



# UNION SCHOOL DISTRICT

## Board of Trustees Minutes – Regular Meeting

Date: February 13, 2017

Place: District Administration Building  
5175 Union Avenue  
San Jose, California 95124

Time: 6:00 PM

Board Present: Janice Hector, President  
Sheila Billings, Vice President  
Jennifer Petroff, Clerk  
Vickie Brown  
Thomas Rossmeissl

Staff Present: Denise Clay, Superintendent  
Mary Berkey, Asst. Superintendent  
Andrew Schwab, Associate Supt.  
Rita Sohal, Assistant Superintendent

1. CALL TO ORDER/FLAG SALUTE/LIETZ PRESENTATION

Board President Janice Hector called the meeting to order at 6:02 p.m. Following the flag salute, the Lietz fourth grade team shared activities students participated in during the Smart Start Day.

6:02 – 6:13  
Call to order/  
flag salute/  
Lietz Student  
Presentation

2. OATH OF OFFICE

Board President Hector administered the Oath of Office to Thomas E. Rossmeissl for the provisional board member appointment. Mr. Rossmeissl's appointment will be through November, 2018 to serve out the term for retiring board member Cindy Goodsell.

6:13 – 6:16  
Oath of Office  
for Thomas  
E. Rossmeissl

3. BOARD RECOGNITION

The Board members recognized retired Board of Trustee member Cindy Goodsell for her 22 years of service to Union School District.

6:16 – 6:51  
Board  
Recognition  
Retired Board  
Member  
Cindy Goodsell

4. APPROVAL OF AGENDA AND MINUTES

Board member Vickie Brown moved to approve the agenda and minutes, seconded by Board member Jennifer Petroff by the following vote:

6:51 – 6:52  
Approved  
Agenda and  
minutes

4.1 The agenda was adopted as presented.

4.2 The minutes of the regular meeting of January 23, 2017 and the special meeting of February 6, 2017.

Ayes: Billings, Brown, Hector, Petroff, Rossmeissl  
Noes: None  
Abstentions: None  
Absent: None

5. COMMUNITY COMMENTS/COMMUNICATIONS

There we no community comments.

6:52 – 6:52  
No Community  
Comments

6. REPORTS FROM THE BOARD AND SUPERINTENDENT

Board members shared their recent attendance at school and district events.

Superintendent Denise Clay shared an update on the STEAM labs.

6:52 – 7:03  
Reports from  
Board and  
Superintendent

7. APPROVAL OF CONSENT ITEMS

Board member Jennifer Petroff moved to approve the consent items, seconded by Board member Sheila Billings. The Board unanimously approved the consent items by the following roll call vote:

7:24 – 7:26  
Approved  
Consent  
Items

Ayes:	Billings, Brown, Hector, Petroff, Rossmeissl
Noes:	None
Abstain:	None
Absent:	None

7.1 The Board members approved the Personnel Report.

7.2 The Board members approved the warrant list.

7.3 The Board members approved the budget transfers and revisions.

7.4 The Board members approved the declaration of surplus property for private sale or discard.

7.5 The Board members accepted a grant award from the Target Corporation for Union Middle School

7.6 The Board approved the Sodexo Food Service Management Company contract Amendment #2.

7.7 The Board approved and ratified change orders for American Modular Systems.

7.8 The Board members approved and ratified professional services fees for the Bond program including design services for the fire alarms at Dartmouth, Guadalupe and Union and the track and field project pre-construction at Union Middle School.

7.9 The Board members approved an overnight field trip for the Dartmouth Cheer Team to attend a performance and competition at Disneyland in Anaheim, CA.

7.10 The Board members approved the management job descriptions for the following positions: Assistant Superintendent, Human Resources, Middle School Principal, Middle School Assistant Principal and Elementary School Principal.

Following the approval of the consent items, Superintendent Denise Clay read the biographies for three retirees: Cynthia Borrelli; Joyce Martin; and Jane Threet.

