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**IN THE SUPERIOR COURT OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA**

JAYNE FRIEDMAN,

Plaintiff,

vs.

CAVE CREEK UNIFIED SCHOOL  
DISTRICT #93, et al.,

Defendants.

Case No.: CV2011-007925

**MOTION FOR PRELIMINARY  
INJUNCTION**

Oral argument requested

Plaintiff Jayne Friedman moves for a preliminary injunction pursuant to Ariz. R. Civ. P. 7.1(a) and 65(a). This Motion is supported by a Memorandum of Points and Authorities below.

**INTRODUCTION**

Plaintiff Jayne Friedman moves this Court for a preliminary injunction barring Defendants from entering into contracts or otherwise spending funds remaining from the 2000 bond measure on purposes not listed on the Cave Creek Unified School District (the District) November 7, 2000, Special Election Publicity Pamphlet. Plaintiff also requests that this Court set bond at a nominal amount.

In November 2000, Cave Creek District voters approved a \$41.6 million bond program for the primary purpose of constructing new schools. Bond proceeds were used to build

Sonoran Trails Elementary School and over half of Horseshoe Trails Elementary School, with approximately \$13 million left over. At that point, the District determined that this was insufficient to fund the construction of a new high school.

Arizona law at that time prohibited school district officials from using bond proceeds for purposes other than those approved by voters. But a new law, 2010 Ariz. Sess. Laws 332 § 34, allows districts to divert funds from voter-approved projects to projects that district officials prefer. Relying on this new law, District Board Members have voted to spend the remaining \$13 million – money voters designated for *new* school construction – on various renovations and improvements, none of which was approved by the voters.

Section 34 violates the federal and state contracts clauses. Additionally, because it only applies to a discrete, static class of existing bonds, § 34 is an unconstitutional special law. Until the Court adjudicates this lawsuit, Plaintiff, seeks a preliminary injunction to stop the unlawful expenditures of the bond proceeds and preserve her right to a remedy.

As explained below, Plaintiff is likely to prevail on the merits and will be irreparably harmed absent a preliminary injunction. Further, the balance of hardships and the public interest favor granting relief. Plaintiff respectfully requests that the Court grant this Motion.

#### **MEMORANDUM OF POINTS AND AUTHORITIES**

Simultaneously with this Motion, Plaintiff filed a Complaint against Cave Creek Unified School District #93 and the District Superintendent, President, Vice President, Governing Board Members, and Director of Finance. Plaintiff alleges that Defendants Board Members, voting pursuant to § 34 to divert the remaining 2000 bond proceeds to projects other than those

approved by voters, violated the federal and state contracts clauses and the state Special Law Clause. Plaintiff seeks declaratory and injunctive relief to bar Defendants from entering into contracts or otherwise spending funds remaining from the 2000 bond program for unauthorized purposes.

## **I. STATEMENT OF FACTS**

On November 7, 2000, the District held a Special Election. Among other things, voters considered a \$41.6 million class B bond measure for the construction of several new schools and the acquisition of new buses. Ariz. Const. art. 7, § 13 requires voter approval of all bond issues. Additionally, Arizona law requires school districts wishing to issue class B bonds to mail a publicity pamphlet to each voting household. That pamphlet must contain, among other things, a “complete list of each proposed capital improvement that will be funded with the proceeds of the bonds.” A.R.S. § 15-491(H)(6). Pursuant to this provision, the District sent out a Publicity Pamphlet, which included the purposes of the bond measure:

- Acquiring by purchase or lease school lots;
- Constructing new school buildings including but not limited to two new elementary schools, one new middle school and one new high school;
- Acquiring pupil transportation vehicles;
- Improving school grounds, including adjacent ways thereto;
- Liquidating indebtedness incurred for the purposes set forth above;
- Providing all utilities and other capital items necessary for the construction of school buildings and for improving school grounds;
- Paying all architectural, design, engineering, project and construction management and other costs incurred in connection with the purposes set forth above; and
- Paying all legal, financial and other costs in connection with issuance of the bonds

(Exh. 1.) Voters approved the measure and the first bonds issued in 2001. The last round issued in 2006.

According to the District's 2010 Annual Report, \$17.9 million is still outstanding on the bonds, which will take taxpayers about 13 more years to pay back. (2010 Annual Report, Cave Creek USD #93, p. 14) (Exh. 2.) Arizona law requires a school district to repay its bonds by levying a tax on the taxable property within the district, which must be sufficient to pay both the interest and the portion of the principal due. A.R.S. § 15-1022. Plaintiff Jayne Friedman is a Cave Creek taxpayer, whose property taxes finance the repayment of the bonds. (Declaration of Jayne Friedman) (Exh. 3.)

Approximately \$13 million in proceeds from the 2000 bond measure remain unspent. Prior to enactment of § 34, by Arizona law, that money should have gone toward paying down the outstanding bond debt. *See* A.R.S. § 15-1024(B)(1).

In 2000, Arizona law specifically prohibited government from using bond proceeds for purposes other than those approved by voters. At that time, A.R.S. § 15-491(J) stated:

If the voters approve the issuance of school district class B bonds . . . ,<sup>1</sup> the school district shall not use the bond proceeds for any purposes other than the proposed capital improvements listed in the publicity pamphlet, except that up to ten per cent of the bond proceeds may be used for general capital expenses, including cost overruns of proposed capital improvements.

This was the law when Cave Creek voters approved the 2000 bond measure. Thus, voters expected that the proceeds from the bonds would be spent on the constructing new schools and the related projects identified in the publicity pamphlet. Had they believed that the school district could spend the money for other purposes, they might have voted differently.

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<sup>1</sup> The 2000 bond measure was for "class B general obligation bonds." (Exh. 1.)

District Board Members determined that the remaining \$13 million in bond proceeds would be insufficient to construct a new high school, but they did not use the money to pay down the bond debt. On May 11, 2010, Governor Brewer signed into law § 34, which allows school board members to divert bond funds from voter-approved projects to capital improvements that have not been sanctioned by voters.

Notwithstanding section 15-491, subsection J, Arizona Revised Statutes, when nine years or more have passed since an election that authorized a school district to issue bonds, the school district may choose to use the proceeds of any bonds authorized at that election for any necessary capital improvement, provided that the school district's governing board votes to authorize the proposed use of the bond proceeds prior to June 30, 2013.

2010 Ariz. Sess. Laws. 332 § 34. Although Defendants Board Members explicitly recognized that their powers under the original bond measure were limited to spending “for a *new* school, buses, etc,” they nevertheless voted to authorize the remaining \$13 million for “the *improvement* of school facilities and grounds” pursuant to § 34. (CCUSD Work-Study/Special Meeting of the Governing Board Meeting Minutes, August 24, 2010, Item 4.1) (emphasis added) (Exh. 4.) Defendants are now planning and designing a variety of renovation projects, including, among other things, lighting upgrades, repainting, and roof replacements. *See* (Exh. 1); (“Summary of Proposed Capital Plan”) (Exh. 5.) Accordingly, irreversible harm is imminent, as once the expenditures are made, they cannot be recovered, and taxpayers will be forced to repay the unlawful bond proceeds.

## II. STANDARD OF REVIEW

The standard for a preliminary injunction is satisfied when the movant shows: (1) a strong likelihood of success on the merits, (2) the possibility of irreparable injury if the requested relief is not granted, (3) a balance of hardships favoring that party, and (4) public policy favoring a grant of the injunction. *Arizona Ass'n of Providers for Persons with Disabilities v. State*, 223 Ariz. 6, 12, 219 P.3d 216, 222 (App. 2009). In determining whether the movant has satisfied this test, a court may apply a “sliding scale.” *Id.* For example, “the moving party may establish either (1) probable success on the merits and the possibility of irreparable injury; or (2) the presence of serious questions and [that] ‘the balance of hardships tip[s] sharply’ in favor of the moving party.” *Id.*

## III. ARGUMENT

### A. Defendants’ actions violate the federal and state constitutions

Plaintiffs ultimately are likely to succeed on the merits because Defendants’ actions violate the federal and state contracts clauses and the state Special Law Clause.

#### 1. Contracts clauses

Both the federal and state constitutions include provisions that prevent government from impairing contracts. U.S. Const. Art. 1, § 10, cl. 1 (“No State shall . . . pass any . . . Law impairing the Obligation of Contracts”); Ariz. Const. Art. II, § 25 (“No . . . law impairing the obligation of a contract, shall ever be enacted”). To bring a successful claim against a government for violating the contracts clauses, a plaintiff must show: (1) the existence of a

contract, and (2) an unconstitutional impairment of that contract. *Baker v. Arizona Dept. of Rev.*, 209 Ariz. 561, 564, 105 P.3d 1180, 1183 (App. 2005).

After these threshold inquiries, federal courts inquire whether the state has “a significant and legitimate public purpose behind the regulation, such as remedying of a *broad and general* social or economic problem.” *RUI One Corp. v. City of Berkeley*, 371 F.3d 1137, 1147 (9th Cir. 2004) (emphasis added). If so, courts determine whether the government action is reasonable and appropriately related to the underlying public purpose. *Id.* But “[c]ourts defer to a lesser degree when the [government] is a party to the contract because ‘the [government’s] self-interest is at stake.’” *Id.* (quoting *U.S. Trust Co. v. New Jersey*, 431 U.S. 1, 25-6 (1977)).

#### **a. Contractual relationship**

Voter approval of a bond measure for specific, enumerated purposes establishes a contractual relationship between the government and the voters, obligating the government to abide by the terms of the contract. While Arizona courts have not yet had the opportunity to opine on the contractual relationship between a school district and its voters, courts in other jurisdictions have recognized that the relationship between the government and the electorate arising out of a bond election is either contractual or analogous to a contract, and thus protected by federal and state contracts clauses.<sup>2</sup>

California courts have held both that bond elections create contracts and relationships analogous to contracts, protected by the Contracts Clause. A California appellate court held that

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<sup>2</sup> Arizona courts have found that the purchase of bonds creates a contractual relationship between *bondholders* and the governmental entity selling the bonds. *See, e.g., Ariz. State Hwy. Comm’n v. Nelson*, 105 Ariz. 76, 81, 459 P.2d 509, 514 (1969).

a bond election “created a contractual relation between the electors and the supervisors. The terms of the contract are contained in the ballot proposal approved by the electors.” *San Diego County v. Perrigo*, 155 Cal. App. 2d 644, 646 (App. 1957) (citation omitted). A California Supreme Court decision found that the legislature’s passage of a statute allowing bonds to be sold below par value after voters approved specific bonds could not stand “without working, in effect, a fraud upon the electors through securing their votes for the approval of these bond issues upon terms and conditions which will not be kept if the attempted sale of these bonds below their par value is given the sanction of this court.” *Peery v. City of Los Angeles*, 203 P. 992, 998 (Cal. 1922). Likewise, Texas courts have long recognized that a law that impairs and destroys the voters’ rights existing at the time of the vote violates the state’s contracts clause. *San Saba County v. McCraw*, 108 S.W. 2d 200, 203 (Tex. 1937). *Accord Fletcher v. Ely*, 53 S.W. 2d 817, 818 (Tex. App. 1932). Courts in other jurisdictions have also adopted this position. *Roane Cty Court v. O’Brien*, 122 S.E. 352, 355 (W. Va. 1923) (a referendum “constituted a contract or quasi-contract between the voters of the district and the county court”).

The 2000 Cave Creek bond election, like all Arizona school district bond elections, created a contract between the school district and the voters because bonds cannot issue without voter approval. Indeed, the Arizona Constitution requires school districts to get voter approval before issuing bonds. Ariz. Const. Art. 7, § 13 (“Questions upon bond issues or special assessments shall be submitted to the vote of real property tax payers”). Additionally, Arizona law requires districts wishing to issue class B bonds to mail to each voting household a publicity

pamphlet with a “complete list of each proposed capital improvement that will be funded with the process of the bonds.” A.R.S. § 15-491(H)(6). Thus, the 2000 special election created a contract, the terms of which were outlined in the Publicity Pamphlet. Failure to recognize this relationship would nullify the aforementioned constitutional and statutory requirements and curtail voter control over the bond approval process.

### **b. Impairment of contract**

A contractual obligation is impaired when a statute changes the obligation in favor of one party against another, either by enlarging or reducing the obligation. *Phelps Dodge Corp. v. Ariz. Elec. Power Co-op, Inc.*, 207 Ariz. 95, 122, 83 P.3d 573, 600 (App. 2004). Courts are particularly suspicious when government uses legislation to extricate itself from its own contracts. *See, U.S. Trust Co.*, 431 U.S. at 26 (“If a State could reduce its financial obligations whenever it wanted to spend the money for what it regarded as an important public purpose, the Contract Clause would provide no protection at all”). Section 34 alters and reduces the obligations of school districts to the voters by allowing districts like Cave Creek to deviate from voter-approved expenditures of bond proceeds.

In Texas, the contract-with-the-voters doctrine requires that bond funds must be spent for approved purposes, and bond-funded projects must continue to be used for the approved purpose. *Gallagher Headquarters Ranch Dev., Ltd. v. City of San Antonio*, 269 S.W. 3d 628, 634 (Tex. App. 2008) (*remanded by* 303 S.W.3d 700 (Tex. 2010), due to a settlement agreement). “[W]hen the voters thus speak, the proceeds of the bond issue are ‘earmarked’ with the character of a trust fund which may not be diverted to another purpose.” *Fletcher v. Ely*, 53

S.W. 2d at 818. *See also Lewis v. City of Fort Worth*, 89 S.W. 2d 975, 978 (Tex. 1936) (proceeds “must be expended for the purposes for which they were voted”). The District here violated its contractual obligations to the voters when Board Members voted to divert the bond proceeds to various renovations and other capital improvements. Because voters authorized bonds to construct a new school, the proceeds cannot be spent on improvements.

To be sure, the Contracts Clause does not prohibit states from repealing or amending statutes *generally*. *See U.S. Trust Co.*, 431 U.S. at 17. But the Clause does bar government from unilaterally altering contractual relationships for its own self interest. *Id.* at 26. The federal and state contracts clauses maintain that a legislative body may not undo a contract entered into by a previous legislative body. *See, e.g., Fletcher v. Peck*, 10 U.S. 87, 135-36 (1810) (“When, then, a law is in its nature a contract, when absolute rights have vested under that contract, a repeal of the law cannot divest [sic] those rights”).

The legislature *could* have passed something like § 34 that would apply to bond proceeds allocated by elections taking place *after* § 34’s enactment, because voters would then be on notice that district officials could use the money for other purposes. This knowledge would undoubtedly factor into the voters’ decision making processes. But the state may not play a “bait-and-switch” trick on voters by rewriting *existing* contracts in its favor.

