



June 25, 2008

ADOPTED MINUTES

STUDY SESSION FOR THE EL MASTER PLAN 5:15 p.m. – 6:15 p.m.
CLOSED SESSION 6:15 p.m. – 7:00 p.m.
REGULAR BOARD MEETING 7:00 p.m.

District Office - Boardroom
294 Green Valley Road
Watsonville, CA 95076

1.0 STUDY SESSION - OPENING CEREMONY - 5:15 P.M.

1.1 Call to Order

President Turley called the Study Session to order at 5:20 p.m. at 294 Green Valley Road, Watsonville, CA.

1.2 Pledge of Allegiance

Trustee Yahiro led the Board in the Pledge of Allegiance.

1.3 Welcome by Board President

Trustees Leslie De Rose, Doug Keegan, Karen Osmundson, Libby Wilson, Willie Yahiro, and President Kim Turley (Trustee Sandra Nichols absent)

2.0 APPROVAL OF THE STUDY SESSION AGENDA

Trustee Yahiro moved to approve the Study Session Agenda. Trustee De Rose seconded the motion. The motion passed 6-0-1 (Nichols absent).

Trustee Nichols arrived at 5:25 p.m.

3.0 ENGLISH LEARNERS (EL) MASTER PLAN

3.1 Review and Address Board Submitted Questions.

Elena Fajardo, Director of EL Services, presented recent changes, additions and deletions to the EL Master Plan.

3.2 Public Comment

Lucia Villarreal, retired teacher, presented questions and clarifications on the plan.

Luis Alejo, community member, presented questions and clarifications on items added and deleted from the plan.

3.3 Board Discussion

Elena Fajardo answered questions by the Board and the Public. The Board and Public congratulated and acknowledged Elena Fajardo and Sylvia Mendez, Director of Curriculum & Instruction, for their work and dedication on the plan.

1.0 CLOSED SESSION OPENING CEREMONY IN OPEN SESSION – 6:15 P.M.

1.1 Call to Order

President Turley called the meeting to order at 6:06 p.m. at 292 Green Valley Road, Watsonville, CA.

1.2 Public comments on closed session agenda.

None.

2.0 CLOSED SESSION

2.1 Closed Session - 6:15 pm in the Human Resources Conference Room.

- a. Associate Superintendent, Business**
 - b. Certificated Employees (see Attached)**
 - c. Classified Employees (see attached)**
- Public Employee Appointment/Employment
Government Code Section 54957**

New Hires

0 None

New Hires – Probationary

0 None

Rehires

0 None

Administrative

1 Assistant Principal

Promotions

0 None

Permanent Appointments

0 None

Transfers

0 None

Extra Pay Assignments

3 Coaches

1 Publications Advisor

Extra Period Assignments

0 None

Leaves of Absence

1 Custodian II

3 Elementary Teachers

2 Secondary Teachers

Separations From Service

1 Office Assistant II

1 Office Assistant II-SE

1 Coordinator

1 Heavy Equipment Mechanic

Retirements

2 Elementary Teachers

1 School Nurse

Resignations

6 Elementary Teachers

- 3 Secondary Teachers
- 1 Speech/Language Specialist

Rescinds

- 0 None

Supplemental Service Agreements

- 4 Resource Specialists
- 1 School Nurse
- 1 LARC Tester

Miscellaneous Actions

- 0 None

Limited Term – Projects

- 15 Instructional Assistants Migrant/Childcare
- 4 Campus Safety Coordinators
- 1 Administrative Secretary II
- 1 Instructional Assistant II
- 8 Instructional Assistants-GE
- 1 Office Manager
- 16 Office Assistant IIs
- 1 Office Assistant II
- 6 Site Computer Support Technicians
- 1 Translator
- 10 Campus Safety Coordinators
- 19 Cafeteria Assistants
- 1 Instructional Assistant
- 45 Bus Drivers
- 1 Delivery Driver
- 2 Cook/Bakers
- 2 Cafeteria Managers

