

**MEASURE "L" GENERAL OBLIGATION
BOND BUILDING FUND OF
TUSTIN UNIFIED SCHOOL DISTRICT
AUDIT REPORT
For the Fiscal Year Ended
June 30, 2010**



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TUSTIN UNIFIED SCHOOL DISTRICT
AUDIT REPORT
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The Board of Trustees and the
Citizens' Bond Oversight Committee
Tustin Unified School District
Tustin, California

INDEPENDENT AUDITORS' REPORT

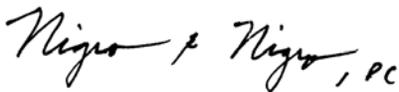
We have audited the accompanying balance sheet of the Measure "L" General Obligation Bond Building Fund (the "Fund") of Tustin Unified School District (the "District") as of June 30, 2010, and the related statement of revenues, expenditures and changes in fund balance as of and for the fiscal year ended June 30, 2010. These financial statements are the responsibility of the District's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial and performance audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As discussed in Note 1A, the financial statements present only the individual Measure "L" General Obligation Bond Building Fund and are not intended to present fairly the financial position of the District in conformity with generally accepted accounting principles.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Measure "L" General Obligation Bond Building Fund of Tustin Unified School District, as of June 30, 2010, and the results of its operations for the period then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 16, 2010 on our consideration of the Measure "L" General Obligation Bond Building Fund of Tustin Unified School District's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.



December 16, 2010

Financial Section

**MEASURE "L" GENERAL OBLIGATION BOND BUILDING FUND OF
TUSTIN UNIFIED SCHOOL DISTRICT
Balance Sheet
June 30, 2010**

ASSETS	
Cash	\$ 23,814,398
Accounts Receivable	18,601
	<hr/>
Total Assets	\$ 23,832,999
	<hr/> <hr/>
LIABILITIES AND FUND BALANCE	
Liabilities	
Accounts payable	\$ 1,072,297
Fund Balances	
Unreserved	22,760,702
	<hr/>
Total Liabilities and Fund Balance	\$ 23,832,999
	<hr/> <hr/>

The notes to the financial statements are an integral part of this statement.

**MEASURE "L" GENERAL OBLIGATION BOND BUILDING FUND OF
TUSTIN UNIFIED SCHOOL DISTRICT
Statement of Revenues, Expenditures, and Changes in Fund Balance
For the Fiscal Year Ended June 30, 2010**

REVENUES	
Interest earnings	\$ 71,278
Total Revenues	71,278
EXPENDITURES	
Plant Services:	
Materials and supplies	3,403
Services and other operating expenditures	18,266
Capital outlay	2,288,907
Other Outgo:	
Debt service - issuance costs	392,500
Total Expenditures	2,703,076
Excess (Deficiency) of Revenues Over (Under) Expenditures	(2,631,798)
OTHER FINANCING SOURCES/USES	
Proceeds from bonds	25,000,000
Premium on issuance costs	392,500
Total Other Financing Sources	25,392,500
Net Change in Fund Balance	22,760,702
Fund Balance, July 1, 2009	-
Fund Balance, June 30, 2010	\$ 22,760,702

The notes to the financial statements are an integral part of this statement.

**MEASURE "L" GENERAL OBLIGATION BOND BUILDING FUND OF
TUSTIN UNIFIED SCHOOL DISTRICT**
Notes to Financial Statements
June 30, 2010

NOTE 1 – SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

On November 4, 2008, an election was held in the District, whereby the voters approved by a 58.5% vote Measure "L", which authorizes the District to issue up to \$95 million of general obligation bonds. The bonds will be used to acquire, construct, renovate, upgrade and provide repair of existing school facilities. The Committee's oversight goals include reviewing and reporting on the proper expenditure of taxpayers' money for school construction, that bond funds are spent on projects included on the ballot, and that annual independent performance and financial audits are performed.