Section 34 applies to bonds that were already approved for specific purposes, and Cave Creek voters had no warning that District Board Members subsequently to reallocate the money to other projects. Indeed, the law in force at the time of the November 7, 2000, Special Election stated that the District could *not* use the bond proceeds for any purpose other than those

specifically enumerated in the publicity pamphlet. A.R.S. § 15-491(J). The statutes in effect at the time that bonds were approved “became a part of the contract for the issuance and sale of the bonds, and was a part of the consideration for the authorization of their issue.” *David v. Timon*, 183 S.W. 88, 91 (Texas Civ. App. 1916). In other words, “bonds must be issued in conformity with the statute in force at the time of issuance.” *Morgan v. Falls City*, 174 N.W. 421 (Neb. 1919) (a legislative attempt to alter the terms of the bonds voted for under prior law unlawfully affected taxpayer rights); *Verma v. Stuhr*, 223 Ariz. 144, 152, 221 P.3d 23, 31 (App. 2009) (“[T]he law is made part of the contract”); *accord Washington v. Maricopa Cty.*, 152 F.2d 556, 559 (9th Cir. 1945).

Because the District violated its contract with voters in deciding pursuant to § 34 to spend bond proceeds on projects not listed in the publicity pamphlet, Plaintiff is likely to succeed on the merits of her Contracts Clause claim.

## **2. Special law clause**

In voting to use the proceeds from the 2000 bond measure for capital improvements not authorized by voters, Defendants acted pursuant to an unconstitutional special law. Article IV, part 2, § 19 of the Arizona Constitution provides, “No local or special laws shall be enacted in any of the following cases,” including “(20) When a general law can be made applicable.” A law is not special only if it satisfies all three prongs of the test: (1) the classification is rationally related to a legitimate governmental objective; (2) the classification is legitimate, encompassing all members of the relevant class; and (3) the class is elastic, allowing members to move in and out of it. *Tn. of Gilbert v. Maricopa Cty.*, 213 Ariz. 241, 246, 141 P.3d 416, 421 (App. 2006).

Section 34 fails the first (rational basis) and third (elasticity) prongs, although failing any one is sufficient. Challenges to laws under the Special Law clause are first reviewed under the rational basis test, and a law fails that test if it lacks a rational basis to further a legitimate government purpose. *Tucson Elec. Power Co. v. Apache County*, 185 Ariz. 5, 13, 912 P.2d 9, 17 (App. 1995). But the aim of § 34 is not legitimate, for it seeks to permit school districts to breach their contractual obligations to the voters. It is an impermissible purpose to pass a law designed to abrogate constitutionally-protected rights. Since the Contracts Clause *itself* limits otherwise legitimate exercises of state authority, it would be illogical to argue that a law with no other end but impairing contracts is a legitimate exercise of state authority. See *U.S. Trust Co.*, 431 U.S. at 21, 30-1 (“[A] State is not completely free to consider impairing the obligations of its own contracts on a par with other policy alternatives”). A state has no legitimate interest in defying constitutionally-protected rights. Cf. *Stewart v. Blackwell*, 444 F.3d 843, 873 (6th Cir. 2006), *vacated as moot*, 473 F.3d 692 (6th Cir. 2007) (“An individual’s vote is the lifeblood of a democracy. To that extent, we find it difficult to conjure up what the State’s legitimate interest is” in abridging the right to vote).

Finally, § 34 creates an inelastic class. A law is special or local if it “is plainly intended for a particular case and looks to no broader application in the future.” *Ariz. Downs v. Ariz. Horsemen’s Fndn.*, 130 Ariz. 550, 558, 637 P.2d 1053, 1061 (1981). For example, a tax law that applied only to hospital districts that were in existence in a certain fiscal year violated the Special Law Clause. *El Paso Nat. Gas Co. v. Arizona Dept. of Rev.*, 174 Ariz. 470, 478, 851 P.2d 95, 103 (App. 1992) (“The time-based classification . . . is plainly closed and inelastic. No

future change of circumstances could possibly cause any current member of the class . . . to fall outside its provisions, or any current nonmember of the class to come within them”). In *Republic Inv. Fund I v. Tn. of Surprise*, the challenged property deannexation statute only applied to cities or towns of certain populations as calculated under a particular census, which prevented other municipalities whose populations change in the future from either coming within or exiting from the statute’s operation. 166 Ariz. 143, 151, 800 P.2d 1251, 1259 (1990). Thus, the statute was an unconstitutional special law. *Id.* In contrast, a law expanding term limits for city mayors was constitutional because future mayors could enter and the current mayor could exit the class. *Sherman v. City of Tempe*, 202 Ariz. 339, 345, 45 P.3d 336, 342 (2002).

By its own terms, § 34 only applies “when nine years or more have passed since an election that authorized a school district to issue bonds,” and the school board must “authorize the proposed use of the bond proceeds prior to June 30, 2013.” In other words, § 34 can only be used by a district sitting on unspent bond money approved by voters on or before June 30, 2004. The defined class is not elastic, because other districts/bond measures may not enter the class. Since bond measures must have been approved on or before June 30, 2004, to be covered by § 34, bonds passed after § 34 was enacted are ineligible to enter the class. Thus, § 34 “has no other application to the future. As such it is a special or local law.” *Barbee v. Holbrook*, 91 Ariz. 263, 265, 371 P.2d 886, 888 (1962).

**B. Plaintiffs will suffer irreparable harm absent injunctive relief**

If this Court does not preliminarily enjoin Defendants from spending the remaining bond proceeds on unapproved purposes, taxpayers like Plaintiff will be irreparably harmed. A court may find irreparable harm justifying an injunction when the harm is imminent and an award of money damages would not adequately compensate for the harm. *Berry v. Foster*, 180 Ariz. 233, 883 P.2d 470 (App. 1994). Absent a preliminary injunction, it is likely that this lawsuit will not be resolved before a substantial portion of the remaining bond proceeds is spent unlawfully. Indeed, as the Arizona Republic has reported, many of the projects are slated to commence this year, with several starting imminently. (Exh. 5.) Once contracts are signed and money is spent, Defendants will have violated their contractual obligation and taxpayers will be on the hook to repay bonds spent on unapproved projects.

**C. The balance of hardship tips in favor of issuing an injunction**

The balance of hardship favors granting this injunction. If the money is spent before the Court rules in Plaintiff's favor, she will be unable to recover, and taxpayers will be compelled to repay unlawfully expended bonds. While it is true that if the District prevails, the preliminary injunction could delay expenditures, this is not a sufficient hardship to outweigh Plaintiff's potential irreparable injury, and the projects were not approved by voters anyway. For the reasons discussed above, Plaintiff has a strong probability of success on the merits and if the District spends the bond proceeds before the Court adjudicates this case, Plaintiff and other taxpayers will be irreparably harmed. Thus, the balance of hardship tips in favor of issuing a preliminary injunction.

**D. The injunction is in the public interest**

It “is always in the public interest to prevent the violation of a party's constitutional rights.” *Reed v. Purcell*, 2010 WL 4394289, \*4 (D. Ariz. Nov. 1, 2010) (quoting *G & V Lounge, Inc. v. Michigan Liquor Control Comm.*, 23 F.3d 1071, 1079 (6th Cir.1994)). Indeed, the public has an interest in the constitutional enforcement of laws. *Cf. ACLU v. Ashcroft*, 322 F.3d 240, 251 n.11 (3rd Cir. 2003). Taxpayers must repay the \$17.9 million outstanding on the 2000 bonds. If the District contracts to spend remaining bond money before an adjudication of the merits, taxpayers will be forced to fund unconstitutional expenditures.

**IV. CONCLUSION**

Plaintiff requests that this Court grant her Motion for a Preliminary Injunction and award fees and costs.

**RESPECTFULLY SUBMITTED** this 5th day of April, 2011 by:



Clint Bolick (021684)

Christina Kohn (027983)

Carrie Ann Sitren (025760)

**Scharf-Norton Center for Constitutional Litigation  
at the GOLDWATER INSTITUTE**

*Attorneys for Plaintiff*

ORIGINAL FILED this 5<sup>th</sup> day of April, 2011, with:

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COPY HAND DELIVERED this 5<sup>th</sup> day of April, 2011, to:

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Cave Creek Unified School District #93  
c/o Debbie Burdick, Superintendent  
33606 North 60<sup>th</sup> Street  
Scottsdale, AZ 85266  
*Defendant*

BY: Elizabeth James

# **EXHIBIT 1**

**CAVE CREEK UNIFIED SCHOOL DISTRICT NO. 83**  
**SPECIAL ELECTION**  
**NOVEMBER 7, 2000**  
**BOND INFORMATION**

**PROPOSED CAPITAL IMPROVEMENTS**

The following table presents the capital improvements expected to be paid from bond proceeds, the estimated cost of each capital improvement, the estimated average annual tax rate associated with each capital improvement and the estimated cost associated with each capital improvement for the owner of a single family home with a full cash value of \$80,000:

Proposed Capital Improvements (a) (Non-administrative)	Estimated Costs (funded by bonds) (a)	Estimated Average Annual Tax Rate (b)	Estimated Annual Cost to Owner of an \$80,000 Full Cash Value Home (b)
Construction of new schools: Two elementary schools (total cost is \$20,900,000; estimated state funding is \$9,400,000)	\$11,500,000	\$0.1327	\$10.82
Middle school (no state funding is anticipated)	\$16,750,000	\$0.1917	\$14.54
High school (total cost is \$23,750,000; estimated state funding is \$12,200,000)	\$11,550,000	\$0.1333	\$10.66
Pupil transportation vehicles	\$2,900,000	\$0.0323	\$2.53
Subtotal of Non-administrative Capital Improvements	\$41,600,000	\$0.4900	\$38.40
<b>Proposed Capital Improvements for Administrative Purposes:</b>			
None	-0-	-0-	-0-
Subtotal of Administrative Capital Improvements	-0-	-0-	-0-
<b>TOTAL</b>	<b>\$41,600,000</b>	<b>\$0.4900</b>	<b>\$38.40</b>

(a) Monies received from the state under the Students FIRST capital funding system will be combined with bond proceeds which fund the capital improvements listed.

(b) The estimated average annual tax rate and estimated annual cost are based on the average annual tax rate over the life of the proposed bond issue and other financing assumptions which are subject to change.

**SAMPLE**

**BALLOT FORMAT / SAMPLE BALLOT**  
**CAVE CREEK UNIFIED SCHOOL DISTRICT NO. 83**  
**SPECIAL ELECTION**  
**NOVEMBER 7, 2000**  
**COUNTY OF MARICOPA**  
**STATE OF ARIZONA**

**QUESTION**

Shall Cave Creek Unified School District No. 83 of Maricopa County, Arizona, be allowed to issue and sell general obligation bonds in the principal amount of not to exceed \$41,600,000 to provide money for the following purposes:

- Acquiring by purchase or lease school site;
- Constructing new school buildings (including but not limited to two new elementary schools, one new middle school and one new high school);
- Acquire pupil transportation vehicles;
- Improving school grounds, including adjacent ways thereto;
- Liquidating indebtedness incurred for the purposes set forth above;
- Providing all utilities and other capital items necessary for the construction of school buildings and for improving school grounds;
- Paying all architectural, design, engineering, project and construction management and other costs incurred in connection with the purposes set forth above; and
- Paying all legal, financial and other costs in connection with issuance of the bonds?

The bonds will bear interest at rates not exceeding twelve percent (12%) per year, interest may be evidenced by separate certificates and will be paid on January 1 and July 1 each year until the bonds mature. The bonds shall mature over a period of not to exceed twenty (20) years from the date of their issuance. The bonds, and any bonds issued to refund the District's bonds, may be sold at prices that include premiums not greater than permitted by law. Bonds will be in the denominations of \$5,000 each or in multiples of \$5,000 and will mature on the first day of July in years determined by the District's governing board.

The capital improvements that are proposed to be funded through this bond issuance are to exceed the state standards and are in addition to monies provided by the state. Cave Creek Unified School District is proposing to issue class B general obligation bonds totaling \$41,600,000 to fund capital improvements over and above those funded by the state. Under the Students FIRST capital funding system, Cave Creek Unified School District is entitled to state monies for building renewal, new construction and renovation of school buildings in accordance with state law.

BOND APPROVAL, YES

BOND APPROVAL, NO

# **EXHIBIT 2**

Cave Creek Unified  
School District #93  
*Home of the Falcons*

2010  
Annual Report



*Students First...  
People Always*





FALL 2010

CCUSD GOVERNING BOARD MEMBERS



- Casey Perkins**, President
- David Schaefer**, Vice President
- Janet Busbee**, Member
- Susan Clancy**, Member
- Mark Warren**, Member

FELLOW PARENTS, COMMUNITY MEMBERS AND TAXPAYERS,

On behalf of the Governing Board and the Cave Creek Unified School District, we are pleased to present you with the 2010 Annual Report. The Cave Creek Unified School District is a source of pride for all of us. We offer outstanding educational opportunities for our students as we continuously strive to *Inspire Excellence* in all we do, not only for our students, but also for our staff, schools and community. Through this Annual Report, the goal is to provide timely and pertinent information to our shareholders as we continue our District Vision to *inspire students to become lifelong learners in order to succeed in a global economy.*

In the Cave Creek Unified Annual Report, information is provided on our efforts and outcomes from 2009 through the present. This includes data on student achievement, statistics and factual information about CCUSD, budget and funding sources and our goals for the 2010-2011 school year. Despite several years of a difficult economy, our district continues to challenge and grow our students in nurturing and supportive school environments.

In CCUSD, we live by our Guiding Principle of *Students First... People Always*. As a member of our school community, you will see our mission to *Inspire Excellence* in action daily. We invite you to join us as we continue to focus on providing an outstanding educational experience for our 5,850 students and their families.

I am extremely proud to serve as the Superintendent of this great district, alongside a dedicated and committed staff. I, along with our CCUSD Team, look forward to working together with the entire CCUSD Community for the ongoing achievement of our students. Please take time to review our District data, accomplishments, educational progress and financial accountability.

We welcome you to visit our schools.

Sincerely,

Debbi C. Burdick, Ed D.  
Superintendent

CAVE CREEK UNIFIED SCHOOL DISTRICT #93 (CCUSD)

EXECUTIVE LEADERSHIP TEAM

- Dr. Jana Miller**,  
Associate Superintendent  
Teaching and Learning
- Dr. Kent Frison**,  
Associate Superintendent  
Operations and Finance
- Ms. Patti Tussey**,  
Executive Director  
Human Resources

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To subscribe to  
our e-newsletter,  
**"News from the Creek"**  
visit  
[www.ccusd93.org](http://www.ccusd93.org)

# ACADEMIC ACHIEVEMENT

## STUDENT PERFORMANCE

The Cave Creek Unified School District monitors and evaluates student performance through many different types of assessments. In addition to class work and assignments, we also assess students through benchmark assessments administered three times per year. Teachers and administrators use this information to re-direct and drive instruction throughout the year. Each of our schools continues to make steady improvement. Our teachers are constantly learning to improve and expand their instructional strategies in an effort to provide the very best for Cave Creek Unified students.



