

OAK GROVE SCHOOL DISTRICT  
BOARD OF TRUSTEES

Minutes  
Regular Board Meeting  
Yvonne Cook Board Room  
October 27, 2016

Dennis Hawkins, President of the Board of Trustees, called the meeting to order at 6:40 p.m.

CALL TO ORDER

Members present: Dennis Hawkins, President  
Mary Noel, Vice President  
Carolyn Bauer  
Jeremy Nishihara  
Jacquelyn Adams (Absent)

Others present: José L. Manzo, Superintendent  
Andrew Garcia, Assistant Superintendent  
Interested Community and Staff Members  
Laura Stricker, Recording Secretary

Set the Agenda

SET THE AGENDA

Prior to setting the Agenda, President Hawkins requested this meeting be adjourned in honor of former Executive Secretary, Carol Mercer. On motion by Member Bauer and second by Member Noel, the Board of Trustees set the Agenda, with the following vote:

Ayes: Members Nishihara, Bauer, Noel and Hawkins  
Noes: None  
Absent: Member Adams  
Abstaining: None

Closed Session

CLOSED SESSION

The Board recessed to Closed Session at 6:42 p.m. to discuss Public Employee Performance Evaluation – Superintendent; Public Employee Discipline/Release/ Dismissal; to Confer with District labor negotiators, Assistant Superintendent of Human Resources Andrew Garcia, and Legal Counsel Adam Fiss and Legal Counsel Janae Novotny regarding California School Employees Association, Chapter 412; and American Federation of State, County and Municipal Employees Union, Council 57, Local 101. The Board reviewed Student Discipline case numbers 16/17-01(S), 16/17-02(S), and 16/17-03.

Open Session

The Board reconvened to Open Session at 7:31 p.m. President Hawkins welcomed those in attendance; and explained the process to be followed in conducting the Board Meeting, including the presentation of information to the Board and the manner in which those present could address the Board during the meeting, either regarding specific agenda items or during “Public Comment.” Also explained, were the implications/restrictions of the Brown Act on comments made at meetings of governmental bodies in California.

OPEN SESSION

Flag Salute

Prior to calling for the Flag Salute, President Hawkins mentioned this evening’s meeting would be held in memory of former Executive Secretary Carol Mercer. Ms. Mercer worked for the District for 37 years. She supported the office of the Board and Superintendent for 27 years. President Hawkins led the Flag Salute and requested a moment of silence for Ms. Mercer.

FLAG SALUTE

Superintendent’s Report

Superintendent Manzo began by wishing a belated happy birthday to Member Bauer.

SUPT.’S REPORT

The Superintendent reported he had the opportunity to visit Del Roble and Bernal with the Executive Team, and commented it was wonderful to see the students highly engaged in meaningful learning activities. He thanked Principal Yolanda Ross and Principal Dr. Jamal Splane for their time highlighting the great work at both schools.

Superintendent Manzo also reported visiting the following school sites:

- Stipe
- Christopher
- Oak Ridge
- Herman
- Ledesma
- Santa Teresa
- Miner
- Sakamoto

During his visit to Sakamoto, the Superintendent reported he enjoyed the opportunity to participate with staff in the discussion on how to ensure students are successful.

The Superintendent met with Koffee Klatch parents for the first time last week. The group received information on the LCAP, Measure EE, and CASSPP.

Superintendent's Report (continued)

SUPT.'S REPORT

Superintendent Manzo reported meeting with the Student Advisory Council today for the first time this year, and mentioned he is looking forward to working with this wonderful group of students throughout the year.

The Superintendent reported last week we held the District-wide disaster drill along with the State's "Great Shake Out" on October 20th. He remarked the drill provides us the opportunity to not only practice for an emergency, but also test our systems and learn what adjustments need to be made to improve our practices and protocols. Superintendent Manzo thanked Chief Operations Officer Neil Rauschhuber, Managers Fred Dickey and Anthony Valdez, the Maintenance and Operations staff, and all staff for their support in making the drill successful.

Superintendent Manzo thanked Director Oscar Ortiz and ALLIED for recognizing the accomplishments of our Hispanic students this past Saturday at the Hispanic Student Recognition Ceremony. He commented regretfully he was not able to attend. He thanked the teachers and staff that nominated students, and parents and employees for attending the celebration in support of the students. The Superintendent mentioned the adult nominees will be recognized at the November 10<sup>th</sup> Board Meeting. He thanked President Hawkins for attending the celebration and sharing words of encouragement and support with students and families.

