

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF EDUCATION**  
**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**Monday, May 4, 2015 (6:00 p.m./7:00 p.m.)**

Board Members: Cheryl Hansen, Debra Mason, Barbara Oaks, Brian Lawrence, and Linda Mayo

Administrative Staff: Superintendent Nellie Meyer, Associate General Counsel Deborah Cooksey

**CALL TO ORDER**

President Hansen called the meeting to order at 6:00 p.m. and conducted Roll Call with all Board members present.

**PUBLIC COMMENT**

There was no Public Comment.

**CLOSED SESSION AGENDA**

**3.1 (Item #1) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: Three Cases**

Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b),  
Significant Exposure to Litigation: Three cases

**3.2 (Item #2) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)

**3.3 (Item #3) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)

**ADJOURN TO CLOSED SESSION**

The Board adjourned to Closed Session at 6:01 p.m.

**RECONVENE OPEN SESSION**

The Board reconvened Open Session at 7:08 p.m.

**PRELIMINARY BUSINESS**

President Hansen led the Pledge of Allegiance and conducted Roll Call with all Board members present. President Hansen introduced Student Representative Abriana Guerrero from Nueva Vista/Summit.

**REPORT OUT ACTION TAKEN IN CLOSED SESSION**

**7.1 (Item #1) Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b), Significant Exposure to Litigation: Three Cases**

Anticipated Litigation - Conference with Legal Counsel pursuant to Gov't. Code Sec. 54956.9(b),  
Significant Exposure to Litigation: Three Cases

The Board held conference with counsel regarding two cases.

**7.2 (Item #2) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)

The Board received information.

**7.3 (Item #3) Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1)**

Discipline, Dismissal or Release of Public Employee (Gov. Code Sec. 54957(b)(1))

The Board received information.

**RECOGNITIONS AND RESOLUTIONS**

**8.1 Resolution No. 14/15-47 - Asian Pacific Heritage Month**

The California Department of Education has designated May as Asian Pacific Heritage Month. The attached resolution recognizes the many contributions made by the people from the Asian Pacific Islands to the growth and development of California's heritage.

Ms. Mayo read the resolution aloud.

Oaks moved, Mayo seconded, and the Board voted 5-0-0 to approve to adopt Resolution No. 14/15-47 proclaiming May 2015 Asian Pacific Heritage Month.

**8.2 Resolution No. 14/15-51 - Day of the Teacher, May 13, 2015**

The Mt. Diablo Unified School District Board of Education wishes to adopt a resolution acknowledging the lifelong influence that teachers can have on the lives of our children and to express its appreciation for the creativity, dedication, and talent of teachers in the Mt. Diablo Unified School District.

Mr. Lawrence read the resolution aloud.

Lawrence moved, Oaks seconded, and the Board voted 5-0-0 to approve to adopt Resolution No. 14/15-51, Day of the Teacher, May 13, 2015.

**8.3 Resolution No. 14/15-52 - Classified Employees' Week, May 17-23, 2015**

The Mt. Diablo Unified School District Board of Education wishes to adopt a resolution to recognize and honor the contribution of the classified school employee to quality education in the State of California and in the Mt. Diablo Unified School District, and declare the week of May 17 – 23, 2015 as Classified School Employees' Week.

Ms. Mason read the resolution aloud.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve to adopt Resolution No. 14/15-52, Classified School Employees' Week.

**BOARD MEMBER REPORTS**

Ms. Mason shared that she attended the American Association of University Women (AAUW) Title IX meeting, and the Healthy and Active Before Five semi-annual meeting. Ms. Mason added that she went to Pleasant Hill Elementary for California Food Day, and attended both the production of 'Annie' at Meadow Homes Elementary School, and "Putnam County Spelling Bee" at Ygnacio Valley High School. Ms. Mason reported that she attended the LCAP meetings at Mt. Diablo and Ygnacio Valley High Schools, and the District's Equity meeting. Ms. Mason shared that she helped paint the library at Riverview Middle School as a collaborative effort with the county and volunteers from Habitat for Humanity, PG&E, and Gateway High School.

Ms. Oaks shared that she visited the Bridge Program, a special education program at Mt. Diablo High School. While there, she also saw the growing towers that teacher Cindy Gershon is growing at that school, an exciting example of sustainable agriculture. Ms. Oaks reported that she attended the Farm to School planning grant meeting, and noted that there is a lot of energy in the District right now to move toward sustainable agriculture, encouraging students to eat healthy, recycling, and the like. Ms. Oaks noted that she hopes to see programs put in place that support the sustainable growth movement, as well as healthy eating for students and recycling within the District.

Ms. Mayo shared that she attended California Food Day at Pleasant Hill Elementary School, and noted that the cafeteria served over 400 lunches during the lunch period. Ms. Mayo shared that she attended the community meeting at Mt. Diablo High School, and remarked that she appreciated that Spanish translation was available for families. Ms. Mayo reported that this week she has been involved with the California State PTA Annual Convention as a volunteer and a presenter, and shared some of the materials being made available by that organization. Ms. Mayo stated that the California State PTA has received grant funds to translate more of their documents in order to make them accessible to more families and community members. Ms. Mayo noted that the conference primarily focused on the Local Control Accountability Plan (LCAP), Common Core Standards, and leadership training. All of the handouts from the convention are available on the California State PTA website.

