; (d) all interest payments on the Bonds will be made by wire or check mailed by the Paying Agent to the owners thereof to such owner's address as it appears on the registration books maintained by the Paying Agent on the 15th day of the month preceding such Interest Payment Date; and (e) all payments of principal of and any premium on the Bonds will be paid upon surrender thereof to the Paying Agent.

The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the District believes to be reliable, but the District takes no responsibility for the accuracy thereof.

**The District cannot and does not give any assurances that DTC will distribute to Participants or that Participants or others will distribute to the Beneficial Owners payments of principal of and interest and premium, if any, on the Bonds paid or any redemption or other notices or that they will do so on a timely basis or will serve and act in the manner described in this Official Statement. The District is not responsible or liable for the failure of DTC or any Participant or Indirect Participant to make any payments or give any notice to a Beneficial Owner with respect to the Bonds or any error or delay relating thereto.**

**Neither the District nor the Paying Agent will have any responsibility or obligation to Participants, to Indirect Participants or to any Beneficial Owner with respect to (i) the accuracy of any records maintained by DTC, any Participant, or any Indirect Participant; (ii) the payment by DTC or any Participant or Indirect Participant of any amount with respect to the principal of or premium, if any, or interest on the Bonds; (iii) any notice that is permitted or required to be given to Holders pursuant to the applicable Resolution; (iv) the selection by DTC, any Participant or any Indirect Participant of any person to receive payment in the event of a partial redemption of the Bonds; (v) any consent given or other action taken by DTC as Bondholder; or (vi) any other procedures or obligations of DTC, Participants or Indirect Participants under the book-entry system.**

## APPENDIX F

### CERTAIN ECONOMIC DATA FOR CONTRA COSTA COUNTY

*The following information concerning Contra Costa County (the "County") is included only for the purpose of supplying general information regarding the community. The Bonds are not a debt of the County.*

The information in this section regarding economic activity within the general area in which the West Contra Costa Unified School District (the "District") is located is provided as background information only, to describe the general economic health of the region. However, the District encompasses a relatively small area within the County, and the property tax required to be levied by the County to repay the Bonds will be levied only on property located in the District.

#### Introduction

The County was incorporated in 1850 with the City of Martinez as the County Seat. The County is situated northeast of San Francisco, bounded by San Francisco and San Pablo bays to the west and north, the Sacramento River delta to the north, San Joaquin County to the east, and by Alameda County on the south. Ranges of hills effectively divide the County into three distinct regions. The central section of the County is developing from a suburban area into a commercial and financial headquarters center. The eastern part of the County is developing from a rural, agricultural area to a suburban region. The County has extensive and varied transportation facilities – ports accessible to ocean-going vessels, railroads, freeways, and rapid transit lines connecting the areas comprising the County with Alameda County and San Francisco.

The District is located in the western portion of the County. The District serves the cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo; and several unincorporated areas, including the communities of El Sobrante, Kensington and North Richmond. Since the west portion of the County, wherein the District is located, has access to the San Francisco Bay and the San Pablo Bay, it contains much of the County's heavy industry .. The City of Richmond, which is located within the boundaries of the District, is one of three cities within the County that had increased assessed values for fiscal year 2011-12. The increase in assessed values is largely due to the rehabilitation and modernization of many areas of the City of Richmond.

#### Population

The following table summarizes the population statistics for the County and cities within the District for the last five calendar years.

#### POPULATION OF CONTRA COSTA COUNTY AND CITIES WITHIN THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT <sup>(1)</sup>

<u>Year</u>	<u>Contra Costa County</u>	<u>City of El Cerrito</u>	<u>City of Hercules</u>	<u>City of Pinole</u>	<u>City of Richmond</u>	<u>City of San Pablo</u>
2007	1,036,322	23,081	23,859	19,149	103,327	30,816
2008	1,048,242	23,306	24,309	19,260	103,899	31,172
2009	1,060,435	23,440	24,480	19,383	104,513	31,808
2010	1,047,948	23,538	24,051	18,383	103,661	29,143
2011	1,056,064	23,648	24,153	18,460	104,220	28,931

<sup>(1)</sup> Excludes population statistics of unincorporated territory within the District.  
Source: California Department of Finance, estimates as of January 2011.

## Employment

The following table summarizes historical employment and unemployment in the County during the last five calendar years, based on the March benchmark for each year:

### CIVILIAN LABOR FORCE, EMPLOYMENT AND UNEMPLOYMENT ANNUAL AVERAGES CONTRA COSTA COUNTY

	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011<sup>(4)</sup></u>
Civilian Labor Force <sup>(1)</sup>					
Employment	491,300	492,000	471,300	463,700	462,900
Unemployment	<u>24,100</u>	<u>32,200</u>	<u>53,500</u>	<u>58,700</u>	<u>57,500</u>
Total <sup>(2)</sup>	515,400	524,200	524,800	522,400	520,400
Unemployment Rate <sup>(3)</sup>	4.7%	6.1%	10.2%	11.2%	11.0%

<sup>(1)</sup> Based on place of residence.

<sup>(2)</sup> Totals may not add due to rounding.

<sup>(3)</sup> The unemployment rate is calculated using unrounded data.

<sup>(4)</sup> Preliminary, based on the July 2011 benchmark and place of residence.

Source: *California Employment Development Department, Labor Market Information Division.*

The following table summarizes the number of workers by industry in the County for calendar years 2006 through 2010.

### CONTRA COSTA COUNTY FREMONT-HAYWARD-OAKLAND METROPOLITAN DIVISION Estimated Number of Wage and Salary Workers by Industry<sup>(1)</sup>

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Farm	700	700	700	800	800
Manufacturing	20,200	20,600	20,700	18,700	18,100
Wholesale Trade	9,100	9,100	8,700	7,700	7,600
Retail Trade	44,000	44,400	43,600	41,200	40,100
Transportation & Public Utilities	8,400	8,800	8,900	8,300	7,900
Information	13,400	13,000	11,800	10,400	9,800
Financial Activities	32,100	29,100	26,600	25,700	25,500
Professional and Business Services	50,600	49,400	49,300	45,900	43,700
Education and Health	42,700	44,600	45,600	47,700	48,600
Leisure and Hospitality	32,400	33,200	32,800	31,200	31,500
Other Services	12,200	12,500	12,400	11,700	11,600
Government	48,900	52,200	52,600	51,300	48,900
Total All Industries <sup>(2)</sup>	<u>344,500</u>	<u>346,800</u>	<u>339,500</u>	<u>321,800</u>	<u>312,400</u>

<sup>(1)</sup> Does not include proprietors, self-employed, unpaid volunteers or family workers, domestic workers in households, and persons involved in labor/management trade disputes. Employment reported by place of work. Items may not add to totals due to independent rounding. Not seasonally adjusted.

<sup>(2)</sup> Including those not listed above.

Source: *Labor Market Information Division of the California Employment Development Department.*

The following table summarizes the unemployment rates in Contra Costa County and the cities within the District as of July 2011.

**CIVILIAN LABOR FORCE UNEMPLOYMENT RATES  
CONTRA COSTA COUNTY  
(As of July 2011)<sup>(1)</sup>**

Contra Costa County	11.0%
City of El Cerrito	9.9
City of Hercules	7.9
City of Pinole	7.7
City of Richmond	17.6
City of San Pablo	21.6
State of California	12.4
United States	9.3

<sup>(1)</sup> Preliminary, based on the July 2011 benchmark and place of residence; calculated based on unrounded data; not seasonally adjusted.

Source: *California Employment Development Department, Labor Market Information Division.*

**Largest Employers**

The following table summarizes the 10 largest employers in the East Bay, which includes Alameda and Contra Costa Counties.

**LARGEST EMPLOYERS  
EAST BAY: ALAMEDA AND CONTRA COSTA COUNTIES**

<b><u>Employer</u></b>	<b><u>Products/Services</u></b>	<b><u>Number of East Bay Employees</u></b>
AT&T Corp	Information	14,407
University of California	Educational Services	13,624
Alameda County	Public Administration	9,611
Contra Costa County	Public Administration	8,707
Safeway Inc.	Retail Trade	7,378
Lawrence Livermore National Laboratory	Professional, Scientific and Technical Services	7,000
Wells Fargo Home Mortgage Inc.	Finance and Insurance	6,889
Kaiser Foundation Hospitals	Health Care and Social Assistance	6,492
Oakland Unified School District	Educational Services	5,570
Lawrence Berkeley National Laboratory	Professional, Scientific and Technical Services	5,000

Source: *East Bay Employers*, as published 2010 in the Harris InfoSource of Lists.

## Commercial Activity

The following table summarizes historical taxable transactions within the County for the most recent calendar years for which such data is available, 2005 through 2009.

### TAXABLE TRANSACTIONS CONTRA COSTA COUNTY (Dollars in Thousands)

<u>Year</u>	<u>Sales Tax Permits</u>	<u>Taxable Transactions</u>
2005	23,692	\$13,480,075
2006	23,249	13,867,661
2007	23,181	14,086,295
2008	23,149	13,307,681
2009	21,395	11,883,049

Source: *California State Board of Equalization.*

The following table summarizes historical taxable transactions in the District for calendar years 2006 through 2009. Data for calendar year 2010 is not yet available.

### TAXABLE TRANSACTIONS FOR CITIES IN THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT <sup>(1)</sup> (Dollars in Thousands)

<u>City</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
El Cerrito	\$ 297,476	\$ 339,605	\$ 338,603	\$ 308,414	\$ 278,014
Hercules	113,121	127,680	124,879	128,453	116,921
Pinole	301,110	310,239	303,589	286,289	250,977
Richmond	1,122,912	1,129,643	1,228,740	1,160,972	1,016,242
San Pablo	152,320	146,901	151,789	155,280	139,345

<sup>(1)</sup> Excludes taxable transactions occurring in unincorporated territory within the District.

Source: *California State Board of Equalization.*

## Median Household Income

The table below reflects recent historical median household income within the County for calendar years 2005 through 2009. Data for calendar year 2010 is not yet available.

### MEDIAN HOUSEHOLD INCOME CONTRA COSTA COUNTY

<u>Year</u>	<u>Contra Costa County</u>
2005	\$ 69,463
2006	74,241
2007	75,483
2008	78,469
2009	75,084

Source: *U.S. Census Bureau.*

## Building Activity

The following table reflects recent historical residential building activity in the County for the last five calendar years for which such data is available.

**RESIDENTIAL BUILDING PERMIT VALUATION  
CONTRA COSTA COUNTY  
(Dollars in Thousands)  
2006-2010**

<u>Year</u>	<u>Number of Residential Permits</u>	<u>Residential Valuation</u>
2006	4,488	\$1,451,818
2007	3,607	1,216,666
2008	1,894	661,937
2009	1,201	504,632
2010	1,699	553,058

Source: *Construction Industry Research Board.*

The table below summarizes the building activity during calendar year 2010 for cities within the District.

**2010 BUILDING PERMIT VALUATION FOR CITIES IN THE  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT<sup>(1)</sup>**

<u>City</u>	<u>Residential Units</u>	<u>Residential Valuation</u>
El Cerrito	2	\$ 7,164,000
Hercules	96	16,061,000
Pinole	0	1,535,000
Richmond	119	40,955,000
San Pablo	13	5,291,000

<sup>(1)</sup> Excludes building permit valuation for unincorporated territory within the District.

Source: *Construction Industry Research Board.*

The following table lists the largest employers within Contra Costa County, including city location and industry, as of December 2010.