8. ACTION ITEMS

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| <p>8.1 Mary Berkey, Assistant Superintendent, introduced UDEA President, Ms. Sharon Victorine to review UDEA’s initial contract proposal. Community input was invited and a public hearing was held. The public hearing opened at 7:07 p.m. and no one wished to address the board. The public hearing closed at 7:08 p.m. Board member Thomas Rossmeyssl moved to approve the initial contract, seconded by Board member Vickie Brown. The Board members approved UDEA’s initial contract proposal by the following vote:</p> <p style="margin-left: 20px;">Ayes: Billings, Brown, Hector, Petroff, Rossmeyssl<br/>         Noes: None<br/>         Abstentions: None<br/>         Absent: None</p>                       | <p>7:06 – 7:08<br/>UDEA Initial Contract Proposal and Public Hearing</p>             |
| <p>8.2 Assistant Superintendent Mary Berkey reviewed the District’s (UDEA) initial contract proposal and indicated that many of the articles that Sharon Victorine introduced are the same and reviewed the articles. A public hearing was held and opened at 7:13 p.m. Hearing no comments, the public hearing closed at 7:14 p.m. Board member Vickie Brown moved to approve the District’s (UDEA) initial contract proposal for negotiations. The motion was seconded by Board member Sheila Billings and the Board approved by a 5 – 0 vote.</p> <p style="margin-left: 20px;">Ayes: Billings, Brown, Hector, Petroff, Rossmeyssl<br/>         Noes: None<br/>         Abstentions: None<br/>         Absent: None</p> | <p>7:08 – 7:15<br/>District’s (UDEA) Initial Contact Proposal and Public Hearing</p> |
| <p>8.3 Assistant Superintendent Rita Sohal provided the budget development guidelines for use in the development of the 2017-18 budget proposal for consideration of the Board. The Board reviewed the guidelines and had no recommended changes. Board member Jennifer Petroff moved to approve the budget development guidelines, seconded by Board member Thomas Rossmeyssl.</p> <p style="margin-left: 20px;">Ayes: Billings, Brown, Hector, Petroff, Rossmeyssl<br/>         Noes: None<br/>         Abstentions: None<br/>         Absent: None</p>  | <p>7:15 – 7:17<br/>Approved the Budget Development Guidelines</p>                    |
| <p>8.4 Associate Superintendent Andrew Schwab presented the 2016-17 Comprehensive School Safety Plans for approval. Following a question and answer session with the Board, Board member Sheila Billings moved to approve the School Safety Plans. Board member Vickie Brown seconded the motion and the Board members approved the school safety plans by the following vote:</p> <p style="margin-left: 20px;">Ayes: Billings, Brown, Hector, Petroff, Rossmeyssl<br/>         Noes: None<br/>         Abstentions: None<br/>         Absent: None</p>   | <p>7:17 – 7:20<br/>Approved the Comprehensive School Safety Plans</p>                |

