San Leandro USD Minutes

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Special Board Meeting

December 11, 2012
Tuesday, 12:48 PM
San Leandro City Council Chambers
835 E. 14th Street
San Leandro, CA

Attendees

Ron Carey	Board Trustee	
Lance James	Board Trustee	
Mike Katz-Lacabe	Board Trustee	
Corina Lopez	Board Trustee	
Diana Prola	Board Trustee	
Vince J. Rosato	Board Member	
Jason Toro	Board Member	
Cindy Cathey	Superintendent	*non-voting*
Song Chin-Bendib	Assistant Superintendent	*non-voting*
Linda Pollard	Administrative Assistant	*non-voting*
John Thompson, Ed.D.	Senior Director II	*non-voting*
Debbie Wong	Assistant Superintendent	*non-voting*

1. CALL TO ORDER/ROLL CALL - 6:00 P.M.

The meeting was called to order by Trustee Katz-Lacabe at 6:00 p.m. It was noted that all Board members were present with the exception of Trustee López.

2. PUBLIC TESTIMONY - CLOSED SESSION ITEMS

There were no public comments regarding Closed Session items.

3. RECESS INTO CLOSED SESSION - 6:00 P.M.

The Board recessed into closed session at 6:01 p.m.

a. Student Expulsions; Education Code 35146 and 48918(c)
b. Public Employee Discipline/Dismissal/Release/Hiring; Government Code Section 54957
c. Conference with Labor Negotiator; Government Code Section 54957.6
d. Conference with Real Property Negotiator - Property: Government Code Section 54956.8

e. Liability Claim

4. RECONVENE TO OPEN SESSION - 7:00 p.m.

The Board reconvened to open session at 7:00 p.m.

a. Report on Closed Session Action

Trustee Katz-Lacabe said that the Board had been in closed session where the

following action was taken:

- Pursuant to Government Code Section 54956 et seq. and 54956.95, and on a motion made by Trustee Carey and seconded by Trustee James, the Board rejected the personal injury claim filed by Joshua Adiano against San Leandro Unified School district by a 7-0- vote.

Trustee Katz-Lacabe also noted Trustee López arrived at 6:02 p.m., just as the closed session was beginning.

b. Pledge of Allegiance

Trustee Katz-Lacabe led the Pledge of Allegiance to the Flag.

c. Approval of Agenda *(V)*

It was the consent of the Board to move the Reorganization of the Board to the end of the agenda. With that amendment, the agenda was approved.

Motion made by: Jason Toro
Seconded by: Vince J. Rosato

Votes

Ron Carey	Yes
Lance James	No
Mike Katz-Lacabe	Yes
Corina Lopez	Yes
Diana Prola	Yes
Vince J. Rosato	Yes
Jason Toro	Yes

d. LEGAL STATEMENT

5. PUBLIC TESTIMONY ON NON-AGENDA ITEMS - 7:10-7:20 p.m.

Jon Sherr, President of the San Leandro Teachers' Association (SLTA), on behalf of SLTA, welcomed the new and returning Trustees, stating that SLTA is looking forward to a great collaboration with Board and the District. Thank you and good luck!

6. RECREATION & PARKS COMMISSION REPORT - 7:35-7:40 p.m.

Evelyn Gonzalez the District's Recreation and Parks Commission representative introduced herself and congratulated the new (and re-elected) Board Trustees before giving a brief overview and introduction to the new Board members on the Recreation & Parks Commission.

The Commission is under Department of Recreation and Human Services, which is comprised of two divisions: (1) Human Services, which has three commissions (Human Services Commission, Senior Commission,Youth Advisory Commission) and (2) Recreation, which has one commission, Recreation and Parks. Ms. Gonzalez also reported that the City of San Leandro has 23 parks and facilities, noting that Marina Park is undergoing some renovations including the irrigation.

