



**BOARD OF EDUCATION MEETING
AGENDA – SPECIAL MEETING**

March 23, 2017

A special meeting of the Santa Monica-Malibu Unified School District Board of Education will be held on **Thursday, March 23, 2017**, in the **District Administrative Offices**: 1651 16th Street, Santa Monica, CA. The Board of Education will call the meeting to order at 4:45 p.m. in the Board Conference Room at the District Offices, at which time the Board of Education will move to Closed Session regarding the items listed below. The public meeting will reconvene at 5:30 p.m. in the Board Room.

The public meeting will begin at 5:30 p.m.

Meeting Format “B”: The first board meeting in a month will follow Format A, the second meeting in a month will follow Format B, and in a month in which there is only one meeting, the Hybrid Format will be followed. The order of items in a Format B meeting are: 1) closed session, 2) consent calendar, 3) study session, 4) discussion items, 5) major items (as needed), and 6) general public comments.

Public Comments: Persons wishing to address the Board of Education regarding an item scheduled for this meeting must submit the “Request to Address” card prior to consideration of that item. Persons wishing to address the Board of Education regarding an item not scheduled on this meeting’s agenda may speak during the General Public Comments section by submitting the “Request to Address” card prior to the beginning of general public comments. The same card is used for either option and is printed in both Spanish and English. Cards are located with meeting materials just outside the meeting room. Completed cards should be submitted to the Recording Secretary.

Time Certain Items: Those items listed for a specified time (marked in the margin) are so noted to give the public an indication of when the Board will hear that item. However, if it is prudent to do so, the Board may adjust the time stamp to complete an item currently on the floor, but will not delay the time stamped item for more than fifteen (15) minutes.

CLOSED SESSION (4:45-5:30 p.m.)

I. PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY

Persons wishing to address the Board of Education regarding an item scheduled for closed session must submit the “Request to Address” card prior to the start of closed session.

II. CLOSED SESSION (45 minutes)

- Government Code §54956.9(d)(1) (45)
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
 - Name of Case: America Unites for Kids, and Public Employees for Environmental Responsibility vs. SMMUSD Superintendent, SMMUSD Associate Superintendent and Chief Financial Officer, and SMMUSD Board of Education; U.S. District Court Case No. 2:15-CV-2124

III. CALL TO ORDER (5:30 p.m.)

- A. Roll Call
- B. Pledge of Allegiance

IV. CONSENT CALENDAR (0 minutes)

As agreed by the President, Vice President, and Superintendent during agenda planning, consent agenda items are considered routine, require no discussion, and are normally approved all at once by the Board of Education. However, members of the Board of Education, staff, or the public may request an item be moved from the consent agenda to Section XI (Major Items) for clarification and/or discussion.

Business and Fiscal

A.01 Approval to Purchase Two Passenger School Buses from
AZ Bus Sales and Surplus the Replaced Vehicles 1

V. DISCUSSION ITEMS (60 minutes)

These items are submitted for discussion. Any action that might be required will generally be scheduled for the next regularly scheduled Board meeting.

D.01 Budget Update (30)..... 2
D.02 Reporting Out of Board Subcommittee on American Cultural and
Ethnic Studies (30)..... 3-3c

VI. MAJOR ITEMS (10 minutes)

These items are considered to be of major interest and/or importance and are presented for action at this time. Some may have been discussed by the Board at a previous meeting.

A.02 Adopt Resolution No. 16-27 – Approving the Environmental Impact
Report Addendum for the Option of Replacing the Malibu Middle
and High School Building E, Amended Mitigation Monitoring and
Reporting Program, and the Changes to the Malibu Middle and
High School Building E Project (10)..... 4-7

VII. PUBLIC COMMENTS

Public Comments is the time when members of the audience may address the Board of Education on items not scheduled on the meeting’s agenda (the following rules apply to both general public comments as well as comments about a specific agenda item). The Brown Act (Government Code) states that Board members may not engage in discussion of issues raised during Public Comments, except to ask clarifying questions, make a brief announcement, make a brief report on his or her own activities, or to refer the matter to staff. Individual members of the public who submit a public speaking card prior to the Board hearing an agenda item or general public comments shall be allowed three (3) minutes to address the Board on each agenda or nonagenda item, depending on the number of speakers. If there are ten or more speakers on an agenda or nonagenda item, the Board shall limit the allowed time to two (2) minutes per speaker. Individual speakers who submit a public speaking card after the Board begins to hear an agenda item or general public comments shall be allowed one (1) minute to address the Board. A public speaker may yield his/her time to another speaker, but must be present when his/her name is called. The donor would then give up his/her opportunity to speak. The public speaker who receives the donated minutes shall speak for no more than four (4) minutes maximum. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. Individuals represented by a common point of view may be asked to select one individual to speak for the group. The president may, at his/her discretion, allow five (5) minutes for those who are serving as a spokesperson for a group or organization.