Limited Term – Substitutes

- 1 Instructional Assistant II
- 2 Bus Drivers
- 1 Instructional Assistant Migrant/Childcare
- 1 Instructional Assistant/Child Development
- 1 Library Media Technician

Provisional

- 0 None

Exempt

- 4 Student Helpers
- 44 Special Project PUPILS
- 4 Yard Duty Supervisors

2.2 Public Employee Discipline/Dismissal/Release/Leaves

2.3 Negotiations Update

- a. CSEA
- b. PVFT
- c. Unrepresented Units: Management and Confidential
- d. SCAST

2.4 Claims for Damages

2.5 Existing Litigation

- a. Conference with Legal Counsel
Pajaro Valley Unified School District v. Westchester Surplus Lines Insurance, et al.
- b. Conference with Legal Counsel
Luis Alejo v. Pajaro Valley Unified School District, CV 159507

2.6 Pending Litigation

2.7 Anticipated Litigation

2.8 Real Property Negotiations

2.9 5 Expulsions

3.0 OPENING CEREMONY – MEETING OF THE BOARD IN PUBLIC - 7:00 P.M.

3.1 Pledge of Allegiance

Trustee Yahiro led the Board in the Pledge of Allegiance.

3.2 Welcome by Board President

Trustees Leslie De Rose, Doug Keegan, Sandra Nichols, Karen Osmundson, Libby Wilson, Willie Yahiro, and President Kim Turley

4.0 ACTION ON CLOSED SESSION

2.1 Public Employee Appointment: Certificated, Classified Government Code Section 54957

Trustee Nichols moved to approve the HR Personnel reports with the following additions: blue sheet for classified personnel, blue sheet for certificated personnel and appointment of Associate Superintendent. The motion was seconded by Trustee Yahiro. The motion passed 7-0.

2.5 Existing Litigation

- a. Conference with Legal Counsel
Pajaro Valley Unified School District v. Westchester Surplus Lines Insurance, et al.

During closed session this evening, the Board discussed with counsel the school district's proposed settlement with Westchester Surplus Lines Insurance Company in the civil action styled Pajaro Valley Unified School District v. Westchester Surplus Insurance Lines, et al. (Santa Clara County Superior Court Case No.: 1-06-cv-058665). On a motion by board member Sandra Nichols, seconded by board member Libby Wilson, the Board voted 7 to 0, to approve the settlement agreement with Westchester

Surplus Lines Insurance Company which agreement eliminates all claims by the District against Westchester in the referenced case in exchange for a payment of \$630,000.00 to the District.

2.9 Expulsions

Actions on Expulsions:

Trustee Osmundson moved to approve the disciplinary action as recommended by the Administrative Panel in this case. Trustee De Rose seconded the motion. The motion passed 7-0.

07-08-110

Trustee Osmundson moved to approve the disciplinary action as recommended by the District Administration with the blue sheet addition in this case. Trustee Keegan seconded the motion. The motion passed 7-0.

07-08-116

Trustee Osmundson moved to approve the disciplinary action as recommended by the District Administration in these 3 cases. Trustee Keegan seconded the motion. The motion passed 7-0.

07-08-072, 07-08-117, 07-08-120

5.0 APPROVAL OF THE AGENDA

Trustee Wilson moved to approve the agenda. Trustee Keegan seconded the motion. The motion passed 7-0.

6.0 APPROVAL OF MINUTES

- Minutes of May 28, 2008.

Trustee Wilson moved to approve the minutes of the May 28, 2008 meeting. Trustee Keegan seconded the motion. The motion passed 7-0.

- Minutes of June 11, 2008.

Trustee Wilson moved to approve the minutes of the June 11, 2008 meeting. Trustee De Rose seconded the motion. The motion passed 6-0-1 (Keegan abstained).

Board President closes regular board meeting and opens 1st Public Hearing.

