

FULLERTON SCHOOL DISTRICT
Regular Meeting of the Board of Trustees

District Board Room

7:00 p.m.

Tuesday December 12, 2000

MINUTES

GENERAL INFORMATION

1a. CALL TO ORDER

The Regular meeting of the Fullerton School District Board of Trustees was called to order by President Hilda Sugarman on Tuesday, December 12, 2000. Lynn Daucher, State Assembly person, led the Pledge of Allegiance to the flag.

President Sugarman introduced former Board members Irene Armstrong and Jack Bedell.

PUBLIC COMMENTS

There were no public comments at this time.

Board Members:

- Hilda Sugarman, President
- Ellen Ballard, Vice President
- Kim Guth, Clerk (absent)
- Robert Fisler, Member
- Marjorie Pogue, Member

Administration:

- Ron Cooper, Superintendent
- Karin Lynch, Assistant Superintendent, Administrative Services (absent)
- Linda Caillet, Assistant Superintendent, Educational Services
- Patricia Godfrey, Assistant Superintendent, Business Services

OATH OF OFFICE

Newly elected Board members Hilda Sugarman and Lynn Thornley were sworn into office. Immediately after the Oath of Office, a short reception was held in the District Office lobby. President Sugarman stated that she is honored to have the opportunity to continue as a

member of the Fullerton School District Board of Trustees.

REPORTS: PTA, FETA, CSEA, FESMA

Mimi Gaudette, FETA President, welcomed new Board member Lynn Thornley and returning Board member Hilda Sugarman, and wished everyone a happy holiday season.

Jackie Pearce, FESMA President, also welcomed both Board members, and stated she is looking forward to a wonderful year.

APPROVE MINUTES

Moved by Robert Fisler, seconded by Marjorie Pogue, and carried unanimously that the Board of Trustees approve the minutes of the Special meeting on November 13, 2000 and the Regular meeting on November 28, 2000, with the correction presented.

2. ANNUAL ORGANIZATION OF THE BOARD OF TRUSTEES

2a. ELECTION OF OFFICERS

Ellen Ballard moved to elect Hilda Sugarman as President. Marjorie Pogue seconded the motion, and Hilda Sugarman was unanimously elected as President of the Board of Trustees for the calendar year 2001. Marjorie Pogue moved to elect Ellen Ballard as Vice President. Lynn Thornley seconded the motion, and Ellen Ballard was unanimously elected Vice President of the Board of Trustees for the calendar year 2001. Ellen Ballard moved to elect Marjorie Pogue as Clerk of the Board. Lynn Thornley seconded the motion, and the Board voted unanimously to elect Marjorie Pogue Clerk of the Board of Trustees for the calendar year 2001.

2b. SECRETARY TO THE BOARD OF TRUSTEES

Moved by Hilda Sugarman, seconded by Ellen Ballard, and carried unanimously that the Board of Trustees appoint the Superintendent as Secretary to the Board of Trustees for the calendar year 2001.

2c. REGULAR BOARD MEETING DATES, TIME, AND PLACE - 2001

Moved by Marjorie Pogue, seconded by Ellen Ballard, and carried unanimously that the Board establish its regular meeting dates, time and place for the 2001 calendar year with noted changes for the Board meetings to start at 5:30 p.m. (not 7:00 p.m.), and the Board meeting dates of January 30 (meeting time changed to 9:00 a.m., Business Services Budget Workshop), and November 27 (meeting time changed to 9:00 a.m., Educational Services Workshop).

2d. POLITICAL ACTION COMMITTEE REPRESENTATIVE FOR THE ORANGE COUNTY SCHOOL BOARDS ASSOCIATION

Moved by Ellen Ballard, seconded by Marjorie Pogue, and carried unanimously that the Board of Trustees select Robert Fisler as the Board's representative to serve on the Political Action Committee of the Association for the 2001 calendar year.

2e. REPRESENTATIVE AND ALTERNATE FOR NOMINATING CANDIDATES TO THE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

Moved by Lynn Thornley, seconded by Marjorie Pogue, and carried unanimously that the Board of Trustees select Ellen Ballard as representative and Hilda Sugarman as alternate representative for nominating candidates to the County Committee on School District Organization for the 2001 calendar year.

2f. REPRESENTATIVE FOR THE FULLERTON SISTER CITY COMMITTEE

Moved by Ellen Ballard, seconded by Lynn Thornley, and carried unanimously that the Board of Trustees select Marjorie Pogue as representative to serve on the Fullerton Sister City Committee for the 2001 calendar year.