### **MAJOR EMPLOYERS CONTRA COSTA COUNTY**

<b><u>Employer</u></b>	<b><u>Location</u></b>	<b><u>Industry</u></b>
Bayer Health Care Pharmaceuticals	Richmond	Laboratories-Pharmaceutical (Mfrs)
Bio-Rad Laboratories Inc.	Hercules	Laboratory Analytical Instruments (Mfrs)
Chevron Corp	San Ramon	Petroleum Products (Mfrs)
Chevron Global Downstream LLC	San Ramon	Petroleum Products (Whls)
Concord Naval Weapons Station	Concord	Federal Government-National Security
Contra-Costa Regional Med Center	Martinez	Hospitals
Department Of Veterans Affairs	Martinez	Physicians & Surgeons
Doctor's Medical Center	San Pablo	Hospitals
John Muir Medical Center	Walnut Creek	Hospitals
John Muir Medical Center	Concord	Hospitals
John Muir Physical Rehab	Concord	Rehabilitation Services
Kaiser Permanente	Walnut Creek	Hospitals
Kaiser Permanente Medical Center	Martinez	Clinics
La Raza Market	Richmond	Grocers-Retail
Muirlab	Walnut Creek	Laboratories-Medical
PMI Group Inc.	Walnut Creek	Insurance-Bonds
Richmond City Offices	Richmond	Government Offices-City, Village & Twp
San Ramon Regional Medical Center	San Ramon	Hospitals
Shell Oil Products Co.	Martinez	Oil Refiners (Mfrs)
St Mary's	Moraga	Schools-Universities & Colleges Academic
St Mary's College Of CA	Moraga	Schools-Universities & Colleges Academic
Sutter Delta Medical Center	Antioch	Hospitals
Tesoro Golden Eagle Refinery	Pacheco	Oil Refiners (Mfrs)
USS-Posco Industries	Pittsburg	Steel Mills (Mfrs)
VA Outpatient Clinic	Martinez	Physicians & Surgeons

Source: *State of California Employment Development Department*, extracted from the America's Labor Market Information System (ALMIS) Employer Database, 2011, 1st Edition, published in December, 2010. ALMIS Employer Database, 2011, 2nd Edition is usually available as of July 2011. However, that publication has not yet been made available this year.

**APPENDIX G**

**CONTRA COSTA COUNTY INVESTMENT POLICY AND EXCERPTS FROM TREASURER'S  
QUARTERLY INVESTMENT REPORT AS OF JUNE 30, 2011**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**(Contra Costa County, California)**

\$ \_\_\_\_\_  
**GENERAL OBLIGATION BONDS**  
**ELECTION OF 2010, SERIES A**  
**(TAX EXEMPT)**

\$ \_\_\_\_\_  
**GENERAL OBLIGATION BONDS**  
**ELECTION OF 2010, SERIES A-1**  
**(QUALIFIED SCHOOL CONSTRUCTION BONDS**  
**- DIRECT PAYMENT) (FEDERALLY TAXABLE)**

\$ \_\_\_\_\_  
**2011 GENERAL OBLIGATION REFUNDING BONDS**

**PURCHASE CONTRACT**

\_\_\_\_\_, 2011

Board of Education  
West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801-3135

Ladies and Gentlemen:

The undersigned (the "Underwriter") offers to enter into this Purchase Contract (the "Purchase Contract") with the West Contra Costa Unified School District (the "District"), which, upon the acceptance by the District hereof, will be binding upon the District and the Underwriter. This offer is made subject to the written acceptance of the Purchase Contract by the District and delivery of such acceptance to the Underwriter at or prior to 11:59 P.M., California Time, on the date hereof.

The District acknowledges and agrees that (i) the purchase and sale of the Bonds pursuant to this Agreement are arm's-length commercial transactions between the District and the Underwriter, (ii) in connection with such transactions, the Underwriter is acting solely as a principal and not as an agent or a fiduciary of the District, (iii) the Underwriter has not assumed a fiduciary responsibility in favor of the District with respect to (A) the offering of the Bonds or the process leading thereto (whether or not the Underwriter has advised or is currently advising the District on other matters) or (B) any other obligation to the District except the obligations expressly set forth in this Purchase Contract and (iv) the District has consulted with its own legal and other professional advisors to the extent it deemed appropriate in connection with the offering of the Bonds.

**1. Purchase and Sale of the Bonds.** Upon the terms and conditions and in reliance upon the representations, warranties and agreements herein set forth, the Underwriter hereby agrees to purchase from the District for reoffering to the public, and the District hereby agrees to sell to the Underwriter for such purpose, all (but not less than all) of (i) \$ \_\_\_\_\_ aggregate

principal amount of the West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A (Tax-Exempt) (the "Series A Bonds"), (ii) \$\_\_\_\_\_ aggregate principal amount of the West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A-1 (Qualified School Construction Bonds – Direct Payment) (Federally Taxable) (the "Series A-1 Bonds," and together with the Series A Bonds, the "Election of 2010 Bonds"), and (iii) \$\_\_\_\_\_ aggregate principal amount of the West Contra Costa Unified School District (Contra Costa County, California) 2011 General Obligation Refunding Bonds (the "Refunding Bonds" and collectively with the Election of 2010 Bonds, the "Bonds", and collectively with the Series A Bonds, the "Tax-Exempt Bonds."). The Bonds shall bear or accrete interest at the rates and shall mature in the years and shall be subject to redemption as shown on Appendix A hereto, which is incorporated herein by reference. [The Series A Bonds will be issued as capital appreciation bonds (the "Capital Appreciation Bonds"). The Series A-1 Bonds and the Refunding Bonds will each be issued as Current Interest Bonds.] [The Current Interest Bonds shall bear interest payable from the date thereof as specified in Section 2 herein on each February 1 and August 1 commencing February 1, 2012 (each, a "Bond Payment Date"). The Capital Appreciation Bonds shall accrete interest from their date, as specified in Section 2 herein, compounded semiannually on February 1 and August 1, commencing on February 1, 2012, and shall be paid at maturity as shown in Appendix A hereto.]

The Underwriter shall purchase the Series A Bonds at a price of \$\_\_\_\_\_, which is equal to the principal amount of the Series A Bonds, plus net original issue premium of \$\_\_\_\_\_, and less an Underwriter's discount of \$\_\_\_\_\_. The Underwriter shall purchase the Series A-1 Bonds at a price of \$\_\_\_\_\_, representing the principal amount thereof, less an Underwriter's discount of \$\_\_\_\_\_. Certain costs of issuance of the Election of 2010 Bonds shall be paid by the District in accordance with Section 12 hereof. The Underwriter shall purchase the Refunding Bonds at a price of \$\_\_\_\_\_, which is equal to the principal amount of the Refunding Bonds, plus net original issue premium of \$\_\_\_\_\_, and less an Underwriter's discount of \$\_\_\_\_\_. Certain costs of issuance of the Refunding Bonds shall be paid by the District in accordance with Section 12 hereof.

**2. The Bonds.** The Bonds shall be dated their date of delivery. The Bonds shall mature on August 1 in the years shown in Appendix A hereto, except as provided herein, and shall otherwise be as described in, and shall be issued and secured pursuant to the provisions of, the Resolutions (defined below).

The Election of 2010 Bonds are issued pursuant to the provisions of Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California (the "Government Code Act"), Article XIII A of the California Constitution and pursuant to a resolution adopted by the Board of Education of the District (the "Election of 2010 Resolution") on \_\_\_\_\_, 2011. The Refunding Bonds are issued pursuant to the provisions of Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of the Government Code of the State of California and other applicable law (the "Refunding Act"), and pursuant to a resolution adopted by the Board of Education of the District on \_\_\_\_\_, 2011 (the "Refunding Resolution" and, collectively with the Election of 2010 Resolution, the "Resolutions").

The Bonds shall be executed and delivered under and in accordance with the provisions of this Purchase Contract and the Resolutions. The Bonds shall bear CUSIP numbers; be in fully registered book-entry form, registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"); and initially be in authorized denominations of Five Thousand Dollars (\$5,000) principal amount or Maturity Value, as applicable, or any integral multiple thereof.

The Series A-1 Bonds are being issued as direct-payment "qualified school construction bonds" as defined in Section 54A of the Internal Revenue Code of 1986, as amended (the "Code") and the Hiring Incentives to Restore Employment Act (the "HIRE Act"). The District expects to receive a cash subsidy payment (each, a "Subsidy Payment") from the United States Department of the Treasury equal to the lesser of the interest payable on the Series A-1 Bonds on each Bond Payment Date or the amount of interest that would have been payable on such Bond Payment Date if such interest were determined under at the federal credit rate published by the Treasury pursuant to Section 54(b)(3) of the Code (the "Tax Credit Rate") for the date hereof and included in Appendix A hereto.

**3. Use of Documents.** The District hereby authorizes the Underwriter to use, in connection with the offer and sale of the Bonds, the Purchase Contract, the Escrow Agreement relating to the Refunding Bonds (the "Escrow Agreement"), between the District and The Bank of New York Mellon Trust Company, N.A., as escrow agent (the "Escrow Agent"), the Official Statement (defined below), and the Resolutions, and all information contained herein and therein and all of the documents, certificates or statements furnished by the District to the Underwriter in connection with the issuance and offering of the Bonds (except as such documents otherwise provide).

**4. Public Offering of the Bonds.** The Underwriter agrees to make a bona fide public offering of all the Bonds at the initial public offering price or yield to be set forth on the inside cover page of the Official Statement and Appendix A hereto. Subsequent to such initial public offering, the Underwriter reserves the right to change such initial public offering prices or yields as it deems necessary in connection with the marketing of the Bonds.

**5. Review of Official Statement.** The Underwriter hereby represents that it has received and reviewed the Preliminary Official Statement with respect to the Bonds, dated \_\_\_\_\_, 2011 (the Preliminary Official Statement"). The District represents that it has deemed the Preliminary Official Statement to be final as of its date, except for either revision or addition of the offering price(s), interest rate(s), yield(s) to maturity, selling compensation, aggregate principal amount and maturity value, principal amount and maturity value per maturity, delivery date, rating(s) and other terms of the Bonds which depend upon the foregoing as provided in and pursuant to Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended (the "Rule").

The Underwriter agrees that prior to the time the final Official Statement (the "Official Statement") relating to the Bonds is available, the Underwriter will send to any potential purchaser of the Bonds, upon the request of such potential purchaser, a copy of the most recent Preliminary Official Statement. Such Preliminary Official Statement shall be sent by first class

mail (or other equally prompt means) not later than the first business day following the date upon which each such request is received.

References herein to the Preliminary Official Statement and the final Official Statement include the cover page and all appendices, exhibits, maps, reports and statements included therein or attached thereto.

**6. Closing.** At 9:00 A.M., California Time, on \_\_\_\_\_, 2011, or at such other time or on such other date as shall have been mutually agreed upon by and between the District and the Underwriter (the "Closing"), the District will cause to be delivered to the Underwriter (except as otherwise provided in the Resolutions), through the facilities of The Depository Trust Company ("DTC") in New York, New York, or at such other place as may mutually be agreed upon, the Bonds in fully registered book-entry form, duly executed and registered in the name of Cede & Co., as nominee of DTC, and at the offices of Stradling Yocca Carlson & Rauth, a Professional Corporation ("Bond Counsel") in San Francisco, California, the other documents hereinafter mentioned; and the Underwriter will accept such delivery and pay the purchase price thereof in immediately available funds by check, draft or wire transfer to or upon the order of the District.

**7. Representations, Warranties and Agreements of the District.** The District hereby represents, warrants and agrees with the Underwriter that:

(a) Due Organization of the District. The District is a unified school district duly established and validly existing under the laws of the State of California, with the power to request the issuance of the Election of 2010 Bonds pursuant to the Government Code Act and the Refunding Bonds pursuant to the Refunding Act.

(b) Due Authorization. (i) At or prior to the Closing, the District will have taken all action required to be taken by it to authorize the issuance and delivery of the Bonds; (ii) the District has full legal right, power and authority to enter into this Purchase Contract and the Escrow Agreement, to adopt the Resolutions, to perform its obligations under each such document or instrument, and to carry out and effectuate the transactions contemplated by this Purchase Contract, the Escrow Agreement and the Resolutions; (iii) the execution and delivery or adoption of, and the performance by the District of, the obligations contained in the Bonds, the Resolutions, the Escrow Agreement and this Purchase Contract have been duly authorized and such authorization shall be in full force and effect at the time of the Closing, and (iv) the Purchase Contract and the Escrow Agreement constitute valid and legally binding obligations of the District.

(c) Consents. Except for the actions of the parties hereto, no consent, approval, authorization, order, filing, registration, qualification, election or referendum of or by any court or governmental agency or public body whatsoever is required in connection with the issuance, delivery or sale of the Bonds, the execution and delivery of this Purchase Contract and the Escrow Agreement, the adoption of the Resolutions, or the consummation of the other transactions effected or contemplated herein or hereby, except for such actions as may be necessary to qualify the Bonds for offer and sale under the Blue Sky or other securities laws and regulations of such states and jurisdictions of the

United States as the Underwriter may reasonably request, or which have not been taken or obtained; provided, however, that the District shall not be required to subject itself to service of process in any jurisdiction in which it is not so subject as of the date hereof.

(d) Internal Revenue Code. The District has complied with the Internal Revenue Code of 1986, as amended, with respect to the Bonds.

