

**BOARD OF EDUCATION
MEETING**
San Marino Unified School District
**1665 West Drive
San Marino, CA 91108**

Tuesday, September 10, 2019
**Board of Education
Closed Session – 6:30 p.m.
Regular Session – 7:30 p.m.**

MINUTES

1. **OPEN SESSION** 6:30 p.m.

2. **PUBLIC COMMENT SECTION - CLOSED SESSION**

No comments were presented.

3. **CLOSED SESSION** 6:30 p.m.

- a. Conference with Legal Counsel - Anticipated Litigation (Govt. Code 54956.9)
- b. Conference with Legal Counsel - Existing Litigation (Govt. Code 54956.9)
Final Settlement Agreement and General Release Student ID No.XXXXXX6134
- c. Conference with Real Property Negotiators (Govt. Code 54954.5(b)
pursuant to Govt. Code 54956.8)

4. **REPORT OF CLOSED SESSION**

In closed session, the Board took action to unanimously approve the Final Settlement Agreement on behalf of Student No. XXXXXX6134.

The roll call vote was as follows:

Mr. C. Joseph Chang	Aye
Mrs. Lisa Link	Aye
Mr. Chris Norgaard	Absent
Mrs. Shelley Ryan	Aye
Mr. Corey Barberie	Aye

Ayes: 4, Noes: 0

5. **REGULAR OPEN SESSION** 7:30 p.m.

6. **CALL TO ORDER**

Board members present were Mr. Corey Barberie, Mr. C. Joseph Chang, Mrs. Lisa Link, Mrs. Shelley Ryan, and Student Board Member Grace Davis. Mr. Chris Norgaard was excused. Administrators present were Dr. Jeff Wilson, Mrs. Julie Boucher, Dr. Stephen Choi, and Mr. Jason Kurtenbach. Mrs. Linda de la Torre was excused.

- a. Pledge of Allegiance
- b. Approval of Agenda

Moved for approval by Mr. Barberie, seconded by Mrs. Ryan

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

c. Approval of Minutes

August 27, 2019

Moved for approval by Mr. Chang, seconded by Mr. Barberie

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

7. **PUBLIC COMMENTS**

a. Communications from the audience regarding matters not on the agenda.

Mr. Steve Sommers spoke to the Board regarding financial concerns and District accountability. Not finding it persuasive that the Barth Athletics Complex (BAC) came in under budget, he addressed estimate discrepancies with the BAC and stated that better estimates are needed in order to build community confidence. Regarding the Certificates of Participation for the BAC project, he stated that they were not done with the consent of the community and suggested that the District follow the California Debt Advisory Program recommendations from 1993 as a future course of action. He addressed his concerns about the District entering a facility use agreement with Titan Mercury Wrestling Club (TMWC). He questioned the District participating with an organization that is not in good standing with the State of California and indicated that entering into an agreement with a public charity should have been done separately from the naming agreement. He also questioned Mr. Andy Barth's judgment in starting a new business, the American Wrestling League, subsequent to Mr. Wayne Boyd's arrest and indictment for sexual assault, saying "What was Andy thinking?" He added that Mr. Boyd has been allowed on campuses and has been speaking with students. Mr. Sommers recommended better compliance and review before bringing people on campuses and before entering into agreements. He suggested that the District course correct and take these items into consideration. Mrs. Julie Lin submitted a comment card and ceded her time to Mr. Sommers.

8. **CONSENT AGENDA**

- a. Certificated Personnel Documents
- b. Classified Personnel Documents
- c. Contracts and Agreements 2019-20 #9
- d. Memorandum of Understanding for BTSA Consortium
- e. Purchase Order Report 2019-20 #3

Moved for approval by Mrs. Ryan, seconded by Mr. Chang

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

9. **COMMUNICATION SECTION**

a. Communications from the Board

Following is a list of events attended by the Board members:

- 8/26 Welcome Reception for Elizabeth "Elee" Wood, New Director of Education,
The Huntington Library (Chang)
- 8/29 HMS Back to School Night (Chang)