On March 30, 2010, the District issued the first series of bonds, Series A, in the amount of \$12,000,000 and Sub-Series A-1, Build America Bonds, in the amount of \$13,000,000. The bond proceeds and uses are accounted for in the District's Bond Building Fund (using subfund 2126). The statements presented are for the individual Measure "L" General Obligation Bond Building Fund and are not intended to be a complete presentation of the District's financial position or results of operations.

B. Accounting Policies

The Tustin Unified School District accounts for its financial transactions in accordance with the policies and procedures of the Department of Education's *California School Accounting Manual*. The accounting policies of the District conform to generally accepted accounting principles as prescribed by the Governmental Accounting Standards Board (GASB) and the American Institute of Certified Public Accountants (AICPA).

C. Basis of Accounting

Basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of measurement made, regardless of the measurement focus applied.

The financial statements of the Measure "L" General Obligation Bond Building Fund are presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual; i.e., both measurable and available. "Available" means collectible within the current period or within 60 days after year-end. Expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred. The exception to this general rule is that principal and interest on general obligation long-term debt, if any, is recognized when due.

**MEASURE "L" GENERAL OBLIGATION BOND BUILDING FUND OF
TUSTIN UNIFIED SCHOOL DISTRICT
Notes to Financial Statements
June 30, 2010**

NOTE 1 – SIGNIFICANT ACCOUNTING POLICIES (continued)

D. Encumbrances

Encumbrance accounting is used in all budgeted funds to reserve portions of applicable appropriations for which commitments have been made. Encumbrances are recorded for purchase orders, contracts, and other commitments when they are written. Encumbrances are liquidated when the commitments are paid. All encumbrances are liquidated as of June 30. If there is a balance on a contract encumbered at year end that has not yet been earned, the balance is moved as an encumbrance into the next fiscal year. This allows for continuity in tracking contracts.

E. Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

NOTE 2 – CASH

Policies and Practices

The District is authorized under California Government Code to make direct investments in local agency bonds, notes, or warrants within the State; U.S. Treasury instruments; registered State warrants or treasury notes; securities of the U.S. Government, or its agencies; bankers acceptances; commercial paper; certificates of deposit placed with commercial banks and/or savings and loan companies; repurchase or reverse repurchase agreements; medium term corporate notes; shares of beneficial interest issued by diversified management companies, certificates of participation, obligations with first priority security; and collateralized mortgage obligations. Investments of debt proceeds held by trustees are governed by the provisions of debt agreements rather than the general provisions of the California Government Code. These provisions allow for the acquisition of investment agreements with no restriction on the percentage held in each authorized investment in relation to the District's entire investment portfolio.

**MEASURE "L" GENERAL OBLIGATION BOND BUILDING FUND OF
TUSTIN UNIFIED SCHOOL DISTRICT**

Notes to Financial Statements

June 30, 2010

NOTE 2 – CASH (continued)

Policies and Practices (continued)

Cash in County Treasury – The District is considered to be an involuntary participant in an external investment pool as the District is required to deposit all receipts and collections of monies with their County Treasurer (Education Code Section 41001). The fair value of the District’s investment in the pool is reported in the accounting financial statements at amounts based upon the District’s pro-rata share of the fair value provided by the County Treasurer for the entire portfolio (in relation to the amortized cost of that portfolio). The balance available for withdrawal is based on the accounting records maintained by the County Treasurer, which is recorded on the amortized cost basis.

General Authorizations

The authority to invest District funds deposited with the county treasury is delegated to the County Treasurer and Tax Collector. Additional information about the investment policy of the County Treasurer and Tax Collector may be obtained from its web site. The table below identifies some of the investment types permitted in the investment policy:

<u>Authorized Investment Type</u>	<u>Maximum Remaining Maturity</u>	<u>Maximum Percentage of Portfolio</u>	<u>Maximum Investment in One Issuer</u>
U.S. Agency Securities	5 years	None	None
Money Market Mutual Funds	N/A	20%	10%
County Pooled Investment Funds	N/A	None	None

Limitations as they relate to interest rate risk, credit risk, and concentration of credit risk are described below:

Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. The District manages its exposure to interest rate risk by investing in the County Treasury. The District maintains an investment with the Orange County Investment Pool with a fair value of approximately \$23,829,163 and an amortized book value of \$23,814,398. The average weighted maturity for this pool is 304 days.