VIII. ADJOURNMENT

This meeting will adjourn to a special meeting scheduled for **Thursday, March 30, 2017, at 4:00 p.m.** in the District Administrative Offices: 1651 16th Street, Santa Monica, CA. The next regular meeting is scheduled for **5:30 p.m. on Thursday, April 20, 2017,** at the district office.

CONSENT ITEMS

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/23/17

FROM: BEN DRATI / JANECE L. MAEZ / NEAL ABRAMSON

RE: APPROVAL TO PURCHASE TWO PASSENGER SCHOOL BUSES FROM AZ BUS SALES AND SURPLUS THE REPLACED VEHICLES

RECOMMENDATION NO. A.01

It is recommended that the Board of Education approve the purchase of two (2) seventy-five (75)-passenger Blue Bird BBCV 3310 School Buses from A-Z Bus Sales Inc. and to surplus the replaced vehicles. The total price is \$267,396.41 for both buses. The pricing is valid with 2017 Waterford USD Bid #01-17, a piggyback bid.

Funding Information

Budgeted: Yes
Fund: General
Source: General Fund
Account Number: 01-00000-0-11100-36000-6500-058-2580

COMMENTS: Two existing school buses are in need of replacement as they are beyond economic repair (vehicle #01 and #11). Following Board approval, a purchase order will be placed with A-Z Bus Sales to purchase the two buses. Expected delivery is June 2017.

The following vehicles will be salvaged as surplus once the replacement vehicles are received. Vehicles are beyond economic repair and exceed the District standard of a 20-year replacement cycle. These are also our oldest diesel-powered vehicles and will be replaced with buses manufactured to current emission standards.

Veh #	Make/Model	Year	VIN	Department	License
01	Bluebird BU	1995	1BABM7AXSF062619	TRANSPORTATION	019550
11	Bluebird XW	1993	1BABMB7A8PF053733	TRANSPORTATION	377768

Condition:

Veh #	Mileage	Interior Condition	Exterior Condition	Mechanical
01	Unknown	Poor	Metal fatigue, transmission replacement, paint and major rust	Poor
11	Unknown	Poor	Engine, transmission, chassis replacement, obsolete parts	Poor

MOTION MADE BY:
SECONDED BY
STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSENT:

DISCUSSION ITEMS

TO: BOARD OF EDUCATION
FROM: BEN DRATI / JANECE L. MAEZ
RE: BUDGET UPDATE

DISCUSSION
03/23/17

DISCUSSION ITEM NO. D.01

Staff presented budget information to the Board of Education on January 24, 2017 in a budget workshop. This study session item will allow staff to further update the Board on the development of the 2017-18 budget.

TO: BOARD OF EDUCATION

DISCUSSION

03/23/17

FROM: BEN DRATI / TERRY DELORIA / ELLEN EDEBURN

RE: ETHNIC STUDIES SUB-COMMITTEE RECOMMENDATION

DISCUSSION ITEM NO. D.02

This discussion item will allow the Board of Education to become apprised of the board's sub-committee's recommendations regarding ethnic studies.

COMMENTS: The Board of Education Ethnic Studies Sub-committee is comprised of site administration, teachers, Ed Services, the Superintendent and Board Vice President Richard Tahvildaran-Jesswein, Board Trustee Oscar de la Torre, and Board Trustee Ralph Mechur.

The Sub-Committee recognizes the need to address the inequities reflected in the Excellence through Equity report by Dr. Pedro Noguera. As stated in the History-Social Sciences Framework, research suggests that "some groups of students experience a low level of safety and acceptance in schools for reasons including cultural, ethnic, and linguistic background; disability; sexual orientation; socio-economic; and other factors (SBE 2016)." Furthermore, we know that our students come from diverse cultural, linguistic, ethnic, and religious backgrounds, have different experiences, and live in different familial and socioeconomic circumstances.