Ms. Hansen shared that she attended the performance of ‘Annie’ at Meadow Homes Elementary School, and commented that the teachers sitting next to her were very proud of the kids. Ms. Hansen thanked Dr. Meyer and Anna Fisher for pulling together last minute food services for student athletes attending a swimming championship at College Park High School. Ms. Hansen gave a reminder that the Board will hold a joint meeting with the Contra Costa Community College Board on Monday, May 11 at Diablo Valley College. Ms. Hansen read a statement addressing her letter to the Contra Costa Board of Education regarding Clayton Valley Charter High School.

### **SUPERINTENDENT’S REPORT**

Dr. Meyer thanked student representative Abriana Guerrero for attending the meeting.

Dr. Meyer noted that the Resolutions that the Board just passed are very important. She reminded everyone that on May 13, please thank a teacher for the hard work that they do every day. Dr. Meyer thanked the Board for passing the Resolution establishing Classified School Employees’ Week, and she emphasized that the work that the District does is a team effort.

Dr. Meyer shared that since the last Board meeting she visited Mt. Diablo High School for their Western Association of Schools and Colleges (WASC) study and the Local Control Accountability Plan (LCAP) parent outreach meeting. Dr. Meyer shared that LCAP meetings were also held at Northgate High School and Ygnacio Valley High School, where teachers, principals, parents, and students shared what they really care about regarding professional learning, community and parent engagement, and college/career preparedness. Dr. Meyer noted that there were many good suggestions, which are now being incorporated into the LCAP.

Dr. Meyer shared that she attended the performance of ‘Annie’ at Meadow Homes Elementary School, and noted that the students did a fantastic job.

Dr. Meyer shared that she and Dr. Karen Sakata, Superintendent of Schools, Contra Costa County, visited a class taught by Mr. Giordano at Olympic High School as part of Dr. Sakata’s school visits.

Dr. Meyer shared that the Transportation Department participated in the Rodeo state competition, and congratulated drivers Linda Dortzbach-Hudlin, Yvette Sanchez, and Liberato Caparas on their awards. Dr. Meyer noted that she is very proud of the efforts that the drivers make to work together.

Dr. Meyer shared that the District is continuing to work on the Local Control Accountability Plan (LCAP). She noted that there is a core team including parents, staff, and community participants, which continues to work on the three goals and aligning them with the future budget. Dr. Meyer pointed out that the budget will be reviewed to ensure that it supports the LCAP goals and actions.

Dr. Meyer shared that staff from the Office of Civil Rights completed their multi-year visit to the District last month. Those representatives met with the District's English Learner team about the goals in the Master Plan for English Learners. The goals that they want the District to work on are: support for newcomers to the country; support classes, particularly in secondary schools, built into the schedule so second language students can take those support classes; and catch-up plans, so English learners have a plan designed for them when they transition to high school, and there are targeted goals that parents, teachers, and students are all aware of.

Dr. Meyer announced that the District's standardized testing period started on April 27 and will continue through May 29. Dr. Meyer will bring feedback to the Board when the testing is complete.

Dr. Meyer announced that the District's Advanced Placement (AP) testing runs from May 4 through May 15. These tests are currently being held at the Willow Creek Center, but staff is looking into moving them to the school sites, as the AP classes are expanding and more room will be required.

Dr. Meyer shared that the District's graduation rate increased by 4% to 85%, which is 5% above the state average. Dr. Meyer noted that the rates at the comprehensive high schools range from 85% to 96.5%. Dr. Meyer shared that programs and goals are being put into the LCAP in order to continue to increase that range.

Dr. Meyer shared that the District recently lost a student, Rickiya Clayton, a junior at College Park High School. A candlelight vigil will be held at 7:30 p.m. on May 7, and everyone is invited to attend. Dr. Meyer shared that the District also recently lost Alma Spring, a Vice Principal at Mt. Diablo High School. Ms. Spring had also worked at Riverview Middle School, Olympic High School, Walnut Acres Elementary School, and Bancroft Elementary School.

## **REPORTS/INFORMATION**

### **11.1 Next Generation Science Standards(NGSS)Presentation**

District staff, along with Pine Hollow Middle School staff, will make a presentation on the Next Generation Science Standards.

Dr. Meyer thanked Marie Schirmer for taking the lead on the implementation of Science Standards.

Marie Schirmer, Jan Robertson, and Bob Miller gave a presentation on the Next Generation Science Standards.

## **PUBLIC EMPLOYEE APPOINTMENT**

### **12.1 Appointment of Assistant Superintendent for Middle School**

Interviews have been conducted, and a candidate has been selected for the position of Assistant Superintendent for Middle School.

Dr. Meyer recognized and thanked retiring Assistant Superintendent for Middle School, Rose Lock. President Hansen recognized Rose Lock for her years of work in the District.

Dr. Meyer recommended Jonathan Eagan for the position of Assistant Superintendent for Middle School.