2g. REPRESENTATIVE(S) FOR THE FULLERTON SCHOOL DISTRICT EDUCATIONAL FOUNDATION

Moved by Lynn Thornley, seconded by Robert Fisler, and carried unanimously that the Board select Ellen Ballard for nonvoting representative, and Marjorie Pogue for nonvoting representative, to serve on the Fullerton School District Educational Foundation for the 2001 calendar year.

2h. NOMINATE TRUSTEE MARJORIE POGUE AS A CANDIDATE FOR ELECTION TO THE CALIFORNIA SCHOOL BOARDS ASSOCIATION DELEGATE ASSEMBLY

Moved by Ellen Ballard, seconded by Lynn Thornley, and carried unanimously that the Board of Trustees nominate Marjorie Pogue as candidate for the election to the California School Boards Association Delegate Assembly representing Orange County Region 15.

3. ADMINISTRATIVE REPORTS

3a. FACILITIES IMPROVEMENT FINANCING INFORMATION

Dr. Fred Good of PJHM Architects and Dr. Patricia Godfrey presented facilities improvement financing information.

Dr. Good stated that at the November 13 Board meeting Board members looked at 12 funding mechanisms available to consider as suggested by the Facilities Improvement Committee (FIC). Dr. Good stated that the FIC and Board had previously prioritized facility needs by a comparison of what an "ideal" school should be. The Board had given direction to proceed with modernization applications for six schools which have not previously received funding: Laguna Road, Maple, Parks, Richman, Rolling Hills, and Sunset Lane. Dr. Godfrey added the Board had previously approved Maple modernization, but modernization has been on the "back burner" due to Maple expansion. The Board previously committed to \$200,000 for Maple modernization.

Dr. Godfrey stated that the Board needs to decide if it is seriously interested in pursuing \$77 million worth of program enhancements and repair. Or, if the Board is not interested, funding of the \$77 million becomes a "non-issue."

Dr. Good presented escalating future costs for the \$77.4 million discussed with the Board November 13th. The \$77.4 million was the cost as of 06/30/00. Assuming a 5.25% annual cost inflation factor, the cost by 06/30/02 would be \$85.8 million. For "Priority One" projects, the 06/30/00 \$41.5 million would be \$46.0 million by 06/30/02 and \$51.0 million by 06/30/04.

Dr. Good stated there were things the FIC committee would like the Board to consider: 1) continue to look at funding potential within the existing general fund budget, but to be careful when looking at rising commitments the general fund can sustain (separate than the existing 3% SB 50 requirement to maintain buildings); and 2) continuing to be resourceful and look at "one time" monies that may be applicable to facilities.

Dr. Godfrey commented the District had entered into \$13.2 million in long term deficit since 1999 in order to finance facility projects, with payments extending up to 30 years. Dr. Godfrey also presented graphical information displaying the significant increase in facility related expenditures in recent years.

Dr. Good stated that current financial factors to pursue modernization application funding is on an 80/20 basis, and may go to 70/30 when the State comes up with more funding for modernization, although there is no legislation yet to change the percentage.

Dr. Good indicated if the Board intends to pursue significant facilities funding, the next step would be to bring in a campaign bond election consultant to look at work completed on the FNA Plan, to look at recommendations made by FIC, and the polling results conducted by Education Research, for a last layer of objectivity. The Board directed staff to recommend a consultant to perform this review.

Dr. Good verbalized the State has one billion dollars of "unfunded" modernization projects already approved through modernizing six schools, architectural approved plans for the six schools need to be developed and submitted to the State.

On November 13, the Board gave direction to pursue money for modernization and new construction. But, the District cannot do so without DSA, which will cost approximately \$500,000 for the six schools in addition to the previously allocated \$200,000 for Maple modernization (total \$700,000). Dr. Good stressed that time is a crucial element, and by taking this action the District would address a \$13.6 million issue related to modernizing the six remaining schools.

The Board gave direction to staff to set aside funds from General Fund reserves to have architectural plans drawn up on the six remaining schools to get "in line" at the State, with an additional amount not to exceed \$500,000.

Dr. Good stated the State's portion for the six modernization projects, and the District will also need a total of \$4.1 million in local funding. The District is already committed to \$2 million in authorized facility improvements, and the District is still responsible to come up with \$1.4 million after including the \$0.7 million in total A/E fees to submit the plans to State agencies.