**MEASURE "L" GENERAL OBLIGATION BOND BUILDING FUND OF
TUSTIN UNIFIED SCHOOL DISTRICT**
Notes to Financial Statements
June 30, 2010

NOTE 2 – CASH (continued)

Credit Risk

Credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. The investment with the Orange County Investment Pool is not required to be rated, nor has it been rated as of June 30, 2010.

Concentration of Credit Risk

The investment policy of the District contains no limitations on the amount that can be invested in any one issuer beyond the amount stipulated by the California Government Code. District investments that are greater than 5 percent of total investments are in either an external investment pool or mutual funds and are therefore exempt.

NOTE 3 – ACCOUNTS RECEIVABLE

Accounts receivable at June 30, 2010 in the amount of \$18,601 represent the amount due from the County Treasurer for interest earnings for the month ended June 30, 2010.

NOTE 4 – MEASURE "L" GENERAL OBLIGATION BONDS

On November 4, 2008, the District issued Series A of "Measure L" General Obligation Bonds, in the amount of \$25,000,000. The issue consisted of: a) Tax-Exempt Bonds of \$12,000,000 with the stated interest rates ranging from 3.0% to 5.0% and fully maturing on August 1, 2025 and b) Build America Bonds of \$13,000,000 with a coupon yield to maturity ranging from 6.539% to 6.589% and fully maturing on August 1, 2034. At June 30, 2010, the outstanding principal balance of the bonds was \$25,000,000.

**MEASURE "L" GENERAL OBLIGATION BOND BUILDING FUND OF
TUSTIN UNIFIED SCHOOL DISTRICT**
Notes to Financial Statements
June 30, 2010

NOTE 4 – MEASURE "L" GENERAL OBLIGATION BONDS (continued)

The annual requirements to amortize Measure "L" general obligation bonds payable are as follows:

Fiscal Year	Principal	Interest	Total
2010-11	\$ -	\$ -	\$ -
2011-12	1,000,000	1,788,829	2,788,829
2012-13	1,275,000	1,308,833	2,583,833
2013-14	590,000	1,270,582	1,860,582
2014-15	605,000	1,252,882	1,857,882
2015-20	3,360,000	5,919,513	9,279,513
2020-25	4,200,000	5,051,412	9,251,412
2025-30	5,630,000	3,882,547	9,512,547
2030-35	8,340,000	1,733,517	10,073,517
Total	<u>\$ 25,000,000</u>	<u>\$ 22,208,115</u>	<u>\$ 47,208,115</u>

NOTE 5 – CONSTRUCTION COMMITMENTS

As of June 30, 2010, the District had commitments with respect to unfinished capital projects of approximately \$651,000.

Other Independent Auditors' Reports

The Board of Trustees and the
Citizens' Bond Oversight Committee
Tustin Unified School District
Tustin, California

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN
AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS**

We have audited the accompanying balance sheet of the Measure "L" General Obligation Bond Building Fund of Tustin Unified School District (the "District") as of June 30, 2010, and the related statement of revenues, expenditures and changes in fund balance as of and for the year ended June 30, 2010. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Tustin Unified School District's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Tustin Unified School District's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Tustin Unified School District's internal control over financial reporting.

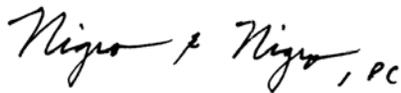
A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the District's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Tustin Unified School District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of the Measure "L" Bond Oversight Committee, the District Governing Board, management, and the taxpayers of Tustin Unified School District and is not intended to be and should not be used by anyone other than the specified parties.