7. PRESENTATIONS - 7:40-8:25 p.m.

a. 2012-2013 First Interim Report

Assistant Superintendent Song Chin-Bendib and Fiscal Director Marites Fermin, presented the First Interim Report for the 2012-2013 Fiscal Year, which includes fiscal years 2013-14 and 2014-15. The presentation included fiscal information that was presented to the Finance Committee on December 3, 2012, and the fiscal impact of Proposition 30 and Measure L.

The Assistant Superintendent explained that in compliance with Education Code EC 42131(a) (1) requirements, Assembly Bill (AB) AB1200, and AB 2756, the Business Services Department has prepared the 2012-2013 First Interim Report. The First Interim Report is the financial update of the 2012-2013 Adopted Budget approved by the Board on June 26, 2012. The report is required to be approved by the governing board no later than 45 days after the close of the reporting period (October 31) to determine whether or not the District is able to meet its financial obligations.

For the fiscal year 2012-2013 First Interim Report, San Leandro Unified is certifying a positive certification, and the Business Services staff has prepared the First Interim Report along with assumptions from the Alameda County Office of Education (ACOE) and the School Services of California (SSC), Inc. Dartboard which provides school districts critical economic indicators of budget projections. Highlights of the presentation included:

- The First Interim Report projected ending Fund Balances after designations for 2012-2013 and two subsequent years. The unrestricted ending fund balances include Tier III Flexibility funds that have been swept/approved by the Board. Any unswept or unapproved funds have been accounted for in a separate account and are not included in these balances.

Fund Balance	2012-2013	2013-2014	2014-2015
After Designations*	$1,233,345	$3,604,263	$3,500,980

* These balances do not include the 3% required reserve but is maintained separately in Fund 17 (a separate Fund).

Major assumptions that have been applied toward the 2012-2013 First Interim Report:

1. Revenue Limit statutory Cost Of Living Adjustment (COLA) = 3.24%
2. Revenue Limit deficit factor = 22.272%
3. Measure L Parcel tax: estimated amount of $2.4 million beginning 2013/14 fiscal year; the Measure is for five years
4. State categorical and Special Ed COLA = 0%
5. Mandated Cost Block grant received only for 2012/13. No revenue has been budgeted in subsequent fiscal years
6. Decline of ADA in 2012-13: 101.65 ADA for both 2013-14 and 2014-15 = $816,112 (Net of 2.8 less FTEs due to fewer students)
7. Reduction of COLA from 2.5% to 2.0% in 2013/14 and from 2.7% to 2.3% in 2014/15 = $394,985
8. Additional Special Education encroachment from increased NPS at $700,000; estimated for 2012/13 only
9. $855/FTE to be paid starting February 2013 towards health and welfare benefits. This is per MOU with some bargaining units if Base Revenue

Limit (BRL) remains at or above the 2011-2012 figure.

Assistant Superintendent Chin-Bendib also reported that the State of California is finally showing some signs of economic recovery. On November 30, 2012, the Department of Finance announced that due to improved state cash flow, the state would be able to pay back the $1.9 billion deferral payment due in January 2013, one month early, in December 2012. In addition, the state will be able to eliminate the $900 million March 2013 deferral entirely. Although this early payment does not impact our Fund Balance, it will help cash flow tremendously, i.e. the District may not have to borrow to pay its bills in the future. This is not new money for 2012-2013.

The Board thanked staff for the thorough presentation. Questions raised by the Board were clarified by staff.

8. ACTION ITEM

a. Approval of Action Items

9. Business and Operations

a. A Positive Certification of the First Interim Report for 2012-2013 Which Includes Fiscal Years 2013-14 and 2014-15 As Required by Assembly Bills 1200 and 2756 *(V)*

PUBLIC COMMENT

Carol Delton, representing the San Leandro Teachers Association (SLTA) on budget and finance, provided clarifying information to the Board regarding what the assumptions mean to the District.

Following Ms. Delton's comments, the Board approved the positive certification of the First Interim Report for 2012-2013 which includes Fiscal Years 2013-2014 and 2014-2015 as required by Assembly Bills 1200 and 2756.