Mason moved, Oaks seconded, and the Board voted 5-0-0 to approve the appointment of Jonathan Eagan to the position of Assistant Superintendent for Middle School.

Mr. Lawrence thanked Rose Lock and congratulated Jonathan Eagan.

## **CONSENT AGENDA**

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve all Consent Agenda items with the exception of Items #15, 16, 17, 22, and 24, thereby approving the following:

**13.1 (Item #1) Items listed under Consent Agenda are considered routine and will be approved/adopted by a single motion. There will be no separate discussion of these items; however, any item may be removed from the consent agenda upon the request of any member of the Board and acted upon separately.**

### **13.2 (Item #2) Mt. Diablo High School's Trip to Big Basin State Park May 16-17, 2015**

We will be introducing nine International Hospitality and Tourism Academy students to Eco tourism & Outdoor Recreation, along with studying environmental science in the field. The group will be traveling in the school's ROTC van, which is insured by MDUSD.

### **13.3 (Item #3) Mt. Diablo High School's Trip to Los Angeles May 16-20, 2015**

The Medical Bio-Technology Academy placed first at the Contra Costa County Science & Engineering Fair. Group was invited to compete at the ROP Biological Science Laboratory Research State Fair in Los Angeles. The group will be traveling in a teacher's car and staying at the Hilton Checkers, near the California State Science Center in Los Angeles.

### **13.4 (Item #4) Ygnacio Valley High School's Independent Contract with Events to the T, Inc.**

Please approve the attached Independent Contract with Events to the T, Inc. to provide services for YVHS's Jr. Prom at Hs. Lordships Restaurant in Berkeley on May 14, 2016.

### **13.5 (Item #5) Independent Service Contract with Ygnacio Valley High School and Marzano Research Laboratory**

Associate Dr. Phil Warrick will conduct professional development workshops for teachers at Ygnacio Valley High School on October 16, 2015 and January 22, 2016, with emphasis on the following: Overview of the Art & Science of Teaching instructional framework with a focus on Design Question 8: Student-Teacher relationships. Contract work for 2015-16 already exceeds \$25,000 and therefore needs Board approval.

### **13.6 (Item #6) Contract between Mt. Diablo Unified School District Bel Air Elementary and Soul Shoppe**

Soul Shoppe is providing two programs, May 11 and May 14, 2015, that support student safety, bullying prevention, conflict resolution, and character development. Mt. Diablo Unified School District has paid Soul Shoppe in excess of \$25,000 in the 2014-15 school year, which requires Board approval on this contract.

### **13.7 (Item #7) Independent Service Contract between Exploring New Horizons Loma Mar and El Monte Elementary for Outdoor Education**

Fifth grade students from El Monte Elementary are participating in an Outdoor Education Science program at Exploring New Horizon's Camp Loma Mar, May 11-15, 2015

### **13.8 (Item #8) Increase to YMCA Camp Arroyo and Meadow Homes Contract for Outdoor Education**

An increase to the YMCA Camp Arroyo and Meadow Homes Outdoor Education contract, approved by the Board on March 2, 2015, is needed as six additional students and four additional chaperones were able to attend camp, held March 16 - 20 2015.

### **13.9 (Item #9) Independent Services Contract with November Learning, LLC and Mt. Diablo Unified School District**

Lainie Rowell of November Learning provided a District-wide professional development workshop on innovative ways to improve teaching and learning on March 10 and 11, 2015. Mt. Diablo Unified School District has done more than \$25,000 business with November Learning in 2014-15, requiring Board approval.

**13.10 (Item #10) Contract with Angela Barra for Professional Development Services Provided at Oak Grove Middle School through the Remainder of the 2014-15 School Year**

Request approval to enter into a contract with Angela Barra to provide professional development and coaching for teachers in the area of literacy development. Areas of focus will include, but are not limited to: Comprehension, intervention, decoding, word analysis, academic vocabulary, complex text, and writing. Services are aligned with the Common Core Standards. Strategies will be implemented during summer school.

**13.11 (Item #11) Cyber High Use Licenses & Service Agreement 5/15/15 - 6/30/16**

Fresno County Office of Education will be increasing its Cyber High pricing from \$15 an exam to \$20. They have introduced an unlimited use program, which would save approximately \$25,000 based on anticipated rate of use.

**13.12 (Item #12) Increase in Contract for California Translation International (CTI)**

A contract for translations service with California Translation Services (CTI) was approved by the Board on September 10, 2014. It is necessary to increase this contract. The original amount of \$64,750 has been exhausted. In order to meet the district needs for the remainder of this school year, a \$25,000 maximum increase is needed. The total contract to CTI would not exceed \$89,750 through June 30, 2015.

**13.13 (Item #13) Non-Public School Adjustments**

Non-Public School (NPS) contracts are reviewed and updated several times during the fiscal year. Changes to contracts are required due to changes in residency, students entering and leaving placements, increase/decrease in intensity of services, and corrective actions/settlement agreements to assure a free and appropriate public education. The details for these changes as well as rationale for the changes can be found in the attached documentation.

