



SOUTH WHITTIER SCHOOL DISTRICT
11200 TELECHRON AVE.
WHITTIER, CA 90605

Board of Trustees Regular Board Meeting
February 21, 2017
District Office - Board Room
6:00 PM

Vision/Mission

The South Whittier School District holds students and staff to rigorous standards in order to prepare every scholar for 21st Century success in college and the workforce, within a safe and supportive environment.

Our students are challenged to reach their full potential and develop their curiosity and thirst for discovery.

Our district celebrates our families' diverse traditions, cultures, and languages as foundations for learning

AGENDA

1. PRELIMINARY

1.1. Call to Order. Roll call:

BOARD OF TRUSTEES:

Francisco "Javi" Santana, President
Jan Baird, Vice President
Deborah Pacheco, Clerk
Sylvia V. Macias, Member
Elias Alvarado, Member

ADMINISTRATORS:

Gail Baxter, Superintendent
Cecilia Laidemitt, Associate Superintendent of Personnel & Administrative Services
Martha Mestanza-Rojas, Associate Superintendent of Educational Services
Mark Keriakous, Associate Superintendent of Business Services

1.2. Flag salute.

2. Approval of Agenda

Superintendent recommends approval of the February 21, 2017 Agenda as presented.

Motion: ____ Seconded: ____ VOTE: YES ____ NO ____ Abstain ____ Absent ____

3. COMMENTS BY TRUSTEES

This item is provided as an opportunity for Trustees to report regarding District related topics.

4. PUBLIC COMMENTS

During this time, Members of the public may, without arrangement, make representations to or address the Board on any topic of district related concern that is or is not on the official agenda for that meeting. Unless otherwise determined by the Board, each person is limited to three minutes.

5. REPORTS

There will be no Board discussion on reports given except to ask questions and seek clarification during the board reports presented or refer matters to staff and no action will be taken unless listed as a subsequent agenda item.

5.1. The Superintendent will report to the Board about various matters involving the District.

6. CONSENT

At each meeting, the Board approves a group of routine action items typically referred to as the Consent Agenda. They will be acted on by the Board as one item, without discussion. Items may be pulled and acted on individually. If any Board member or the Superintendent requests that an item be removed from the Consent Agenda, it will be taken up in the order indicated on the Agenda.

The Superintendent recommends the Board of Trustees approval for Consent agenda items 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8

Motion: ____ Seconded: ____ VOTE: YES ___ NO ___ Abstain___ Absent ____

6.1. Approval of Minutes January 17, 2017- Regular Board Meeting (Supplement)

6.2. Approval of Minutes February 7, 2017 Special Board Meeting (Supplement)

6.3. Purchase Order List No. #08 (Supplement)

6.4. Contract/Memorandum of Understanding (MoU) List No. # 12 FY 16-17 (Supplement)

6.5. Bond Contract/MoU List #02 (Supplement)

6.6. Travel and Conference Report No.# 09, (Supplement)

6.7. Acceptance of Donations

Pursuant to Board Policy 3290, the South Whittier School District has received donations/gifts which may be accepted by the Board of Education. All gifts, grants, and bequests shall become the property of the South Whittier School District once accepted.

6.8. Written Communication to the Board of Trustees

Letter from the Office of the Los Angeles Board of Supervisors

7. DISCUSSION ITEM - Resolution No. 16-17-023 (Supplement)

8. GENERAL

8.1. 2017 CSBA Delegate Assembly Election (Supplement)

Call for election of a representative(s) to the CSBA Delegate Assembly, Region 24, to serve from April 1, 2017 - March 31, 2019

Motion:____ Seconded:____ VOTE:____ Yes___ No___ Abstain:____ Absent:____

9. REVIEW AND ADOPTION OF BOARD POLICIES, ADMINISTRATIVE REGULATIONS, AND BOARD BYLAWS

9.1. Board Bylaw 9220 - Governing Board Elections - Second Reading (Supplement)

The Superintendent recommends the Board approve Board Bylaw 9220 – Governing Board Elections as presented.

