

**Governing Board of Trustees Regular Meeting
Wednesday, July 27, 2022**

Members present

Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Meeting called to order at 4:46 PM

1. CALL TO ORDER OPEN SESSION

Procedural: 1.1 CALL TO ORDER OPEN SESSION

Governing Board President Halpern called the Board of Trustees Meeting to order at 4:46pm.

Information, Procedural: 1.2 PUBLIC INPUT CONCERNING ITEMS ON THE CLOSED SESSION AGENDA

No public requests to address the Governing Board of Trustees regarding items on the Closed Session agenda.

Procedural: 1.3 ADJOURNMENT INTO CLOSED SESSION

Governing Board President Halpern adjourned into Closed Session at 4:47pm.

2. CLOSED SESSION

Discussion: 2.1 CONFERENCE WITH LEGAL COUNSEL—PENDING LITIGATION Government Code Section 54956.9 (d)(1): One case - Save the Field v. Del Mar Union School District, Case No. 37-2020-00020207-CU-TT-CTL.

Discussion: 2.2 CONFERENCE WITH LEGAL COUNSEL—PENDING LITIGATION Government Code Section 54956.9 (d)(1): One case – Save the Field v. City of San Diego, Case No. 37-2022-00005335-CU-TT-CTL.

3. RECONVENE OPEN SESSION / MEETING OF THE LEGISLATIVE BODY OF CFD NO. 95-1 AND CFD NO. 99-1

Procedural: 3.1 RECONVENE OPEN SESSION

Governing Board President Halpern reconvened Open Session at 6:10pm.

Procedural, Report: 3.2 REPORT OF ACTION TAKEN IN CLOSED SESSION

The Governing Board met in Closed Session and no action was taken.

Procedural: 3.3 PLEDGE OF ALLEGIANCE

Superintendent McClurg led the Pledge of Allegiance.

Action: 3.4 APPROVAL OF THE AGENDA

The agenda was approved with the removal of Consent Item 6.7 and 6.13 which will be brought to the August 2022 Regular Board Meeting.

Approve agenda for the July 22, 2020 Regular Meeting of the Governing Board of Trustees.

Motion by Doug Rafner, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Procedural: 3.5 CALL TO ORDER, MEETING OF THE LEGISLATIVE BODY OF CFD NO. 95-1

Governing Board President Halpern called the Legislative Body of CFD No. 95-1 to order at 6:13pm.

Action, Procedural: 3.6 BOARD APPROVAL, AGENDA FOR MEETING OF THE LEGISLATIVE BODY OF CFD NO. 95-1

Approve agenda for meeting of the Legislative Body of CFD No. 95-1.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action, Minutes, Procedural: 3.7 BOARD APPROVAL, MINUTES OF JULY 28, 2021 CFD NO. 95-1 MEETING

Approve Minutes of July 28, 2021 CFD No. 95-1 Meeting.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action: 3.8 BOARD APPROVAL, RESOLUTION NO. CFD 95-98: RESOLUTION OF THE BOARD OF TRUSTEES OF THE DEL MAR UNION SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT 95-1 DETERMINING ADJUSTMENTS IN SPECIAL TAX RATES FOR SUCH COMMUNITY FACILITIES DISTRICT FOR FISCAL YEAR 2022-2023

Doug Floyd from Koppel and Gruber explained item 3.8 and responded to clarifying questions from the Board.

Approve Resolution No. CFD 95-98.

Motion by Scott Wooden, second by Doug Rafner.

Action: 3.9 BOARD APPROVAL OF RESOLUTION NO. CFD 95-99: RESOLUTION OF THE BOARD OF TRUSTEES OF THE DEL MAR UNION SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT 95-1 ESTABLISHING A BUDGET FOR FISCAL YEAR 2022-2023; DIRECTING THE LEVY OF THE SPECIAL TAX AND TAKING RELATED ACTIONS

Approve Resolution No. CFD 95-99.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action, Procedural: 3.10 BOARD APPROVAL, ADJOURNMENT OF MEETING OF THE LEGISLATIVE BODY OF CFD NO. 95-1
Governing Board President Halpern adjourned the meeting of the Legislative Body of CFD No. 95-1 at 6:16pm.