Motion made by: Ron Carey
Seconded by: Lance James

Votes
Unanimously Approved

10. REPORTS - 8:25 - 8:35 p.m.

a. Correspondence

As the new officers had yet to been elected, there was not a Correspondence Report.

b. Superintendent Report

Superintendent Cindy Cathey acknowledged the hard work of the Keep the Music Rockin Foundation, stating that the December 6, Holidays with Lenny Williams Benefit Concert was fabulous, adding that "people were dancing in the aisles."

The Superintendent will be attending a Community Schools meeting in Oakland on Tuesday, December 18. She also reminded the Board that the District Office, along with the school sites, will be closed for Winter Break from December 24-January 4.

c. Union Representative Reports

Carol Delton, San Leandro Teachers' Association, spoke about RIF notices, noting that all the RIF notices that were issued last year have been recalled. She asked the Board to make a commitment and not issue RIFs, thus avoiding unnecessary worry and stress for their members.

11. BOARD COMMITTEE REPORTS - 8:35-8:45 p.m.

a. Facilites & Technology

Trustee Prola reported that the Facilities & Technology Committee met on December 5 and heard a status report on the portables at Washington Elementary School, and discussed the exterior colors for the San Leandro High School swim center building, student drop off area at Wilson Elementary School and transportation of sports teams during the construction of the San Leandro High School fields and Burrell projects.

12. BOARD REPRESENTATIVE REPORTS- 8:45-8:50 p.m.

a. Eden Area Regional Occupational Program (ROP)

Trustee Katz-Lacabe reported that the Governing Board of the Eden Area ROP met on December 6 where they approved the Contract for Youth Enrichment Services Collaborative Grant for the 2012-2013 school year and the First Interim Budget Report for 2012-2013. He also said that Arroya High School student Luz Yanez was selected as Student of the Month for November.

13. CONSENT ITEMS - 8:50-9:10 p.m.

a. Approval of Consent Items *(V) (C)*

The Board approved the Consent Items.

Motion made by: Diana Prola
Seconded by: Ron Carey

Votes
Unanimously Approved

14. Human Resources

a. Certificated Personnel Report *(V) (C)*

b. Classified Personnel Report *(V) (C)*

15. Educational Services

a. Addendum to the Memorandum of Understanding Between the San Leandro Unified School District and Achieve Learning and Resource Center, Inc. for SAT Prep at San Leandro High School for the 2012-2013 School Year *(V) (C)*

b. Amendment to the Contracted Services Agreement Between San Leandro Unified School District and Napa, Solano, Contra Costa Educational Support Team for Mathematics Institute at San Leandro High School for December 18, 2012 *(V) (C)*

c. 2012-2013 NPS/A Contracts *(V) (C)*

16. Business and Operations

a. Ratification of Payroll *(V) (C)*

b. Approval of Bill Warrants *(V) (C)*

c. Intra-Budget Transfers and Revisions *(V) (C)*

d. Resolution #12-72 to Declare Certain Equipment Surplus and/or Obsolete *(V) (C)*

17. Facilities and Construction

a. Amendment #4 to the Design Services Contract with SIM Architects to add Measure B Savings Modernization at Madison Elementary School *(V) (C)*

b. Amendment #5 to the Design Services Contract with AEDIS Architects to add Measure B Savings Modernization at San Leandro High School and Portable Replacements at Washington Elementary School *(V) (C)*

c. Budget Increase for the Washington Elementary School Modular Classrooms Project and Authorization to Negotiate a Piggy Back Agreement with American Modular Systems (AMS) *(V) (C)*

18. ACTION ITEMS - 9:10-9:15 p.m.

a. Approval of Action Items *(V)*

19. Educational Services

a. Approval of Recommendation for Readmission from Expulsion for Student E12-11/12 *(V)*

The Board approved the recommendation for Readmission from Expulsion for Student E12-11/12.

