



San Francisco Unified School District • 555 Franklin Street • San Francisco, CA 94102
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Carlos A. Garcia
Superintendent of Schools

NOTICE AND AGENDA
SPECIAL MEETING OF THE BOARD OF EDUCATION
SAN FRANCISCO UNIFIED SCHOOL DISTRICT

There will be a Special Meeting of the Board of Education, San Francisco Unified School District, on **Tuesday, July 13, 2010, at 5:00 p.m.**, in the Irving G. Breyer Board Meeting Room, 555 Franklin Street, First Floor, San Francisco, California, for the following:

AGENDA

SPECIAL ORDER OF BUSINESS

Action Items

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- **Resolution of the Board of Education of the San Francisco Unified School District Confirming the Canvass of the June 8, 2010 Election Held Within Community Facilities District No. 90-1, and Determining to Order the Changes Authorized by the Qualified Electors**

Recommendation: That the Board of Education of the San Francisco Unified School District confirms the Canvass of the June 8, 2010 Election Held within Community Facilities District No. 90-1, and Determines to Order the Changes Authorized by the Qualified Electors as specified in the Resolution.

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- **An Ordinance of the Board of Education of the San Francisco Unified School District Authorizing the Levy of a Special Tax Within Community Facilities District No. 90-1**

Recommendation: That the Board of Education of the San Francisco Unified School District authorizes the Levy of a Special Tax within Community Faculties District No. 90-1 as specified in the Ordinance Resolution.

Consent Calendar

3. Buildings, Grounds, and Services Resolutions

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- 3a. (107-13W1) Authorization to Enter into an Agreement with Oberlin Dance Collective, Inc. for the Use of Dance Studio Space by School of the Arts**

Recommendation: That the Board of Education of the San Francisco Unified School District authorizes the Superintendent of Schools, or his designee, to enter into an agreement with Oberlin Dance Collective, Inc. for the use of dance studio space, by School of the Arts, for the 2010-2011 school year.

Notice and Agenda
Special Meeting of the Board of Education
San Francisco Unified School District
Irving G. Breyer Board Meeting Room
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Consent Calendar - Buildings, Grounds, & Services Resolutions - continued

3b. (107-13W2) Authorization to Enter into an Agreement with San Francisco Dance Center for the Use of Dance Studio Space by School of the Arts

Recommendation: That the Board of Education of the San Francisco Unified School District authorizes the Superintendent of Schools, or his designee, to enter into an agreement with San Francisco Dance Center for the use of dance studio space, by School of the Arts, for the 2010-2011 school year.

3c. (107-13W3) Authorization to Extend the Lease Agreements with Mobile Modular for the Use of Thirteen (13) Portable Classrooms at Six (6) District Sites

Recommendation: That the Board of Education of the San Francisco Unified School District authorizes the Superintendent of Schools, or his designee, to extend the lease agreements with Mobile Modular for the District's use of thirteen (13) portable classrooms at six (6) District sites for Fiscal Year 2010-2011.

Discussion of Other Educational Issues

- Location of Metropolitan Arts and Tech Charter School

Report of Closed Session Actions

Requests to Speak Regarding General Matters (Non-Agenda Items)

This part of the Board's Special Meeting is set aside for members of the public requesting to address the Board on general items which are not agenda items calendared for action, which are not First Readings listed in the agenda, and are not previously referred to committee and not yet returned to the Board for Action. This agenda item will be limited to five (5) minutes.

