

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

August 21, 2012
MINUTES

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

President Bartholomew opened the Board Workshop at 6:03 p.m. Attorney Dan Shinoff presented training to the Board Members on Ethics Laws. The workshop included information on conflict of interest responsibilities and Brown Act requirements for public officials. The workshop was concluded at 6:55 p.m.

A. OPENING PROCEDURES

1. Call to Order and Welcome

President Bartholomew called the regular meeting to order at 7:02 p.m.

Members present:

Dan Bartholomew, President
Dianne El-Hajj, Vice President
Ken Fox, Clerk
Dustin Burns, Member
Barbara Ryan, 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
Dr. Stephanie Pierce, Director, Educational Services
Linda Vail, Executive Assistant and Recording Secretary

2. President Bartholomew invited the audience to recite the District Mission and then invited Shianne Pratt and Camryn Erler-Gill, former students, to lead the members, staff and audience in the Pledge of Allegiance.
3. Approval of Agenda

It was moved and seconded to approve the agenda.

Motion: El-Hajj Second: Ryan Vote: 5-0

President Bartholomew introduced Gabriel Pina, a candidate for school board seat #4 and announced that Dianne El-Hajj is running unopposed for seat #2 and will be serving for another 4 years as a Board Member.

B. REPORTS AND PRESENTATIONS

1. **Superintendent's Report**

- 1.1. Developer Fees Collection Report
- 1.2. Claims Against the District
- 1.3. Schedule of Upcoming Events

2. **Presentation of Promotion Certificates**

The Board presented 8th grade promotion certificates to a group of students that were not able to participate in their schools' promotion ceremonies. The Board Members were very proud of the progress the students had made and the hurdles they have overcome.

3. **Bullying Prevention Training**-This item was omitted and will return on September 4th.

4. **STAR Testing Report to the Board**

Dr. Shaw introduced Bonner Montler, Coordinator of Assessment, who provided the Board with a preliminary report and estimated District API of 874, an 18 point increase from last year. These estimates should be within one point of the State's final calculation. Mr. Montler reported there was growth made in proficiency and a decrease in many areas of below basic. The results were delayed because of security leaks in some middle and high schools. The results from the State are expected on October 2. The information will be available to the public on August 31st and mailed home to parents very soon. Mr. Montler will return to the Board on September 4th with a more detailed report.

C. PUBLIC COMMUNICATION

President Bartholomew invited members of the audience to address the Board about any item not on the agenda. Public speakers were as follows:

- Eid Fakhouri, Santee resident and vice chair of the ICO: Mr. Fakhouri reported the City of San Diego Planning Commission recently voted 4-1 against the Quail Brush project. He believes the Board should oppose the project because it will provide toxic emissions and create noise that will impact children. Cogentrix has lobbied the Chamber of Commerce but the business community that supported Prop R opposes the project. If the power plant is built in the proposed location there will be a decrease in property values in Santee, thereby affecting the tax assessments the District is projecting to pay back the Prop R bonds. There is 700 megawatts of untapped power currently not being used and if the power were really

needed, a power plant could be built near the Sonrise Power Link and hooked into the Link. Mr. Fakhouri said the ICOC has an agenda item to discuss the power plant at their next ICOC meeting and he believes they will be formally opposing the construction of the power plant.

- Retha Knight, community member: Ms. Knight said she does not know why the Board has not written a letter of opposition regarding the Quail Brush Power Plant. She said if the power plant operated at the projected 43%, it would be operating for 3800 hours during the hot summer months. Ms. Knight reminded the Board that public comments are due by October 10th, according to the CEC schedule.

