

**MINUTES OF THE VIRTUAL REGULAR MEETING OF THE BOARD OF  
EDUCATION OF THE ELK GROVE UNIFIED SCHOOL DISTRICT, April 21, 2020**

*Adopted*

**Members Present via Zoom Webinar:** Beth Albiani, President; Crystal Martinez-Alire, Clerk; Nancy Chaires Espinoza, Carmine Forcina, Chet Madison, Sr., Anthony Perez, and Bobbie Singh-Allen

**Others Present via Zoom Webinar:** Christopher R. Hoffman, Superintendent; Robert Pierce and Mark Cerutti, Deputy Superintendents; David Reilly, Associate Superintendent; Bindy Grewal and Craig Murray, Assistant Superintendents; Shannon Hayes, Chief Financial Officer; Steve Mate, Chief Technology Officer, Susan Larson, Executive Director; Xanthi Pinkerton, Director of Communications

**CLOSED SESSION VIA TELE-CONFERENCE:** The meeting was called to order by Ms. Albiani at 5:00 p.m. to address items 1 through 4 on the closed session portion of the agenda.

**I. Government Code Section 54956.9 Subdivision (d) Paragraph (1): Conference with Legal Counsel – Existing Litigation**

**II. Government Code Section 54956.9 Subdivision (d) Paragraph (2): Conference with Legal Counsel - Anticipated Litigation Significant Exposure to Litigation**

**III. Government Code Section 54957: Public Employee Discipline/Dismissal/Release/Complaint**

**IV. Government Code Section 54957.6: Conference with Labor Negotiators**

Agency designated representatives: Christopher R. Hoffman,  
David Reilly, Robert Pierce, Karen Rezendes

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

**OPEN SESSION VIA ZOOM** – Ms. Albiani called the regular meeting to order, via Zoom Webinar, at 6:05 p.m. and announced that the Board met in closed session via teleconference and no action was taken.

Ms. Albiani provided a welcome to Elk Grove Unified School District’s first virtual board meeting through this Zoom Webinar platform. She thanked everyone for joining and asked for patience in advance as we learn to navigate this new platform for conducting school board meetings.

She informed everyone that Legislative Bodies including School Districts are now permitted to hold board meetings telephonically or by other electronic means because on March 17, 2020, the Governor issued Executive Order N-29-20, suspending certain provisions of the California Ralph M. Brown Act.

In addition, consistent with the March 19, 2020 Statewide Shelter in Place Order issued by the Governor, Executive Order N-33-20, the Sacramento County Shelter at Home Orders issued on March 19, 2020 and April 7, 2020, and the Center for Disease Control’s (CDC’s) social distancing guidelines which discourage public gatherings, this Board meeting was conducted via the Zoom Webinar platform.

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**I. Pledge of Allegiance** – Mr. Madison, Board Member, led the pledge of allegiance.

**II. Presentations/Recognitions - None**

**III. Resolutions**

**1. Asian Pacific American Heritage Month Resolution** - Ms. Albiani called on Xanthi Pinkerton to read public comments that were submitted through the District's Google Public Comment Form regarding the Asian Pacific American Heritage Month Resolution; there were none.

Motion No. 92, 2019-20 – Motion by Ms. Singh-Allen, seconded by Ms. Chaires Espinoza and carried unanimously by an affirmative vote of all board members present that Resolution No. 71, that designates May 2020 as Asian Pacific American Heritage Month, be adopted. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

**IV. Student Expulsion/Involuntary Transfer Recommendations**

**1. Request for Student Expulsions** - Ms. Albiani called on Xanthi Pinkerton to read public comments that were submitted through the District's Google Public Comment Form regarding a request for student expulsion recommendation; there were none.

Motion No. 93, 2019-20 – Motion by Mr. Madison, seconded by Mr. Perez and carried unanimously by an affirmative vote of all board members present that the requests for student expulsion be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

**2. Request for Return from Student Expulsions** – Ms. Albiani called on Xanthi Pinkerton to read public comments that were submitted through the District's Google Public Comment Form regarding the request for return from student expulsion; there were none.

Motion No. 94, 2019-20 – Motion by Ms. Chaires Espinoza, seconded by Mr. Madison and carried unanimously by an affirmative vote of all board members present that the Readmission Committee's recommendations regarding a student's request for permission to return to the District be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

**V. Public Comment** – Ms. Albiani called on Xanthi Pinkerton to read public comments that were submitted through the District's Google Public Comment Form. The following comment was submitted:

- Childozie Ibewero - I am going to bring back the school on May.

