



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 8.1g

Meeting Date: August 21, 2014

Subject: Approve July 17, 2014 Board of Education Meeting Minutes

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Superintendent's Office

Recommendation: Approve Minutes of the Board of Education Meeting for July 17, 2014.

Background/Rationale: None

Financial Considerations: None

Documents Attached:

1. July 17, 2014 Board of Education Meeting Minutes

<p>Estimated Time of Presentation: N/A Submitted by: José L. Banda, Superintendent Approved by: N/A</p>
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Putting
Children
First

Sacramento City Unified School District BOARD OF EDUCATION MEETING AND WORKSHOP

Board of Education Members

Patrick Kennedy, President (Trustee Area 7)
Darrel Woo, Vice President (Trustee Area 6)
Christina Pritchett, Second Vice President (Trustee Area 3)
Jay Hansen (Trustee Area 1)
Jeff Cuneo (Trustee Area 2)
Gustavo Arroyo (Trustee Area 4)
Diana Rodriguez (Trustee Area 5)
Asami Saito, Student Member

Thursday, July 17, 2014

4:30 p.m. Closed Session

6:30 p.m. Open Session

Serna Center

Community Conference Rooms

5735 47th Avenue

Sacramento, CA 95824

MINUTES

2014/15-01

1.0 OPEN SESSION / CALL TO ORDER / ROLL CALL

The meeting was called to order at 4:33p.m.by Vice President Woo and roll was taken.

Members Present:

*Darrel Woo, Vice President
Christina Pritchett, Second Vice President
Jeff Cuneo
Jay Hansen
Diana Rodriguez*

Members Absent:

*Patrick Kennedy, President
Gustavo Arroyo
Asami Saito, Student Board Member*

A quorum was reached.

2.0 ANNOUNCEMENT AND PUBLIC COMMENT REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION

No Public Comment was requested on Closed Session items and the Board retired to Closed Session,

3.0 CLOSED SESSION

While the Brown Act creates broad public access rights to the meetings of the Board of Education, it also recognizes the legitimate need to conduct some of its meetings outside of the public eye. Closed session meetings are specifically defined and limited in scope. They primarily involve personnel issues, pending litigation, labor

negotiations, and real property matters.

3.1 *Government Code 54956.9 - Conference with Legal Counsel - Anticipated Litigation:*

- a) Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9 (1 case)*
- b) Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9 (1 case)*

3.2 *Government Code 54957.6 (a) and (b) Negotiations/Collective Bargaining CSA, SCTA, SEIU, Teamsters, UPE, Unrepresented Management*

3.3 *Government Code 54957 – Public Employee Discipline/Dismissal/Release*

3.4 *Government Code 54957 – Public Employee Appointment*

- a. Principal, John Cabrillo Elementary School*
- b. Superintendent*

4.0 **CALL BACK TO ORDER/PLEDGE OF ALLEGIANCE**

The meeting was called back to order at 6:35 p.m. by Board President Kennedy.

Members Present:

Patrick Kennedy, Board President

Darrell Woo, Vice President

Christina Pritchett, Second Vice President

Gustavo Arroyo

Jeff Cuneo

Jay Hansen

Diana Rodriguez

Asami Saito, Student Board Member

Members Absent:

None

The Pledge of Allegiance was led by Manar Harran, a student from Rosemont High School, and a Certificate of Appreciation was presented by Member Pritchett.

5.0 **ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

Interim Superintendent. Noguchi announced that Samantha Holmes was selected by unanimous vote as principal at John Cabrillo for the 2014-15 school year.

President Kennedy announced that the appointment of Jose Luis Banda as Superintendent was approved by a 6-1 vote with member Hansen voting no.

6.0 AGENDA ADOPTION

President Kennedy asked for a motion to adopt the agenda. A motion was made to approve by Vice President Woo and seconded by Second Vice President Pritchett. The Board voted unanimously to adopt the agenda.

7.0 PUBLIC COMMENT

Members of the public may address the Board on non-agenda items that are within the subject matter jurisdiction of the Board. Please fill out a yellow card available at the entrance. Speakers may be called in the order that requests are received, or grouped by subject area. We ask that comments are limited to two (2) minutes with no more than 15 minutes per single topic so that as many people as possible may be heard. By law, the Board is allowed to take action only on items on the agenda. The Board may, at its discretion, refer a matter to district staff or calendar the issue for future discussion.

