

MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION OF THE ELK GROVE UNIFIED SCHOOL DISTRICT, OCTOBER 7, 2014

The meeting was called to order by Mrs. Cox at 4:30 p.m. in the Board Room at the Education Center.

Members Present: Priscilla S. Cox, President; Steve Ly, Clerk; Jeanette J. Amavisca, Carmine Forcina, Chet Madison, Anthony “Tony” Perez, and Bobbie Singh-Allen

Others Present: Mark Cerutti, Interim Superintendent; Donna Cherry, Rich Fagan, Brandon Krueger, Robert Pierce, and Tina Penna, Associate Superintendents. The list of visitors who signed in is on file.

Closed Session – 4:30 p.m. Mrs. Cox announced that the Board would meet in closed session regarding the items listed on the agenda and called for public comment on these items.

1. Government Code Section 54957.6

Conference with Labor Negotiators

Agency designated representatives: Brandon Krueger, Richard Fagan, Steven M. Ladd, Karen Rezendes

Employee Organization: All Elk Grove Unified School District Bargaining Units and Unrepresented Employees

2. Government Code Section 54956.82.

Conference with Real Property Negotiators

Property: APN 066-0080-026 (Northwest corner of Hanfield Drive and Diamond Ranch Drive)

District negotiators: Mark Cerutti, Interim Superintendent and Robert Pierce, Associate Superintendent, Facilities and Planning, Elk Grove Unified School District (EGUSD)

Negotiating parties: EGUSD and Lennar Communities

Under negotiation: Price and terms of payment

3. Government Code Section 54956.8

Conference with Real Property Negotiators

Property: APN 067-0430-027 (Southwest corner of Sophistry and Appolon Drives, Rancho Cordova, California)

District negotiators: Mark Cerutti, Interim Superintendent and Robert Pierce, Associate Superintendent, Facilities and Planning, Elk Grove Unified School District (EGUSD)

Negotiating parties: EGUSD and Lennar Sunridge Investors, LLC, AKT Sunridge Investors, LLC, Angelo K. Tsakopoulos, Eleni Tsakopoulos-Kounalakis and Markos Kounalakis, Tsakopoulos Family Partnership, Mark Enes, and AKT Development.

Under negotiation: Price and terms of payment

4. Government Code Section 54956.9(d)(1)

Conference with Legal Counsel - Existing Litigation

Name of Case: Case No. BC41013 and Case No. HADJ7754577

5. Government Code Section 54957

Public Employee Appointment/Employment: Elementary and High School Vice Principals

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6. Government Code Section 54957

Public Employee Discipline/Dismissal/Release/Complaint

Open Meeting - 6:00 p.m. – Mrs. Cox announced that the Board met in Closed Session and took the following action:

- Approved the employment of Nicole Kent as Vice-Principal for Anna Kirchgater Elementary School with Board Members Amavisca, Cox, Forcina, Ly, Madison, and Singh-Allen voting in favor of the employment and Mr. Perez voting in opposition to the appointment
 - Approved the employment of Christopher Clark as the Vice Principal for Valley High School by a unanimous vote of all members present
 - Approved the Settlement Agreement for Case No. BC410135 and authorized the Superintendent to accept the settlement by a unanimous vote of all members present.
 - Approved the Settlement Agreement for Case No. ADJ7554577 and authorized the Superintendent to accept the settlement by a unanimous vote of all members present.
 - Approved the termination of a classified employee by a unanimous vote of all members present.
- I. Pledge of Allegiance** – Ms Kathy Whiteside, Principal of William Daylor High School, led the Pledge for Carmen Wadley who was unable to attend the meeting. Mrs. Wadley had been actively involved as a volunteer who had helped redirect the academic paths of students who face challenges. She helps to provide students with the skills they need for life after high school and serves as a true role model.

