

Board of Education
Minutes of Regular Board Meeting
December 8, 2015
(ADOPTED: January 12, 2016)

Open Session

1. CALL MEETING TO ORDER

Board President Danny Lau called the meeting to order at 6:00 p.m.

2. ROLL CALL

Present were Board members Danny Lau, Gunawan Alisantosa, Dan Bobay, Chris Norwood, Robert Nunez.

Also present were Superintendent Cary Matsuoka, Deputy Superintendent Cheryl Jordan, Assistant Superintendent Wendy Zhang and Executive Assistant Charito Cabantac (recording secretary).

Absent: Student Board Rep. Alan Pham

3. APPROVAL OF THE AGENDA

Motion: Approve the agenda for the December 8, 2015 Board meeting.

M/S Alisantosa/Norwood Vote: 5-0

4. COMMENTS FROM THE PUBLIC

None

Closed Session

5. ADJOURN MEETING TO CLOSED SESSION

The Board moved to closed session at 6:02 p.m. to discuss/take action on the items listed on the closed session agenda.

Open Session

6. FLAG SALUTE

The Board reconvened in open session at 7:00 p.m. Mr. Lau led the Flag Salute.

7. ANNUAL ORGANIZATION MEETING

A. Election for 2016 Officers of the Board of Education

Superintendent Matsuoka invited nominations for 2016 Board President.

Motion: Nomination of Gunawan Alisantosa for Board President

M/S Lau/Nunez Roll Call Vote: 5-0

Mr. Alisantosa took over the chair and presided over the rest of the meeting.

Motion: Nomination of Bob Nunez as Vice-President
M/S Alisantosa/Lau Roll Call Vote: 5-0

Motion: Nomination of Dan Bobay as Board Clerk
M/S Nunez/Norwood Roll Call Vote: 5-0

B. Re-adoption of Board Policies

Superintendent Matsuoka said that now that the District uses CSBA's On-line Board Policy maintenance service, the Board does not need to adopt its policies yearly anymore, as Board policies will now be brought to them as they are added or updated. He asked that this item be tabled. The Board concurred.

8. REPORT OF ACTION(S) TAKEN IN CLOSED SESSION.

No action was taken in closed session.

9. COMMENTS FROM THE PUBLIC

None.

10. BOARD GROUP AGREEMENTS

Superintendent Matsuoka said that the four statements agreed to by the Board on November 21st, 2015 have been inserted for the Board's easy reference at this and future Board meetings. There was no discussion.

11. SUPERINTENDENT'S REPORT

Superintendent Matsuoka directed the Board's attention to the foodstuff collected by staff of the District Office for the Jack Emery Food Drive. December 8 is the deadline for the food drive this year, and the District Office's goal is 1,000 cans and \$1,000.00 in cash.

12. REPORTS

A. UPDATE ON THE PROPOSED DUAL IMMERSION PROGRAM AT RANDALL ELEMENTARY SCHOOL

Assistant Superintendent for Educational Services, Matt Duffy, provided an update on the dual immersion school idea. The report outlined community meetings and community interest to date, including commentary on dual immersion in other school districts. A number of parents from Randall elementary school spoke and indicated their support for the introduction of dual immersion program in their children's school. Ms. Ann Jensen, an expert in dual immersion, shared her positive experiences with and opinion on dual immersion and answered Board members' questions.

B. POLLING DATA FOR A GENERAL OBLIGATION BOND IN JUNE 2016

EMC Research has completed polling for a June 2016 general obligation bond. The results are tracking closely with the May 2015 polling results and support has slightly increased.

They have modeled the impact of going out in November 2016 and the increase in support is minor. Ruth Bernstein from the polling firm of EMC Research and Charles Heath TBWB, presented the results, responded to Board members' questions, and guided the Board towards a decision about a June vs. November 2016 bond ballot measure.

13. ACTION/DISCUSSION ITEMS

A. COLLECTIVE BARGAINING AGREEMENT WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION

Assembly Bill 1200 requires local education agencies to publicly disclose provisions of all collective bargaining agreements that impact the District's general fund. The provisions are applicable to both single and multi-year agreements where the contracts have been reopened to determine compensation adjustments in a subsequent year. It is intended to ensure that the public is aware of the known costs associated with a proposed collective bargaining agreement before it becomes binding on the district. This information is to be certified by the Superintendent, the Chief Business Officer, and the Governing Board of the District at this meeting.

A public hearing has been scheduled to be held at this meeting.

Motion: Open the public hearing on the collective bargaining agreement with CSEA
M/S Lau/Norwood Vote: 5-0

There were no speakers.