Closed Session

CLOSED SESSION

President Hawkins reported no Action was taken during Closed Session regarding Public Employee Performance Evaluation – Superintendent; and Public Employee Discipline/Release/Dismissal; or in Conferring with District labor negotiators, regarding various bargaining units.

The Board reviewed three student discipline cases during closed session and took the following action during open session.

On motion by Member Noel and second by Member Bauer, the Board of Trustees expels student 16/17-01(S) through the 2016-2017 spring semester with the enforcement of the expulsion being suspended. Based upon successful completion and documentation of completion of all rehabilitation requirements, student 16/17-01(S) may petition the Oak Grove School District (or subsequent school district) for reinstatement at a comprehensive public school, with the following roll call vote:

Ayes:	Members Nishihara, Bauer, Noel and Hawkins
Noes:	None
Absent:	Member Adams
Abstaining:	None

Closed Session (continued)

CLOSED SESSION

On motion by Member Noel and second by Member Nishihara, the Board of Trustees expels student 16/17-02(S) through the 2016-2017 spring semester. Based upon successful completion and documentation of completion of all rehabilitation requirements, student 16/17-02(S) may petition the Oak Grove School District (or subsequent school district) for reinstatement at a comprehensive public school, with the following roll call vote:

Ayes: Members Nishihara, Bauer, Noel and Hawkins  
Noes: None  
Absent: Member Adams  
Abstaining: None

On motion by Member Noel and second by Member Bauer, based upon the current information, the Board of Trustees rescinds the suspended expulsion of student 16/17-03 and hereby reinstates the expulsion order. The Board will review the case in the 2016-2017 spring semester to determine whether or not the student has completed the requirements of the rehabilitation plan and is eligible to be reinstated, with the following roll call vote:

Ayes: Members Nishihara, Bauer, Noel and Hawkins  
Noes: None  
Absent: Member Adams  
Abstaining: None

Public Comment

PUBLIC COMMENT

There was no one from the public to speak.

Consent Agenda

CONSENT AGENDA

Superintendent Manzo presented the Consent Agenda, noting these are routine items requiring Board Action and recommended approval as presented.

On motion by Member Bauer and second by Member Nishihara, the Board of Trustees approved the Consent Agenda as presented, with the following roll call vote:

Ayes: Members Nishihara, Bauer, Noel and Hawkins  
Noes: None  
Absent: Member Adams  
Abstaining: None

Initial Bargaining Proposal from American Federation of State, County and Municipal Employees (AFCSME), Council 57, Local 101 to Oak Grove School District (OGSD)

INITIAL  
BARGAINING  
PROPOSAL  
AFCSME TO OGSD

Assistant Superintendent Andrew Garcia introduced the item stating Government Code section 3547 requires all initial bargaining proposals relating to matters within the scope of representation to be presented at a Public Hearing and the public provided with an opportunity to express itself regarding the proposal.

On motion by Member Nishihara and second by Member Bauer, the Board of Trustees approved the initial bargaining proposal from AFCSME to OGSD and set the date of November 10, 2016 for Public Hearing, with the following roll call vote:

Ayes: Members Nishihara, Bauer, Noel and Hawkins  
Noes: None  
Absent: Member Adams  
Abstaining: None

Initial Bargaining Proposal from Oak Grove School District (OGSD) to American Federation of State, County, and Municipal Employees (AFCSME), Council 57, Local 101

INITIAL  
BARGAINING  
PROPOSAL OGSD  
TO AFCSME

Assistant Superintendent Andrew Garcia introduced the item stating Government Code section 3547 requires all initial bargaining proposals relating to matters within the scope of representation to be presented at a Public Hearing and the public provided with an opportunity to express itself regarding the proposal.

On motion by Member Nishihara and second by Member Bauer, the Board of Trustees approved the initial bargaining proposal from OGSD to AFCSME and set the date of November 10, 2016 for Public Hearing, with the following roll call vote:

Ayes: Members Nishihara, Bauer, Noel and Hawkins  
Noes: None  
Absent: Member Adams  
Abstaining: None

Property Lease Agreement – Victory Outreach Church

PROPERTY LEASE  
AGREEMENT  
VICTORY  
OUTREACH  
CHURCH

Superintendent Manzo began by noting the Board had received information about this item at the last Board Meeting. It was the consensus of the Board, at that meeting, to bring this item back for action.