**13.14 (Item #14) Increase to Master Contract with Non-Public Agency, Community Options for Families and Youth (COFY)**

COFY is a certified Non-Public Agency that provides mental health related services for students of the Mt. Diablo Unified School District according to the terms of their Individualized Educational Program. Services include counseling, family therapy, and case management services. As of January 1, 2015, the District is now utilizing COFY to provide educationally related mental health services to students that are not currently Medi-Cal insurance eligible and were previously billed to the district through Contra Costa County Mental Health. Due to this change in services, additional funds in the amount of \$160,000 are requested for the remainder of the 2014-15 school year.

**13.15 (Item #18) Recommended Action for Certificated Personnel**

Changes in status of the following certificated employees.

**13.16 (Item #19) Request to Increase Full Time Equivalent (FTE) for the 2015-16 School Year**

The attached position is requested to be increased as described.

**13.17 (Item #20) Recommended Action for Classified Personnel**

Changes in status for the following classified employees.

**13.18 (Item #21) Classified Personnel: Request to Increase/Decrease Full Time Equivalent (FTE) for the 2014-15 and 2015-16 School Year**

The attached positions are requested to be increased/decreased as described.

**13.19 (Item #23) Award of Bid for RFQ #1702; Fire Alarm Testing**

Bid 1702 was called to provide Fire Alarm System annual inspection at all District sites. The lowest responsible, responsive quote was Fire Detection Unlimited, Inc., for the total amount of \$118,019. (Base Bid)

The scope of work includes, but not limited to: perform complete fire alarm system annual inspections, required by SB575. These inspections include, but are not limited to, all site duct detector, heat detector, smoke detector, strobe devices, fire alarm boxes, electromechanical releasing devices and all fire detection devices. A complete site written report will be required.

**13.20 (Item #25) Minutes for the Special Study Session Board of Education Meeting held on March 30, 2015**

Minutes for the Special Study Session Board of Education Meeting held on March 30, 2015, are being brought forward for approval.

**13.21 (Item #26) Minutes for the Special Closed Session Board Meeting on March 30, 2015**

Minutes for the Special Closed Session Board Meeting on March 30, 2015, are being brought forward for approval.

**CONSENT ITEMS PULLED FOR DISCUSSION**

**14.1 (Item #15) Continued Funding of the Nutrition Education & Obesity Prevention Grant with Contra Costa Health Services**

Approve continued funding of the Nutrition Education & Obesity Prevention grant through June 30, 2016 with Contra Costa Health Services to provide nutrition education and physical activity promotion in the Mt. Diablo CARES After School Programs.

Ms. Mayo inquired if this program would benefit all of the District's After School Programs. Dr. Meyer confirmed that it would.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve continued funding of the Nutrition Education & Obesity Prevention grant with Contra Costa Health Services.

**14.2 (Item #16) Continued Funding for the Pleasant Hill/Concord Health Care District Grant**

Approve continued funding for the Pleasant Hill/Concord Health Care District grant through June 30, 2016 to provide nutrition education and physical activity promotion in the Mt. Diablo CARES After School Programs.

Ms. Mayo asked how the funds are distributed for this grant. Stephanie Roberts clarified that the funds are for programs in Concord and Pleasant Hill.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to approve continued funding for the Pleasant Hill/Concord Health Care District grant.

**14.3 (Item #17) Request Ratification of Submission by Riverview Middle for the Keller Mitigation Grant for 2015-16**

This is a collaborative grant with Mt. Diablo Unified School District, Habitat for Humanity, and Contra Costa County Library to support a beautification project to revitalize the library located in the Riverview Middle School, a joint-use facility shared by the school and the Contra Costa County Library. These three partners propose to repaint the exterior and interior of the 3,825 square foot facility, provide attractive new signage, and replace the library's furniture.

Ms. Mason asked for clarification on the grant cycle year that this ratification is being requested for. Stephanie Roberts clarified that they are seeking to ratify 2014-15.

Mason moved, Lawrence seconded, and the Board voted 5-0-0 to ratify submission of the application for the Keller Mitigation grant for 2014-15.

**14.4 (Item #22) Field Trip Board Policy and Administrative Policy #6153**

This policy and administrative regulation will provide direction to staff regarding District-sponsored field trips and procedures for securing approvals.

Public Comment:

Dan Reynolds voiced his concerns about this proposed policy.

Ms. Mayo recommended that the Board pull this item to ensure that the language is clear. The Board members and Dr. Meyer had a brief discussion regarding items requiring further clarification, including: distance; criterion for exclusion; staff trips vs. student trips; and insurance requirements for parents transporting students on field trips.

Mayo moved, Lawrence seconded, and the Board voted 5-0-0 to table the docket item: Board Policy and Administrative Policy #6153.

Student Representative Abriana Guerrero left the meeting.

**14.5 (Item #24) Award of TCPN Contract #R141703: Office Supplies and Classroom Supplies-District Wide**

Per The Cooperative Purchasing Network (TCPN) contract #R141703 awarded December 9, 2014, Office Depot, Inc. was awarded a national "piggyback" contract for office and classrooms supplies. The term of this agreement is for two years with an option of two years in one year increments.

Ms. Mayo asked Jeff McDaniel for clarification on various parts of the contract.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve the Award of Bid to Office Depot, Inc.