Motion: Close the public hearing
M/S Bobay/Nunez Vote: 5-0

Motion: Certify the Disclosure of CSEA Chapter 281
M/S Norwood/Nunez Vote: 5-0

B. TENTATIVE AGREEMENTS WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (Chapter 281)

The District has negotiated the following tentative agreements with CSEA (Chapter 281):

- Four per cent(4%) compensation increase retroactive to July 1, 2015, with the addition of a 28th longevity step;
- Expenses for professional development related to school business to be reimbursed in the same manner as those for MTA and management; and
- Side letter for a 3-year pilot of an improved reclassification process.

On December 3, 2015, CSEA unit members ratified the tentative agreements as described above.

Motion: Approve the tentative agreements with CSEA
M/S Nunez/Norwood Vote: 5-0

C. 2015-16 FIRST INTERIM REPORT

Assistant Superintendent of Business Services, Wendy Zhang, provided an analysis of General Fund variances of the First Interim and the approved budget.

The projected net changes of revenues over expenditures is (\$1,295,592). Deficit spending is estimated at the First Interim.

Based on revenue and expenditure projections as of October 31, 2015, the estimated ending balance on the June 30, 2016 is **\$6,639,384**, with the following components:

Revolving cash	\$ 5,000
Stores and pre-paid expense	\$ 350,000
Reserve designated for Economic Uncertainty @ 3%	\$ 3,307,965
Other designations: Workers Comp.	\$ 256,535
Other designations: Solar	\$ 50,000
Operational Carryover	\$ 2,659,884
PROJECTED ENDING BALANCE	\$ 6,639,384

In accordance with AB 1200, the District is required to make multi-year projections. The projected ending balance in 2016-17 is \$3,902,066; in 2017-18, it is \$3,797,733.

Motion: Adopt the 2015-16 First Interim Report and submit a positive financial certification to the Santa Clara County Office of Education

M/S Nunez/Lau Vote: 5-0

D. REVIEW OF EXPENDITURE PLAN FOR EDUCATOR EFFECTIVENESS FUNDING

In 2015-16, AB 104 provided a one-time Educator Effectiveness funding to the District. The amount is approximately \$747,973. The funds can be spent in three years for the following purposes:

1. Beginning teacher and administrator support and mentoring.
2. Professional development, coaching, and support services for teachers who have been identified as needing improvement or additional support by LEAs.
3. Professional development for teachers and administrators that is aligned to the

approved state content standards.

4. Promote educator quality and effectiveness, including, but not limited to, training on mentoring and coaching certificated staff and training certificated staff to support effective teaching and learning.

As required, Wendy Zhang reviewed it with the Board.

No action was taken by the Board.

**E. STAFF'S RECOMMENDATION TO USE THE SERVICES OF CUMMINGS FOR
3RD PARTY COST ESTIMATE FOR THE NEW ELEMENTARY SCHOOL AT
McCANDLESS DRIVE**

Gould Evans is nearing the end of the Design Development Phase for the new elementary school. This would mark the halfway point in the development of the design for the new school on McCandless.

The Superintendent explained that it is important for the District to receive a fair Guaranteed Maximum Price (GMP) if it decides to proceed with Lease-Leaseback (LLB) delivery method for the new elementary school project. Under LLB, the builder, Blach, will have their estimate for the construction cost. Currently, the District has contracted with Tony Kanastab to review Blach's estimate. The Superintendent felt that it is prudent for the District obtain a third party to provide estimates based upon Gould Evan's plan. The 3rd party cost estimate would be an additional layer of protection for the District to ensure that we are on track to receive fair GMP under LLB contract.

Staff reached out to two of the top firms in construction cost estimating: Leland Saylor and Cumming. After performing reference checks, staff recommends Cumming. The proposal includes design development cost estimation as well as GMP negotiation, which the District may use in the future if needed.

**Motion: Accept Cumming's proposal for third party cost estimate for
the new elementary school project on McCandless Drive**

M/S

Nunez/Bobay

Action: 5-0

**F. BOARD REPRESENTATIVE(S) TO VOTE IN THE ELECTION OF MEMBERS
OF THE COUNTY COMMITTEE ON SCHOOL DISTRICT RE-ORGANIZATION**

Ed. Code Sec. 35023 requires that the Governing Board of each school district, at its annual meeting, select one of its members to vote in the election for members of this of the County Committee on School District Organization.

The Board representative is not required to attend County Committee meetings.

**Motion: Nominate the Board President and the Vice-President
as his alternate to vote in the election**

M/S Bobay/Nunez Vote: 5-0

**G. BOARD REPRESENTATION ON INTERNAL AND EXTERNAL COMMITTEES
IN 2016 AND SCHOOLS IN THE 2016-17 SCHOOL YEAR**

Board members decided to keep the assignments for now. Bob Nunez noted that the Milpitas Redevelopment Committee is not on the list, and he recommended that there be a Board representative on this committee, perhaps in a liaison capacity, to represent the District's interest.