(e) No Conflicts. To the best knowledge of the District, the issuance of the Bonds, and the execution, delivery and performance of the Purchase Contract, the Escrow Agreement, the Resolutions, and the Bonds, and the compliance with the provisions hereof do not conflict with or constitute on the part of the District a violation of or default under, the Constitution of the State of California or any existing law, charter, ordinance, regulation, decree, order or resolution and do not conflict with or result in a violation or breach of, or constitute a default under, any agreement, indenture, mortgage, lease or other instrument to which the District is a party or by which it is bound or to which it is subject.

(f) Litigation. As of the time of acceptance hereof, no action, suit, proceeding, hearing or investigation is pending or, to the best knowledge of the District, threatened: (i) in any way affecting the existence of the District or in any way challenging the titles of the officials of the District who are required to execute any contracts, certificates, or official statements in connection with the delivery of the Bonds to their respective offices, or the powers of those offices; or (ii) seeking to restrain or enjoin the sale, issuance or delivery of any of the Bonds, or the application of the proceeds thereof, or the levy or collection of taxes contemplated by the Resolutions and available to pay the principal of and interest on the Bonds, or the pledge of the debt service fund therefor, or in any way contesting or affecting the validity or enforceability of the Bonds, the Purchase Contract, the Escrow Agreement or the Resolutions or contesting the powers of the District or the authority thereof with respect to the Bonds, the Resolutions, the Escrow Agreement or the Purchase Contract; or (iii) in which a final adverse decision could (a) materially adversely affect the operations of the District or the consummation of the transactions consummated by this Purchase Contract, the Escrow Agreement or the Resolutions, (b) declare this Purchase Contract or the Escrow Agreement to be invalid or unenforceable in whole or in material part, or (c) adversely affect the exclusion of the interest paid on the Tax Exempt Bonds from gross income for federal income tax purposes and the exemption of interest on the Bonds from California personal income taxation.

(g) No Other Debt. Between the date hereof and the Closing, without the prior written consent of the Underwriter, neither the District directly, nor any person on behalf of the District, will have issued in the name and on behalf of the District any bonds, notes or other obligations for borrowed money except for such borrowings as may be described in or contemplated by the Official Statement.

(h) Levy of Tax. The District hereby agrees to take any and all actions as may be required by Contra Costa County (the "County") or otherwise necessary in order to arrange for the levy and collection of taxes, payment of the Bonds, and the deposit and

investment of Bond proceeds. In particular, the District hereby agrees to provide to the County Auditor-Controller a copy of the Resolutions, a copy of Appendix A hereto, and the full debt service schedule for the Bonds, in accordance with Education Code Section 15140(c) and policies and procedures of the County.

(i) Continuing Disclosure. In accordance with the requirements of the Rule, at or prior to the Closing, the District shall have duly authorized, executed and delivered a continuing disclosure certificate (the "Continuing Disclosure Certificate") on behalf of each obligated person for which financial and/or operating data is presented in the Official Statement. The Continuing Disclosure Certificate shall comply with the provisions of the Rule and be substantially in the form attached to the Official Statement in Appendix C. Except as otherwise disclosed in the Official Statement, the District has never failed to comply in all material respects with any previous undertakings with regard to said Rule to provide annual reports or notices of material events with respect to the last five years.

(j) Certificates. Any certificates signed by any officer of the District delivered to the Underwriter shall be deemed a representation by the District to the Underwriter, but not by the person signing the same, as to the statements made therein.

(k) Interim Financial Report. The District has not designated its most recent interim financial report for fiscal year 2010-11 as qualified or negative, nor has such interim financial report received a qualified or negative certification or designation from the County Superintendent of Schools

(l) Official Statement Accurate and Complete. The Preliminary Official Statement, at the date thereof, did not contain any untrue statement of a material fact or omit to state any material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading. At the date hereof and on the Closing Date, the final Official Statement does not and will not contain any untrue statement of a material fact or omit to state any material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading. The District makes no representation or warranty as to the information contained in or omitted from the Preliminary Official Statement or the final Official Statement in reliance upon and in conformity with information furnished in writing to the District by or on behalf of the Underwriter through a representative of the Underwriter specifically for inclusion therein.

**8. Representations and Agreements of the Underwriter.** The Underwriter represents to and agrees with the District that, as of the date hereof and as of the date of the Closing:

(a) The Underwriter is duly authorized to execute this Purchase Contract and to take any action under the Purchase Contract required to be taken by it.

(b) The Underwriter is in compliance with MSRB Rule G-37 with respect to the District, and is not prohibited thereby from acting as underwriter with respect to securities of the District.

(c) The Underwriter has, and has had, no financial advisory relationship, as that term is defined in California Government Code Section 53590(c), with the District with respect to the Bonds, and no investment firm controlling, controlled by or under common control with the Underwriter has or has had any such financial advisory relationship.

(d) The Underwriter has reasonably determined that the District's undertaking to provide continuing disclosure with respect to the Bonds pursuant to Section 11(e)(9) hereof is sufficient to effect compliance with Rule 15c2-12.

**9. Covenants of the District.** The District covenants and agrees with the Underwriter that:

(a) Securities Laws. The District will furnish such information, execute such instruments, and take such other action in cooperation with the Underwriter if and as the Underwriter may reasonably request in order to qualify the Bonds for offer and sale under the Blue Sky or other securities laws and regulations of such states and jurisdictions, provided, however, that the District shall not be required to consent to service of process in any jurisdiction in which they are not so subject as of the date hereof;

(b) Official Statement. The District hereby agrees to deliver or cause to be delivered to the Underwriter, not later than the seventh (7th) business day following the date the Purchase Contract is signed, and in sufficient time to accompany any confirmation that requests payment from any customer, copies of a final Official Statement substantially in the form of the Preliminary Official Statement, with only such changes therein as shall have been accepted by the Underwriter and the District in such quantities as may be requested by the Underwriter in order to permit the Underwriter to comply with paragraph (b)(4) of the Rule and with the rules of the Municipal Securities Rulemaking Board.

(c) Subsequent Events. The District hereby agrees to notify the Underwriter of any event or occurrence that may affect the accuracy or completeness of any information set forth in the Official Statement relating to the District until the date which is ninety (90) days following the Closing or until such time (if earlier) as the Underwriter shall no longer hold any of the Bonds for sale;

(d) Amendments to Official Statement. During the period ending on the 25th day after the End of the Underwriting Period (or such other period as may be agreed to by the District and the Underwriter), the District (i) shall not supplement or amend the Official Statement or cause the Official Statement to be supplemented or amended without the prior written consent of the Underwriter and (ii) shall notify the Underwriter promptly if any event shall occur, or information comes to the attention of the District, that is reasonably likely to cause the Official Statement (whether or not previously

supplemented or amended) to contain any untrue statement of a material fact or to omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading. If, in the opinion of the Underwriter, such event requires the preparation and distribution of a supplement or amendment to the Official Statement, the District shall prepare, at its own expense, and furnish to the Underwriter such number of copies of the supplement or amendment to the Official Statement, in form and substance mutually agreed upon by the District and the Underwriter, as the Underwriter may reasonably request. If such notification shall be given subsequent to the Closing, the District also shall furnish, or cause to be furnished, at its own expense, such additional legal opinions, certificates, instruments and other documents as the Underwriter may reasonably deem necessary to evidence the truth and accuracy of any such supplement or amendment to the Official Statement.

(1) For purposes of this Agreement, the "End of the Underwriting Period" is used as defined in the Rule and shall occur on the later of (A) the date of Closing or (B) when the Underwriter no longer retains an unsold balance of the Bonds; unless otherwise advised in writing by the Underwriter on or prior to the Closing Date, or otherwise agreed to by the District and the Underwriter, the District may assume that the End of the Underwriting Period is the Closing Date.

**10. Conditions to Closing.** The Underwriter has entered into the Purchase Contract in reliance upon the representations and warranties of the District contained herein and the performance by the District of their obligations hereunder, both as of the date hereof and as of the date of Closing. The Underwriter's obligations under the Purchase Contract are and shall be subject at the option of the Underwriter, to the following further conditions at the Closing:

(a) Representations True. The representations and warranties of the District contained herein shall be true, complete and correct in all material respects at the date hereof and at and as of the Closing as if made at and as of the Closing, and the statements made in all certificates and other documents delivered to the Underwriter at the Closing pursuant hereto shall be true, complete and correct in all material respects on the date of the Closing; and the District shall be in compliance with each of the agreements made by it in the Purchase Contract and the Escrow Agreement;

(b) Obligations Performed. At the time of the Closing, (i) the Official Statement, the Purchase Contract, the Escrow Agreement and the Resolutions shall be in full force and effect and shall not have been amended, modified or supplemented except in accordance with Section 10(d) hereto; and (ii) all actions under the Government Code Act and the Refunding Act which, in the opinion of Bond Counsel, shall be necessary in connection with the transactions contemplated hereby shall have been duly taken and shall be in full force and effect;

(c) Adverse Rulings. No decision, ruling or finding shall have been entered by any court or governmental authority since the date of the Purchase Contract (and not reversed on appeal or otherwise set aside), or to the best knowledge of the District, pending or threatened which, with respect to the District, has any of the effects describe

in Section 7(f) hereof or contests in any way the completeness or accuracy of the Official Statement;

(d) Marketability. Between the date hereof and the Closing, the market price or marketability or the ability of the Underwriter to enforce contracts for the sale of the Bonds, at the initial offering prices set forth in the Official Statement, of the Bonds shall not have been materially adversely affected in the judgment of the Underwriter (evidenced by a written notice to the District terminating the obligation of the Underwriter to accept delivery of and pay for the Bonds) by reason of any of the following:

(1) legislation enacted or introduced in the Congress or recommended for passage by the President of the United States, or a decision rendered by a court established under Article III of the Constitution of the United States or by the United States Tax Court, or an order, ruling, regulation (final, temporary or proposed) or official statement issued or made:

(i) by or on behalf of the United States Treasury Department, or by or on behalf of the Internal Revenue Service, with the purpose or effect, directly or indirectly, of causing inclusion in gross income for purposes of federal income taxation of the interest received by the owners of the Tax Exempt Bonds; or

(ii) by or on behalf of the Securities and Exchange Commission, or any other governmental agency having jurisdiction over the subject matter thereof, to the effect that the Bonds, or obligations of the general character of the Bonds, including any and all underlying arrangements, are not exempt from registration under the Securities Act of 1933, as amended;

(2) legislation enacted by the legislature of the State of California (the "State"), or a decision rendered by a court of the State, or a ruling, order, or regulation (final or temporary) made by State authority, which would have the effect of changing, directly or indirectly, the State tax consequences of interest on obligations of the general character of the Bonds in the hands of the holders thereof, or

(3) the declaration of war or engagement in major military hostilities by the United States or the occurrence of any other national emergency or calamity relating to the effective operation of the government or the financial community in the United States;

(4) the declaration of a general banking moratorium by federal, New York or State authorities having jurisdiction, or the general suspension of trading on any national securities exchange or fixing of minimum or maximum prices for trading or maximum ranges for prices for securities on any national securities exchange, whether by virtue or a determination by that exchange or by order of

the Securities and Exchange Commission or any other governmental authority having jurisdiction;

(5) the imposition by the New York Stock Exchange, other national securities exchange, or any governmental authority, of any material restrictions not now in force with respect to the Bonds, or obligations of the general character of the Bonds, or securities generally, or the material increase of any such restrictions now in force, including those relating to the extension of credit by, or the charge to the net capital requirements of, the Underwriter;

(6) an order, decree or injunction of any court of competent jurisdiction, or order, filing, regulation or official statement by the Securities and Exchange Commission, or any other governmental agency having jurisdiction over the subject matter thereof, issued or made to the effect that the issuance, offering or sale of obligations of the general character of the Bonds, or the issuance, offering or sale of the Bonds, as contemplated hereby or by the Official Statement, is or would be in violation of the federal securities laws, as amended and then in effect;

(7) the withdrawal or downgrading of any rating of the District's outstanding indebtedness by a national rating agency;

(8) any event occurring, or information becoming known which, in the reasonable judgment of the Underwriter, makes untrue in any material adverse respect any statement or information contained in the Official Statement, or has the effect that the Official Statement contains any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements made therein, in light of the circumstances under which they were made, not misleading; or

(9) the suspension by the SEC of trading in the outstanding securities of the District.

