

Board of Education  
**Minutes of Regular Board Meeting**  
September 8, 2015  
(Adopted: 9/22/15)

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- Open Session*
1. **CALL MEETING TO ORDER**  
Board President Danny Lau called the meeting to order at 6:30 p.m.
  2. **ROLL CALL**  
Present were Board members Danny Lau, Gunawan Alisantosa, Dan Bobay, Chris Norwood, and Robert Nunez .  
  
Also present were Superintendent Cary Matsuoka, Deputy Superintendent Cheryl Jordan, Assistant Superintendents Matthew Duffy and Wendy Zhang and Executive Assistant Charito Cabantac (recording secretary).
  3. **APPROVAL OF THE AGENDA**  
**Motion: Approve the agenda for the September 8, 2015 Board meeting.**  
  

M/S	Alisantosa/Nunez	Vote: 5-0
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  4. **COMMENTS FROM THE PUBLIC**  
None
- Closed Session**
5. **ADJOURN MEETING TO CLOSED SESSION**  
The Board moved to closed session at 6:30 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. **REPORT OF ACTION(S) TAKEN IN CLOSED SESSION.**  
No action was taken by the Board.
  8. **COMMENTS FROM THE PUBLIC**  
None.
  9. **BOARD GROUP AGREEMENTS**  
Board Policy 9001 Board Group Agreements was on the agenda for easy reference for members of the Board. There was no discussion.
  10. **SUPERINTENDENT'S REPORT**  
  
No report.

**11. 2014-15 ANNUAL PUBLIC REPORT OF DEVELOPER FEES**

Under Government Code Section 66006, school districts that impose developer fees must make available to the public certain specified information regarding their developer fees fund. In compliance with law, the Board was provided a report by staff of the District's developer fees, and the Board reviewed this at this Board meeting. Highlights as follows:

Public Report of Developer Fees Fund  
 2014-15

Fund beginning Balance as of 7/01/14	\$11,137,570.57
Income and Transfers	
Interest	55,410.56
Developer Fees collected:	
Burnett	10,157.28
Pomeroy	1,743.84
Randall	1,513,478.40
Sinnott	5,121.55
Weller	<u>2,960.16</u>
TOTAL REVENUE	\$ 1,588,871.79
Expenditures	
District Administration Fees	\$ 23,405.92
Consultant Fees:	
Enrollment Projection	15,130.00
Developer Fee Study	<u>9,766.69</u>
TOTAL EXPENDITURES	\$ <u>48,302.61</u>
FUND 250 ENDING BALANCE 6/30/15	\$ 12,678,139.75

All developer fees collected during 2014-15 were deposited in Fund 250 Capital Facilities.

**B. SUMMER SCHOOL PROGRAM**

The Milpitas Unified School District 2015 Summer School Program was held at Russell Middle School from June 15 to July 23. The program supported high school students desiring to earn a passing grade, complete course credits necessary for summer graduation or to meet the goals of the Special Education Individualized Education Program (*Extended School Year*). In addition, many high school students have earned UC/CSU (A-G) admissions credit with a grade of C or higher in summer school. The *Summit* Blended English Language Arts and Math Intervention program served targeted "At Risk" 7<sup>th</sup> and 8<sup>th</sup> grade students. The summer program also offered additional ELD support to middle and high school students to continue English language acquisition. The elementary-age summer enrichment program was held at Marshall Pomeroy Elementary School from June 15 to July 23. The program offered elementary-age students a wide variety of fun and engaging enrichment opportunities. Additional classes included extended school year opportunities for *Elementary-age* special education students. The Summer School Administrators presented a general overview of each sites' programs and provided recommendations to improve

future summer programs.

**12. ACTION/DISCUSSION**

**A. GANN APPROPRIATIONS LIMIT CALCULATIONS**

Ed. Code requires the Governing Board to adopt a Gann Appropriations Limit by adopting a resolution before September 15, 2015 of each year. Resolution 2016.2 was presented to the Board for adoption and identifies the appropriations for the current year and actual appropriations limit for the preceding fiscal year. A public hearing was held at this meeting as required by law.

