

**SANTEE SCHOOL DISTRICT
REGULAR MEETING
OF THE BOARD OF EDUCATION**

January 18, 2011
MINUTES

Douglas E. Giles
Educational Resource Center
9619 Cuyamaca Street
Santee, California

A. OPENING PROCEDURES

President Ryan called the meeting to order at 7:00 p.m. and invited the audience to read the District Mission Statement with her.

Members present:

Barbara Ryan, President
Dan Bartholomew, Vice President
Dianne ElHajj, Clerk
Ken Fox, Member
Dustin Burns, Member

Administration present:

Dr. Patrick Shaw, Superintendent and Secretary to the Board
Karl Christensen, Assistant Superintendent, Business Services
Minnie Malin, Assistant Superintendent, Human Resources/Pupil Services
Kristin Baranski, Director, Educational Services
Linda Vail, Executive Assistant and Recording Secretary

President Ryan invited Joe Spencer, a Rio Seco parent, to lead the members, staff, and audience in the Pledge of Allegiance.

It was moved and seconded to approve the agenda.

Motion: Burns **Second:** El-Hajj **Vote:** 5-0

B. REPORTS AND PRESENTATIONS

1. Superintendent's Report

- 1.1. Developer Fees Collection Report
- 1.2. Use of Facilities Report
- 1.3. Enrollment Report
- 1.4. Schedule of Upcoming Events

2. Principal Presentation from PRIDE Academy

PRIDE Principal Stephanie Southcott and Intern Tammy Marble presented information about student achievement through a Purposeful, Rigorous, Innovative, Dynamic Education (PRIDE) for all. PRIDE Academy is maintaining an API over 800. Under the leadership of the Principal, staff has fine-tuned learning components to improve student achievement using teacher created mid-trimester assessments, fluid Universal Access, Spiral Review, and six-week monitoring of students in grades 1-6 in LA and math, tracking student proficiency. A grade 7-8 integrated classroom was implemented this year with a focus on collaboration and technology integration.

Character Education includes Tip of the Hat, monthly celebrations, small group character education, PRIDE families, and college flags posted throughout the campus. Students continue to show growth in trimester 1 District assessment in Language Arts and math. Administration is continuing refinement of Project Based Learning and technology integration. New things this year at PRIDE Academy are EAK on campus, IPOD program expansion, partnership in Education with the Navy, the Sony donation of 19 new laptops, and modernization.

Member Burns thanked Mrs. Marble for her work with students. On a recent visit, the 6th grade teachers and kids shined during an assembly. Member Fox said on his visit he was impressed with what he saw the students doing in classrooms.

President Ryan asked if the National Children's Study was active at their school. Mrs. Southcott said she was asked to participate in community forums and the study group is connecting with the PTA and parents.

President Ryan introduced Mr. Ted Rijo from Sony who was instrumental in the donation of 19 laptops to PRIDE academy. Mr. Rijo was presented with a certificate of appreciation from the Board of Education and Board Members

thanked Mr. Rijo and Sony for their partnership and donation that will greatly impact the student learning at PRIDE Academy.

3. Presentation of the Santee School District Board of Education's Initial Proposals to Modify Articles of the Successor Collective Bargaining Agreement with California School Employees Association (CSEA) Chapter 557

4. Presentation of the California School Employees Association (CSEA) Chapter 557's Initial Proposals to Modify Articles of the Successor Collective Bargaining Agreement with the Santee School District Board of Education

D. PUBLIC COMMUNICATION

President Ryan invited members of the audience to address the Board about any item not on the agenda. There were no public comments.

E. PUBLIC HEARINGS

1. School Accountability Report Card (SARC) Timeline Extension Waiver Request to the California Department of Education

President Ryan opened the public hearing for a timeline extension waiver request to the California Department of Education for the School Accountability Report Cards (SARC). There were no comments from the public. President Ryan closed the public hearing.

F. CONSENT ITEMS

Items listed under Consent are considered to be routine and are all acted on by the Board with one single motion. President Ryan invited comments from the public on any item listed under Consent.

