5:30 p.m.  1.  Call to Order

2.  Public Comment – The public may address the Board concerning items that are scheduled for discussion during closed session only.

3.  Adjourn to Closed Session

3.1  Pursuant to Government Code Section 54956.95 – Liability Claims
Claimant:  Gretchen Van Til
Agency Claimed Against:  Martinez Unified School District

3.2  Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation - Superintendent Goals

6:30 p.m.  4.  Reconvene for the Regular Meeting of the Board of Education

5.  Report Out:  Closed Session

6.  Pledge of Allegiance

7.  Approval of Agenda

8.  Approval of Minutes:  Regular Meeting of June 9, 2014, the Special Meeting of June 11, 2014 and the Special Meeting of June 16, 2014

9.  Correspondence

10.  Employee Organization Reports

10.1 Martinez Education Association

10.2 California School Employees Association

11.  Comments from PTA
12. **Public Comments** – Under Government Code 54954.3, members of the public have the right to address the Board on any matter within the Board’s jurisdiction. However the Board may not take action on any non-agenda item. Individual speakers will be allowed three minutes to address the Board. Twenty minutes have been allocated for this portion of the agenda. Additional time is allowed at the end of the meeting if there was not enough time to speak during public comments.

13. **Staff/Board Comments/Reports:**

13.1 **Summer Work Report** (Andi Stubbs)

13.2 **HVAC at John Swett Elementary and Las Juntas Elementary** (Bruce Leslie)

14. **Consent Calendar:** Approval of the Consent Calendar means that all items listed hereunder are adopted by a single motion unless a member of the Board or the Superintendent requests that any such item be removed from the Consent Calendar and voted upon separately.

14.1 **Resignation**

Melvy Exline, Noon Duty Supervisor, John Muir Elementary, effective February 28, 2014
Kim Murphy, Noon Duty Supervisor, John Muir Elementary, effective March 04, 2014
Clarissa Sheff, Para Educator A, 3.5 hours per day, John Muir Elementary, effective June 13, 2014

14.2 **Employment of Certificated Personnel for the 2014-2015 School Year, effective August 20, 2014**

Robin Flier, Special Day Class Teacher, 1.0 FTE, Martinez Junior High School
John Barakos, Educational Mental Health Counselor, 1.0 FTE, Alhambra High School
Joanna Ayala, Speech and Language Pathologist 1.0 FTE

14.3 **Employment of Certificated Substitute Personnel**

Nancy Read, effective June 5, 2014

14.4 **Rescind Classified Layoffs effective June 30, 2014**

Patricia Gonzalez, Cafeteria Assistant I, 3.5 hours per day, Martinez Junior High School

14.5 **Promotion of Classified Personnel**

Tanya Andrews, Cafeteria Assistant I, 3.75 hours per day, Alhambra High School, promoted to Typist Clerk III, 4 hours per day, Vicente High School, effective August 25, 2014
Rachele Collins, Para Educator A, 3 hours per day, John Swett Elementary, promoted to Para Educator C, 5.5 hours per day, John Swett Elementary, effective August 25, 2014

14.6 **Employment of Summer School Personnel**

Desiree Clay, Custodial Crew
Raymond Bagno, Custodial Crew
Chris Spinner, Custodial Crew
Patricia Russell-Hansen, Para Educator C, Preschool
14.7 **Student Teaching Agreement between Dominican University and Martinez Unified School District** as presented in Exhibit A

14.8 **Acceptance of Gift Donations**

The sum of $1,000 from Creekside Open Bible Church to John Muir Elementary from proceeds from their crab feed

The sum of $4,000 from Creekside Open Bible Church to Las Juntas Elementary from proceeds from their crab feed

The sum of $1,000 from Creekside Open Bible Church Morello Park Elementary from proceeds from their crab feed

The sum of $1,000 from Creekside Open Bible Church John Swett Elementary from proceeds from their crab feed

