

MINUTES OF THE SPECIAL AND REGULAR MEETINGS OF THE BOARD OF EDUCATION
OF THE ELK GROVE UNIFIED SCHOOL DISTRICT, AUGUST 19, 2014

The meeting was called to order by Mrs. Cox at 4:00 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: Steven M. Ladd, Superintendent; Mark Cerutti, 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 – 4:00 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.

1A. 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**

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

***Ubois v. EGUSD*, Sacramento County Superior Court Case No. 34-2014-80001887**

2. Government Code Section 54956.9

Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation Pursuant to paragraph (2) or (3) of Subdivision (d) of Section 54956.9 – 1 potential case

3. Government Code Section 54957

Public Employee Discipline/Dismissal/Release/Complaint

4. Government Code Section 54958

Public Employee Appointment/Employment: Elementary School Vice Principal, Project Based Assignment, Consultant for Police Services, Elementary School Principal, Superintendent

5. Conference with Real Property Negotiators (Government Code Section 54956.8):

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

District negotiators: Steven M. Ladd, 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

6. Conference with Real Property Negotiators (Government Code Section 54956.8):

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

District negotiators: Steven M. Ladd, 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

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Open Meeting - 6:17 p.m. – Mrs. Cox announced that the Board met in Closed Session and employed Kelley E. Odipo as Vice Principal for Anna Kirchgater Elementary School and Yvonne Wright as Principal for Maeola Beitzel Elementary School with the following voting yes: Amavisca, Cox, Forcina, Ly, Madison, Perez, and Singh-Allen.

- I. **Pledge of Allegiance** – Dr. Steven Ladd, Superintendent, led the Pledge of Allegiance.
- II. **Presentations/Recognitions** - None
- III. **Student Expulsion Recommendations**
 7. **Request for Student Expulsions** - Motion No. ____, 2014-15 - Motion by Ms. Singh-Allen, seconded by Mr. Perez, and carried unanimously by an affirmative vote of all Board members present that the Hearing Panel’s recommendations regarding student expulsions be approved.
- IV. **LCAP** – None
- V. **Budget Update** – None
- VII. **Public Comment** – Mr. Mark Doty expressed his concern about school boundaries noting that some schools are full which results in students moving to within that school’s boundaries being offloaded to schools out of the area in which they live. He noted this also results in students not being able to walk to school and some students being enrolled in private schools.
- VIII. **Bargaining Units** – Mrs. Mary Deutsch, CSEA President, stated her appreciation of working with Dr. Krueger and Ms. Lalan yesterday. She noted she still has cause to believe the District does not know what the 15% rule is in providing bilingual associates and reviewed the current provision of providing bilingual associates.
- IX. **Reports** - None
- X. **Public Hearing/Action Items**
 8. **Pupil Textbooks and Instructional Materials** – Motion No. ____, 2014-15 – Resolution No. 4, 2014-15 - There were no responses to the call for a public hearing on the resolution that will certify that K-12 State Instructional Materials Fund monies are expended in compliance with the Pupil Textbook and Instructional Materials Incentive Program Act, ensuring that each pupil will have sufficient instructional materials. The resolution will be presented for adoption at the September 2, 2014, Board meeting.
 9. **Public Hearing of the Elk Grove Unified School District’s Annual Service Delivery Budget Plan for Special Education** – There were no responses to the call for a public hearing on the Elk Grove Unified School District’s Annual Service Delivery Budget Plan for Special Education.

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- 10. Consideration and Public Notice of Elk Grove Unified School District's (EGUSD) Initial Proposal to CSEA Regarding Collective Bargaining for the 2014-2015 School Year** – Motion No. __, 2014-15 – There were no responses to the call for a public hearing on the Elk Grove Unified School District's (EGUSD) Initial Proposal to CSEA regarding collective bargaining for the 2014-15 school year.

Motion by Ms. Amavisca and seconded by Mr. Perez that the Elk Grove Unified School District's (EGUSD) Initial Proposal to the CSEA for 2014-15 Collective Bargaining be approved. Roll Call Vote: Ayes – Amavisca, Cox, Forcina, Ly, Madison, Perez, and Singh-Allen; Noes - None

- 11. Consideration and Public Notice of Elk Grove Unified School District's (EGUSD) Initial Proposal to AFSCME Regarding Collective Bargaining for the 2014-2015 School Year** - Motion No. __, 2014-15 – There were no responses to the call for a public hearing on the Elk Grove Unified School District's (EGUSD) Initial Proposal to AFSCME regarding collective bargaining for the 2014-15 school year.