D. CONSENT ITEMS

Items listed under Consent are considered to be routine and are all acted on by the Board with one single motion. President Bartholomew 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. **Acceptance of Donations**
- 2.5. **Approval/Ratification of Revolving Cash Report**
- 2.6. **Authorization to Declare as Surplus and Dispose of District Vehicles**
- 2.7. **Approval/Ratification of Interdistrict Attendance Agreement**
- 3.1. **Approval of Amended Excel Therapy Agreement for Language Speech Therapists**
- 3.2. **Approval of AccentCare Home Health of California, Inc. Contract for Nursing Services**
- 3.3. **Approval of User Access Agreement with California Immunization Registry (CAIR)**
- 4.1. **Personnel, Regular**
- 4.2. **Approval of Readmission of Expelled Students**
- 4.3. **Approval of Memorandum of Understanding with Command Navy Region Southwest Child and Youth Support Program**
- 4.4. **Approval of Memorandum of Understanding with Jewish Family Services to Provide Parenting Series**

It was moved and seconded to approve Consent Items.

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

E. DISCUSSION AND/OR ACTION ITEMS

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

1.1. Storm Water Management Plan Annual Report

Karl Christensen reported that on May 31, 2006, the District adopted a Storm Water Management Plan to prevent polluted storm water runoff according to State requirements. District staff has made substantial progress in implementing the Plan. Each year, the requirements for storm water sampling, prevention, and education efforts increase and this year is no exception.

On July 1, 2012, stricter requirements became effective which now require us to perform storm water testing in the vehicle maintenance area four times per year, perform storm water sampling and lab testing for every storm event during all future construction projects, and to comply with higher restrictions enforced by local municipalities.

In addition to complying with these new requirements, Administration will be concentrating efforts during 2012-13 on the following areas of the Plan: adopting revised Board policies, including Storm Water Management language on all purchase orders and facility use agreements, distributing and posting public education materials at all schools, and adding the Storm Water Management Plan to the District website. Mr. Christensen said Directors Christina Becker and Debbie Griffin oversee these requirements. Administration has submitted the Storm Water Management Plan Annual Report to the Board and requested acceptance. There were no questions or comments from Board members. Member Burns moved to accept the Storm Water Management Plan Annual Report.

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

1.2. California Uniform Public Construction Cost Accounting Commission (CUPCCAC) Program to Increase Bid Limit Requirements

Karl Christensen reported that while researching and strategizing methods for digging water wells at one of our sites, Administration became aware of a program that has been in place since 1983 whereby school districts can obtain additional flexibility for procuring services for public works projects. Ordinarily, these types of projects must be formally bid if the cost will exceed \$15,000. This limitation has been in effect for a long time and unlike bid limits for goods, the amount has not increased for inflation and therefore has been fixed at the same dollar amount for many years. The administrative cost for bidding projects has been increasing over the years. The costs include staff time to prepare bid documents, legal costs for review of documents, advertising costs, and staff time to analyze submitted bids. These costs can be several thousand dollars for each bid depending on circumstances. The bidding process can also delay projects due to the time for processing, notifications, and acceptance.

In 1983, the California Uniform Public Construction Cost Accounting Commission (CUPCCAC) was established to create an alternative method for bidding public works projects. By complying with the requirements of this program, public works projects of \$45,000 or less may be performed by employees of a public agency and public works projects of \$175,000 or less can be performed using informal procedures in lieu of formal bidding.

The agency must comply with the cost accounting procedures established by the commission. The Commission has ruled that the California School Accounting Manual, which governs our District accounting system, meets this requirement. The agency then maintains a list of qualified contractors identified according to categories of work and updates this list each November through a written notice process. If the CUPCCAC method is chosen for procuring services for a public works projects, notices are sent to contractors on the list who then submit bids. The agency may select the lowest responsive bidder if the amount is \$175,000 or less, or in some limited cases as much as \$187,500.

If Santee School District decides to participate in this program, there is no commitment to use this method for some or all public works projects. Each project would be submitted to the Board for authorization to either bid or use the CUPCCAC method.

There are currently 270 local education agencies throughout California who are approved to use this process including eight school districts in San Diego County. If the Board is interested in participating in this program, Administration will bring back a resolution for approval at the next Board meeting and follow with revised Board policies as needed.

