

**VENTURA COUNTY BOARD OF EDUCATION
MINUTES OF REGULAR MEETING OF
November 27, 2006**

A. CALL TO ORDER

1. Call To Order, Pledge of Allegiance to the Flag, and Moment of Reflection
The Regular meeting of the Ventura County Board of Education, Agenda No. 06-19, was called to order by Mr. Marty Bates, President, at 6:00 p.m. on Monday, November 27, 2006, in the Conejo Room of the Administrative Services Center, 5189 Verdugo Way, Camarillo. The Pledge of Allegiance to the Flag was led by Mr. Bates and followed by a moment of reflection.

2. Roll Call
Trustees Present:
Mary Louise Peterson, Area 1
Marty Bates, Area 2
Chris Valenzano, Area 3
Dean Kunicki, Area 4
Ron Matthews, Area 5

VCSSO Personnel Present:
Charles Weis, Ventura County Superintendent of Schools and Ex-Officio Secretary and Executive Officer of the Board
Nancy Manley, Executive Assistant to Dr. Weis
Sandra Shackelford, Associate Superintendent, Educational Services
Stan Mantooth, Associate Superintendent, Administrative Services
Dr. Cary Dritz, Associate Superintendent, Student Services
Stephen Carr, Executive Director, Technology Services
Tony Held, Assistant Principal, Regional Occupational Program

3. Approval of Agenda
Mr. Valenzano moved the agenda be approved. Mrs. Peterson seconded the motion, and it carried 5:0.

B. PUBLIC COMMENTS

1. *Carl Olson, Woodland Hills Resident*
Mr. Olson distributed a letter regarding free schools and the cost of physical education clothing at Simi Valley High School. Mr. Bates asked that staff look into this.

C. HEARINGS

None.

D. CLOSED SESSION

None.

E. PRELIMINARY

1. Approval of Minutes of Regular Meeting of October 23, 2006.

Mr. Valenzano requested the following change to Agenda Item M.1: Strike the date noted and clarify that he requested information on the VCOE School Safety Plan, not Santa Paula School District's.

Mr. Matthews moved the Minutes of the Regular Meeting of October 23, 2006 be approved as amended. Mrs. Peterson seconded the motion, and it carried 4:0:1, with Mr. Kunicki abstaining.

F. CORRESPONDENCE

None.

G. PRESIDENT'S AND BOARD MEMBERS' REPORTS

1. Mrs. Peterson reported that she attended a SAGE Charter School Board meeting. The Charter School is working to develop a new name; their Interim Budget Report will be reviewed for approval in December. The current enrollment at the Charter School is 219 with anticipation that this will increase next year.
2. Mr. Kunicki reported that he and Mr. Bates attended a Teacher Housing meeting with Mr. Mantooh and Dr. Weis. Staff has generated additional data and further information was requested.

H. SUPERINTENDENT'S REPORT

Dr. Weis reported on the following items relative to the activities of the Office:

1. Selected Activities for November - December, 2006.
2. E-Mail from CCBE regarding CCBE General Membership meeting; Strategic Plan for CCBE; and CCBE/PTA/CCSESA Annual Spring Conference.

Mrs. Peterson noted that CCBE had hired a new Executive Director.
3. E-Mail from CCBE regarding Nominating Committee Report to Membership.

4. Golden Bell Award Notification was received from CSBA.
5. ARCHES P-16 Council Grant Application.
6. CDE Notification of PreKindergarten and Family Literacy Programs.
7. Pandemic Flu Planning.
8. Ventura County Regional Occupational Program Report.

Mr. Bates had requested this report which provides background information that may be used as the Board seeks additional funding for ROP. Mr. Bates noted that this information will be used in preparation for meetings with legislators and to draft legislation. Mr. Kunicki stated that during his recent conversations with legislators, they indicated that they are anticipating this draft legislation.

