



METROPOLITAN EDUCATION DISTRICT
 760 Hillsdale Avenue
 San Jose, California 95136

Amended 10-21-09 to add Closed Session Item #B & 10-27-09 to change Item #10
 October 14, 2009 Rescheduled to November 2, 2009 due to a Power Outage
Governing Board Meeting Agenda

If you would like to address the Board on any item on this agenda, please complete the **Request of Visitors** form located near the entrance of the meeting room and hand it to the Superintendent. On the form, please list the agenda item(s) you would like to speak to. When your name is called, please come to the podium, state your name and address for the record, and limit your remarks to two minutes. Those speaking on items **not** on the agenda will be recognized by the Chair under **Public Comments**. The Board shall limit the total time for public input on each item to 20 minutes (BB 9323).

Special Accommodations

Individuals who require special accommodation should contact the Superintendent's Office at (408) 723-6464 at least two business days before the meeting date.

This agenda and approved minutes of Board meetings may be viewed and printed from the Internet: www.metroed.net

REGULAR MEETING

Date: ~~October 14, 2009~~ November 2, 2009
 Time: 6:00 p.m.

LOCATION

CCOC, Rm 810
 760 Hillsdale Ave.
 San Jose, CA 95136

I. CALL TO ORDER/ROLL CALL

(Rich Garcia)

Frank Biehl
 Cynthia Chang
 Diane Gordon

Jim Canova
 Richard Garcia
 Marsha Grilli

II. DISCLOSURE OF "CLOSED SESSION" DISCUSSION ITEMS

All meetings of the Governing Board are open to the general public, with the exception of those items which are specifically exempt under the Ralph M. Brown Act.

A. Conference with Labor Negotiator Pursuant to Government Code: 54957.6(f)

District Negotiator

- Dan Gilbertson

Employee Organizations

- AFT
- CSEA
- Unrepresented Employees

B. Superintendent's Evaluation; Pursuant to Government Code: 54957

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code 54954.2(a) and .3) preclude any action. As an unagendized item, no response is required from the Board or District Staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name and address for the record, and limit your remarks to two minutes.

III. PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS

IV. ADJOURN TO CLOSED SESSION

Time: 6:02 pm
Location: CCOC, RM 810

V. REGULAR MEETING
Reconvene from Closed Session

Time: 7:00 p.m.
Location: CCOC Auditorium

VI. REPORT OF CLOSED SESSION ACTIONS (Rich Garcia)

VII. PLEDGE OF ALLEGIANCE (Rich Garcia)

VIII. ADOPT AGENDA (Rich Garcia)

IX. RECOGNITIONS (Rich Garcia)

- A. Acknowledgement of Visitors
- B. Acknowledgement of Honors and Awards
 - Recognition of Individuals who have "Raised the Bar!"

X. STUDENT REPORTS (Rich Garcia)

- A. CCOC Student
- B. MAEP Student

XI. SPECIAL ORDER OF BUSINESS (Paul Hay)

The Superintendent will update the Board on special projects or may request that individuals be allowed to present an item out of order on the agenda to accommodate their schedules.

XII. PUBLIC COMMENTS

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code 54954.2(a) and .3) preclude any action. As an unagendized item, no response is required from the Board or District Staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name and address for the record, and limit your remarks to two minutes.

XIII. APPROVAL OF MINUTES (Rich Garcia)

1. Action Item: Approval of [Minutes](#) of Regular Board Meeting on September 9, 2009.

XIV. CONSENT CALENDAR (ACTION)

All matters listed under the Consent Calendar and marked with an *asterisk are considered by the Governing Board to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion, unless members of the Board or the Superintendent request specific items to be discussed and/or removed from the Consent Calendar.

Recommendation: The Superintendent recommends approval of Consent Calendar items *2 through *18.