Adjournment


**SUPERINTENDENT OF SCHOOLS AND
SECRETARY, BOARD OF EDUCATION**

SAN FRANCISCO UNIFIED SCHOOL DISTRICT
San Francisco, California

Special Board Meeting of July 13, 2010

SUBJECT: RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT CONFIRMING THE CANVASS OF THE JUNE 8, 2010, ELECTION HELD WITHIN COMMUNITY FACILITIES DISTRICT NO. 90-1, AND DETERMINING TO ORDER THE CHANGES AUTHORIZED BY THE QUALIFIED ELECTORS (No. _____)

REQUESTED ACTION:

WHEREAS, on January 9, 1990, the Board of Education (the "Board") of the San Francisco Unified School District (the "District") adopted its Resolution of Intention No. 01-9B1 to establish its Community Facilities District No. 90-1 ("CFD No. 90-1") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), to finance certain facilities and to levy a special tax therein to pay for the facilities and the expenses incidental thereto; and

WHEREAS, following a duly noticed public hearing held pursuant to the Act, the Board, on February 13, 1990, adopted its Resolution of Formation No. 02-13B1 pursuant to which CFD No. 90-1 was formed and an election was called for the purpose of submitting the levy of the special tax and the establishment of an appropriations limit to the qualified electors of CFD No. 90-1; and

WHEREAS, on June 5, 1990, the election was held within CFD No. 90-1 at which the electors approved the levy of the special tax and the appropriations limit by more than the two-thirds vote required by the Act; and

WHEREAS, the Board, on July 5, 1990, caused to be recorded a Notice of Special Tax, as Document No. E573343, at Reel F160, Image 1044, and on July 11, 1990, a supplement thereto, as Document No. E579474, at Reel F165, Image 0001, in the Office of the San Francisco County Recorder, in conformance with the requirements of the Act, and thereafter adopted an ordinance levying the special tax; and

WHEREAS, the special tax has been annually levied to pay for the facilities; not all of the facilities have been completed, however, the term of the special tax has expired; and

WHEREAS, on February 4, 2010, the Board adopted its Resolution of Consideration No. 102-4SO1 (the "Resolution of Consideration"), pursuant to Section 53334 of the Act, wherein the Board (1) determined the need to complete the facilities previously approved for CFD No. 90-1, as therein proposed to be updated and, in order to pay for them, to extend and levy the previously approved special tax, as therein proposed to be modified, (2) proposed to provide for the reauthorization of the previously authorized facilities, as therein updated, and the extension and levy of the previously approved special tax, as therein modified, and (3) fixed a time and place for a hearing on the proposed changes; and

WHEREAS, following a duly noticed public hearing held pursuant to the Act, the Board, on March 9, 2010, by its Resolution No. 103-9SO1, ordered the proposed changes, as set forth in Exhibits A and B thereto, preliminarily established an appropriations limit for CFD No. 90-1, and called an election (the "Election") for the purpose of submitting the proposed changes and the establishment of the appropriations limit in the amount of \$16,000,000 to the qualified electors of CFD No. 90-1; and

WHEREAS, notice of the Election was given in CFD No. 90-1; and

WHEREAS, on June 8, 2010, the Election was held; and

WHEREAS, the City and County of San Francisco Department of Elections has canvassed the returns of the election pursuant to Section 10411 of the Elections Code and certified that the proposed changes and the establishment of the appropriations limit were approved by at least two-thirds of the votes cast at the Election.

NOW THEREFORE, the Board of Education of the San Francisco Unified School District DOES HEREBY RESOLVE, DETERMINE and ORDER, as follows:

1. The Election was duly and validly conducted in conformity with all applicable laws pertaining thereto.
2. The ballot proposition submitted to the qualified electors of CFD No. 90-1 at the Election received at least two-thirds of the votes cast at the Election.
3. The changes to the facilities authorized to be financed for CFD No. 90-1, as set forth in Exhibit A to Resolution No. 103-9SO1, and to the rate, method of apportionment, and manner of collection of the special tax authorized to be levied in CFD No. 90-1, as set forth in Exhibit B thereto, are hereby ordered.
4. The appropriations limit for CFD No. 90-1 is hereby established at \$16,000,000.
5. This Board is authorized to levy the special tax within CFD No. 90-1 to finance the facilities set forth in Exhibit A to Resolution No. 103-9SO1. The special tax shall be levied at the rate and apportioned in the manner specified in Exhibit B to Resolution No. 103-9SO1, except that the special tax may be levied at a lower rate.
6. The Clerk of this Board is authorized and directed to record a notice of the changes pursuant to Section 3117.5(b) of the Streets and Highways Code. Upon such recordation, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in CFD No. 90-1, and this lien shall continue in force and effect until the special tax obligation ceases to be levied in fiscal year 2030-31 (twenty years).