NORTHEAST VALLEY EDUCATION CONSORTIUM (NVEC) comparison of AIMS test scores below. Numbers shown represent the percentage of students testing in the "meets" or "exceeds" categories.

## CCUSD COMPARED TO SURROUNDING DISTRICTS % of students meeting or exceeding State standards

Grade	Subject	CCUSD	DVUSD	PVUSD	PUSD	FHUSD	SUSD	DUSD	HUSD	Arizona
3rd	Math	<b>83</b>	76	73	71	71	81	71	81	64
	Rdg	<b>90</b>	83	81	82	81	87	76	88	73
4th	Math	<b>87</b>	73	72	72	71	77	73	73	63
	Rdg	<b>92</b>	83	80	80	85	85	77	85	71
	Sci	<b>88</b>	77	75	72	77	78	64	78	61
5th	Math	<b>85</b>	69	67	64	71	77	69	73	58
	Rdg	<b>92</b>	83	81	78	84	88	77	84	72
	Wrtg	<b>87</b>	85	82	79	85	86	81	85	74
6th	Math	<b>65</b>	<b>67</b>	64	65	65	74	65	65	56
	Rdg	<b>91</b>	88	84	85	87	89	79	87	77
	Wrtg	<b>85</b>	85	83	78	81	82	77	77	72
7th	Math	<b>79</b>	71	67	69	66	73	59	73	57
	Rdg	<b>91</b>	87	84	84	88	86	78	85	77
	Wrtg	<b>92</b>	85	83	84	92	80	84	84	75
8th	Math	<b>69</b>	69	64	81	65	76	57	70	56
	Rdg	<b>87</b>	85	81	83	82	86	76	86	73
	Sci	<b>76</b>	72	71	68	70	77	57	71	58
10th	Math	<b>82</b>	72	70	73	67	79	58	71	58
	Rdg	<b>92</b>	88	85	85	90	89	78	86	77
	Wrtg	<b>91</b>	81	80	83	84	84	76	81	73
	Sci	<b>56</b>	47	47	43	63	50	39	41	35

Indicates highest score

**ADEQUATE YEARLY PROGRESS**  
Adequate Yearly Progress (AYP) is a cornerstone of the No Child Left Behind Act (NCLB), currently referred to as Elementary and Secondary Education Act (ESEA). ESEA requires Arizona to define the level of proficiency students must achieve in mathematics and reading on the AIMS test for grades 3-8 and 10. In 2010, the percentage of students at each of our schools who passed the performance objectives on the AIMS tests exceeded that of the state average in every grade and subject. *All 7 of our schools met AYP in 2010.*



### SCHOOL DISTRICTS COMPARED:

- CCUSD = Cave Creek Unified
- DVUSD = Deer Valley Unified
- PVUSD = Paradise Valley Unified
- PUSD = Peoria Unified
- FHUSD = Fountain Hills Unified
- SUSD = Scottsdale Unified
- DUSD = Dysart Unified
- HUSD = Higley Unified

CCUSD has the highest percentage of students meeting or exceeding state standards in 18 of 21 subject areas by grade level as compared to 7 surrounding school districts.

# CCUSD SCHOOL REPORT CARDS

## AZ LEARNS

**AZ LEARNS** is the Arizona Department of Education's (ADE) school accountability system. The ADE defines purposeful school accountability as fair and accurate measurements of school performance that are designed to identify and improve schools publicly. The ADE has developed AZ LEARNS to meet the accountability requirements of the federal Elementary and Secondary Education Act (ESEA). Schools can be classified as Excelling, Highly Performing, Performing Plus, Performing or Under Performing. AIMS results are used to determine the classifications given to schools.

### BLACK MOUNTAIN ELEMENTARY

		Grade 3		Grade 4		Grade 5	
		2009	2010	2009	2010	2009	2010
Math	% Proficient	88	77	89	81	84	80
	Exceeds	32	28	31	31	31	36*
Reading	% Proficient	89	89	90	92	88	91
	Exceeds	17	11	26	28	22	11
Science	% Proficient	N/A*		82	87	N/A*	
	Exceeds	N/A*		45	49	N/A*	

*"PE is awesome. My PE teacher is kind, patient and fun. We play games and have fun. I love PE!"*

Dannon (student)

### LONE MOUNTAIN ELEMENTARY

		Grade 3		Grade 4		Grade 5	
		2009	2010	2009	2010	2009	2010
Math	% Proficient	89	81	93	79	93	89
	Exceeds	32	29	58	46	51	63*
Reading	% Proficient	89	90	89	86	93	87
	Exceeds	26	17	31	28	18	23*
Science	% Proficient	N/A*		86	79	N/A*	
	Exceeds	N/A*		53	51	N/A*	

### DESERT SUN ACADEMY

		Grade 3		Grade 4		Grade 5	
		2009	2010	2009	2010	2009	2010
Math	% Proficient	93	80	97	95	93	84
	Exceeds	42	41	36	46*	42	29
Reading	% Proficient	84	88	88	93	95	95
	Exceeds	23	25	15	33*	22	13
Science	% Proficient	N/A*		84	91	N/A*	
	Exceeds	N/A*		39	61	N/A*	

*"At Horseshoe Trails, you can let your imagination run free."*

Sarah (student)

### HORSESHOE TRAILS ELEMENTARY

		Grade 3		Grade 4		Grade 5	
		2009	2010	2009	2010	2009	2010
Math	% Proficient	93	90	94	89	85	79
	Exceeds	65	59	49	58*	27	30
Reading	% Proficient	95	92	99	96	89	90
	Exceeds	51	31	20	29*	23	20
Science	% Proficient	N/A*		84	92	N/A*	
	Exceeds	N/A*		31	60	N/A*	

### DESERT WILLOW ELEMENTARY

		Grade 3		Grade 4		Grade 5	
		2009	2010	2009	2010	2009	2010
Math	% Proficient	87	85	96	92	92	94
	Exceeds	40	45*	64	52	46	48
Reading	% Proficient	91	91	95	92	93	96
	Exceeds	35	28	30	33	35	21
Science	% Proficient	N/A*		95	92	N/A*	
	Exceeds	N/A*		65	71	N/A*	

*"When you get to Cactus Shadows, you feel like you can do anything."*

Stephanie (student)

### CCUSD MIDDLE SCHOOL \*\*

		Grade 6		Grade 7		Grade 8	
		2009	2010	2009	2010	2009	2010
Math	% Proficient	85	65	85	80	75	70
	Exceeds	35	28	23	40*	20	25*
Reading	% Proficient	89	91	88	91	82	88
	Exceeds	9	9	9	16*	11	8
Writing	% Proficient	96	85	95	92	96	N/A*
	Exceeds	16	22	2	15	5	N/A*
Science	% Proficient	N/A*		N/A*		76	75
	Exceeds	N/A*		N/A*		52	48

**★ CCUSD POINTS OF PRIDE  
GREATER THAN 5% OF STUDENTS  
JUMPED FROM MEETING  
TO EXCEEDING STATE STANDARDS**

\* State reduced elementary testing due to budget cuts. Writing was not tested at elementary level and science was only tested at Grade 4.

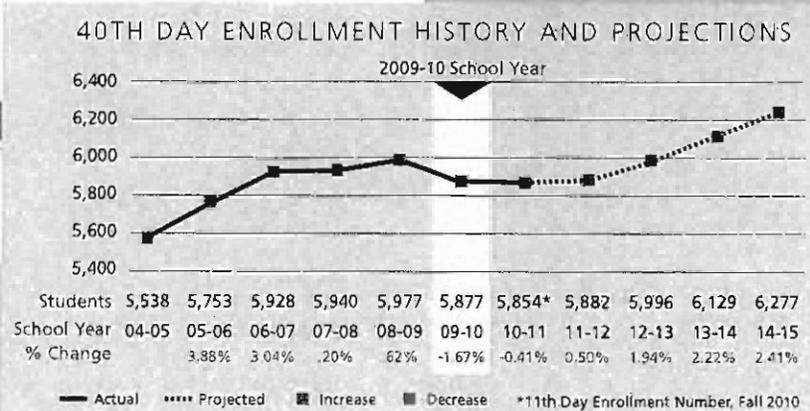
\*\* Combined results include both Desert Arroyo and Sonoran Trails Middle Schools.

### CACTUS SHADOWS HIGH SCHOOL

		Math		Reading		Writing		Science	
		2009	2010	2009	2010	2009	2010	2009	2010
CCUSD	% Proficient	88	81	90	93	89	91	38	56
	Exceeds	29	40*	17	22*	10	26*	18	21
Arizona	% Proficient	70	59	75	77	72	72	33	35
	Exceeds	17	23	9	11	7	14	11	14

## ENROLLMENT AND FACILITY USAGE

Enrollment changes constantly with students moving in and moving out. Below is a chart showing enrollment from past years taken at the 40th day of attendance. Future projections are based on predictions by a contracted demographer. The firm's projections indicate numbers of students and projected students who live or will live within district boundaries. District administration projects the number of students who should be attending the schools each fall based on current enrollment numbers and historical data.



### CCUSD FACILITY USAGE

SITE	ENROLLMENT AS OF 8/23/2010
Black Mountain Elementary	567
Desert Sun Academy	583
Desert Willow Elementary	733
Horseshoe Trails Elementary	660
Lone Mountain Elementary	654
Sonoran Trails Middle School	820
Cactus Shadows High School	1,837
Desert Arroyo Middle School	Currently closed: gymnasium and field are used by community partners
Cave Creek Elementary	Currently leased and for sale
The Learning Center	Multipurpose site currently used for preschool, high school classes, Cactus Shadows eLearning, science resource room, teacher professional development, the Governing Board meeting room, and partially leased to Bella Vista private school.
Fine Arts Center	The FAC is an arts facility with a 430 seat proscenium theater, a 150 seat black box performing space and a visual arts exhibit space used for both student and community based events.
Transportation Depot	The Transportation Depot is home to 43 regular size school buses, 11 smaller buses used for special education students and 27 white fleet vehicles of various types and makes.
District Offices	The majority of the District Office is housed in 3 portable trailers south of the Fine Arts Center. In addition, Special Education is housed at BMES, Technology is housed in a portable trailer at the Learning Center and Community Education is housed at the Learning Center.
Facilities and Maintenance	The North Central Plant is home to the Facilities and Construction Department's maintenance and grounds personnel. It also houses all of the mechanical equipment that supplies heating and cooling for CSHS, DAMS and the Fine Arts Center.

SOURCE: APPLIED ECONOMICS

CCUSD  
HAS 95%  
RE-ENROLLMENT  
RATE



## ELEMENTARY PROGRAMS

In the Cave Creek Unified School District, we offer motivating, curricular offerings on all five of our elementary campuses, including world languages. We see our elementary schools as nurturing learning communities dedicated to building the strongest foundation possible for our youngest 21st Century Learners.

### BLACK MOUNTAIN ELEMENTARY

Black Mountain Elementary School has typical and multi-age groupings with *Core Knowledge*® curriculum from pre-school to sixth grade.

A *Kids at Hope* School, BMES students receive Spanish instruction and are supported by collaborative staff and family partnerships.

### DESERT SUN ACADEMY

Desert Sun Academy will grow to eighth grade over the next three years, continuing *Core Knowledge*® curriculum beginning in pre-school and with all students in uniform.

Desert Sun Academy boasts a science center, special musical programming and Spanish instruction. This enriching learning environment includes extra-curricular clubs including Spanish, French, sports, and video.



### DESERT WILLOW ELEMENTARY

Desert Willow Elementary School reminds students “*Learning for Life, Loving to Learn.*” DWES offers both *Spanish Immersion* instruction (pre-school through sixth grade) and Spanish language instruction for all students. The school focus is to develop outstanding readers, writers and thinkers.

### HORSESHOE TRAILS ELEMENTARY

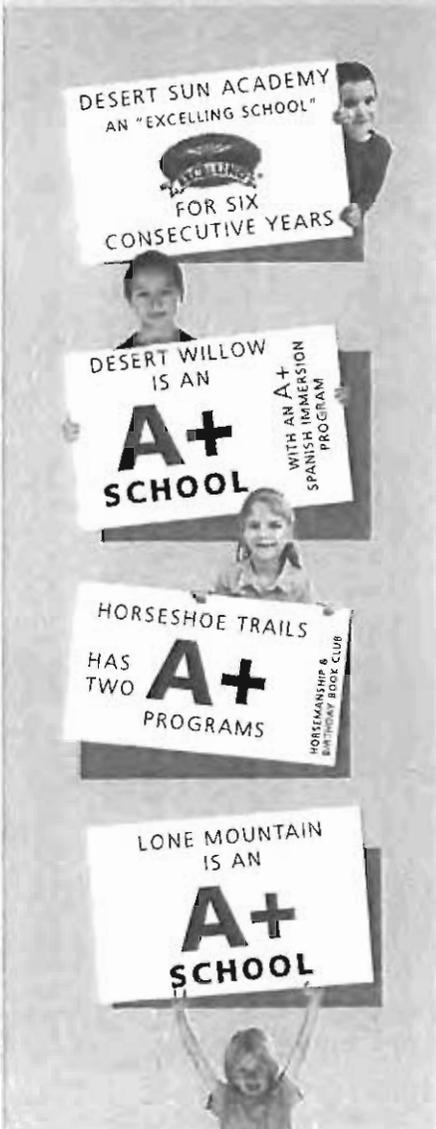
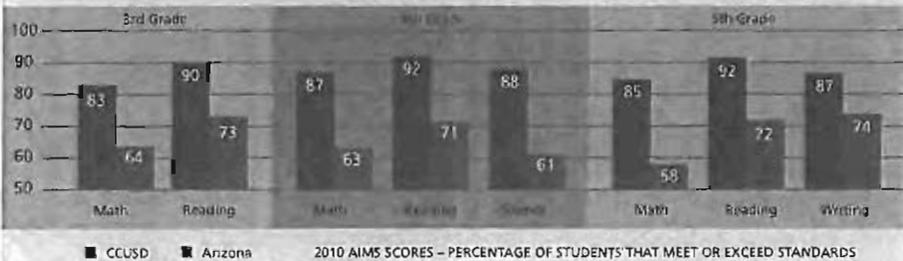
Horseshoe Trails Elementary School has an equine emphasis with horsemanship taught in grades three through six both during and after school. This school begins Mandarin instruction this year in kindergarten through sixth grade and is an *International Baccalaureate*® *Primary Years Program* applicant.

### LONE MOUNTAIN ELEMENTARY SCHOOL

Lone Mountain Elementary School is adopting a *STEM* (Science Technology Engineering Math) emphasis with learning that is hands-on and inquiry based to build on students’ natural curiosity. A *Kids at Hope* School, LMES has Mandarin Chinese as their world language and opens both a science lab and Lego Lab this school year.