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

**Close the public hearing**  
**M/S Bobay/Alisantosa** **Vote: 5-0**

**Motion: Adopt Resolution 2016.2 establishing the Gann Limit for the 2014-15 fiscal year and a projected Gann Limit for the 2015- 16 fiscal year**

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

**B. DISTRICT'S 2014-15 UNAUDITED ACTUALS**

The District's financial records for 2014-15 are now closed. The General Fund ending balance was increased by \$3,568,074 compared to the 2014-15 Estimated Actuals. This is primarily due to program carryovers, which are normally not projected until the books are closed. Summary of the program carryovers as follows:

Special Education Program: \$548,003  
 Restricted Categorical Programs: \$1,668,401  
 School Site Allocations: \$1,351,670

Following is a summary of the Estimated Actuals and the Unaudited Actuals:

	(1) Estimated Actuals	(2) Unaudited Actuals	(2) - (1) Variance
Beginning Balance	8,457,343	8,457,343	-0-
Total Revenue & Transfers In	110,138,624	109,744,134	<394,490>
Total Expenditure & Transfers Out	114,229,064	110,266,501	<3,962,563>

Excess Revenue Over Expenditures	<4,090,440>	<522,367>	3,568,073
Ending Balance	4,366,902	7,934,976	3,568,074

To balance the General Fund budget, the District transferred \$874,177 less from the Strategic Reserve Fund due to the following changes:

- Additional State revenue received in Mandated Cost Program, LCFF, Lottery and Medi-Cal Administrative Activities Program: \$271,084
- Additional Local revenue collected: \$88,115
- Operational savings Districtwide: \$514,978

In summary, the district's financial position has a net gain of \$874,177 for the 2014-215 fiscal year.

**Motion: Accept the District's 2014-15 Unaudited Actuals**

**M/S Nunez/Alisantosa                      Vote: 5-0**

**C. PHASE OUT OF THE G.A.T.E. PROGRAM**

Staff proposed to phase out the G.A.T.E. Program . It was first brought to the Board's attention at the December 9, 2014 meeting. Assistant Superintendent of Educational Services, Matt Duffy, shared the rationale for the recommendation. Phasing out the program would save the district approximately \$10,000 in testing materials and administrative time. Mr. Duffy stated that the State no longer funds G.A.T.E and no longer looks at G.A.T.E. as a viable educational framework. Further, that the majority of MUSD's neighboring school districts no longer have G.A.T.E. programs. In MUSD, only two schools (Sinnott and Zanker) actually have G.A.T.E. classes and the majority of the teachers in those schools no longer see the need for it. Staff believes that the new Common Core State Standards (CCSS) are more rigorous and call for more creativity and critical thinking in their application on students. Starting with 8<sup>th</sup> grade Math and 9<sup>th</sup> grade courses in High School would give students a number of challenging options.

**Motion: Phase out the District's G.A.T.E. Program**

**M/S Nunez/Bobay                              Vote: 5-0**

**13. CONSENT AGENDA**

**Adopt the Consent Calendar, with the exception of Items F (Walden West Contract), H. (Crown Castle Cell phone lease) and I (Field Trip applications) thereby approving the**

**following items:**

- |    | <b>M/S:</b> | <b>Norwood/Nunez</b> | <b>Vote: 5-0</b> |
|----|-------------|----------------------|------------------|
| A. |             |                      |                  |
| B. |             |                      |                  |
| C. |             |                      |                  |
| D. |             |                      |                  |
| E. |             |                      |                  |
| F. |             |                      |                  |
| G. |             |                      |                  |
| H. |             |                      |                  |
| I. |             |                      |                  |
| J. |             |                      |                  |

**14. FIELD TRIP CONTRACT BETWEEN WALDEN WEST AND ROSE AND WELLER ELEMENTARY SCHOOLS**

Mr. Nunez asked that this item be pulled for discussion. Referring to the incident last Spring about the arrest of a staff of Walden West for inappropriate actions toward children at that facility, Mr. Nunez said he will not be able to support this contract and suggested to staff to use other outdoor school camps. Staff said that trips like this are booked way in advance and will be difficult to send the kids to other outdoor schools at this time. Cheryl Jordan informed the Board that improvements have been made to the safety procedures at Walden West since the previous incident and she is convinced that it is safe to send our students there. Still unconvinced, Mr. Nunez said he will vote no to this item. Mr. Alisantosa suggested putting together student training on safety awareness while on field trips such as this and indicated that he will support this field trip under that condition. Mr. Norwood wanted staff training on extra safety precautions on this type of field trips. Cheryl Jordan assured the Board that all staff have participated in mandated training on child abuse.