- *Vincent Mastrototaro expressed concerns about the extent and expense of District travel. He provided the Board with an article from the Sacramento Bee on the subject as well as a list of suggestions for improvement. He also questioned why the Board does not have a Finance Committee.*
- *Mac Worthy had general questions and comments on Board processes and procedures.*
- *Karen E. Hart, M.D., would like the Board to consider developing a Vision's 2000 program for GATE students. She requests that the issue be calendared at a future Board meeting. Member Rodriguez and President Kennedy requested that the Superintendent follow up with Ms. Hart. Member Hansen also commented to Ms. Hart that he would be happy to meet with her to discuss the matter as well.*

8.0 **NOTE:** *Staff notes skip in numbering.*

9.0 CONSENT AGENDA

Generally routine items are approved by one motion without discussion. The Superintendent or a Board member may request an item be pulled from the consent agenda and voted upon separately.

9.1 Items Subject or Not Subject to Closed Session:

- 9.1a *Approve Grants, Entitlements and Other Income Agreements, Ratification of Other Agreements, Approval of Bid Awards, Approval of Declared Surplus Materials and Equipment, Change Notices and Notices of Completion (Ken A. Forrest)*
- 9.1b *Approve Personnel Transactions (Ken A. Forrest)*
- 9.1c *Approve Business and Financial Report: Warrants and Checks Issued for the Period of June 30th, 2014 (Ken A. Forrest)*
- 9.1d *Ratification of Superintendent Employment Agreement (Patrick Kennedy)*
- 9.1e *Approve Mandatory Reporting to the Sacramento County Office of Education – Uniform Complaints Regarding the Williams Settlement Processed for the period of April through June 2014 (Cancy McArn)*
- 9.1f *Approve Amended Minutes of the May 15, 2014 Board of Education Meeting (Dr. Sara Noguchi)*

Public Comment

- 9.1a - Terrence Gladney had concerns regarding District contracts with companies outside of Sacramento and would rather see local companies utilized. He spoke specifically regarding AMS.net providing CISCO support services, a company based in the Bay Area.
- 9.1b - Terrence Gladney wanted to publicly thank retiring teacher Judy Wong as she was his son's kindergarten teacher. He saw her make a positive influence in his son's and other students' educations.
- 9.1d – Mac Worthy had concerns regarding the length of contract for the new Superintendent and also District fiscal responsibility.

Board Member Comments

- President Kennedy provided a brief explanation as to why the Superintendent's contract is now made available to the public and not prior. The contract was negotiated in conformity to the Brown Act by a negotiating committee made up of President Kennedy, Second Vice President Pritchett, and Member Rodriguez. The committee met among themselves and later with Mr. Banda. The contract was then reviewed in closed session. The contract now available to the public is a result of those negotiations.

President Kennedy asked for a motion to approve the Consent Agenda. A motion was made by Vice President Woo and seconded by Second Vice President Pritchett. The Board voted unanimously to approve the Consent Agenda.

10.0 BOARD WORKSHOP/STRATEGIC PLAN AND OTHER INITIATIVES

10.1 Facility Reuse and Repurpose Criteria Update (Cathy Allen and Mary Hardin-Young)

Information

Assistant Superintendents Cathy Allen and Mary Hardin-Young gave an update on Facility Reuse and Repurpose Criteria. This included fee structure for facility repurpose and reuse. Background information was given regarding the fact that the Board appointed the 7-11 committee, which met for six months, and recommended that the seven sites reviewed not be surplus. Staff developed a proposal to lease sites which was presented on June 19, 2014. The Board at that time requested options for fees, possibly using Civic Center categories. Research was then conducted, including tours of sites to interested groups. The four categories of the Civic Center tiered payment structures were presented, as well as changes to the Education Code in 2012 that allow an increase in all categories due to refurbishment costs. Ms. Allen stressed that the Civic Center fees are based on a per use rate and would not transfer to long-term use as this would result in rates prohibitively high. Other districts that have leased closed sites were contacted, and it was found that they did not have very much success. Most uses are for additional programs, department utilization, as interim sites while regular sites are being repaired, or for charter schools. The next steps planned after receiving Board input is to receive and evaluate proposals and then provide options to the Board for review.