**DISTRICT ORGANIZATIONS**

Dorothy Weisenberger, Community Advisory Committee (CAC), announced that the CAC and Mt. Diablo Adult Education are co-hosting a conference, Parenting the Child with Special Needs, on May 16, 2015.

**PUBLIC COMMENT**

Dan Reynolds announced that the Mt. Diablo Peace and Justice Center presented its 18<sup>th</sup> Annual Art and Writing Challenge for middle and high school students, and the awards dinner will be held on May 9, 2015. Mr. Reynolds shared the dates of important holidays.

Kevin King, Heather Smith, Stephanie Nocerino, and MaryMac Propersi voiced their concerns about President Hansen’s correspondence regarding Clayton Valley Charter High School.

**BUSINESS/ACTION ITEMS**

Dr. Meyer recommended that the Board discuss and vote on item 17.2 first, then 17.1.

**17.2 Bond Sales\***

\*This item was moved up on the agenda.

After two Board presentations on a possible bond sale, many options were considered regarding our remaining bond funds. With the support of the voters from 2010, we were able to pass the bond measure to support new classrooms, solar panels, athletic facilities, air conditioning in every school and technological upgrades. Our primary goals include supporting our students and their needs, maintaining safe and functioning facilities, and honoring our commitments to our community with the 2010 bond approval.

The following options are proposed:



Option 1: Do not sell the remaining 77 million dollars of general obligation bonds.

Option 2: Sell the remaining 77M in general obligation bonds. 77M in principal and 92M in interest with a debt ratio of 2.20; final repayment in 2038.

Option 3: Sell the remaining 77M in general obligation bonds and raise the tax rate to \$100 per \$100,000 assessed property value. 77M in principal and 50 Million in interest with a debt ratio of 1.65; final repayment in 2038.

Option 4: Sell only half of the bonds (those that are CIB not CAB) 38.5M in principal and 6M in interest with a debt ratio of 1.17; final repayment in 2038.

Staff recommends approval of Option 4.

Public Comment:

J. Parker shared his concern that no specific budget information is included and asked the Board to table this item.

John Ferrante questioned the amount of the bond sale referenced in item 17.3 as it relates to this item.

Mr. Parker and Mr. Ferrante, Measure C Bond Oversight Committee, responded to Board member questions.

Alicia Minyen, California Taxpayers Action Network (CalTAN), requested that the Board not approve the bond sale as presented.

Dr. Meyer thanked the Measure C team for their hard work, and shared examples of some of the school improvements that Measure C bond funds have provided. Dr. Meyer stated that the goals of the staff recommendation are to support schools, improve classroom environments, eliminate the use of Capital Appreciation Bonds, and maintain the current tax rate. Dr. Meyer introduced Tim Cody, and noted that Meredith Johnson, bond counsel, is available to answer questions.

Tim Cody gave a presentation on the current Measure C scope of work, including noting items de-scoped by previous Board action. Mr. Cody responded to Board member questions regarding the scope of work.

Mr. Cody gave a presentation on the goals and achievements of the Measure C projects.

Mr. Cody gave a presentation on the proposed project list if the Board votes to sell \$38.5 million compared with selling \$77 million in bonds. Dr. Meyer, Mr. Cody, and various Board members discussed the concept of deferred maintenance and its pros and cons, as well as moving the classroom technology portion of the Measure C budget to other funding sources. Dr. Meyer pointed out that in addition to focusing on Current Interest Bonds rather than Capital Appreciation Bonds, this is a philosophical recommendation to not fund devices with a short shelf life with bond funds that would have interest into 2038.

Mr. Cody stated that the goals of this resolution are to provide safe, accessible sites; reduce interest to the taxpayer; consider projects to move to deferred maintenance; and move short shelf life technology to different funding sources.

The Board members and Dr. Meyer had a discussion about the options of issuing \$77 million versus \$38.5 million in bonds. Most of the discussion centered on deferred maintenance issues and questions. Ms. Mayo asked the Board members to consider the impact of deferred maintenance on students.

Meredith Johnson, bond council, stated that the District can authorize the issuance of the second half of the bonds at any time. Ms. Johnson and Dr. Meyer responded to questions from various Board members regarding moving away from Capital Appreciation Bonds and keeping the interest rate flat. Ms. Johnson advised that the District maintain a financial advisor between bond issuances.

Tim Cody responded to Board member questions regarding the project lists for each proposal.

The Board members and Dr. Meyer had a discussion about the options of issuing \$77 million versus \$38.5 million in bonds.

President Hansen noted that a meeting extension is required.

**\*\*17.14 Meeting Extension**

**\*\***This item was moved up on the agenda.

Adjournment time will be no later than 10:30 p.m. for all regular and special meetings unless extended to a specific time as determined by a majority of the Board.

Oaks moved, Mason seconded, and the Board voted 5-0-0 to approve to extend the meeting time to 12:00 a.m.

Discussion of Item 17.2 resumed.

Meredith Johnson requested that the Board not set an interest amount in their resolution, as that is normally established by market conditions.