- Public Safety Tax Renewal Committee Meeting (Norgaard)
- Facilities Advisory Committee Meeting (Barberie, Norgaard)
- HMS Back to School Night (Norgaard)
- 9/3 Meeting with Dr. Wilson (Link)
- Facilities Advisory Committee Meeting (Barberie)
- 9/4 Conduct Mock Interviews with SMHS Seniors (Link)
- Lunch Meeting with Dr. Wilson and Erin Bilvado, SMSF President (Link)
- 9/4 Senior Parent Night, SMHS: Speaker, Rick Diaz, Regional Director of Admissions for SMU (Chang)
- 9/5 Centennial Celebration Launch, The Huntington Library, Art Museum, and Botanical Gardens (Chang)
- 9/6 Meeting with Dr. Wilson (Link)
- SMHS Titan Football (Barberie)
- 9/8 Huntington Hospital Volunteer (Ryan)
- 9/9 Data Wise, Harvard Cycle Protocol to Delve Deeper Into Data (Ryan)

b. Communications from the Superintendent

Dr. Jeff Wilson recognized the incredible support structure that San Marino has in the Fire and Police Departments. He reported his attendance at the Special Ed parent meeting and provided a brief update on the status of the launching of FIRST. The District has received 10 applications so far and meetings will begin in October. He noted that in 2008-09 19% of revenues came from local dollars and that currently over 35% has to come from local dollars. The increase is a clear indicator of the change in how California funds school districts. He reported that the ERT has met twice to examine the budget, all costs, and ways to recapture. The ERT will carry on meetings for the entire school year and has begun recognizing cost savings that they will bring to the Board at a later date.

Dr. Wilson recognized Mrs. Kelly Duncan's class for sending him student letters offering advice to the superintendent and artwork that are now hanging on the walls in the boardroom.

c. Communications from the Student Board Member

Student Board Representative Grace Davis reported the following events:

- 8/29 Bike Rodeo for 3rd Grade
- 8/30 Carver Fall Fundraiser Kickoff
- 9/2 No School - Labor Day
- 9/3 SMHS Varsity Volleyball vs Arroyo
- 9/4 SMHS Girls Tennis vs Campbell Hall
- SMHS Boys Water Polo vs Hoover
- SMHS Late Start
- 9/5 SMHS Club Rush
- SMHS Girls Volleyball vs Hacienda Heights
- 9/6 SMHS Football vs El Monte
- HMS 6th Grade Dance

10. DISTRICT GENERAL

a. International Youth Tobacco Control

Dr. Wilson introduced members from the International Youth Tobacco Control (IYTC) who presented information regarding their upcoming San Marino "Be Smart, Don't Start" activity scheduled for September 18 at 4:00 pm. IYTC's mission is to advocate for international awareness

and legislative reform regarding teenage tobacco use and provide educational activities worldwide to promote recognition of the dangers of teenage smoking.

The upcoming “Be Smart, Don’t Start” event will be held at the Crowell Library and will include interactive activities, demos, lessons, and prizes. They gave a shout out to Mitch Lehman who has been supportive of their efforts and the planned event. They hope to incorporate the vaping information into Red Ribbon Week and to be able to display signs in schools to augment a tobacco-free campus. For interested teachers, IYTC has formed a partnership with Stanford who offers free training kits to teachers. They requested Board support in promoting their event.

Board Comments:

It was recommended that IYTC add the target age of students they are trying to reach (elementary and middle school) to their flyers and information.

A Board member recognized the IYTC leadership and commended their bravery in tackling this issue at a local, state, and national level. Student Representative Grace Davis indicated that she is proud to be in school with these students and the Board expressed admiration for their effort.

The Board President agreed to send the IYTC flyer out to the community with the weekly Board President Update.

b. Board Policy 1313.1 Civility

Dr. Jeff Wilson presented BP 1313.1 Civility for third reading and Board approval. Revisions since first reading have incorporated input received from the community and Board.

Moved for approval by Mr. Barberie, seconded by Mr. Chang

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

11. CURRICULUM AND INSTRUCTION

a. Public Hearing of the Sufficiency of Textbooks and Instructional Materials - 2019-20

No comments were presented.

b. Resolution No. 2 - 2019-20 Sufficiency of Textbooks and Instructional Materials

The Board approved Resolution No. 2, Sufficiency of Textbooks and Instructional Materials for the 2019-20 year presented as a routine annual document.