Public Comment

- Judy Smith of Tao Holistics first thanked Jim Dobson for opening Fruit Ridge on a very hot day and then went on to also thank the Board for considering the proposed use of Fruit Ridge. She mentioned several outside groups interested in available sites and also

stated that she would like to see a District presence such as independent study. She reported that she has received inquiries from all over the United States.

Board Member Comments

- *Member Pritchett had a question regarding the fee structures. Cathy Allen responded.*
- *Vice President Woo asked that the discounted rate not exceed the fair market value of each school's location.*
- *Member Rodriguez asked if the Board would receive a full list of criteria on which proposals would be determined before proposals are received. Cathy Allen responded. Member Rodriguez thought Ms. Allen had provided additional information at the June 19, 2014 Board meeting. Interim Superintendent Noguchi stated that the notes from that meeting will be reviewed to see if there is anything that needs to be added. Member Rodriguez requested that in the future her relevant comments be reviewed on the District website from prior meetings. She would like to see this come back with review of the comments she had made, especially regarding fee structure. She agrees with Member Woo regarding the fair market rate.*
- *Member Arroyo commented that he found the proposed fee categories to be a good starting point and asked if there would be a more specific breakdown. Cathy Allen responded that would happen once they receive the proposals. Member Arroyo expressed concern about consistent criteria being applied and identifying community benefits. He would like to come up with a system that eliminates confusion regarding the category that a specific group would fall into.*
- *Member Cuneo asked if every request would be brought to the Board regardless of staff's opinion of that request. Cathy Allen responded yes.*
- *President Kennedy commented that he likes the fact that different organizations are being treated differently. Specifically, that non-profits and organizations that serve the community are not viewed the same as for-profit organizations and are provided with opportunity to help the community.*

10.2 Real Property Surplus Workshop on Process (Cathy Allen)

Information

President Kennedy clarified that the workshop is on the process of surplus property, not a workshop to discuss any proposals that have come forward. Cathy Allen then proceeded to explain that the workshop is to identify what does happen when the District has vacant property. She explained that the District starts with the 7-11 process which results in a recommendation to the Board to either surplus or not surplus. If a property is surplussed, there is a prescribed Education Code procedure that the District is required to follow. Research was done to determine what practices and processes are established currently as well as policies that are identified by CSBA. It was determined that there are no existing District practices regarding this matter; there are no other examples of surplus property other than one joint use with the City of Sacramento. Considerations addressed were fiscal impact to the District, priorities attached to any particular site, the process in which proposals are brought to the Board, the confidential nature of the issue, and District and community needs. Counsel Tom Gauthier then explained the priorities that must be considered in regard to surplus property.

Public Comment

- *Mac Worthy had concerns that the public is not more involved in the decision process regarding surplus property. He also felt that appraised values should have been included in the information. President Kennedy again asked that all please keep in mind this is a workshop on the process only.*
- *Bay Miry of D and S Development introduced himself and his business and gave examples of local jobs completed and in progress. They are interested in the Thomas Jefferson*

property, and have experience in the rehabilitation of historic sites.

- Taylor Hudson of a hotel and food service workers' union, Unite Here, Local 49, wanted to remind the Board, (as one of the proposals made is a hotel), that labor disputes can possibly have an effect on revenue that the Board may expect to receive.
- Meea Kang, president of an affordable housing developer in Sacramento, spoke regarding a proposal regarding the 16th and N site that was provided to the Board earlier in the year. She also spoke of possible community benefits regarding the site.
- Andrea Leisy, attorney with Remy Moosemanly wanted to reiterate what Meea Kang said and also spoke on requirements of Districts regarding surplussed property, especially with regard to priority that must be given to affordable housing. She also mentioned that information had been sent to the Board previously in two letters.
- Deana Ellis of Cresleigh Homes spoke on behalf of submission made to the District and expressed the opinion that the District should make decisions that are in the best fiscal interest of the District. She also stated that they would like the opportunity to revise their proposals.