Adjourn Meeting of the Legislative Body of CFD No. 95-1.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Procedural: 3.11 CALL TO ORDER, MEETING OF THE LEGISLATIVE BODY OF CFD NO. 99-1

Governing Board President Halpern called the Legislative Body of CFD No. 99-1 at 6:16pm.

Action, Procedural: 3.12 BOARD APPROVAL, AGENDA FOR MEETING OF THE LEGISLATIVE BODY OF CFD NO. 99-1

Approve agenda for meeting of the Legislative Body of CFD No. 99-1.

Motion by Doug Rafner, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action, Minutes, Procedural: 3.13 BOARD APPROVAL, MINUTES OF JULY 28, 2021 CFD NO. 99-1 MEETING

Approve Minutes of July 28, 2021 CFD No. 99-1 Meeting.

Motion by Doug Rafner, second by Scott Wooden.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action: 3.14 BOARD APPROVAL OF RESOLUTION NO. CFD 99-64: RESOLUTION OF THE BOARD OF TRUSTEES OF THE DEL MAR UNION SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT 99-1 DETERMINING ADJUSTMENTS IN SPECIAL TAX RATES FOR SUCH COMMUNITY FACILITIES DISTRICT FOR FISCAL YEAR 2022-2023

Doug Floyd from Koppel and Gruber explained item 3.14 and responded to clarifying questions from the Board.

Approve Resolution No. CFD 99-64.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action, Procedural: 3.15 BOARD APPROVAL OF RESOLUTION NO. CFD 99-65: RESOLUTION OF THE BOARD OF TRUSTEES OF THE DEL MAR UNION SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 99-1 ESTABLISHING A BUDGET FOR FISCAL YEAR 2022-2023; DIRECTING THE LEVY OF THE SPECIAL TAX AND TAKING RELATED ACTIONS

(not specified)

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action, Procedural: 3.16 ADJOURNMENT OF MEETING OF THE LEGISLATIVE BODY OF CFD NO 99-1

Governing Board President Halpern adjourned the meeting of the Legislative Body of CFD No. 99-1 at 6:19pm.

Adjourn Meeting of the Legislative Body of CFD No 99-1.

Motion by Doug Rafner, second by Scott Wooden.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

4. CORRESPONDENCE/COMMUNICATIONS

Report: 4.1 CORRESPONDENCE

Superintendent's Office received the following correspondence regarding District business:

DMUSD Health & Safety Plan, Protocols, Guidelines, and Practices

Procedural: 4.2 HEARING OF THE PUBLIC REGARDING NON-AGENDA ITEMS

No public Requests to address the Governing Board of Trustees regarding non-agenda items.

5. REPORTS, RECOGNITIONS AND HEARINGS

Report: 5.1 REPORT: BOARD MEMBERS

Board Member Fitzpatrick:

Addressed the issue of all day kindergarten. Was not a board member when the modified kinder went to a full day schedule which included the first 6 weeks being a modified schedule. Teachers want that time to assess students on an individual level. Concerned with students being released at 12:30pm is two fold; the first is what are the students doing when they are not in class the first 6 weeks (about 60 hours). It is valuable for them to be in class and in activities at that time and assessments can be conducted concurrently while in the classroom. Have personal experience with this and one idea is having a substitute assist with the class while the teacher assesses students. The modified schedule puts stress on parents to get supplemental care for students who get out at 12:30pm. Families can use the After School Program, but it is \$80 per week - about \$550 for the first 6 weeks, but at a cost to families. Would like to propose that we vote on this issue so that beginning in this upcoming school year we have all day kindergarten provided to kindergarten families. My proposal is that we use substitutes to supplement while teachers are doing assessments. We may need a Special Board Meeting for this.

Board President Halpern requested Superintendent McClurg to reach out to board members to weigh in and get opinions regarding holding a special meeting to discuss this.

Board Member Wooden:

Attended SDCOE budget perspectives workshop that was done by Capital Advisors Group. There is a lot of money from the state and one time money, but the one time money will dry up in future years due to taxes. There are some block grants. There is TK money, but that money is not for community funded districts - we will not be able to get any additional money for TK. There is special education money, but it is still very underfunded. There is some school nutrition money. There is a lot still going through legislature.