(e) Delivery of Documents. At or prior to the date of the Closing, Bond Counsel shall deliver sufficient copies of the documents below, in each case dated as of the Closing Date and satisfactory in form and substance to the Underwriter:

(1) Bond Opinion. Approving opinions of Bond Counsel, as to the validity and federal or state tax-exempt status of the Bonds, dated the date of the Closing, addressed to the District, in substantially the forms set forth in the Preliminary Official Statement and the Official Statement.

(2) Reliance Letter. Reliance letters from Bond Counsel to the effect that the Underwriter can rely upon the approving opinions described in (e)(1) above;

(3) Supplemental Opinion of Bond Counsel. A supplemental opinion of Bond Counsel, dated the Closing Date and addressed to the District and the Underwriter, substantially to the effect that:

(i) the description of the Bonds and the security for the Bonds and statements in the Official Statement on the cover page thereof and under the captions "INTRODUCTION," "THE ELECTION OF 2010 BONDS", "THE REFUNDING BONDS," "CONSTITUTIONAL AND STATUTORY PROVISIONS AFFECTING SCHOOL DISTRICT REVENUES AND APPROPRIATIONS," "TAX MATTERS" and APPENDIX A, to the extent they purport to summarize certain provisions of the Resolutions and California law or federal law, fairly and accurately summarize the matters purported to be summarized therein; provided that Bond Counsel need not express any opinion with respect to any financial or statistical data, information concerning the Depository Trust Company or related to its book-entry only system, or any information contained in Appendices A, C, D, E, F and G to the Official Statement;

(ii) assuming due authorization, execution and delivery by all the parties thereto, the Continuing Disclosure Certificate, this Purchase Contract and the Escrow Agreement have each been duly authorized, executed and delivered by the respective parties thereto and constitute legal, valid and binding agreements of the District are enforceable in accordance with their respective terms, except as enforcement thereof may be limited by bankruptcy, insolvency, reorganization, moratorium or other laws relating to or affecting generally the enforcement of creditors' rights and except as their enforcement may be subject to the application of equitable principles and the exercise of judicial discretion in appropriate cases if equitable remedies are sought and by the limitations on legal remedies against public agencies in the state of California; and

(iii) the Bonds are exempt from registration pursuant to the Securities Act of 1933, as amended, and the Resolutions are exempt from qualification as an indenture pursuant to the Trust Indenture Act of 1939, as amended.

(4) Disclosure Counsel Opinion. The opinion of GCR LLP, Disclosure Counsel with respect to the issuance of the Bonds ("Disclosure Counsel") to the District, in form satisfactory to the District and the Underwriter, dated the date of Closing and addressed to the District and the Underwriter, substantially to the effect that based on such counsel's participation in conferences with representatives of the Underwriter, the Financial Advisor, the District and others, during which conferences the contents of the Official Statement and related matters were discussed, and in reliance thereon and on the records, documents, certificates and opinions described therein, such counsel advises the District, that during the course of its engagement as Disclosure Counsel no information came to the attention of such counsel's attorneys

rendering legal services in connection with such representation which caused such counsel to believe that the Official Statement as of its date (except for any financial or statistical data or forecasts, numbers, charts, estimates, projections, assumptions or expressions of opinion, or DTC or its book-entry only system included therein, or the Appendices to the Official Statement, as to which such counsel need express no opinion or view) contained any untrue statement of a material fact or omitted to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

(5) Certificates of the District. Certificates signed by appropriate officials of the District, to the effect that (i) such officials are authorized to execute the Purchase Contract and the Escrow Agreement, (ii) the representations and warranties of the District herein are true and correct in all material respects as of the date of Closing, (iii) the District has complied with all the terms of the Resolutions, the Escrow Agreement and the Purchase Contract, which are necessary to be complied with prior to or concurrently with the Closing and such documents are in full force and effect, (iv) the District has reviewed the Official Statement and on such basis certifies that the Official Statement (excluding therefrom information regarding DTC and its book-entry only system, information regarding the initial offering of the Bonds and accreted values of the Bonds (if applicable), and information regarding the investment portfolio, policies, practices and valuation procedures of the County, and information contained in Appendices E, F and G, as to which no view is expressed) does not contain any untrue or misleading statement of a material fact or omit to state any material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading; and (v) no consent is required for the inclusion of the District's 2009-10 Audited Financial Statement as an appendix to the Official Statement.

(6) Arbitrage. A non-arbitrage certificate of the District in a form satisfactory to Bond Counsel;

(7) Ratings. Evidence satisfactory to the Underwriter that:

(i) the Bonds shall have been rated “\_\_\_” by Standard & Poor's, a Division of the McGraw-Hill Companies (“S&P”), “\_\_\_” by Fitch Ratings (“Fitch”) and “\_\_\_” by Moody's Investors Service (“Moody's”) (or such other equivalent ratings as such rating agencies may give), and

(ii) that any such ratings have not been revoked or downgraded;

(8) Resolutions. A certificate, together with copies of the Resolutions, of the Clerk of the District Board of Education to the effect that:

(i) such copies are true and correct copies of the Resolutions;  
and

(ii) that the Resolutions were duly adopted and have not been amended or rescinded and are in full force and effect on the date of the Closing.

(9) Continuing Disclosure Certificate. A Continuing Disclosure Certificate in substantially the form given in the Preliminary Official Statement.

(10) QSCB Allocation. Evidence satisfactory to the Underwriter that the District has received an allocation of Qualified School Construction Bond authority for calendar years 2011 pursuant to Section 54F of the Code in an amount at least equal to the principal amount of the Series A-1 Bonds.

(11) Official Statement. A certificate of the appropriate official of the District evidencing his or her determinations with respect to the Preliminary Official Statement in accordance with the Rule.

(12) Verification Report. A report and opinion of a firm acceptable to the Underwriter with respect to the sufficiency of the Federal Securities, together with the interest and earning thereon and any cash held uninvested, held under the Escrow Agreement to refund the Refunded Bonds as provided in the Escrow Agreement;

(13) Escrow Agreement. An executed copy of the Escrow Agreement, in form satisfactory to Bond Counsel and the Underwriter.

(14) Defeasance Opinion. An opinion, dated the Closing Date and addressed to the District and the Underwriter, of Bond Counsel, to the effect that upon the deposit into the Escrow Fund as provided for in the Escrow Agreement, the Refunded Bonds (as defined in the Official Statement) will no longer be considered Outstanding.

(15) Certificate of Escrow Agent. A Certificate of the Escrow Agent, dated the Closing Date to the effect that (i) the Escrow Agent is duly organized and existing as a national banking association in good standing under the laws of the United States having the full power and authority to enter into and perform its duties under the Escrow Agreement; (ii) no consent, approval, authorization or other action by any governmental or regulatory agency having jurisdiction over the Escrow Agent that has not been obtained is or will be required for the consummation by the Escrow Agent of the transactions contemplated by the Escrow Agreement; (iii) the execution and delivery by the Escrow Agent of the Escrow Agreement and compliance with the terms thereof will not conflict with, or result in a violation or breach of, or constitute a default under, any loan

agreement, indenture, bond, note, resolution or any other agreement or instrument to which the Escrow Agent is a party or by which it is bound, or any law or any rule, regulation, order or decree of any court or governmental agency or body having jurisdiction over the Escrow Agent or any of its activities or properties (except that no representation, warranty or agreement is made by the Escrow Agent with respect to any Federal or state securities or blue sky laws or regulations), or result in the creation or imposition of any lien, charge or other security interest or encumbrance of any nature whatsoever upon any of the property or assets of the Escrow Agent; and (iv) there is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court or governmental agency, public board or body pending or to the best of the Escrow Agent's knowledge threatened against or affecting the existence of the Escrow Agent or in any way contesting or affecting the validity or enforceability of the Escrow Agreement or contesting the powers of the Escrow Agent or its authority to enter into and perform its obligation under the Escrow Agreement, wherein an unfavorable decision, ruling or finding would adversely affect the transactions contemplated thereby, or which, in any way, would adversely affect the validity of the Escrow Agreement.

(16) Receipt. The receipt of the District, or by a representative of the County Treasurer-Tax Collector on behalf of the District, confirming payment by the Underwriter of the Purchase Price of the Bonds.

(17) Other Documents. Such additional legal opinions, certificates, proceedings, instruments and other documents as the Underwriter or Bond Counsel may reasonably request to evidence (A) compliance by the District with legal requirements, (B) the truth and accuracy, as of the time of Closing, of the representations of the District contained herein or in the Official Statement, and (C) the due performance or satisfaction by the District at or prior to such time of all agreements then to be performed and all conditions then to be satisfied by the District; and

(f) Termination. Notwithstanding anything to the contrary herein contained, if for any reason whatsoever the Bonds shall not have been delivered by the District to the Underwriter, as provided in Section 6 hereof, then the obligation to purchase Bonds hereunder shall terminate and be of no further force or effect except with respect to the obligations of the District and the Underwriter under Section 11 hereof.

If the District shall be unable to satisfy the conditions to the Underwriter's obligations contained in the Purchase Contract or if the Underwriter's obligations shall be terminated for any reason permitted by the Purchase Contract, the Purchase Contract may be canceled by the Underwriter at, or at any time prior to, the time of Closing. Notice of such cancellation shall be given to the District in writing, or by telephone or telegraph, confirmed in writing. Notwithstanding any provision herein to the contrary, the performance of any and all obligations of the District hereunder and the performance of any and all conditions contained herein for the benefit of the Underwriter may be waived by the Underwriter in writing at its sole discretion.

**11 Conditions to Obligations of the District.** The performance by the District of their obligations is conditioned upon (i) the performance by the Underwriter of its obligations hereunder; and (ii) receipt by the District and the Underwriter of opinions and certificates being delivered at the Closing by persons and entities other than the District.

**[12. Expenses.** (a) From the proceeds of the sale of the Election of 2010 Bonds described in Section 1 hereof, the District shall pay the following expenses: (i) the cost of the preparation and reproduction of the Election of 2010 Resolution; (ii) the fees and disbursements of Bond Counsel, Disclosure Counsel and Underwriter Counsel; (iii) the cost of the preparation, printing and delivery of the Election of 2010 Bonds; (iv) the fees, if any, for Election of 2010 Bond ratings; (v) the cost of the printing and distribution of the Official Statement; (vi) the initial fees of the paying or fiscal agent, if any; (vii) the fees and expenses of the County with respect to its participation in the issuance of the Election of 2010 Bonds (viii) expenses for travel, lodging, and subsistence related to rating agency visits and other meetings connected to the authorization, sale, issuance and distribution of the Election of 2010 Bonds; and (ix) all other fees and expenses incident to the issuance and sale of the Election of 2010 Bonds.]

[(b) With respect to the Refunding Bonds, the District shall pay all costs of issuance of the Refunding Bonds from original issue premium described in Section 1 hereof: (i) the cost of the preparation and reproduction of the Refunding Resolution; (ii) the fees and disbursements of Bond Counsel, Disclosure Counsel, Underwriter Counsel and the Verification Agent; (iii) the cost of the preparation, printing and delivery of the Refunding Bonds; (iv) the fees, if any, for Refunding Bond ratings; (v) the cost of the printing and distribution of the Official Statement; (vi) the initial fees of the paying or fiscal agent, if any; (vii) the fees and expenses of the County with respect to its participation in the issuance of the Refunding Bonds (viii) expenses for travel, lodging, and subsistence related to rating agency visits and other meetings connected to the authorization, sale, issuance and distribution of the Refunding Bonds; and (ix) all other fees and expenses incident to the issuance and sale of the Refunding Bonds.]

(c) In addition to the above expenses, the Underwriter shall pay all out-of-pocket expenses of the Underwriter, including the California Debt and Investment Advisory Commission fee, travel and other expenses (except as provided above) without limitation.

(d) Notwithstanding Section 10(f) hereof, the District hereby agrees, in the event the purchase and sale of the Bonds does not occur as contemplated hereunder, to reimburse the Underwriter for any costs described in Subsections 12(a)(viii) 12(b)(viii) above that are attributable to District personnel.

**13. Notices.** Any notice or other communication to be given under the Purchase Contract (other than the acceptance hereof as specified in the first paragraph hereof) may be given by delivering the same in writing if to the Superintendent, West Contra Costa Unified School District, 1108 Bissell Avenue, Richmond, California 94801-3135; or if to the Underwriter, to Piper Jaffay & Co., 345 California Street, Suite 2400, San Francisco, CA 94104, Attn: Jeffrey A. Baratta.