14.9 **Approval of Extended (overnight) Field Trip** as presented in Exhibit B

14.10 **Declaration of Surplus Equipment and E Waste** as presented below and in Exhibit C

- Morello Park Elementary Office - Obsolete Dell Computer, Barcode 12753 and 12076 - Model GX280, Serial #J9FT971
- Las Juntas Elementary – NEC NP905 Projector, Barcode 12620, , Serial #0300395FK,

14.11 **Declaration of Discarded Books** as presented in Exhibit D

14.12 **Ratification of Contracts** as presented in Exhibit E

- Jack Schreder & Associates - Dannis Woliver, Kelley
- Ellen Concepcion (2) - 1 Computadora Gratis Para Ti Inc.
- Ashley Baughman - DIG IN, Inc.

14.13 **Agreement for Personal Services** (Chara Rodrigues) as presented in Exhibit F

14.14 **Warrant Registers** as presented in Exhibit Y

15. **Items for Board Consideration or Action**

15.1 **Approval of the 2014-15 Local Control and Accountability Plan (LCAP)** (Audrey Lee) **ACTION ITEM**

**Background:** The state’s new funding formula requires that districts work with stakeholders to develop a Local Control and Accountability Plan (LCAP), beginning with the 2014-15 school year. District staff has held several meetings with key stakeholder groups in order to gain input that has informed the final draft of the plan. The MUSD Local Control Accountability Plan (LCAP) specifies the goals, actions, and expenditures and addresses the eight priority areas for all district TK-12 schools funded with the Local Control Funding Formula (LCFF).
The Governing Board held a public hearing at the June 9, 2014 board meeting to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed in the LCAP. The plan has been modified since the June 9th hearing to reflect recommendations made by the Contra Costa County Office of Education. The public hearing was held at the same meeting as the annual budget public hearing. (Education Code Section 52062 (b)).


15.2 Approval of the 2014-15 Budget (Andi Stubbs) ACTION ITEM

Background: California Education Code Section 1620 provides that, prior to adoption of the district budget, the MUSD Governing Board shall hold a public hearing. This hearing took place at the June 9, 2014 meeting.

The Board was also provided with a draft budget packet prior to the meeting. The 2014-15 Original Budget signifies a Positive Certification of its financial condition, based on the Governor's May Revise of the 2014-15 State Budget. The Positive Certification indicates that, based upon current projections, the District will meet its financial obligations for the current fiscal year and subsequent two fiscal years.

Additionally the District certifies that the 2014-2015 Budget includes expenditures outlined in the Local Control and Accountability Plan (LCAP). Copies of the budget are available at the District Office.

Staff Recommendation: Approve the 2014-15 Budget as presented.

15.3 Technology Appropriate Use Policy Revision as presented in Exhibit G (Max Eissler) INFORMATION/POSSIBLE ACTION ITEM

Background: The Martinez Unified Cabinet and Technology Advisory Committee are proposing revisions to the Board Policy, Administrative Regulation and Exhibit associated with 6163.4, student use of technology. The updated Appropriate Use Policy reflects changes in the use of technology in education and planned future use of technology, such as allowing “bring-your-own-device” usage on the district network. As part of this change, parents and students will no longer be offered the option to “opt out” of technology use. This policy will be incorporated in the parent’s annual rights notification as well as in student handbooks/planners. The policy has been reviewed by the District’s Legal Counsel and Administrative Counsel, and was posted to the District website and various social media outlets for public review and comment. This item was postponed at the June 9, 2014 meeting, and is therefore being brought back for information and possible action.