President Turley opened the 1st Public Hearing at 7:20 p.m.

7.0 PUBLIC HEARING: RESOLUTION # 07-08-37, SCHOOL FACILITY NEEDS ANALYSIS, ADOPTION OF FINDINGS THEREON, AND ADOPTION OF ALTERNATIVE SCHOOL FACILITIES FEE (Residential Fees Level II), PURSUANT TO GOVERNMENT CODE SECTION 65995.5 AND 65995.7.

7.1 Report by Mary Hart, Associate Superintendent, Business Services

Mary Hart gave a presentation on Residential Fees for Developers.

7.2 Public Comment

There was no public comment.

7.3 Board questions and comments

There were questions and discussion by the Board.

Board President closes 1st Public Hearing and opens 2nd Public Hearing.

President Turley closed the 1st Public Hearing at 7:24 p.m. and opened the 2nd Public Hearing at 7:25 p.m.

8.0 PUBLIC HEARING: RESOLUTION # 07-08-40, SCHOOL FACILITY NEEDS ANALYSIS, ADOPTION OF FINDINGS THEREON, AND ADOPTION OF ALTERNATIVE SCHOOL FACILITIES FEE (Commercial Fees Level I), PURSUANT TO GOVERNMENT CODE SECTION 65995.5 AND 65995.7.

8.1 Report by Mary Hart, Associate Superintendent, Business Services.

Mary Hart gave a presentation on Commercial Fees for Developers.

8.2 Public Comment

There was no public comment.

8.3 Board questions and comments

There were questions and discussion by the Board.

Board President closes the 2nd Public Hearing and opens the 3rd Public hearing.

President Turley closed the 2nd Public Hearing at 7:29 p.m. and opened the 3rd Public Hearing at 7:30 p.m.

9.0 PUBLIC HEARING: 2008-2009 PROPOSED BUDGET

9.1 Report by Mary Hart, Associate Superintendent, Business Services.

Mary Hart gave a presentation on the 2008-2009 Proposed Budget with power point and hand-outs.

9.2 Public Comment

There was no Public comment.

9.3 Board questions and comments

There were questions and discussion by the board.

Board President closes the 3rd Public Hearing and resumes the regular board meeting.

President Turley closed the 3rd Public Hearing at 7:54 p.m. and resumes the regular board meeting at 7:55 p.m.

10.0 VISITOR NON-AGENDA ITEMS

Ann May, teacher, spoke regarding administrator's salaries.

Ann Veronica Coyle, teacher, spoke regarding the Adult Education Program.

Mary Anne Gomez, retired classified employee, spoke in support of classified and certificated employees.

Peter Nichols, teacher, spoke about Adult Education and SERP for management.

Krishna Roman, teacher, spoke in support of music programs and athletics.

11.0 EMPLOYEE ORGANIZATION COMMENTS – PVFT, CSEA, PVAM, SCASST

Jenn Laskin, PVFT Secretary, spoke regarding broadcasts of board meetings, PVUSD budget, EL Master Plan and administrative contracts.

Bobby Salazar, CSEA President, spoke regarding retiree benefits, administrative contracts, library media technicians and requested a position for Aptos High School.

12.0 CONSENT AGENDA

Blue Sheet items: 12.11a and 12.12a.

Trustee De Rose moved to approve the Consent Agenda with Blue Sheet items and moving items 12.4 and 12.6 to Deferred Consent. Trustee Keegan seconded the motion. The motion passed 7-0.

12.1 Purchase Orders June 4, 2008 – June 18, 2008

The PO's will be available in the Superintendent's Office.

12.2 Warrants June 4, 2008 – June 18, 2008

The warrants will be available in the Superintendent's Office.