Board Member Rafner:

North City West School Facilities Financing Authority, which Member Rafner is the Chairperson of, is responsible for overseeing CFD taxes. Regarding kindergarten expressed need for more information. Would like to get stakeholders together to get input and more information before a vote and how this would work. If there is a special meeting, it should be focused on all sides being put together so we can learn more. It's August and summer is almost over, not much time before school starts. The year goes by quickly.

Gee Wah:

No report

Halpern:
No report

Report: 5.2 REPORT: SUPERINTENDENT

Superintendent McClurg reported on current District activities, including:

Attended the budget workshop from Capital Advisors and SF2
There has been a lot of summer work to gear up for the new school year
Great Beginnings will be held for our new teachers led by Instructional Services and Student Services
Sped team put on an outstanding ESY Program all summer
HR team has been interviewing and hiring all summer long and have reached almost 50 new employees
Business, Facilities, and Technology have overseen projects all summer long, every corner of our district has been touched
ASP has had a great summer camp and is ready to open for the new school year at all 9 campuses
ECDC is ready to welcome little ones on August 8
School starts on August 15
We are looking forward to a great year after a great summer

Procedural: 5.3 HEARING OF THE PUBLIC REGARDING AGENDA ITEMS

No public requests to address the Governing Board of Trustees regarding agenda items.

Action, Minutes, Procedural: 5.4 BOARD APPROVAL, MINUTES

Board Member Wooden abstained as he did not attend the June 21, 2022 or June 22, 2022 Board Meetings.

Approve minutes, June 21, 2022 Special Meeting and June 22, 2022 Regular Meeting.

Motion by Gee Wah Mok, second by Doug Rafner.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Katherine Fitzpatrick, Gee Wah Mok

Abstain: Scott Wooden

Procedural: 5.5 PUBLIC HEARING REGARDING INCREASE STATUTORY SCHOOL FACILITY FEES IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL CONSTRUCTION PURSUANT TO EDUCATION CODE SECTION 17620 AND GOVERNMENT CODE SECTION 65995

Board President Halpern opened the public hearing regarding increase statutory school facility fees imposed on new residential and commercial/industrial construction pursuant to education code section 17620 and government code section 65995 to order at 6:32pm.

There were no written comments received regarding the School Fee Justification Study by mail or email.

There were no public comments.

Chris Delehanty, Assistant Superintendent of Business Services, introduced Doug Floyd with Koppel and Gruber to explain item 5.5.

Board President Halpern closed the public hearing at 6:35pm.

Procedural: 5.6 6:30PM TIME CERTAIN / ITEM 10.1: BOARD APPROVAL, RESOLUTION 2022-20 TO INCREASE STATUTORY SCHOOL FEES IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL DEVELOPMENT PROJECTS

6. CONSENT

Action (Consent): 6.1 BOARD APPROVAL, DEL MAR UNION SCHOOL DISTRICT'S UNIFORM COMPLAINT QUARTERLY REPORT FROM APRIL 1, 2022 TO JUNE 30, 2022

Resolution: Approve Del Mar Union School District's Uniform Complaint 4th Quarterly Report From April 1, 2022 to June 30, 2022.

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.2 BOARD APPROVAL, PURCHASE ORDERS AND RATIFICATION OF COMMERCIAL WARRANT PAYMENTS, REVOLVING CASH DISBURSEMENTS AND PURCHASE CARD TRANSACTIONS

Resolution: Approve Purchase Orders and Ratification of Commercial Warrant Payments, Revolving Cash Disbursements and Purchase Card Transactions.

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.3 BOARD APPROVAL AND ACCEPTANCE OF DONATIONS TO THE DEL MAR UNION SCHOOL DISTRICT

Resolution: Approve and accept donations to the Del Mar Union School District.

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.4 BOARD APPROVAL AND RATIFICATION, DEL MAR UNION SCHOOL DISTRICT AGREEMENTS AND AMENDMENTS

Resolution: Approve and ratify Del Mar Union School District agreements and amendments.