15.4 Consider Approval of Traffic/Parking Solutions, JME & JSE as presented in Exhibit H (Andi Stubbs) ACTION ITEM

Background: On Monday, June 16, 2014, the Board was presented with information regarding near, mid and long-term solutions for traffic/parking problems at John Muir Elementary and John Swett Elementary, as described in the attached memos provided by Fehr and Peers, district consultants (Exhibit H). During the June 16, 2014, the Board also requested a cost estimate for adding an exit driveway at John Swett (estimated at
15.5 Approval of Revised Safety and Security Plans as presented in Exhibit I (Andi Stubbs)

**ACTION ITEM**

**Background:** During the June 16, 2014 Special Board Meeting, the Board reviewed the most recent drafts of the elementary/secondary safety and security plans.

Staff has met and made revisions to the elementary site plan, removing the separation chain link fence & maintenance/fire access gates between the building/playground at JSE, and adding sets of 10 portable radios (“walkie-talkies”) to each site (with the exception of AHS, because there are already an adequate number of systems on site). These changes are reflected in Exhibit I. Of the work outlined in the plans, the following projects can be completed during the summer: security camera installation, window blind replacement, and door hardware replacement (new locks).

**Elementary Safety Standard:**
- Single point of entry through front gate, locked during the school day
- Security cameras (7 per site)
- “Safe Schools” door hardware, site-wide
- Window blinds – standard
- Two-way communication radios (10 per site)
- 6-foot fencing standard
- Kinder privacy screening (optional)

The Board will be asked to consider approval of these plans.
Funding Options:

a) Fund 21 (Building Fund) – “Measure K” Bond Proceeds
   a. “Phase I” (ending balance estimated at $447,343)
   b. “Phase 2” (starting balance estimated at $16,052,809, incl. “Phase 1” balance above – Board approval of “Phase 2” projects pending)

b) Fund 35 (County School Facilities Fund) - balance of $1,971,534 which represents state funding received for facilities eligibility on Measure K projects.

Staff Recommendation:

a) Approve revised elementary safety/security plan in the amount of $550,683
b) Approve secondary safety/security plan in the amount of $654,771

(Total approval amount: $1,205,454)

15.6 Proposal: Facility Condition Index (FCI) Assessment, JME, JSE, LJE as presented in Exhibit J (Andi Stubbs) ACTION ITEM

Background: An analysis is needed for three of the District's elementary sites (JME, JSE, LJE) to evaluate the useful life of each, in order to inform Board decisions regarding facilities projects. Hibser-Yamauchi has provided a proposal (Exhibit J) for the work. An assessment for one school typically takes about four weeks.

Fiscal Impact: The cost for completing an assessment for one elementary school is about $6,500. For all three schools: $19,500. The cost would be split between Fund 40 (Special Reserve for Capital Outlay) and Fund 25 (Developer Fees).

Staff Recommendation: Approve the proposal submitted by Hibser-Yamauchi for three Facility Condition Index (FCI) assessments, in a not-to-exceed amount of $19,500.

15.7 Proposal: Phase I Environmental Site Assessment (ESA), EMF and Pipeline Risk Assessment for MUSD Maintenance Yard/District Office as presented in Exhibit K (Andi Stubbs) ACTION ITEM

Background: The California Department of Education did not approve the District's application to build a new Vicente/Briones school on the MAE/Vicente/Briones property, located on Alhambra Avenue. The MUSD maintenance yard is being considered as an alternative site for construction. In order for the project to receive final approval, an underground pipeline assessment must be conducted. Terraphase Engineering has presented proposals to complete Phase I Environmental Site Assessment and the required EMF underground pipeline assessment.

Fiscal Impact: The total amount of the assessments is $11,350. This will be charged to Fund 21 (Building Fund), which holds the proceeds from the Measure K G.O. Bond.

Staff Recommendation: Approve the proposal submitted by Terraphase Engineering to complete the assessments.
15.8 **Proposal: Phase I Environmental Site Assessment (ESA) for Morello Baptist Church Property** (Andi Stubbs) **ACTION ITEM**

**Background:** Another property has been identified as a possible alternative site for the Vicente/Briones School. Staff is seeking approval to commission a Phase I Environmental Site Assessment (ESA) for the Morello Baptist Church property from Terraphase Engineering.