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| <p>8.5 Assistant Superintendent Rita Sohal introduced the findings prerequisite to the award of the energy contract under Government Code Sections 4217.10 – 4217.18. Assistant Superintendent Sohal conducted a public hearing for community input on consideration of an energy savings agreement. The public hearing opened at 7:23 p.m. and there were no comments. The public hearing closed at 7:24 p.m.</p>   | <p>7:20 – 7:25<br/>Public<br/>Hearing<br/>Prerequisite<br/>to Award of<br/>Energy<br/>Savings<br/>Contract</p>   |
| <p>8.6 Rita Sohal, Assistant Superintendent for Business Services requested approval of Resolution <u>No. 16-17-10</u>, Making Findings on Energy Savings. Assistant Superintendent Sohal said the cost savings the first year to the general fund will be \$488,000 and the project is paid by Bond funds. Board member Vickie Brown moved for approval, seconded by Board member Jennifer Petroff. The Board voted 5-0 to adopt the resolution by the following roll call vote:</p> <p style="margin-left: 40px;">Ayes: Billings, Brown, Hector, Petroff, Rossmeißl<br/>Noes: None<br/>Abstentions: None<br/>Absent: None</p>  | <p>7:25 – 7:27<br/>Adopted<br/>Resolution<br/><u>No. 16-17-10</u>,<br/>Making<br/>Findings on<br/>Energy<br/>Savings</p>   |
| <p>8.7 Assistant Superintendent Rita Sohal invited input from the community in order to seek a state waiver to lease public property. The public hearing opened at 7:31 p.m. and one community member requested notification of future meetings to hear the decision of the lessee for the district property. The public hearing closed at 7:33 p.m.</p>   | <p>7:27 – 7:33<br/>Public<br/>Hearing to<br/>Seek State<br/>Waiver for<br/>Lease of<br/>Surplus<br/>Property</p>   |
| <p>8.8 Assistant Superintendent Rita Sohal requested adoption of Resolution <u>No. 16-17-11</u>, Declaration of Surplus Property, Approval of State Board of Education Waiver and Authorization Issuance of Request for Proposals for Lease of the Corporation Yard Property. Ms. Sohal said the 711 Committee recommendation was that the Corporation Yard Property may be used as surplus property for a ground lease. Board member Sheila Billings moved for adoption of the resolution, seconded by Board member Jennifer Petroff. The Board adopted Resolution <u>No. 16-17-11</u> by the following 4-0 roll call vote:</p> <p style="margin-left: 40px;">Ayes: Billings, Brown, Hector, Petroff<br/>Noes: None<br/>Abstentions: Rossmeißl<br/>Absent: None</p> | <p>7:33 – 7:35<br/>Adopted<br/>Resolution<br/><u>No. 16-17-11</u>,<br/>Declaration of<br/>Surplus<br/>Property,<br/>Approval of<br/>State Board of<br/>Education<br/>Waiver and<br/>Authorization<br/>Issuance of<br/>RFP for Lease<br/>of Corp Yard</p> |
| <p>8.9 Rita Sohal, Assistant Superintendent, presented new Board Policy 3470, Debt issuance and Management, for adoption. In the event that the district has an Interest in issuing some form of debt in 2017, the district requests adopting a debt issuance and management policy in compliance with SB 1029, signed into law on September 12, 2016. Board member Jennifer Petroff moved to approve BP 3470 and the motion was seconded by Board member Sheila Billings. The Board members adopted BP 3470 by the following 5-0 vote:</p>  | <p>7:35 – 7:36<br/>Adopted<br/>BP 3470,<br/>Debt Issuance<br/>and<br/>Management</p>   |

Ayes: Billings, Brown, Hector, Petroff, Rossmeyssl  
 Noes: None  
 Abstentions: None  
 Absent: None

- 8.10 Assistant Superintendent Rita Sohal requested approval of Resolution No. 16-17-12, A Resolution of the Board of Trustees of Union School District, Santa Clara County, California, Authorizing the Issuance of the Union Elementary School District (Santa Clara County, California) Election of 2014 General Obligation Bonds, Series C and Series D, and Actions Related Thereto. Ms. Sohal introduced Stradling Associate, Briana Abrams, who explained that there will be two issuances split into the short term bonds and long term bonds and said we are ready for the second issuance, which will authorize up to 35 million dollars. Board member Vickie Brown moved for approval of the resolution, seconded by Board member Sheila Billings. The Board members adopted the resolution by the following roll call vote:

7:36 – 7:40  
 Adopted Resolution No. 16-17-12, Authorizing the Issuance of Election of 2014 General Obligation Bonds, Series C and D

Ayes: Billings, Brown, Hector, Petroff, Rossmeyssl  
 Noes: None  
 Abstentions: None  
 Absent: None

- 8.11 Assistant Superintendent Rita Sohal requested adoption of Resolution No. 16-17-13, Establishing Building Funds for General Obligation Bonds, Series C and Series D. Ms. Sohal stated there will be two new funds established through the County Office of Education Treasury to keep the funds separate for construction and technology. Following a short discussion with the Board members, Board member Sheila Billings moved for approval, seconded by Board member Vickie Brown. The resolution was adopted by the following 5-0 roll call vote:

7:40 – 7:42  
 Adopted Resolution No. 16-17-13, Establishing Building Funds for General Obligation Bonds, Series C and D

Ayes: Billings, Brown, Hector, Petroff, Rossmeyssl  
 Noes: None  
 Abstentions: None  
 Absent: None