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.5 BOARD APPROVAL, ACTION TO DECLARE DISTRICT PERSONAL PROPERTY AS OBSOLETE AND SURPLUS AND TO DISPOSE PER EDUCATION CODE 17540 and 17546(a)(b)(c)

Resolution: Approve action to declare District personal property as obsolete and surplus and to dispose per Education Code 17540 and 17546(a)(b)(c).

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.6 BOARD APPROVAL, AWARD OF CONTRACT FOR REQUEST FOR PROPOSALS 2122-14 SECURITY CAMERAS DISTRICTWIDE

Resolution: Approve award of contract for RFP 2122-14 Security Cameras Districtwide.

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.7 BOARD APPROVAL, MUNICIPAL STORM WATER MANAGEMENT PLAN ANNUAL IMPLEMENTATION UPDATE
Resolution: Approve Municipal Storm Water Management Plan Implementation

This item was not voted on. It will be brought to the August Board Meeting.

Action (Consent): 6.8 BOARD APPROVAL, ADOPTION OF BOARD POLICY 4161.9, 4261.9, 4361.9: CATASTROPHIC LEAVE PROGRAM
Resolution: Approve Adoption of Board Policy 4161.9, 4261.9, 4361.9: Catastrophic Leave Program

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.9 BOARD APPROVAL, REVISIONS TO BOARD POLICY 4261, 4361: LEAVES
Resolution: Approve revisions to Board Policy 4261, 4361: Leaves

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.10 BOARD APPROVAL, REVISIONS TO BOARD POLICY 6115: CEREMONIES AND OBSERVANCES
Resolution: Approve revisions to Board Policy 6115: Ceremonies and Observances

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.11 BOARD APPROVAL, REVISIONS TO BOARD POLICY 6111: SCHOOL CALENDAR
Resolution: Approve revisions to Board Policy 6111: School Calendar

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.12 BOARD APPROVAL, ADOPTION OF BOARD POLICY 4161: Leaves
Resolution: Approve adoption of Board Policy 4161: Leaves

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.13 BOARD APPROVAL, REVISIONS TO BOARD POLICY 4158, 4258, 4358: EMPLOYEE SECURITY
Resolution: Approve revisions to Board Policy 4158, 4258, 4358: Employee Security

This item was not voted on. It will be brought to the August Board Meeting.

Action (Consent): 6.14 BOARD APPROVAL, INTERN CREDENTIAL AGREEMENT
Resolution: Approve Intern Credential Agreement.

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.15 BOARD APPROVAL, RECOMMENDED PERSONNEL ACTIONS: EMPLOYMENT, RESIGNATIONS, DISMISSALS, LEAVES OF ABSENCE, AND CHANGE OF STATUS

Resolution: Approve recommended Personnel actions: employment, resignations, dismissals, leaves of absence, and change of status.

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action (Consent): 6.16 BOARD APPROVAL, CONSENT CALENDAR

Resolution: Approve Consent Items 6.1 - 6.17.

Approve Consent Items 6.1 - 6.17.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

7. CURRICULUM AND INSTRUCTION

8. ADMINISTRATION AND POLICY

Action: 8.1 BOARD APPROVAL, RESOLUTION NO. 2022-21 OF THE BOARD OF TRUSTEES OF THE DEL MAR UNION SCHOOL DISTRICT ADOPTING AN AMENDED APPENDIX OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

The Political Reform Act requires every local government agency to review its conflict of interest code biennially. A conflict of interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700).

Approve Resolution No. 2022-21 of the Board of Trustees of the Del Mar Union School District adopting an amended appendix of the Conflict of Interest Code pursuant to the Political Reform Act of 1974.

Motion by Doug Rafner, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action: 8.2 BOARD APPOINTMENT, CITIZENS' OVERSIGHT COMMITTEE MEMBERS

Chris Delehanty, Assistant Superintendent of Business Services, shared information about the Board Appointment of the Citizens' Oversight Committee Members, including:

DMUSD staff recommends for appointment the following representative:
Initial Term:

Ira Sharp, member at large representative

Appoint Citizens' Oversight Committee member as recommended.