CCUSD ELEMENTARY TEST SCORE AVERAGES VS. STATE



## SONORAN TRAILS MIDDLE SCHOOL PROGRAMS

Sonoran Trails Middle School is an active learning community of students, parents and staff who strongly believe in providing a safe and nurturing environment designed to meet the unique needs of middle school students. Serving grades 7 and 8, STMS emphasizes a team approach, has clearly-defined high academic and behavioral expectations, and works diligently to help students achieve excellence. Students are encouraged to develop a sense of respect and pride in themselves and their school.

With CCUSD now a one middle school district, the 2010-2011 school year is the first year where all elementary school students feed into Sonoran Trails Middle School. With all middle schoolers on one campus, CCUSD was able to add French to its World Language programs of Spanish and Spanish Immersion. In addition, the middle school teaming concept, where teachers share the same students, allowing them to know their students better and for team planning to occur, has been reinstated.



Besides World Languages, STMS has elective offerings in Art, Physical Education, Band, Chorus and Technology. Students may participate in after-school athletics, Student Council, various clubs and activities and Community Education tutoring classes. Additional school resources include a state of the art Media Center that includes a Technology Lab. Honors classes are available in math and language arts.

Middle school achievements include award winning Future Problem Solvers, Science Fair Champions as well as Champion teams in Cross Country, Girls and Boys Basketball and Cheer.

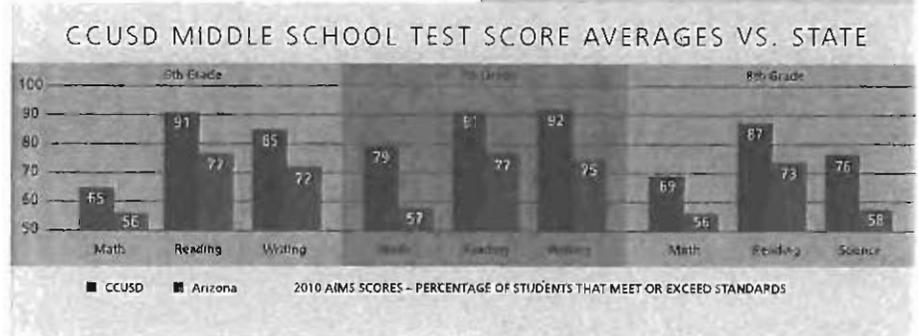
Sonoran Trails Middle School challenges and encourages all students to become thinking, responsible, contributing citizens in our ever-changing world.

### CCUSD FRAMEWORK FOR EXCELLENCE

*All CCUSD students will meet or exceed the Arizona State Standards.*

*Strategies to be used are*

- (1) To improve student engagement through differentiated instruction and articulation.*
- (2) To improve technology in the classroom to enhance teaching and learning.*



# CACTUS SHADOWS HIGH SCHOOL PROGRAMS

**87%**  
OF CACTUS SHADOWS  
GRADUATES  
PURSUE HIGHER  
EDUCATION

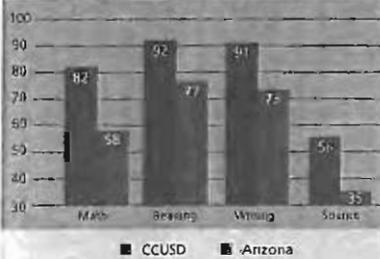
In Cave Creek Unified, we are a *one high school* district. Cactus Shadows High School is our flagship with every kindergartner starting school as a *Future Falcon*. With over 1800 students, Cactus Shadows provides a small school experience in a large school setting. It has diverse programming with skilled master teachers and coursework to meet student needs and interests.

For the student looking for additional rigor and challenges, Cactus Shadows offers *Honors* classes that feed into the International Baccalaureate® and the Ad-

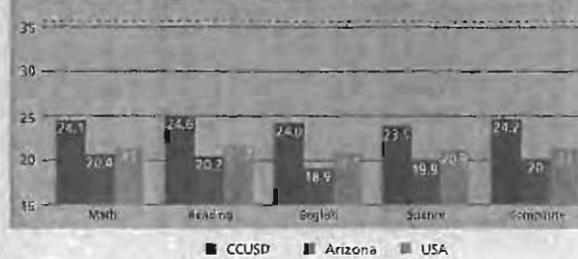
vanced Placement® programs. International Baccalaureate® has 9th and 10th graders enrolled in Pre-IB coursework and 11th and 12th graders in the rigorous pre-university coursework of study. The *IB Diploma Programme* provides a comprehensive, liberal arts curriculum that is designed for the highly motivated student. It is internationally recognized

## CCUSD HIGH SCHOOL TEST SCORE AVERAGES VS. STATE AND U.S.

10th Grade AIMS Scores  
Percentage meeting or exceeding standards



ACT Test Score Comparisons – Max Score 36



for university admission worldwide. *Advanced Placement*® courses have a set college curriculum taught by trained teachers, allowing students to take an “end of course” exam. With a passing score, students “place out” of the college course but retain the college credits.

CACTUS SHADOWS HIGH SCHOOL STUDENTS EARNED 2,597 COLLEGE CREDITS IN 2009-10

*Dual enrollment* classes, where students earn high school and college credit concurrently, are offered on site through Paradise Valley Community College. Additionally, we provide an *Early College Program* where juniors and seniors spend half their day at Cactus Shadows and the other half at PVCC’s Black Mountain Campus. Upon graduation, these students will have their high school diploma and also be just a few credits away from an Associates Degree.

For students who are interested in marketing, entrepreneurship, finance or technology, we have a robust *Career and Technical Education* (CTE) program. These students may choose from a variety of courses from finance to video — acquiring skills that they can use immediately, in college or in a 21st Century workplace. The arts are a significant part of our community and the programming at CSHS reflects this in the visual arts, theater, dance and music— with coursework as well as extracurricular activities.

For students needing additional support, *FAM* (Foundational Academic Mentoring) provides structure, skill building and guidance. Our newest program, *CSHS eLearning* began this school year with online classes for 21st Century Learners, as well as credit retrieval.

Finally, CSHS also has a premier sports program with championship teams, clubs and organizations to meet the interests and talents of a creative and talented student body.



2010  
**9th**  
BEST HIGH SCHOOL  
IN ARIZONA  
NEWSWEEK'S "BEST HIGH  
SCHOOLS IN AMERICA" REPORT

2010  
SCHOLARSHIP OFFERS:  
**\$6.0**  
MILLION

CACTUS SHADOWS  
CLASS OF 2010  
ENTERED **208**  
COLLEGES IN  
**28** STATES

## SPECIAL EDUCATION AND COUNSELING

### SPECIAL EDUCATION

Special Education services are available for all students from ages 3-21 identified as having a disability. This school year, Cave Creek Unified is serving 597 students with disabilities. Students with disabilities are identified through a referral and evaluation process. An Individual Education Program (IEP) is conducted by a team in partnership with the student's parents/guardians.

CCUSD Special Education programs are Developmental Preschool, Resource, Speech and Language, Positive Learning Center (PLC), Program for Academic and Language Success (PALS), Self-contained Life Skills and the Youth Transition Program (YTP). Services are Occupational Therapy, Physical Therapy, Hearing Impaired, Vision Impaired and Adaptive Physical Education. Parents/guardians are encouraged to contact their child's school to learn more about the CCUSD Special Education Services.

### COUNSELING

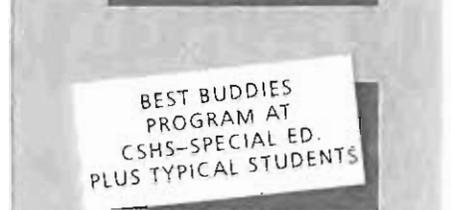
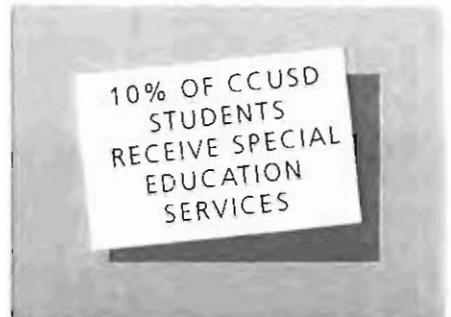
CCUSD Comprehensive Counseling is based on the ASCA (American School Counselors Association) national model.

It provides a framework for implementation of a comprehensive and accountable school counseling program. CCUSD is one of the few districts that has comprehensive counseling program that is aligned to state and national standards.

The comprehensive school-counseling program facilitates student development in 3 areas:

- **Academic development** which includes the acquisition of skills, attitudes and knowledge which contributes to effective learning in school and throughout the life span;
- **Career development** which includes the foundation for the acquisition of skills, attitudes and knowledge which will enable students to make a successful transition from school to careers;
- **Personal/social development** which includes the acquisition of skills, attitudes and knowledge to help students understand and respect "self and others," acquire effective interpersonal skills, understand and practice safety, survival and resiliency skills, and develop into contributing members of society.

We are also proud that two of our schools, Cactus Shadows High School and Desert Arroyo Middle School, were past recipients of the **American School Counseling Association Recognized Counseling Model Program (RAMP) Award**. This recognition is based on the commitment to delivering a comprehensive, data-driven school counseling program that aligns with a nationally accepted and recognized program. Cactus Shadows was the first high school in Arizona to receive this award since the program's inception in 2004. Our middle school also won this nationally recognized award in 2008. Our school counseling programs will continue to demonstrate **"How students are supported because of what school counselors do!"**



## EXTRACURRICULAR ACTIVITIES

CSHS STUDENT COUNCIL HAS THE HIGHEST NUMBER OF STUDENT PARTICIPANTS STATEWIDE.



At CSHS, students are encouraged to become involved in high school life by actively participating in activities, clubs and athletics. Some of the many opportunities are:

**The Arizona Heritage Project** is dedicated to the preservation of veterans' stories. This year, students will be writing volume IV of *Since You Asked: Arizona Veterans Share Their Memories*.

### CHAMPIONSHIP 4A DIVISION I SPORTS SUMMARY 2009-2010

**Varsity Cheer** – Regional Champions and AIA State Champions

**Football** – Regional Champions and Final 8 in State

**Volleyball** – Regional Champions and 2nd Place in State

**Girls Golf** – Regional Champions and 3rd Place in State

**Girls Cross Country** – Tied Regional Championship and 2nd Place in State

**Girls Basketball** – Regional Champions and Final 4 in State

**Varsity Boys Soccer** – Regional Champions and Final 8 in State

**Varsity Girls Soccer** – Regional Champions and 3rd Place in State

**Varsity Boys Tennis** – Regional Champions and 3rd Place in State

**Varsity Girls Tennis** – Regional Champions and 5th Place in State

The **CS Press** (student newspaper) recently won a **Best in Show** award from the National Scholastic Press Association and received a first place in **General Excellent** for the AZ Interscholastic Press Association.

**DECA** gives students the opportunity to apply the marketing/business concepts they have learned in real world career applications. In the Central Regional DECA Competition, CSHS students won 22 medals. In the spring Quiz Bowl competition, CSHS students took first and second place.



*Cactus Shadows Students give Arizona veterans a voice through the AZ Heritage Project ([www.AZHP.org](http://www.AZHP.org))*  
Yearly publications are included in the Library of Congress.



CONGRATULATIONS TO THE 2010 AIA STATE CHEER CHAMPIONS!



*CSHS practices Pursuing Victory With Honor: Trustworthiness, Respect, Responsibility, Fairness, Caring and Citizenship (The Six Pillars of Character)*

**The Shadows Literary Magazine Club** produces one magazine a year. 2009-10 awards included 1st Place, General Excellence, Arizona Interscholastic Press Association, a Gold Medal Certificate, Columbia Scholastic Press Association and an Excellent Rating by the National Council for Teachers of English. It was also one of 12 finalists for the Pacemaker Award, the highest award in high school journalism.

**CSHS Marching Band** was rated Excellent at NAU Band Day, U of A Band Day and State Marching Band Festival. The Choir received a Superior at the Regional Contest and Superior at State Competition for the second year in a row.

## VOLUNTEERS AND COMMUNITY PARTNERS

The Cave Creek Unified School District is fortunate to have strong community partnerships. It is truly a community team of shareholders who support the schools and students. Internally, the schools are supported by their PTOs, Site Councils and Booster Clubs. Cactus Shadows High School also has the Men's Athletic Club which gives time and resources to support its athletic programs. Volunteers on all levels provide ongoing assistance to our schools and district.



Externally, our community partners give dollars, time and in-kind donations. In the 2009-2010 school year, the community at large gave \$742,000 in donations and

\$573,647 in tax credits. Carefree Kiwanis supports the Science Fair for schools in the community, Junior Achievement, Wishlist grants, the DSA Science Center, student Kiwanis clubs and thousands of dollars in student scholarships.

The Foothills Community Foundation supports Community Education and provides scholarships for student programs. AZ Musicfest provides time and resources for Musicfest Minutes, student and family concerts and the new D'Addario Ukelele Project at Desert Sun Academy.

 This past year a new foundation to support the district was formed by district parents—the Cave Creek Unified Education Foundation ([www.ccuef.org](http://www.ccuef.org)). They had their first signature event last spring, *Night of the Arts* and continue to raise revenue for classroom resources, international learning and the arts in our district.



Our schools are supported by local restaurant donations from McDonalds, Joey's, Barros and Rubios. The Carefree Cave Creek Chamber provides manpower and scholarships. Soroptimist provides student backpacks. The Boulders Resort, The Good Egg Restaurants, Barnes and Noble, Blue Ribbon Awards, Noah Kendrick of Edward Jones, Vino 100 and Tobias Automotive support staff recognition programs.

Our community developers, Toll Brothers and Pulte Homes support our schools and students with monetary and in-kind donations. Even our students support the District: CSHS student, Melissa Nelson, organized *Rock the District* to showcase local teen talent and raise money for District Music programs. Thank you to all our partners! We are so fortunate to live in a giving and generous community.



Jodi Scott School of Horsemanship partners with Horseshoe Trails to provide character-based horsemanship lessons to all students.

196 CONSTITUENTS SERVED ON 8 DISTRICT COMMITTEES IN THE 2009-10 SCHOOL YEAR.

*Thank you to our parents and community members who serve on our various committees and councils. You give freely of your time and support our schools with your thoughtful dialogue, creative thinking and wise opinions. You are appreciated!*

OVER 800 VOLUNTEERS HAVE ASSISTED IN OUR SCHOOLS THIS PAST YEAR.