- 8.12 Assistant Superintendent Mary Berkey presented Resolution No. 16-17-14, Regarding Reduction or Elimination of Services (Classified). Due to a lack of work, it is necessary to eliminate the equivalent of a 1.00 F.T.E. classified position at the District Office. Board member Jennifer Petroff moved to approve the resolution, and the motion was seconded by Board member Thomas Rossmeyssl and adopted by the following roll call vote:

7:42 – 7:44  
 Adopted Resolution No. 16-17-14, Reduction or Elimination of Services (Classified)

Ayes: Billings, Brown, Hector, Petroff, Rossmeyssl  
 Noes: None  
 Absent: None  
 Abstentions: None

- 8.13 Rita Sohal, Assistant Superintendent of Business Services, requested adoption of new Board Policy 3230, Federal Grant Funds. This board policy will govern the actions of agency employees, officers or agents who engage in the selection, award and administration of contracts funded by federal awards. Board member Sheila Billings moved for adoption of BP 3230, and the motion was seconded by Board member Vickie Brown. The Board members adopted the board policy by a 5-0 vote.

7:44 – 7:45  
 Adopted new BP 3230, Federal Grant Funds

Ayes: Billings, Brown, Hector, Petroff, Rossmeißl  
 Noes: None  
 Abstentions: None  
 Absent: None

9. DISCUSSION / INFORMATION ITEMS

9.1 Sam Acchione, the Chairman of the Citizen’s Bond Oversight Committee (CBOC) for Measure J, presented the 2015-16 Measure J Annual Report. Items covered in his report included the following: member composition; bond issuance schedule; summary of the approved budget and cumulative expenditures for construction and technology through June 30, 2016; a summary of the audit procedures, the auditor’s opinion; and the CBOC recommendation that the Board members accept the financial audit. 7:44 – 7:50  
 Measure J  
 Citizen’s  
 Bond  
 Oversight  
 Committee  
 Annual  
 Report

10. REPORTS OF ASSOCIATIONS

10.1 CSEA President Darby Young reported new lighting was added to the front of the District Office building by the Maintenance and Operations Department and thanked the CSEA employees that added the lighting to make the building safer. Ms. Young stated that CSEA will be introducing their initial contract for negotiations next month and wished everyone a good year. 7:50 – 7:52  
 CSEA  
 Report

10.2 There was no UDEA report. 7:52 – 7:52  
 No UDEA  
 Report

11. The Board members reviewed the Board Agenda Calendar and added a special board meeting on March 6, 2017, beginning at 5:30 p.m. 7:52 – 7:53  
 Reviewed  
 Board  
 Agenda  
 Calendar

12. CLOSED SESSION

The Board members, Superintendent Denise Clay, Assistant Superintendent Rita Sohal, Associate Superintendent Andrew Schwab and Lease Consultants Lisa Gillmor and Paulo Hernandez met to discuss Parcel No. 421-20-010. 7:53 – 10:32  
 Closed  
 Session

The Board members and labor negotiators Superintendent Denise Clay, Assistant Superintendent Mary Berkey, Assistant Superintendent Rita Sohal, and Associate Superintendent Andrew Schwab met to discuss Union District Classified Employees Association (CSEA) and Union District Educators Association (UDEA) Labor negotiations (Govt. Code § 54957.6).

The Board members and Superintendent Denise Clay met regarding Public Employee Performance Evaluation.  
 Title: Superintendent (Govt. Code § 54957).

13. REPORT OF ACTION TAKEN IN CLOSED SESSION

The Board adopted Resolution No.16-17-15, Release or Reassignment of Certificated Administrators (EC § 44951). Board member Vickie Brown moved for approval of the resolution, seconded by Board member Jennifer Petroff by the following roll call vote:

Ayes: Billings, Brown, Hector, Petroff, Rossmeyssl  
Noes: None  
Abstentions: None  
Absent: None

14. ADJOURNMENT

Board member Sheila Billings moved to adjourn the meeting at 10:32 p.m. Board member Jennifer Petroff seconded the motion and the Board unanimously adjourned the meeting. The next regularly scheduled meeting is March 13, 2017.

Respectfully submitted,

*Denise Clay, Secretary*

Approved by Board Action:

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Clerk

10:31 – 10:32  
Report of  
Action Taken  
in Closed  
Session

10:32 p.m.  
Adjourned