**VI. Consent Agenda - Action** - Ms. Albiani called on Xanthi Pinkerton to read public comments that were submitted through the District's Google Public Comment Form regarding the Consent Agenda. The following comment was submitted:

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- Anonymous: Item No.33 - Approval of Healthcare Agreements. I have only worked with Maxim staff, and can only speak to their behavior therapists (aka one-on-one aides) who are contracted to work in our classrooms. Although, I have found that Maxim staff fulfill their responsibilities competently, we should discuss why so many positions must be staffed by non-district agencies. Why can't the district hire its own staff? I support contracting with Maxim because of the need current need for staffing services, but this shouldn't be a long-term solution to EGUSD's staffing problems. The cost of hiring staffing services includes the cost of staff labor and staffing fees. Why is EGUSD unable to hire its own staff and avoid paying staffing fees with a staffing company? Why is EGUSD unable to attract its own healthcare staff?

Motion No. 95, 2019-20 – Motion by Mr. Madison, seconded by Mr. Perez and carried unanimously by an affirmative vote of all board members present that items 1 through 35 on the consent agenda be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez, and Singh-Allen; Nays – None; Absent – None*

**1. Approval of Policies** – Approved the changes on the following board policies as aligned with the California School Boards Association:

- BP 5144.1 Suspension and Expulsion/Due Process
- BP 6142.2 World Language Instruction
- BP 6142.3 Civic Education
- BP 6179 Supplemental Instruction
- BP 6142.2 AIDS Prevention Instruction – **DELETE**

**2. Approval of Minutes** – Approved the minutes from the regular board meeting that was held on March 3, 2020, and the emergency board meeting that was held on March 13, 2020.

**3. Approval of 2020-21 Board Meeting Schedule** – Approved the board meeting schedule for the 2020-21 school year. The regular board meeting schedule varies from 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays, with closed session beginning at 5:00 p.m. and open session beginning at 6:00 p.m. on the following dates:

July 21, 2020	February 23, 2021
August 11, 2020	March 23, 2021
September 1, 2020	April 6, 2021
September 15, 2020	April 20, 2021
October 6, 2020	May 4, 2021
November 17, 2020	May 18, 2021
December 15, 2020	June 15, 2021
January 12, 2021	June 22, 2021
February 2, 2021	

Board Workshops are scheduled from 8:30 – 3:00 p.m. on the following dates:

August 19, 2020 – Board Workshop  
October 14, 2020 – Board Workshop  
November 4, 2020 – Regional Feeder Pattern Mtg/Board Workshop.  
December 9, 2020 – Regional Feeder Pattern Mtg/Board Workshop  
January 20, 2021 – Regional Feeder Pattern Mtg/Board Workshop  
March 10, 2021 – Board Workshop

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**4. Specifications of Governing Board Member Election Resolution, Publication of Notice of Election Form, Notice of Election and Certification of Maps and Boundaries** – Adopted Resolution No. 72, 2019-20, establishing specifications of the November 3, 2020, governing board member election and approve the Publication of Notice of Election, Notice of District Election, and Certification of Maps and Boundaries.

**5. Designation of Applicant's Agent Resolution for Non-State Agencies** – Adopted Resolution No. 73, 2019-20, Designation of Applicant's Agent Resolution for Non-State Agencies.

**6. Personnel Actions** - Approved personnel appointments, leaves of absence, resignations, retirements, promotions and returns from reemployment lists as submitted.

**7. Salary Schedule #7-Air Force Junior Reserves Training Corps** – Approved revised Salary Schedule #7 - Air Force Junior Reserve Officer Training Corps. Ranges have been adjusted according to the new instructor minimum pay received from the United States Air Force, effective April 7, 2020.

**8. Acceptance of Gifts** - Approved donations to the District's schools/programs as submitted.

**9. Quarterly Investment Report** – Received a quarterly report of investments. As of December 31, 2019, the District had \$242,474,767 from all funds, in addition to Mello-Roos Investment proceeds of \$8,669,458 and General Obligation Bond Investment proceeds of \$41,338,056 for total proceeds of \$50,007,514 in the County Treasurer's pool. This is 6.66% of the total pooled assets of \$4,390,056,625.

**10. Warrant Register No. 8** - Approved Warrant Register No. 8 – Warrant Numbers 066623-067998, 404774-405715. All Funds: February 1, 2020, through February 29, 2020.

**11. Ratification of Grant Contracts/Agreements for Funding** - Approved grant contracts and agreements signed by authorized staff as submitted.