Motion:____ Seconded:____ VOTE:____ Yes___ No___ Abstain:____ Absent:____

9.2. Board Policy 4151 Employee Compensation - Second Reading (Supplement)

Board Policy 4151 is submitted to the Board of Trustees for a second reading, review and possible approval. Recommendations for new Board Policy 4151 reflect current language as recommended by CSBA.

The Superintendent recommends the Board approve Board Policy 4151- Employee Compensation as presented.

Motion:____ Seconded:____ VOTE:____ Yes___ No___ Abstain:____ Absent:____

9.3. Board Policy 3470 Debt Issuance and Management - Second Reading (Supplement)

SB 1029 became effective January 1, 2017. It requires that the District have in place a debt management policy governing any proposed debt to be undertaken by the District. This includes debt issued as GO Bonds as well as any other types of financing's which may be undertaken in the in the future as tax and revenue anticipation notes and certifications of participation. This policy was prepared by CSBA, has been reviewed by the District's bond counsel and financial advisor, and meets the requirements of SB 1029.

The Superintendent recommends the Board approve Board Policy 3470 Debt Issuance and Management as presented.

Motion:____ Seconded:____ VOTE:____ Yes___ No___ Abstain:____ Absent:____

10. EDUCATIONAL SERVICES

10.1. 2016 Single Plans for Student Achievement - (SPSA) (Supplement)

The SPSA Plans have been developed, revised and approved by their School Site Councils. In addition these plans are aligned with our Local Control Accountability Plan.

The Superintendent recommends the Board approve the 2016 Single Plan for Student Achievement and the 2016 Single Plan Expenditure Summaries as presented.

Motion:_____ Seconded:_____ VOTE: Yes___ No___ Abstain:_____ Absent:_____

11. BUSINESS SERVICES

11.1. Approval of Amendment to Option to Lease Real Property and Revised Ground Lease (Supplement)

(Ground Lease of Approximately 5.1 Acres of District's Carmela Property)

Discussion:

The District previously obtained a waiver from the State Board of Education of certain surplus property procedures, set forth in Education Code section 17466 *et seq.*, regarding the proposed lease of approximately 5.1 acres of land located at 13300 Lakeland Road, Whittier, California 90605, known generally as the District's Carmela Elementary School site ("Property").

In accordance with the waiver process, District staff issued a Request for Proposals allowing parties interested in leasing the Property to submit a proposal describing their proposed terms of the lease, including length of term, payment process, and potential use of the Property. District staff reviewed the proposals submitted for the ground lease of the Property and successfully negotiated documents entitled "Option to Lease Real Property" and "Ground Lease" with Storm Properties, Inc. ("Storm"), under which Storm proposes to lease the Property for the proposed construction of a multi-family residential development project, after obtaining appropriate approvals from the City of Santa Fe Springs ("City").

In On June 28, 2016, the Board took action to 1) identify Storm's proposal as the proposal that offered the terms most desirable to the District, 2) approve the Option to Lease Real Property and Ground Lease documents as the final agreements for the Property, and 3) approve a delegation of authority to the Superintendent to execute the agreements after making any final non-substantive revisions to the agreements. The Option to Lease Real Property was then executed by the parties, and the Ground Lease is to be executed after Storm exercises its option to lease, all pursuant to the terms of the Option to Lease Real Property.

After proceeding with a due diligence review of the Property and initial meetings with the City, in November of 2016, Storm requested an amendment to certain terms related to the Option to Lease Real Property and Ground Lease. Specifically, Storm requested a decrease in the amount of rent to be paid to the District, as well as additional time to review the Property and to seek appropriate approvals from the City.

The parties have now negotiated an amendment to the Option to Lease Real Property, as well as a revised version of the proposed Ground Lease which is to be executed upon Storm's exercise of its option to lease the Property.

Staff recommends that the Board approve the negotiated proposed final "Amendment to Option to Lease Real Property" and proposed final revised "Ground Lease" which, collectively, establish the revised terms and conditions upon which Storm will lease and develop the Property.