Board Member Comments

- Vice President Pritchett thanked the presenters of the workshop; she requested and asked if a list of surplus properties could be provided. Ms. Allen replied that at present there are actually no surplussed properties. Vice President Pritchett made a formal request to be provided with a list of all empty District properties.
- Member Cuneo expressed concern with communication and transparency, and stated that he is disheartened with the process. He would like a discussion on how the students benefit by choosing any particular option regarding property.
- Member Rodriguez noted that although there are currently too many properties due to lower enrollment, Boards from other districts she has contacted that had been in this same situation reported that they sold easily only to find later that bonds had to be obtained to purchase property. She therefore wants to look closely at demographics as well as the legal versus financial aspect. She also asked if we are able to consider financial implications to the District when a charter school is interested in a site. Counsel Gauthier replied that he will need to consider and research the question, but that just looking at the Education Code, no. Member Rodriguez also felt that material contained in the first four bullets of page 3 of the presentation should be discussed as a whole by the Board with the Superintendent, and also be brought onto the floor as a workshop. President Kennedy replied that he feels that this workshop is the first step into that process. Member Rodriguez then asked Bay Miry of D and S Development to clarify if his interest was in working with the District to rehabilitate the property or to purchase the property and then work with the District. President Kennedy noted that as there are other proposers in attendance, the response should not be too detailed. Mr. Miry's response to Member Rodriguez's question was that their interest is not to purchase the property but rather do a ground lease. Member Rodriguez then asked Ms. Allen how difficult it will be to gather census data. Ms. Allen replied that gathering the data will be easy, however another consideration to be made is the cost to return a property to field act approved so that it can be occupied by students and staff. Ms. Allen also stated that collecting demographic data on the entire District rather than just for the sites in question would be more difficult. Member Rodriguez requested that when the list of surplus properties is provided that each be identified as to field act compliant or not.
- Member Hansen asked if we had yet surplussed any property and what would be the process to do so. Ms. Allen answered that we have not as yet surplussed property and that to do so would require a simple majority resolution by the Board. Member Hansen also asked specifically about the 14th and N property and if that facility had been part of a 7-11 review. Ms. Allen replied that it had, and that a recommendation was made to the Board which was accepted, but there was never

a formal action taken. Ms. Allen was not certain as to what the recommendation was at that time; Member Hansen requested that information be obtained. He also asked Ms Allen to propose a timeline for when the Board would vote on a surplus property. He also stated that he feels the Board should be good fiscal stewards as well as consider possible educational benefits. He also suggested looking at the possibility of using a percentage of low income housing for staff along with looking into what would be the process for building that into a potential agreement.

- Member Arroyo asked if the Board cannot act on any proposals right now. Ms. Allen said that is correct, that the first step would be to declare a property surplus. Member Arroyo was wondering why the Board was recommended to act on something earlier in the year to which Ms. Allen replied that they were bringing forward the concept of an exchange, which still requires that the property be declared surplus. Member Arroyo stated that he would like a new Board policy that directs the Board on information and the confidentiality of information that comes to the Board. He suggested doing this by studying the previous exchange proposal and all of the activity related to it over the past year. He would like to see a Board policy that spells out, when there is one or multiple proposals on property, what is to be done first. He also would want there to be awareness and plenty of options for the Board as well as opportunity for public hearings. He also asked for clarification on the public comment regarding 60 day negotiations window. Counsel Gauthier responded.
- President Kennedy commented that this is a difficult subject area, from a public policy standpoint and from a fiduciary standpoint. His recommendation is to have a special workshop on the subject as Member Rodriguez suggested earlier in the discussion. He also agrees with Member Arroyo that there should be a formalized process going forward and that it should be a product of, and on the agenda of, the workshop.

10.3 Bond Oversight Committee Annual Report (Cathy Allen)

Information

Ms. Allen introduced Bond Oversight Committee Chair, Lawson Stuart, and Vice Chair, Rachel Minnick, who presented the annual report. Recommendations were made that a high school student be added to the committee as a non-voting member, that e-Builder software be provided to help the committee, and that interaction with the Bond Steering Committee continue.