President Bartholomew asked Mr. Christensen to provide an example. Mr. Christensen said an example may be a project of \$100,000 that would ordinarily go out for formal bid and follow the formal process to open bid and select a contractor. Using CUPCCAC, there is an established list of approved contractors. The District would send out notices to these contractors and they would submit informal bids. The District would then choose the lowest responsive bidder if the project is under \$175,000. This process saves staff labor and administrative and advertising costs that would be incurred with the formal bid process.

President Bartholomew asked if there is still a tight time frame or are the parameters relaxed. Mr. Christensen will investigate but believes the District can set our own timeline to receive their bids. The formal bid process uses a lot of time for the advertising process as they must be advertised twice.

Member Ryan said given the scrutiny that all public elected bodies are under today, we want to make sure we are complying with all regulations. She was glad this option is available to school districts. She asked if the Board could make the threshold lower than the \$175,000 if they desired. Mr. Christensen said yes, through Board Policy.

Member El-Hajj asked if the bids received would it still come back for Board approval. Mr. Christensen said Administration would bring all items for approval before a project was initiated or a contract signed.

Member Burns said in order to provide transparency, he would like to see the options and the recommendations from administration in the Board items when these items come to the Board. Mr. Christensen will bring a resolution to participate in the CUPCCAC program to a future meeting for Board approval.

1.3. Update on Castlerock Project Mitigation Discussions with Pardee Homes

Karl Christensen provided an update on the Castlerock residential development, a 430 home master planned community to be built by Pardee Homes off of Mast Boulevard across from West Hills High School. Current projections indicate that this project would generate 195 students for our District and it is currently within the Carlton Oaks attendance area. Administration met with Pardee last week and was provided with a timeline for development. They anticipate City Council approval early in 2013, approval of the final map in early 2014, models ready to begin sales in fall of 2014, and full absorption within the next 2-3 years.

On May 1, 2012, the Board gave authorization for Administration to explore the possibility of creating a Community Facilities District (CFD) for this project in lieu of collecting standard developer fees. A CFD essentially transfers mitigation of school impacts from the Developer to the homeowners by assessing an annual special tax on the home for a number of years. This is sometimes called a Mello-Roos tax. These annual special taxes can then be used as a revenue stream to issue a debt instrument, such as a Certificate of Participation or a Lease Revenue Bond, to fund additional classrooms needed to service the students generated from the Project.

The Developer benefits from this kind of arrangement primarily by improving their cash flow projections because rather than paying developer fees up front, they generally pay the cost of forming the CFD and forego the large cash outlay. The District could benefit from using a CFD to mitigate school facility impacts if it can be structured to generate significantly more revenue than could be generated with developer fees.

If we use Level 1 developer fees and project forward to 2014, when construction on this project is expected to begin, it would result in approximately \$1.85 million in developer fee income paid at the time building permits are pulled.

During the meeting Pardee shared their interests in mitigating the school facility impact for this project including discussion about the possibility of forming a CFD. Pardee indicated an interest in keeping the total tax bill for the homeowners, including the annual special tax, well below 2% of value. With a CFD arrangement there is District administrative overhead, increased public scrutiny of dollars spent, and the potential for having to compromise on the terms of a mitigation agreement. They also stated a high priority interest of having Carlton Oaks be the school of attendance and including some language in the mitigation agreement that would give priority attendance at Carlton Oaks to Castlerock residents since informing homeowners that their schools are within walking distance is a good selling point for them.

Mr. Christensen wished to discuss with the Board attendance boundaries, the priority attendance request, and developer fees versus a CFD arrangement.