Finally, Staff recommends that the Board delegate authority to the Superintendent, or her designee, to make necessary non-substantive revisions to final Option to Lease Real Property and Ground Lease with Storm, and to execute these agreements when appropriate.

**Continuation of BUSINESS SERVICES – ITEM 11.1
Recommended Motion:**

3 Actions:

1) Receive Staff's assessment of the proposed final "Amendment to Option to Lease Real Property" and proposed final revised "Ground Lease," and confirm this revised transaction remains the most desirable proposal to the District;

Motion: _____ Seconded: _____ VOTE: Yes _____ No: _____ Abstain: _____ Absent: _____

2) Approve the proposed final "Amendment to Option to Lease Real Property" and proposed final revised "Ground Lease" for the Property; and

Motion: _____ Seconded: _____ VOTE: Yes _____ No: _____ Abstain: _____ Absent: _____

3) Approve a delegation of authority to the Superintendent, or her designee, to make any final non-substantive revisions staff and legal counsel deem necessary to the documents, and to a) immediately execute the final Amendment to Option to Lease Real Property, and b) execute the Ground Lease upon Storm Properties, Inc.'s future exercise of its option to lease the Property.

Motion: _____ Seconded: _____ VOTE: Yes _____ No: _____ Abstain: _____ Absent: _____

11.2. Public Disclosure of Proposed Collective Bargaining Agreement in accordance with AB 1200 (Chapter 1213/Statutes 1992), AB 2756 (Chapter 52/Statutes 2004), GC 3547.5 with the South Whittier Teachers Association (SWTA) dated February 6, 2017. (Supplement)

The information provided in this document summarizes the financial implications of the proposed tentative agreement with SWTA dated February 6, 2017 and is submitted to the Governing Board for public disclosure of the major provisions of the agreement (as provided in the "Public Disclosure of Proposed Collective Bargaining Agreement") in accordance with the requirements of (Chapter 1213/Statutes 1992), AB 2756 (Chapter 52/Statutes 2004), GC 3547.5.

The Superintendent recommends approval of the Public Disclosure of Proposed Collective Bargaining Agreement as presented.

Motion: _____ Seconded: _____ VOTE: YES _____ NO _____ Abstain _____ Absent _____

12. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

A total of 10 minutes is provided so members of the public can address the Board. Speakers are limited to three minutes. (Superintendent will present requests from the public to speak to closed session items).

13. CLOSED SESSION

The Board may be required to adjourn to closed session for discussion on matters of personnel, security, negotiations, student discipline, litigation and other matters as authorized by Government Code Sections 3459.1, 54956.6, 54956.8, 54957 and 54957.6 and Education Code Sections 35146 and 48914.

13.1. Conference with Agency Labor Negotiators: South Whittier Teachers Association and California School Employees Association. Agency Negotiators:Gail Baxter, Cecilia Laidemitt, Martha Mestanza-Rojas,Mark Keriakous,James C. Romo, Tina L.Kannarr

13.2. Conference Real Property Negotiator

13.2.1. The property under consideration is situated at Carmela School field, 5.1 acres of land at 13300 Lakeland Road, Whittier, CA 90605, which property is known generally as a portion of the District's Carmela Elementary School site ("Property"). South Whittier School District(Proposed Lessor), Real Property is known generally as a portion of the District's Carmela Elementary School Site ("Property"). South Whittier School District (Proposed Lessor), Real Property Negotiators, Superintendent Gail Baxter,(along with real estate consultants and legal counsel, Andreas Chialtas); and Storm Properties which may lease the property pursuant to applicable California law (Proposed Lessee(s). Instruction to negotiators will concern price and terms of payment associated with the possible lease of the identified Property, or portion thereof. Instruction to Negotiators will concern price and terms of payment associated with the possible amendment of lease terms for the identified Property.