3b. STATUS, SCOPE OF WORK, AND TIME LINE ON PERFORMANCE CONTRACT

WITH IEC, INC. FOR LIGHTING AND HVAC REPLACEMENT

Gary Drabek, Director of Maintenance, Operations and Facility Services, presented the status, scope of work, and time line on the Performance Contract with IEC, Inc. for lighting and HVAC replacement at various District sites. Mr. Drabek stated that the Performance Contract with IEC was signed on November 7, 2000, and architectural drawings have begun, some of which require approval by the State architect. Mr. Drabek has been working with Nancy Rorabaugh of IEC, Inc. for a scheduled scope of work. New gas lines, interior and exterior lighting fixtures, boilers, heaters and air conditioning will be installed at many sites beginning April, 2001 and should be completed by September, 2001. The energy savings that result from the installation of high-efficiency equipment will defray the expense of the equipment replacement over a period of 10-15 years depending on the financing obtained. Mr. Drabek noted that to ensure the success of the payback, classroom doors and windows should be closed when HVAC is operating, and lights turned off when not in use.

3c. FINANCING OF PERFORMANCE CONTRACTING

Andrea Reynolds, Director of Fiscal Services, stated that the District signed a \$3.0 million agreement with IEC, Inc. for an energy retrofit project. The agreement uses energy equipment as collateral for the loan. The District pays annual interest and principal to a lender, which can be reduced by 56% by pursuing a new financing method titled Qualified Zone Academy Bond (QZAB). Ms. Reynolds introduced Carl Yoder from Delta Public Finance, LLC, to explain this funding option.

Mr. Yoder stated that QZAB was established through the Taxpayer Relief Act of 1997 and is a Federal Zero-Interest Loan Program which uses Tax Credits in place of interest payments. Individual schools qualify by having 35% or more of their enrolled students participating in the federal nutrition program. The QZAB structure is a lease/purchase agreement and requires no interest payments from the District. The District qualifies for \$1.7 million which requires allocation from the State Department of Education. The District would make an up-front deposit of \$850,000 (approximately 50% of QZAB) if the QZAB funds are available. The balance of \$1.3 million will be financed through a lease-purchase financing agreement. If no QZAB funds are available, the entire \$3.0 million will be financed through a lease-purchase agreement.

4. ACTION ITEMS

4a. APPROVE AGREEMENT WITH DELTA PUBLIC FINANCE, LLC

Moved by Ellen Ballard, seconded by Marjorie Pogue, and carried unanimously that the Board of Trustees approve an agreement with Delta Public Finance LLC, as financial advisor of the Qualified Zone Academy Bond Program (QZAB) at a cost of \$27,500 and reimbursable expenses up to \$2,000. These amounts are payable upon successful completion of the QZAB.

4b. APPROVE 2000/2001 SCHOOL PLAN UPDATES

The Board remarked that principals and staff have "pulled together" and are addressing the needs of the students with the analyzation. The Board commended Ana Stover for her hard

work on this project.

Moved by Marjorie Pogue, seconded by Ellen Ballard, and carried unanimously that the Board of Trustees approve the 2000/2001 School Plan Updates: Action Plans and Final Categorical Budget for Acacia, Beechwood, Commonwealth, Fern Drive, Golden Hill Hermosa Drive, Laguna Road, Maple, Orangethorpe, Pacific Drive, Raymond, Richman, Rolling Hills, Sunset Lane, Valencia Park Primary, Valencia Park Intermediate, Woodcrest, Ladera Vista Junior High, Nicolas Junior High, and Parks Junior High Schools.

4c. APPROVE REQUESTS FOR AUTHORIZATION OF SCHOOLWIDE TITLE I PROGRAMS

Ana Stover, Director of Instructional Support Services, stated that five of our Title I schools qualify for the Schoolwide Title I program. In order to qualify for the program, each school must receive Title I funding and must have more than fifty percent of their student population qualify for the free/reduced lunch program. Schoolwide status will allow them to use the funds to support their entire educational program.

Moved by Marjorie Pogue, seconded by Ellen Ballard, and carried unanimously that the Board of Trustees approve requests for authorization of Schoolwide Title I Programs at Commonwealth, Maple, Orangethorpe, Pacific Drive, and Raymond Schools.

4d. ACCEPT TITLE I PROGRAM IMPROVEMENT GRANT AWARDS AND ACTION PLANS

Ana Stover stated that four of the Title I schools qualify for Title I Program Improvement plans. The site level Action Plans will be submitted as part of the grant program. Although these four schools met their API target, they need to meet the target two consecutive years to be eligible to exit the program improvement status.

Moved by Ellen Ballard, seconded by Lynn Thornley, and carried unanimously that the Board of Trustees accept Title I Program Improvement Grant Awards and Action Plans for Orangethorpe, Nicolas Junior High, Raymond, and Richman Schools.