Moved for approval by Mrs. Ryan, seconded by Mr. Chang

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

12. BUSINESS SERVICES

a. Public Hearing: AB1200 Public Disclosure of Collective Bargaining Agreements

This Public Hearing is required for the AB 1200 Certifications for the 2019-20 bargaining unit agreements for health benefit contributions with the San Marino Teachers Association and CSEA Chapter #120. It also includes certifications for management, administrative and unrepresented employees.

No comments were presented.

b. 2019-20 AB1200 Report Disclosures

The Board approved the collective bargaining agreements with the San Marino Teachers Association, and Classified School Employees Association Chapter #120 and reporting of salary adjustments for management, administrative, and non-represented classified employees for the 2019-20 year as annual routine disclosures. The disclosures show the financial adjustments for for health benefit contributions for SMTA, and CSEA Chapter #120, Management, Administration and Unrepresented employees. The District adjusted its contribution for PPO health benefits by \$500 for each tier. The cost of these adjustments was included in the 2019-20 Adopted Budget.

Moved for approval by Mr. Barberie, seconded by Mr. Chang

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

c. 2019-20 Resolution No. 3 - Authorization for Temporary Interfund Cash Borrowing for the 2019-20 Fiscal Year

The Board approved Resolution No. 3 - Authorization for Temporary Interfund Cash Borrowing for the 2019-20 Fiscal Year as a routine annual document. With the adoption of this resolution, the Board is authorizing the borrowing from the District's other funds up to \$5 million or 75% in any fund to the General Fund in 2019-20.

Board Comments:

The Board, acknowledging that the District currently has no money to borrow funds from, confirmed that this is just a routine required document. Mrs. Boucher indicated that the cash available is encumbered.

Moved for approval by Mr. Chang, seconded by Mrs. Ryan

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

d. 2019-20 Resolution No. 4 - Delegation of Administrative Authority to Process Routine Budget Revisions, Adjustments and Transfers

The Board approved Resolution No. 4 - Delegation of Administrative Authority to Process Routine Budget Revisions, Adjustments and Transfers as a routine annual document. The amounts are set to allow flexibility for staff to process revisions in-between Board meetings. One revision report up to \$500,000 and in total between \$1 million as submitted to the County. Within the District's \$43 million budget revisions are necessary, one example is the school site carryover balances that will be reallocated to accounts from the prior year ending balance.

Board Comments:

A Board member questioned the broad authority to do things of this nature across the year and expressed concern that \$500K is a lot of money to move between Board meetings. He suggested a smaller amount in the range of \$100-250K. The Board member was not comfortable with the number as it could be brought to the Board after the fact and have already been spent.

A Board member asked to be provided with the dollar amount other districts use.

The Board President indicated that there has been no conflict with approval of this over the previous eight years, and confirmed that no transfers can be done until the Resolution has been approved.

Moved for approval by Mrs. Ryan, seconded by Mr. Chang
Mr. Barberie voted no.

Ayes: 3, Noes: 1
Abstention: 0
Preferential: 1

e. 2019-20 Resolution No. 5 - Temporary Cash Borrowing from the Los Angeles County Treasurer for the 2019-20 Fiscal Year

The Board approved Resolution No. 5 - Temporary Cash Borrowing from the Los Angeles County Treasurer for the 2019-20 Fiscal Year as a routine annual document.

Board Comment:

A Board member confirmed that this provision still keeps District within budget and that it is a safeguard measure required to be in place.

Moved for approval by Mr. Barberie, seconded by Mr. Chang

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

f. Renewal of the Agreement with the City of San Marino for Use of the Pool at San Marino High School

The Board approved the renewal of the Agreement with the City of San Marino for use of the pool at San Marino High School, Effective July 1, 2019 through June 30, 2020. The City uses the High School Pool during the summer months for their summer swim and water safety classes. Pursuant to this renewal Agreement, the District allows the City to use the San Marino High School Pool on a second priority basis.