7. This Resolution shall take effect from and after its adoption.

ADOPTED AND SIGNED this _____ day of _____, 2010

President of the Board of Education of
the San Francisco Unified School District

ATTEST:

Clerk of the Board of Education of the
San Francisco Unified School District

Recommended by:

Superintendent of Schools

SAN FRANCISCO UNIFIED SCHOOL DISTRICT
San Francisco, California

Special Board Meeting of July 13, 2010

Subject: AN ORDINANCE OF THE BOARD OF EDUCATION OF
THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT
AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN
COMMUNITY FACILITIES DISTRICT NO. 90-1

WHEREAS, on January 9, 1990, the Board of Education (the "Board") of the San Francisco Unified School District (the "District") adopted its Resolution of Intention No. 01-9B1 to establish its Community Facilities District No. 90-1 ("CFD No. 90-1") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), to finance certain facilities and to levy a special tax therein to pay for the facilities and the expenses incidental thereto; and

WHEREAS, following a duly noticed public hearing held pursuant to the Act, the Board, on February 13, 1990, adopted its Resolution of Formation No. 02-13B1 pursuant to which CFD No. 90-1 was formed and an election was called for the purpose of submitting the levy of the special tax and the establishment of an appropriations limit to the qualified electors of CFD No. 90-1; and

WHEREAS, on June 5, 1990, the election was held within CFD No. 90-1 at which the electors approved the levy of the special tax and the appropriations limit by more than the two-thirds vote required by the Act; and

WHEREAS, the Board, on July 5, 1990, caused to be recorded a Notice of Special Tax, as Document No. E573343, at Reel F160, Image 1044, and on July 11, 1990, a supplement thereto, as Document No. E579474, at Reel F165, Image 0001, in the Office of the San Francisco County Recorder, in conformance with the requirements of the Act, and thereafter adopted an ordinance levying the special tax; and

WHEREAS, the special tax has been annually levied to pay for the facilities; not all of the facilities have been completed, however, the term of the special tax has expired; and

WHEREAS, on February 4, 2010, the Board adopted its Resolution of Consideration No. 102-4SO1 (the "Resolution of Consideration"), pursuant to Section 53334 of the Act, wherein the Board (1) determined the need to complete the facilities previously approved for CFD No. 90-1, as therein proposed to be updated and, in order to pay for them, to extend and levy the previously approved special tax, as therein proposed to be modified, (2) proposed to provide for the reauthorization of the previously authorized facilities, as therein updated, and the extension and levy of the previously approved special tax, as therein modified, and (3) fixed a time and place for a hearing on the proposed changes; and

WHEREAS, following a duly noticed public hearing held pursuant to the Act, the Board, on March 9, 2001, by its Resolution No. 103-9SO1, ordered the proposed changes, as set forth in

Exhibits A and B thereto, preliminarily established an appropriations limit for CFD No. 90-1, and called an election (the "Election") for the purpose of submitting the proposed changes and the establishment of the appropriations limit in the amount of \$16,000,000 to the qualified electors of CFD No. 90-1; and

WHEREAS, notice of the Election was given in No. 90-1; and

WHEREAS, on June 8, 2010, the Election was held; and

WHEREAS, the City and County of San Francisco Department of Elections has canvassed the returns of the election pursuant to Section 10411 of the Elections Code and certified that the proposed changes and the establishment of the appropriations limit were approved by at least two-thirds of the votes cast at the Election; and

WHEREAS, the Board, on July 13, 2010, adopted its Resolution No. _____, confirming the canvass of the June 8, 2010 election within CFD No. 90-1, and determining to order the changes authorized by the qualified electors.