Mr. Christensen shared that Carlton Oaks is currently at capacity with 890 students. Carlton Hills and Sycamore Canyon both have classroom space so it is assumed there would be less mitigation required from Pardee. No decision needs to be made right away and Mr. Christensen recommended that a formal enrollment projection be done using Decision InSite, which uses web based software that can provide complex projections by schools which then could be merged with capacity analyses. The cost for this can be paid from Developer Fee funds. A mitigation agreement must be in place sometime within the first six months of 2013. He suggested scheduling a Board workshop for January to discuss these items in more detail.

Member Ryan asked if the development is located in the San Diego City limits. Mr. Christensen said yes, but they are seeking annexation to Santee. Member Ryan said the boundary issue may depend on what would have to be done at Carlton Oaks and what it would cost. She is not in favor of priority attendance. She would consider a CFD versus developer fees but it would depend on what it would cost to provide adequate facilities at Carlton Oaks. Member Ryan does support doing enrollment projections.

Mr. Christensen said he would like to get Eric Hall's perspective on the value of a CFD and bring that information in a future Board presentation.

Member Burns does not support priority attendance. He is open to discuss a CFD but is not inclined in that direction. He is concerned that Carlton Oaks does not have the capacity or space for a larger number of students and is interested on what the impact of an additional 200 students would be on the school and community. He is not certain there is enough open space remaining for additional classrooms.

President Bartholomew said the information is important and it would be helpful to have someone provide the Board with more information about CFDs. He wants a developer to fairly mitigate their impact on schools.

President Ryan asked what the mix of housing is. Mr. Christensen said there is a total of 430 homes. Of the 430, there are 147 single family detached townhomes and the rest are single family homes.

2.1. Chet F Harritt Ball Field Snack Bar/Restroom

Karl Christensen reported that in order to commercially develop the Santee School site and begin generating revenue, it is necessary to permanently relocate the Pioneer National Little League to their new facilities with provisions that are equal or better. The District has constructed three new ballfields at Chet F. Harritt but to fulfill all the commitments previously made to the League and the City there is still a need to provide a snack bar, restrooms, as well as other supplementary items such as bleachers, scoreboards, outfield temporary fencing, a cargo container, and a batting cage. Mr. Christensen and Christina Becker recently met with Ken Fox and Ron Burner and walked both sites. Mr. Christensen said he really appreciated their input on the project.

Mr. Christensen reported there is currently \$200,000 set aside in CIP funds to provide a snack bar, restroom, and other amenities. He provided the Board with three options to consider for providing these amenities. Option A would provide a free-standing constructed snack bar/restroom as planned in the center of the three fields. With purchase and installation of supplementary items, it is estimated Option A could cost as much as \$375,000.

Option B is to convert two of the Project SAFE portables to a snack bar, restrooms, and a meeting room for the League. With purchase and installation of supplementary items, it is estimated Option B could cost as much as \$220,000.

Option C is a hybrid of A & B, where one of the Project SAFE portables would be converted to a snack bar and a new freestanding restroom building would be constructed next to it. With purchase and installation of supplementary items, it is estimated Option C could cost as much as \$290,000.

In order to have the League moved off the Santee site by the end of 2013, a decision would need to be made on the configuration of the snack bar/restroom by January.

Member El-Hajj asked if the portables that would be used were the 15 year-old portables. Mr. Christensen said yes, but they have a number of years of life left in them. Member Burns asked that whatever option is selected could be

integrated for student use. Christina Becker shared that it is best practice to try to keep the facilities separate because it brings with it issues of maintenance, cleaning, and supplies.

President Bartholomew thinks the least expensive option, Option B, is also the most functional. Member Fox also preferred Option B, the least expensive option. Member Ryan moved to proceed with the architect's agreement, consultant services, and purchases to complete Option B.

