

SAN LEANDRO UNIFIED SCHOOL DISTRICT
SAN LEANDRO, CALIFORNIA
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SPECIAL MEETING OF THE BOARD OF EDUCATION - MINUTES

January 4, 2006

The Board of Education of the San Leandro Unified School District met in special session on January 4, 2006, in the San Leandro Unified School District Office Conference Room 1, 14735 Juniper Street, San Leandro, California.

The meeting was called to order at 6:30 p.m. by President Pauline Cutter with the Pledge of Allegiance to the Flag. She stated that the Board had not met in closed session for Public Employee Discipline/Dismissal/Release/Employment, Conference with Labor Negotiator, and Conference with Legal Counsel – Existing Litigation, pursuant to Government Code Sections 54957, 54957.6 and 54956.9.

BOARD MEMBERS PRESENT

Mr. Louis Heystek
Mr. Ray Davis
Ms. Linda Perry
Mr. T. W. “Rick” Richards
Mrs. Lisa Hague, Clerk
Mr. Stephen Cassidy, Vice President
Mrs. Pauline Cutter, President

DISTRICT STAFF PRESENT

Christine Lim, Superintendent
Leon Glaster, Assistant Superintendent
Michael Martinez, Assistant Superintendent
Cindy Cathey, Assistant Superintendent

PUBLIC HEARING

On a motion made by Mr. Richards and seconded by Ms. Perry, the Board opened the public hearing regarding adoption of qualified special tax by a 7-0 vote.

PUBLIC COMMENTS

Kathy Olivero, Hermy Almonte, Jason Procter, Sandra McClymont, Tim Holmes, John Sherwood, and Shari Neifeld spoke of the benefits to be derived if the measure was passed and urged the Board to place it on the ballot.

Deborah Cox, who volunteered to part of this effort to pass a parcel tax, emphasized, "We have to think of the kids," and "benefiting the children, benefits our whole community," adding that a local business owner indicated to her that she was fine with the local parcel tax.

Billy Campbell, Teamsters representative, praised the administration for looking out for the best interest of the District in all aspects, particularly Assistant Superintendent Leon Glaster for his innovative ways of generating additional funding for much needed things such as new carpet at the District Office, and replacement trucks for the maintenance department, stating that we need to get the message out to the community that the District can be trusted, the money is being spent wisely, but "it's just not enough."

Craig Williams, shared excerpts from the *California Commercial Property Tax Study*, which examined the inequalities in property taxes paid by commercial property owners across the state. He also encouraged the Board to proceed with the parcel tax.

Mike Mandel, a District middle school teacher, conveyed the importance of convincing those community members, who no longer have students in the District but are residents of San Leandro, to vote in favor of such a tax.

Sheila Jordan, Alameda County superintendent of schools, also attended the meeting in support of the parcel tax and campaign, stating that this is the time for the community to come together and support the schools, and that, "This parcel tax will make a significant difference and we have seen it make a significant difference in many districts throughout the county."

On a motion made by Mr. Richards and seconded by Ms. Perry, the Board closed the public hearing by a 7-0 vote

CONFERENCE

General Services

1.1-CF Resolution #06-01, Proposing A Qualified Special Tax and Establishing Specifications of Election Order

Superintendent Lim explained that, at the direction of the Board at the last Board meeting, the District staff, along with legal counsel, had developed and was bringing forward for discussion and consideration of Resolution #06-01, Proposing a Qualified

Special Tax and Establishing Specifications of Election Order.

Adam Ferber, the District's legal counsel, reviewed the process in adopting a parcel tax resolution, stating that the resolution was not the parcel tax, but rather an order to the Registrars of Voters to hold an election on the ballot measure. The ballot measure, attachments, an impartial analysis from the county, two sets of arguments (pro and con), and a 75-word introduction briefly describing the purpose, rates, length of the tax, language regarding who is exempt, that expenditures would be monitored by an independent oversight committee would also appear in the ballot, adding that if the measure passed, the tax would be assessed and collected in the next tax year, July 1, 2006, and proceeds would be available to the District in early 2007.

