

BEAR VALLEY UNIFIED SCHOOL DISTRICT
MINUTES OF A REGULAR BOARD MEETING
HELD ON OCTOBER 6, 2021
SCHOOL DISTRICT OFFICE

Pursuant to Government Code Section 54953(b), Governing Board President Cathy Herrick will participate in this meeting via teleconference from Casa Dorada, Av. del Pescador S/N, El Medano Ejidal, El Médano, 23410 Cabo San Lucas, B.C.S., Mexico. This location is open to the public.

Present: Dr. Steve Foulkes
Mrs. Cathy Herrick (Teleconference)
Mr. Paul Zamoyta
Mr. Jack Roberts
Ms. Sudie Smartt

Also Present: Dr. Mary Suzuki
Mrs. Linda Rosado
Dr. Lisa Waner
Ms. Lucinda Newton

1. Call to Order Open Session

Mr. Zamoyta called the meeting to order at 5:30 p.m. noting this meeting is being audio recorded.

2. Adoption of Agenda

M21-22-038

Mr. Zamoyta called for a motion to adopt the agenda for the meeting with the addendum.

Motion by Mr. Roberts.

Second by Dr. Foulkes.

Mr. Zamoyta called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta

NOES: None

ABSTAIN: None

ABSENT: None

3. All present participated in a Moment of Silence and the Pledge of Allegiance.

4. Community-Staff Presentations

a. Beatrice Blake, Coordinator, and Addison Saenz, Reaching the Whole Child, San Bernardino County Superintendent of Schools

Ms. Blake and Mr. Saenz presented a certificate plaque to Bear Valley Unified School District recognizing the district's tobacco free certification by the California Department of Education (CDE), on behalf of the San Bernardino County Superintendent of Schools, Ted Alejandre. Ms. Blake expressed her appreciation for the district's continued

partnership with the San Bernardino Superintendent of Schools Tobacco-Use Prevention Education (TUPE) consortium. Mr. Saenz presented information on TUPE, the youth vaping epidemic, cessation programs through TUPE, and shared information on their new video game “BeatNic Blvd.” that promotes tobacco use prevention and education for students. Mr. Saenz thanked Mr. Sean Young for his dedication and the vital role he plays in the overall success of the program and BVUSD for their continued partnership with the TUPE program.

b. Lease-Purchase Financing for the Big Bear High School Sports Field and Refinancing of the 2013 Certificate of Participation of Dept Service

Mr. Keith Weaver of Government Financial Strategies presented information on the Lease-Purchase financing for the Big Bear High School Sports Field and the refinancing of the 2013 Certificate of Participation Dept Service. Mr. Weaver shared that Government Financial Strategies acts as a fiduciary to the district, that they are independent, not affiliated with banks or lenders, and they are regulated by the Securities and Exchange Commission. Mr. Weaver’s presentation included information for the financing of the new sports field and refinancing of old debt. Through the Request for Proposal (RFP) process, it was determined that Sterling Bank is the best option. The finance amount will be \$8,826,006 at 2.52% fixed rate, with a rate lock until closing. This fixed rate will save the district about \$688,000 over the life of the loan. If the Governing Board approves this option the financing would be completed by October 27, 2021.

5. Hearing Section

a. Public Comment

Mr. Zamoyta reviewed the Quick Summary/Abstract for Public Comment.

Nicole Cheek – Mrs. Cheek stated that she understands the board cannot go against the law but asked for the board members' support in standing up to the state legislators against mandated vaccines. She stated she is not against the vaccine but is for personal rights. Mrs. Cheek also requested that the district conduct a survey of families to see who will leave the state if the vaccine is mandated and see what the financial impact would be and how it would affect programs/students.

Michael Cox – Mr. Cox stated that he is the parent of three BVUSD students. Mr. Cox shared that he has had a wonderful experience in at both Big Bear Middle School and North Shore Elementary School. Mr. Cox expressed his frustration with Governor Newsom’s vaccine mandate and understands that this is not coming from the district level. He shared it should be known at all levels that prohibiting students from attending in class learning is detrimental to our kids and community. Mr. Cox stated that forcing students who do not get the vaccine into distance learning is not equitable. Mr. Cox urged the Governing Board to do what is best for students, fight for medical freedom and vaccine choice.

b. Notice of Proposed Maps for Trustee Area Elections

Mr. Todd Robins, Partner of Atkinson, Andelson, Loya, Rudd & Romo presented a review of the California Voting Rights Act of 2001, which questions the at-large election process that could be used in some areas to dilute the voting strength of voters of protected classes. In order to avoid potential litigation, this district would need to transition to by-trustee area

election. Mr. Robbins shared that 2022 would be the first by-trustee area election. The district has had two pre-map public hearings required by the statute. Mr. Robbins explained the process of moving to by-trustee area elections. There was discussion about the merits of by-trustee area elections in the Big Bear Valley, the concept of dilution of protected class votes, and the possibility of challenging this statute.

Angela Vanjuelos of Cooperative Strategies shared information on the timeline and creation process of three draft maps drawn to comply with the California Voting Rights Act. Each map was reviewed with information on the Citizen Voting Age Population (CVAP) variances. After extensive discussion, it was decided to use scenario three with adjustments according to feedback given by the Governing Board. Ms. Vanjuelos stated she would provide two additional maps at the next board meeting, which show school boundaries and different communities within the district. The Governing Board members requested an overlay with CVAP information, clear street divisions, and street names. These scenarios will be brought back to the Governing Board at the November 3, 2021 Board Meeting. Mr. Zamoyta called for public comment on this agenda item. Hearing none, he moved on to the Consent Calendar.

