

# RIVER DELTA UNIFIED SCHOOL DISTRICT

## MINUTES

### REGULAR MEETING

December 11, 2018

1. **Call Open Session to Order** – Board President Fernandez called the Open Session of the meeting of the Board of Trustees to order at 5:41 p.m. on December 11, 2018, at Rio Vista High School, Rio Vista, California.

2. **Roll Call of Members:**

Alicia Fernandez, President  
Don Olson, Vice President  
Marilyn Riley, Clerk  
Sarah Donnelly, Member  
Chris Elliott, Member  
Katy Maghoney, Member  
David Bettencourt, Member (Absent)

Also present: Don Beno, Superintendent

3. Annual Reorganization – Election of Officers:

- 3.1 Following the November 2018 elections, the District will recognize departing Board Members: Sarah Donnelly, Katy Maghoney and David Bettencourt – Mr. Beno was honored to acknowledge the departing Board Members and present them with a commemorative pen recognizing their years of service to the students of the district. Mr. Beno stated that Member Donnelly has been on the Board of Trustee for eight years, and she often has mentioned that the schools are an integral part of the community. Member Maghoney has also been on the Board for almost eight years and has a strong heart for all students, especially the at-risk students.

- 3.2 Following the November 2018 elections, the District will “seat” the new and/or returning Board members with the Oath of Allegiance: Alicia Fernandez, Dan Mahoney, Jennifer Stone and Rafaela Casillas – Member Olson conducted the Oath of Allegiance to returning Board Member Alicia Fernandez and the newly elected Board Members Dan Mahoney, Jennifer Stone and Rafaela Casillas. Member Olson welcomed them to the River Delta Unified School District’s Board of Trustees. The new members took their seat for the remainder of the meeting.

4. Review Closed Session Agenda (see attached agenda)

- 4.1 Announce Closed Session Agenda
- 4.2 Public Comment on Closed Session Agenda Items Only – None to report
- 4.3 Approve Closed Session Agenda and Adjourn to the **Closed Session**

Board President Fernandez asked for a motion to approve the Closed Session Agenda and adjourn the meeting to Closed Session @ 5:47 pm

Member Riley moved to approve. Member Olson seconded. Motion carried 7 (Ayes: Fernandez, Olson, Riley, Elliott, Mahoney, Stone, Casillas); 0 (Nays:); 0 (Absent:)

5. **Open Session was reconvened at 7:01 pm**

- 5.1 Roll was retaken, Members Fernandez, Olson, Riley, Elliott, Mahoney, Stone and Casillas were present.  
Also present: Don Beno, Superintendent; Elizabeth Keema-Aston, Chief Business Officer and Jennifer Gaston, Recorder.
- 5.2 The Pledge of Allegiance was led by Aiden Mayhood, a student of Rio Vista High School.

6. **Report of Action taken, if any, during the Closed Session** (Government Code Section 54957.1)  
Board President Fernandez reported that the Board did not take any actions during closed session.

7. **Review and Approve the Open Session Agenda**

Member Riley moved to approve. Member Olson seconded. Motion carried 7 (Ayes: Fernandez, Olson, Riley, Elliott, Mahoney, Stone, Casillas); 0 (Nays:); 0 (Absent:)

8. **Public Comment:** Aiden Mayhood, a student of Rio Vista High School, thanked the Board and Superintendent Beno for helping with the approval for an open campus policy during the lunch break at Rio Vista High School. Aiden

presented them with thank you letters from the Rio Vista High School's Associated Student Body. Member Fernandez stated that the Board really appreciates when the student come forward with problems, concerns, or ideas. Mr. Beno commended Aiden on his presentation to the Board as well as to Mrs. Turk regarding the open campus policy. He also stated it was a great opportunity for civic engagement on his behalf.

## 9. Reports, Presentations, Information

### 9.1 Board Member(s) and Superintendent Report(s) and/or Presentation(s) –

- 9.1.1 Board Members' report(s): Member Riley reported that she and Member Fernandez made school visits to Rio Vista Schools. They met a few new teachers and were able to see the students in the classrooms. They had a long talk with Mrs. Rossi, principal at Riverview Middle School and one as well with Mr. Casey at D.H. White Elementary. She announced that it was a productive day, with a lot of great teaching.  
Member Fernandez reported that during the visits they had a few items for follow up. She stated one complaint that they received was that there weren't enough supplies for that day's meal and that the favorite item on the menu ran out before all the students had time to choose their meal. Member Fernandez is concerned that the students are not eating before returning to class. Member Fernandez mentioned that maybe it would be a good time to conduct a survey on what lunch items the students prefer to eat. Member Fernandez also commented that it was a good day talking to the administrators.
- 9.1.2 Committee Report(s): Member Fernandez asked if there was a volunteer who would like to fill the open position (Member Donnelly's) on the City of Rio Vista's 2 X 2 committee. Member Mahoney volunteered to be on the committee.
- 9.1.3 Superintendent Beno's report(s) – Mr. Beno took the opportunity to give the Board an update and to address questions he received in a letter from the Rio Vista High School's Booster Club regarding the impact the new housing development on the schools in Rio Vista. Mr. Beno stated that at this time, we will be able to absorb the incoming students from this current development and the impact fees collected will help with repairs and upgrades to the current facilities.