Oaks moved, Lawrence seconded, and the Board voted 5-0-0 to approve the sale of one-half of the bonds (those that are CIB not CAB) \$38.5M in principal with a debt ratio of 1.17, final repayment in 2038.

**17.1 Contract with Dale Scott & Company, Inc. for Financial Advisory Services**

Dale Scott & Company, Inc. (DS&C) is one of the oldest and most conservative financial advisory firms in the state. They have extensive experience in working with mid to large-sized districts similar to Mt. Diablo Unified School District, and serve as financial advisor to the California School Board Association's short-term borrowing programs, and are recommended by School Services of California. Since being founded in 1987, DS&C has served as financial advisor on over 1,000 California K-14 financings totaling over \$15 billion. In 2014, they brought over 100 financings to market - nearly double the amount of their nearest competitor. Upon approval by the Board of Education, Mt. Diablo Unified School District will proceed to execute a contract with DS&C for financial advisory services.

**\*\*\*Public Comment:**

**\*\*\***This Public Comment was made prior to this item being moved after Item #17.2 on the agenda.

J. Parker expressed his concerns over the contract written by Dale Scott & Company, and that the additional contract attached by the District was not properly noticed to the public. Mr. Parker asked the Board to table this item.

Dr. Meyer responded to Board member questions regarding the search process for financial advisory services and about the attached documents.

Deborah Cooksey confirmed that if the Board signs the contract, it can make amendments before Mr. Scott takes any action on the District's behalf.

The Board members, Dr. Meyer, and Ms. Cooksey had a discussion.

A Dale Scott & Company, Inc. representative responded to Board member questions.

Ms. Cooksey confirmed that no Brown Act violations have been committed with these documents.

Ms. Mayo noted that she will vote no on this contract because she believes that the process was not handled fairly.

Lawrence moved, Oaks seconded, and the Board voted 3-2-0 (with Mason and Mayo dissenting) to approve Mt. Diablo Unified School District to enter into a contract with Dale Scott & Company (DS&C) to serve the District as bond financial advisor.

**17.3 Resolution No. 14/15-45 of the Board of Education of the Mt. Diablo Unified School District Authorizing the Issuance and Sale of its General Obligation Bonds, 2010 Election, 2015 Series F in an Aggregate Principal Amount Not to Exceed Thirty-Eight Million, Five Hundred Thousand Dollars and No Cents**

Consideration of a Resolution authorizing the issuance of the sixth series of Bonds under the June 8, 2010, bond election (the "Election"). The proceeds of the Bonds would be used to finance capital improvements as approved by the voters at the Election. Currently low interest rates make it an optimal time to issue additional bonds so that the District can lock in low interest rates and minimize the interest to be paid on the bonds.

The Bonds are repaid from property taxes levied by the county on real property within the boundaries of the district, not from the District's General Fund. Issuing the Bonds will increase the tax rate on property owners within the District from \$85.30 per \$100,000 of assessed property value (current) to no more than approximately \$89 per \$100,000 of assessed property value (based on conservative 3% growth), but the District is taking advantage of historically low interest rates in an effort to keep the total tax levy as low as possible.

**Public Comment:**

Alicia Minyen submitted a letter from the California Taxpayers Action Network (CalTAN). Ms. Minyen voiced her concerns about the resolution, and requested that the bond resolution be amended to prohibit the use of bond premium to pay for cost of issuance.

Ms. Minyen responded to Board member questions. Dr. Meyer requested clarification on what that amendment would mean. Meredith Johnson clarified that the resolution is written to permit the use of premiums to pay for cost of issuance, it does not require it or direct anyone to do so.

The Board had a discussion regarding the cost that would be subtracted from the principle to pay for cost of issuance. A Dale Scott & Company, Inc. representative estimated the cost to be about 1% of the principle.

Mason moved, Hansen seconded, and the Board voted 2-3-0 (with Oaks, Lawrence, and Mayo dissenting) to approve Resolution No. 14/15-45 of the Board of Education of the Mt. Diablo Unified School District as written, amended to prohibit the use of bond premium to pay for cost of issuance, authorizing the issuance and sale of its General Obligation Bonds, 2010 Election, 2015 Series F in an aggregate principal amount not to exceed Thirty-Eight Million, Five Hundred Thousand Dollars and No Cents.

Deb Cooksey responded to Board member questions.

After a brief discussion, Oaks moved, Mayo seconded, and the Board voted 4-1-0 (with Mason dissenting) to approve Resolution No. 14/15-45 of the Board of Education of the Mt. Diablo Unified School District authorizing the issuance and sale of its General Obligation Bonds, 2010 Election, 2015 Series F in an aggregate principal amount not to exceed Thirty-Eight Million, Five Hundred Thousand Dollars and No Cents.

#### **17.4 Creation of 23 School Counselor Positions**

Staff requests authorization to create 23 new School Counselor positions for the 2015-16 school year to provide developmentally appropriate and comprehensive counseling services focused on academic success, personal and social development and career and college guidance to students. The need for site-based counseling services was shared consistently district-wide at the Local Control Accountability Plan (LCAP) community meetings, at school site visits and dialogue with staff. In response, 14 School Counselor positions were created during the 2014-15 school year (three at elementary, four at middle and seven at high) to address the need for direct counseling support, academic advisement, and intervention.

