



San Juan Unified School District

Board of Education

3738 Walnut Avenue, Carmichael, California 95608

**Board of Education Minutes
August 9, 2022**

Regular Meeting

Board of Education

5:00 p.m.

Open Session/Call to Order/Announcement of Closed Session Topics (A)

The August 9 regular meeting was called to order by the president, Dr. Michael McKibbin. The board meeting was held in person and also livestreamed on the district's YouTube channel.

Roll Call

Present:

Michael McKibbin, Ed.D., president

Zima Creason, vice president

Pam Costa, clerk

Saul Hernandez, member

Paula Villescaz, member (*arrived at 6:30 p.m.*)

Visitor Comments: Closed Session (A-1)

Ben Avey made comments regarding the search for a new superintendent.

Closed Session (B)

The meeting was then recessed with the board convening in closed session to conference with Legal Counsel – Existing Litigation pursuant to Government Code section 54956.9(d)(1) – two cases – Name of Case: Magali Kincaid, Benito Juarez Neighborhood Association, Neighborhood Elections Now, Juan Yniguez, Carolina Flores, Damaris Canton v. San Juan Unified School District, Complaint for Violation of the California Voting Rights Act and in the Alternative, For Violation of the Voting Rights Act of 1965 and the California Constitution, Sacramento Superior Court Case No. 34-2020-00286475 and Name of Case: Carolina Flores, Neighborhood Elections Now, Petitioners, vs. San Juan Unified School District, Paula Villescaz, in her official capacity of Board President, Respondents, Verified Petition for Writ of Mandate Pursuant to the First Amendment, the California Constitution, California Public Records Act, and the Ralph M. Brown Act; and Complaint for Declaratory and Injunctive Relief, Sacramento Superior Court Case No. 34-2021-80003644-CU-WM-GDS; to discuss with negotiator Daniel Thigpen, Senior Director, Labor Relations, regarding CSEA Chapter 127 General/Operations support, Chauffeurs/Teamsters Local No. 150 Transportation, Supervisors, Teachers and Certificated Supervisory units and regarding non-represented groups: management and confidential units (Government Code section 54957.6); and to discuss personnel matters (Government Code section 54957) – superintendent's goals for 2022-2023 and superintendent search and public employee appointment/employment – superintendent.

Reconvene Open Session/Pledge of Allegiance (C)

At 6:30 p.m., the meeting was called back to order by the president Dr. Michael McKibbin, who then led the group in the Pledge of Allegiance.

Minutes Approved (D)

It was moved by Ms. Costa, seconded by Ms. Villescaz, that the minutes of the June 14 regular meeting be approved. MOTION CARRIED 4-0-1 [AYES: McKibbin, Costa, Hernandez, Villescaz; NOES: None; ABSTAIN: Creason].

It was moved by Ms. Creason, seconded by Ms. Costa, that the minutes of the June 28 regular meeting be approved. MOTION CARRIED 3-0-2 [AYES: Creason, Costa, Hernandez; NOES: None; ABSTAIN: McKibbin, Villescaz].

Closed Session/Expulsion Actions (E-5)

Ms. Costa reported that the board approved a final settlement agreement with all plaintiffs in the cases of Magali Kincaid, et. al., versus San Juan Unified School District, and Carolina Flores, et. al., versus San Juan Unified School District, et. al., by the unanimous vote of 4-0.

Ms. Costa then read the following statement in announcing the action: “Although the district agreed to move to trustee area elections, the lawsuit was filed and required the district to hire counsel to defend the two cases. The district was successful in having the superior court dismiss the California Voting Rights Act claim brought by various plaintiffs. A federal claim remained in the lawsuit that we believe would also have been eventually dismissed by the court. After a voluntary settlement conference before a judge the parties reached a tentative settlement, subject to board approval, of the remaining two cases. The settlement terms require the plaintiffs to dismiss the lawsuits and the district pay attorney fees in the total amount of \$130,000, that includes the statutory fees of \$32,582.48 already authorized. The agreement to pay fees beyond the statutory fee amount was to assure that the district would not spend even more funds in defending the remaining two cases through trial and to put an end to these two cases.”