9. The Office did not receive a planning grant for this ACE Charter High School. The Office will be discussing this with Oxnard Union High School District, as they would have been giving the majority of the students to the charter school.
10. Memo from Stan Mantooth to Ventura County Committee on School District Organization regarding the Draft Environmental Impact Report for Proposed Camarillo Unified School District.
11. Letter from CDE thanking VOCE for their timely submittal of the 2005-06 Standardized Account Code Structure.
12. Newspaper Articles relative to activities of the Office.

Dr. Weis distributed a flyer on an upcoming Teaching Strategies & Interventions for Special Populations Conference. Board members were invited to attend.

I. LEGISLATIVE REPORT

None.

J. CONSENT/ACTION

1. Temporary Certificates
2. Travel Expense Claim
3. Certification of Signatures

Mr. Valenzano moved the Board approve Consent Items 1, 2 and 3. Mrs. Peterson seconded the motion, and it carried 5:0. Mr. Valenzano requested that, in the future, employee names be added to the signature form.

K. PRESENTATIONS

None.

L. DISCUSSION/INFORMATION/ACTION

1. Approval of New Regional Occupational Program Course

Dr. Dritz reported that the Regional Occupational Program is requesting Board approval for one course: Agricultural Fabrication. If approved by the Board of Education and certified by the California Department of Education, the course will begin Spring semester 2006 in the Fillmore School District, as they already had the equipment necessary for this course and have agreed to purchase additional equipment if needed. Fillmore Unified would ultimately like to have an Ag Academy. No other school district has requested the course. Enrollment would be open to all students in the County. Mr. Valenzano moved the Board approve the Regional Occupational course, Agricultural Fabrication. Mrs. Peterson seconded the motion, and it carried 5:0.

2. Educational Broadcast Service Excess Capacity Lease

Mr. Mantooth reported that approximately ten years ago, the Ventura County Office of Education applied for and secured a license from the Federal Communications Commission for four Instructional Television Fixed Service (ITFS) Channel Groups. This is now called Educational Broadcast Service (EBS). Recently, based on a recommendation from legal counsel, VCOE developed and circulated a Request for Proposals to a variety of firms for the lease of our EBS capacity. Proposals were subsequently received from three qualified bidders prior to the established November 13, 2006 deadline. One proposal includes an offer to pay \$4.6 million to VCOE for the usage of this EBS for the next 30 years. This is a great opportunity for the Office for a continuing source of income. Staff is requesting Board approval to continue this process with the idea that a best and final offer would eventually be brought forward.

The bandwidth is mainly wireless and wi-fi or wi-max. It was originally a low frequency band utilized for television broadcast. The FCC has begun to consider loosening the restrictions which would open this for a commercial venue. Wireless and wi-fi technologies would then be developed to utilize the 2.4 MHz frequency. Mr. Kunicki suggested that the Office consider offering five year increment contracts. In addition, he expressed a concern regarding waiting for 15 years to receive CPI adjustments; and suggested the possibility of revenue sharing.

Mrs. Peterson moved the Board approve the continued negotiations for a final offer on the Educational Broadcast Service Capacity lease by December 7, 2006, with the understanding that any final bids will be brought to the Board for review and approval. Mr. Matthews seconded the motion, and it carried 5:0.

3. Approval of Long Term Property Lease Agreement, Resolution No. 06-06, Categorical CEQA Exemption, and Design Consultant Request for Proposal for the School Facilities Program

Mr. Mantooth reported that on October 3, 2006, the Office of Public School Construction approved an application for 100% financial hardship funding through the California State School Facilities Program: 50/10561-00-00 Design Only, Frank Intermediate School Special Education Classrooms. VCOE has negotiated a long term property lease with the Oxnard Elementary School District to provide land to construct a 72 pupil special education facility and medical therapy unit. There are approximately two acres available at Frank Intermediate School. The proposed lease is very similar to that utilized by Dwire School, which is also in Oxnard Elementary School District. Because this facility would not utilize more than 25% of the property, a resolution can be adopted which exempts the facility from further CEQA study. Construction would be funded with 100% hardship funding from the State. The construction cost is \$0, with a \$1 a year lease. Construction of this facility would free up classroom space that is being utilized for these students at a variety of other locations.