4e. APPROVE INTENT TO PARTICIPATE IN THE BECKMAN K-6 SCIENCE EDUCATION INITIATIVE

Moved by Marjorie Pogue, seconded by Lynn Thornley, and carried unanimously that the Board of Trustees approve Intent to Participate in the Beckman K-6 Science Education Initiative.

4f. APPROVE DISTRICT LIBRARY PLAN SUBMISSION FOR THE STATE SCHOOL LIBRARY FUNDS

Dr. Judy Lieb, Coordinator Educational Technology & Media Services, presented Agenda Items 4f, 4g, 4h and 4i and briefly discussed them. The District Library Plan update was presented for approval. This plan will be submitted to the State as a requirement for receipt of State library funds.

Moved by Marjorie Pogue, seconded by Ellen Ballard, and carried unanimously that the

Board of Trustees approve the District Library Plan submission for the State School Library Funds.

4g. APPROVE CLASSROOM LIBRARY PLAN AND SUBMISSION FOR THE STATE CLASSROOM LIBRARY FUNDS (K-4)

Moved by Marjorie Pogue, seconded by Lynn Thornley, and carried unanimously that the Board of Trustees approve Classroom Library Plan and submission for the State Classroom Library Funds (K-4).

4h. APPROVE SUBMISSION OF GRANTS FOR THE GOVERNOR'S BOOK FUND

Dr. Lieb stated that nine schools applied for these grants, and more did not apply because of time constraints.

Moved by Marjorie Pogue, seconded by Lynn Thornley, and carried unanimously that the Board of Trustees approve submission of grants for the Governor's Book Fund.

4i. APPROVE SUBMISSION OF APPLICATIONS FOR THE 2000/2001 CALIFORNIA TECHNOLOGY ASSISTANCE PROJECT (CTAP) TEACHER GRANT PROGRAM

Moved by Marjorie Pogue, seconded by Lynn Thornley, and carried unanimously that the Board of Trustees approve submission of applications for the 2000/2001 California Technology Assistance Project (CTAP) Teacher Grant Program for Bonnie DeBolt, Dawn Donat, Jane Hernandez, Joyce Fellows, Robin McIndoo, Judy Schlotthauer, Marion Braddick, Mark Kolb, Adrienne Kumik, and Hilary Burg.

4j. ADOPT RESOLUTION #00/01-05 TO APPROVE THE SPECIAL EDUCATION MANDATED COST CLAIM SETTLEMENT

Dr. Godfrey stated the settlement would generate \$0.5 million in "one-time" 2000/2001 income and \$260,000 in ongoing special education income beginning 2001/2002.

Moved by Marjorie Pogue, seconded by Lynn Thornley, and carried unanimously that the Board of Trustees adopt Resolution #00/01-05 to approve the Special Education Mandated Cost Claim settlement, waive the ability to file future Special Education claims on current law, and direct the Assistant Superintendent of Business Services to sign the Settlement Agreement and Waiver to implement this action.

4k. APPROVE INDEPENDENT CONTRACTOR AGREEMENT WITH CALIFORNIA STATE UNIVERSITY, FULLERTON

Moved by Marjorie Pogue, seconded by Ellen Ballard, and carried 4-1 (Robert Fisler voted "no") that the Board of Trustees approve an independent contractor agreement with California State University, Fullerton.

5. CONSENT ITEMS

Moved by Ellen Ballard, seconded by Marjorie Pogue, and carried unanimously to approve the Consent Items as presented.

5a. APPROVE/RATIFY CERTIFICATED PERSONNEL REPORT

That the Board of Trustees approve/ratify the Certificated Personnel Report as submitted (New Hires, Extra Duty Assignments, Reemployed Retiree, Leave of Absence, Resignation).

5b. APPROVE CLASSIFIED PERSONNEL REPORT

That the Board of Trustees approve the Classified Personnel Report as submitted (Add/Delete Classifications, Add Stipends, Change to Substitute/Regular Status, Increase/Decrease Hours, Leaves of Absence, New Hires, Reinstatements, Resignations, Service Retirements, Step Raises, Terminations, Transfers, and Working out of Classification).

5c. APPROVE CLASSIFIED TUITION REIMBURSEMENT FOR FRANK MONTANO

That the Board of Trustees approve classified tuition reimbursement for Frank Montano.

5d. APPROVE/RATIFY PURCHASE ORDERS

That the Board of Trustees approve/ratify purchase orders numbered 122B0335 through 122Y0023 for 2000/2001.

5e. APPROVE/RATIFY FOOD SERVICES PURCHASE ORDERS

That the Board of Trustees approve/ratify Food Services purchase orders numbered 300374 through 300406 for 2000/2001.

5f. APPROVE/RATIFY WARRANTS

That the Board of Trustees approve/ratify warrants numbered 15027 through 15215 in the amount of \$323,916.14.