Chandra Drury had a few comments on Mr. Beno's reports. Mrs. Drury feels the District is being reactive in regarding having adequate facilities for additional students. She feels a proactive approach should be followed moving forward, if possible. She also feels that the construction of modular units for school facilities are not the quality of the old-fashioned brick and mortar for buildings and asks in the long run if they are really cost effective.

Mr. Beno confirmed that all options will be reviewed and contemplated before any decisions are made.

### 9.2 Business Services' Reports and/or Presentations on: Routine Restricted Maintenance; Deferred Maintenance; Maintenance and Operations; Transportation Department; Food Services Department; District Technology; and District Budget – Elizabeth Keema-Aston, Chief Business Officer and Ken Gaston, Director of MOT

- 9.2.1 ADA/Enrollment Report - Elizabeth Keema-Aston reported that overall the district has seen a decrease of one in enrollment and a decrease of four in ADA from the previous month. For the month of November, the district's ADA is at 95.6%.
- 9.2.2 Monthly Financial Report - Elizabeth Keema-Aston reported that the First Interim revisions have been posted and the numbers are reflected in the report submitted.
- 9.2.3 Maintenance, Operations & Transportation Update – Ken Gaston welcomed the new Board members and reported that his team and been working on preventative maintenance throughout the district. Mr. Gaston reported that many of the schools have had or will have water hydration stations installed on their campuses. Mr. Gaston responded to a question that the Walnut Grove playground project is still at an impasse with the contractor that damaged the blacktop. With the Winter weather among us, it is likely that the repairs will not be completed until the wet weather has gone. Mr. Gaston responded to a question regarding the septic system at Delta Elementary Charter School (DECS). Mr. Gaston stated that DECS septic system had to be pumped out because it had an overflow issue. The county has asked for DECS septic system to be reviewed. An investigation into this issue has begun. However, the initial findings are not conclusive. Further inspections may need to be done.
- 9.2.4 Present the Annual Developer Fee Report – Elizabeth Keema-Aston reported that within 180 days after the close of the prior year, an annual report of how fees collected have been spent is due to be presented to the Board. This information is available to the public and will be brought before the Board at the January 8<sup>th</sup> meeting for discussion. Ms. Keema-Aston made note that all funds collected for the Encore Liberty (LGI) homes are being held in reserve for future facility needs. Total funds collected were \$492,607; total funds expended were \$253,361; and a



contribution of \$77,054 were made from the general fund for the Shea Home reimbursement payment and portable rentals.

- 9.3 River Delta Unified Teacher's Association (RDUTA) Update – Paul Delgado welcomed the new Board members and said he is looking forward to good conversations with them. Mr. Delgado also mentioned that the teacher's association bought lunch for its members which were provided by Lira's Supermarket. He stated that the sandwiches were fantastic, and everyone was happy. Mr. Delgado also wanted to talk to Mr. Gaston about the temperature in the classrooms.
- 9.4 California State Employee's Association (CSEA) Chapter #319 Update – None to report
- 9.5 Public Hearing – To acknowledge the River Delta Unified Teachers' Association (RDUTA)'s Initial proposals for negotiation with River Delta Unified School District for 2018-2019.

**Open Public Hearing 7:39pm**

**Public Comment:** Mr. Beno explained that this hearing is part of opening negotiations between RDUTA and the District. He noted that RDUTA would like to open with Salary, Benefits, Hours, and Class Size.

