

**ORANGE UNIFIED SCHOOL DISTRICT
Board of Education – Regular Meeting
1401 N. Handy Street – Orange, CA 92867
Thursday, September 20, 2018**

**6:00 p.m. – Closed Session
7:00 p.m. – Open Session**

MINUTES

1. CALL MEETING TO ORDER

Board President Deligianni called the meeting to order at 6:01 p.m.

2. ESTABLISH QUORUM

Board members present: Deligianni, Ledesma, Moffat, Surridge, Yamasaki

Board members absent: Lebsack, Ortega

Mrs. Lebsack and Mr. Ortega arrived during closed session.

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

No Speakers

4. ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:01p.m. to discuss the following items:

A. PUBLIC EMPLOYEE APPOINTMENT

Government Code 54957

Title: Assistant Superintendent, Educational Services

B. CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6

Agency Negotiator: John Rajcic, Atkinson, Andelson, Loya, Rudd & Romo

Employee Organizations: Orange Unified Education Association and Classified School Employees Association

5. CALL TO ORDER – REGULAR SESSION

Dr. Deligianni called the meeting to order at 7:06 p.m.

6. PLEDGE OF ALLEGIANCE

Dr. Deligianni invited the audience to join in reciting the Pledge of Allegiance.

7. REPORT OF CLOSED SESSION DECISIONS

Dr. Hansen announced that the Board was pleased to appoint Reginald (“Reggie”) Thompkins to the position of Assistant Superintendent, Educational Services. The vote was 7-0. Mr. Thompkins will attend the October 11 Board of Education meeting to be introduced to the Orange community.

8. ADOPTION OF AGENDA

SUPPLEMENTAL CONSENT AGENDA ITEM

Item 14.D. Agreement with California Public Employees' Retirement System Health Plan to Provide Employee Health Insurance for 2018-19 and Approval of Resolution No. 13-18-19

Government Code section 54954.2(b)(2) allows the Board of Education to take action on an item of business not appearing on the posted agenda, but only upon a determination by a two-thirds vote of the legislative body, or if less than two-thirds of the members present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

The agenda for this meeting was posted last Monday, September 17th. In order for the Board of Education to review and take action on this matter, in light of recent developments since the agenda was posted, the Board can vote to add this matter to the agenda.

Motion No. 20

It was moved by Mr. Ortega, seconded by Mrs. Lebsack, and carried by a vote of 7-0 to adopt the September 20, 2018 agenda, including the supplemental consent item.

9. WORK/STUDY SESSION

Item 9.A. OUSD Facilities and Planning: Business Services Reorganization

The Board of Education received a staff report on September 6, 2018 on the proposed staff reorganization for the Business Services Division to include the restoration of critical positions for the Facilities and Planning Department. The District is undertaking numerous facilities projects, including the renovation of Fred Kelly Stadium, high school all-weather track and turf athletic fields, and a solar power initiative. Recently, the replacement of the El Modena pool has been an item for consideration by the Board.

Dr. Hansen commented that the Board will receive information regarding the status of OUSD facilities. The District is undertaking many projects from the large capital bond program, Measure S, to the Board taking action to move forward with the renovation of Fred Kelly stadium, installing all-weather track and field at the three high schools, and the Board is considering a solar initiative. Additionally, the El Modena pool has failed and contract has been approved to look into design services for that particular pool. There are great needs in OUSD and with great needs comes work to meet student needs. Discussion took place regarding delivery message for construction and what school districts do in terms of the construction process. Terry Tao, licensed architect and partner with Atkinson, Andelson, Loya, Rudd & Romo began the study session regarding the methodology for the construction process, followed by Dave Rivera with further details about the Business Services reorganization. Mr. Rivera provided a presentation on delivery methods and staffing for school districts implementing both general obligation bonds and large scale district construction projects. Scott Harvey talked about the current projects. As a work/study session, Board discussion took place throughout the presentation.

Additionally, Mr. Rivera presented a side-by-side analysis and progress report update with regards to a Solar Power Purchase Agreement (PPA) or a Lease Purchase Agreement. He noted that Ameresco would include Santiago Charter Middle School in the program and that the details are being worked out. Once the final contracts are received, a recommendation will be made.

10. PUBLIC COMMENT: Non-Agenda Items
Speakers

12. ACTION ITEMS

Item 12.A. Business Services Division Reorganization

Board Policy (BP) 2100 requires that the Superintendent organize the District administrative staff in a manner that best supports the educational program of the District through efficient operations, effective communications, and direct assistance to schools. In order to meet these objectives, the Superintendent recommends that the Business Service Division be reorganized as described in the staff report provided to the Board of Education on September 6, 2018.

The September 6, 2018 staff report outlined the proposed staff reorganization for the Business Services Division, including the restoration of critical positions in the Facilities and Planning Department. The basis for this restoration is that in addition to the significant level of construction work under Measure S, the District is also undertaking numerous other facilities projects, including the renovation of Fred Kelly Stadium, three other high school all-weather track and synthetic turf fields, the construction of a high school pool, and a solar power initiative.