5g. APPROVE/RATIFY FOOD SERVICES WARRANTS

That the Board of Trustees approve/ratify Food Services warrants numbered 9802 through 9839 in the amount of \$248,985.21 for 2000/2001.

5h. ADOPT RESOLUTIONS

That the Board of Trustees adopt Resolutions 00/01-B032 through 00/01-B043 authorizing budget transfers and recognizing unbudgeted revenue according to Education Code Sections 42600 and 42602 for submission to the Orange County Superintendent of Schools.

5i. ACCEPT GIFTS TO THE DISTRICT

That the Board of Trustees accept gifts to the District and authorize District staff to express the Board's appreciation to all donors, as listed on 5i-2.

5j. RATIFY/APPROVE LECTURERS

That the Board of Trustees ratify/approve lecturers: 1) Barbara Cutts at Golden Hill School from December, 2000 through May, 2001 at a cost not to exceed \$1,000; 2) Vicki Schindele at Rolling Hills School from January, 2001 through February 22, 2001 at a cost not to exceed \$2,000; 3) Barbara Cutts at Ladera Vista Junior High on December 4 and 11, 2000 at a cost not to exceed \$62; 4) The Iceman at Golden Hill School on January 19, 2001 at a cost not to exceed \$700.*

5k. RATIFY/APPROVE SUBMISSION OF A TEACHER GRANT APPLICATION

That the Board of Trustees ratify/approve submission of a teacher grant application to the Orange County Music and Arts Administrators Teacher Grants Program for the Arts for Fern Drive School.

5l. APPROVE/RATIFY REIMBURSEMENT TO THE PARENTS OF A SPECIAL EDUCATION STUDENT

That the Board of Trustees approve/ratify reimbursement to the parents of a special education student (ID #0701-00) for speech therapy per a Compromise and Release Agreement dated May 24, 2000.

5m. APPROVE A POSITIVE CERTIFICATION FOR THE FIRST INTERIM REPORTING PERIOD

That the Board of Trustees approve a "Positive Certification" for the First Interim reporting period of the District's ability to meet its financial obligations for the current and two subsequent years.

5n. APPROVE FIRST AMENDMENT TO THE IMPACT MITIGATION AGREEMENT

That the Board of Trustees approve the First Amendment to the Impact Mitigation Agreement between Fullerton School District and LSF II - Fullerton, LLC.

5o. APPROVE AGREEMENT WITH ANAHEIM MARRIOTT

That the Board of Trustees approve agreement with Anaheim Marriott to provide accommodations for one day of staff development on January 29, 2001, for approximately 650 teachers and administrators.

5p. APPROVE PURCHASE OF COMPUTER PRODUCTS FROM APPLE COMPUTER, INC.

That the Board of Trustees approve purchase of computer products from Apple Computer, Inc. under the terms and conditions of a contract awarded by the Glendale Unified School District pursuant to the provisions of the Public Contract Code Section 20118. Furthermore, find and determine that it is in the best interest of the Fullerton School District to purchase these products using the extension of bid number P-1098a awarded by the Glendale Unified School District for the duration of the bid agreement.

5q. APPROVE SELF-SERVICING ACCOUNT AGREEMENT

That the Board of Trustees approve self-servicing account agreement with Apple Computer, Inc.

BOARD MEMBER REQUEST(S) FOR INFORMATION AND/OR POSSIBLE FUTURE AGENDA ITEMS

There were no requests for possible future agenda items.

DISTRICT ACTIVITIES CALENDAR DECEMBER 13, 2000 THROUGH JANUARY 16, 2001

The Board reviewed the District calendar of events of December 13, 2000 through January 16, 2001.

REPORT FROM THE SUPERINTENDENT

There was no report from the Superintendent.

REPORTS FROM THE BOARD OF TRUSTEES

Trustee Fisler reported that he visited the District's playgrounds with Gary Drabek, Director of Maintenance, Grounds and Facilities, and recommended replacing playground sand with wood chip materials. Trustee Fisler stated that sand is slippery and may cause accidents, and wood chips would help preserve the new carpeted areas. Dr. Godfrey noted that the upgrade to current standards of playground equipment has been identified as a high priority on the Facilities Needs Assessment.

President Sugarman stated that she attended the California School Boards Association Convention and enjoyed the motivational keynote speaker, Mr. Canada. On behalf of the Board, President Sugarman wished everyone a happy holiday season.

ADJOURNMENT

President Sugarman adjourned the meeting on December 12, 2000 at 10:25 p.m.

Marjorie Pogue, Clerk

Board of Trustees