**14. Parties in Interest; Survival of Representations and Warranties.** The Purchase Contract when accepted by the District in writing as heretofore specified shall

constitute the entire agreement among the District and the Underwriter (including the successors or assigns of the Underwriter). This Purchase Contract is made solely for the benefit of the District and the Underwriter. No other person shall acquire or have any rights hereunder or by virtue hereof. All representations, warranties and agreements of the District in the Purchase Contract shall survive regardless of (a) any investigation or any statement in respect thereof made by or on behalf of the Underwriter, and (b) delivery of and payment by the Underwriter for the Bonds hereunder.

**15. Severability.** In the event any provision of this Purchase Contract shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision thereof.

**16. Nonassignment.** Notwithstanding anything stated to the contrary herein, neither party hereto may assign or transfer its interest herein, or delegate or transfer any of its obligations hereunder, without the prior consent of the other party hereto.

**17. Execution in Counterparts.** The Purchase Contract may be executed in several counterparts each of which shall be regarded as an original and all of which shall constitute but one and the same document.

**18. Applicable Law.** The Purchase Contract shall be interpreted, governed and enforced in accordance with the law of the State of California applicable to contracts made and performed in such State.

Very truly yours,

**PIPER JAFFAY & CO.**

By: \_\_\_\_\_  
Authorized Representative

The foregoing is hereby agreed to and accepted as  
of the above-written date:

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

By: \_\_\_\_\_  
Associate Superintendent of Business Services  
Time of Execution: \_\_\_\_\_

APPENDIX A

\$ \_\_\_\_\_  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**General Obligation Bonds, Election of 2010 Series A (Tax-Exempt)**

<b><u>Maturity</u></b> <b><u>(August 1)</u></b>	<b><u>Principal</u></b> <b><u>Amount</u></b>	<b><u>Interest</u></b> <b><u>Rate</u></b>	<b><u>Yield</u></b>
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\$ \_\_\_\_\_  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**General Obligation Bonds, Election of 2010, Series A-1 (Qualified School Construction**  
**Bonds – Direct Payment) (Federally Taxable)**

**Tax Credit Rate: \_\_\_\_\_ %**

\$ \_\_\_\_\_ % Term Series A-1 Bonds due August 1, 20\_\_\_\_ - Price or Yield \_\_\_\_\_ %

\$ \_\_\_\_\_  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**2011 General Obligation Refunding Bonds**

<b><u>Maturity</u></b> <b><u>(August 1)</u></b>	<b><u>Principal</u></b> <b><u>Amount</u></b>	<b><u>Interest</u></b> <b><u>Rate</u></b>	<b><u>Yield</u></b>
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## REDEMPTION PROVISIONS

### Redemption of Series A Bonds

**Optional Redemption.** The Series A Bonds maturing on or before August 1, 2021, are not subject to redemption prior to their respective stated maturity dates. The Series A Bonds maturing on and after August 1, 2022, shall be subject to redemption prior to their respective stated maturity dates, at the option of the District, from any source of available funds, as a whole or in part on any date on or after August 1, 2021, at a redemption price equal to 100% of the principal amount thereof called for redemption, together with interest accrued thereon to the date of redemption, without premium.

**Mandatory Sinking Fund Redemption.** The Series A Term Bonds maturing on August 1, 20\_\_ are subject to mandatory sinking fund redemption on August 1 of each Mandatory Sinking Fund Redemption Date and in the respective principal amounts as set forth in the following schedule, at a price equal to the principal amount thereof plus accrued interest thereon to the date of redemption, without premium:

Mandatory Sinking Fund Redemption Date (August 1)	Principal Amount to be Redeemed
--	------------------------------------

†

† Maturity.

The principal amount to be redeemed in each year shown in the table above will be reduced proportionately, in integral multiples of \$5,000 by the amount of such Series A Bond called for optional redemption prior to the mandatory sinking fund redemption date.

### Redemption of Series A-1 Bonds\*

**Optional Redemption.** The Series A-1 Bonds are not subject to optional redemption prior to maturity.

**Extraordinary Mandatory Redemption due to Unexpended Proceeds of Series A-1 Bonds.** The Series A-1 Bonds are subject to extraordinary mandatory redemption, in whole or in part, within 90 days following the third anniversary of the delivery date of the Series A-1 Bonds, or within 90 days following the date of termination of any period of time negotiated with the IRS that extends the date by which the proceeds of the sale of the Series A-1 Bonds must be expended (as required by Section 54F of the Code) as evidenced in writing by the IRS. Any such redemption shall be in a total amount equal to the unexpended proceeds of the Series A-1 Bonds, at a redemption price equal to the principal amount of the Series A-1 Bonds called for redemption, without premium, plus accrued interest to the redemption date.

**Extraordinary Optional Redemption Due to Extraordinary Event.** Upon the occurrence of an Extraordinary Event (as defined below), the Series A-1 Bonds are subject to redemption

prior to their maturity date at the option of the District, as a whole or in part, on any date designated by the District, at the Make-Whole Redemption Price (as defined below).

***Selection of Series A-1 Bonds for Redemption.*** If less than all of the Series A-1 Bonds are called for redemption, the portions of any Series A-1 Bonds of a given maturity to be redeemed will be determined on a *pro rata* basis. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that the portion of any Series A-1 Bond to be redeemed in part shall be in the Principal Amount of \$5,000 or any integral multiple thereof, except that, so long as the Series A-1 Bonds are in book-entry only form, selection shall be made in accordance with the operational arrangements of DTC then in effect on the basis of a “Pro-Rata Pass-Through Distribution of Principal” or any other applicable procedures adopted by DTC.

***Certain Defined Terms Applicable to the Redemption of Series A-1 Bonds.*** The term “Accountable Event of Loss of Qualified School Construction Bond Status” means (i) any act or any failure to act on the part of the District constituting a breach of a covenant or agreement thereof contained in the Election of 2010 Bonds Resolution and Series A-1 Tax Certificate which causes such Series A-1 Bonds to lose their status, or fail to qualify, as Qualified School Construction Bonds within the meaning of Section 54F of the Code, or (ii) the making by the District of any representation contained in the Election of 2010 Bonds Resolution and the Series A-1 Tax Certificate, as applicable, which was untrue when made and the untruth of which representation at such time causes the Series A-1 Bonds to lose their status, or fail to qualify, as Qualified School Construction Bonds within the meaning of Section 54F of the Code.

The term “Extraordinary Event” means (a) a final determination by the Internal Revenue Service (“IRS”) (after the District has exhausted all administrative appeal remedies) determining that an Accountable Event of Loss of Qualified School Construction Bond Status has occurred and specifying the Date of Loss of Qualified School Construction Bond Status; (b) a non-appealable holding by a court of competent jurisdiction holding that an Accountable Event of Loss of Qualified School Construction Bond Status has occurred and specifying the Date of Loss of Qualified School Construction Bond Status; (c) the occurrence of a material adverse change under Section 54F or 6431 of the Code; (d) the publication by the IRS or the United States Treasury of any guidance with respect to such sections; or (e) any other determination by the IRS or the United States Treasury, which determination is not the result of a failure of the District to satisfy certain requirements of the Election of 2010 Bonds Resolution and the tax certificate of the District relating to the Series A-1 Bonds (the “Series A-1 Tax Certificate”), if as a result of an event as described in (c), (d), or (e) of this sentence, the direct subsidy payments expected to be received with respect to the Series A-1 Bonds are eliminated or reduced, as reasonably determined by the Superintendent of the District or his designee, which determination shall be conclusive.

The term “Date of Loss of Qualified School Construction Bond Status” is the date specified in a Determination of Loss of Qualified School Construction Bond Status as the date from and after which the Series A-1 Bonds lost their status, or failed to qualify, as Qualified School Construction Bonds as defined in Section 54F of the Code as a result of an Accountable Event of Loss of Qualified School Construction Bond Status, which date could be as early as the date of initial issuance and delivery of the Series A-1 Bonds.

The term “Determination of Loss of Qualified School Construction Bond Status” means (i) a final determination by the IRS (after the District has exhausted or waived all administrative appeal remedies) determining that an Accountable Event of Loss of Qualified School Construction Bond Status has occurred and specifying the Date of Loss of Qualified School Construction Bond Status and the amount of Series A-1 Bonds that are subject to the Accountable Event of Loss of Qualified School Construction Bond Status, or (ii) a non-appealable holding by a court of competent jurisdiction holding that an Accountable Event of Loss of Qualified School Construction Bond Status has occurred and specifying the Date of Loss of Qualified School Construction Bond Status.

The term “Make-Whole Redemption Price” means, with respect to any Series A-1 Bonds to be redeemed, the principal amount thereof to be redeemed, plus an amount calculated by a Designated Banking Institution (as defined below) equal to the positive difference, if any, between:

- (i) the initial offering price of the Series A-1 Bonds to be redeemed; and
- (ii) the sum of the present value of the remaining scheduled payments of principal and interest with respect to the Series A-1 Bonds to be redeemed to the maturity date of such Series A-1 Bonds, not including any portion of those payments of interest accrued and unpaid as of the date on which the Series A-1 Bonds are to be redeemed, discounted to the date on which the Series A-1 Bonds are to be redeemed on a semiannual basis, assuming a 360-day year containing twelve 30-day months, at the Treasury Rate, plus 100 basis points, plus in each case accrued interest on the Series A-1 Bonds to be redeemed to the redemption date.

For the purpose of determining the Make-Whole Redemption Price, “Treasury Rate” means, with respect to any redemption date for a particular Series A-1 Bond, the yield to maturity as of such redemption date of United States Treasury securities with a constant maturity (as compiled and published in the most recent Federal Reserve Statistical Release H.15 (519) (the “Statistical Release”) that has become publicly available at least two business days prior to the redemption date (excluding inflation-indexed securities) (or, if the Statistical Release is no longer published, any publicly available source of similar market data) most nearly equal to the period from the redemption date to the maturity date of the Series A-1 Bonds to be redeemed; provided, however that if the period from the redemption date to the maturity date is less than one year, the weekly average yield on actually traded United States Treasury securities adjusted to a constant maturity of one year shall be used.

The term “Designated Banking Institution” means an investment banking institution of national standing which is a primary United States government securities dealer in the City of New York designated by the District (which may be the Underwriter (as defined herein) of the Bonds).

### **Redemption of Refunding Bonds**

***Optional Redemption of Refunding Bonds.*** The Refunding Bonds maturing on or before August 1, 2021, are not subject to redemption prior to their maturity dates. The Refunding Bonds maturing on or after August 1, 2022, may be redeemed before maturity at the option of the District on any date on or after August 1, 2021, as a whole, or in part, by lot, from such maturities as are selected by the District. The Refunding Bonds will be deemed to consist of \$5,000 portions, and any such portion may be separately redeemed. The Refunding Bonds

redeemed prior to maturity, if any, will be redeemed at the principal amount thereof together with accrued interest to date of redemption, without premium).

\$ \_\_\_\_\_  
West Contra Costa Unified School District  
(Contra Costa County, California)  
General Obligation Bonds, Election of 2010, Series A  
(Tax Exempt)

\$ \_\_\_\_\_  
West Contra Costa Unified School District  
(Contra Costa County, California)  
General Obligation Bonds, Election of 2010, Series A-1  
(Qualified School Construction Bonds – Direct Payment)  
(Federally Taxable)

**AGREEMENT TO PROVIDE REGISTRAR  
AND PAYING AGENT SERVICES FOR  
FULLY REGISTERED MUNICIPAL BONDS**

This Agreement dated as of \_\_\_\_\_, 2011 (this "Agreement") has been entered into by and between West Contra Costa Unified School District (the "District") and The Bank of New York Mellon Trust Company, N.A. ("Bank"). The District, by resolution adopted on September 21, 2011 by the Board of Education of the District (the "Resolution"), has appointed Bank to act as the Registrar and Paying Agent for \$ \_\_\_\_\_ West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A (Tax Exempt) (the "Series A Bonds"), \$ \_\_\_\_\_ West Contra Costa Unified School District (Contra Costa County, California) General Obligation Bonds, Election of 2010, Series A-1 (Qualified School Construction Bonds – Direct Payment) (Federally Taxable) (the "Series A-1 Bonds," and together with the Series A Bonds, the "Election of 2010 Bonds"). This Agreement sets out the terms and conditions of said appointment.