II. Presentations/Recognitions

- 7. High School Student Representative Reports** – Makenna Engelbrecht and Alyssa Rodriguez from Elk Grove High School and Natalie Stoecklein and Jade Tso from Franklin High School reported on activities and academics at their schools.
- 8. Energy Awareness Month Resolution – Energy Conservation** – Motion No. 47, 2014-15, Resolution No. 16, 2014-15

Mr. Pierce presented a report on the Energy Conservation Program for the 2013-14 Fiscal Year and requested that the Board adopt a resolution designating October as Energy Awareness Month.

The report noted that since the program began in 2009-2010, the District has saved nearly \$8,800,000 and cut nearly 66,500,000 kWh's of electricity consumption. Recognized as top performing schools were Leimbach, Reith, Markofer, Elk Grove and Foulks Ranch elementary schools; Jackman and Toby Johnson middle schools; Laguna Creek and Florin high schools; and Las Flores and Daylor continuation high schools.

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Motion by Ms. Amavisca, seconded by Mr. Ly, and carried unanimously by a unanimous vote of all members present, that Resolution No. 16, 2014-15 be adopted declaring the month of October as Energy Awareness Month.

- 9. Recognition of Franklin High School Students from the Sacramento Municipal Utility District** – Franklin High School students who participated in the Sacramento Municipal Utility District’s new High School Energy Efficiency and Auditing Training presented a report on the objectives of the program, their training, and the use of their skills in auditing their school and responded to questions by Board members. Students were recognized for their outstanding work.

III. Student Expulsion Recommendations - None

IV. **LCAP** - None

V. Budget Update

9A.Replacement Bus Lease – See discussion/action items.

- VII. Public Comment** – Ms. Susan Mason noted an email from the Pacific Justice Institute saying to pay attention to what is taught in schools. LSBT month history Enclosed cc MacDonald. - **Check**

VIII. Bargaining Units

Ms. Nancy Clifford noted the consequences of delaying settlement of a grievance which is going to arbitration next month. She stated the cost of settlement in January or February was about \$10 million; if they prevail the cost will be about \$20 million; and if they don’t, the attorneys will be the only ones making money. She asked that the District tell the attorneys to stop delaying.

IX. Reports - None

XI. Discussion Items –

10. Developer Fee Annual Report – First Reading –Mr. Fagan submitted and reviewed the Annual Report of 2013-14 Developer Fee expenditures which will be submitted to the Board for approval on November 4, 2014.

XII. Discussion/Action Items

9A. Replacermnt Bus Lease – Motion No. 48, 2014-15

In response to the Board’s request that staff make recommendations regarding the possibility of funding the 2014-15 proposed budget priority for student fees (\$300,000) and the interest in continuing the field trip program associated with the nutrition education program (about \$25,000) by redirecting, staff is recommending that \$325,000 be redirected from one-time funding from the 2014-15 SISWEB Software Update

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project approved budget priority of \$1,000,000. Additional Staff if recommending authorization of a ten-year lease program to replace up to 31 buses at approximately \$500,000 per year rather than replacing two buses by allocating \$3,000,000 in funding for the 2014-15 school year due to the final State Fund Balance in the current Multi-Year Projection by approximately \$1,500,000 in one-time funding.

Discussion was held regarding the inclusion of funds for student fees, the status of the buses recommended for replacement, and the nutrition education program.

Motion by Ms. Singh-Allen and seconded by Mr. Ly, that the staff's recommendation outlined above be approved. Roll Call Vote: Ayes – Amavisca, Cox, Forcina, Ly, Madison, Perez, and Singh-Allen.

11. Career Technical Education Advisory Committee – Postpone

XIII. Action Items

12. 2013-14 Unaudited Actual Income and Expenditures – Motion No. 49, 2014-15 – Mr. Fagan submitted and reviewed an update on the 2014-15 Budget and the 2013-14 Proposed Unaudited Actuals Financial Report. The report included 2013-14 Proposed Unaudited Actuals Revenue and Expenditure Charts, the 2013-14 Education Protection Account Expenditures, the 2014-15 changes from Estimated Actuals, the 2014-15 Budget Update, and the next steps in the process.