**Fiscal Impact:** A formal proposal will be requested from Terraphase Engineering to include a not-to-exceed amount. This will be charged to Fund 21 (Building Fund), which holds the proceeds from the Measure K G.O. Bond. It is estimated that this study will not exceed $5,000.

**Staff Recommendation:** Grant approval to commission a Phase I Environmental Site Assessment (ESA) to be conducted on the Morello Baptist Church property by Terraphase Engineering.

15.9 **Resolution of Acceptance No. 2014-19 and Notice of Completion: Las Juntas Elementary School Kitchen Modernization and Las Juntas Elementary School Site Improvements** as presented in Exhibit L (Bruce Leslie) **ACTION ITEM**

**Background:** The following information was given by legal counsel (as requested by the Board at the June 9, 2014 meeting):

> The purpose of the NOC is to put all interested persons on notice that the subject project has been completed. It serves various purposes such as it triggers the deadline for the filing of stop notices and the running of time on statutes of limitation. However, the NOC filing has no bearing on the issue of whether an owner has any issues with the performance of any of the parties who have contracted with the owner to perform some aspect of the project and cannot be construed as a waiver of any claims. This would include any issues with respect to the work of the project architect.

The Board is being asked to approve the Resolution of Acceptance/Notice of Completion for the Kitchen Modernization and Site Improvements Projects at Las Juntas Elementary School (Measure K Bond Project, Phase I List). The work was completed by Broward Builders, Inc. All related expenditures came within budget for these projects.

15.10 **Contract for Concrete Driveway to the Trash Enclosure for Las Juntas Elementary School Site Improvements** as presented in Exhibit M (Bruce Leslie) **ACTION ITEM**

**Background:** Board approved the contract for the Las Juntas Elementary School, Site Improvements project on May 20, 2013. Included in the contract, due to the reconfiguration of the parking, was the addition of a trash enclosure that was placed in the existing playground/overflow parking lot.

The Board is asked to consider approval of the contract to replace the existing asphalt leading to the trash enclosure with a reinforced concrete driveway. The cost for this improvement is $31,290, and can be absorbed in the current budget for the Las Juntas Frontage/Parking/Drop-Off project of $1,520,000.

**Recommendation:** Approval of the contract for the trash enclosure driveway replacement as part of the Las Juntas Site Improvement Project.
15.11 **Contract for Additional Parking Lot Exit Driveway for Las Juntas Elementary School Site Improvements** as presented in Exhibit N (Bruce Leslie) **ACTION ITEM**

**Background:** Board approved the contract for the Las Juntas Elementary School, Site Improvements project on May 20, 2013. Included in the contract was the reconfiguration of the parking lot, with the current exit returning into the circulation lane. The site has requested an additional exit from the parking lot into the exit side of the circulation.

The Board is asked to consider approval of the contract to add the new parking lot exit. The cost for this improvement is $20,721, and can be absorbed in the current budget for the Las Juntas Frontage/Parking/Drop-Off project of $1,520,000.

**Recommendation:** Approval of the contract for the additional exit driveway as part of the Las Juntas Site Improvement Project

15.12 **Contract for Asphalt Paving at the Upper Field at AHS** as presented in Exhibit O (Bruce Leslie) **ACTION ITEM**

**Background:** The District has requested the placement of additional asphalt paving to connect the area between the track, tennis court, and bleachers. This area has been noted as a concern due to dirt and debris being tracked onto the new finished surfaces.

The Board is asked to consider approval of the contract to replace the existing surface with new asphalt paving. The cost for this improvement is $10,254, and can be absorbed within the “Phase I” balance of an estimated $447,343.