A handwritten signature in cursive script that reads "Nigro & Nigro, PC".

December 16, 2010

The Board of Trustees and the
Citizens' Bond Oversight Committee
Tustin Unified School District
Tustin, California

INDEPENDENT AUDITORS' REPORT ON PERFORMANCE

We have examined the Tustin Unified School District's (the "District") compliance with the performance requirements for the Proposition 39 Measure "L" General Obligation Bond for the fiscal year ended June 30, 2010, under the applicable provisions of Section 1(b)(3)(C) of Article XIII A of the California Constitution and Proposition 39 as they apply to the Bonds and the net proceeds thereof. Management is responsible for the District's compliance with those requirements. Our responsibility is to express an opinion on the District's compliance based on our examination.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Objectives

The objectives of the examination of compliance applicable to the District are to determine with reasonable assurance that:

- The expenditures charged to the Tustin Unified School District Building Fund (subfund 2126) are appropriate.
- Expenditures charged to the Building Fund have been made in accordance with the bond project list approved by the voters through the approval of Measure "L".
- Any discrepancies or weaknesses in internal controls are noted and recommendations for improvement are provided.
- The District Board and the Citizens' Oversight Committee are provided with a performance audit report as required under the requirements of the California Constitution and Proposition 39.

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Scope of the Audit

The scope of our performance audit covered the fiscal period from the date of bond issuance, which was March 30, 2010 to June 30, 2010. The expenditures tested included all object and project codes associated with the bond projects. The propriety of expenditures for capital projects and maintenance projects funded through other State or local funding sources, other than the proceeds of the bonds, were also included within the scope of our audit. Expenditures incurred subsequent to June 30, 2010 were not reviewed or included within the scope of our audit or in this report.

Procedures Performed

We obtained the general ledger and the project expenditure reports prepared by the District for the fiscal year ended June 30, 2010 for the Building Fund (subfund 2126). Within the fiscal year audited, we obtained the actual invoices and other supporting documentation for expenditures to ensure compliance with the requirements of Proposition 39 and Measure "L" with regards to the approved bond projects list. We performed the following procedures:

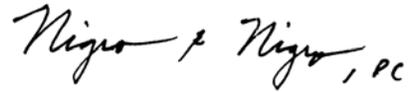
To meet our objectives, audit tests were performed and included, but were not limited to the following:

- We verified that bond funds were deposited in the District's name and invested in accordance with applicable legal requirements.
- We tested payments made to the construction management company and reviewed the terms of the contract.
- We tested approximately \$2.4 million in bond fund invoices paid, which is a combination of 2009-10 expenditures and payments on liabilities accrued as of June 30, 2010 and paid in 2010-11. This includes testing payments for validity, allowability, and accuracy. Expenditures sampled in our testing included payments made to the construction management company, subcontractors and other vendors.
- We reviewed the approved project listing as set out in the Measure "L" election documents.
- We visited construction sites to ensure that expenditures made corresponded with the actual work performed at the site.
- We verified that funds from the Building Fund were generally expended for the construction, reconstruction, acquisition, furnishing and equipping of District facilities constituting the authorized bond projects and we verified that funds held in the Building Fund were not used for salaries of school administrators or other operating expenses of the District.
- We reviewed a sample of projects to ensure that proper bidding procedures were followed pursuant to Public Contract Code Section 20111.
- We verified that the District did not exceed change order limitations in excess of 10% pursuant to Public Contract Code.

Our audit of compliance made for the purpose set forth in the preceding paragraph would not necessarily disclose all instances of noncompliance.

In our opinion, the District complied with the compliance requirements for the Measure "L" General Obligation Bond proceeds listed and tested above.

This report is intended for the information of the Board of Trustees, management and the Citizens' Bond Oversight Committee; however, this report is a matter of public record.

A handwritten signature in cursive script that reads "Nigro & Nigro, PC". The signature is written in black ink and is positioned above the date.

December 16, 2010