Member Bauer expressed concern regarding the renewal language in the agreement where it is stated either party may elect not to renew the lease

Property Lease Agreement – Victory Outreach Church (continued)

by providing written notice to the other party 120 days in advance. She believes that length of time is too long, and suggested it be 30 days.

President Hawkins questioned the term of the lease where it is stated the lease can be renewed for five additional one-year terms. He expressed concern for a long term renewal for the property and suggested there be no automatic renewal period, or perhaps just one which would allow the District time to review its real estate situation. He also asked for clarification if both the sanctuary and the classroom building are included in the lease agreement.

Superintendent Manzo confirmed both are part of the agreement and commented the sanctuary building reverts back to the District in 2018. There was discussion on the 120-day advanced notification requirement and it was decided that the language protects the District as well as the Lessee.

On motion by Member Bauer and second by Member Noel, the Board of Trustees approved the twelve-month renewable lease agreement with Victory Outreach Church at the Dickinson School site with a provision to section 2, term of the lease, be amended to reflect the lessee would have one, one-year option to renew the lease. Any other change as required in the lease agreement will ensure there is a one-year renewable option, with the following roll call vote:

Ayes: Members Nishihara, Bauer, Noel and Hawkins  
Noes: None  
Absent: Member Adams  
Abstaining: None

Agreement for Architectural Design Services with AEDIS Architects – Measure P Streetscape – Miner School

Superintendent Manzo introduced the item commenting the Board previously received a presentation with regard to the Miner Streetscape Project. As part of the discussion from that presentation, the Board requested this item be brought back for action.

Superintendent Manzo provided clarification that the project still needs to be fully designed. Information presented to the Board at previous meetings were conceptual designs. He commented, as part of the feedback from those presentations, additional design ideas were suggested. The approval of the contract is for the engagement of the firm to fully complete and design the project. There is still a process which will include obtaining additional feedback from staff and the community.

PROPERTY LEASE  
AGREEMENT  
VICTORY  
OUTREACH  
CHURCH

AGREEMENT FOR  
DESIGN SERVICES  
STREETSCAPE  
MINER SCHOOL

Agreement for Architectural Design Services with AEDIS Architects – Measure P Streetscape – Miner School (continued)

AGREEMENT FOR  
DESIGN SERVICES  
STREETSCAPE  
MINER SCHOOL

Member Bauer expressed concern about the impact of traffic to the street where the parking lot is proposed to be enhanced. Superintendent Manzo indicated the design is intended to improve the area as originally presented and approved by the Board.

Member Nishihara requested clarification on the timeline of completion and the structure of outreach meetings. He commented, according to the completion timeline, there will be some disruption to the first part of the school year, and suggested we provide as much information as possible to the public ahead of time.

President Hawkins added he is uncomfortable with the item not coming back to the Board before being submitted to the DSA. He clarified he is not objecting to approving contract, but suggested the item be brought at the December 8<sup>th</sup> meeting for Board approval so the Board can review community and staff input. He also commented he would like to review the construction schedule.

There was discussion on community feedback received and meeting opportunities scheduled for additional feedback. It was suggested these meetings include the architects, staff, and community.

The Board proposed a broad radius for distribution of flyers to the community as well as engaging with the city on any impact to traffic. Dr. Rauschhuber commented, preliminary outreach to the city occurred, however, it did not include the request for a traffic impact study. Member Bauer requested staff find out the cost of a traffic impact report and inform the Board.

On motion by Member Nishihara and second by Member Bauer, the Board of Trustees approved the agreement with Aedis Architects for design services of the streetscape project at Miner Elementary School, in a not-to-exceed amount of \$119,370.00 as presented, with the understanding the community outreach information, project scope, and timeline review will be brought back to the Board at the December 8<sup>th</sup> meeting for action, with the following roll call vote:

Ayes:	Members Nishihara, Bauer, Noel and Hawkins
Noes:	None
Absent:	Member Adams
Abstaining:	None

Agreement for Architectural Design Services with AEDIS Architects – Measure P Streetscape – Miner School (continued)

Prior to the roll call vote, community member Jennifer Delaney mentioned she lives in the area and Lean Avenue is a main avenue for traffic and is already congested.