Motion by Ms. Amavisca and seconded by Ms. Singh-Allen, that the Elk Grove Unified School District's (EGUSD) Initial Proposal to AFSCME for 2014-15 Collective Bargaining be approved. Roll Call Vote: Ayes – Amavisca, Cox, Forcina, Ly, Madison, Perez, and Singh-Allen; Noes - None

- 12. Elk Grove Unified School District Community Facilities District 2014-2015 Tax Report and Second Reading of Ordinance No. 2, 2014-2015** – Motion No. __, 2014-15 - Ordinance No. 2, 2014-15

Mr. Pierce submitted for the Board's action Community Facilities District 2014-2015 Tax Report and Ordinance No. 1, 2014-15 which was reviewed at the June 17, 2014, Board meeting.

Motion by Ms. Singh-Allen and seconded by Ms. Amavisca that (1) the 2014-15 Elk Grove Unified School District Community Facilities District Tax Report be received and approved; (2) Elk Grove Unified School District Community Facilities District No. 1, Ordinance No. 1, 2014-15, An Ordinance of the Board of Education of the Elk Grove Unified School District Community Facilities District No. 1, Approving the Elk Grove Unified School District Community Facilities Tax Report, Fiscal Year 2014-2015, and Levying and Apportioning the Special Tax as Provided Therein, be adopted as submitted; and (3) Administration be directed to deliver the Tax Report to the Sacramento County Auditor's Office. Roll Call Vote: Ayes – Amavisca, Cox, Forcina, Madison, Perez, and Singh-Allen; Noes - Ly

X. Discussion Items – None

XI. Discussion/Action Items

- 13. Education Code Tokay Park Water Company Section 17556, et seq.: Consideration of Resolution of Intent to Convey Various Easements to Tokay Park Water Company** – Motion No. __, 2014-15 – Resolution No. 5, 2014-15

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Mr. Pierce reported that the Tokay Park Water Company has requested that the District convey a Well and Pipeline Easement, a Fifty-foot Radius Control Zone Easement, and a Temporary Construction Easement at Samuel Kennedy Elementary School. These easements will allow the installation of a new potable water production well which will serve the community. The water company will pay the District \$4,700 based on a mutually agreed upon appraisal and reimburse up to \$5,000 of the District's legal expenses related to the easements. Mr. Larry Stamm, President of the Tokay Park Water Company, expressed his thanks for allowing them to appear and explained the problems faced in providing the necessary water to the community

Motion by Mr. Forcina and seconded by Mr. Perez that Resolution No. 5, 2014-15, Intent to Convey Various Easements to the Tokay Park Water Company and set a public hearing on September 2, 2014, at 9510 Elk Grove-Florin Road, Elk Grove, in the Board Room at 6:00 p.m. be adopted. . Roll Call Vote: Ayes – Amavisca, Cox, Forcina, Ly, Madison, Perez, and Singh-Allen; Noes - None

- 14. The Sacramento Municipal Utility District (SMUD) Proposition 39 Support Services Memorandum of Understanding (MOU)** - Mr. Pierce reviewed with the Board the Memorandum of Understanding between the Sacramento Municipal Utility District (SMUD) and the District Regarding Proposition 39 Support Services which will provide incentives/revenue to the District of approximately \$650,000 over the course of the program.

This item will be moved forward for ratification at the September 2, 2014, regular Board of Education meeting.

- 15. Proof of Residency Requirements** – Motion No. __, 2014-15 – Motion by Mr. Forcina, seconded by Mr. Madison, and carried unanimously by an affirmative vote of all Board members present, that revisions to the process for establishing proof of residency when enrolling new students into the school system be approved requiring two documents to verify residency in grades K-12.