**Close Public Hearing 7:40 pm**

10. **Consent Calendar**

- 10.1 Approve Board Minutes
  - Regular Meeting of the Board, November 13, 2018
  - Regular Meeting of the Board, September 11, 2018 REVISED
- 10.2 Receive and Approve Monthly Personnel Reports
  - As of December 11, 2018
- 10.3 District's Monthly Expenditure Report
  - November 2018
- 10.4 Request to approve out of state travel for Rio Vista High Schools American Field Service students domestic exchange visit to Mattapoisett, Massachusetts, March 21-25, 2019, No cost to the district – Vicky Turk
- 10.5 Request to acknowledge the "Sunshined" River Delta Unified Teacher's Association negotiation proposals to the River Delta Unified School District for 2018-2019 – Charles Van Riper
- 10.6 Request to declare as surplus and deem as zero value, non-operational technology equipment from inventory at D.H. White Elementary School – Nick Casey
- 10.7 Request to approve the D.H. White Elementary School PTC fundraiser "School Store" – Nick Casey
- 10.8 Request to apply for the Low Performing Students Block Grant (LPSBG) for fiscal years 2018-2021 -- Kathy Wright
- 10.9 Request to approve the renewal agreement with School Messenger for the 2018-19 school year at a cost not to exceed \$3,220.80 from Educational Services Funds – Kathy Wright
- 10.10 Request to approve the renewal agreement with 806 Technologies, Inc. for the 2018-2019 school year at a cost not to exceed \$4,050. from Educational Services Funds -- Kathy Wright
- 10.11 Request to approve the agreement with Houghton Mifflin Harcourt for professional development Spring 2019 not to exceed \$35,450 from Educational Services Funds – Kathy Wright
- 10.12 Donations to Receive and Acknowledge:
  - D.H. White Elementary School – College Day T-Shirts**
    - Rio Vista Lions Club - \$250
  - Isleton Elementary School – 6<sup>th</sup> Grade Sly Park Educational Fieldtrip**
    - Korth's Pirates Lair Marina - \$235
  - Rio Vista High School**
    - Caudine Talbert – Cross Country Team
    - Kyle and Kearsten Turk – Joseph Turk Memorial Scholarship Fund
    - Rio Vista Foundation – funds towards hydro and water bottle filling stations
  - Riverview Middle School – General Donation**
    - Beth Brockhouse - \$153.84

Board President Fernandez acknowledged those who made donations and thanked them for their support.

Member Riley moved to approve. Member Elliott seconded. Motion carried 7 (Ayes: Fernandez, Olson, Riley, Elliott, Mahoney, Stone, Casillas); 0 (Nays:); 0 (Absent:)



11. The Board is to conduct reorganizational duties including the election of Officers for 2019. The Board must elect the President, Vice President and Clerk positions as well as the SCOE Board representative. Upon the election of the new or returning officers, the Officers will be "seated" to conduct the balance of the meeting – Don Beno

Member Riley nominated that the RDUSD officers remain the same except for the SCOE representative, as Member Maghoney left office, and Member Stone has volunteered to fill that position. 2019 RDUSD officers as follows:

**President:** Member Fernandez; **Vice President:** Member Olson; **Clerk:** Member Riley and **SCOE Rep:** Member Stone

Member Riley moved to approve, Member Elliott seconded. Motion carried 7 (Ayes: Fernandez, Olson, Riley, Elliott, Mahoney, Stone, Casillas); 0 (Nays:); 0 (Absent:)

12. The Board is to complete their 'annual reorganization' duties (under the provisions of Ed Code 35143 and 50171) by setting and approving a schedule of Regular Board Meetings for Calendar Year 2019 - Don Beno

Member Olson moved to approve, Member Riley seconded. Motion carried 7 (Ayes: Fernandez, Olson, Riley, Elliott, Mahoney, Stone, Casillas); 0 (Nays:); 0 (Absent:)

13. Request to approve the approval of the First Interim Financial Report for 2018-2019 – Elizabeth Keema-Aston

Member Olson moved to approve, Member Riley seconded. Motion carried 7 (Ayes: Fernandez, Olson, Riley, Elliott, Mahoney, Stone, Casillas); 0 (Nays:); 0 (Absent:)

14. The Superintendent request direction from the Board in the matter of reconfiguring the River Delta USD Board Trustee Boundary Areas using the last census data from April 1, 2010 or postpone the process until after the next census in 2020 – Don Beno

Mr. Beno described the current trustee boundary areas and which member represents these areas. Mr. Beno explained the types of election options a district can use, and which option is used by River Delta Unified School District. Mr. Beno described the steps the district has taken since the last census in 2010. Mr. Beno stated that if the Board decides to redistrict immediately the Board may wish to have Mr. Demers represent the presentation he delivered to the Board in January of 2013, if he was still working with the county. Mr. Beno gave an example of what the timeline of might look like when redistricting.

Member Mahoney stated that this issue was the reason he ran for the School Board. He cited several segments from past Board meetings on how the District justified not redistricting in the past. Member Mahoney feels that a civil rights violation has been committed by not redistricting and stated several court cases that he feels pertain to the district. Member Mahoney stated that he had contacted an attorney who stated they felt he has cause. However, they did not specialize in educational issues and provided him with contact information of an attorney who did. Member Mahoney stated that morally he could not sue the district because it would take away money from the students. He also stated that he filed a Grand Jury complaint. However, he was directed to speak to an assistant district attorney. The assistant district attorney said that this is a federal issue, and they did not have authority to enforce reapportionment. Member Mahoney is requesting immediate redistricting of the trustee boundary areas and again after the 2020 census.