1.1. Approval of Minutes

2.1 Approval/Ratification of Travel Requests

2.2. Approval/Ratification of Expenditure Warrants

2.3. Approval/Ratification of Purchase Orders

2.4. Pulled for Separate Consideration

3.1. Adoption of Resolution Approving and Authorizing Joint Exercise of Powers Agreement for Facility Planning and Construction Projects (FACJPA) and Approval to Join School Facilities JPA

3.2. Approval of WEST (Western Environmental and Safety Technologies, Inc.) for Annual Hazmat Materials Removal and Abatement Monitoring during Construction

3.3. Approval of Site DSA Inspector IOR – Hendrix, California School Construction Services

3.4. Approval of Services by Ninyo & Moore Materials and Testing Labs

4.1. Approval to Submit School Accountability Report Card (SARC) Timeline Extension Waiver Request to the California Department of Education

4.2. Approval of 2010-11 Consolidated Application, Part II

4.3. Approval of 2010-11 School Site Fundraising Plans

4.4. Approval of Revised Progressus Therapy, LLC Agreement for Occupational Therapy (OT) Services

5.1. Personnel, Regular

It was moved and seconded to approve Consent Items with the exception of Item E.2.4.

Motion: *El-Hajj* **Second:** *Burns* **Vote:** *5-0*

2.4. Acceptance of Donations (Pulled by Member Burns for Separate Consideration)

Member Burns asked if a thank you is sent to those listed who have donated funds or resources to the District. Mrs. Vail said the Administrative Secretary of Business Services sends each listed Donator a thank you letter from the District. Member El-Hajj moved approval.

Motion: *El-Hajj* **Second:** *Burns* **Vote:** *5-0*

G. DISCUSSION AND/OR ACTION ITEMS

President Ryan invited comments from the public on any item listed under Discussion and/or Action.

1.1. Update on Governor's State Budget Proposal

Karl Christensen provided a report on the Governor's budget proposal presented on January 10, 2011. The State projects a deficit of over \$25 billion for 2010-11 and 2011-12. Governor Brown purposes to close the gap with

revenue increases and expenditure cuts. The cause of this great deficit is mostly failed budget solutions over the past number of years.

Accounting gimmicks are absent from this proposal although there are major hurdles. The State legislature is bending the definition of some known terms, such as Flat Funding. There is a possibility of \$19 per ADA reduction and the prognosis of additional cuts if the temporary tax increases don't make it to the polls or is not supported by the voters. A District budget will need to be enacted by the Board before we will even know if the tax will be extended in a special election. Administration will continue to move forward with a budget based on the proposed State budget but will provide a multi-year projection with the plan for an additional more than \$2 million in reduction in revenue. President Ryan said it is Governor Brown's intention to protect education as much as possible.

1.2. Summary and Acceptance of 2009-10 Audit Report by Vavrinek, Trine, Day & Co.

Karl Christensen reported the annual required audit has been performed. There were no adjustments to the revenue or fund balance submitted to the Board in September. There were four weaknesses noted in ASB accounting procedures. Business Services is scheduling meeting with Principals and Vice Principals to review the information and put a plan in place to rectify the weaknesses.

Member Burns hopes that it is not made too difficult at the school sites to collect ASB funds. The funds they collect are very important to the schools.

Member Bartholomew said it was a clean report and commended the department on a nice job. Member El-Hajj moved to accept the 2009-10 audit report submitted.

Motion: El-Hajj **Second:** Bartholomew **Vote:** 5-0

2.1. Approval of Amendment No. 2 to Twelfth Amendment (Phase IV – Prospect Avenue School Modernization) to Construction Services Agreement for Lease-Leaseback, Site Lease, and Sublease Agreement

Karl Christensen reported with the \$35 million recently received in State grant funds, staff is moving forward to initiate modernization at three schools, Chet F. Harritt, Hill Creek, and PRIDE Academy. A Guarantee Maximum Price (GMP) was presented for modernization at PRIDE Academy. The final GMP for PRIDE Academy is \$5,852,890 with amendments. Mr. Christensen shared this is an increase from previous work as there are a few obstacles, such as previous contractors who have closed their businesses and a price increase in copper and other metal. The GMP also includes a contingency usage fund and moving costs (which were a separate contract in past modernization). If a savings is realized it will come back into the contingency fund. Barnhart is projecting final completion in December. Michelle Reiner, Barnhart Project Manager, said they are working hard looking for any savings possible. She said the increases are reflected from the large increase in the cost of copper and some slight increase in contractor bids mostly due to prevailing wages. Most contractors are working hard to hold their price or absorb increases.

Member Bartholomew asked if Corovan would be doing the moving. There were some concerns about theft during the last moves. Mr. Christensen said moving is now included in the construction bid and Barnhart will be bidding it out and overseeing the work. Administration believed the moving would be better handled by the contractor to coordinate and supervise the movers. Barnhart has learned more about the coordination and security during the last moves.