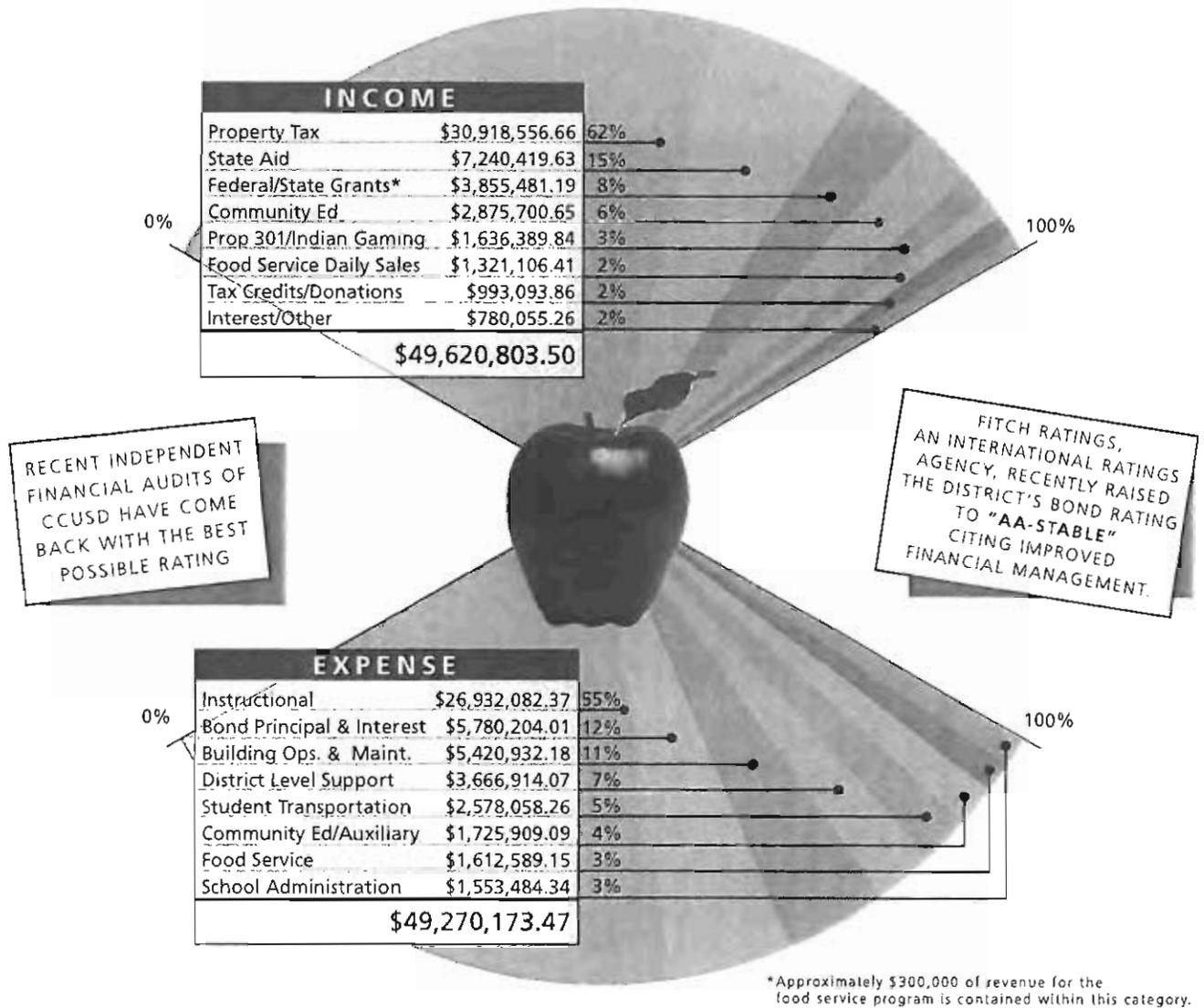
**Melissa Nelson**  
Cactus Shadows Student

Melissa formed "Cave Creek Teens" and organized a benefit concert, "Rock the District" at el Pedregal, raising over \$5,000 for CCUSD music programs. We are honored to have our teens give back to their school community before they even graduate.

### PTOs AND BOOSTERS – MAJOR USE OF FUNDS

<b>BMES PTO:</b>	Core Knowledge® classroom materials
<b>LMES PTO:</b>	Instructional aides
<b>DSA PTO:</b>	Instructional aides
<b>DWES PTO:</b>	Ceiling mounted projectors to support student learning through technology
<b>HTES PTO:</b>	Instructional aides
<b>STMS PTO:</b>	Teacher and classroom materials
<b>CSHS Boosters:</b>	Athletic and club scholarships for students in need
<b>CSHS PTO:</b>	Classroom supplies
<b>CSHS Men's Club:</b>	Support of all CSHS athletics

# INCOME AND EXPENSE OVERVIEW – FISCAL YEAR 2009-10



INCOME SOURCES DEFINED	
Property Tax	Levied to CCUSD property owners. Includes base level support, bonds and overrides.
State Aid	Generated from "homeowners' rebate."
Federal/State Grants	Federal and State support based on grants that are applied for by the District to be used for specific purposes of the grant.
Community Ed	Self-supporting from fees. Includes before- and after-school programs and instruction.
Prop 301/ Indian Gaming	Voter-approved support for teacher base pay and performance pay, AIMS intervention, dropout prevention, professional development, instructional improvement.
Food Service	Self-supporting from food sales and federal reimbursement.
Tax Credits/ Donations	Money collected in support of extracurricular activities for which the contributor receives a state tax credit, and money donated to the district, usually for specific purposes.

EXPENSES DEFINED	
Instructional	Includes salary and benefits for teachers, substitutes, nurses, teacher aides, paraprofessionals, etc. Also includes supplies, instructional materials, technology, furniture and equipment.
Bond Principal and Interest	Long-term debt of the school district including bond principal and interest payments.
Building Operations and Maintenance	Keeping facilities comfortable and safe for use, and keeping the grounds, buildings, and equipment in working condition.
District Level Support	Includes the Superintendent's office, Budget and Finance, Accounting, Payroll, Human Resources, Curriculum and Instruction, Technology Department, and Warehouse.
Student Transportation	Conveying students to and from school and school activities.
Community Ed	Before- and after-school programs. Cost recovery met through fees.
Food Service	Providing food to students. Cost recovery intended from food sales and federal reimbursement.
School Administration	Administrative responsibility for school sites, including the Principal and school office staff.

## MANAGING THROUGH CHALLENGE

For the second year in a row, as our State struggled with its budget and our country struggled with the economy, our school district was asked to return a portion of its budget dollars back to the State to assist with reducing the growing State deficit. This past winter, we returned \$935,692 eight months into our budget cycle. In May, to balance the school district budget for the 2010-11 school year after declining enrollment and the loss of the K-3 Override, our Governing Board approved the following budget reductions for our current school year:

- Gifted Specialist to oversee elementary programs (however all elementary schools will continue to expand the Gentry Model of cluster grouping)
- Elementary Librarians
- Class size increase by one student
- Closure of Desert Arroyo Middle School
- High School Secretary

With the extremely difficult decision to close Desert Arroyo Middle School, changes were made to our school configurations and programming. All seventh and eighth grade students now attend Sonoran Trails Middle School and sixth grade students remain at their elementary schools. In addition, Desert Sun Academy will grow to a K-8 configuration over the next three years. Spanish Immersion students from Desert Willow Elementary School now transition to Sonoran Trails Middle School to continue their immersion program.

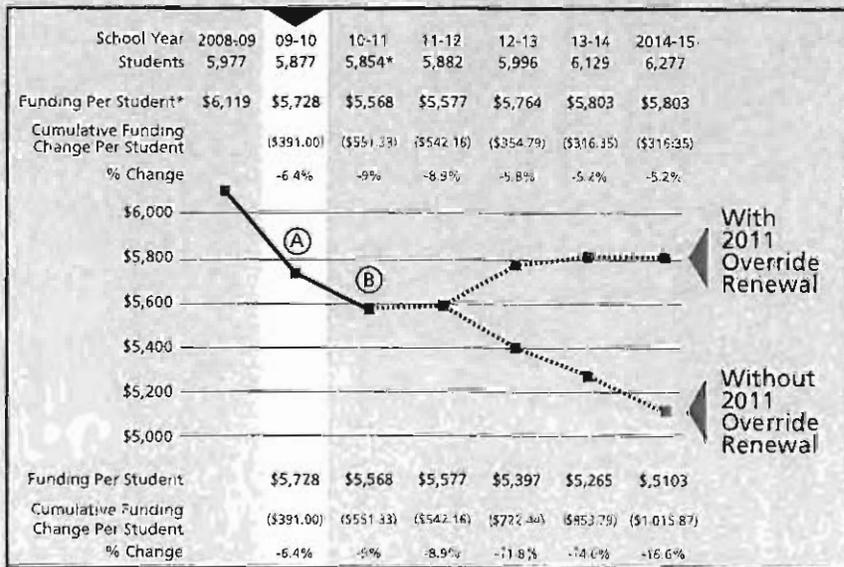
All other existing academic programming continues for our students, including art, PE, music and band for our elementary students. We thank our parent and school community for their patience and understanding as we worked through the difficult budget reduction process.



We also want to thank the entire CCUSD community for their support of Proposition 100 in May of 2010. Without the passage of this critical support of public education, our district would have had to cut an additional \$800,000 dollars, or approximately \$133.00 per student from an already reduced maintenance and operations budget.

CCUSD HAS CUT 23% OF ADMINISTRATIVE STAFF IN THE LAST 3 YEARS

### REALIZED AND PROJECTED BUDGET REDUCTIONS

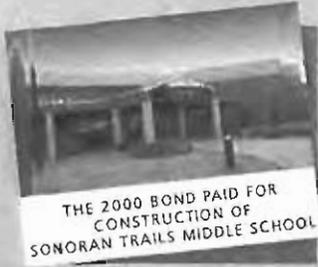


— Actual — Projected ■ Increase ■ Decrease \*11th day enrollment, Fall 2010  
\*State-provided operational support. Includes voter-approved overrides, but not bonds.

(A)  
THE STATE OF AZ TOOK BACK \$935,692 OF CCUSD BUDGET, OR \$160 PER STUDENT, IN JANUARY TO BALANCE THE BUDGET ENDING JUNE 2010.  
WITH FAIR WARNING AND SOUND FISCAL MANAGEMENT, CCUSD AVOIDED MID-YEAR LAYOFFS.

(B)  
THE DISTRICT'S K-3 OVERRIDE BEGAN ITS FIRST YEAR OF REDUCTION THIS SCHOOL YEAR BY \$315,236, OR \$177.00 PER K-3 STUDENT.

## 2000 BOND HISTORY AND PLAN



### PRESERVING OUR INVESTMENT FOR THE FUTURE

Thanks to district taxpayers, the Arizona Legislature and the Arizona School Facilities Board, we are able to share some very positive school facilities news in this year's annual report.

With the release of the remainder of our 2000 bond proceeds combined with \$6.4 million being provided through the Schools Facilities Board, we will soon be investing over \$19 million in renovation projects and a 38,000 square foot

expansion of the Cactus Shadows High School campus. The renovations will help preserve our facilities investment for years to come, and the much-needed expansion of the high school campus will alleviate overcrowding and be more conducive to learning.

Major bond projects include:

#### BLACK MOUNTAIN ELEMENTARY

- Fire alarm replacement
- Roof replacement
- Improve classroom lighting

#### DESERT SUN ACADEMY

- Renovate air conditioning system
- Replace clock system
- Add drinking fountains in play areas

#### DESERT WILLOW ELEMENTARY

- Renovate air conditioning system
- Resurface parking lots

#### HORSESHOE TRAILS ELEMENTARY

- Field renovations
- Add drinking fountains in field areas

#### LONE MOUNTAIN ELEMENTARY

- Renovate air conditioning system
- Field renovations

#### DESERT ARROYO CAMPUS

- Replace roof
- Complete fire alarm replacement

#### SONORAN TRAILS MIDDLE SCHOOL

- Ball field renovations
- Add shade structure

#### CACTUS SHADOWS HIGH

- Replace air conditioning controls
- Expand/remodel cafeteria
- Replace fire alarm system
- Replace 16 year-old roof
- Resurface all-weather track
- Resurface parking lot and drives

### HISTORY OF 2000 BOND

*In November of 2000, the voters of CCUSD passed a \$41.6 million bond for new school construction. This bond built all of Sonoran Trails Elementary and 61% of Horseshoe Trails Elementary.*

*Approximately \$13 million in bond proceeds remained unused, as it was not sufficient funding to construct a "new" high school, and voters denied a request for an additional \$45 million in 2007 to build a new high school as proposed at the south campus.*

*Recent legislation has released the remainder of the original 2000 bond proceeds for much-needed renovation of our existing school facilities. All Arizona school districts have been challenged with facilities maintenance issues for the past several years, since building renewal funds have been reduced or eliminated due to economic conditions.*

*We are very fortunate to have \$13 million to re-invest in our school facilities and to provide this "local" economic boost for contractors in a down economy without imposing new taxes in the district.*

*The best news for district taxpayers is that the majority of the 2000 bond is already paid for, with just \$17.9 million outstanding for 13 more years, with an approximate cost of \$15.00 per year on a home valued at \$500,000.*

### THANK YOU!

*To district taxpayers and to AZ Legislators Jim Waring, Nancy Barto, Ray Barnes, Michele Reagan and John Kavanagh for making our school renovations and Cactus Shadows expansion possible.*

#### FINE ARTS CENTER

- Replace roofing
- Theater lighting and dimmer system

#### LEARNING CENTER

- Air conditioning replacement
- Security and fire alarm system

#### TRANSPORTATION DEPOT

- Lighting and security system
- Expand and resurface parking lot

## NEW CAPITAL PROJECTS

### FACILITIES THAT MEET THE NEED WITH ADDED EFFICIENCY

During the 2010-2011 school year, the District is anticipating the receipt of funding for major capital improvement projects to supplement the use of the 2000 Bond funds as described previously. Two major sources are anticipated and these include funding from the Arizona School Facilities Board for the construction of a new building at the high school and funding from an allocation of Qualified School Construction Bonds for replacement/renovation of systems that use energy resources. A majority of these system replacements will reduce electricity usage.

### ARIZONA SCHOOL FACILITIES BOARD

The funding from the Arizona School Facilities Board is approximately \$6.4 million. It will be used for the construction of a building with approximately 38,000 sq. ft. on the CSHS campus. The requirement is to provide sufficient classroom space for a minimum of 285 students. The funding source is the state of Arizona and will not have an effect on the tax rate for the school district.



CCUSD HAS RECEIVED NO BUILDING RENEWAL FUNDS IN THE PAST 3 YEARS DUE TO THE STATE DEFICIT.