Mr. Valenzano asked if the anticipated students are exclusively from Oxnard Elementary and if not, would the transportation costs increase. Mr. Mantooth noted that transportation costs will actually decline due to centralization for one site, rather than seven sites. In addition, VCOE currently pays approximately \$6500 per leased classroom for utilities, maintenance and custodial services. It is anticipated that the construction of this facility will ultimately lower overall excess costs to districts due to the centralization of services.

Mr. Kunicki moved the Board approve Lease Agreement # 01-2006-LT, a long term property lease agreement; Resolution No. 06-06 Categorical CEQA Exemption, and grant staff permission to pursue a request for proposal for design consultant services for the project. Mrs. Peterson seconded the motion, and it carried 5:0.

4. Award and/or Re-Bid of Bid No. 08-2006 Technology Services Bid Package(s)

Mr. Mantooth reported that on November 9, 2006, VCOE staff opened bids for the following portions of the new technology installations for the new Conference & Educational Services Center: Voice/Data Infrastructure, Networking Electronics, and Integrated Audio Visual System. Bid results and apparent low bidders were identified on a Bid Tally sheet which Mr. Hanson reviewed with Board members. Mrs. Peterson moved the Board approve the final award to the three low bidders. Mr. Valenzano seconded the motion, and it carried 5:0.

Mr. Valenzano asked whether the bid included CAT 5-E cabling. Mr. Hanson responded that it was. The justification for the low bid was discussed. Mr. Hanson noted that Johnson Consulting reviewed the specifications with the bidder, and the specifications are very tight. The agencies have a clear understanding and knowledge of the project and are very willing to perform the work for the cost bid.

5. Change Order No. 9 to Viola Constructors for Construction of the Ventura County Office of Education, Conference & Educational Services Center
Mr. Mantooth reviewed Change Order No. 9, dated November 6, 2006. Mr. Hanson noted that the Conference Center is now months away from completion and the Office is still approximately \$102,000 under the original bid amount. Technology is still \$400,000 over budget, due to the investment in Voice Over Internet Protocol (VOIP). In addition, a contingency amount of \$800,000 was built into the budget. Mr. Valenzano moved the Board approve Change Order No. 9 to Viola Constructors. Mr. Matthews seconded the motion, and it carried 5:0.
6. Sub-Committee to begin planning of Inauguration Ceremony for Opening of the Ventura County Office of Education, Conference & Educational Services Center
Mr. Bates, Board President appointed himself and Mr. Kunicki to serve on a subcommittee which will work with staff to begin the planning of the inauguration ceremony and festivities for the opening of the Ventura County Office of Education, Conference & Educational Services Center.
7. Update on Expenditures / Budget of the Ventura County Committee on School District Organization
Mr. Bates noted that he requested this item. Mr. Mantooth noted that it is the expectation that the upcoming meeting of December 18, 2006 will conclude the work of the County Committee on School District Organization on the Camarillo Unification at the local level. Ten of the eleven County Committee members have committed to attend.

At that meeting, the County Committee is expected to take multiple actions:

- Approve or disapprove the EIR that was performed on the petition
- Finalize their initial tentative recommendations pertaining to the area of the new district; how many board members and their areas of representations, and determine the area of election. If approved for election, it would be put at the next regularly scheduled election, rather than incurring the cost of a special election
- Finally, the County Committee will take a roll call vote on each of the nine criteria and a final vote on the petition itself.

Mr. Valenzano stated that Bill Little and Roger Lund of Camarillo Unified sent a letter to the County Committee, and Asked that it be shared with the Board. The date of the letter was November 22, 2006, and Mr. Valenzano expressed his concern that the Board did not receive the letter as part of the Communication portion of this meeting.

Mr. Mantooth responded that the letter was sent to him, via e-mail, at 5:00 p.m. on November 22, 2006. The Office was closed for the Thanksgiving Holidays, and the Board packet had already been distributed to the Board members.