Resolution No. 1239-10/16, In Support of Proposition 55

Superintendent Manzo reported the Board received information regarding this Resolution at a previous Board Meeting. As a result of the conversation with the Board, it was agreed this item would be brought back for action in support of Proposition 55.

On motion by Member Bauer and second by Member Nishihara, the Board of Trustees adopted Resolution No. 1239-10/16 in Support of Proposition 55, The Children’s Education and Health Care Protection act of 2016 as presented, with the following roll call vote:

- Ayes: Members Nishihara, Bauer, Noel and Hawkins
- Noes: None
- Absent: Member Adams
- Abstaining: None

Agreements for Architectural Design Services with Derivi Castellanos Architects (DCA) – Modernization - Projects Davis/Sakamoto Schools

Superintendent Manzo asked Chief Operations Officer Dr. Neil Rauschhuber to provide an update regarding the Davis and Sakamoto summer projects.

Dr. Rauschhuber introduced Craig Scott from DCA and displayed a map of Sakamoto School as it exists and described the roof replacement and HVAC system upgrades proposed. He commented the upgrades and modifications are consistent with what has been completed during previous projects.

The streetscape project was reviewed which provides enhancements to the drop-off/pick-up area. Dr. Rauschhuber noted the design is representative of what has been completed in previous projects throughout the District, and part of the design process is to solicit staff and community input. Clarification was provided that although current portables will be replaced, the YMCA Program will not be displaced as part of the project.

Member Bauer proposed an alternate design and suggested staff present two designs and costs for Board review. There was discussion about design considerations to include traffic flow, impact to the YMCA, and DSA requirements, and specifically a cost comparison of replacing

AGREEMENT FOR DESIGN SERVICES STREETScape MINER SCHOOL

RESOLUTION NO. 1239-10/16 IN SUPPORT OF PROPOSITION 55

AGREEMENTS FOR DESIGN SERVICES FOR MODERNIZATION PROJECTS – DAVIS/SAKAMOTO



Agreements for Architectural Design Services with Derivi Castellanos Architects (DCA) – Modernization - Projects Davis/Sakamoto Schools (continued)

portables versus bringing them up to the required standard. President Hawkins remarked phasing the project may be an option to minimize disruption to the community. He added there were memorial trees planted at the site and he expressed concern of losing those trees. He suggested making accommodations part of the project to protect or replace the trees. He also suggested extending outreach to the softball leagues, as many of them use the grounds. Dr. Rauschhuber commented he has a meeting set up with the President of the league.

Member Nishihara mentioned if consideration is given to shifting the parking area, that thought be given to minimizing the elimination of the green areas.

Dr. Rauschhuber continued the presentation reviewing the projects proposed for Davis Intermediate which includes roof replacement, HVAC System upgrades, security upgrades, walkway covers, student restroom upgrades, and locker replacement. There was discussion on whether or not there is a cost savings using electrical rather than gas heating. Mr. Scott remarked electricity is generated through solar panels which provides a cost savings to the District. Staff is currently monitoring data to provide a cost comparison which will take up to a year to finalize.

Upgrades to the existing roof which were performed in 2000 were discussed, as it appears some of the work was not completed properly. President Hawkins asked if there is malfeasance on the part of the architect, engineer, or construction manager which is requiring us to replace the roof. Superintendent Manzo commented staff will research what the original approved scope of work was at the time. Dr. Rauschhuber remarked staff is taking pictures and reviewing issues as they are discovered to ensure they do not happen again. President Hawkins commented if the work was not completed correctly the first time, he would like to explore what options there are to seek damages.

Member Noel asked what the warranty is with the work that is being proposed. Dr. Rauschhuber responded there is a 30-year warranty.

The walkway design was reviewed which includes restoring the canopies as they existed in 1964, taking into account current code requirements. Student restroom upgrades will bring them to ADA compliance, and student lockers will be replaced. Dr. Rauschhuber mentioned the Counseling Center needs to be completely rebuilt. Various options were

AGREEMENTS FOR  
DESIGN SERVICES  
FOR  
MODERNIZATION  
PROJECTS –  
DAVIS/SAKAMOTO

Agreements for Architectural Design Services with Derivi Castellanos Architects (DCA) – Modernization - Projects Davis/Sakamoto Schools (continued)

discussed and Superintendent Manzo mentioned the interest of the school is to retain the counseling area.