The District and Bank agree as follows:

1. Authentication and Delivery of Bonds. Bank as Registrar will authenticate and deliver the Bonds upon original issue at the written direction of the District.
2. Maintenance of Register. Bank as Registrar will maintain records as to the identity of the registered holders of the Bonds (the "Bondholders") on its register.
3. Transfers. Bank as Registrar will effect transfers of the registered ownership of Bonds upon surrender of validly issued Bonds to Bank accompanied by such instruments of transfer and other documents and items as Bank may require (which may include a signature guarantee by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program).
4. Unissued Bonds. Bank as Registrar will maintain in safekeeping an inventory of unissued Bonds, it being understood and agreed that it is the responsibility of the District to ensure that Bank is provided with a sufficient supply of unissued Bonds to accommodate normal transfer activity.
5. Cancelled Bonds. The District hereby authorizes and directs Bank, as Registrar (i) to cancel all Bonds surrendered to it for transfer or payment and (ii) unless otherwise directed in writing by the District prior to such destruction, to destroy all cancelled Bonds in accordance with its standard procedures.

6. Payment Procedures. Out of funds provided to it by the District, Bank as Paying Agent will pay interest on the Bonds by either wire payment or by preparing and mailing checks on each February 1 and August 1 (each, a "Payment Date"), starting on February 1, 2012, and thereafter, until the satisfaction and discharge of the Bonds, to Bondholders of record on its register on the respective record dates and, upon presentation of Bonds, either wire payment or prepare and mail or deliver checks in payment of the principal of Bonds maturing or called for redemption in accordance with the Resolution. When mail is used for the delivery of payment of interest and/or principal on the Bonds, Bank shall forward the check for such payment by first class mail, unless otherwise instructed in writing by the District.

7. Redemption. If the Bonds are subject to redemption prior to their stated maturity date(s), Bank as Paying Agent shall be governed by the redemption provisions set forth on the Bond. Bank as Paying Agent shall not be required to transfer any Bond, or portion thereof, that has been called for redemption. Payment of the principal amount (including premium, if any) of any Bond, or portion thereof, called for redemption shall be made by wire or by check, only upon presentation of the Bond at the designated corporate trust office of Bank as Paying Agent on or after the redemption date. Where the entire principal amount of the Bond has not been called for redemption, a new Bond in the amount of the unredeemed portion will be issued to the registered Bondholder or its assignee. Whether or not promptly submitted for redemption, interest on any Bond, or portion thereof, called for redemption shall cease to accrue on and after the redemption date provided that sufficient moneys therefore are on deposit with Bank as Paying Agent. Bank shall send, at the direction of the District, any required notices of redemption by first-class mail to the registered holder of any Bonds to be called or redeemed prior to its maturity date neither less than 30 days nor more than 45 days prior to the specified redemption date.

8. Deposits of the District. On the business day prior to each Payment Date, the District will provide the County with a debt service schedule and instruct the County to transfer *ad valorem* property taxes to be deposited with Bank as Paying Agent, in good funds, funds sufficient to pay all interest and principal payable on the Bonds as said interest and principal become due. Any money deposited with Bank for the payment of the principal of or interest on any Bonds and remaining unclaimed for two years after such interest or principal has become due and payable (subject to applicable escheatment laws) shall be paid to the District. Thereafter, Bondholders shall look solely to the District for the payment of such funds and Bank shall have no further liability for such funds.

9. Investment of Bonds. Bank shall not be required to invest funds deposited with it nor shall Bank be required to pay interest on said funds.

10. Limitations of Liability of Bank. Bank shall not be liable except for the performance of such duties and obligations as are specifically set forth in this Agreement and as specifically directed by the District, and no implied covenants or obligations shall be read into this Agreement against Bank.

Neither Bank nor any of its officers, directors, employees or agents shall be liable for any action taken or omitted under this Agreement or in connection therewith except to the extent caused by Bank's negligence or willful misconduct, as determined by the final judgment of a court of competent jurisdiction, no longer subject to appeal or review.

Bank shall not be liable to the parties hereto or deemed in breach or default hereunder if and to the extent its performance hereunder is prevented by reason of force majeure. The term "force

majeure” means an occurrence that is beyond the control of Bank and could not have been avoided by exercising due care. Force majeure shall include acts of God, terrorism, war, riots, strikes, fire floods, earthquakes, epidemics or other similar occurrences.

Bank shall not be bound to make any investigation into the facts or matters stated in any resolution, certificate, statement, instrument, opinion, report, notice, request, consent, entitlement order, approval or other paper or document other than the Resolution.

Bank may conclusively rely and shall be fully protected in acting or refraining from acting upon any resolution, certificate, statement, instrument, opinion, report, notice, request, consent, order, approval or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or parties.

At any time, Bank may apply to the District for instructions. Whenever in the administration of this Agreement Bank shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action to be taken hereunder, such matter (unless other evidence in respect thereof be herein specifically prescribed) may, in the absence of negligence or bad faith on the part of Bank, be deemed to be conclusively proved and established by a certificate signed by one of the District’s officers and delivered to Bank and such certificate, shall be full warrant to Bank for any action taken, suffered or omitted by it under the provisions of this Agreement upon the faith thereof.

Bank shall have the right to perform any of its duties hereunder through agents, attorneys, custodians and nominees and shall not be liable for the willful misconduct or negligence of any agent, attorney, custodian or nominee appointed by it with due care.

Bank may consult with counsel and the advice or any opinion of counsel shall be full and complete authorization and protection in respect of any action taken or omitted by it hereunder in good faith and in accordance with such advice or opinion of counsel.

Any banking association or corporation into which Bank may be merged, converted or with which Bank may be consolidated, or any corporation resulting from any merger, conversion or consolidation to which Bank shall be a party, or any banking association or corporation to which all or substantially all of the corporate trust business of Bank shall be transferred, shall succeed to all the Bank’s rights, obligations and immunities hereunder without the execution or filing of any paper or any further act on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

None of the provisions of this Agreement shall require Bank to expend or risk its own funds or otherwise to incur any liability, financial or otherwise, in the performance of any of its duties hereunder.

Bank may become a Bondholder with the same rights it would have if it were not Registrar or Paying Agent.

Bank agrees to accept and act upon instructions or directions pursuant to this Agreement, sent by unsecured e-mail, facsimile transmissions or other similar unsecured electronic methods, provided, however, that, Bank shall have received an incumbency certificate listing persons designated to give such instructions or directions and containing specimen signatures of such

designated persons, which such incumbency certificate shall be amended and replaced whenever a person is to be added or deleted from the listing. If the District elects to give Bank e-mail or facsimile instructions (or instructions by a similar electronic method) and Bank in its discretion elects to act upon such instructions, Bank's understanding of such instructions shall be deemed controlling. Bank shall not be liable for any losses, costs or expenses arising directly or indirectly from Bank's reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction. The District agrees to assume all risks arising out of the use of such electronic methods to submit instructions and directions to Bank, including without limitation the risk of Bank acting on unauthorized instructions, and the risk of interception and misuse by third parties.

11. Loss, Destruction or Theft of Bonds. Should Bank be notified of the loss, destruction or theft of any Bond, Bank will place a stop transfer order against said Bond and shall consult with the District with respect to issuance of any replacement Bond. Upon receiving instructions from the District and indemnity satisfactory to Bank as Registrar, Bank may inscribe, authenticate and deliver, to the persons entitled thereto, new Bonds in place of Bonds represented to have been lost, stolen or destroyed and likewise may issue a new Bond in exchange for, and upon surrender of, an identifiable mutilated Bond.

12. Survival, Termination. This Agreement, (with the exception of the covenants in Section 13, which shall continue until payment in full of all fees and expenses due in accordance with Bank's fee schedule attached hereto, and Section 14, which shall survive the termination of this Agreement and the earlier removal or resignation of Bank), shall remain in effect until (A) (i) the Bonds mature on August 1, 20\_\_ or (ii) the Bonds are otherwise satisfied and discharged, and all funds are disbursed or (B) until this Agreement is amended or terminated; provided, however, that such amendment or termination shall be in accordance with the provisions set forth, if any, in the Resolution. This Agreement may be terminated by 30 days written notice of either party to the other.

13. Compensation to Bank. The District will compensate Bank for its services as Registrar and Paying Agent in accordance with the terms and conditions of the fee schedule attached hereto as Exhibit A and reimburse Bank in such capacities upon its request for all reasonable expenses, disbursements and advances incurred or made by Bank in accordance with any of the provisions hereof (including the reasonable compensation and the reasonable expenses of its counsel).

14. Indemnification. To the extent permitted by law and excluding any liabilities, expenses, losses, costs or claims which are due to Bank's negligence or willful misconduct, the District agrees to indemnify and hold Bank and its officers, directors, agents and employees harmless against any liabilities, expenses, losses, costs or claims, arising out of the agency created by this Agreement and Bank's performance hereunder (including, without limitation, reasonable attorneys' fees and expenses).

15. Additional Documents. The District shall furnish Bank with the following documents to support this appointment: (a) certified copy of Resolution authorizing issuance of Bonds and appointment of Bank as Registrar and Paying Agent, (b) specimen Bonds; (c) signed copy of bond counsel's legal opinion, (d) Official Statement, (e) incumbency certificate, and (f) such other documents as Bank may reasonably request.

16. Resolution to Control in Case of Conflict. Notwithstanding any provision herein to the contrary, in the event of any conflict between the terms of this Agreement and the Resolution, the terms of the Resolution shall govern.

17. Governing Law. This Agreement shall be governed by the laws of the State of California.

18. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.

WEST CONTRA COSTA UNIFIED SCHOOL  
DISTRICT

By: \_\_\_\_\_

Sheri Gamba  
Associate Superintendent for Business Services

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A., as Registrar and Paying Agent

By: \_\_\_\_\_

Authorized Officer

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: September 21, 2011

From: Sheri Gamba, Assoc. Supt., Business Services

Agenda Item: F.2

Subject: Approval of the 2010-2011 Unaudited Actuals Financial Report

**Background Information:** By September 15 of each year, the district must file the Unaudited Actuals Financial Report for the prior year with the Contra Costa County Office of Education and the California Department of Education. This report reflects the financial activities of the District by major object of revenue and expense for each fund operated in the district.

Staff will present an overview of the financial activity and its impact on the ending balance.

Included in the Unaudited Actuals is a Summary of the General Fund and all Funds. The complete Unaudited Actuals Financial Report will be delivered under separate cover.

**Recommendation:** Staff requests approval to file this report with the County Superintendent.

**Fiscal Impact:** Year end closing

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**2010-2011 UNAUDITED ACTUALS REPORT - DISTRICT SUMMARY**  
**BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE**

Schedule 1

	GENERAL FUND			SPECIAL REVENUE FUNDS Schedule 3	CAPITAL OUTLAY FUNDS Schedule 5	OTHER FUNDS Schedule 7	DISTRICT TOTALS
	UNRESTRICTED	RESTRICTED	Total				
<b>ASSETS</b>							
Cash in County Treasury	\$ (12,323,861)	\$ 25,784,813	\$ 13,460,951	\$ 6,579,549	\$ 64,765,651	\$ 38,158,158	\$ 122,964,310
Cash in Banks	-	18,801	18,801	62,466	-	-	81,268
Revolving Fund	70,000	-	70,000	-	-	-	70,000
Cash With Fiscal Agent	-	-	-	-	7,935,590	1,286,577	9,222,167
Cash Collections Awaiting Deposit	-	-	-	1,000	-	-	1,000
Investments	93	-	93	6,823,683	67,873,504	16,137,540	90,834,820
Accounts Receivable	34,152,049	14,615,074	48,767,123	4,632,263	201,269	1,002,538	54,603,193
Due From Other Funds	-	-	-	-	410,000	-	410,000
Stores Inventories	237,233	-	237,233	-	-	-	237,233
Prepaid Expense	60,000	-	60,000	431,979	-	-	491,979
<b>Total Assets</b>	<b>\$ 22,195,514</b>	<b>\$ 40,418,688</b>	<b>\$ 62,614,202</b>	<b>\$ 18,530,940</b>	<b>\$ 141,186,014</b>	<b>\$ 56,584,813</b>	<b>\$ 278,915,969</b>
<b>LIABILITIES</b>							
Accounts Payable	3,756,616	6,664,819	10,421,435	609,006	19,899,946	248,093	31,178,480
Due to Other Funds	-	-	-	410,000	-	1	410,001
Temporary Loans	-	-	-	-	-	-	-
Deferred Revenue	-	6,623,552	6,623,552	67,642	-	-	6,691,194
Other Liabilities	-	-	-	-	-	500,000	500,000
<b>Total Liabilities</b>	<b>3,756,616</b>	<b>13,288,371</b>	<b>17,044,987</b>	<b>1,086,647</b>	<b>19,899,946</b>	<b>748,094</b>	<b>38,779,674</b>
<b>FUND BALANCE</b>							
Reserved for Revolving Fund	70,000	-	70,000	-	-	-	70,000
Reserved for Stores Inventory	237,233	-	237,233	431,979	-	-	669,212
Prepaid Expenditures	60,000	-	60,000	-	-	-	60,000
Legally Restricted Balances	-	25,451,781	25,451,781	-	-	-	25,451,781
Designations of Fund Balance For:	-	-	-	-	-	-	-
Economic Uncertainties	7,860,452	-	7,860,452	-	-	-	7,860,452
Parcel Tax	-	1,678,536	1,678,536	-	-	-	1,678,536
Undesignated Amount	10,211,213	0	10,211,213	17,012,314	121,286,068	55,836,719	204,346,313
<b>Total Fund Balance</b>	<b>18,438,898</b>	<b>27,130,317</b>	<b>45,569,215</b>	<b>17,444,293</b>	<b>121,286,068</b>	<b>55,836,719</b>	<b>240,136,295</b>
<b>Total Liabilities and Fund Balance</b>	<b>\$ 22,195,514</b>	<b>\$ 40,418,688</b>	<b>\$ 62,614,202</b>	<b>\$ 18,530,940</b>	<b>\$ 141,186,014</b>	<b>\$ 56,584,813</b>	<b>\$ 278,915,969</b>