Based upon the responsibilities provided in BP 2100, it is recommended that the Business Services Division be reorganized as described below, effective October 1, 2018, with new position assignments to be effective as soon as is permitted by statute, policy, contract, and/or Collective Bargaining Agreement.

This item adds an estimated cost of \$241,762 to the Capital Facilities Fund 40, while returning an estimated savings of \$258,000 to the Measure S Program and an estimated savings of \$76,033 to the District General Fund, which results in an overall estimated savings of \$92,271 to the District as a whole. It is estimated that there will be a savings to the District of approximately \$92,271 based upon the substance and funding of the reorganization

Motion No. 21

It was moved by Mrs. Moffat, seconded by Mrs. Yamasaki, and carried by a vote of 7-0 to approve the reorganization actions as listed below:

- Eliminate the classified management position “Assistant Superintendent, Facilities and Planning” (salary range L151) upon the retirement of the incumbent;
- Restore the classified management position “Senior Executive Director, Administrative Services” (salary range L128);
- Restore a confidential classified position “Executive Secretary I” (salary range L31);
- Restore the classified management position “Planning Analyst” (salary range L57);
- Eliminate the classified management position “Administrative Director, Business Services” (salary range L118);

-
- Restore the classified management position “Executive Director, Business Services” (salary range L127) and assign the incumbent Administrative Director, Business Services to this restored position.

Item 12.B. Resolution No. 06-18-19 Finding the Proposed Villa Park High School Modernization Project Exempt from the California Environmental Quality Act, Approving the Filing and Recordation of a Notice of Exemption and Approving the Project

As part of the Measure S Bond Program, the District proposes modernization improvements at Villa Park High School (VPHS). The proposed project consists of the following campus improvements in two phases:

Phase 1

1. Development of a two-story, 45,000-square-foot science center that would replace the existing one-story 300 Building near the northeast corner of the campus,
2. Provision of nine portable interim housing classrooms and one portable restroom on the hardcourts south of the swimming pool.
3. Reconfiguration of the parking lots (Lots 1 through 4) and two eastern driveways serving these lots,

Phase 2

4. Modernization of the existing buildings including but not limited to interior remodeling and utility improvements, and for the 100/200 Building, the modernization includes relocation of the staircases from the north elevation to south elevation,
5. Reconfiguration of the parking lots (Lots 1 through 3),
6. Improved drop off/pick up area with additional queuing, and
7. Removal of the nine portable interim housing classrooms and restroom.

Projects undertaken by public agencies are subject to the California Environmental Quality Act (CEQA) as outlined in Public Resources Code (PRC) Section 21000 et seq. and the State CEQA Guidelines (California Code Regulations, Title 14, Section 15000 et seq.). The proposed modernization improvements at VPHS are a “Project” under CEQA. Staff has evaluated the Project in whole and has determined that the proposed improvements are categorically exempt from further environmental review and the provisions of CEQA under CEQA Guidelines Section 15314

Staff has determined that the Project is not subject to any exceptions to the categorical exemption (CEQA Guidelines Section 15300.2). Therefore, the District may file a Notice of Exemption (NOE) for the Project, which exempts the Project from further environmental review and the provisions of CEQA.

Adoption of Resolution 06-18-19 provides the required acknowledgements and findings with respect to the Project at Villa Park High School to enable the District to:

1. Find the Proposed Villa Park High School Modernization Project exempt from CEQA,
2. Approve the filing and recordation of a NOE,
3. Approve the Project, and
4. Authorize staff to file the NOE for the Project with the appropriate public agencies.

The Notice of Exemption will be filed with the County Clerk and the State Office of Planning and Research (OPR). The filing of a NOE with the County Clerk starts a 35-day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA.

Motion No. 23

It was moved by Mr. Surridge, seconded by Mr. Ortega, and carried by a vote of 7-0 to adopt Resolution 06-18-19: (1) Finding the Proposed Villa Park High School Modernization Project Exempt from CEQA; (2) Approving the Filing and Recordation of a NOE, (3) Approving the Project, and (4) Authorizing staff to file the NOE for the Project.

Item 12.C. Memorandum of Understanding between the District and the California School Employees Association Chapter #67, for the Implementation of the Requirements of AB 119

Under the terms of AB 119, public agency employers are required to grant union representatives access to new employee orientations. The structure, time and manner of access is subject to negotiations. AB 119 also requires public agency employers to provide the names, and specific job and contact information for new employees to unions, and must also provide the same information about all bargaining unit members to unions every 120 days, though public agency employers and unions may negotiate the provision of more detailed lists or different time intervals for providing the information regarding new employees or bargaining unit members. Under AB 119, failure to reach agreement with a union over these matters results in the dispute being subject to compulsory interest arbitration where an arbitrator has the authority to determine the terms of the agreement.

The terms and agreements contained in this item were negotiated in March 2018 by the District's Agency Negotiator, consistent with the requirements of AB 119 and Board authorization. The District received notice of CSEA's approval of this MOU in August 2018. Upon ratification of this MOU by the Board, negotiations with CSEA for purposes of AB 119 would be concluded.