CSEA President, Judy Barnhart remarked the walkways were previously modified to deter vandalism. Superintendent Manzo shared the original intent was to cover the corridors as staff and students cannot get to and from classrooms without getting significantly wet when it is raining.

President Hawkins thanked Dr. Rauschhuber for the presentation. He reiterated he would like project delivery methods and vendors reviewed to ensure we are getting good value for our past investments.

Member Noel added she believes retaining the counseling center at its current location is preferable.

Proposed Board Agenda Memoranda Format/Content

President Hawkins reported he and Member Adams met with staff to discuss a new format for the Agenda Memoranda. Staff has been using the new format and this is a follow-up to see how it's working.

Superintendent Manzo commented he believes the modified format has allowed staff to be clearer. Member Bauer suggested a section be added to the Agenda for the Labor Representatives to have a brief opportunity to update the Board on issues happening within their respective unit. She also mentioned having students or staff from sites attend the meeting to update the Board on activities at their site.

Member Noel agreed with those additions, and there was discussion on a process in deciding who would come from a school site to report. President Hawkins asked staff to come back to the Board with an information item providing suggestions within the next few meetings.

Member Nishihara expressed concern regarding the Memoranda format, more specifically the public outreach section. He would like to find a way for staff to perform outreach to the community, but that it not be listed as a mandatory item on the Memoranda. President Hawkins mentioned this could be addressed in Board Policies currently under review. President Hawkins suggested staff continue with the format in a “pilot mode” with a final report and action on this item in December or January.

Member Noel remarked the role of the school board also needs to be addressed with the public, as she believes there are misconceptions. She

AGREEMENTS FOR  
DESIGN SERVICES  
FOR  
MODERNIZATION  
PROJECTS –  
DAVIS/SAKAMOTO

PROPOSED BOARD  
AGENDA  
MEMORANDA  
FORMAT/CONTENT

Proposed Board Agenda Memoranda Format/Content (continued)

suggested specifically the Boards’ three main responsibilities need to be identified publically. President Hawkins suggested further discussion, and to return to the Board with ideas at a later date

PROPOSED BOARD  
AGENDA  
MEMORANDA  
FORMAT/CONTENT

Acting OGEA President, Dominic Rizzi, stated this generation is strongly engaged with Board activities. He appreciates the suggestion of including a section for the Labor units to report directly to the Board on activities occurring in their respective units.

Communications

The Board received an updated Board Activities Calendar listing a variety of events and activities for Board members’ attendance and participation.

COMMUNICATION

Board Discussion

Member Bauer reported she attended the Santa Clara County School Boards Association Fall Dinner noting it was very well attended. She also shared they mentioned several school board member retirements during the event including Member Nishihara.

BOARD  
DISCUSSION

Member Bauer recognized Bernal Intermediate teacher Mrs. Fraschetti for a project she led with students called Letters to the President. She explained students researched a topic about which they are passionate, wrote about it, and created an artistic piece to accompany the report. She was impressed with what students wrote and commented she would forward the website link to Board members.

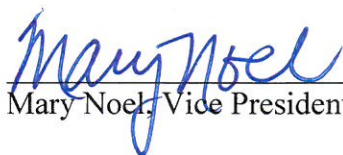
President Hawkins commented he had the pleasure of representing the Board at the Hispanic Student Awards this past weekend. He thanked Assistant Superintendent Andrew Garcia for attending, and remarked this is one of the Districts highlighted events. He mentioned there was standing room only in the auditorium where approximately 550 students were recognized. President Hawkins thanked ALLIED, teachers, and staff present to recognize the students. He commented guest speaker Liz Gonzales from the YMCA gave a powerful presentation about her own educational journey.

Adjournment

On motion by Member Nishihara and second by Member Bauer, the meeting was adjourned at 9:07 p.m., by unanimous vote.

ADJOURNMENT

  
\_\_\_\_\_  
Jose L. Manzo, Superintendent

  
\_\_\_\_\_  
Mary Noel, Vice President/Clerk