NOW THEREFORE, the Board of Education of the San Francisco Unified School District DOES ORDAIN, as follows:

1. The above recitals are true and correct and the Board so finds and determines.
2. By the passage of this Ordinance, the Board authorizes and levies a special tax within CFD No. 90-1 pursuant to Sections 53338 and 53340 of the Act, at the rate and in accordance with the method of apportionment set forth in EXHIBIT A hereto (the "Rate and Method of Apportionment"). The special tax is levied commencing in fiscal year 2010-2011, and in each fiscal year thereafter until the fiscal year ending June 30, 2031.
3. The Chief Financial Officer is authorized and directed each fiscal year to determine the special tax to be levied for the next ensuing fiscal year for each parcel of real property within CFD No. 90-1, in the manner and as provided in the Rate and Method of Apportionment.
4. Properties or entities of the State, federal or local governments are exempt from the levy of the special tax to the extent set forth in the Rate and Method of Apportionment. In no event shall the special tax be levied on any parcel within CFD No. 90-1 in excess of the maximum tax specified in the Rate and Method of Apportionment.
5. All of the collections of the special tax shall be used as provided for in the Act and the Resolution of Consideration.
6. The special tax shall be collected on the secured real property tax roll in the same manner as ordinary ad valorem taxes are collected. The special tax shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes. The Chief Financial Officer is authorized and directed to provide all necessary information to the Controller of the City and County of San Francisco and to otherwise take all actions necessary in order to effect proper billing and

collection of the special tax, so that the special tax is levied and collected in sufficient amounts and at times necessary to satisfy the financial obligations of CFD No. 90-1 in each fiscal year.

Notwithstanding the foregoing, the Chief Financial Officer may collect one or more installments of the special tax by means of direct billing of the property owners within CFD No. 90-1 if, in his judgment, such means of collection will reduce the burden of administering CFD No. 90-1 or is otherwise appropriate in the circumstances. In such event, the special tax will become delinquent if not paid when due as set forth in any such billing to the property owners.

7. If, for any reason, any portion of this Ordinance is found to be invalid or the special tax is found inapplicable to any particular parcel, by a court of competent jurisdiction, the balance of this Ordinance, and the application of the special tax to the remaining parcels within CFD No. 90-1, shall not be affected.

8. This Ordinance shall become effective thirty (30) days from and after its passage.

9. Within fifteen (15) days after the passage of this Ordinance, the Clerk of the Board of Education is hereby ordered and directed to certify to its passage and publish this Ordinance in a newspaper of general circulation published and circulated in the District.

* * * * *

The foregoing Ordinance was introduced at a Special Meeting of the Board of Education of the San Francisco Unified School District held on July 13, 2010.

Adopted, and ordered published at a Special Meeting of the Board of Education of the San Francisco Unified School District held on July 13, 2010, by the following vote:

AYES:

NOES:

ABSENT:

President of the Board of Education

ATTEST:

Clerk of the Board of Education

Recommended by:

Superintendent of Schools

SAN FRANCISCO UNIFIED SCHOOL DISTRICT
San Francisco, California

Special Board Meeting of July 13, 2010

SUBJECT: 3a. (107-13W1)

Enter into an agreement with Oberlin Dance Collective, Inc. for the use of dance studio space by School of the Arts.

REQUESTED ACTION:

That the Board of Education authorizes the Superintendent of Schools, or his designee, to enter into an agreement with Oberlin Dance Collective, Inc. for the use of dance studio space, by School of the Arts, for the 2010-2011 school year.

BACKGROUND:

The construction of dance-class space was not budgeted in the relocation of the School of the Arts to its present location. As a result, the District rents the necessary space, for the school's dance-classes and rehearsals, from private dance studios. The School of the Arts Principal has verified that the use of off-site dance facilities is a continued requirement for the school's academic curriculum.

Proposed herein is a lease for said space for a period of approximately nine months, beginning August 18, 2010, and expiring on May 20, 2011.