**12. Approval of Purchase Order Encumbrance Modification History** – Approved purchase order encumbrance modifications from February 25 – March 31, 2020.

**13. Ratification of Contracts for Services** - Approved contracts signed by authorized staff in accordance with Board Policy 3312 as submitted.

**14. Approve Option of One-Year Extension to the Lease Agreement with Bartholomew Associates** - Approved an option for a one-year extension to the Lease Agreement with Bartholomew Associates at the Elk Grove Shopping Center to continue the use for the Technology Services, Research and Evaluation, Special Education, and Education Services departments; and authorized Susan Bell, Chief Facilities Officer, Facilities and Planning to finalize and execute the 2020-2021 Lease extension on behalf of the District.

**15. Ratification of California Multiple Award Schedules (CMAS) Contract for Synthetic Turf and Track Projects at Cosumnes Oaks, Elk Grove, Monterey Trail, Sheldon and Valley High Schools** – Ratified CMAS contract with FieldTurf USA, Inc.

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for synthetic turf surfacing and W2W Sport for track surfacing at Cosumnes Oaks, Elk Grove, Monterey Trail, Sheldon and Valley (track surface, only) High Schools.

**16. James Rutter Middle School, New Science Center - Change Order No. 1** – Approved Change Order No. 1 with F&H Construction, Inc., and authorized a district representative to sign the approved change order. Change Order No. 1 changes the contract amount of \$7,946,000.00 by \$45,306.00 to \$7,991,306.00.

**17. 2019 Roofing at Ellen Feickert, Florence Markofer and James McKee Elementary Schools - Change Order No. 1** – Approved Order No. 1 with Platinum Roofing, Inc. and authorized a district representative to sign the approved change order. Change Order No. 1 changes the contract amount of \$325,948.00 by (\$16,715.00) to \$309,233.00.

**18. 2019 Roofing at Ellen Feickert, Florence Markofer and James McKee Elementary Schools - Acceptance and Notice of Completion** – Accepted the construction of 2019 Roofing at Ellen Feickert, Florence Markofer and James McKee Elementary Schools project, and authorized the filing of the Notice of Completion.

**19. 2019 Roofing at Mary Tsukamoto Elementary School - Change Order No. 1** – Approved change Order No. 1 with Platinum Roofing, Inc. and authorized a district representative to sign the approved change order.

**20. 2019 Roofing at Mary Tsukamoto Elementary School - Acceptance and Notice of Completion** – Accepted the construction of 2019 Roofing at Mary Tsukamoto Elementary School project, and authorized the filing of the Notice of Completion.

**21. Valley High School, Exterior Lighting Replacement - Acceptance and Notice of Completion** – Accepted the construction of Valley High School, Exterior Lighting Replacement project, and authorized the filing of the Notice of Completion.

**22. Union House Elementary School, Modernization Phase 3&4 - Acceptance and Notice of Completion** – Accepted the construction at the Union House Elementary School, Modernization Phase 3&4 project, and authorized the filing of the Notice of Completion.

**23. Union House Elementary School, Modernization Phase 3 and 4 - Change Order No. 7** - Change Order No. 7 with Diede Construction, Inc., and authorized a district representative to sign the approved change order. Change Order No. 7 changes the contract amount of \$7,155,741.00 by (\$165,094.00) to \$6,990,647.00.

**24. Disposal of Obsolete/Surplus Property** – Authorized the disposal of Obsolete/Surplus Property. No income is anticipated to be received by the district for these items. However, any income that is received will go into the General Fund.

**25. Approval of Purchase Order History** – Approved purchase orders for the weeks of February 1, 2020, through March 31, 2020.

**26. Approval to Purchase Furniture** – Authorized the purchase of furniture cooperatively through a bid secured by the Monterey County Office of Education (MCOE).

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**27. Valley High School, Fire Academy, Lease-Leaseback (LLB) Agreement – Increment III** – Approved a Guaranteed Maximum Price of \$2,660,779 for the Construction of the Fire and Emergency Services Training Facility at Valley High School and authorized administration to sign all documents necessary for a Lease-Leaseback (LLB) Agreement for same with The Boldt Company. Administration recommends the award of contract to The Boldt Company for the guaranteed maximum price of \$2,660,779.00.

**28. Approval to Purchase Maintenance, Repair and Operations Supplies** – Authorized the purchase of maintenance, repair and operations (MRO) supplies cooperatively through an RFP secured by Region 4 ESC/OMNIA Partners.