THIS FUNDING ADDRESSES LARGE TICKET FACILITY MAINTENANCE NEEDS

### QUALIFIED SCHOOL CONSTRUCTION BONDS FOR PERFORMANCE CONTRACTING

These QSC Bonds will provide funding to utilize a concept called Performance Contracting. Performance Contracting involves a guarantee by the contractor that the level of energy savings projected will be achieved by the district and that the Contractor will “guarantee” the savings and pay the difference between what is projected and what is actually saved, if necessary. The energy cost savings to the District from the operating budget will be used to pay back the Bond funds. There is no additional cost to the taxpayers.

### PROPERTY TAX RATES

Property Tax rates that support schools are determined by the size of the school district’s budget in comparison to the assessed valuation of the real property within the boundaries of the school district. The size of the budget is based directly on the number of students attending the schools. Tax rates vary from year-to-year based on these factors. Cave Creek has historically had low tax rates because of a relatively small student population compared to a relatively large assessed valuation.

Two types of property tax support the schools. The Primary Rate supports the operating budget (Maintenance and Operation Budget), two capital budgets (Unrestricted and Soft Capital), and two lesser-used budgets (Adjacent Ways and Desegregation). The Secondary Tax Rate provides the funding of voter-approved Bonds and Overrides.

SCHOOL FACILITIES BOARD (SFB) FUNDING HAS BEEN FROZEN FOR 3 YEARS.

THIS FUNDING ADDRESSES NEW FACILITIES NEEDS.

CACTUS SHADOWS BEFORE



CACTUS SHADOWS AFTER 2009 GROUNDS IMPROVEMENT (PAID WITH 2000 BOND MONEY)

## VOTER-APPROVED FUNDING AND FUTURE NEEDS



### OVERRIDES

An override is a method for a school district to generate additional revenue with voter approval. Prior to this year, there have been three types of overrides available to school districts: Kindergarten through third grade (**K-3**), **Capital**, and Maintenance and Operation (**M&O**). An M&O override is a 10 percent increase in additional M&O revenue for up to seven years. The K-3 Override represented an additional 3 1/3 percent increase in revenue to the M&O budget. A Capital Override is for a stated dollar amount for up to seven years, but it can only be used for non-personnel expenditures. Full funding of a K-3 or M&O override occurs for the first five years, then decreases by one-third each year, unless renewed. Currently, up to 75 percent of school districts in Maricopa County operate with some type of override.

### CURRENT VOTER-APPROVED FUNDING, DURATION AND USE

SECONDARY TAX AS APPLIED TO HOME ASSESSED AT:	K-3 OVERRIDE Personnel/Supplies	M&O OVERRIDE Personnel/Supplies	CAPITAL OVERRIDE Non-Personnel	BOND Facilities/ Transportation	TOTAL ELECTIVE TAX PER YEAR
\$250,000	\$6.78	\$30.63	-	\$7.18	\$44.59
\$500,000	\$13.55	\$61.25	-	\$14.36	\$86.16
	<i>Reducing - Will expire in 2012 if not renewed</i>	<i>Will begin reducing in 2012 if not renewed in 2011</i>	<i>Possible future request</i>	<i>2000 Bond payment will expire in 2025</i>	
APPROXIMATE ANNUAL FUNDING PER STUDENT	\$354.00 (K-3 ONLY)	\$510.00 (K-12)	N/A	N/A	



*Cave Creek Unified taxpayers enjoy one of the lowest school tax rates in Maricopa County due to the combination of higher property values and relatively low student-to-home ratio.*

*The Governing Board's tax philosophy is to keep the tax rates as low as possible while maintaining the highest quality education for district students.*

VOTER-APPROVED SCHOOL FUNDING COMPARISON- ANNUAL TAX ON A \$250,000 HOME:

CAVE CREEK: \$44.59  
 FOUNTAIN HILLS: \$275.00  
 SCOTTSDALE: \$338.22  
 PARADISE VALLEY: \$470.00  
 DEER VALLEY: \$506.30

CCUSD operates with a K-3 Override that will expire in two years and an M&O override that will begin expiring in 2012. These Overrides currently represent approximately \$3.5 million of additional funding for the district's operating budget. The district does not have a Capital Override in place.

### BONDS

A bond is a debt instrument that is secured by a political subdivision of Arizona. It allows school districts to fund capital projects immediately and pay back the debt over time from the taxation of homes and businesses in the district. Currently, CCUSD is in the final stages of expending bond funds that were authorized in November 2000. With funds generated by the bond, the district was able to build two new schools, purchase some new buses, and complete grounds improvement projects.

### FUTURE FUNDING AVAILABILITY AND NEEDS

The district is anticipating having funding available from three sources in the near future to renovate existing facilities, construct a new high school building, and to retrofit existing buildings with energy saving systems. The three possible sources include the remainder of the 2000 Bond proceeds, new Qualified School Construction Bonds for the energy systems, and funding from the state's School Facilities Board to construct the new high school building. There are three other types of capital expenditures for which the district does not have a sufficient funding source. These areas are Textbooks, Technology and Transportation. It is likely that voter approval for a funding source will be requested in the future to fund these important support services to facilitate the education of the district's students.

# DESERT FOOTHILLS COMMUNITY EDUCATION



Desert Foothills Community Education, founded in 1974 with a \$2,000 grant from the Mott Foundation, began as a small program offering after-school and summer classes to Cave Creek and Carefree community members. As an integral part of the Cave Creek Unified School District, the Desert Foothills Community Education (DFCE) now offers programs year-round at every school site. DFCE offers local citizens, schools, agencies and institutions the opportunity to become active partners in addressing education and community concerns.

DFCE offers programs that promote life-long learning and support knowledge, discovery and learning. Our programs (preschool, before and after-school child care, enrichment/recreational classes, academic classes, camps) focus not only on the basic skills a child needs to succeed in school and life but also on the development of their unique talents and abilities. Over the years, the department has also offered educational opportunities to our adult constituency.

## DFCE PROGRAMS:

**Child's Play Learning Center** provides programs for 3-5 year old children.

**Kid's Club** provides safe, affordable child care before and after the regular school day at all five elementary sites.

**Enrichment** offers academic classes such as reading, math, science, study skills, a variety of arts, crafts, music, sports, drama classes for all ages and some adult education programs.

**Summer Programs** for all ages.

**Artist in Residency** programs for the district schools

**artZbeat** Magazine is a community/student produced, bi-annual publication that focuses on the arts within the District.

**Community Collaboration** with area organizations such as the Carefree Kiwanis, Paradise Valley Community College, Foothills Community Foundation, Desert Foothills Library and the Sonoran Arts League.



2009-10  
COMMUNITY ED  
STUDENT  
PARTICIPATION:  
2,159 STUDENTS

DFCE CERTIFIED  
TEACHERS HAVE AN  
AVERAGE OF  
20 YEARS OF  
TEACHING EXPERIENCE.

*Preschools at DSA, HTES,  
DWES and The Learning Center  
are accredited with the  
National Accreditation  
Commission (NAC).*



BMES AND DSA  
PRESCHOOLS USE  
CORE KNOWLEDGE®  
CURRICULUM; DWES  
HAS A SPANISH  
IMMERSION PRESCHOOL

School Representative
Deposit #

## TAX CREDIT FORM

Date Received:
Receipt #

### CAVE CREEK UNIFIED SCHOOL DISTRICT "2010" Arizona Tax Credit Form Contributions for 2010 tax year must be postmarked by Dec. 31, 2010

The maximum Tax Credit Contribution for "2010" is \$400.00 for Married filing jointly and \$200.00 individually for Married filing separately. Filing as Single is still \$200.00 maximum. It is important to note that only **INDIVIDUALS** who wish to support extracurricular activities are eligible for the Arizona state Tax Credit. Contributions from **Partnerships, S Corporations, Trusts, Estates and LLCs** are **not eligible** for this Tax Credit. Personal checks only. Tax credit contributions are non-refundable.

*Please Print Clearly*

Donor Name				
Mailing Address		City	State	Zip
Home Phone		Work/Cell Phone		
Total Amount		Check Number	Cash	

**I wish to apply the amounts below to the support of the following extracurricular activity:**

<input type="checkbox"/> _____ Programs Most In Need		
<input type="checkbox"/> _____ Club Fees:	Student Name	Club
<input type="checkbox"/> _____ Athletic Fees:	Student Name	Sport
<input type="checkbox"/> _____ Field Trips (Non-recreational)	<input type="checkbox"/> _____ Performing and Fine Arts	<input type="checkbox"/> _____ Activity Fees
<input type="checkbox"/> _____ Character Education Programs	<input type="checkbox"/> _____ Gifted/Enrichment Programs	
<input type="checkbox"/> _____ After School Classes	<input type="checkbox"/> _____ Other (Please Specify)	

**Apply My Contribution to the Following School (s):**

- |  |  |
|--|--|
| <input type="checkbox"/> Black Mountain Elementary School (480) 575-2100 | <input type="checkbox"/> Desert Sun Academy (480) 575-2900                 |
| <input type="checkbox"/> Desert Willow Elementary School (480) 575-2800  | <input type="checkbox"/> Horseshoe Trails Elementary School (480) 272-8500 |
| <input type="checkbox"/> Lone Mountain Elementary School (480) 437-3000  | <input type="checkbox"/> Cactus Shadows High School (480) 575-2400         |
| <input type="checkbox"/> Sonoran Trails Middle School (480) 272-8600     |  |



(For Office Use ONLY)

**Make photo copy of check here**  
(Send photocopy to District Office and return original form to contributor)



Mailing Address for all School Sites: Please Include School Name  
P.O. Box 426, Cave Creek, AZ 85327

# CAVE CREEK UNIFIED DEMOGRAPHICS AND SCHOOL CONTACTS



*The district's serene, rural atmosphere is the background for personalized attention designed to develop the potential of each student.*

*District – 175 square miles encompassing Cave Creek, Carefree, Maricopa County, North Phoenix and Scottsdale*

## BLACK MOUNTAIN ELEMENTARY



**Grades: Pre-K thru 6**  
**Principal, Elie Gaines**  
egaines@ccusd93.org  
33606 N. 60th Street  
Scottsdale, AZ

**Telephone: 480-575-2100**  
**Fax: 480-488-6708**

## DESERT SUN ACADEMY



**Grades: Pre-K thru 6**  
**Principal, Bert Honigman**  
bhonigman@ccusd93.org  
27880 N. 64th Street  
Scottsdale, AZ

**Telephone: 480-575-2900**  
**Fax: 480-502-2364**

## DESERT WILLOW ELEMENTARY



**Grades: Pre-K thru 6**  
**Principal, Roger Hill**  
rhill@ccusd93.org  
4322 E. Desert Willow Parkway  
Phoenix, AZ

**Telephone: 480-575-2800**  
**Fax: 480-502-2364**

## HORSESHOE TRAILS ELEMENTARY



**Grades: Pre-K thru 6**  
**Principal, Janieue Marlow**  
jmarlow@ccusd93.org  
5405 E. Pinnacle Vista Drive  
Phoenix, AZ

**Telephone: 480-272-8500**  
**Fax: 480-907-6643**



## LONE MOUNTAIN ELEMENTARY



**Grades: K thru 6**  
**Principal, Nancy Shaver**  
nshaver@ccusd93.org  
5250 E. Montgomery  
Phoenix, AZ

**Telephone: 480-437-3000**  
**Fax: 480-595-1312**

## SONORAN TRAILS MIDDLE SCHOOL



**Grades: 7-8**  
**Principal, Bill Dolezal**  
bdolezal@ccusd93.org  
5555 E. Pinnacle Vista Drive  
Phoenix, AZ

**Telephone: 480-272-8600**  
**Fax: 480-272-8699**

## CACTUS SHADOWS HIGH SCHOOL



**Grades: 9 thru 12**  
**Principal, Steve Bebee**  
sbebee@ccusd93.org  
5802 E. Dove Valley Road  
Scottsdale, AZ

**Telephone: 480-575-2400**  
**Fax: 480-488-6701**

## PEOPLE

**Students** – approximately 5,850  
(Grades Pre-Kindergarten–12)

**Ethnicity** – 88% Caucasian,  
7% Hispanic, 3% Asian,  
1% Black, 1% Other

**Schools** – 5 elementary (Grades  
Pre-Kindergarten-6), 1 middle school  
(Grades 7-8), 1 high school  
(Grades 9-12)

**Teachers** – 309 certified staff with 20  
who are National Board Certified –  
*The highest percentage in the State*

**Classified Staff** – 311

**Administrative Staff** – 23

## PROGRAMS

**Special Education Students** – 10%

**Gifted Education Students** – 9%

**Title I Students (Federally Funded  
Reading Assistance)** – 6%

**English Language Learners** – 1%

**High School graduation rate** – 92%

**High School drop out rate** – 1%

**Advanced Placement® and  
International Baccalaureate®  
classes** – 21% of high school  
students enrolled with 43%  
receiving AP scores between 3-5;  
79% IB exam pass rate

**Average student attendance  
for all schools** – 95%

# CAVE CREEK UNIFIED SCHOOL DISTRICT

## GUIDING PRINCIPLE

*Students First... People Always*

## MISSION

*Inspire Excellence*

## VISION

*Inspire students to become life-long learners  
in order to succeed in a global economy.*

## GOVERNING BOARD BELIEFS

- We value parents as the child's first and best teacher.
- We value our community who entrusts us with the responsibility of the management of their fiscal resources.
- Every student will have the opportunity to learn in a safe nurturing environment.
- All students can learn with support from inspiring teachers and dedicated staff.
- Our schools and students must continuously improve beyond government mandated standards.
- Our students will be provided a world class education as a foundation for their contribution to society.
- Our schools must be the cornerstone of our community, be a good neighbor, respecting the values, rights and property of all within our school community.

## GOVERNING BOARD PHILOSOPHIES

### *Fiscal Stewardship Philosophy*

Cave Creek Unified School District commits to inspiring excellence in all aspects of education, while acting in a financially responsible manner by maximizing all resources possible to enhance student education (i.e., grants, education, community, business partners, and foundation).

### *Tax Philosophy*

Cave Creek Unified School District commits to providing its students with the most comprehensive, high quality education available, while maintaining the lowest voter approved secondary tax rate possible.

### *Attraction and Retention of Students Philosophy*

Cave Creek Unified School District commits to creating an educational environment that attracts, expects and inspires excellence for staff, students, parents and community members through a variety of program offerings.

## GOVERNING BOARD GOALS

- Develop and adhere to policies that create a healthy learning environment.
- Develop and deliver a curriculum, instructional program and assessment process which exceeds state standards.
- Provide technology integration which captures student interests and enhances learning.
- Encourage participation in co-curricular and extra-curricular opportunities such as athletics, fine and performing arts, vocation/career preparation and other activities.
- Provide opportunities for principled, visionary and disciplined leadership and professional development which directly impacts student achievement.
- Maintain an open budget process which considers shareholders' input, is based on student needs and priorities and reflects the district's strategic plan and funding realities.
- Provide outstanding customer service in all aspects of operations.