The net change in the Unrestricted General Fund Operations is \$7.1 million; the adjusted reserve for budget priorities is \$19.2 million, the estimated ending fund balances are \$29,125,891 for the 2014-15 Unaudited Actuals, \$40,083,770 for 2015-14, and \$46,921,767 for 2016-16. After subtracting the 2% Contingency Mandated Reserve, the designated carryover reserves and the reserve for fund priorities, the undesignated balances are zero for each of the years.

The 2014-15 1st Interim Report and the 2013-14 Independent Auditor's Report will be presented in December 2014, the 2015-16 Governor's Budget Proposal in January 2015, and the 2014-15 2nd Interim Report in March 2015.

Discussed were the funding for the special education program and transportation and the resulting encroachment to the General Fund, the procedures for developing the budget based on the instructional program, and funding for the ROP Program.

Motion by Ms. Amavisca and seconded by Mr. Ly that the 2013-14 Unaudited Actual Income and Expenditures report be approved. Roll Call Vote: Ayes – Amavisca, Cox, Forcina, Ly, Madison, Perez and Singh-Allen. Noes: None

13. Resolution for Readopting and Increasing the 2013-14 Gann Limit and Adopting the Gann Limit – Motion No. 50, 2014-15, Resolution No. 19, 2014-15 – Motion by Ms. Singh-Allen, seconded by Mr. Forcina, and carried unanimously by a positive vote of all members present, that Resolution No. 19, 2014-15 which (1) recalculates and

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increases the 2013-14 Gann Limit to \$400,625,684 and (2) established the 2014-15 estimated Gann Limit at \$399,744,215.

- 14. Environmental Determination for “Anatolia 2” Elementary School – Resolution No. 13, 2014-15** – Motion No. 51, 2014-15, Resolution No. 13, 2014-15 – Mr. Pierce presented Resolution No. 13, 2014-15 for approval. Ne noted the public hearing was held on September 16, 2014-15 and that comments were received from five public agencies and will be addressed by the Facilities and Planning staff.

Motion by Ms. Amavisca, seconded by Mr. Ly, and carried unanimously by an affirmative vote of all members present that Resolution No. 13, 2014-15 be adopted approving the findings and determinations of the Initial Study, adopting the Mitigated Negative Declaration and the Mitigation Monitoring Program for the “Anatolia 2” Elementary School Site.

- 15. Red Ribbon Week Resolution** - Motion No. 52, 2014-15, Resolution No. 20, 2014-15 – Motion by Ms. Amavisca, seconded by Ms. Singh-Allen, and carried unanimously by an affirmative vote of all members present that Resolution No. 20, 2014-15 be adopted recognizing the efforts of teachers, staff, and administrators in support of Red Ribbon Week, October 27-31, 2014-15

- 16. National Bullying Prevention Month** - Motion No. 53, 2014-15, Resolution No. 21, 2014-15 – Motion by Ms. Singh-Allen, seconded by Mr. Ly, and carried unanimously by an affirmative vote of all members present that Resolution No. 21, 2014-15 designating October as National Bullying Prevention Month be adopted.

- VI. Board Member and Superintendent Reports** – Board members and the Superintendent reported on their activities within the District and other organization and committee meetings relative to the District and its operation.

Hearing of Visitor on Topic Not on Agenda - Katherine Duran addressed the Board regarding their behavior toward one another and stated they do not want to see dissension. She noted she has asked for minutes from the July Board meeting as they were not video recorded...

- XIV. Consent Agenda – Action** – Motion No. 54, 2013-14 – Motion by Mr. Madison, seconded by Ms. Amavisca, and carried unanimously by an affirmative vote of all Board members present that Items 17 through 32 except Item 27 be approved. Mr. Perez requested discussion regarding Item No. 27.

- 17. Approval of Minutes** – Approved minutes of the May 20, 2014, regular board meeting.
- 18. Personnel Actions** – personnel appointments, leaves of absence, rehires, probationary releases, promotions, resignations, retirements, and returning from reemployment lists as submitted.
- 19. Cal STRS Waiver Request** – Approved a CalSTRS Waiver request for Frank Babrere, a Language, Speech & Hearing Specialist for Augmentative and Alternative Communication (LSH-AAC).