Staff is proposing to hire additional School Counselors to support academic and social needs of students funded by Local Control Funding Formula (general fund) dollars and Equity funds (Coordinating Early Intervention Services). At the secondary level 14 new counselor positions would be created. Each comprehensive high school and Olympic Alternative High School would be allocated one additional full time equivalent (FTE) School Counselors, one FTE would be shared across alternative programs and each middle school would be allocated one FTE. In addition, based on student enrollment and percentage of special population students, a distributed allocation of FTE time ranging from 1.0 FTE to .2 FTE will be assigned at the elementary schools for a total of nine FTE). The proposed 23 School Counselors will provide the onsite academic and social-emotional support to students K-12 and will serve as a model for possible expansion in the District in the future.

Public Comment:

Brent Brinkerhoff spoke in support of hiring counselors for elementary schools.

The Board members had a discussion, and Dr. Meyer and Stephanie Roberts responded to Board member questions on topics including implementation and funding.

Oaks moved, Lawrence seconded, and the Board voted 5-0-0 to approve creation of 23 School Counselor positions.

#### **17.5 Creation of Job Description for Program Specialist, Career Pathways/Linked Learning**

Staff has created a new job description to provide coordination, oversight and direction of district wide Career Pathways/Linked Learning initiatives. The Program Specialist Career Pathways/Linked Learning position is being created to support the Diablo Gateways to Innovation (DGI) grant which is part of California's Department of Education's Career Pathways Trust grant. This position will serve as the district representative with community, local, and state organizations and programs and will support schools in the development and implementation of career pathways/linked learning. The position will assist with staff development and provide leadership to District and site staff in developing/maintaining a vision of student learning as it relates to career pathways/linked learning.

Mayo moved, Mason seconded, and the Board voted 5-0-0 to approve the job description Program Specialist, Career Pathways/Linked Learning.

#### **17.6 Create 1.0 FTE Program Specialist, Career Pathways/Linked Learning Position**

Staff requests authorization to create 1.0 FTE position Program Specialist, Career Pathways/Linked Learning to provide coordination, oversight and direction of District-wide Career Pathways/Linked Learning initiatives. The Program Specialist Career Pathways/Linked Learning position is funded by the Diablo Gateways to Innovation (DGI) grant which is part of California's Department of Education's Career Pathways Trust grant. This position will serve as the district representative with community, local, and state organizations and programs and will support schools in the development and implementation of career pathways/linked learning. The position will assist with staff development and provide leadership to district and site staff in developing/maintaining a vision of student learning as it relates to career pathways/linked learning.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve creation of 1.0 FTE for Program Specialist, Career Pathways/Linked Learning.

**17.7 Appointment of Summer School Administrator for Olympic High School**

Cheri Scriptor has been selected to fill the position of Summer School Principal at Olympic High School. The prior candidate has resigned from the District.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to approve the appointment of Cheri Scriptor to the position of Summer School Administrator for Olympic High School.

**17.8 Athletic Field Turf**

This item is a discussion of the state of our high school athletic fields. The discussion will include the following topics:

- Assessment of our current fields (particularly those with artificial turf)
- Upkeep/maintenance
- Sustainability of artificial turf

President Hansen gave a presentation on the condition of the artificial turf at Ygnacio Valley High School, and made that point that the Board needs to plan for the long term maintenance and replacement of the facilities and equipment that are being placed at the school sites.

Jeff McDaniel responded to President Hansen’s concerns, and the Board members and Mr. McDaniel had a discussion about District maintenance and operations.

This item was for information only.

**17.9 Price Increase for Student Meals Beginning 2015-16 School Year**

Meal prices have not been adjusted since the 2009-10 school year. At that time we increased the meal price by \$0.25. Due to continuous increases in food costs, salaries and benefits we need to adjust the amount charged to students for paid breakfasts and lunches. We are asking for a \$0.25/meal increase.

Anna Fisher responded to Board Member questions.

Mason moved, Mayo seconded, and the Board voted 5-0-0 to approve the increases of student meal prices as follows: Elementary breakfast from \$1.25 to \$1.50; Elementary lunch from \$2.75 to \$3.00; Middle School breakfast from \$1.75 to \$2.00; Middle School lunch from \$3.00 to \$3.25; High School breakfast from \$2.00 to \$2.25; High School lunch from \$3.25 to \$3.50 effective the beginning of the 2015-16 school year.

**17.10 Proposal for Base Camp Agreement with Pacific Gas and Electric**

Pacific Gas and Electric (PG&E) is seeking to pre-secure sites to set up as Base Camps in the event of an emergency such as earthquake, tsunami etc. PGE has submitted proposal for various sites as base camp in the event of an emergency.

Public Comment:

Dan Reynolds shared his objection to this proposal.

The Board members, Dr. Meyer, and Jeff McDaniel had a discussion. A PG&E representative responded to Board member questions.

Mason moved, Mayo seconded, and the Board voted 4-1-0 (with Oaks dissenting) to approve the Base Camp agreement between Pacific Gas and Electric and MDUSD.

