



RIALTO

UNIFIED SCHOOL DISTRICT
BRIDGING FUTURES THROUGH INNOVATION

February 14, 2018

Board of Education

Joseph W. Martinez
President

Edgar Montes
Vice President

Nancy G. O'Kelley
Clerk

Joseph Ayala
Member

Dina Walker
Member

Superintendent

Cuahtémoc Avila, Ed.D.
Superintendent

Business Services

Mohammad Z. Islam
Associate Superintendent

Mr. John Dutrey, Project Manager
City of Rialto
Development Services Department
150 S. Palm Avenue
Rialto, CA 92376

Dear Mr. Dutrey,

Per our conversation today, February 14, 2018, this is a formal request to change the distribution of funds for Area A, Fire Station #205, and the Public Park Compensation Agreements from the City of Rialto retaining proceeds in an escrow account directly to the Rialto Unified School District.

At the time these agreements were reviewed by our legal counsel in April 2017, the agreements did not contain the language that is now in the executed agreements, specifically:

Compensation Agreement for Area A, Section B, **"Notwithstanding anything to the contrary herein, the City shall be allowed to retain 31.5269244% of the Applicable Net Purchase Price representing the share of Applicable Net Purchase Price proceeds payable to Rialto Unified School District, which funds shall be used by the City for eligible capital improvements within the City."**

It was not the District's understanding that the City of Rialto would be retaining funds that "shall be used by the City for eligible capital improvements within the City".

Furthermore, on page 3, Section C of the Area A Compensation Agreement, it states"

"Within fourteen (14) calendar days following receipt by the Escrow Agent of the Final Dispositional Proceeds Statement, the Escrow Agent, on behalf of the City, shall remit the Compensation Amount to the Taxing Entities in accordance with Exhibit B and Exhibit C (the "Payment Date")."

Let it be noted that the executed Public Park and Fire Station Compensation Agreements have a **blank \$ amount** on Page 3, No. 2, and Exhibit B shows our **% of share as 0.242340020**. I would like to know why the amount is blank and what amount should be distributed to taxing entities.

Once again, we respectfully request that the City of Rialto pay all compensation amounts due to Rialto Unified School District, one of the taxing entities, pertaining to the Area A, Fire Station #205, and the Public Park Compensation Agreements, directly to Rialto Unified School District for the entire term of said agreements.

On February 6, 2018, you notified me that the escrow company is distributing Area A compensation amounts to the taxing entities of which approximately \$376,000 is the distribution amount for Rialto Unified School District. Please make this check and all future payments payable to Rialto Unified School District.

Thank you in advance for your consideration and prompt response to this request.

Sincerely,


Mohammad Z. Islam
Associate Superintendent