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20. **Variable Term Waiver Credential** – Approved a variable term waiver for Darcy Kelley as an Adapted Physical Education Teacher at Jessie Baker School for the 2014-15 school year.
21. **Reclassification of Planner I to Planner II and Reclassification of Lead Custodian I to Lead Custodian II** – Approved reclassification of Planner I to Planner II and of Lead Custodian I to Lead Custodian II.
22. **Approval of Addendum, Exhibit A to the Teaching Agreement Between Elk Grove Unified School District and California State University, Sacramento** – Approved the Addendum, Exhibit A, to the Teaching Agreement between Elk Grove Unified School District and California State University, Sacramento extending the term of the contract from August 29, 2014, through August 29, 2019.
23. **Regents of the University of California on Behalf of the College and Career Academy Support Network (CCASN) Contract Approval** – approved the contract with the Regents of the University of California on Behalf of the College And Career Academy support Network (CCASN) in the amount of \$100,500 to provide professional development and technical assistance to create pathway-friendly master scheduling process that increase equitable access to career pathways, programs of study that widen access to college and career opportunities, career pathway a-g-approved courses, and articulation agreements and aligned courses with post-secondary partners over the next three years.
24. **Approval of Purchase Order History** - purchase orders for August 23 through September 12, 2014, with a Financial Summary Grand Total of \$9,024,802.58.
25. **Ratification of Contracts**- Approved contracts signed by authorized staff in accordance with Board Policy as submitted.
26. **Ratification of Non Public School/Non Public Agency (NPS/NPA) Contracts** – Ratified NPA/NPS contracts signed by authorized district staff in accordance with Board Policy 3312.
28. **Disposal of Obsolete/Surplus Property** - Authorized the disposal of obsolete/surplus property which included miscellaneous items with no anticipated income.
29. **Acceptance of Gifts** – Donations to the District’s schools/programs as submitted.
30. **Instructional Materials Adoption** – Adopted the following instructional materials: Supplemental – *George Washington’s Socks*, Copy right 1991 by Scholastic, Inc. (ELA, Grade 5) and Woods Runner, Copyright 2010 by Scholastic, Inc. (ELA, Grade 5)
31. **Franklin Elementary School Portables 2014 Relocatable Building Installation, Change Order No. 2** - Approve Change Order No. 2 with Lamson Construction for the Franklin Elementary School Portables 2014 Relocatable Building Installation project increasing contract by \$24,491.00 to \$306,949.00 and authorizing District representative to sign the approved change order.

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- 32. **Project Inspector for Marion Mix Elementary School** – Upon consideration of evidence, awarded an inspection service agreement to John R. Hanna, Inc (who will provide John Hanna, DSA Class I Inspector) for the Marion Mix Elementary School project and authorized a designated signatory to sign the agreements.

XV. Other Action Items

30. Discussion and Action on Items Removed From Consent Agenda - None

- 27. **Supplemental Educational Services Provider Contracts** – Motion No. 55, 2014-15 –In answer to questions regarding the contracts, Mr. Cerutti reviewed the vendor selection process and their work with schools.

Motion by Mr. Madison and seconded by Mr. Forcina that the 2014-2015 Supplemental Education Services Provider Contracts for the twelve schools identified as Year 2 or Beyond Program Development Schools be approved. Roll Call Vote: Ayes – Amavisca, Cox, Forcina, Ly, Madison, Perez and Singh-Allen. Noes: None

XVI. Information Items

31. Other Items from the Floor – None

- 32. **Items for Future Agendas** – In response to requests by Mr. Perez, Mrs. Cox stated that unless there are specific questions, that what is done to assist students in looking for colleges or colleges coming to the District, a response will be provided by staff. Also, information on student conduct at activities will be provided.

XVII. Adjournment – 8:05 p.m.

Submitted by:
Mark Cerutti, Interim Superintendent

Approve by: _____
Steve Ly, Clerk