Motion: Ryan **Second:** Fox **Vote:** 4-1 (Burns, no)

3.1. Approval of Master Contracts for Nonpublic, Nonsectarian Agency Services for Educationally Related Mental Health Services (ERHMS)

Hope Michel, Director of Special Education, reported that at the May 1st Board meeting she had provided a status report on Educationally Related Mental Health Services (ERMS) for qualifying special education students. At that time action was delayed in order to evaluate ERMS needs at the end of the year and during the summer months. For 2012-13 it is projected that no outpatient services will be required but there are five (5) students requiring day treatment services and one child requiring a residential treatment center. Administration recommends contracting with Vista Hill for a .20 FTE licensed mental health therapist to reduce the costs associated with day treatment placements. The therapist will primarily support two programs for students at Hill Creek School.

Administration also anticipates the need for up to 10 mental health assessments and is presenting a contract with Vista Hill d/b/a Guidance Progress Services, to provide these assessments. Member Ryan said she has had a conversation with Hope Michel about this item and moved to approve the Master Contracts for Nonpublic, Nonsectarian Agency Services with Vista Hill for Educationally Related Mental Health Services (ERMHS) for the term of September 1, 2012 through June 30, 2013.

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

F. BOARD POLICIES AND BYLAWS

1.1. Second Reading: BP 1230

Revised Board Policy 1230, School Connected Organizations was submitted to the Board for a second reading and Board Adoption. Member Burns moved to approved the revisions to Board Policy 1230.

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

G. BOARD COMMUNICATION

Member Burns said he was looking forward to Bullying Presentation and will be anticipating the presentation at the next Board meeting. He shared information from www.bullying.gov about bringing the community into the education and prevention of bullying. Member Burns would like Administration to explore implementing a "hot line" for kids to call in to report bullying.

Member El-Hajj reported she stopped by Carlton Oaks and Carlton Hills on School Beautification Day. The volunteers were all working very hard and it was a very hot day. While at Carlton Hills, the Start Smart busses returned and the kids and parents were so excited with their shopping bags full of back to school clothes. This is a wonderful program provided by the Phil Mickelson Foundation.

Member Fox attended the Professional Leadership Team meeting and said it was a good idea to have the school secretaries attend.

Member Ryan questioned if it was appropriate for the ICOC to take a position on the Quail Brush Project or any community project not affiliated with Prop R. Mr. Christensen said the September ICOC meeting had been cancelled, so the next meeting will be in December. Member Ryan asked Administration to check with legal counsel to determine if the ICOC can vote to take a position or direct the School Board to take a position.

Member Ryan reported that Poway School District is hearing a lot from their community about the CAB bonds. She was under a different impression about the interest on these types of bonds. She said the board needs to discuss how to address our community and provide an explanation about why the decisions were made, that they were made during tough times, the Board faced equity concerns, where we were and how this moved us forward, what this brought for our children today, and given the economic time what was saved in building costs. Providing talking points will help to prevent the discussion from becoming political. The Board may wish to bring this discussion as a meeting agenda item. Administration will put information together and bring it back to the Board for discussion.

Member El-Hajj mentioned that all of the Board members were concerned about the appearance of the front of the ERC building. There is a lot of debris and the plants look very tired. Dr. Shaw said he noticed it as well and will see that it is addressed.

A draft for the Santee Magazine article was presented and the Board members thought it looked great. It will be submitted for publication in the October 2012 issue.

Dr. Shaw reminded Board Members about the Welcome Back event on Wednesday morning and shared his focus will be a review of the foundations of the Strategic Plan.

Dr. Shaw shared the County School Board had adopted a resolution supporting both of the November ballot initiatives. The Board did not have an interest in a resolution coming forward for this.

Member Burns said there needs to be congratulations and celebration for staff at schools for the API gains. Dr. Shaw will plan something to recognize the hard work and accomplishments.

H. CLOSED SESSION

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

1. **Public Employee Discipline/Dismissal/Release** (Govt. Code § 54957)

The Board entered closed session at 8:55 p.m.

I. RECONVENE TO PUBLIC SESSION

The Board reconvened to public session at 10:30 p.m. No action was reported.

J. ADJOURNMENT

The January 3, 2012 regular meeting adjourned at 10:30 p.m.