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**2010-11 UNAUDITED ACTUALS REPORT - DISTRICT SUMMARY**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

	GENERAL FUND			SPECIAL REVENUE FUNDS Schedule 4	CAPITAL OUTLAY FUNDS Schedule 6	OTHER FUNDS Schedule 8	DISTRICT TOTALS
	UNRESTRICTED	RESTRICTED	TOTAL				
<b>REVENUES</b>							
Revenue Limit Sources	\$ 140,814,995	\$ 7,099,631	\$ 147,914,627	\$ -	\$ -	\$ -	\$ 147,914,627
Federal Revenues	25,453	32,719,201	32,744,655	10,834,813	-	2,379,974	45,959,441
Other State Revenues	26,987,672	36,871,568	63,859,240	7,733,616	24,580,020	557,126	96,730,002
Other Local Revenues	3,323,988	18,679,721	22,003,709	1,782,111	1,305,970	63,923,116	89,014,907
Total Revenues	171,152,109	95,370,121	266,522,230	20,350,540	25,885,990	66,860,217	379,618,976
<b>EXPENDITURES</b>							
Certificated Salaries	68,272,111	37,718,866	105,990,977	2,502,039	-	-	108,493,016
Classified Salaries	18,193,112	20,790,690	38,983,802	5,405,991	723,397	-	45,113,190
Employee Benefits	37,412,152	20,749,474	58,161,626	2,432,940	238,371	-	60,832,937
Book and Supplies	1,536,706	9,832,608	11,369,314	5,231,215	2,349,357	290,527	19,240,414
Services and Other Operating Expenditures	8,503,317	32,555,716	41,059,033	635,907	8,463,835	21,946,300	72,105,074
Capital Outlay	146,492	185,412	331,904	115,818	94,150,354	-	94,598,076
Other Outgo	3,808,818	-	3,808,818	97,524	-	48,220,651	52,126,993
Direct/Indirect Support Costs	(2,097,861)	1,407,464	(690,397)	690,397	-	-	-
Total Expenditures	135,774,847	123,240,230	259,015,078	17,111,832	105,925,314	70,457,478	452,509,701
<b>INCREASE OF (DECREASE) IN FUND BALANCE RESULTING FROM OPERATIONS</b>	35,377,262	(27,870,109)	7,507,153	3,238,708	(80,039,324)	(3,597,261)	(72,890,725)
<b>OTHER FINANCING SOURCES AND (USES)</b>							
Interfund Transfers In	10,115	-	10,115	6,339,820	10,870,121	1,600,000	18,820,056
Interfund Transfers Out	3,000,000	-	3,000,000	3,339,820	12,470,121	10,115	18,820,056
Other Sources	-	-	-	-	-	-	-
Other Uses	-	-	-	-	316,867	-	316,867
Contributions To Restricted Programs	(29,387,899)	29,387,899	-	-	-	-	-
Total Other Financing Sources and Uses	(32,377,785)	29,387,899	(2,989,885)	3,000,000	(1,916,867)	1,589,885	(316,867)
<b>NET CHANGE IN FUND BALANCE</b>	2,999,477	1,517,790	4,517,267	6,238,708	(81,956,191)	(2,007,376)	(73,207,592)
<b>BEGINNING FUND BALANCE JULY 1, 2010</b>	15,439,421	25,612,527	41,051,947	11,205,586	203,242,259	57,844,095	313,343,887
Other Restatements	-	-	-	-	-	-	-
<b>ADJUSTED BEGINNING FUND BALANCE</b>	15,439,421	25,612,527	41,051,947	11,205,586	203,242,259	57,844,095	313,343,887
<b>ENDING FUND BALANCE JUNE 30, 2011</b>	\$ 18,438,898	\$ 27,130,317	\$ 45,569,215	\$ 17,444,294	\$ 121,286,068	\$ 55,836,719	\$ 240,136,295

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**2010-11 UNAUDITED ACTUALS REPORT - SPECIAL REVENUE FUNDS**  
**BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE**

Schedule 3

**SPECIAL REVENUE FUNDS**

	ADULT EDUCATION	CHILD DEVELOPMENT	CAFETERIA	DEFERRED MAINTENANCE	SPECIAL RESERVE	TOTAL SPECIAL REVENUE FUNDS
<b>ASSETS</b>						
Cash in County Treasury	\$ 559,116	\$ 316,354	\$ 4,682	\$ 1,194,673	\$ 4,504,724	\$ 6,579,549
Cash in Banks	24,955	-	37,511	-	-	62,466
Revolving Fund	-	-	-	-	-	-
Cash With Fiscal Agent	-	-	-	-	-	-
Cash Collections Awaiting Deposit	-	-	1,000	-	-	1,000
Investments	3,202	-	-	-	6,820,481	6,823,683
Accounts Receivable	1,546,984	115,621	2,959,064	1,784	8,809	4,632,263
Due From Other Funds	-	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-	-
Stores Inventories	-	-	431,979	-	-	431,979
<b>Total Assets</b>	<b>\$ 2,134,257</b>	<b>\$ 431,975</b>	<b>\$ 3,434,237</b>	<b>\$ 1,196,457</b>	<b>\$ 11,334,014</b>	<b>\$ 18,530,940</b>

**LIABILITIES**

Accounts Payable	188,400	148,519	272,087	-	-	609,006
Due to Other Funds	-	-	410,000	-	-	410,000
Temporary Loans	-	-	-	-	-	-
Deferred Revenue	-	67,642	-	-	-	67,642
Other Liabilities	-	-	-	-	-	-
<b>Total Liabilities</b>	<b>188,400</b>	<b>216,161</b>	<b>682,087</b>	<b>-</b>	<b>-</b>	<b>1,086,647</b>

**FUND BALANCE**

Reserved for Revolving Fund	-	-	-	-	-	-
Reserved for Stores Inventory	-	-	431,979	-	-	431,979
Prepaid Expenditures	-	-	-	-	-	-
Legally Restricted Balances	-	-	-	-	-	-
Designations of Fund Balance For:	-	-	-	-	-	-
Fund Specific Activities	-	-	-	-	-	-
Undesignated Amount	1,945,858	215,814	2,320,171	1,196,457	11,334,014	17,012,314
<b>Total Fund Balance</b>	<b>1,945,858</b>	<b>215,814</b>	<b>2,752,150</b>	<b>1,196,457</b>	<b>11,334,014</b>	<b>17,444,293</b>
<b>Total Liabilities and Fund Balance</b>	<b>\$ 2,134,257</b>	<b>\$ 431,975</b>	<b>\$ 3,434,237</b>	<b>\$ 1,196,457</b>	<b>\$ 11,334,014</b>	<b>\$ 18,530,940</b>

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**2010-2011 UNAUDITED ACTUALS REPORT - SPECIAL REVENUE FUNDS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Schedule 4

**SPECIAL REVENUE FUNDS**

**REVENUES**

	ADULT EDUCATION	CHILD DEVELOPMENT	CAFETERIA	DEFERRED MAINTENANCE	SPECIAL RESERVE	TOTAL SPECIAL REVENUE FUNDS
Revenue Limit Sources	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Revenues	363,357	195,751	10,275,704	-	-	10,834,813
Other State Revenues	3,310,121	2,465,724	860,675	1,097,096	-	7,733,616
Other Local Revenues	369,888	269,084	1,105,876	6,247	31,016	1,782,111
Total Revenues	4,043,366	2,930,560	12,242,255	1,103,343	31,016	20,350,540

**EXPENDITURES**

Certificated Salaries	1,364,349	1,137,691	-	-	-	2,502,039
Classified Salaries	584,157	717,706	4,104,128	-	-	5,405,991
Employee Benefits	394,077	594,820	1,444,043	-	-	2,432,940
Book and Supplies	87,793	219,860	4,923,562	-	-	5,231,215
Services and Other Operating Expenditures	240,733	68,324	316,072	10,778	-	635,907
Capital Outlay	-	-	114,467	1,351	-	115,818
Other Outgo	-	97,524	-	-	-	97,524
Direct/Indirect Support Costs	101,492	110,924	477,981	-	-	690,397
Total Expenditures	2,772,601	2,946,850	11,380,252	12,129	-	17,111,832

**INCREASE OF (DECREASE) IN FUND BALANCE  
RESULTING FROM OPERATIONS**

1,270,765	(16,291)	862,004	1,091,213	31,016	3,238,708
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**OTHER FINANCING SOURCES AND (USES)**

Interfund Transfers In	-	-	-	1,339,820	5,000,000	6,339,820
Interfund Transfers Out	1,000,000	-	-	2,339,820	-	3,339,820
Other Sources	-	-	-	-	-	-
Other Uses	-	-	-	-	-	-
Contributions To Restricted Programs	-	-	-	-	-	-
Total Other Financing Sources and Uses	(1,000,000)	-	-	(1,000,000)	5,000,000	3,000,000

**NET CHANGE IN FUND BALANCE**

270,765	(16,291)	862,004	91,213	5,031,016	6,238,708
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**BEGINNING FUND BALANCE JULY 1, 2010**

1,675,092	232,105	1,890,146	1,105,244	6,302,998	11,205,586
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Other Restatements

-	-	-	-	-	-
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**ADJUSTED BEGINNING FUND BALANCE**

1,675,092	232,105	1,890,146	1,105,244	6,302,998	11,205,586
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**ENDING FUND BALANCE JUNE 30, 2011**

\$ 1,945,858	\$ 215,815	\$ 2,752,150	\$ 1,196,457	\$ 11,334,014	\$ 17,444,294
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**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**2010-2011 UNAUDITED ACTUALS REPORT - CAPITAL PROJECTS FUND**  
**BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE**

Schedule 5

**CAPITAL OUTLAY FUNDS**

**ASSETS**

	BUILDING	CAPITAL FACILITIES	COUNTY SCHOOL FACILITIES	SPECIAL RESERVE CAPITAL OUTLAY	TOTAL CAPITAL OUTLAY FUNDS
Cash in County Treasury	\$ 55,586,909	\$ 1,940,266	\$ 9,469	\$ 7,229,007	\$ 64,765,651
Cash in Banks	-	-	-	-	-
Revolving Fund	-	-	-	-	-
Cash With Fiscal Agent	7,611,652	-	-	323,938	7,935,590
Cash Collections Awaiting Deposit	-	-	-	-	-
Investments	66,716,904	1,156,600	-	-	67,873,504
Accounts Receivable	178,741	4,313	4,487	13,728	201,269
Due From Other Funds	-	410,000	-	-	410,000
Prepaid Expenditures	-	-	-	-	-
Stores Inventories	-	-	-	-	-
Total Assets	\$ 130,094,205	\$ 3,511,179	\$ 13,956	\$ 7,566,673	\$ 141,186,014