12.3 Approve with gratitude the donation from Cabrillo College of computer monitors and CPUs.

- 12.4 Approve the Award of Construction Contract for the Watsonville High School New Tennis Courts.
 - 12.5 Approve the Award of Construction Contract for the Aptos High School Storm Drainage Improvements.
 - 12.6 Approve Resolution #07-08-41, Signature Authorization for 2008-2009.
 - 12.7 Approve adoption of textbooks for Aptos High School.
 - 12.8 Approve adoption of textbooks for Pajaro Valley High School.
 - 12.9 Approve adoption of textbooks for Watsonville High School.
 - 12.10 Approve School Plans.
 - 12.11 Approve Resolution #07-08-43, the Aptos High School-Replacement of Water Storage Tank Project.
 - 12.12 Approve Resolution #07-08-42, the Alianza Charter School-Installation of new Bio Filter Media Waste Water Treatment System.
 - 12.13 Approve the Freedom Child Care Center-Demolition of a Portable Classroom; and Amesti School-Demolition of a Barn, Garage and Portable classroom.
 - 12.14 Approve Bradley Elementary School-Acceptance of “Notice of Completion” for the Modernization of (2) Kindergarten Classrooms & Restroom.
 - 12.15 Approve E.A. Hall Middle School-Acceptance of “Notice of Completion” for the Modernization of (2) Classrooms (Band & Special Education).
 - 12.16 Approve MacQuiddy Elementary School-Acceptance of “Notice of Completion” for Modernization of (2) Classrooms (Kindergarten & SDC).
 - 12.17 Approve Acceptance of “Notice of Completion” for Freedom Childcare Center-Site Work Project at 47 Holly Drive, Freedom, CA 95019.
 - 12.18 Approve the Contract for Athletic Supplies/Blanket BID #JL050608-03 for the District Warehouse/Stores.
 - 12.19 Approve Acceptance of “Notice of completion” for Freedom Elementary School-Construction of one Relocatable at 25 Holly Dr., Freedom, CA 95019.
- 13.0 DEFERRED CONSENT ITEMS
- 12.4 Approve the Award of Construction Contract for the Watsonville High School New Tennis Courts.
Trustee Keegan moved to approve the Award of Construction Contract. Trustee Wilson seconded the motion. The motion passed 6-0-1 (De Rose abstained).
 - 12.6 Approve Resolution #07-08-41, Signature Authorization for 2008-2009.
Trustee Wilson moved to approve Resolution # 07-08-41, with Blue Sheet. Trustee Keegan seconded the motion. The motion passed 7-0.

14.0 REPORT AND DISCUSSION ITEMS

14.1 Retiree Health Benefits Liabilities-GASB 45

Report by Mary Hart, Associate Superintendent, Business Services.

Mary Hart gave a presentation with power point. There were questions and discussion by the Board. No action on this item is required.

15.0 ITEMS SCHEDULED FOR POSSIBLE ACTION

15.1 Report, discussion and possible action to approve Resolution #07-08-37, School Facilities Needs Analysis, Adoption of Findings Thereon, and Adoption of Alternative School Facilities Fee (Residential Fees Level II), Pursuant to Government Code section 65995.5 and 65995.7.

Report given under Public Hearing, item 7.1.

Trustee Nichols moved to approve Resolution #07-08-37. Trustee De Rose seconded the motion. The motion passed 7-0.

15.2 Report, discussion and possible action to approve Resolution #07-08-40, School Facilities Needs Analysis, Adoption of Findings Thereon, and Adoption of Alternative School Facilities Fee (Commercial Fees Level I), Pursuant to Government Code section 65995.5 and 65995.7.

Report given under Public Hearing, item 8.1.

Trustee Nichols moved to approve Resolution #07-08-40. Trustee Wilson seconded the motion. The motion passed 6-0-1 (Yahiro absent).

15.3 Report, discussion and possible action to approve the 2008-2009 Proposed Budget.

Report given under Public Hearing, item 9.1.