BUSINESS AND FINANCIAL FUNCTIONS

***2. Consent Item: Approve Monthly Warrant Approval List (Daniel Gilbertson)**

Recommendation: That the Governing Board approve the following warrant registers: #62003518-#62003549, dated September 3, 2009; #62003550-#62003573, dated September 8, 2009; #62003574-#62003601, dated September 9, 2009; #62003602-#62003642, dated September 11, 2009; #62003679-#62003679, dated September 15, 2009; #62003680-#62003708, dated September 17, 2009; #62003709-#62003741, dated September 21, 2009; #62003742-#62003779, dated September 23, 2009; #62003780-#62003781, dated September 24, 2009; #62003782-#62003805, dated September 25, 2009; #62003806-#62003867, dated September 28, 2009; #62003868-#62003897, dated September 29, 2009.

***3. Consent Item: Accept Donations (Daniel Gilbertson)**

Recommendation: That the Governing Board accept the donations on behalf of the district.

***4. Consent Item: Approval of Master Business Relationship Agreement: Milpitas Unified School District (Paul Hay)**

Recommendation: That the Governing Board approve the 2009-10 Master Business Relationship Agreement, including Appendices A and B and the amendment to the 2008-09 MBRA Appendix B, between MetroED and Milpitas Unified School District.

***5. Consent Item: Approval of Master Business Relationship Agreement: San Jose Unified School District (Paul Hay)**

Recommendation: That the Governing Board approve the 2009-10 Master Business Relationship Agreement, including Appendices A, B, and C and the amendment to the 2008-09 MBRA Appendix B, between MetroED and the San Jose Unified School District.

***6. Consent Item: Approval of Master Business Relationship Agreement: Santa Clara Unified School District (Paul Hay)**

Recommendation: That the Governing Board approve the 2009-10 Master Business Relationship Agreement, including Appendices A, and B and the amendment to the 2008-09 MBRA Appendix B, between MetroED and the Santa Clara Unified School District.

***7. Consent Item: Approval of Master Business Relationship Agreement: East Side Union High School District (Paul Hay)**

Recommendation: That the Governing Board approve the 2009-10 Master Business Relationship Agreement, including Appendices A, and B and the amendment to the 2008-09 MBRA Appendix B, between MetroED and the East Side Union High School District.

***8. Consent Item: Adopt Budget Calendar & Budget Guidelines for 2010-2011 (Daniel Gilbertson)**

Recommendation: That the Governing Board approve the Budget Calendar and Budget Guidelines for development of the fiscal year 2010-11 budget.

PERSONNEL FUNCTIONS

- *9. **Consent Item: [Classified Personnel](#) (Daniel Gilbertson)**

Recommendation: That the Governing Board approve the three recalled assignments, one resignation, and one regular election.

- *10. **Consent Item: [Administrative Personnel](#) (Daniel Gilbertson)**

Recommendation: That the Governing Board approve the one resignation, one appointment, and one reclassification.

- *11. **Consent Item: [Revise Director](#) of Fiscal Services and Human Resources Administrator Job Descriptions (Daniel Gilbertson)**

Recommendation: That the Governing Board approve the revised job description for the Director of Fiscal Services and Human Resources Administrator.

- *12. **Consent Item: [Revise MetroED CSEA Job Description](#) for Maintenance Specialist (Daniel Gilbertson)**

Recommendation: That the Governing Board approve the revised job description for Maintenance Specialist.

INSTRUCTIONAL AND STUDENT FUNCTIONS

- *13. **Consent Item: [Medical Apprenticeship](#) Agreement (Sylvia Karp)**

Recommendation: That the Governing Board approve the agreements to offer on-the-job clinical training to MAEP medical students.

- *14. **Consent Item: [Appointment of CCOC Employer](#) Advisory Boards (John Fox)**

Recommendation: That the Governing Board establish the Employer Advisory Boards per Education Code Section 52302.2, appoint the persons named, and authorize the Superintendent or his designee to appoint additional EAB members as they are identified.

- *15. **Consent Item: [Agreement with City of San Jose](#) at the East Side San Jose Carnegie Branch Library (Sylvia Karp)**

Recommendation: That the Governing Board approve the Memorandum of Understanding with the City of San Jose.

- *16. **Consent Item: [Approval of CCOC](#) Student Council Bylaws (John Fox)**

Recommendation: That the Governing Board approve the Student Council Bylaws dated September 2009.