6. Consent Calendar

M21-22-039

Mr. Zamoyta called for a motion to approve the Consent Calendar.

Motion by Dr. Foulkes to approve the Consent Calendar with the amendment as follows:

6.a. Employ Account Technician

Sonia Reyes

6.b. Employ Attendance Clerk/Typist

Lilinoe Carothers

6.c. Employ Campus Safety Assistants

Erin Roberts, Diana Escorcía, Karl Heuer

6.d. Employ Instructional Aide

Hanna Lee

6.e. Employ One-to-One Special Education Aide

Nicole Nitkin

6.f. Change One 6-hour Campus Safety Assistant Position to One 6.5-hour Campus Safety Assistant Position

6.g. Classified Substitutes for 2021-2022

Johanna Dwight

6.h. Substitute Teachers for the 2021-2022 School Year

JoKay Rowe, Nicole Gomez, Marianna Litvinoff, Stephanie Sorapur

6.i. Bear Valley Unified Extra Duty Units for 2021-2022

6.j. District Drivers

Lara Bauer, Peter Grote, Tina Fulmer, Donna Wochner, Wendy Corey

6.k. Constitutionally Protected Prayer

6.l. Second Reading and Adoption of the 2021-22 Comprehensive School Site Safety Plans

6.m. Elementary and Secondary School Emergency Relief (ESSER) III Expenditure Plan

6.n. 2021-2022 Bear Valley Unified School District Adopted Textbooks

6.o. Obsolete Equipment

6.p. Board Meeting Minutes

September 1, 2021, September 15, 2021, September 23, 2021, September 27, 2021

6.q. Purchase Order Number 220364, Pearson Online and Blended Learning

6.r. Purchase Order Report - FY 2021-2022 Purchase Orders, Numbers 220268 through 220364 (Excluding 220364)

6.s. Williams Quarterly Report

Second by Mr. Roberts.

Mr. Zamoyta asked if there were any item on the Consent Calendar anyone would like removed or discussed. Hearing none.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta

NOES: None

ABSTAIN: None

ABSENT: None

7. Items Removed from the Consent Calendar

None.

8. Employee Announcements

Dr. Suzuki welcomed the employees approved under the Consent Calendar.

9. Information Section & Reports

9.a. Superintendent Comments

Dr. Suzuki reported that our California Basic Educational Data System (CBEDS) enrollment was reported at 2,162. The district's projection was 2,130. Dr. Suzuki shared that there were no student COVID cases last week and only one student case this week. COVID cases seem to be on the decline. Dr. Suzuki spoke about Governor Newsom's regulation regarding the phasing in of COVID vaccines. This is a regulation not legislation. There are still exemptions for medical or personal belief according to Health and Safety Code Section 120338. An update from County Superintendent of Schools, Ted Alejandre, regarding the Governor's regulation was sent to families. Dr. Suzuki reported there is a Bear Valley Virtual Academy information meeting scheduled next week. Dr. Suzuki shared information about the Big Bear High School Home Coming Game and Dance, the Thunderball event which raised \$7,000.00 for the Seven Stars Foundation and the Impact Award presented to Joe Bradley by the US Navy for the impact Mr. Bradley has had on students' lives.

9.b. Governing Board Member Reports

Having none, Mr. Zamoyta moved on to item #10.

10. Curriculum/Instruction Report

10.a. First Reading of the 2021-2022 Single Plans for Student Achievement

M21-22-040

Mr. Zamoyta called for a motion to approve the First Reading of the 2021-2022 Single Plans for Student Achievement.

Motion by Dr. Foulkes.

Second by Mr. Roberts.

President Herrick called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta

NOES: None

ABSTAIN: None

ABSENT: None

11. Business/Financial Report #21-22-005

11.a. Resolution No. 21-22-011 Authorizing the Financing of the Big Bear High School Sports Field and Refinancing the Certificate of Participation Debt Service for Fiscal Stewardship **M21-22-041**

Mr. Zamoyta called for a motion to approve Resolution No. 21-22-011, authorizing the financing of the Big Bear High School Sports Field and refinancing the Certificate of Participation Debt Service for Fiscal Stewardship.

Motion by Dr. Foulkes.

Second by Mr. Roberts.

Mr. Zamoyta called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta

NOES: None

ABSTAIN: None

ABSENT: None

11.b. Authorization to Participate in the California Multiple Award Schedule – Purchase Track, Turf, and Related Materials **M21-22-042**

Mr. Zamoyta called for a motion to approve Authorization to Participate in the California Multiple Award Schedule – Purchase Track, Turf, and Related Materials.

Motion by Dr. Foulkes.

Second by Mr. Roberts.

After discussion about the purchasing timeline, Mr. Zamoyta called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta

NOES: None

ABSTAIN: None

ABSENT: None

11.c. Big Bear High School Stadium Sports Field Improvement – Request for Proposal Bid #HS2021-01 **M21-22-043**

Mr. Zamoyta called for a motion to approve the Big Bear High School Stadium Sports Field Improvement – Request for Proposal Bid #HS2021-01.

Motion by Mr. Roberts.

Second by Dr. Foulkes.

After discussion to clarify the cost of materials, Mr. Zamoyta called for the vote.

Said motion was approved by the following roll call vote:

AYES: Foulkes/Herrick/Roberts/Smartt/Zamoyta

NOES: None

ABSTAIN: None

ABSENT: None

12. Suggestions for Future Meeting Agendas

Master Facility Plan - November 17, 2021, Child Nutrition – November 3, 2021,
Achievement Data – November 3, 2021

13. Meeting Adjourn at 7:43 p.m.

a. Next Regular Board Meeting Scheduled on November 3, 2021, at 5:30 p.m.

Secretary

President of the Governing Board