**Recommendation:** Approval of the contract for Asphalt Paving at the Upper Field at AHS.

15.13 **Adoption of Changes to Administrative Regulations 5117 and 5111.1 Regarding Inter-district Transfers** (Helen Rossi) **ACTION ITEM**

**Background:** Director of Student Services and Secondary Support Helen Rossi shared information with the Board at the June 9, 2014 meeting. Parent employment provision for student residency is a component of Ed. Code 48204 b and is referred to as the Allen Bill. The Allen Bill is separate from the inter-district transfer provision. Unlike inter-district transfers, Allen Bill transfers deem a student a District resident for the remainder of the student’s K-12 schooling. Under this provision a student does not need to reapply for attendance in subsequent years as long as a parent or guardian remains employed within District boundaries. The District is also responsible for validating the continued employment within the boundaries each year.

Current practice in Martinez, including Allen Bill transfers, requires students to reapply annually. This provision allows the District to verify that the employment status of the parents/guardians remains within the District boundaries. Staff is recommending that AR 5117 and AR 5111.1 be modified to reflect current practice and cease the admission of Allen Bill transfers effective immediately. AR 5111.12 provides new language and regulation regarding work-related transfers which includes admission under the standard inter-district acceptance policy with provisions for students of parents who are employed by the MUSD.
15.14 Approval of the Developer Fee Justification Study (April 24, 2014), and Resolution No. 2014-20 in the Matter of Increasing School Facilities Fees as Authorized by Government Code Section 65995 (Andi Stubbs) ACTION ITEM

Background: The District is currently eligible to charge the higher "Level 2" developer fees for residential and commercial construction, as per a Resolution adopted by the Board on March 24, 2014; however, a study must be conducted to adjust "Level 1" fees each year, so that the most current "Level 1" rate approved by the State Allocation Board can be charged should the district ever lose "Level 2" eligibility. The Developer Fee Justification Study dated April 24, 2014, provides verification that the district may raise its "Level 1" fees from $3.20 to $3.36* (*corrected after June 9, 2014 meeting) for residential construction, and from $0.51 per square foot to $0.54 for commercial/industrial construction. The study was prepared for the district by Jack Schreder and Associates.

Staff Recommendation: Board is being asked to adopt Resolution 2014-20 in the Matter of Increasing School Facilities Fees as Authorized by Government Code Section 65995.

15.15 Public Hearing (per AB 1200) Regarding Negotiated Compensation Increases for the Martinez Association of School Administrators (MASA) and Supervisory & Confidential Employees as presented in Exhibit P (Andi Stubbs) INFORMATION ITEM

Background: There will be a public hearing (per AB 1200) on the District’s disclosure of the cost to fund a negotiated salary settlement for the 2013-14 school year. The disclosure includes a salary increase retroactive to July 1, 2013 for the 2013-14 school year.

15.16 Ratification of Meet & Confer Process between the Management Unit (MASA) and the Martinez Unified School District (MUSD) (David Robertson) ACTION ITEM

Background: Through the Meet & Confer process the management unit and the Martinez Unified School District (MUSD) have reached agreement for the 2013/14 school year. For the 2013/14 school year, the agreement includes a salary increase of four (4.0%) effective July 1, 2013.

15.17 Ratification of Meet & Confer Process between the Supervisory/Confidential Unit and the Martinez Unified School District (MUSD) (David Robertson) ACTION ITEM

Background: Through the Meet & Confer process the Supervisory/Confidential Unit and the Martinez Unified School District (MUSD) have reached agreement for the 2013/14 school year. For the 2013/14 school year, the agreement includes a salary increase of four (4.0%) effective July 1st, 2013.

15.18 Change in Title of Chief Business Official (David Robertson) ACTION ITEM

Background: This is a title change of our Chief Business Official to Assistant Superintendent, Business Services. There is no fiscal impact to this recommendation.

16. Additional Comments from the Public (This item is applicable only if there was insufficient time for all speakers under “Public Comments”.)
17. **Comments from the Superintendent, Board Members and Future Agenda Items**

18. **Adjournment** – The next Regular Meeting of the Board of Education will be August 11, 2014