Motion by Gee Wah Mok, second by Katherine Fitzpatrick.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

9. MAINTENANCE, OPERATIONS AND FACILITIES

Report: 9.1 BOARD REPORT, FACILITIES UPDATE
Chris Delehanty, Assistant Superintendent, Business Services, shared facilities updates, including:

- Del Mar Hills Academy Modernization
- Pacific Sky School
- Pacific Sky School Construction
- Del Mar Heights School Rebuild

Staff responded to clarifying questions from the Board.

10. BUSINESS AND FINANCE

Action: 10.1 6:30PM TIME CERTAIN: BOARD APPROVAL, RESOLUTION 2022-20 TO INCREASE STATUTORY SCHOOL FEES IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL DEVELOPMENT PROJECTS
Chris Delehanty, Assistant Superintendent, Business Services, brought Resolution 2022-20 for Board Approval to increase statutory school fees imposed on new residential and commercial/industrial development projects.

Staff and Doug Floyd of Koppel and Gruber responded to clarifying questions from the Board.

(not specified)

Motion by Katherine Fitzpatrick, second by Gee Wah Mok.
Final Resolution: Motion Carries
Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action: 10.2 BOARD APPROVAL: RESOLUTION #2022-22, RESOLUTION OF THE GOVERNING BOARD OF TRUSTEES OF THE DEL MAR UNION SCHOOL DISTRICT TO APPROVE LEASE-LEASEBACK AGREEMENTS REGARDING THE PROPOSED DEL MAR HILLS MODERNIZATION PROJECT
Chris Delehanty, Assistant Superintendent, Business Services, brought Resolution 2022-22 for Board Approval to approve lease-leaseback agreements regarding the proposed Del Mar Hills Modernization Project, including:

- Selection Process
- Erickson-Hall
- Erickson-Hall Construction
- Request for Approval

Staff responded to clarifying questions from the Board.

Staff responded to clarifying questions from the Board.

Approve Resolution #2022-22, Resolution of the Governing Board of Trustees of the Del Mar Union School District to Approve Lease-Leaseback Agreements regarding the Proposed Del Mar Hills Modernization Project.

Motion by Doug Rafner, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

11. PERSONNEL

12. CLOSING ITEMS

Information: 12.1 PRELIMINARY ITEMS FOR THE AUGUST REGULAR BOARD MEETING

Procedural: 12.2 ADJOURNMENT INTO CLOSED SESSION

Governing Board President Halpern adjourned into Closed Session at 6:58pm.

13. CLOSED SESSION

Discussion: 13.1 CONFERENCE WITH NEGOTIATORS per Gov. Code section 54957.6 Agency Designated Representatives: Erica Halpern, Board President and Peter Fagen, Unrepresented Employees: Assistant Superintendent, Business Services - Chris Delehanty; Assistant Superintendent, Instructional Services - Shelley Petersen; Assistant Superintendent, Human Resources, Ryan Stanley; Superintendent - Holly McClurg, Ph.D.

14. RECONVENE OPEN SESSION

Procedural: 14.1 RECONVENE OPEN SESSION

Governing Board President Halpern reconvened Open Session at 9:48pm.

Procedural, Report: 14.2 REPORT OF ACTION TAKEN IN CLOSED SESSION

The Governing Board met in closed session and no action was taken.

Action: 14.3 BOARD APPROVAL, SUPERINTENDENT'S EMPLOYMENT AGREEMENT

The Brown Act was amended, effective January 1, 2017, to require the Governing Board, prior to taking final action on an employment agreement, to orally report a summary of a recommendation for the salaries, salary schedules, or compensation paid in the form of fringe benefits for local agency executives. The Superintendent is a local agency executive and a proposed contract amendment is before us this evening.

The proposed contract will extend the term of the Superintendent's current amended agreement – which would have expired on June 30, 2025 – to June 30, 2026. The 4% increase based on salary and longevity that was added for the 2021-2022 school year which expired on June 30, 2022 will become an ongoing increase. This results in an annual salary of \$272,085.00 for the 2022-2023 school year. All other material terms of the contract remain the same. Those terms are as follows: the Superintendent will remain eligible to receive a \$10,000 stipend for earning her Doctoral degree. The Superintendent remains eligible for up to \$13,000 in performance benchmark merit payments and a longevity stipend. The Superintendent will continue to receive the health and welfare benefits which are provided to the District's certificated full-time employees. Other fringe benefits include 12 sick days per year, 25 vacation days per year, payment for membership dues in the Association of California School Administrators and other professional or community organizations as may be approved by the Board, and reimbursement for reasonable actual and necessary expenses while performing duties for the District.