As a result, the Board of Education Sub-Committee is recommending that:

- throughout the District, Freshman Seminar classes have a meaningful and substantial common learning experience which includes a focus on American Cultural and Ethnic Studies.
- Social Justice standards will be woven through all PreK-12 curriculum.
- the District establish an American Cultural and Ethnic Studies Graduation Requirement by 20XX.
- the District initiate, create and revise UC A-G course-electives that will align with the District defined Social Justice standards.



SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

Board of Education Ethnic Studies Sub-Committee *Recommendations*

March 23, 2017

Sub Committee Update



The following recommendations are brought to the full board by sub committee board members:

- Richard Tahvildaran-Jesswein, Board Vice President
- Oscar de la Torre, Trustee
- Ralph Mechur, Trustee

Recommendations

The Board of Education Subcommittee recommends that:

- throughout the District, Freshman Seminar classes have a meaningful and substantial common learning experience which includes a focus on American Cultural and Ethnic Studies.
- Social Justice standards will be woven through all PreK-12 curriculum.
- the District establish an American Cultural and Ethnic Studies Graduation Requirement by 20XX.
- the District initiate, create and revise UC A-G course-electives that will align with the District defined Social Justice standards.

MAJOR ITEMS

TO: BOARD OF EDUCATION

ACTION/MAJOR
03/23/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON / STEVE MASSETTI

RE: ADOPT RESOLUTION NO. 16-27 – APPROVING THE ENVIRONMENTAL IMPACT REPORT ADDENDUM FOR THE OPTION OF REPLACING THE MALIBU MIDDLE AND HIGH SCHOOL BUILDING E, AMENDED MITIGATION MONITORING AND REPORTING PROGRAM, AND THE CHANGES TO THE MALIBU MIDDLE AND HIGH SCHOOL BUILDING E PROJECT

RECOMMENDATION NO. A.02

It is recommended that the Board of Education (“Board”) adopt Resolution No. 16-27 to approve the Environmental Impact Report (“EIR”) Addendum and Amended Mitigation Monitoring and Reporting Program (“MMRP”) for the option of replacing the Malibu Middle and High School (“MMHS”) Building E and approve these changes to the Malibu Middle and High School Campus Improvement Project. The board discussed this item and took public comment, but postponed action, on March 16, 2017.

DISCUSSION:

The Santa Monica-Malibu Unified School District (“District”) developed and approved the Malibu Middle and High School Campus Improvement Project, which consisted of campus-wide renovations and improvements (“Original Project”). The Original Project included interior renovations of the single-story Building E, including the modernization of 10 classrooms and construction of two new classrooms. On February 2, 2012, the District certified the “Original EIR” and adopted the MMRP for the Original Project.

Due to community and City of Malibu’s desire to replace Building E, the District revised the Original Project to include the option of replacing Building E at the same location with a new two-story classroom building containing the same number of classrooms, 12, as the Original Project (“Revised Project”). The Revised Project also includes two exterior stairs, and an entry with an elevator with associated exterior courtyards. The option to replace Building E would increase its height, but the overall building footprint would decrease. Once the Revised Project was developed, the District engaged Placeworks to conduct environmental review of the Revised Project under the California Environmental Quality Act (“CEQA”).

Section 15164(b) of the “CEQA Guidelines” (Title 14, Cal. Code of Regs., § 15000 et seq.) authorizes a lead agency to prepare an addendum to an EIR “if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” Section 15162 does not require a subsequent EIR where the proposed changes would not create a new significant environmental impact or substantially increase the severity of a significant environmental impact disclosed in a previous EIR.

Here, Placeworks determined that the Revised Project would be a minor change that would not cause any new significant environmental impacts or substantially increase the severity of significant environmental impacts disclosed in the Original EIR. Thus, the Revised Project does not cause any of the conditions in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR and the appropriate environmental document as authorized by CEQA Guidelines section 15164(b) is an addendum. Accordingly, an EIR Addendum (“Addendum”) and amended MMRP has been prepared. The Addendum describes the changed components of the Revised Project in detail, analyzes impact changes, and demonstrates that the Revised Project with the amended MMRP will not create any new significant environmental impacts or substantially increase the severity of those significant environmental impacts disclosed in the Original EIR.