**Motion: Delegate Bob Nunez as the Board's representative to the
Milpitas Redevelopment Committee**

Motion: Lau/Norwood Action: 5-0

14. CONSENT AGENDA

**Motion: Adopt the Consent Calendar, with the exception of Consent
Item 14.3 (Personnel Report) and Item 14.6 (Compensation
Adjustment for Adult Ed teachers) thereby approving the
following items:**

M/S: Norwood/Nunez Vote: 5-0

- A. Minutes of the November 24, 2015 Board meeting
- B. Purchase Order Report for the period Nov. 16 to Nov. 30, 2015
- C. Personnel Report **(Item Pulled for discussion)**
- D. Job descriptions of the Behaviour Management Therapy (BVMT) staff, supervisor, and manager
- E. Revision to Solar Mechanic Skilled Maintenance Technician's Job Description
- F. Compensation adjustment for Adult Ed. teachers **(ITEM PULLED FOR DISCUSSION)**
- G. Authority to staff to enter into an agreement with Nossaman, LLP for legal services with respect to acquisition of land for school purposes

- H. Authorize application for continued funding, FY 2016-17 for the CA State Preschool (CSSP) and Child Care Centers (CCTR) programs
- I. Resolution 2016.16 appointing the District's representative (Wendy Zhang) and alternate representative (Julia Xu) to South Bay Area Schools Insurance Authority
- J. Authorize staff to enter into a 5-year lease agreement with Pitney Bowes for a postage machine to be used at the District Office
- K. Accept the County of Santa Clara Treasury Investment Report and PARS Account statements for the first quarter of 2015-16

15. PERSONNEL REPORT

Bob Nunez asked to pull this item from the consent agenda for discussion. Regarding the effective dates for Sarika Aurora and Mitchell Goldsmith, Mr. Nunez asked why their effective dates are so far back and wondered if there are issues or is there a need to look for additional help or personnel. Ms. Jordan said that with Ms. Aurora, she thinks her effective date was backdated; on Mr. Goldsmith, she will need to check with staff and get back to Mr. Nunez with the answer.

Under short term employment, re Ann DuBois is for a whole year (from 9/8/15 to 6/30/16). It did not seem to fit the category of short-term help. Ms. Jordan will find out details and will get back to Mr. Nunez with the answer.

Motion: Approve the December 8, 2015 Personnel Report
M/S Nunez/Bobay Vote: 5-0

16. COMPENSATION ADJUSTMENT FOR ADULT EDUCATION TEACHERS

Cheryl Jordan asked for this item to be pulled so she could explain for the public what is happening with the District's Adult Ed teachers. She shared a letter from MTA president Diana Orlando requesting that we move forward with their normal process for adjusting the pay of Adult Ed. teachers. Until this year Adult Ed teachers were unrepresented but starting this year, they become part of MTA.

Motion: Approve the compensation adjustment for adult education teachers i.e. the same compensation improvements as those recently approved for current employees in the Milpitas Teachers Association, retroactive for current teaching staff to July 1, 2015.

M/S Nunez/Bobay Vote: 5-0

17. BOARD COMMUNICATIONS/REQUESTS

Board member Norwood reported participating in the second annual MHS basketball alumni game, the NAACP planning meeting for the February conference to be held at MHS and last week, and he attended with his colleagues the CSBA Conference and attended a variety of valuable workshops like Common Core, Lease-Leaseback, etc.

Board member Nunez reported attending the CSBA Conference and attended a number of workshops such as the one on school facilities, but what he found very valuable was spending some time with the school board members and the Superintendent and getting to know each other.

Board member Dan Bobay also found the CSBA Conference great and enjoyed spending time with his colleagues and the Superintendent. Mr. Bobay reported on a number of things that are happening at MetroEd MetroEd, some of which are that they are submitting an application for a CTE incentive grant with matching funds up to \$5.5M with ADA from six JPA districts. MetroEd is participating in 3 educational initiatives with the Mayor's Office districts. Two articles had been published in the Silicon Valley Business Journal.

Board member Lau reported that he was in Hong Kong for a two week vacation during which he visited his former primary school and attended presentations about their education systems. He noted that they host educators from other counties and share education ideas as partners. He plans to find out more when he returns to Hong Kong in the near future.

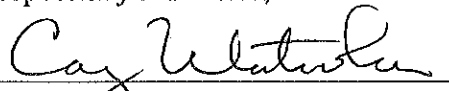
Board member Alisantosa had no report.

18. DATES OF FUTURE BOARD MEETINGS/ANNOUNCEMENTS/ADJOURNMENT

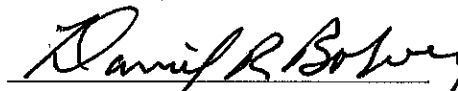
Cheryl Jordan reminded everyone of the upcoming Crab Feed on February 5th and provided information on how to get tickets.

After reading the dates of future meetings, the meeting adjourned at 10:00 p.m.

Respectfully submitted,


Cary Matsuoka
Superintendent and Board Secretary

Attested:


Dan Bobay, Clerk of the Board