**29. Gym Floor Resurfacing at Samuel Jackman Middle School - Change Order No. 1** – Approved Change Order No. 1 with Boberg Hardwood Floors, Inc., and authorized a district representative to sign the approved change order. Change Order No. 1 changes the contract amount of \$39,425.00 by (\$12,575.00) to \$26,850.00.

**30. Gym Floor Resurfacing at Samuel Jackman Middle School - Acceptance and Notice of Completion** - Accepted the construction of Gym Floor Resurfacing project at Samuel Jackman Middle School, and authorized the filing of the Notice of Completion.

**31. Gym Roof Repair at Cosumnes Oaks High School - Change Order No. 1** – Approved Change Order No. 1 with California Single Ply, Inc., and authorized a district representative to sign the approved change order. Change Order No. 1 changes the contract amount of \$38,925.00 by (\$15,000.00) to \$23,925.00.

**32. Gym Roof Repair at Cosumnes Oaks High School - Acceptance and Notice of Completion** - Accepted the construction of Gym Roof Repair project at Cosumnes Oaks High School, and authorized the filing of the Notice of Completion.

**33. Approval of Healthcare Agreements** – Approved the renewal of the fee for service agreements between Elk Grove Unified School District and Maxim Healthcare Services, Inc and 24/7 MedStaff. In addition, the Board approved the award of two new contracts fee for service agreements between Elk Grove Unified School District and Rx HealthCare Services and Ro Health, Inc. These four agencies will be providing additional healthcare staffing for medically fragile students for the 2020-2021 school year.

**34. Receipt of Bids and Award of Contract for E-Rate Network Equipment Bid #681-19/20-** Authorized the award of a contract for furnishing E-RATE NETWORK EQUIPMENT Bid #681-19/20 (RFP 680-19/20).

**35. Head Start Cost of Living (2020-21), Head Start Quality Improvement Funding (2020-21), Self Assessment Summary (2019-20) and Self Assessment Action Plan (2020-21)** - Approved a 2.0% Head Start Cost of Living (COLA) and a \$117,040.00 Quality Improvement (QI) Funding effective for the 2020-2021 program year and the 2019-2020 Self-Assessment Summary and 2020-2021 Self-Assessment Plan of Action as part of the entire five-year grant for the Head Start Program.

**VII. LCAP Update – None**

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**VIII. Race and Educational Equity - None**

**IX. Budget Update - None**

**X. Facilities Update - None**

**XI. Bargaining Units – None**

**XII. Reports - None**

**XIII. Public Hearing/Action Items**

- 1. Adjustment to School Facilities Fees** - Pursuant to Education Code Section 17620, Government Code Section 65995, and Government Code Section 66016 et seq. the District is required to adopt a Development Fee Justification Study in order to levy the increased statutory (“Level 1”) school fees on commercial/industrial development recently approved by the State Allocation Board. Pursuant to Education Code Section 17620 and Government Code Sections 65995 et seq., the District is also required to adopt a School Facilities Needs Analysis ("SFNA") in order to justify the levy of alternative school fees ("Level 2 Fees" and “Level 3 Fees”) on new residential development.

The February 2020 combination Development Fee Justification Study/SFNA, prepared by Odell Planning & Research, Inc., demonstrates that the District can impose \$6.34 per square foot in Level 2 Fees and \$12.69 per square foot in Level 3 Fees on new residential construction and justifies the District charging the statutory Level 1 commercial school fee of \$0.66 per square foot. Prior to adopting the Development Fee Justification Study/SFNA, the Board must conduct a public hearing and respond to any comments it receives

This proposed Level 2 fee of \$6.34 per square foot of new residential construction represents a 6.7% increase of \$0.40 from the current \$5.94 fee. The major contributing factors to the proposed increase are higher site acquisition and site development costs, increased State construction cost allowances, and a reduction in the District’s average home size. Based upon the proposed increased Level 2 fee and the smaller average new home size within our District, the Level 2 assessment for a newly constructed single-family home will increase on average \$786.

Level 3 fees are collected only in the event that the State Allocation Board (SAB) is no longer apportioning funds for new construction, and the SAB has notified the Secretary of the Senate and Chief Clerk of the Assembly, in writing, of the determination that such funds are no longer being allocated.

Ms. Albiani opened the public hearing and called on Xanthi Pinkerton to read public comments that were submitted through the District’s Google Public Comment Form regarding the adjustment to school facilities fees. One comment was submitted: *See Attachment A*

Ms. Albiani closed the public hearing.



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Motion No. 96, 2019-20 – Motion by Ms. Chaires Espinoza, seconded by Mr. Perez and carried unanimously by an affirmative vote of all board members present that the adjustment to school facilities fees be approved.

Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

- 2. C.XI.1. Education Code section 17556, et seq.: Consideration of a Resolution to Convey a Public Utilities Easement for Sewer Purposes to the Sacramento Area Sewer District, a County of Sacramento Sanitation District, at James Rutter Middle School** – Administration has been asked by Sacramento Area Sewer District to convey without cost a 20-foot wide Public Utilities Easement for Sewer Purposes along the southern boundary of James Rutter Middle School.

A 10-foot wide Sewer Easement at this same location was granted to the Sacramento Area Sewer District many years ago. At this time the Sacramento Area Sewer District is requesting a 20-foot easement encompassing the existing 10-foot easement to provide area for maintenance and future sewer expansion if necessary. The allowable uses in the new easement area will be the same as existing easement (lawn, ground cover, small shrubs) and should cause no new inconvenience to EGUSD and be maintained in the same manner as the current 10-foot easement

Ms. Albiani opened the public hearing and called on Xanthi Pinkerton to read public comments that were submitted through the District’s Google Public Comment Form; there were none.

Ms. Albiani closed the public hearing.

Motion No. 97, 2019-20 – Motion by Ms. Singh-Allen, seconded by Mr. Madison and carried unanimously by an affirmative vote of all board members present that Resolution No. 59, Conveying a Public Utilities Easement for Sewer Purposes to the Sacramento Area Sewer District, a County of Sacramento Sanitation District, at James Rutter Middle School be approved. Roll Call Vote: *Ayes – Albiani, Chaires Espinoza, Forcina, Madison, Martinez-Alire, Perez and Singh-Allen; Nays – None; Absent – None*

**XIV. Discussion Items - None**

**XV. Action Items - None**

**XVI. Board Member and Superintendent Reports -** Board members reported on organization and committee meetings and information relative to the District and its operation.

**XVII. Information Items**

- 1. Other Items from the Floor - None**



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XVIII. Adjournment – 6:39 p.m.

Submitted by: Christopher R. Hoffman, Superintendent

Approved by:  \_\_\_\_\_  
Beth Albiani, Board President

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**Attachment A**



April 20, 2020

President Beth Alniani and Honorable Board Members  
Elk Grove Unified School District Board of Education  
9510 Elk Grove-Florin Road  
Elk Grove, CA 95624

**RE: Item D.XIII.1. Adjustment to School Facilities Fees**

Dear President Albiani and Honorable School Board Members:

On behalf of the North State Building Industry Association (BIA) we respectfully submit the following comments regarding Elk Grove Unified School District's School Facilities Needs Analysis (SFNA), and proposed Level II Fee increase. We respectfully request that the Board consider adopting the SFNA but postpone the collection of the additional fee amount until we have a chance to understand the unprecedented circumstances of the COVID-19 global pandemic.

We understand that School Districts have been hit hard by this epidemic, and schools will likely be closed for the remainder of the 2020 school year. The economic impacts of responding to the COVID-19 global pandemic have been extensive for our industry as well. Trying to absorb the additional cost of the proposed Level II Fee increase from the current \$5.94/SF to \$6.34/SF, represents a \$0.40/SF increase and will raise the price of a new home by \$1,000 (2,500 SF home) pricing new homeowners out of the market and slowing construction starts in Elk Grove and other neighboring cities that the District serves. In a recent affordability study from the National Association of Home Builders for every \$1,000 increase in the price of a home another 8,870 California households are priced out of home ownership, (<http://nahbnow.com/2020/01/1000-makes-a-big-difference-in-housing-affordability/>).

We urge the Board to adopt the SFNA but delay the collection of the additional fee increase given our current circumstances or revise the supporting analysis to reflect the unprecedented impact COVID-19 has had to our regional economy. The main factors increasing the Districts costs are related to rising construction and labor costs, both of which are dropping across the board and will result in reduced labor and material costs once the pandemic ceases.

At the very least please consider the payment of school fees through the recently adopted Bond Opportunities for Land Development or BOLD program. This would allow builders and local public agencies to finance school fees needed for new development using municipal bonds. This is one area where we are definitely in this together, and it will take our shared partnership to help build a new normal. It is in all of our best interests to carefully examine every dollar that is added to the cost of building a home.

Thank you for your time and consideration, please contact me if you have any questions or require additional information.

Sincerely,

Crisand Giles  
Director of Policy and Initiatives  
[crisand@northstatebia.org](mailto:crisand@northstatebia.org) or 916.677.7108

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Roseville, CA 95661    [northstatebia.org](http://northstatebia.org)