Member Burns asked for clarification on the ending date. Mrs. Reiner said Building E will be the starting point and the plan is to work towards completion by the end of summer. Because the summer is short, they may run a little longer for final completion but will be ready for students to return in September.

Member Burns moved to approve Amendment No. 2 to Amendment 12 to the Lease-Leaseback Construction Agreement since the final Guaranteed Maximum Price (GMP) is within the Board-approved Capital Improvement Program budget for these projects.

Motion: Burns **Second:** El-Hajj **Vote:** 5-0

2.2. Approval of Amendment No. 1 to Thirteenth Amendment (Phase IV – Chet F. Harritt Ball Fields) to Construction Services Agreement for Lease-Leaseback, Site Lease, and Sublease Agreement

Karl Christensen presented the Guarantee Maximum Price (GMP) of \$965,521 for the completion of the ball fields at Chet F. Harritt. Completing the ball fields is necessary to vacate the Santee School property in order to move forward to develop the land to provide revenue for the District. It is projected the fields will be available for student use in fall of 2011 and Mr. Christensen has not yet spoken to Pioneer Little League about a start date..

Member Burns does not feel these dollars should be paying for Little League fields, but the District is being held hostage by the City, and if the District does not relocate the fields, we will not be able to realize revenue from the empty site.

Member Burns moved to approve Amendment No. 1 to Amendment 13 to the Lease-Leaseback Construction Agreement since the final Guaranteed Maximum Price (GMP) is within the Board-approved Capital Improvement Program budget for these projects.

Motion: Burns **Second:** Fox **Vote:** 5-0

2.3. Payment of Final Invoice to Chevron Energy Solutions for July 31, 2007 Energy Services Agreement

Mr. Christensen reported in July 2007, the Board approved an energy services agreement with Chevron Energy Solutions to conduct an energy audit. In June 2008, the District began pursuing alternative methods for incorporating energy conservation measures into Capital Improvement Program designs and constructively terminated Chevron's services. Working with the District and analyzing the work that was actually completed, Chevron has agreed to reduce the submitted Profit & Overhead from 25% to 15% and corrected the calculation of hours to produce a final invoice totaling \$101,091. Administration recommends payment of this amount to Chevron Energy Solutions to satisfy the requirements of the Agreement. Chevron will sign an unconditional release of any further financial liability for work associated with the Agreement upon receipt of this amount.

Member El-Hajj moved to approve final payment to Chevron Energy Solutions for services rendered and release of further financial liability associated with the July 2007 agreement.

Motion: El-Hajj **Second:** Fox **Vote:** 5-0

2.4. Approval of Amendment No. 1 to Architectural Services Agreement with Trittipio Architecture and Planning

Karl Christensen explained the District recently became aware of some outstanding payments to sub consultants by the Architectural Service. In order to assure that this issue does not arise during continuation of modernization and construction, Trittipio Architectural and Planning has agreed to provide signed releases with each invoice submitted to the District. This is an amendment to the original agreement. Member Burns moved to approve Amendment No. 1 to the Architectural Services Agreement with Trittipio Architecture & Planning.

Motion: Burns **Second:** El-Hajj **Vote:** 5-0

2.5. Approval of Increase of Change Order Contracting Authority

Karl Christensen reported that in March 2008 the Board delegated authority for certain District personnel to authorized change orders associated with the Capital Improvement Program projects. Limits were established as: Director of Facilities-\$25,000, Assistant Superintendent, Business-\$50,000, and Superintendent-\$75,000. In order to expedite Phase II work and adhere to the aggressive timelines and schedules, Administration requested to increase the authorization limits to: Director of Facilities-\$40,000, Assistant Superintendent, Business-\$65,000, and Superintendent-\$90,000. Ratification by the Board will still be required for all change orders.

Member Burns asked if the previous limits were not sufficient in Phase I and why increased limits were requested. Mr. Christensen said some change orders exceeded those limits and were noted in the audit. Member Burns is not comfortable supporting this unless there is a process built in where the Board is notified of any change orders authorized. President Ryan said if not cautious about change orders, they can add up to a lot of money. Christina Becker explained that if a change order is approved, the cost comes from the contingency fund and is not added to the project cost. The Guaranteed Maximum Price is still in force and the contingency amount will limit the change orders. Mr. Christensen would provide the Board a list of any change orders in a weekly report and all change orders will come to the Board for ratification.