Public Comment

None

Board Member Comments

- Vice President Pritchett thanked the committee for their hard work. She also asked if the Board could be provided with additional information. Ms. Allen replied that the information is available on the website; she will provide the Board with the link.
- Member Cuneo also thanked the committee for their work. He asked if this is a statutorily created committee. Ms Allen responded that they are. He commented that it would be nice to receive more qualitative feedback from the committee. Ms. Allen noted that the committee is an after-the-fact committee and also that the committee's actions are prescribed by Education Code and Prop 39. Member Cuneo recommended that the Board expand the scope of the Bond Oversight Committee.
- Member Rodriguez also thanked the committee. She agrees with Member Cuneo that the Board should look at expanding the committee's areas of responsibilities.
- Student Board Member Saito commented that she is very glad the committee is recommending that the committee have a student member. She would like to contact the committee about the recommendation and bring it back to the Student Advisory Council.
- Member Hansen asked if the Board can make adding a student member to the Bond Oversight

Committee an action item.

- *President Kennedy also thanked the committee for their work. He then reminded the Board that the use of bond money is ultimately decided by the Board.*

10.4 Approve 2014-2015 District Budget Update and Revision – State Budget Approval (Ken A. Forrest)

Action

Gerardo Castillo gave the presentation in Ken A. Forrest's absence. Changes in the Governor's budget versus the May Revision were presented as well as the impact of the New Joseph Bonnheim Charter School on the budget.

Public Comment

- *Mac Worthy made various general comments on the District budget.*
- *Darlene Anderson commented and had questions on Accelerated Academy.*
- *Carl Pinkston of The Black Parallel School Board said thank you for including Restorative Justice as part of the budget. He also would like to see future budgets include a more participatory process.*

Board Member Comments

- *Member Rodriguez had a question on page 12 which Mr. Castillo answered. She also commented that the slides had very good information and encouraged the rest of the Board to go over them. She pointed out specifically slide 21. She noted that she read information from a coalition of community groups that are doing a budget watch on the LCAP, and she offered to conference call with them as she can provide insight on some questions asked. She also noted that the focus should be on next year's budget.*
- *Member Cuneo commented that he also was happy that Restorative Justice was included in the budget.*

President Kennedy asked for a motion to approve. Vice President Woo made a motion to approve the budget and Member Rodriguez seconded. The Board voted unanimously to approve.

11.0 BUSINESS AND FINANCIAL INFORMATION/REPORTS

Receive Information

11.1 Business and Financial Information:

- *Cash Flow Report for the Period Ending May 30, 2014*
- *Purchase Order Board Report for the Period of May 15, 2014, through June 14, 2014*
- *Report on Contracts within the Expenditure Limitations Specified in Section PCC 20111 for May 1, 2014, through June 30, 2014*
- *Enrollment and Attendance Report for Month 8 Ending April 18, 2014*
- *Enrollment and Attendance Report for Month 9 Ending May 16, 2014*
- *Enrollment and Attendance Report for Month 10 Ending June 12, 2014*

Public Comment

- *Mac Worthy made general comments on cash flow and attendance.*
- *Darlene Anderson commented on Accelerated Academy and has concerns regarding the program's oversight.*

Board Member Comments

- Member Hansen made correction to an earlier public comment regarding low SAT scores. He also commented to Mr. Gladney that he would like to look into local source contract opportunities.

11.2 Head Start/Early Head Start Reports

Public Comment

None

Board Member Comments

None

12.0 **NOTE:** Staff notes skip in numbering.

13.0 **FUTURE BOARD MEETING DATES / LOCATIONS**

- ✓ August 7th, 2014, 4:30 p.m. Closed Session; 6:30 p.m. Open Session; Serna Center, 5735 47th Avenue, Community Room; Regular Workshop Meeting
- ✓ August 21st, 2014, 4:30 p.m. Closed Session; 6:30 p.m. Open Session; Serna Center, 5735 47th Avenue, Community Room; Regular Workshop Meeting

14.0 **ADJOURNMENT**

Student Member Asami Saito made a motion to adjourn the meeting; the motion was seconded by Vice President Pritchett. The motion was passed unanimously, and the meeting was adjourned at 9:26 p.m.

José L. Banda
Superintendent and Board Secretary

NOTE: The Sacramento City Unified School District encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Board of Education Office at (916) 643-9314 at least 48 hours before the scheduled Board of Education meeting so that we may make every reasonable effort to accommodate you. [Government Code § 54953.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. §12132)] Any public records distributed to the Board of Education less than 72 hours in advance of the meeting and relating to an open session item are available for public inspection at 5735 47th Avenue at the Front Desk Counter and on the District's website at www.scusd.edu