The Addendum was transmitted to the Board earlier this week, as soon as it was available in its final form. Should the Board adopt the Resolution, the Revised Project will be approved and District staff will file a Notice of Determination with the Los Angeles County Clerk and the State Clearinghouse and submit an application for a Coastal Development Permit amendment with the Coastal Commission.

MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

RESOLUTION NO. 16-27

**APPROVING THE ENVIRONMENTAL IMPACT REPORT ADDENDUM FOR THE OPTION OF
REPLACING BUILDING E, AMENDED MITIGATION MONITORING AND REPORTING
PROGRAM, AND APPROVING THE CHANGES TO THE MALIBU MIDDLE AND HIGH
SCHOOL CAMPUS IMPROVEMENT PROJECT**

WHEREAS, on February 2, 2012, the Santa-Monica Malibu Unified School District's ("District") Board of Education ("Board") adopted Resolution 11-06, that certified the Final Environmental Impact Report ("Original EIR") and approved a Mitigation Monitoring and Reporting Program ("MMRP") and the Malibu Middle and High School Campus Improvement Project ("Original Project") consisting of campus-wide renovations and construction;

WHEREAS, the Original Project included interior renovations of the single-story Building E, including the modernization of 10 classrooms and construction of two new classrooms;

WHEREAS, due to the desires of the community and City of Malibu, the District added an option to the Original Project to replace Building E with a new two-story classroom building containing the same number of classrooms, 12, as the Original Project, and also includes two exterior stairs, and an entry with an elevator tower with associated exterior courtyards (the "Revised Project");

WHEREAS, the Revised Project will be located within the same location, but the height of Building E will increase;

WHEREAS, the District, as lead agency, caused to be prepared, pursuant to the provisions of the California Environmental Quality Act (Public Resources Code, § 21000 et seq. "CEQA") and the CEQA Guidelines (Title 14, Cal. Code of Regs., § 15000 et seq. the "CEQA Guidelines"), an EIR Addendum ("Addendum") and amended MMRP;

WHEREAS, the Addendum describes the changed components of the Revised Project, analyzes impact changes, and concludes that with the amended MMRP no new significant environmental impacts are anticipated to occur and there would not be a substantial increase in the severity of significant environmental impacts disclosed in the Original EIR as a result of the Revised Project;

WHEREAS, since no new significant environmental impacts are anticipated to occur and there would not be a substantial increase in the severity of significant impacts disclosed in the Original EIR as a result of the Revised Project, the preparation of a subsequent EIR is not required; and

WHEREAS, the Addendum and amended MMRP was prepared per and in accordance with CEQA and the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the Santa Monica-Malibu Unified School District Board of Education ("Board") hereby finds as follows:

1. That the above recitals are true and correct.
2. That no new significant environmental impacts are anticipated to occur and there would not be a substantial increase in the severity of significant impacts disclosed in

the Original EIR as a result of the Revised Project, as disclosed in the Addendum and amended MMRP, and the Addendum is the appropriate subsequent environmental document for the Revised Project.

3. That the Board has reviewed and considered the Addendum and amended MMRP prior to deciding whether to approve the Addendum, amended MMRP, and Revised Project.
4. That the Addendum, its reference documents, amended MMRP, the staff report, this Resolution, and the whole of the record of proceedings wholly reflect the Board's independent judgment and analysis.
5. The requirements of CEQA have been fulfilled for the Revised Project.

BE IT FURTHER RESOLVED that the Board hereby approves the Addendum and amended MMRP.

BE IT FURTHER RESOLVED that the Board hereby approves the Revised Project.

BE IT FURTHER RESOLVED that the Associate Superintendent, Janece L. Maez, is the custodian of the documents and other materials which constitute the record of proceedings upon which the Board's decision is based. The record of proceedings shall be maintained at the District's offices located at 1651 Sixteenth Street, Santa Monica, California 90404.

BE IT FURTHER RESOLVED that the Associate Superintendent is authorized and directed to file a Notice of Determination with Los Angeles County Clerk and the State Clearinghouse within five days of the adopted Resolution.

PASSED AND ADOPTED by the Santa Monica-Malibu Unified School District of Los Angeles County Board of Education at its regularly scheduled meeting held on this 23rd day of March 2017.

AYES:
NOES:
ABSTENTIONS:
ABSENT:

Laurie Lieberman, President
Board of Education

I, Dr. Ben Drati, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its meeting held on March 23, 2017.

Dr. Ben Drati, Superintendent
Santa Monica-Malibu
Unified School District