# **EXHIBIT 3**

**Scharf-Norton Center for Constitutional Litigation at the  
GOLDWATER INSTITUTE**

Clint Bolick (021684)  
Christina Kohn (027983)  
Carrie Ann Sitren (025760)  
500 E. Coronado Rd., Phoenix, AZ 85004  
(602) 462-5000  
[litigation@goldwaterinstitute.org](mailto:litigation@goldwaterinstitute.org)  
*Attorneys for Plaintiff*

**IN THE SUPERIOR COURT OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA**

JAYNE FRIEDMAN,

Plaintiff,

vs.

CAVE CREEK UNIFIED SCHOOL  
DISTRICT #93, et al.,

Defendants.

Case No.: \_\_\_\_\_

**DECLARATION OF PLAINTIFF  
JAYNE FRIEDMAN**

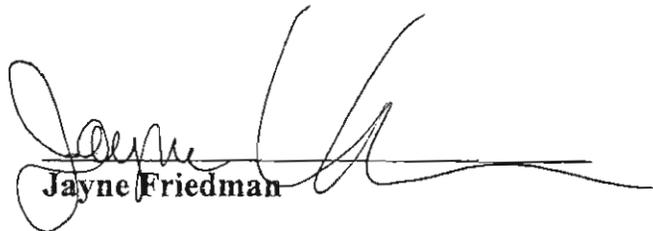
Pursuant to Arizona Rule of Civil Procedure 80(i), **Jayne Friedman** declares as follows:

1. I am a resident of Maricopa County, Arizona and a registered voter in the Cave Creek Unified School District #93.
2. I am a property taxpayer in the Cave Creek Unified School District #93.

3. I have equitable ownership over Cave Creek funds and am liable to replenish such funds for deficiencies resulting from misappropriations, like the Cave Creek Unified School District 2000 bond measure that by law must be repaid through my property taxes.
4. I have heard that design work is under way for the District's renovation projects, which will be funded by the 2000 bond measure funds.

I declare under penalty of perjury that to the best of my knowledge the foregoing is true and correct.

Dated: 3/17/2011

  
Jayne Friedman

# **EXHIBIT 4**

Member Clancy added when a Board Member asks for information, instead of assuming all want it and putting it out through the update; it may be pertinent to only one board member. When she asks for a copy, right now everyone gets a copy. Could there be a way to communicate; do they all want. Member Warren stated this was issue in the past and the Board came up with this protocol. If one Board Member gets information, it is communicated to all. It is simple to put requests through agenda review, run it through the rubric and if it doesn't make it, don't do it. Had members in the past ask for information which took 100 hours of staff time to produce which is not an appropriate use of resource time; if it is crucial information all Board Members should have it. He was glad to see the information on special education.

Member Busbee agrees; we should not be tying up staff time for miscellaneous requests. There is some information that could be required and some could be viewed as arbitrary. We need to look seriously at requests they are making and ask themselves first, is it necessary, urgent and what am I going to do with it. It feels like the Board is starting to be trite and babysitting ourselves. We are adults and need to conduct ourselves in a professional manner. If our conduct as a collective group in a broad sense is consistent, it would look good in the community.

Vice President Schaefer agrees with Member Busbee's assessment. We have a body of 5 individuals and it is difficult. Member Busbee stated it is difficult on a collective body; not everyone should have the same ideas. We would lose creativity and objectivity when all are thinking the same or have same opinions. Board should allow for looking outside the box and at different perspectives. We shouldn't be at odds with each other. She is a proponent of entertaining other ideas and doesn't want to eliminate an opportunity as Board would stagnate as a collective body.

Vice President Schaefer stated he is trying to get his arms around time invested in topics. It is a good idea to empower the Superintendent to run things through agenda review; then we can say pull, put in update or it was already covered a year ago.

Member Clancy stated we don't want the public to see strong arming of individual members when a request is turned down. The individual member needs to have that information and only one who needs to know. Why give all that information to all board members? Each member has strengths, weaknesses and personal interests on the board. She recently asked when the PTO meetings are and she wanted the information. She suggested the other Board Members be asked if they want the information prior to sending.

Dr. Burdick said we would change the language to go through agenda review instead to bringing it to a board meeting. With sending all information to board it is easier to send it to all versus asking each of them if they want it, waiting on a response and then sending the information again. Member Warren moved and Member Busbee seconded friendly motion to change language to reflect "going through agenda review versus brought to the board as a whole." Motion 1 passed unanimously as amended.

Updates to the *Governing Board Member Site Visit Protocol* were presented to bring it into alignment with recent policy changes and to add Board Member "Adopting A School for Event Participation."

Motion 2: Move that the Governing review and approve the Governing Board Member Site Visit Protocol as updated. Member Warren moved and Member Busbee seconded. Discussion: Member Clancy asked what about Process Servers coming onto campus; although she felt this might not be the place to discuss this. Dr. Burdick stated everyone coming onto a campus has to sign in although the police and CPS can tell us differently. Motion passed unanimously.

3.3 Review of Board Priorities "Non-negotiables": - Member Schaefer moved and Member Warren seconded to table this item and item 4.9 (District Goals for 10-11) due to time. Motion to table passed unanimously.

#### 4. NEW BUSINESS

4.1 Expenditure of Bond Proceeds - Legislation recently became effective as a result of HB2726. This legislation states that: "Notwithstanding section 15-491, subsection J, Arizona Revised Statutes, when nine years or more have passed since an election that authorized a school district to issue bonds, the school district may choose to use the proceeds of any bonds authorized at that election for any necessary capital improvement, provided that the school district's governing board votes to authorize the proposed use of the bond proceeds prior to June 30, 2013." This provision applies to the existing bond issue of Cave Creek Unified School District as nine years have passed since the 2000 Bond election. As the district has many capital improvement needs without a funding source, administration recommends that this provision be used for the improvement of school facilities and grounds as indicated in the Capital Plan. All projects exceeding the current threshold for bidding will be presented to the Board for approval. Information was presented to the Governing Board in detail at the August 10, 2010 Governing Board Meeting. This item allows the Board to determine if they want to spend bond proceeds which were originally for a new school, buses, etc. We are projecting \$12M in expenditures and we have \$13M left from the 2000 bond. Administration moved that the Governing

Board authorize the use of bond proceeds for capital improvement purposes. Member Warren moved and President Perkins seconded. Discussion: none Motion passed unanimously.

After the vote, Member Clancy asked over what period of time these projects will be done. Dr. Frison stated we will put a timeline together. Some projects will have to be aligned; some are easier to start than others; some require architecture and bidding process. We want to make sure the Governing Board and community know we are spending the money wisely, i.e., roofs, fire alarms, security systems, etc. Member Clancy asked if we would be looking strongly at using people in the community. Dr. Frison stated we can't favor one vendor over the other due to procurement laws. Member Clancy stated we can put a template together for 5 years or 8 years in business, etc. Dr. Frison stated the process for bid will be put together; we hope to do outreach in the community and everyone will be given equal opportunity to participate in the RFP process. Many times the smaller companies are not used to working with government and the procurement process; unfortunately we are required to go through this process.

4.2 School Facilities Board FY 2011 Capital Plan – Each year school districts are required to submit to the School Facilities Board the SFB Capital Plan form. This plan identifies student growth projections as well as potential land/residential development projections that may affect a district's need for additional building square footage. However, per SFB instructions, if the district is not requesting any new projects, only the District Information and Student Population Update sections are required to be filled out prior to submittal. The SFB uses this Capital Plan as a tool to determine whether or not New Construction within the district will be funded by the SFB. Current building square footage (all campuses) and student enrollment projections do not warrant a request for additional new construction square footage beyond that of the new high school space which has already been approved. Administration moved that the Governing Board approve the FY11 Capital Plan as presented. Member Warren moved and Member Schaefer seconded. Discussion: Member Clancy asked if the ADM numbers on the SFB form were projections for this year or are they based on what we have in the classroom. Dr. Frison stated they are projections done by the demographer. Member Warren asked what our current enrollment was and Dr. Burdick stated as of today it is 5854, down only 6 students from the 100<sup>th</sup> day of last year. Dr. Frison stated we currently have only 6 fewer students than the 100<sup>th</sup> day of last year and it is past the 10 day drop. Motion passed unanimously.

4.3 Revision to Bella Vista Lease (tabled at the 8/10/10 meeting) – After Governing Board approval of Bella Vista's lease on June 22, 2010, a request was made by them to use Room 23 instead of Room 21. Because Room 23 is larger, an increase in the lease rate was required. Administration moved that the Governing Board approve the Revision of the Lease with Bella Vista as presented. Member Warren moved and Member Busbee seconded. Discussion: none. Motion passed unanimously.

4.4 1<sup>st</sup> Reading of JFABB – Admission of Exchange and Foreign Students (tabled at the 8/10/10 meeting) – It has been the practice at Cactus Shadows to accept one foreign exchange student each year without payment of tuition. All additional foreign exchange students are required to pay tuition to attend CSHS. Policy JFABB has been updated to include this current practice within the policy language. Administration moved that the Governing Board approve the 1<sup>st</sup> Reading to Policy JFBB – Admission of Exchange and Foreign Students. Member Warren moved to amend this to make it a 1<sup>st</sup> and final. Member Schaefer seconded. Discussion: Member Clancy inquired how we would determine which student was free. Administration had determined the first foreign exchange student to apply would be the one to receive free tuition. As long as our process is outlined which it is in the regulation, there should be no problems with discrimination. Motion passed unanimously as amended.

4.5 1<sup>st</sup> and Final Reading of GCQF – Discipline, Suspension and Dismissal of Professional Staff Members (tabled at the 8/10/10 meeting) – A recent Policy Advisory from ASBA advised the addition of Policy GCQF - Discipline, Suspension, and Dismissal of Professional Staff Members, to reflect current legislation including elements of the process in a more discernible format and more specific language concerning suspension without pay for more than ten days and for dismissal. Administration moved that the Governing Board approve the Policy GCQF, Discipline, Suspension, and Dismissal of Professional Staff Members, as first and final reading, as presented. Member Schaefer moved and Member Busbee seconded.

Discussion: Member Clancy asked what improper attitude meant. Ms. Tussey stated it could be different in any case; it is along the lines of insubordination. Member Clancy stated attitude is subjective; this is for professional staff not kids. Ms. Tussey stated if employee's attitude is negative, action could be taken; if there is negative attitude to the supervisor or students. Member Clancy asked what about toward another employee. Ms. Tussey stated that is covered in another area. Member Clancy asked what about engaging in improper political activity. Ms. Tussey stated they would be breaking the law with political activity. If there is an allegation, an investigation would be done to show extent of violation and discipline would fit. Member Clancy stated with excessive absenteeism; what if they are extremely sick or exchanging days. Ms. Tussey stated with being absent without authorized leave each is individual to each case.

# **EXHIBIT 5**

**SUMMARY OF PROPOSED CAPITAL PLAN**

CAMPUS / FACILITY	2000 BOND GROUNDS IMPROVEMENTS	PERFORMANCE CONTRACTING PROJECTS	2000 BOND PROJECTS
CSHS	\$0	\$734,480	\$5,920,660
DAMS	\$32,940	\$359,081	\$1,540,860
STMS	\$210,450	\$0	\$0
BMES	\$125,880	\$1,299,000	\$1,802,545
DWES	\$0	\$0	\$443,470
DSES	\$13,664	\$0	\$239,486
LMES	\$0	\$0	\$262,300
HTES	\$98,332	\$0	\$98,332
Learning Center	\$0	\$254,490	\$1,072,380
Fine Arts Center	\$0	\$62,884	\$810,690
Transportation	\$0		
Student Transportation	\$0		
Warehouse	\$0		
Central Plant North	\$0	\$2,943,133	
Central Plant South	\$0	\$0	\$200,000

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	<b>\$481,266</b>	<b>\$5,653,068</b>	<b>\$12,390,723</b>
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**GRAND TOTAL 2000 BOND & PERFORMANCE CONTRACTING MEASURES** **\$18,525,057**

CAMPUS / FACILITY	FUTURE CAPITAL IMPROVEMENT BONDING REQUEST	FUTURE NEW CONSTRUCTION BONDING REQUEST	FUTURE ADMIN BONDING REQUEST
CSHS	\$1,667,630	\$3,980,250	\$0
DAMS	\$2,333,250	\$0	\$0
STMS	\$0	\$0	\$0
BMES	\$1,929,190	\$0	\$0
DWES	\$276,940	\$0	\$0
DSES	\$108,580	\$0	\$0
LMES	\$0	\$0	\$0
HTES	\$0	\$0	\$0
Learning Center	\$517,807	\$0	\$0
Fine Arts Center	\$761,280	\$0	\$0
Transportation	\$0	\$900,000	\$1,098,000
Student Transportation	\$0	\$0	\$0
Warehouse	\$0	\$0	\$270,840
Central Plant North	\$0	\$0	\$0
Central Plant South	\$0	\$0	\$0

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	<b>\$7,594,677</b>	<b>\$4,880,250</b>	<b>\$1,368,840</b>
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**FUTURE BOND GRAND TOTAL** **\$13,843,767**

**CACTUS SHADOWS HIGH SCHOOL**

**COMMENTS**

**FUTURE CAPITAL IMPROVEMENT BONDING REQUEST**

**FUTURE NEW CONSTRUCTION BONDING**

**PERFORMANCE CONTRACTING PROJECTS**

**2000 BOND PROJECTS**

F&C PRIORITY	Restroom renovation and fixture replacement	Fixtures, Partitions, Tankless Water heaters	\$275,000	\$18,524
1	High Efficiency Boiler Upgrade	Replace existing boiler		\$175,873
1	Replace drinking fountains campus wide (includes practice areas)	40 drinking fountains including power as needed		\$80,000
<hr/>				
2	Improve science areas		\$549,397	\$300,000
<hr/>				
1	Lighting Upgrades	Replace all t-12 w/t-8 fixtures, replace occupancy sensors	\$300,000	\$519,564
1	Replace Intercom/Clock/Bell System	Replaces current system that broadcasts on TV's		\$20,519
1	Fire Alarm Replacement	Complete system replacement		\$198,000
<hr/>				
1	Roof replacement (100-600 800 cafeteria/kitchen)	Foam type roofing 2" thick per square foot cost	\$803,063	\$960,000
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1	Replace HVAC fan coil controls	CW Modulating valves, fan coil controllers and software	\$960,000	\$300,000
<hr/>				
1	Door Hardware Replacement	Panic Bars, Leversets, Weather Striping, Keyless Entry	\$300,000	\$80,000
3	Create secured zoning for the gym & MPR areas			\$65,000
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2	Renovate bleacher seating main/aux gym	Replace wheels and motors	\$87,500	
3	Replace gym sound system		\$7,000	
<hr/>				
1	Resurface all weather track	Rubber surface only new stripes	\$94,500	\$230,000
<hr/>				
			\$230,000.00	
<hr/>				
2	Repaint interior	Repair drywall any damage, weather seal, repaint		\$165,000
2	Repaint exterior	Cost per square foot		\$285,000
3	Building and classroom signage to CCUSD standard		\$32,000	