**\*\*\*\*17.13 Adoption of DSA approval and award of Lease/leaseback contract to Robert A. Bothman Construction, Inc., for all work necessary to support Athletic Facility Improvements at Mt. Diablo High School for a guaranteed maximum price of \$2,115,898.10**

\*\*\*\*This item was moved up on the agenda.

On March 4, 2015, the District issued a Request for Qualifications (RFQ) soliciting submissions from qualified firms interested in entering into a lease-leaseback agreement to construct Athletic Facility Improvements at Mt. Diablo High School. In addition to advertising on District webpage, District directly solicited qualifications from 15 vendors. As a result of this solicitation, District received five packages. District issued a no-cost PSA to the contractor who represented the best interests of the District. Based on results of the PSA, staff negotiated best and final cost and is recommending the District enter into a lease leaseback agreement with Robert A. Bothman Construction, Inc., for a Guaranteed Project Cost of \$2,115,898.10 for completion of all specified new construction per DSA approved/adopted plans and specifications.

The lease-leaseback project delivery method is authorized by California Education Code 17406, and authorizes the governing board, without advertising for bids, to enter into a lease with a builder for the purpose of construction, including remodeling and permanent improvements (upon property). Under a lease-leaseback, the District leases property under a "site lease" to a builder for \$1. That builder constructs the facility/completes the renovation and then leases the facility back to the District under a "facilities lease". The District makes "tenant improvement payments" during construction and "lease payments" after construction. Titles to the facility vests in the District as lease payments are made. The District has the option to make an early, balloon payment to the builder to buy out the facilities lease. In addition, the District determines all plans and specifications and uses its own Architect of Record to submit the project to the Division of the State Architect (DSA) for approval.

Public Comment:

J. Parker expressed his concern that there were no comparisons attached to this item.

Tim Cody responded to Board member questions.

Mayo moved, Oaks seconded, and the Board voted 5-0-0 to adopt DSA approval and award lease/leaseback contract to Robert A. Bothman Construction, Inc., for all work necessary to support Athletic Facility Improvements at Mt. Diablo High School for a guaranteed maximum price of \$2,115,898.10.

**17.11 Application to Quest Foundation for New Funding to Implement the Project Lead the Way (PLTW) Launch**

Project Lead the Way (PLTW) is currently being implemented at the secondary level supporting Next Generation Science Standard (NGSS) and science, technology, engineering and math (STEM). Project Lead the Way is the nation's leading provider of STEM programs. Through world-class K-12 curriculum, high-quality teacher professional development, and outstanding partnerships, PLTW is helping students develop the skills needed to succeed in the global economy. The Quest Foundation funds would support implementation of PLTW Launch (the elementary modules) at Bel Air and Shore Acres Elementary. PLTW Launch will also be implemented at Delta View Elementary and piloted in the CARES After School Program in Bay Point supported by other grant funds. Both schools have been notified their eligibility to receive funding for 2015-16 and request approval to receive: Bel Air Elementary School \$7,500; and Shore Acres Elementary School \$7,500. Funds will be used for PLTW Launch modules, instructional materials, teacher training and technology. Each school will be presented with a PLTW Grant Agreement form, indicating all requirements for receipt of funds (sample attached).

Stephanie Roberts responded to Board member questions.

Lawrence moved, Mayo seconded, and the Board voted 5-0-0 to approve the grant application to the Quest Foundation for PLTW Launch for 2015-16 and acceptance of funds.

**17.12 Application to Chevron for New Funding to Implement Project Lead the Way (PLTW) Launch**

Project Lead the Way (PLTW) is currently being implemented at the secondary level supporting Next Generation Science Standard (NGSS) and science, technology, engineering and math (STEM). Chevron has provided continued funding to support PLTW at the secondary level. Project Lead the Way is the nation's leading provider of STEM programs. Through world-class K-12 curriculum, high-quality teacher professional development, and outstanding partnerships, PLTW is helping students develop the skills needed to succeed in the global economy. The Chevron funds would support implementation of PLTW Launch (the elementary modules) at Bel Air, Delta View and Shore Acres Elementary and the CARES After School Program. These schools have been notified their eligibility to receive funding for 2015-16 and request approval to receive: Bel Air Elementary School \$5,000; Delta View Elementary School \$5,000 and Shore Acres Elementary School \$5,000. Funds will be used for PLTW Launch modules, instructional materials, teacher training and technology. Each school will be presented with a PLTW Grant Agreement form, indicating all requirements for receipt of funds (sample attached).

Lawrence moved, Mason seconded, and the Board voted 5-0-0 to approve the grant application to Chevron for PLTW Launch for 2015-16 and acceptance of funds.

**17.15 Execution of Documents**

During this time, the Superintendent and Board Members will execute documents approved during this meeting.

**FUTURE AGENDA ITEMS**

The long term maintenance and replacement of facilities and equipment placed at the school sites, particularly field turf and playground mats.

**CLOSED SESSION**

The Board did not reconvene Closed Session.

**ADJOURNMENT**

The meeting adjourned at 11:45 p.m.

Respectfully submitted,

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Nellie Meyer, Ed.D.  
Superintendent