Approve Superintendent's Employment Agreement.

Motion by Scott Wooden, second by Doug Rafner.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action: 14.4 BOARD APPROVAL, ASSISTANT SUPERINTENDENTS' EMPLOYMENT AGREEMENTS

The Assistant Superintendent of Instructional Services is a local agency executive and a proposed contract amendment is before us this evening.

The proposed amendment will extend the term of the Assistant Superintendent of Instructional Services' current amended agreement – which would have expired on June 30, 2025 – to June 30, 2026. The 4% increase based on salary and longevity that was added for the 2021-2022 school year which expired on June 30, 2022 will become an ongoing increase. This results in an annual salary of \$213,169 for

the 2022-2023 school year. All other material terms of the contract remain the same. Those terms are as follows:

The Assistant Superintendent shall remain eligible for up to \$7,000 in performance benchmark merit payments and longevity stipends at the same rate as other District local agency executives. In addition, the Assistant Superintendent of Instructional Services shall have the option to receive the health and welfare benefits which are provided to the District's certificated full-time employees. Other fringe benefits include 12 sick days per year, 25 vacation days per year, payment for membership dues in the Association of California School Administrators, and other professional or community organizations as may be approved by the board, and reimbursement for reasonable actual and necessary expenses while performing duties for the District.

Approve Assistant Superintendents' Employment Agreement.

Motion by Scott Wooden, second by Doug Rafner.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

The Assistant Superintendent of Business Services is a local agency executive and a proposed contract amendment is before us this evening.

The proposed amendment will extend the term of the Assistant Superintendent of Business Services' current amended agreement – which would have expired on June 30, 2025 – to June 30, 2026. The annual salary will be \$192,400 for the 2022-2023 school year. All other material terms of the contract remain the same. Those terms are as follows:

The Assistant Superintendent shall remain eligible for up to \$7,000 in performance benchmark merit payments and a longevity stipend. In addition, the Assistant Superintendent of Business Services shall have the option to receive the health and welfare benefits which are provided to the District's classified full-time employees. Other fringe benefits include 12 sick days per year, 25 vacation days per year, payment for membership dues in the California Association of School Business Officials and other professional or community organizations as may be approved by the board, and reimbursement for reasonable actual and necessary expenses while performing duties for the District.

Approve Assistant Superintendents' Employment Agreement.

Motion by Scott Wooden, second by Doug Rafner.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

The Assistant Superintendent of Human Resources is a local agency executive and a proposed contract amendment is before us this evening.

The proposed amendment will extend the term of the Assistant Superintendent of Human Resources current amended agreement – which would have expired on June 30, 2025 – to June 30, 2026. The annual salary will be \$187,200 for the 2022-2023 school year. All other material terms of the contract remain the same. Those terms are as follows:

The Assistant Superintendent shall remain eligible for up to \$7,000 in performance benchmark merit payments and longevity stipends at the same rate as other District local agency executives. In addition, the Assistant Superintendent of Human Resources shall have the option to receive the health and welfare benefits which are provided to the District's certificated full-time employees. Other fringe benefits include 12 sick days per year, 25 vacation days per year, payment for membership dues in the Association of California School Administrators, and other professional or community organizations as may be approved by the board, and reimbursement for reasonable actual and necessary expenses while performing duties for the District.

Approve Assistant Superintendents' Employment Agreement.

Motion by Scott Wooden, second by Doug Rafner.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

15. ADJOURNMENT OF MEETING

Action, Procedural: 15.1 ADJOURNMENT OF MEETING

Governing Board President Halpern adjourned the meeting at 9:56pm.

Motion by Scott Wooden, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Minutes of July 27, 2022 Adopted:

Signature of Governing Board Clerk:



Gee Wah Mok, Esq.

8/24/22

Date

Signature of Superintendent:



Holly McClurg, Ph.D.

8/24/22

Date

Generated by Megan Bennett on Friday, July 29, 2022