F&C PRIORITY	DESERT ARROYO MIDDLE SCHOOL	COMMENTS	FUTURE CAPITAL IMPROVEMENT BONDING REQUEST	2000 BOND GROUNDS IMPROVEMENTS	PERFORMANCE CONTRACTING PROJECTS	2000 BOND PROJECTS
1	Roof replacement with Built up roof	15 - 20 yr old built up roof				\$970,000
1	Replace skylights / Improve CR lighting	Replace T12 w/ T8 fixtures			\$359,081	
			<u>\$1,329,081</u>			
1	Add HVAC in kitchen	Replace coolers	\$50,000			
1	HVAC Fan coil replacement	20 yr old equipment approaching end of useful life	\$200,000			
			<u>\$250,000</u>			
1	Fire Alarm Replacement Phase III	Final phase of code compliance efforts				\$40,000
			<u>\$40,000</u>			
1	Add security system to CCUSD standard.	Currently only Admin Bldg and Tech Lab have security	\$120,000			
3	Create secured zoning in the gym & multipurpose area	Isolate after hour use to specific areas	\$30,000			
			<u>\$150,000</u>			
1	Restroom renovation, fixture and ADA compliance	Urinal, Water Closet, Hand wash, Hand dryers, flush valve replacements	\$480,000			
1	Replace potable water supply line to campus	2000' @ \$36/ft Replace with C900 pipe	\$72,000			
1	Campus wide drinking fountain replacement.	Replace with ADA compliant chilled water units	\$25,000			
			<u>\$577,000</u>			
1	Resurface parking lot and drives					\$35,000
			<u>\$35,000</u>			
1	Hardware replacement on all doors		\$150,000			
1	Reconfigure Office and Stu Svcs for campus control.		\$15,000			
			<u>\$165,000</u>			



F&C  
PRIORITY

SONORAN TRAILS MIDDLE SCHOOL

2000 BOND GROUNDS IMPROVEMENTS

	COMMENTS	
1	② Parking lot slurry seal; and re-stripe slurry and stripe per sq ft	\$62,500
2	① Playing field renovations	\$75,000
2	① Add shade structures	\$35,000
		<b>\$110,000</b>
		<b>\$62,500</b>
		<b>\$172,500</b>
	Testing, Permits, Contingency, Design	<b>\$37,950</b>
		<b>\$210,450</b>
		<b>\$210,450</b>

F&C  
PRIORITY

BLACK MOUNTAIN ELEMENTARY SCHOOL

FUTURE CAPITAL IMPROVEMENT BONDING REQUEST      2000 BOND GROUNDS IMPROVEMENTS      PERFORMANCE CONTRACTING PROJECTS      2000 BOND PROJECTS

COMMENTS

1	Flooring replacement	Replace Carpet, VCT, Linoleum	\$490,000		
			<u>\$490,000</u>		
1	Restroom renovation, fixture and ADA compliance	Urinal, Water Closet, Hand wash, Hand dryers, flush valve replacements	\$450,000	\$37,357	
				<u>\$487,357</u>	
1	Skylight replacement, Ceiling redesign and Improve CR lighting	Replace all T12 w/T8 fixtures		\$792,266	\$225,000
			<u>\$1,017,266</u>		
1	Hardware replacement on all doors	Includes panic bars, lever sets, closers and weather stripping	\$112,000		
1	Install security system to CCUSD standard.		\$83,225		
			<u>\$205,225</u>		
1	Fire alarm replacement	Replace Integra System that broadcasts on CR TVs		\$20,812	\$165,000
1	Audio & Visual corrections				\$280,000
			<u>\$465,812</u>		
1	Roof replacement with Built-up roof	except building #100 Equip -6yrs old (includes all duct work)		\$448,585	\$457,743
1	HVAC replacement, EMS Upgrade				
			<u>\$906,308</u>		
1	Bleacher Renovation	Motor and wheel replacement	\$65,000		
1	Sound Management in Gymnasium		\$12,000		
			<u>\$77,000</u>		
2	Renovate Nurse's suite to CCUSD standard		\$86,156		\$96,186
2	Repaint interior				
2	Add signage to CCUSD standard		\$6,983		
3	Replace millwork/laminate		\$265,939		
3	Repaint exterior				\$185,000



F&C  
PRIORITY

DESERT WILLOW ELEMENTARY SCHOOL

FUTURE CAPITAL  
IMPROVEMENT BONDING  
REQUEST

2000 BOND  
IMPROVEMENTS  
2000 BOND PROJECTS

COMMENTS

H/S/L/E	①Renovate Central Plant and related HVAC equipment			\$70,000	\$70,000
S/L	②Resurface parking lot and drives	1' thick overlay price per sq yard		\$78,500	\$78,500
H/S/L	③Hardware replacements on all doors	lock, closure and weather striping	\$30,000		
H/L	④Repaint exterior	price per sq ft		\$110,000	
H/L	④Repaint interior	price per sq ft		\$105,000	
H/S/L	④Replace flooring (carpet and VCT)	price is per sq yard	\$182,000		
L/EDU	④Install GPS clock system	similar to LMES and STMS	\$15,000		
				\$15,000	
					\$363,500
				\$227,000	\$0
				\$49,940	\$0
				\$276,940	\$0
					\$443,470
					\$720,410

TOTAL

Testing, Permits, Contingency, Design

SUB TOTAL DWES

GRAND TOTAL DWES

F&C  
PRIORITY

DESERT SUN ELEMENTARY SCHOOL

FUTURE CAPITAL  
IMPROVEMENT BONDING  
REQUEST

2000 BOND-GROUNDS  
IMPROVEMENTS

2000 BOND PROJECTS

COMMENTS

H/S	ADD DRINKING FOUNTAINS ADJACENT TO PLAY AREAS	4 FOUNTAINS INCLUDES WATER AND SEWER TIE IN	\$11,200
H/S/L/E	HVAC RENOVATION (RESIZE PUMPS/PIPING)	MAMMOTH GOVERNORIAL CENTRAL PLANT	\$70,000
H/L	REPAINT INTERIOR	ADMIN, MULTI PURPOSE, K & LIBRARY BLDGS ONLY	\$55,000
H/L	REPAINT EXTERIOR	ADMIN, MULTI PURPOSE, K & LIBRARY BLDGS ONLY	\$56,300
			\$111,300.00
3	REPLACE FLOORING (CARPET AND VCT)	ADMIN, MULTI PURPOSE, K & LIBRARY BLDGS ONLY	\$89,000
3	ADD GPS CLOCK SYSTEM	SIMILAR TO LMES AND STMS	\$15,000
			\$104,000
		TOTAL	\$196,300
		TESTING, PERMITS, CONTINGENCY, DESIGN	\$2,464
		SUB TOTAL DSES	\$13,664
		GRAND TOTAL DSES	\$361,730

F&C  
PRIORITY

LONE MOUNTAIN ELEMENTARY SCHOOL

COMMENTS

FUTURE CAPITAL  
IMPROVEMENT BONDING  
REQUEST

2000 BOND GROUNDS  
IMPROVEMENTS

2000 BOND PROJECTS

1 Central Plant Renovations

\$55,000

\$55,000

2 Paint exterior

Clean and re-paint areas affected by efflorescence

\$110,000

\$110,000

1 Field renovations

\$50,000

\$50,000

TOTAL

\$215,000

\$0

\$0

Testing, Permits, Contingency, Design

\$47,300

\$0

\$0

SUB TOTAL LMES

\$262,300

\$0

\$0

GRAND TOTAL LMES

\$262,300

F&C  
PRIORITY

**HORSESHOE TRAILS ELEMENTARY SCHOOL**

**2000 BOND  
PROJECTS**

**COMMENTS**

2	Add water fountains (close to fields)	\$5,600
2	Field renovation for all turf areas	\$75,000

**\$80,600**

**TOTAL**

**\$80,600**

**Testing, Permits, Contingency, Design**

**\$17,732**

**SUB TOTAL HTES**

**\$98,332**

**GRAND TOTAL HTES**

**\$98,332**

F&C PRIORITY	FORMER BLACK MOUNTAIN ELEMENTARY SCHOOL	COMMENTS	FUTURE CAPITAL IMPROVEMENT BONDING REQUEST	PERFORMANCE CONTRACTING PROJECTS	2000 BOND PROJECTS
1		1 Add records storage area. convert CR space			\$35,000
			<u>\$35,000</u>		
1		1 New hardware on all doors	\$70,000		
1		1 Install security system to CCUSD standard.			\$65,000
					<u>\$135,000</u>
1		1 HVAC replacement			\$480,000
1		1 Replace fire alarm system			\$78,000
1		1 Lighting Upgrade			
		Convert T12 fixtures to T8, Add occupancy sensors		\$254,490	
					<u>\$254,490</u>
1		1 Resurface parking lot and drives			\$25,000
					<u>\$25,000</u>
2		2 Repaint interior			\$61,000
2		2 Repaint exterior			\$135,000
2		2 Replace flooring (VCT and carpet)	\$309,432		
3		3 Replace millwork	\$45,000		
					<u>\$550,432</u>
					<u>\$424,432</u>
		<b>TOTAL</b>		\$254,490	\$879,000
		Testing, Permits, Contingency, Design	\$93,375	INCLUDED	\$193,380

SUB TOTAL Learning Center

\$517,807

\$254,490

\$1,072,380

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GRAND TOTAL Learning Center

\$1,844,677

**F&C  
PRIORITY**

**FINE ARTS CENTER**

**COMMENTS**

**FUTURE CAPITAL  
IMPROVEMENT BONDING  
REQUEST**

**PERFORMANCE  
CONTRACTING  
PROJECTS**

**2000 BOND PROJECTS**

1	Flooring replacement (carpet, vct, masonite, and stage)	\$175,000		
1	Refurbish all theater seating	\$130,000		
1	Hardware replacements all doors	\$26,000		
1	Replace roofing			\$300,000
1	Restroom renovation	\$78,000		
1	Renovate for ADA compliance (theater)	\$260,000		
1	Upgrade security system	\$36,000		
1	Replace dimmer system			\$75,000
1	Renovate stage rigging	\$50,000		
1	Replace grand valence, grand drape, cyclorama, and other back-curtains	\$35,000		
1	Improve and modernize stage / theater lighting		\$62,884	\$60,000
1	Segregate DO fire alarm from FAC system			\$35,000
1	Replace sound system	\$65,000		
2	Repaint interior			\$82,500
2	Add signage	\$12,000		
2	Exterior painting			\$112,000
2	Add electrical in amphitheater to accommodate lighting and sound system	\$62,000		
<b>TOTAL</b>		<b>\$624,000</b>	<b>\$62,884</b>	<b>\$664,500</b>
<b>Testing, Permits, Contingency, Design</b>		<b>\$137,280</b>	<b>INCLUDED</b>	<b>\$146,190</b>
<b>SUB TOTAL FAC</b>		<b>\$761,280</b>	<b>\$62,884</b>	<b>\$810,690</b>
<b>GRAND TOTAL FAC</b>				<b>\$1,634,854</b>



**FUTURE  
BONDING  
REQUEST  
ADMIN**

**F&C  
PRIORITY**

1	Insulate building	\$20,000
1	Replace cooler and ductwork	\$35,000
1	Add area heating	\$40,000
1	Add building security system	\$15,000
1	Replace roll up doors	\$52,000
1	Replace all doors and hardware	\$20,000
2	Improve exterior lighting	\$25,000
2	Replace shelving	\$15,000

**TOTAL**  
\$222,000

**Testing, Permits, Contingency,  
Design**  
\$48,840

**SUB TOTAL WAREHOUSE**  
\$270,840

**GRAND TOTAL WAREHOUSE**  
\$270,840



F&C  
PRIORITY

CENTRAL PLANT (MAIN)

PERFORMANCE CONTRACTING  
PROJECTS

**COMMENTS**

Central Plant Upgrades  
pump, motor, vfd's, controls, software, cooling  
towers

\$2,943,133

1

**\$2,943,133**

**TOTAL**

**INCLUDED**

Testing, Permits, Contingency, Design

**\$2,943,133**

**SUB TOTAL CENTRAL PLANT NORTH**

**\$2,943,133**

**GRAND TOTAL CENTRAL PLANT NORTH**

F&C  
PRIORITY

CENTRAL PLANT (SOUTH)

2000 BOND PROJECTS

COMMENTS

1 Central Plant Upgrades \$200,000

TOTAL \$200,000

Testing, Permits, Contingency, Design INCLUDED

SUB TOTAL CENTRAL PLANT SOUTH \$200,000

GRAND TOTAL CENTRAL PLANT SOUTH \$200,000

# **EXHIBIT 6**

## Cave Creek district renovation projects to begin in March

<http://www.azcentral.com/community/scottsdale/articles/2010/10/29/20101029cave-creek-district-work-list-march.html>

April 1, 2011

by **Mary Beth Faller** - Oct. 30, 2010 06:51 AM

The Arizona Republic

Design work is proceeding for the Cave Creek Unified School District's \$19 million renovation projects but some work likely will begin in March, the facilities director told the governing board Tuesday night.

Dennis Roehler said the district has saved money because design fees have decreased.

"We're already under budget because of the economy," he said.

The biggest component - a new 38,000-square-foot classroom building at Cactus Shadows High School - will begin construction in May, with completion scheduled for August 2012.

The money will come from \$13.1 million in unspent funds from the 2000 bond program plus \$6.4 million from the state School Facilities Board, as well as additional funding from money the district will save because of energy efficiency improvements.

In time, every facility will have work done. The timeline for north campus work is as follows:

### **Cactus Shadows High School**

- Door hardware replacement and secured zoning around gym - December.
- Lighting and boiler upgrades - March through summer 2011.
- Reconfigure staff and student parking, resurface the track and replace two classroom building roofs, all drinking fountains and the intercom and bell system - May through August 2011.
- Repaint the school's exterior - January through June 2012.
- Repaint the school's interior, expand the cafeteria and replace the fire-alarm system - May through August 2012.
- Replace other classroom building roofs - May through summer 2012.

### **Black Mountain Elementary School**

- Replace the roof, air-conditioning system, skylights and fire-alarm system, redesign and replace the cafeteria ceiling, upgrade lighting and audio/visual system - March through July 2011.
- Renovate playground and replace sidewalks - June and July 2011.
- Repaint exterior - February through June 2013.

- Repaint interior - May and June 2013.

**Desert Arroyo Middle School (school closed)**

- Replace fire alarm - January and February 2011

- Replace roof and skylights and upgrade lighting - February through May 2011.

- Repaint exterior - September through December 2011.

- Repaint interior - January through April 2012.