- *17. **Consent Item: [SCC Works Program Worksite](#) Agreement (Sylvia Karp)**

Recommendation: That the Governing Board approve the Worksite Agreement between MetroED and the County of Santa Clara Social Services Agency.

- *18. **Consent Item:** [Williams Uniform Complaint Procedures Report \(Daniel Gilbertson\)](#)

Recommendation: That the Governing Board approve the quarterly report on the Williams Uniform Complaint Procedures.

END OF CONSENT ITEMS

XV. INFORMATION ITEMS

19. **Information Item:** [Update on CCOC Building 300 Proposition 1D Project \(Paul Hay\)](#)

Recommendation: That the Governing Board review the information on the building 300 Proposition 1D project.

END OF INFORMATION ITEMS

XVI. ACTION ITEMS AND REPORTS

BOARD AND ADMINISTRATIVE FUNCTIONS

20. **Action Item:** [Third Reading: BB 9010 \(Paul Hay\)](#)

Recommendation: That the Governing Board adopt the changes to Board Bylaw 9010 and send the policy to CSBA to post on MetroED's Gamut website.

BUSINESS AND FINANCIAL FUNCTIONS

21. **Action Item:** [Authorization to submit Career Technical Education Facility Program Application-3rd Funding Cycle \(Prop 1D, \\$444,516\) \(John Fox\)](#)

Recommendation: That the Governing Board approve the Proposition 1D CTE equipment grant application for the Manufacturing and Product Development Industry Sector Pathway.

22. **Action Item:** [Award Bid and Approve Paving Contract for Hillsdale Avenue Campus \(Galedrige Construction-\\$69,150\) \(Daniel Gilbertson\)](#)

Recommendation: That the Governing Board 1)award the bid for parking lot paving replacement and repair at 760 Hillsdale Avenue, San Jose to Galedrige Construction as the lowest responsible bidder, 2) approve the contract between MetroED and Galedrige Construction in the amount of \$69,150.

23. **Action Item:** [Hold Public Hearing and Adopt Resolution #02-10-14-09, regarding Flexibility Funds \(Keiko Mizuno\)](#)

Public Hearing Open

Recommendation: That the Governing Board hold a public hearing and adopt Resolution #02-10-14-09 to approve the use of Flexibility Funds.

Public Hearing Closed

24. **Action Item:** [Monthly Budget Update](#) (Keiko Mizuno)

Recommendation: That the Governing Board approve the monthly budget update.

25. **Action Item:** [Amend Ground Lease](#) with Capitol Auto Mall LLC (Paul Hay)

Recommendation: That the Governing Board approve Amendment #2 to the Ground Lease between MetroED and the Capitol Auto Mall Plaza, LLC.

PERSONNEL FUNCTIONS

26. **Action Item:** [Public Hearing: Disclosure](#) of Financial Implications of Collective Bargaining Agreements with AFT employees (Daniel Gilbertson)

Public Hearing Open

Recommendation: That the Governing Board hold a public hearing and disclose the cost of the proposed settlement with the San Jose Federation of Teachers (AFT) as required by AB1200.

Public Hearing Closed

27. **Action Item:** [Ratification of the AFT Agreement](#) for 2008-09 (Daniel Gilbertson)

Recommendation: That the Governing Board approve the AFT tentative agreement.

INSTRUCTIONAL AND STUDENT FUNCTIONS

--None--

XVII. EXECUTIVE REPORT/ADMINISTRATIVE REPORTS

Superintendent Paul Hay and the MAEP and CCOC Program Directors will have recent **significant** information to present to the Governing Board on topics not on the agenda.

- Oral Report: CCOC Director John Fox
- Oral Report: MAEP Director Sylvia Karp
- Oral Report: MetroED Superintendent Paul Hay

XVIII. BOARD COMMENTS

(Rich Garcia)

Individual Board members may report on: visits to schools, programs, conferences, meetings attended and/or items of interest to the public. A board member may wish to express a concern or observation about a topic not appearing on the agenda, or request items to be scheduled on a future agenda.

XIX. OTHER MEETINGS

Regular Meeting, November 18, 2009	Closed Session	6:00 pm
	Open Session	7:00 pm

XX. ADJOURNMENT

(Rich Garcia)

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