Mr. Mantooth noted that, based on his other responsibilities in the Office, he could not address the e-mail until the afternoon on Monday, November 27, 2006. He forwarded the letter, and the response from the County Committee's legal counsel, as soon as it was available (approximately 4:00 p.m. on Monday, November 27, 2006). Mr. Mantooth noted that it is the opinion of the County Committee's legal counsel that it is solely the decision of the member as to whether or not to recuse himself/herself.

At the request of the Board, Mr. Valenzano read the referenced letter which states that during the recent election, one of the County Committee members was replaced due to a concern that the member has a real, or perceived, conflict of interest. Mr. Valenzano noted that he is bringing this concern forward in order to protect the Office from any future legal action and the resulting budgetary impacts.

Mr. Bates noted that this could affect the budget due to potential legal costs and asked that the conversation continue. Mrs. Peterson requested that a letter be drafted from the County Board of Education to the County Committee asking that Mrs. Lindgren recuse herself from the upcoming vote on the Camarillo Unification.

Mr. Mantooth re-stated the opinion of the County Committee's legal counsel, which is that the determined action lies with Mrs. Lindgren. Mr. Mantooth further noted that the letter from Mr. Little and Mr. Lund was forwarded to the members of the County Committee and they may request some action.

Mr. Kunicki reported on the meeting of the School District Representatives to elect members to the County Committee on School District Organization. At that meeting a name was submitted for a new representative. Mr. Kunicki noted that the issue of an apparent conflict of interest was discussed. In addition, a comment was made that the County Board passed a resolution in support of Unification. He clarified the content of the resolution for those present.

Mr. Kunicki requested a letter be sent to the County Committee asking that the County Committee request that Mrs. Lindgren recuse herself, or step down. In addition, the letter could suggest that the County Committee give the responsibility for the issue to the County Board which has responsibility for the budget. Mr. Valenzano clarified that the letter should ask that the County Committee delay their action until after the new member is seated in January 2007. Mrs. Peterson stated that the focus of this Board should be to get this process to a vote, and that there be no obstruction to that process.

Mr. Bates asked that Mr. Valenzano and Mr. Kunicki draft a letter and present it to the Board on December 11, 2006, for approval. This item was presented for information only.

8. Superintendent's Salary
Mrs. Peterson requested that this item be tabled until January, 2007, to allow further time for research. Mr. Valenzano noted that staff did provide the information in a timely manner but that the subcommittee would like to review additional information.

Mrs. Peterson moved this item be tabled until the first meeting in January, 2007. Mr. Valenzano seconded the motion, and it carried 5:0.

M. BOARD MEMBER COMMENTS

1. Mrs. Peterson noted that one of the public schools in Ventura, allows parents to pay for their child's Physical Education through private gyms. She would like a committee to investigate how much parents pay to subsidize education through donations, etc.

N. FUTURE AGENDA ITEMS

1. Report on Preparedness for Pandemic Avian Flu (TBD). Mr. Kunicki asked that staff prepare a report on the workshop that will be hosted on December 4, 2006.
2. Discussion of Report on Purchase Orders and Requisitions (TBD).
3. Letter to County Committee of School District Organization (December 11, 2006).
4. Superintendent's Salary (tabled until first meeting in January, 2007).

O. FUTURE MEETING

Date: Monday, December 11, 2006
Time: 6:00 p.m.
Location: 5189 Verdugo Way, Conejo Room, Camarillo
Purpose: Organizational Meeting of the Board

Dr. Weis asked the three re-elected Board members who they would like to perform their swearing in at the Organizational meeting. Members determined that Dr. Weis will perform this task.

A brief reception for Board members and their families will be held.

P. ADJOURNMENT

The meeting adjourned at 7:48 p.m.

Approved by Board Action on 1/12/07.

*Board meetings are recorded by audio tape pursuant to Government Code Section 54953.5(b).
Copies of these audio tapes are available by request to this office at (805) 383-1900.*