**LIABILITIES**

Accounts Payable	19,434,079	42,762	-	423,105	19,899,946
Due to Other Funds	-	-	-	-	-
Temporary Loans	-	-	-	-	-
Deferred Revenue	-	-	-	-	-
Other Liabilities	-	-	-	-	-
Total Liabilities	19,434,079	42,762	-	423,105	19,899,946

**FUND BALANCE**

Reserved for Revolving Fund	-	-	-	-	-
Reserved for Stores Inventory	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-
Legally Restricted Balances	-	-	-	-	-
Designations of Fund Balance For:	-	-	-	-	-
Fund Specific Activities	-	-	-	-	-
Undesignated Amount	110,660,126	3,468,417	13,956	7,143,568	121,286,068
Total Fund Balance	110,660,126	3,468,417	13,956	7,143,568	121,286,068
Total Liabilities and Fund Balance	\$ 130,094,205	\$ 3,511,179	\$ 13,956	\$ 7,566,673	\$ 141,186,014

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**2010-2011 UNAUDITED ACTUALS REPORT - CAPITAL PROJECT FUNDS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Schedule 6

**CAPITAL OUTLAY FUNDS**

**REVENUES**

	BUILDING	CAPITAL FACILITIES	COUNTY SCHOOL FACILITIES	SPECIAL RESERVE CAPITAL OUTLAY	TOTAL CAPITAL OUTLAY FUNDS
Revenue Limit Sources	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Revenues	-	-	-	-	-
Other State Revenues	-	-	20,387,452	4,192,568	24,580,020
Other Local Revenues	679,831	(131,522)	18,948	738,713	1,305,970
Total Revenues	679,831	(131,522)	20,406,400	4,931,280	25,885,990

**EXPENDITURES**

Certificated Salaries	-	-	-	-	-
Classified Salaries	701,102	-	-	22,295	723,397
Employee Benefits	233,215	-	-	5,157	238,371
Book and Supplies	2,204,656	132	-	144,568	2,349,357
Services and Other Operating Expenditures	3,720,040	338,487	-	4,405,307	8,463,835
Capital Outlay	72,641,420	786,890	20,438,952	283,092	94,150,354
Other Outgo	-	-	-	-	-
Direct/Indirect Support Costs	-	-	-	-	-
Total Expenditures	79,500,433	1,125,510	20,438,952	4,860,419	105,925,314

**INCREASE OF (DECREASE) IN FUND BALANCE  
 RESULTING FROM OPERATIONS**

(78,820,602)	(1,257,031)	(32,552)	70,861	(80,039,324)
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**OTHER FINANCING SOURCES AND (USES)**

Interfund Transfers In	9,113,052	-	-	1,757,069	10,870,121
Interfund Transfers Out	11,701,246	-	-	768,875	12,470,121
Other Sources	-	-	-	-	-
Other Uses	316,867	-	-	-	316,867
Contributions To Restricted Programs	-	-	-	-	-
Total Other Financing Sources and Uses	(2,905,062)	-	-	988,194	(1,916,867)

**NET CHANGE IN FUND BALANCE**

(81,725,664)	(1,257,031)	(32,552)	1,059,056	(81,956,191)
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**BEGINNING FUND BALANCE JULY 1, 2010**

192,385,790	4,725,449	46,508	6,084,513	203,242,259
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Other Restatements

-	-	-	-	-
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**ADJUSTED BEGINNING FUND BALANCE**

192,385,790	4,725,449	46,508	6,084,513	203,242,259
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**ENDING FUND BALANCE JUNE 30, 2011**

\$ 110,660,126	\$ 3,468,417	\$ 13,956	\$ 7,143,568	\$ 121,286,068
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**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**2010-2011 UNAUDITED ACTUALS REPORT - OTHER FUNDS**  
**BALANCE SHEET AND COMPONENTS OF ENDING FUND BALANCE**

Schedule 7

**OTHER FUNDS**

	<b>BOND INTEREST AND REDEMPTION</b>	<b>DEBT SERVICE COMPONENT UNIT (COPs)</b>	<b>DEBT SERVICE</b>	<b>SELF INSURANCE</b>	<b>RETIREE BENEFITS</b>	<b>TOTAL OTHER FUNDS</b>
<b>ASSETS</b>						
Cash in County Treasury	\$ 32,002,545	\$ -	\$ 14,786	\$ 2,538,819	\$ 3,602,008	\$ 38,158,158
Cash in Banks	-	-	-	-	-	-
Revolving Fund	-	-	-	-	-	-
Cash With Fiscal Agent	-	1,276,877	-	9,700	-	1,286,577
Cash Collections Awaiting Deposit	-	-	-	-	-	-
Investments	-	-	8,993,124	-	7,144,415	16,137,540
Accounts Receivable	21,657	-	12,471	-	968,410	1,002,538
Due From Other Funds	-	-	-	-	-	-
Stores Inventories	-	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-	-
<b>Total Assets</b>	<b>\$ 32,024,202</b>	<b>\$ 1,276,877</b>	<b>\$ 9,020,381</b>	<b>\$ 2,548,519</b>	<b>\$ 11,714,834</b>	<b>\$ 56,584,813</b>
<b>LIABILITIES</b>						
Accounts Payable	-	-	-	247,668	425	248,093
Due to Other Funds	1	-	-	-	-	1
Temporary Loans	-	-	-	-	-	-
Deferred Revenue	-	-	-	-	-	-
Other Liabilities	-	-	-	500,000	-	500,000
<b>Total Liabilities</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>747,668</b>	<b>425</b>	<b>748,094</b>
<b>FUND BALANCE</b>						
Reserved for Revolving Fund	-	-	-	-	-	-
Reserved for Stores Inventory	-	-	-	-	-	-
Prepaid Expenditures	-	-	-	-	-	-
Legally Restricted Balances	-	-	-	-	-	-
Designations of Fund Balance For:	-	-	-	-	-	-
Fund Specific Activities	-	-	-	-	-	-
Undesignated Amount	32,024,202	1,276,877	9,020,381	1,800,851	11,714,409	55,836,719
<b>Total Fund Balance</b>	<b>32,024,202</b>	<b>1,276,877</b>	<b>9,020,381</b>	<b>1,800,851</b>	<b>11,714,409</b>	<b>55,836,719</b>
<b>Total Liabilities and Fund Balance</b>	<b>\$ 32,024,202</b>	<b>\$ 1,276,877</b>	<b>\$ 9,020,381</b>	<b>\$ 2,548,519</b>	<b>\$ 11,714,834</b>	<b>\$ 56,584,813</b>

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**2010-2011 UNAUDITED ACTUALS REPORT - OTHER FUNDS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**

Schedule 8

**OTHER FUNDS**

	<b>BOND INTEREST AND REDEMPTION</b>	<b>DEBT SERVICE COMPONENT UNIT (COPs)</b>	<b>DEBT SERVICE</b>	<b>SELF INSURANCE</b>	<b>RETIREE BENEFITS</b>	<b>TOTAL OTHER FUNDS</b>
<b>REVENUES</b>						
Revenue Limit Sources	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Revenues	2,379,974	-	-	-	-	2,379,974
Other State Revenues	557,126	-	-	-	-	557,126
Other Local Revenues	41,687,270	-	41,736	3,165,990	19,028,120	63,923,116
Total Revenues	44,624,370	-	41,736	3,165,990	19,028,120	66,860,217
<b>EXPENDITURES</b>						
Certificated Salaries	-	-	-	-	-	-
Classified Salaries	-	-	-	-	-	-
Employee Benefits	-	-	-	-	-	-
Book and Supplies	-	-	-	290,527	-	290,527
Services and Other Operating Expenditures	-	-	-	2,833,455	19,112,844	21,946,300
Capital Outlay	-	-	-	-	-	-
Other Outgo	48,220,651	-	-	-	-	48,220,651
Direct/Indirect Support Costs	-	-	-	-	-	-
Total Expenditures	48,220,651	-	-	3,123,983	19,112,844	70,457,478
<b>INCREASE OF (DECREASE) IN FUND BALANCE RESULTING FROM OPERATIONS</b>	(3,596,280)	-	41,736	42,007	(84,724)	(3,597,261)
<b>OTHER FINANCING SOURCES AND (USES)</b>						
Interfund Transfers In	1,600,000	-	-	-	-	1,600,000
Interfund Transfers Out	-	10,115	-	-	-	10,115
Other Sources	-	-	-	-	-	-
Other Uses	-	-	-	-	-	-
Contributions To Restricted Programs	-	-	-	-	-	-
Total Other Financing Sources and Uses	1,600,000	(10,115)	-	-	-	1,589,885
<b>NET CHANGE IN FUND BALANCE</b>	(1,996,280)	(10,115)	41,736	42,007	(84,724)	(2,007,376)
<b>BEGINNING FUND BALANCE JULY 1, 2010</b>	34,020,482	1,286,991	8,978,644	1,758,844	11,799,133	57,844,095
Other Restatements	-	-	-	-	-	-
<b>ADJUSTED BEGINNING FUND BALANCE</b>	34,020,482	1,286,991	8,978,644	1,758,844	11,799,133	57,844,095
<b>ENDING FUND BALANCE JUNE 30, 2011</b>	\$ 32,024,202	\$ 1,276,877	\$ 9,020,381	\$ 1,800,851	\$ 11,714,409	\$ 55,836,719

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Date:** September 21, 2011

**From:** Sheri Gamba *SG*  
Associate Superintendent Business Services

**Agenda Item:** F.3

**Subject:** Resolution No.19-1112, Adoption of Gann Limit, 2011-2012

**Background Information:** Education Code Section 42132 specifies that school district governing boards shall adopt a resolution identifying their annual appropriations limit for the preceding fiscal year, known as the Gann Limit. The Gann Limit Calculation is part of the year end closing, unaudited actuals, reports submitted under separate cover. It establishes limits on allowable growth in government spending.

**Recommendation:** Staff requests board adoption of the 2011-2012 annual appropriations.

**Fiscal Impact:** None

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

BOARD OF EDUCATION  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 19-1112

RESOLUTION FOR ADOPTING THE "GANN" LIMIT

SEPTEMBER 21, 2011

WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and,

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called "Gann Limits", for public agencies, including school districts; and,

WHEREAS, the District must establish a revised Gann limit for the 2010-11 fiscal year and a projected Gann Limit for the 2011-12 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED that this Board does provide public notice that the attached calculations and documentation of the Gann limits for the 2010-11 and 2011-12 fiscal years are made in accord with applicable constitutional and statutory law;

AND BE IT FURTHER RESOLVED that this Board does hereby declare that the appropriations in the Budget for the 2010-11 and 2011-12 fiscal years do not exceed the limitations imposed by Proposition 4;

AND BE IT FURTHER RESOLVED that the Superintendent provide copies of this resolution along with the appropriate attachments to interested citizens of this District.

PASSED AND ADOPTED on September 21, 2011, at a regular meeting of the Board of Education by the following vote:

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

I hereby certify that the foregoing is a full, true and correct copy of a resolution passed at a meeting of the Board of Education of the West Contra Costa Unified School District, in Richmond, California, held on September 21, 2011.

---

Bruce Harter, Board Secretary

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education **Meeting Date:** September 21, 2011  
**From:** Ann Reinhausen **Agenda Item:** F.4  
Assistant Superintendent Human Resources  
**Subject:** Public Hearing and Adoption, Initial Bargaining Proposal of Public Employees, Local One  
for 2011-2012

Presentation and Public Hearing of Initial Bargaining Proposal

**Background Information:** The CBA (Collective Bargaining Agreement) with West Contra Costa Unified School District and the Public Employees Union Local One is in its fourth and final year. Article 1 of the CBA provides that each party may open one article and one mutually agreeable article for each of the last two years of the contract. Public Employees, Local 1 is exercising its option to open Article 15 Benefits, at this time. The District may exercise its option to open an article at the October 5, 2011 Board Meeting.

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the Public Employees, Local One for 2011-2012 will be presented, at which time the public is allowed comment on this proposal.

**Recommendation:** That the Board of Education hold a public hearing on the initial bargaining proposal of Public Employees, Local One for 2011-2012.

Board Adoption of Initial Bargaining Proposal

**Background Information:** Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the proposal of Public Employees, Local One for 2011-2012.

**Recommendation:** That the Board of Education adopt the initial bargaining proposal for labor negotiations with Public Employees, Local One.

**Fiscal Impact:** To be determined

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_