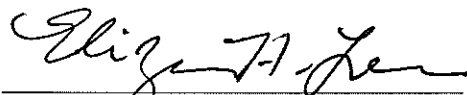
The remaining terms of the Lease are as follows:

Space: ODC Dance Commons
351 Shotwell Street, San Francisco

Hours: Wednesday, August 18, 2010 & Thursday, August 19, 2010: 1:30 pm to 3:30 pm
Fridays 1:30 pm to 3:30 pm (except holidays observed by the District)

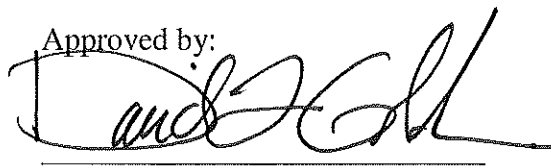
Total Fee: \$2,240 (70 hours at \$32/hour)

Submitted by:



Elizabeth H. Lee
Manager of Real Estate

Approved by:



David L. Goldin, AIA
Chief Facilities Officer

SAN FRANCISCO UNIFIED SCHOOL DISTRICT
San Francisco, California

Special Board Meeting of July 13, 2010

SUBJECT: 3b. (107-13W2)

Enter into an agreement with San Francisco Dance Center for the use of dance studio space by School of the Arts.

REQUESTED ACTION:

That the Board of Education authorizes the Superintendent of Schools, or his designee, to enter into an agreement with San Francisco Dance Center for the use of dance studio space, by School of the Arts, for the 2010-2011 school year.

BACKGROUND:

The construction of dance-class space was not budgeted in the relocation of the School of the Arts to its present location. As a result, the District rents the necessary space, for the school's dance-classes and rehearsals, from private dance studios. The School of the Arts Principal has verified that the use of off-site dance facilities is a continued requirement for the school's academic curriculum.

Proposed herein is a lease for said space for a period of approximately nine months, beginning August 23, 2010, and expiring on May 30, 2011.

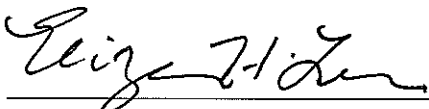
The remaining terms of the Lease are as follows:

Leased space: Studios 2, 3, 4 & 6

Hours of use: Monday through Friday, 1:30 pm – 3:30 pm, (Excluding District Holidays).

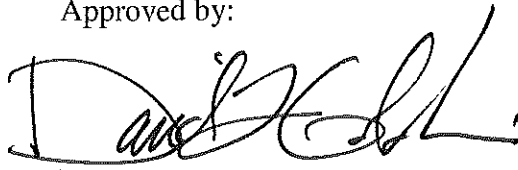
Rent: \$32,680 for the term of the Lease, based on a fee of \$25.00 per hour for Studios 2, 3, & 6; and \$20.00 per hour for Studio 4.

Submitted by:



Elizabeth H. Lee
Manager of Real Estate

Approved by:



David L. Goldin, AIA
Chief Facilities Officer

SAN FRANCISCO UNIFIED SCHOOL DISTRICT
San Francisco, California

Special Board Meeting of July 13, 2010

SUBJECT: 3c. (107-13W3)

Extend the lease agreements with Mobile Modular for the use of 13 portable classrooms at 6 District sites.

REQUESTED ACTION:

That the Board of Education authorizes the Superintendent of Schools, or his designee, to extend the lease agreements with Mobile Modular for the District's use of 13 portable classrooms, located at 6 sites for Fiscal Year 2010-2011.

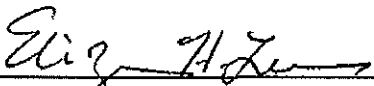
BACKGROUND:

In the past, the District has entered into lease agreements with Mobile Modular for the use of 13 portable classrooms at the following sites:


- Marshall Annex (1)
- West Portal Elementary School (2)
- Principal's Center (3)
- Lowell High School (5)
- Wallenberg High School (1)
- Washington High School (1)

The total annual rent for Fiscal Year 2010-2011 would be approximately \$200,000.

Submitted by:


Elizabeth H. Lee
Manager of Real Estate

Approved by:


David L. Goldin, AIA
Chief Facilities Officer