A PowerPoint presentation outlined the resolution itself, which stated that the District was proposing a six-year, one-and-two-tenths cents (\$0.012) per square parcel tax, beginning July 1, 2006, would offer an exemption to citizens 65 years and older, with expenditures monitored by an independent oversight committee, and would allocate funds in the following ways: up to 20 percent for school academic and enrichment programs; up to 9.5 percent for improving school safety; up to 33 percent would go towards attracting and retaining highly qualified teachers and staff; up to 9.5 percent to restoring custodians; up to 4.7 percent to increase music and art enrichment programs at every school; up to 4.7 percent for start-up costs for career technical education; up to 4.8 percent for at-risk middle school students; up to 8.2 percent technical support; and up to 5.5 percent would finance staff necessary to implement the measure.

Mr. Ferber further explained the nomination process, the composition of the Oversight Committee, and that each year an independent auditor, retained by the District, would conduct an annual audit of the District's finances to determine whether funds generated by this measure had been allocated and expended in conformity with the measure generally accepted accounting principals, and the Standards and Procedures for Audits of California K-12 Local Education Agencies.

Mr. Ferber said that if the Board voted to adopt this resolution and attachments tonight, an executed copy of the resolution would be transmitted to the Alameda County Superintendent of Schools, to the County Board of Supervisors, and the County Registrar of Voters, and the measure would appear on the April 11, 2006 ballot.

Following the presentation, Mr. Ferber entertained questions and comments from the Board.

- While Mr. Davis agreed for the need to have a parcel tax, and supported even a higher parcel tax, he advocated for postponing the election until November, so that the District might gain the support of the San Leandro Chamber of Commerce and other business leaders.

His concerns included how the tax would be levied, the need to attract more District parents to the campaign, and lack of support from the apartment owners and San Leandro Chamber of Commerce. He noted that there was not a representative listed from the apartment owners on the oversight committee, and only one nomination from the City of San Leandro. He also questioned the value of student representatives from San Leandro High School and Lincoln High School on the committee, and whether or not there should be a member nominated by the Superintendent.

Despite his concerns; however, Mr. Davis did say that should the Board pass the resolution for an April election, he would work diligently to help pass a much needed parcel tax.

- Mr. Richards asked legal counsel about the role of the school board as a collective entity versus individual roles of Board members once the resolution was passed. Mr. Ferber said that Education Code 7054 restricted the Board, as a collective entity, from engaging in any partisan political activity with respect to the parcel tax. As individual members, however, they could advocate as you chose to, so long as the member did not use public funds or public facilities.

While the remainder of the Board acknowledged the lack of support from the business community, they all felt it was important to move forward with the campaign, due to the financial needs of the District, and that an “uncrowded” April ballot offered the best chance of success.

- Prior to her comments, Ms. Perry suggested adding, “*City of San Leandro*” to the Senior Commission, so there would not be any confusion as to which commission was being referred to. Trustee Perry then added that we can’t depend on the state, we need to do it locally, and take control of the funds that go towards our local schools and “if we don’t act now, we will slip further and further behind.”
- Mr. Heystek enthusiastically said, “Let’s do this. Let’s do it

now”, adding that this was a reasonable assessment to start with, respectful of the tolerance of the financial capability of the community, was renewable in six years, and through the community engagement process and the work of District staff and Board, the District was regaining the trust of the community.

- Mr. Cassidy, during an impassioned speech, rebutted Mr. Davis’ concerns, stating that the District would go out on, April 11, 2006, to pass this measure because it would be the right thing to do, and we would do it with conviction and as hard as we could.

In an effort to explain the financial situation and to help educate the community to enable them to talk to their neighbors about the necessity and fairness for this tax, he shared excerpts from the *Alameda County Office of Education’s 2003-04 Financial Statistical Report*, and an article from the San Francisco Chronicle regarding the Governor’s new budget and a chart comparing California with the other high populated states in per pupil spending for 2003/2004. Stressing the importance of improving local revenue in order to achieve the desired school district, Mr. Cassidy concluded that “We have to take ownership over the schools, and we do this by paying for them on the local level.”