Visitor Comments (F)

April Bean made comments about TrevorSpace.

Erin Mokhtar expressed her concerns regarding school safety.

Consent Calendar Approved (G-1/G-6)

Ms. Creason pulled item G-7 and Ms. Villescaz pulled item G-8. It was moved by Ms. Villescaz, seconded by Mr. Hernandez, that the consent calendar items G-1 through G-6 be approved. MOTION CARRIED UNANIMOUSLY [McKibbin, Creason, Costa, Hernandez, Villescaz].

Personnel (G-1)

Appointments, leaves of absence, separations and cabinet contracts/extension of contract – approved as submitted.

Purchasing Report (G-2)

Purchase orders and service agreements, change orders and zero-dollar contracts – approved as submitted.

Business/Financial Report (G-3)

Notices of completion and warrants and payroll – approved as submitted.

Grant: California Partnership Academies (G-4)

Approval to implement the following grant: California Partnership Academies: California Labor Federation Partnership Project Grant, 2022-2023.

Grant: California Farm to School Incubator Grant Program (G-5)

Approval to implement the following grant, if funded: California Farm to School Incubator Grant Program.

Resolution 4031: Arden Middle School Lease Amendment No. 5 (G-6)

Adoption of Resolution No. 4031, approving the fifth amendment to the lease agreement for the Arden Middle School new construction project no. 002-9512-P1 between SJUSD and Clark & Sullivan Builders Inc. dba Clark/Sullivan Construction.

Consent Calendar Continued (H) (G-7 and G-8)

Certification of Absence: Zima Creason (G-7)

Certification that the June 14, 2022, absence of board member Zima Creason occurred due to illness, pursuant to Education Code 35120(c) and Board Bylaw 9250.

It was moved by Ms. Villescaz, seconded by Mr. Hernandez, that the consent calendar item G-7 be approved. MOTION CARRIED 4-0-1 [AYES: McKibbin, Costa, Hernandez, Villescaz; NOES: None; ABSTAIN: Creason].

Certification of Absence: Paula Villescaz (G-8)

Certification that the June 28, 2022, absence of board member Paula Villescaz occurred due to illness, pursuant to Education Code 35120(c) and Board Bylaw 9250.

It was moved by Ms. Creason, seconded by Ms. Costa, that the consent calendar item G-8 be approved. MOTION CARRIED 4-0-1 [AYES: McKibbin, Creason, Costa, Hernandez; NOES: None; ABSTAIN: Villescaz].

Declaration of Need for Fully Qualified Educators (I-1)

Director of Human Resources Deann Carlson presented the item. It was moved by Ms. Costa, seconded by Ms. Creason, to adopt the Declaration of Need for Fully Qualified Educators for the 2022-2023 school year. MOTION CARRIED UNANIMOUSLY [McKibbin, Creason, Costa, Hernandez, Villescaz].

Board Reports (J)

Ms. Villescaz reported that she, along with Chief Operations Officer Frank Camarda, attended the celebration of life for former Facilities Committee member Dave Doerr, and she welcomed everyone back to the new school year.

Ms. Creason shared that she volunteered at Rio Americano High School on schedule pick up day and that she is proud of the way the district has addressed staffing shortages.

Dr. McKibbin spoke about four events that he recently attended: the district's Equity Summit, Smooth Start and Cultivating Leaders events, as well as the Citrus Heights Chamber elected officials reception where he was joined by Ms. Villescaz.

Future Agenda (K)

There were no items added to the future agenda.

Closed Session Continued (B)


At 6:51 p.m., Dr. McKibbin announced that the board would return to closed session.

Adjournment (L)

At 8:08 p.m., Dr. McKibbin stated there were no closed session actions to report, and there being no further business, the regular meeting was adjourned.



Michael McKibbin, Ed.D., President



Kent Kern, Executive Secretary

Approved: 08/23/2022

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