13.3. Classified -Public Employee Appointment/Employment/Evaluation

13.4. Classified - Public Employee Dismissal/Release/Discipline/Transfers/Reassignments/Retirement

13.5. Classified - Public Employee Request for Medical Leave of Absence/Paid

13.6. Classified - Public Employee Request for FMLA/Leave of Absence/Paid

13.7. Classified – Public Employee 2016-2017 Placement on 39-Month Reemployment List as Per ED Code § 45192

13.8. Certificated - Public Employee Appointment/Employment/Evaluation

13.9. Certificated - Public Employee

Dismissal/Release/Discipline/Transfers/Reassignments/Retirement

13.10. Certificated - Public Employee Request for Medical Leave of Absence/Paid

13.11. Certificated – 2016-2017 Placement on 39-Month Reemployment List as Per ED Code § 44977 §44978.1

14. OPEN SESSION

The Superintendent will report related to any action taken in closed session.

15. PERSONNEL SERVICES

The Superintendent recommends approval of the Classified Personnel Report and the Certificated Personnel Report.

15.1. Classified Personnel Report No.#8 02-21-17-08 (Supplement)

The Superintendent recommends approval of the Classified Personnel Report No. # 02-21-17-08

Motion: ____ Seconded: ____ VOTE: YES ___ NO ___ Abstain___ Absent ____

15.2. Certificated Personnel Report No.# 02-21-17-08(Supplement)

The Superintendent recommends approval of the Certificated Personnel Report No. # 02-21-17-08

Motion: ____ Seconded: ____ VOTE: YES ___ NO ___ Abstain___ Absent ____

15.3. PUBLIC HEARING: The South Whittier School District to South Whittier Teachers Association (SWTA) Tentative Agreement for 2016-2017 (Supplement 15.4)

A public hearing is in order for the South Whittier School District to South Whittier Teachers Association (SWTA) Tentative Agreement as submitted to provide an opportunity for communication on the initial contract proposal by any interested party.

15.3.1. a) Motion to Open Hearing

Motion: ____ Seconded: ____ VOTE: YES ___ NO ___ Abstain___ Absent ____

15.3.2. b) Motion to Close Hearing

Motion: ____ Seconded: ____ VOTE: YES ___ NO ___ Abstain___ Absent ____

15.4. South Whittier School District to South Whittier Teachers Association (SWTA) Tentative Agreement for 2016-2017 (Supplement)

The Superintendent recommends approval of the South Whittier School District to South Whittier Teachers Association (SWTA) Tentative Agreement

Motion: ____ Seconded: ____ VOTE: YES ___ NO ___ Abstain___ Absent ____

15.5. PUBLIC HEARING: Provisional Internship Permit Request: Education Specialist Credential (Supplement 15.6)

A Resource Teacher is needed for students per their IEP's. A Provisional Internship Permit is being requested for Eduardo Lopez. The effective dates of the Provisional Internship Permit are: August 01, 2016-September 1, 2017

The Board will provide an opportunity to comment on the proposed Provisional Permit Request.

15.5.1. a) Motion to Open Hearing

Motion: ____ Seconded: ____ VOTE: YES ____ NO ____ Abstain ____ Absent ____

15.5.2. b) Motion to Close Hearing

Motion: ____ Seconded: ____ VOTE: YES ____ NO ____ Abstain ____ Absent ____

15.6. Provisional Internship Permit Request: Education Specialist Credential (Supplement)

The Superintendent recommends the Board approval of the Provisional Internship Permit Request: Education Specialist Credential for Eduardo Lopez as presented

Motion: ____ Seconded: ____ VOTE: YES ____ NO ____ Abstain ____ Absent ____

15.7. Resolution No. 16-17-024: Resolution to Reduce or Discontinue Particular Kinds of Service (Supplement)

The Superintendent recommends the Board approval of of Resolution No. 16-17-024: resolution to Reduce or Discontinue Particular Kinds of Service.

Motion: ____ Seconded: ____ VOTE: YES ____ NO ____ Abstain ____ Absent ____

16. ADJOURNMENT

Unless otherwise posted, the next regularly scheduled meeting will be held

March 21, 2017 at 6:00 p.m.

District office Board Room, 11200 Telechron Ave., Whittier, CA 90605