Motion made by: Ron Carey
Seconded by: Corina Lopez

Votes

Unanimously Approved

20. CONFERENCE ITEMS - 9:15-9:40 p.m.

a. Approval of Conference Items *(D) (V)*

21. General Services

a. 2013 California School Boards Association (CSBA) Delegate Assembly Nominations *(D) (V)*

Trustee Prola indicated that she would like to continue as the California School Board's representative. As there were no other interested Trustees, the Board took action and approved the nomination of Diana Prola for the term beginning April 2, 2013, through March 31, 2015, by the following vote.

Motion made by: Ron Carey
Seconded by: Lance James

Votes

Unanimously Approved

b. Parcel Tax Levy and Exemption Administration Services with SCI Consulting Group *(D) (V)*

Superintendent Cathey said that with the November 6, 2012, passage of the Measure L Parcel Tax, it is fiscally prudent and common for districts to seek the services for an expert to administer and process both exemptions and to levy the parcel tax. The

scope of work incudes such tasks as full services, year-round administration; identifying and verifying all parcels that should be subject to the parcel tax, calculating each parcel tax, determining parcel tax levies, responding to public inquiries and appeals, meeting legal reporting and accountability requirements, liaison with county assessor and county tax collector, etc.

The Superintendent said that staff is recommending that the Board approve the parcel tax and exemption administration services with SCI Consulting Group, adding that they have worked with many school districts including: Albany, Alameda, Dublin, West Contract Costa and Davis Joint Unified.

Following the questions raised, the Board approved the contract between the San Leandro Unified School District and SCI Consulting Group for Measure L Parcel Tax Exemption Administration and Levy for the 2013-2014 through 2015-2016 school years.

Motion made by: Diana Prola
Seconded by: Ron Carey

Votes
Unanimously Approved

22. INFORMATION ITEMS - 9:40-9:50 p.m.

a. Information Items

23. Business and Operations

a. Miscellaneous Receipts

Miscellaneous receipts in the amount of $14,083,666.58 have been deposited in the Treasury of Alameda County.

24. Facilities and Construction

a. Exterior Colors for the San Leandro High School Swim Center

25. REORGANIZATION OF THE BOARD - 7:20-7:35 p.m.

Trustee Katz-Lacabe prefaced the voting by explaining that each Board member received ballots for Board President, Vice-President and Clerk. When the nominations have been completed, the Board member will write down his selection on the appropriate ballot. The ballots will be collected by the Administrative Assistant and read a loud. It was noted that per the Board Bylaws, "Before serving as Board President, the Trustee must have completed the California School Board Associations' (CSBA) Board President's workshop".

a. Election of President of the Board of Education 2012/2013 *(V)*

Trustee Prola was nominated for the Office of President.

Ballots were collected and the votes were read. Trustee Prola was unanimously elected to the Office of President of the Board of Education for the 2012-2013 school year.

Motion made by: Lance James
Seconded by: Vince J. Rosato

Votes
Unanimously Approved

b. Election of Vice President of the Board of Education for 2012/2013 *(V)*
Trustee Toro was nominated for the Office of the Vice President.

Ballot were collected and read. Trustee Toro was unanimously elected to the Office of Vice-President of the Board of Education for the 2012-2013 school year.

Motion made by: Vince J. Rosato
Seconded by: Lance James

Votes
Unanimously Approved

c. Election of Clerk of the Board of Education for 2012/2013 *(V)*
Trustee Carey was nominated to the Office of Clerk.

The ballots were collected and read. Trustee Carey was unanimously elected to the Office of Clerk of the Board of Education.

Motion made by: Lance James
Seconded by: Diana Prola

Votes
Unanimously Approved

26. ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS-9:50 p.m.

Trustee López congratulated the new officers and thanked staff for the explanation of the budget, adding that she was happy that she attended the Finance Committee meeting prior to the Board meeting which helped her to be better prepared for the discussion on the First Interim Report. She thanked the community for giving her the opportunity to serve as a Trustee and for the support from the teachers' union.

Trustee Toro thanked staff for the budget presentation.