- 15A. Identification of Superintendent Search Stakeholder Committee** – Motion No. __, 2914015 – Motion by Ms. Singh-Allen, seconded by Mr. Ly, and carried unanimously by an affirmative vote of all Board members present, that the following be identified as members of the Superintendent Search Stakeholder Committee: Jennifer Ballerini, AFSCME; Armando Fernandez, PSWA; Mary Deutsch, CSEA; Maggie Ellis, EGEA; Brian Wiens, ATU; Dave Neves, EGTEAMS; Jade Tso, Superintendent's Student Advisory; Brad Penick, Superintendent's Parent Advisory; John Shook, Business Community; Diana Barnes, CAC; Rommel Declines, Finance Committee; and Yolanda Contreras, DLAC.

XII. Action Items - None

- XIII. 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.

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- XIV. Consent Agenda – Action** – Motion No. __, 2014-15 – Motion by Ms. Amavisca, seconded by Mr. Perez, and carried unanimously by an affirmative vote of all Board members present that Items 16 through 35B except Item 25, #43, on Ratification of Contracts, be approved.
- 16. Approval of Minutes** - Approved minutes of the June 17, 2014, regular board meeting.
 - 17. Personnel Actions** - Approved personnel appointments, leaves of absence, rehires, probationary releases, promotions, resignations, retirements, and returning from reemployment lists as submitted.
 - 18. Renewal of Internship Credential Program Agreement Between Elk Grove Unified School District and National University** – Approved the renewal of the Internship Credential Program Agreement between Elk Grove Unified School District and National University for the period of August 28, 2014, through August 27, 2019.
 - 19. Resolution Regarding Board Member Absence** – Resolution No. __, 2014-15 – Adopted Resolution No. 6, 2014-15 authorizing payments of the monthly compensation to Carmine Forcina for meetings missed on July 1 and 10, 2014, due to hardship.
 - 20. Approval of Purchase Order History**- purchase orders for June 10 through July 25, 2014, with a Financial Summary Grand Total of \$101,970,495.53.
 - 21. Approval of Warrant Registers Approval of Warrant Register No. 1**, Warrants number 966084-966939 and 301974-303801 totaling \$49,748,450.73 for July 1-31, 2014.
 - 22. Approval of Budget Transfers** – Approved the budget transfers for the unrestricted General Fund for the period July 1, 2014, through July 31, 2014 which includes changes reflected in the State’s adopted budget.
 - 23. Ratification of Contracts** - Approved contracts signed by authorized staff in accordance with Board Policy as submitted.
 - 24. Resolution Granting Signature Authority for Proposed Agreement with the Sacramento County Division of Behavioral Health on Behalf of Valley High School’s Health TECH Academy** – Resolution No. 8, 2014-15 – Adopted Resolution No. 8, 2014-15 authorizing Steve Ly, Clerk of the Board of Education and Carrie Hargis, Director of Fiscal Services signature authority for the proposed agreement with the Sacramento County Division of Behavioral Health on behalf of Valley High School’s HealthTECH Academy.
 - 25. 2014-2017 Sacramento County Office of Education Memorandum of Agreement: Maintaining and Operating Classes for Severely Handicapped and Seriously Emotionally Disturbed Students** – Approved the continuation of the Sacramento County office of Education Memorandum of Agreement for Maintaining and Operating Classes for Severely Handicapped and Seriously Emotionally Disturbed Students for three years commencing July 1, 2014, and ending June 30, 2017.

