

METROPOLITAN EDUCATION DISTRICT

**Governing Board Meeting Minutes
August 22, 2007**

I. CALL TO ORDER/ROLL CALL

The open session of the regular meeting of the Governing Board of the Metropolitan Education District was called to order by President Grilli at 7:02 p.m., Auditorium at the Central County Occupational Center, 760 Hillsdale Avenue, San Jose, CA 95136. There was no closed session.

All Members present, except when noted "absent".

Cynthia Chang, Los Gatos-Saratoga Union High School District
Ernie Dossa, Santa Clara Unified School District -- absent
Richard Garcia, San Jose Unified School District
Diane Gordon, Campbell Union High School District
Marsha Grilli, Milpitas Unified School District
J. Manuel Herrera, East Side Union High School District

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Diane Gordon.

III. REPORT OF CLOSED SESSION ACTIONS

There was no closed session, so there is nothing to report.

IV. ADOPT AGENDA

Motion to adopt the agenda: M/Chang, S/Gordon, Vote: 5 ayes, 1 absent

V. STUDENT REPORTS

- CCOC Student (No report)
- MAEP Student (No report)

VI. SPECIAL ORDER OF BUSINESS

VII. PUBLIC PRESENTATIONS & REPORTS

CCOC Director introduced four new CCOC teachers: Voula Kokkalis, Forensics; Oscar Tovar & Phil Gonzales, EMT/Fire Science; Christine Fahey, Culinary Arts.

A. Public Comments. There were no public comments.

VIII. APPROVAL OF MINUTES

1. Action Item: Approval of Minutes of Regular Board Meeting, June 27, 2007.
Motion to approve minutes of the June 27, 2007 meeting: M/Herrera, S/Garcia,
Vote: 5 ayes, 1 absent

IX. CONSENT CALENDAR (ACTION)

Motion to approve Consent Calendar items *2 through *4: M/Garcia, S/Chang,
Vote: 5 ayes, 1 absent

Items passed on consent calendar:

BUSINESS AND FINANCIAL FUNCTIONS

- *2. Authorization to file Notice of Completion, Transformer Replacement Project (Contractor: Pfeiffer Electric)
- *3. 1) Approve Change Orders #001 and #002 to contract for Parking Lot Paving at CCOC (Galedrige Construction); 2) Authorize District to file Notice of Completion with County of Santa Clara

PERSONNEL

- *4. Approve Site/Program Supervisor Job Description

INSTRUCTIONAL AND STUDENT FUNCTIONS

---None---

X. INFORMATION ITEMS

5. Approval of 2007-08 MetroED Budget by Santa Clara County Office of Education

Superintendent Hay noted that this is the County Office of Education's approval of our budget and a copy of the letter.

6. Final Attendance (ADA) Report for 2006-07

In summary, both programs last year exceed their ADA caps. Satellite programs all exceeded their internal caps – each district came in over cap. East Side met and exceeded the 100 ADA that was given to them through the equalization process. For the third consecutive year, MetroED paid the participating districts for their satellite program ADA that helped MetroED meet its overall district cap. The fund excess was 120.95 ADA, amounting to \$112,966 paid to the participating districts for their excess ADA. On the Adult Education side, ADA is broken down by district (San Jose USD and Campbell UHSD) and program.

Member Garcia asked what the numbers tell the District in terms of recruitment; what has changed and what might need to be done.

Superintendent Hay said that CCOC Director John Fox would cover this in his Director's report later in the agenda.

7. Information Technology Department Updates

Bob Beaulieu, Chief Technology Officer, reported on the updates that the Information Technology department made this past year and how these updates have improved our system in redundancy, speed and security.

XI. ACTION ITEMS AND REPORTS

BOARD AND ADMINISTRATIVE FUNCTIONS

8. Action Item: Electronic Board Agendas, Meetings and Meeting Minutes

Paul Hay reviewed for the Board the various options and costs associated with converting to purely electronic minutes, agendas and conduct of board meetings. It is staff's opinion that MetroED is too small an organization to incorporate the cost and the effort to convert to a full electronic system. Moreover, the systems staff considered were all somewhat inflexible in terms of meeting conduct by the

Board President. MetroEd currently posts both board meeting agendas and minutes on the district's webpage.

Motion that the Board meeting agenda and minutes continue to be posted on the District webpage and that the District develop a search feature to facilitate public access to the information. M/Garcia, S/Chang, Vote: 5 ayes, 1 absent

9. **Action Item: Terminate Board subcommittee on potential litigation; appoint Board ad-hoc advisory committee on potential litigation**

Superintendent Hay asked that the board standing committee on potential litigation be terminated. As Superintendent, he needs to have more flexibility in calling meetings. Standing committees meetings need to adhere to the Brown Act meeting regulations, which include posting and pre-notice requirements. The Superintendent would like to change the committee to that of an ad-hoc advisory committee so that meetings can be called as needed, specifically for the purpose of considering issues related to East Side UHSD.

Motion that the Governing Board 1) terminate the existing Subcommittee on Potential Litigation, and 2) re-appoint Richard Garcia and Ernie Dossa to serve as an Ad-Hoc Advisory Committee on Potential Litigation to meet with legal counsel and the Superintendent as necessary, and develop other strategic options, as necessary, relating to the East Side Union High School District. Committee term shall be for fiscal year 2007-08. M/Chang, S/Gordon, Vote:5 ayes, 1 absent

BUSINESS AND FINANCIAL FUNCTIONS

10. **Action Item: Approve Agreement for Legal Services with Lozano Smith**

Superintendent Hay noted that MetroED does not currently have an agreement with Lozano Smith, nor do we have a current need. This merely establishes the nature of a relationship should a need exist, and allows the Superintendent the flexibility of calling upon the services of Lozano on short notice, if necessary.