Motion No. 24

It was moved by Mr. Surridge, seconded by Mr. Ortega, and carried by a vote of 7-0 to ratify the Memorandum of Understanding between the Orange Unified School District and the California School Employees Association Chapter #67 for implementation of the requirements of AB 119.

13. INFORMATION/DISCUSSION ITEMS

Item 13.A. Proposed 2020-21 Student Calendar

Ed Kisse presented this item noting that a proposed student calendar for the 2020-21 school year was presented by the District Student Calendar Committee. The proposed 2020-21 student calendar has previously been reviewed by the Executive Cabinet following its completion by the District Student Calendar Committee. The District Student Calendar Committee is comprised of representatives from elementary, middle, and high schools, several District departments, as well as each of the two employee associations.

The parameters used in the construction of the proposed 2020-21 student calendar originally came about through the work of the District Student Calendar Committee in consolidating the previous T-track and S-track calendars into one modified T-track calendar, and are consistent with the design of the current Board approved student calendars for the 2018-19 and 2019-20 school years, including a

180-day student schedule, a one week recess at Thanksgiving, three instructional weeks between Thanksgiving and Winter Break, a three week recess at Winter Break, a one week recess at Spring Break, with school starting a week and a half before Labor Day and ending on Thursday of the second full week in June.

The proposed 2020-21 student calendar meets State requirements (California Education Code Sections 46200-46201) for the number of school days and instructional minutes for the school year, and maintains the annual savings to the District's budget which came about through the implementation of the modified T-track calendar.

14. CONSENT ITEMS

Motion No. 25

It was moved by Mr. Ortega, seconded by Mrs. Moffat, and carried by a vote of 7-0 to approve the consent items.

Item 14.A. Contract Services Report - Measure S

The following contract service was approved.

DKS ASSOCIATES

The District requires specialized engineering services to design a new traffic signal, curb cuts, parking lot layout and other required items per DSA for a Phase 1 of the Measure S program at Villa Park High School. Working in conjunction with the site architect for the Science Center, LPA, DKS will provide plans for the DSA deferred submittal and for the civil permits required by the City of Villa Park. DKS has proposed to complete the engineering/design work for a fee of \$74,310 plus reimbursable costs. District staff has reviewed the proposals and believe the costs to be reasonable. An additional amount of \$4,000 is being added to cover reimbursable costs and contingency for a total authorization of \$78,310.

Fund 21.....Not To Exceed.....\$78,310

Item 14.B. Contract Services Report – Business Services

The following contract service was approved.

KYA SERVICES, LLC-WISEBURN SCHOOL DISTRICT SPORTS EQUIPMENT FOR ROUTINE AND DEFERRED MAINTENANCE PIGGYBACK NO. 3

Public Contract Code Section 20118 allows school districts the opportunity to utilize competitively bid contracts from other public agencies. Wiseburn School District Piggyback #3 - Sports Equipment for Routine and Deferred Maintenance awarded to KYA Services, LLC provides competitive pricing and was made available for use to all public agencies and school districts. Staff has determined that it is in the best interest of the District to utilize Wiseburn School District Sports Equipment for Routine and Deferred Maintenance through April 26, 2019, inclusive of future renewal options through April 26, 2022. This is not a request for any additional budgetary appropriation.

Item 14.C. Approval of Employment Contract for Assistant Superintendent, Educational Services

The employment contract for the Assistant Superintendent, Educational Services was presented to

the Board of Education for review and approval. The term of the contract is e through June 30, 2021. Insurance benefits are provided at the same rates and District contribution levels as other leadership employees, and the salary is at the same salary range as the two other Assistant Superintendents. The Board authorized signature of the agreement on behalf of the Board of Education.

Item 14.D. Agreement with California Public Employees' Retirement System Health Plan to Provide Employee Health Insurance for 2018-19 and Approval of Resolution No. 13-18-19

In 2010, the District enrolled in the California Public Employees Retirement Systems (CalPers) Health Insurance Program in order to provide health benefits to OUSD employees through CalPers. This change resulted in significant savings to the District, particularly in the cost of health insurance benefits to retirees age 65 and up. As part of the enrollment process into the CalPers Health Program, CalPers required the District to adopt a series of Board Resolutions for each employee group. Board Members were included in the original resolution for the District's leadership employees. At that time, CalPers accepted that resolution as being sufficient for the inclusion of Board Members in the District's health benefits program.

CalPers contacted District staff with instructions that a separate resolution is now required in order to allow School Board Members to receive health insurance through the CalPers Health Program, as they are not considered employees of the District, and therefore cannot be included with District Leadership Employees as in the previously adopted Resolution No. 05-10-11. This resolution ensures that Board members remain eligible for District health insurance benefits, as adopted and defined by Resolution No. 13-18-19, and that Board members remain subject to the same level of District contributions and individual buy-up costs as District leadership employees.

15. PUBLIC COMMENT: Non-Agenda Items

No speakers

16. OTHER BUSINESS

Mrs. Yamaksaki asked that when the voter registration investigation is complete, the item be agendized for the October meeting in open session.

17. ADJOURNMENT

By call of the chair, the meeting adjourned at 10:12 p.m.



Timothy Surridge
Clerk of the Board