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26. **Project R.I.D.E. Operational Agreement for 2014-2015** – Approved the operational agreement between Elk Grove Unified School District and Project R.I.D.E. (Riding Instruction Designed for Education) for therapeutic riding services for the 2014-15 school year at a cost of \$77,500.
27. **Elk Grove Auto Mall 2014-2015 Graduating Seniors Attendance Drive Agreement** - Ratified the Elk Grove Auto Mall 2014-2015 Graduating Seniors Attendance Drive Agreement whereby the Auto Mall agree to donate up to \$20,000.00 towards the purchase of a vehicle from one of their 20 brands to a graduating senior high school student with strong attendance.
28. **Resolution to Participate in Lower Emission School Bus Program** – Resolution No. 8, 2014-15 - Adopted Resolution No. 8, 2014-15 authorizing participation in the Lower Emission School Bus Program to qualify for a \$207,589.00 grant to fund the installation and purchase of particulate filters for eleven school buses.
29. **Approval to Establish a Contract to Purchase Automotive Oil and Lubrication Products Only Cooperatively Through the County of Placer** – Approved a contract authorizing the Elk Grove Unified School District Purchasing Department to purchase automotive oil and lubrication products through the County of Placer with funding through internal department operational monies.
30. **Approval to Establish a Contract to Purchase Bulk Gasoline and Diesel Cooperatively through the County of Placer** - Approved a contract authorizing the Elk Grove Unified School District Purchasing Department to purchase bulk fuel (gasoline and diesel) through the County of Placer with funding through internal department operational monies.
31. **Receipt of Bids and Award of Contract for Foam Soap and Dispensers, Bid #552 13/14** – Authorized the award of a contract for Foam Soap and Dispensers to ProClean in the amount of \$106,790.40 with funding through internal department operational monies.
32. **Approval to Establish a Contract to Purchase HP Computer Equipment, Peripherals and Related Devices, Software and Services Through WSCA-NASPO Contract** – Approved a contract authorizing the Elk Grove Unified School District Purchasing Department to purchase computer equipment, peripherals and related devices, software and services through WSCA-NASPO Contract Administration with funding through internal department operational monies.
33. **Williams Act Quarterly Report Notification** - It was reported that Williams Act reports are required to be publicly reported on a quarterly basis to the County Superintendent of Schools, with a summary of data on the nature and resolution of all Williams-type complaints filed with the District. During the period of April 1, 2014, through June 3, 2014, there were no complaints filed.
34. **Out-of-State Field Trip**– approved the out-of-state field trips for Franklin High School to attend the High Sierra Volleyball Tournament in Reno, NV August 28-30, 2014; Cosumnes Oaks High School to attend the High Sierra Volleyball Tournament in Reno,

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NV August 29 and 30, 2014; and Pleasant Grove High School to attend the National FFA Convention in Chicago, IL and Louisville, KY October 27-November 1, 2014..

- 35. Marion Mix Elementary School, Change Order No. 3**– approve Change Order No. 3 with Broward Builders, Inc. for the Marion Mix Elementary School project increasing contract by \$33,998.00 to \$18,559,085.00 and authorizing District representative to sign the approved change order.
- 35A. 2014-15 Mandated Block Grant – Application for Funding** – Authorized staff to submit the 2014-15 Mandated Block Grant Application Funding for both Elk Grove Unified School District and Elk Grove Charter School. The estimated revenue is for the District is \$2,181,364 and for the Charter School is \$4,738 and these amounts are included in the 2014-15 budget.
- 35B. Ratification of Non Public Agency (NPA) Center for Autism and Related Disorders Interim Contract** – Ratified a 90-day interim contract with Non Public Agency (NPAP Center for Autism and Related Disorders (C.A.R.D.) in the estimated amount of \$122,000.00 with the costs being funded from Special Education.

XV. Other Action Items

- 36. Discussion and Action on Items Removed From Consent Agenda – Item 17. 2014-2017 Sacramento County Office of Education Memorandum of Agreement: Maintaining and Operating Classes for Severely Handicapped and Seriously Emotionally Disturbed Students** – Motion No. __, 2014-15

Mr. Ly stated he requested that this item be removed from the Consent Agenda as he is employed by the Sacramento County Office of Education and that legal counsel has determined that he has no conflict of interest needing to be reported.

Motion by Ms. Amavisca, seconded by Mr. Perez, and carried unanimously by an affirmative vote of all Board members present that continuation of the Sacramento County office of Education Memorandum of Agreement for Maintaining and Operating Classes for Severely Handicapped and Seriously Emotionally Disturbed Students for three years commencing July 1, 2014, and ending June 30, 2017, be approved.

XVI. Information Items

- 37. Other Items from the Floor** –

Mrs. Susan Mason reviewed the topics she spoke about to the Board at previous meetings including Common Core.

Ms. Kathryn Duran stated that teachers across the United State are losing faith in Common Core and stated she would like to prepare a presentation to the Board and requested a date for a presentation.

- 38. Items for Future Agendas** – None

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CLOSED SESSION:

Mrs. Cox stated the Board would meet in closed session regarding **Item 4, Government Code Section 54958, Public Employee Appointment/Employment Superintendent**

OPEN SESSION:

Mrs. Cox called the meeting to order in open session and announced that no action was taken in closed session

XVII. Adjournment – 10:30 p.m.

Submitted by:
Steven M. Ladd, Ed.D., Superintendent

Approve by: _____
Steve Ly, Clerk