The Pool Fees equals 16% of the \$80,470 annual operating and maintenance costs incurred by the District in respect of the Pool.

Section 8.7 of the agreement states that in the event that the District determines that pool improvements are needed, the District and City will discuss the proposed pool improvements.

Board Comments:

Staff confirmed that legal counsel prepared the agreement and it was reviewed by insurance authority as well.

A Board member asked if there has been discussion regarding pool improvements. Mrs. Boucher indicated that there has been no discussion yet, but that it is on the FAC radar. She noted that the diving board may need to be replaced and that it will be researched further.

It was confirmed that the City has decreased their use and that the fees have increased.

Moved for approval by Mrs. Ryan, seconded by Mr. Barberie

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

g. Resolution No. 6 - 2018-19 Appropriations Limit Recalculation and 2019-20 Estimated Appropriations Calculation

The Board approved Resolution No. 6 - 2018-19 Appropriations Limit Recalculation and 2019-20 Estimated Appropriations Calculation as a routine annual document.

Moved for approval by Mr. Barberie, seconded by Mr. Chang

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

h. Resolution No. 7 - 2018-19 Certification Education Protection Account (EPA) Unaudited Actual Revenues and Expenditures

The Board approved Resolution No. 7 - 2018-19 Certification Education Protection Account (EPA) Unaudited Actual Revenues and Expenditures as a routine annual document. The Education Protection Account (EPA) provides local educational agencies (LEAs) with general purpose state aid funding pursuant to Section 36 of Article XIII of the California Constitution. The EPA funding is a component of the District's total LCFF entitlement.

School districts have a legal requirement to report the receipt and use of EPA funds, and for reporting transparency. The San Marino Unified School District's 2018-19 EPA funds were expended on teachers and classified support salaries and benefits. No EPA funds are expended for administrator or other administrative salary and benefit costs.

Moved for approval by Mr. Chang, seconded by Mrs. Ryan

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

i. Resolution No. 8 - 2019-20 Certification Education Protection Account (EPA) Budgeted Revenues and Expenditures

The Board approved Resolution No. 8 - 2019-20 Certification Education Protection Account (EPA) Budgeted Revenues and Expenditures as a routine annual document. The Education Protection Account (EPA) provides local educational agencies (LEAs) with general purpose state aid funding pursuant to Section 36 of Article XIII of the California Constitution. The EPA funding is a component of the District's total LCFF entitlement.

School districts have a legal requirement to report the receipt and use of EPA funds, and for reporting transparency. The San Marino Unified School District's EPA funds are expended for the purposes of teachers and classified support salaries and benefits. No EPA funds are expended for administrator or other administrative salary and benefit costs.

Moved for approval by Mrs. Ryan, seconded by Mr. Chang

Ayes: 4, Noes: 0
Abstention: 0
Preferential: 1

j. Unaudited Actuals Financial Report - Fiscal Year 2018-19

Mrs. Julie Boucher presented the Unaudited Actuals Financial Statements for the 2018-19 fiscal year for Board approval. She provided a review of the 2018-19 unaudited year-end financial summary. The unaudited funds and figures will commence the audit in October and will be brought back to the Board as audited in January 2020.

Board Comments:

A Board member asked if the actual report being sent is the report as presented and if it includes a forecast. Mrs. Boucher indicated that based on the State accounting software the Unaudited Actuals compare actual revenues and expenditures for the prior year with the 2019-20 Adopted Budget. The software does not allow school districts to adjust the budget column. The District's

budget will be revised and the updated projections will be reflected in the First Interim Financial Report.

Moved for approval by Mrs. Ryan, seconded by Mr. Chang
Mr. Barberie chose to abstain.

Ayes: 3, Noes: 0
Abstention: 1
Preferential: 1

13. **BOARD-SUPERINTENDENT DISCUSSION ITEMS**

No discussion items. Dr. Wilson thanked the Board and staff for doing a great job with the budget last year and noted that the identification of savings will put the District on a good track to solve some of the dilemmas it faces.

14. **ADJOURNMENT**

There being no need to return to Closed Session, the meeting was adjourned at 8:58 p.m.

Unadopted
Dr. Jeff Wilson
Superintendent
Secretary to the Board