Motion that the Governing Board approve the Agreement for Legal Services for 2007-08 with the law firm of Lozano Smith. M/Herrera, S/Gordon, Vote: 5 ayes, 1 absent

11. **Action Item: Approve Engagement Letter for Legal Services with Manatt, Phelps & Phillips, LLP**

Robin Kennedy, a specialist in real estate law, is changing firms and she and her former firm have given us the choice of going with Kennedy or staying with them. Given the complications of the issues that have arisen in the past, it is the Superintendent's recommendation to continue with Kennedy at her new firm. All of the former records do belong to MetroED and will be forwarded to Robin Kennedy at no charge to MetroED.

Motion that the Governing Board approve the Engagement Letter for Legal Services with the law firm of Manatt, Phelps & Phillips, LLP. M/Herrera, S/Gordon, Vote: 5 ayes, 1 absent

12. **Action Item: Approve Contract for Purchase and Installation of HVAC unit for the new Fire Science/EMT Programs in CCOC Building 700 (Foothill Mechanical-\$33,035)**

Motion that the Governing Board approve the Agreement between District (MetroED) and Contractor (Foothill Mechanical) in the amount of \$33,035. M/Herrera, S/Chang Vote: 5 ayes, 1 absent

13. **Action Item: Approve Contract for Lighting Replacement and Upgrade for Fire Science and EMT Programs, CCOC Building 700 (Pfeiffer Electric-\$28,850)**

Motion that the Governing Board approve the Agreement between MetroED and Pfeiffer Electric in the amount of \$28,850. M/Herrera, S/Garcia, Vote/unanimous

PERSONNEL FUNCTIONS

--None--

INSTRUCTIONAL AND STUDENT FUNCTIONS

--None--

XII. EXECUTIVE REPORT/ADMINISTRATIVE REPORTS

CCOC Director, John Fox

- Great new teachers hired in Fire Fighting/EMT, Forensic Investigation and Culinary Arts
- Teachers are back on Monday, August 27; In-service on Tuesday, August 28; CCOC evening classes begin on August 28, and CCOC day students start on August 29.
- The cafeteria being remodeled by our teachers which will offer some alternatives to the menu and a whole new appearance – the changes are incredible.
- As of today we have 2,134 students signed up for classes this fall. This is 407 over last year at this time, and the number should continue to grow for the next 2 weeks.
- We have a waiting list of 331 high school students, and 348 adults for day classes.
- Our numbers are up because of: great support from our 6 districts; great work by our program representatives; CCOC teachers were given release time to recruit in the high schools; we had a great open house with good attendance; the Program Reps did extensive community outreach; on-line registration was a major assist to counselors; and, we pounded the message, "college and career preparation".

MAEP Director, Sylvia Karp

- We spent the month of July moving the Director's office from the Erikson site to Building 400. Ms Karp invited the Members to come for a visit when they are on the campus.
- CalWORKs students (40) in partnership with the American Red Cross had a blood drive for the community and exceeded their goals. The students did all of the marketing, advertising and visited classrooms to make presentations. This was a good learning experience for the students; this was the purpose of the activity.
- MAEP this year is working with San Jose Unified to deliver their CBET training for eight classes. CBET was re-authorized this year for \$50 million. This money is for teaching English literacy to parents and other adults who work with students who need English tutoring.

Superintendent, Paul Hay

- The Superintendent gave the Board Members a State budget packet which included the budget as proposed in January, the May Revise and the recently passed budget (without the Governor's line item vetoes).
- The State revenues that were reported in July are down by about 700 million which causes the superintendent some concern.
- Several projects have been completed on the campus: the south campus transformer, the asphalt paving project, new fencing, landscaping between 600 and

800, 10 new benches have been received (12 more are coming), the Veterinary Assistant class has a new dog run and new floor. The Fire Science classroom is nearing completion and we have a good start on installation of security cameras.

- CCOC completed and filed (on time) 7 CTE Proposition 1-D plan applications. The first announcement of ratings of the applications will be on 9/27; there are 2 rounds, each round is a 2-step process.
- Monday we had a management retreat and covered: Superintendent expectations for the year, 2007-08 goals, and a new management evaluation tool.
- This year ***"We're Raising the Bar"*** by committing to: student success, customer service, staff development and quality programs. We are doing this with PMA, Positive Mental Attitude, and we're committed to having fun while doing it.

XIII. BOARD COMMENTS

Member Garcia

- Thanked Superintendent Hay for coming to the June SJUSD Board meeting to present an update on the 2006-07 Adult Education program.

Member Chang

- Thanked Paul Hay for his report and said that she is looking forward to this school year.

Member Gordon

- Campbell now has a new voice over phone service.
- Campbell is now a basic aid district
- She went on a marketing trip with some radio stations and took them to each of the CUHSD schools. She took the opportunity to talk to the reporters about CCOC and they seemed interested. She offered to give them a tour and maybe something will come of this.

XIV. OTHER MEETINGS

Special Meeting with JPA Superintendents Executive Council			
Date to be determined	Open Session		12:00 pm
Regular Meeting,	September 12, 2007	Closed Session	6:00 pm
		Open Session	7:00 pm

XV. ADJOURNMENT

Meeting adjourned at 7:55pm



Paul Hay, Secretary