Member Fernandez asked if there was a motion from the Board. Member Mahoney made a motion to move forward in redistricting immediately using the seven (7) area boundary scenario from the current information taken with the 2010 census (provided by the Sacramento County Voter Registration and Election Office presented by Mr. Demers, January 2013). Member Stone asked if the district was in violation by not redistricting at this time. Mr. Beno stated that he didn't feel the district was in violation based on conversations with legal counsel. However, he would prefer legal counsel be present at a Board meeting to make any legal clarification. While Member Fernandez appreciates the hard work many have put forth regarding this issue, she would prefer to hear from the district's legal counsel to determine if the district is in violation. Member Olson agrees that the district's need to redistrict. However, he doesn't know if the suggested seven area solution is the answer. Member Fernandez stated that if the Board decides to move forward, she would like to see other seven area scenarios and would also like to hear from legal counsel if it is required to redistrict before deciding. Mr. Beno will request Mr. Demers or a representative from the Sacramento County Office of Voters and Elections re-present the 2013 presentation and inquire if a hearing can be held on the same evening. Member Fernandez recommends that legal counsel be present at the January Board meeting to clear any questions of wrong doing by the district and if the district is required to re-district at this time. With the information received by legal counsel, the Board will make the decision to move forward now or wait until after the 2020 census information is received. Member Stone seconded the motion. However, Member Mahoney withdrew his motion.

Member Mahoney made a new motion to move forward with reapportionment, continuing to another meeting with Mr. Demers providing a presentation to the Board. Member Fernandez recommends not to move forward without hearing from legal counsel, clearing the Board of any wrong doing and then making an educated decision at that time. Mr. Beno will check the availability of legal counsel for the January 8, 2019 Board meeting.



Member Mahoney made a motion to move forward in reconfiguring the Trustee Boundary Areas immediately, with an invitation to Mr. Demers to provide the Board with a presentation; Member Stone seconded. Motion carried 4 (Ayes: Olson, Mahoney, Stone, Casillas); 2 (Nays: Fernandez, Riley); 1 (Absent: Elliott left the meeting at 8:07pm)

15. Request to approve Resolution #756 River Delta Unified School District (Contract CSPP-8405) remained closed due to poor air quality on November 16, 2018 and November 19, 2018 – Antonia Slagle

Member Olson moved to approve, Member Mahoney seconded. Motion carried by roll call vote 6 (Ayes: Fernandez, Olson, Riley, Mahoney, Stone, Casillas); 0 (Nays:); 1 (Absent: Elliott)

16. Request to hold a Public Hearing – Authorizing Dedication of Easements to Sacramento Area Sewer District

**Open Public Hearing: 8:25 pm**

**Public Comment:** Ms. Keema-Aston informed the public that this item was brought before the Board at the November Board meeting with a representative from the Sacramento Area Sewer District (SASD) presenting the proposal to the Board and public. She stated that notification of this hearing was posted at the District Office, Walnut Grove Elementary, Delta High Schools, and the district's website, as well as being run in the Sacramento Bee. Steve Kiyama, a representative from SASD gave a summary of the project and was available to answer any questions.

**Close Public Hearing: 8:33 pm**

Request to approve Resolution #757 Authorizing Dedication of Easements to Sacramento Area Sewer District and the Sale of Real Property to the Sacramento Area Sewer District (SASD), a permanent sanitary sewer easement and a temporary construction easement across a portion of the property located at 14181 Grove Street and Warehouse Street in Walnut Grove. APNs 146-0190-031 and 146-0170-059 – Elizabeth Keema-Aston

Member Fernandez moved to approve, Member Olson seconded. Motion carried by roll call vote 6 (Ayes: Fernandez, Olson, Riley, Mahoney, Stone, Casillas); 0 (Nays:); 1 (Absent: Elliott)

17. Request Board to Respond to California School Board's Association's Call for Nominations for CSBA Delegate Assembly – Don Beno

Member Fernandez moved to approve with no nominees be submitted, Member Riley seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Mahoney, Stone, Casillas); 0 (Nays:); 1 (Absent: Elliott)

18. Re-Adjourn to continue Closed Session was not necessary.

19. Re-Adjourning to continue Closed Session was not necessary – no actions to report. Adjournment: There being no further business before the Board, Board President Fernandez asked for a motion to adjourn.

Member Olson moved to approve, Member Riley seconded. Motion carried 6 (Ayes: Fernandez, Olson, Riley, Mahoney, Stone, Casillas); 0 (Nays:); 1 (Absent: Elliott)

20. The meeting was adjourned at 8:38 p.m.

Submitted:

  
\_\_\_\_\_  
Don Beno, Superintendent and  
Secretary to the Board of Trustees

Approved:

  
\_\_\_\_\_  
Marilyn Riley, Clerk, Board of Trustees

By: Jennifer Gaston, Recorder  
End