- Mrs. Hague felt that while the money being considered was not enough, it was a start, but most importantly was, “that we start, and we succeed.” Despite the challenges, she was still leaning towards the April election.
- Mrs. Cutter agreed that the time was now to proceed, adding that the District needed to make the City understand our need for their continued, sustainable support that we could count on, and she believed that the City would ultimately support the schools to be successful, just as the District has supported the City in all of their efforts.

Following Board comments, it was agreed to begin the discussion of any concerns, and make suggestions regarding the resolution.

Prior to the discussion, Mr. Davis thanked Mr. Cassidy for respecting his right to have a differing opinion and for representing concerns that are expressed by constituents, and most importantly following board protocols by not attacking a fellow Board trustee in a public meeting.

The discussion continued regarding the composition of the Quality Education Oversight Committee, the reporting process, amount of the tax, and the date of the election.

- The Board agreed that the Quality Education Oversight Committee would be a twenty-seven member committee composed of the following people (changes noted in bold), who then would determine the term of their commitment, and adopt bylaws at their first meeting:
 1. One parent/legal guardian member nominated by each of the District's School Site Councils (SSC).
 2. One parent/legal guardian members nominated by the District English Language Advisory Committee (DELAC).
 3. One employee member nominated by each of the District's employee union/associations.
 4. **Two members residing within the San Leandro Unified School District** nominated by the City of San Leandro.
 5. Two members nominated by the San Leandro Chamber of Commerce.
 6. **One senior citizen member residing within the San Leandro Unified School District** nominated by the **City of San Leandro** Senior Commission.
 7. One San Leandro High School (SLHS) student member nominated by the SLHS principal.
 8. One Lincoln High School student members nominated by the Lincoln High School principal.
 9. One member nominated by the District's Superintendent of Schools.
 10. **One member nominated by the Rental Housing Owners Association of Southern Alameda County.**

- It was the consensus of the Board to add the following language to letter "b" under Accountability and Compliance Measures regarding the reporting process: ***"In addition, the regular reporting of the fund balances given to the Board of Education shall also be transmitted directly to the Quality Education Oversight Committee (below)."***

Mr. Glaster noted that on page 7 under "I" it should say "Up to five-and-one-half percent (**5.6%**)."

- The Board shared their thoughts on the proposed one-and-two-tenths model, or to consider a one-cent model.

Mr. Heystek, Mr. Richards, Ms. Perry, and Mr. Davis favored the one-and-two-tenths cents model (\$0.012). President Cutter felt that, based on the community survey, the success rate would be greater if the District went with the one-cent model and Trustee Cassidy agreed,

stating that it was important that the measure was enacted. While Mrs. Hague wanted the “best of both worlds”, she favored the one-cent model too.

When asked by Mr. Richards how the District could “sell” this to the community, District consultant, Connell Lindh, felt, “the simpler the better,” indicating that the one-cent model would be easier for the community to understand. He reminded the Board that, looking at the polling data, both models were higher than what the community said they would support. It was his opinion that it would be foolish, or would look foolish, to go for the higher amount “because it feels good.”

It was the consensus of the Board to go for the one-and-two-tenths cents (\$0.012 parcel model).

On a motion made by Mr. Richards and seconded by Ms. Perry, the Board adopted Resolution #06-11, Proposing a Qualified Special Tax of one-and-two-tenths cents (\$0.012), and Establishing Specification of Election Order, by a 6-1 vote. Mr. Davis voted no.

PUBLIC TESTIMONY

None

BOARD MEMBER COMMENTS

Mr. Davis said that he had not heard from District staff whether or not the newly enacted legislation, AB 1234, concerning ethics training applied to the Board. He also said that because he had not received the minimum order of twelve for shirts and jackets, perhaps District staff would be interested in participating.

Mr. Cassidy thanked all of those in attendance tonight for their support. He hoped that for those who still had doubts, they would be able to work together and talk it through with the District, and ultimately support the parcel tax.

Mrs. Cutter echoed Mr. Cassidy’s sentiments, and was really happy that the Board decided to move forward.

ADJOURNMENT

On a motion made by Mr. Richards and seconded by Mr. Davis, the Board adjourned the meeting at 9:07 p.m. by a 7-0 vote.

Respectfully submitted,

Lisa Hague, Clerk