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6 SAN DIEGO UNIFIED SCHOOL DISTRICT

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SAN DIEGO

10
11 TAXPAYERS FOR ACCOUNTABLE
SCHOOL BOND SPENDING, a
12 California Nonprofit Fictitious Business
Entity,

13 Plaintiff and Petitioner,

14 v.

15 SAN DIEGO UNIFIED SCHOOL
16 DISTRICT; and DOES ONE through
TWENTY, inclusive,

17 Defendants and Respondents.
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Superior Court Case No. 37-2011-00085714-
CU-WM-CTL

**DECLARATION OF GARY STANFORD IN
SUPPORT OF ACCOUNTING FOR USE OF
PROPOSITION S BOND PROCEEDS FOR
FIELD LIGHTING**

Dept: C-72
Judge: Hon. Timothy B. Taylor

Complaint Filed: February 10, 2011
Court of Appeal Decision: March 26, 2013
Remittitur Issued: August 2, 2013

Exempt from filing fees pursuant to Gov.
Code, § 6103.

1 I, Gary Stanford, declare as follows:

2 1. I, Gary Stanford, am the Director of Project Management, Facilities Planning and
3 Construction Management for the San Diego Unified School District. Except where stated to be
4 based upon information and belief, I have personal knowledge of the facts set forth in this
5 Declaration, and if called upon to testify under oath concerning them, I could and would testify
6 competently to such facts.

7 2. I make this Declaration to respond to the San Diego Superior Court's September
8 20, 2013 Order to submit a detailed accounting of how Proposition S bond proceeds were used to
9 pay for planning, design, study, construction, implementation, or use of field lighting at Hoover
10 High School's athletic stadium and any other high school stadiums.

11 3. To my knowledge, Proposition S funds were used for field lighting only at
12 Clairemont High School, Hoover High School, Madison High School, Morse High School, and
13 University City High School. Attached as Exhibit A to this Declaration is a spreadsheet
14 representing my good faith determination of the amount of Proposition S bond proceeds spent on
15 field lighting at these schools.

16 4. The publicly-bid construction contracts for each project were awarded on a lump
17 sum basis, without separate designations for the value of the field lighting components of the
18 work. The District received from each of the contractors during construction a Schedule of
19 Values, which is a document that roughly allocates the contract price to various elements of work,
20 to permit the reconciling of progress payments with the percentage of work completed as the
21 project is built.

22 5. Using the Schedule of Values for each of the projects, and our experience in
23 administering construction projects of this nature, I and my staff determined that the reasonable
24 value of the total construction cost of each project allocated to work related to field lighting is as
25 shown in Column B on Exhibit A.

26 6. The testing and inspection services relating to each project are paid for on an
27 hourly sum basis for work performed daily throughout the entire project, without separate
28 designations for the value of work related to the field lighting components of the project.

EXHIBIT A

	Construction	Testing and Inspection		Design Fees		DSA Web Calculator	Total	Total
High School	\$ Value Related to Field Lighting	% of Value Related to Field Lighting	\$ Value Related to Field Lighting	% of Value Related to Field Lighting	\$ Value Related to Field Lighting	DSA Fees \$ Value Related to Field Lighting	Lights Cost	Project Cost (soft & Hard)
Clairemont	\$353,928	2.5%	\$8,848	12%	\$42,471	\$3,184	\$408,431	\$7,411,752
Madison	\$530,000	2.5%	\$13,250	12%	\$63,600	\$4,740	\$611,590	\$6,510,964
Morse	\$261,250	2.5%	\$6,531	12%	\$31,350	\$3,023	\$302,154	\$9,752,240
University City	\$695,000	2.5%	\$17,375	12%	\$83,400	\$7,255	\$803,030	\$1,428,367
Hoover High	\$425,450	2.5%	\$10,636	12%	\$51,054	\$3,828	\$490,968	\$12,508,296

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PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN FRANCISCO)

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is: 275 Battery Street, Suite 1150, San Francisco, CA 94111.

On October 21, 2013, I served the foregoing document(s) described as

- **DECLARATION OF GARY STANFORD IN SUPPORT OF ACCOUNTING FOR USE OF PROPOSITION S BOND PROCEEDS FOR FIELD LIGHTING**

on interested parties in this action as follows:

Craig A. Sherman
Todd T. Cardiff, Esq.
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Counsel for Plaintiff
Taxpayers for Accountable School Bond
Spending

(VIA ELECTRONIC SERVICE) [Code Civ. Proc. Sec. 1010.6; CRC 2.260] by electronic mailing a true and correct copy through Dannis Woliver Kelley’s electronic mail system from ntaylor@DWKesq.com to the email address(es) set forth above, or as stated on the attached service list per agreement in accordance with Code of Civil Procedure section 1010.6 and CRC Rule 2.260. The transmission was reported as complete and without error.

(VIA U.S. MAIL) I caused such document to be placed in the U.S. Mail at San Francisco, California with postage thereon fully prepaid. I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 21, 2013 at San Francisco, California.



Nancy Taylor