**Motion: Approve the contract between Walden West Outdoor Science School and Rose and Weller Schools for February 9-12, 2016 and May 9-13, 2016 (respectively)**

**M/S Alisantosa/Bobay Vote: 4-0 (Mr. Nunez voted no)**

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**15. CROWN CASTLE'S CELL TOWER EXTENSION AT RUSSELL MIDDLE SCHOOL**

At a previous meeting, the Board asked staff to research district options to relocate the cell tower at Rancho. Wendy Zhang shared Crown Castle's proposal in order for the relocation to happen and is summarized as follows:

- Annual rent to the District is at \$1,800/month (a decrease of \$959/month)
- Annual rent escalation is at 3%, instead of 4%
- Right to rent additional two light standards in the field for future cellular antenna usage, for a total of 600 square feet (an increase of 114 square feet compared to the current lease)
- Revenue share of 25% for each of the additional two light standards, which is about \$500/month
- Six - five year renewals (total of 30 years) with no Lessor termination rights

The lease term can be negotiated. However, Crown Castle insists that the District forfeit its termination rights, in order to make the relocation happen.

Staff's recommendation to the Board is to continue the current lease agreement with the remaining ten-year term and grant the five-year extension to December 1, 2019 for now.

Mr. Alisantosa asked that this item be pulled to make sure he is clear on the termination date of the current lease. Mr. Matsuoka clarified that the start date of the contract is 2004, with a 5-year extension to 2019, and then three more years to 2024.

**Motion: Approve the extension of Crown Castle's current cell tower lease**

**M/S Alisantosa/Bobay Vote: 5-0**

**16. FIELD TRIP REQUESTS**

With the exception of Weller's field trip request to attend the Walden West Outdoor School, Mr. Nunez said he will support the rest of the field trip requests on the Consent Agenda.

**Motion: Approve the field trip requests, as listed on the Consent Agenda.**

**M/S Alisantosa/Bobay Vote: 4-0 (Mr. Nunez voted no to Weller's field trip request)**

**17. BOARD COMMUNICATIONS/REQUESTS**

Student Board member Alan Pham reported on student and school activities at Milpitas High School. Preparations are in full swing for Homecoming in a few weeks. Tomorrow

is Homecoming Blow Out and also this week is staff/student buddies in leadership classes. On September 15, students are having their first service learning. Kindness day is on September 18 on National Angels Day and everybody will be wearing white that day. Also on September 18 is the high school's football game at the Levi's Stadium.

Mr. Norwood had no report.

Mr. Nunez attended a number of back to school nights. He reported attending an all-star football game at Levi's Stadium, where he was able to see two of MHS's football players play that day. He had been attending meetings at the City and said he is looking forward to continued positive relationship with the City.

Mr. Alisantosa had no report.

Mr. Bobay attended a number of back to school nights. He said he is looking forward to the start of the baseball season and MHS's game at the Levi Stadium.

Mr. Lau also attended some back to school nights.

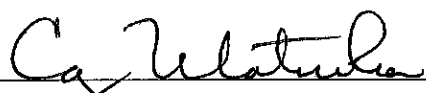
**18. DATES OF FUTURE BOARD MEETINGS/ADJOURNMENT**

The development of the district's Asset Management Task Force is underway. The group will probably end up with 6 to 7 community members. Mr. Matsuoka invited Board members to let him know if they are interested in being part of this Task Force. There will be one position to be filled by a Board member. The first meeting will be on September 21, 2015 at 6:30 p.m. in the Board Room.


After reading the dates of future meetings, the meeting adjourned at 9:00 p.m.

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Respectfully submitted,

  
Cary Matsuoka  
Superintendent and Board Secretary

Attested:

  
Dan Bobay, Clerk of the Board

*Minutes prepared by Charito Cabantac*

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