Trustee Carey welcomed the new board members and congratulated the new officers. He attended the Lenny Williams Concert and it was great, adding that students from the Regional Occupational Program prepared the food for the event. Friday will be the San Leandro High School Fundraiser at Drakes. He also announced that he will not be at the January 15 Board meeting.

Trustee James disclosed that on December 7 he received a DUI, stating, "I must disclose to the Board that I received a DUI Friday night. I made a poor decision and am paying the price. This is teaching me to slow down and make better judgments." "I assure you that I take my position on the board and in the community very seriously and that

nothing like this will happen again."

Trustee Prola thanked for the Board for the confidence in electing her President. She asked for consensus to schedule a Board retreat; however, it was noted that consensus was received at the last meeting.

Trustee Rosato thanked the San Leandro Teachers' Association for their overview of the budget and appreciated the "behind the scenes" work.

Trustee Katz-Lacabe welcomed the new Trustees and is looking forward to working together. For the benefit of the new trustees, he reiterated a concern that he has mentioned before with regards to reducing the size of the Board from 7 to 5 members.

Following Board member comments, the Board adjourned into closed session at 8:21 p.m.

27. ANNOUNCEMENT

a. Board of Education Meetings

- Regular Board Meeting - December 18, 2012 **(cancelled)**
- Regular Board Meeting - January 15, 2013
- Regular Board Meeting - January 29, 2013
- Regular Board Meeting - February 5, 2013
- Tentative Board Meeting/Work Session - February 12, 2013 (District Office)
- Regular Board Meeting - February 26, 2013
- Regular Board Meeting - March 5, 2013
- Special Board Meeting - March 12, 2013 (District Office)
- Regular Board Meeting - March 19, 2013
- Regular Board Meeting - April 2, 2013
- Regular Board Meeting - April 16, 2013
- Regular Board Meeting - May 7, 2013
- Tentative Board Meeting/Work Session - May 14, 2013 (District Office)
- Regular Board Meeting - May 21, 2013
- Regular Board Meeting - June 4, 2013
- Regular Board Meeting - June 18, 2013
- Special Board Meeting - June 25, 2013 (District Office)

28. ADJOURNMENT*

a. Time *(V)*

The Board reconvened to open session at 9:14 p.m., where no action was taken.

The meeting was adjourned at 9:15 p.m.

Motion made by: Ron Carey
Seconded by: Lance James

Votes
Unanimously Approved

Respectfully submitted,

Cindy M. Cathey, Secretary

Board Approved: 1/15/13

TO: Board of Education

FROM: John Thompson, Ed.D., Senior Director II of Human Resources

DATE: December 11, 2012

RE: Acceptance of Personnel Report

The following is the Personnel Report that reports details of personnel assignments, employment and terminations.

CERTIFICATED EMPLOYEES

POS.#	NAME	POSITION	LOCATION	FTE FROM	FTE TO	FROM	TO
UNPAID LEAVE OF ABSENCE							
274	Ann Marie Mitchell	Teacher	McKinley		1.0	1/7/13 – 6/14/14	

To: Board of Education

From: John Thompson, Ed.D. Senior Director II-Human Resources

Date: December 11, 2012

Re: Acceptance of Personnel Report

Following is a Personnel Report that reports details of personnel assignments, employment and terminations.

CLASSIFIED EMPLOYEES

POS # Funding	NAME	POSITION	LOCATION	FTE	FROM	TO
Appointment						
636-Title III-LEP	David Moreno	Para Educator ELD	Bancroft/Madison	0.80	12/10/2012	
Short-term	Yvonne Meier	Para Educator	McKinley	Hourly	11/1/2012	4/26/2013
Short-term	Helen Brown	Para Educator	McKinley	Hourly	11/1/2012	4/26/2013
Short-term	Sally Chen	Translator	Variour	Hourly	12/12/2012	6/30/2013
Short-term	Jorge Gonzalez Ochoa	Custodian A	Various	Hourly	12/12/2012	Up to 30 days
Resignation						
700-Child Nutrition	Terri D. VanderStouwe	Food & Nutrition Service Manager B	SLHS	1.000	12/22/2012	