Member Burns moved to approve the recommended increase to the delegation of authority for approving change orders with the stipulation to provide the Board with a report weekly of any change orders.

Motion: Burns **Second:** Bartholomew **Vote:** 5-0

3.1. Approval of School Break Fee Restructure for Project SAFE

Pam Brasher reported that in March of 2010 the Board approved a fee increase to the Project SAFE school break fees. In order to not present parents with a substantial increase at one time to include summer field trips, the fee increase would be structured in phases over a four-year period. The first year, summer of 2010, extra dollars were used to cover the cost increase. The new fee structure showed a significant amount of students attending the field trips and increased enrollment. The Parent Advisory Council has recommended the next phase of the increase (approximately 1/3 of the actual cost) be implemented for the Summer 2011 program. The remaining 2/3 of the cost will be covered by carry over dollars in the Project SAFE budget. Member El-Hajj moved to approve the school break fee restructure.

Motion: El-Hajj **Second:** Bartholomew **Vote:** 5-0

3.2. Approval to Restore Work Hours for Identified Classified Non-Management Positions

Minnie Malin reported that in order to provide adequate assistance and support to the Director of Facilities/Maintenance/Operations during Phase II of modernization and construction, Administration recommends restoring the hours to the Senior Buyer and Lead Custodian positions that were reduced during budget reductions. This support is needed and a lesser cost than hiring a Director for the Maintenance and Operations department.

Member El-Hajj moved to approve the restoration of work hours for the classified non-management positions of Senior Buyer and Lead Custodian.

Motion: *El-Hajj* **Second:** *Burns* **Vote:** *5-0*

H. BOARD COMMUNICATION

Member Burns shared that in the last couple of weeks he has had awesome visits to two schools. The Principals are proud to share and having great conversations about how they are moving their kids in student achievement.

Member Bartholomew volunteered for Santee Santas over the holidays. He noticed there are many school district employees who also volunteered. He would like to acknowledge the District employees who volunteered. Dr. Shaw will work on a plan to acknowledge the employees.

Ken Fox shared that during the Santee Santas food drive, Michael's grill donated food to feed some of the needy families. The goal for next year is to get more businesses involved, open City Hall, and feed more people.

Member Burns suggested communicating with the Pepper Drive community that the Board has not forgotten them but their hands are tied at this time waiting for State matching funds. Dr. Shaw said that there is a plan to paint Pepper Drive this summer. He will also be discussing with the Board scheduling visits to the schools by Executive Council and Board Members in February to share goals for the year in both Budget and Capital Improvement.

President Ryan reported that she and Dr. Shaw visited Assembly Member Brian Jones to present the Board's legislative goals. Assembly Member Jones was very receptive to the legislative goals and was especially interested in the Open Enrollment Act (Romero Bill) and list of 1000 low performing schools. He requested more information and said he would help support us. San Rafael is authoring a bill and Brian Jones may help co-author.

Dr. Shaw reported on planning for a Saturday School program to capture funding lost by student absences. Sites are currently in the process of sending out information to parents. Each school will try one Saturday program. Participation by teachers is voluntary and dependent on enough students participating in the program. At modernized schools, with independent HVACs, 30 students per teacher are required to see a profit. At non-modernized schools, it is 35 students per teacher.

President Ryan asked Board Members if they received the communication from Dianne Jacob. Supervisor Jacob sent an invitation to Board member to attend an event.

I. CLOSED SESSION

President Ryan announced that the Board would meet in closed session for:

1. **Conference with Labor Negotiator** (Govt. Code § 54956.8)
Agency Negotiator: Karl Christensen, Assistant Superintendent
Employee Organizations: California School Employees Association
Purpose: Negotiations
2. **Conference with Real Property Negotiator**
Property: Santee School Site, 10335 Mission Gorge Road, Santee
District Negotiator: Karl Christensen, Assistant Superintendent, Business Services
Negotiating Parties: Haagen Company, LLC and Shea Properties
Under Negotiation: Price and terms of payment
3. **Conference with Legal Counsel-Existing Litigation**
(Subdivision (a) of Gov't Code §54956.9)
Case # 37-2009-00083936-CU-CO-CTL

The Board entered closed session at 8:29 p.m.

J. RECONVENE TO PUBLIC SESSION

The Board reconvened to public session at 9:20 p.m. No action was reported.

K. ADJOURNMENT

The January 18, 2011 regular meeting adjourned at 9:20 p.m.