Trustee Keegan moved to approve the 2008-2009 Proposed Budget with the following changes: the Elementary Library Media Technicians will be reinstated, funded with the settlement funds, item 2.5a. The reinstatement is only for the 2008-2009 school year. Trustee Nichols seconded the motion. The motion passed 6-0-1 (Yahiro absent).

15.4 Report, discussion and possible action to approve the English Learners (EL) Master Plan.

Report by Ricardo Medina, Deputy Superintendent.

Public Comment

Luis Alejo, community member, spoke in support of the EL Master Plan and that it was a “document in progress”.

Trustee Nichols moved to approve the EL Master Plan with Blue Sheet items. Trustee Wilson seconded the motion. The motion passed 7-0.

15.5 Report, discussion and possible action to approve and ratify contracts for Associate Superintendent, Assistant Superintendent South Zone, Assistant Superintendent Central Zone and former and new Assistant Superintendent of Human Resources..

Report by Dorma Baker, Superintendent.

Public Comment

Luis Alejo, community member, and Peter Nichols, adult education teacher, spoke against the contract amounts.

The purpose of this item of business is to, at least in part, address issues raised in a now-pending lawsuit against the Board. The board’s public discussion of the new contracts under this item of business is consistent with the Board’s desire to take any and all actions necessary to ensure openness with the public and compliance with the requirements of the Brown Act. While the Board does not believe that the allegations in the pending lawsuit warrant any form of relief, it is the Board’s intent now and moving forward to take all necessary steps to comply with the Brown Act, including as it relates to consideration of administrator compensation.

The following are the referenced contracts with the retroactive effective date of each contract:

- Associate Superintendent - 02/01/08
- Assistant Superintendent South Zone - 02/01/08
- Assistant Superintendent Central Zone - 02/01/08
- Former Assistant Superintendent of Human Resources (Dorma Baker) - 02/01/08 through 05/31/08
- New Assistant Superintendent of Human Resources (Albert Roman) – 07/01/08

Trustee De Rose moved to approve and ratify the above contracts. Trustee Keegan seconded the motion. The motion passed 5-2-0 (Nichols, Osmundson dissented).

16.0 ACTION ON POLICIES

16.1 Report, discussion and possible action to approve policy series 4000, Personnel.

Report by Dorma Baker, Superintendent.

Trustee Osmundson moved to approve the policy series 4000, Personnel. Trustee Nichols seconded the motion. The motion passed 6-0-1 (De Rose absent).

16.2 Report, discussion and possible action to approve policy series 7000, Facilities.

Report by Dorma Baker, Superintendent.

Trustee Nichols moved to approve the policy series 7000, Facilities. Trustee Wilson seconded the motion. The motion passed 6-0-1 (De Rose absent).

17.0 GOVERNING BOARD AND SUPERINTENDENT COMMENTS/REPORTS

- President Turley thanked all Assistant Superintendents and the Associate Superintendent for all their hard work and dedication.
- The study session on employee benefits set for Wednesday, September 3, 2008, will be added to the Board calendar.

18.0 UPCOMING BOARD MEETINGS/REMAINING BOARD MEETINGS FOR 2008

All meetings, unless otherwise noted, take place at the District Office Boardroom, 292 Green Valley Road, Watsonville, CA. Closed Session begins at 6:00 pm; Open Session begins at 7:00 pm.

- President Turley asked the board members to consider starting the board meetings ½ hour earlier, closed session at 5:30 p.m. and open session at 6:30 p.m.

July	▪ 16	▪ Changed from July 23
August	▪ 13 ▪ 27	
September	▪ 3 ▪ 10 ▪ 24	▪ Benefits Study Session ▪ Unaudited Actuals
October	▪ 8 ▪ 22	
November	▪ 12	
December	▪ 10 Annual Organization Mtg.	▪ Approve 1st Interim Report

19.0 ADJOURNMENT

There being no further business before the Board, President Turley adjourned the meeting at 9:45 p.m.

Dorma Baker, Superintendent

Date