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Mt. Diablo Unified School District  
Governing Board

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**Approved - Board Meeting Minutes**

**REGULAR MEETING OF THE BOARD OF EDUCATION  
MT. DIABLO UNIFIED SCHOOL DISTRICT  
Wednesday, October 23, 2024 (6:00 PM)**

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**ROLL CALL**

Debra Mason  
Linda Mayo  
Cherise Khaund  
Erin McFerrin  
Keisha Nzewi

**1.0 Call to Order**

President McFerrin called the meeting to order at 5:01pm

**1.1 Call to Order**

The Board President will call the meeting to order.

**Recommendation:** Call the meeting to order.

**1.2 Conduct Roll Call**

**Recommendation:** The Board President will conduct roll call.

**2.0 Closed Session Public Comment**

There were no public comments.

**2.1 Public Comments: The Public May Address the Board Concerning Items That are Scheduled for Discussion during Closed Session Only.**

The public may address the Board concerning items that are scheduled for discussion during Closed Session only. Speakers must submit a Speaker's Card to the Board secretary. The Board President will call each speaker to the podium as appropriate. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers or the three minute limit may be shortened. Speakers are not allowed to yield their time.

**Recommendation:** Hear public comment(s).

**3.0 Closed Session Agenda**

### **3.1 Negotiations - The Board May Discuss Negotiations or Provide Direction to its Representatives Regarding Represented Employees (Government Code Section 54957.6)**

Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to Government Code Section 54957.6. Agency negotiators: Dr. Adam Clark, Dr. Wendi Aghily, Samantha Allen, Kimberly Vaiana, Ryan Sheehy and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

**Recommendation:** Information

### **3.2 Discipline, Dismissal, Release or Reassignment of Public Employee (Government Code Sec. 54957(b)(1))**

**Recommendation:** Information/action.

### **3.3 Readmit of Student #05-24 to Regular Schools in the Mt. Diablo Unified School District**

Readmit of Student #05-24 to Regular Schools in the Mt. Diablo Unified School District

**Recommendation:** A move to approve the Readmission of Student #05-24 to Regular Schools in the Mt. Diablo Unified School District

**ORIGINAL - Motion**

### **3.4 Public Employee Performance Evaluation - Superintendent, Pursuant to Government Code § 54957.**

**Recommendation:** Information.

## **4.0 Adjourn to Closed Session**

The meeting was adjourned to closed session at 5:02pm

### **4.1 Adjourn to Closed Session**

The Board President will adjourn the meeting to closed session.

**Recommendation:** Adjourn to closed session.

## **5.0 Reconvene Open Session**

Open session was reconvened at 6:07pm

### **5.1 Reconvene Open Session**

The Board of Education will reconvene Open Session.

**Recommendation:** Reconvene Open Session.

## **6.0 Preliminary Business**

**6.1 Land Acknowledgement: We recognize that the Mt Diablo Unified School District sits on the territory of the Confederated Villages of Lisjan, the ancestral and unceded land of the Bay Miwok and Northern Yokut, the successors of the sovereign Verona Band of Contra Costa County. As members of the MDUSD community, it is vitally important that we not only recognize the history of the land on which we learn, but also, we recognize that the land we inhabit and learn on is the ancestral land of these people who are alive and flourishing members of MDUSD and broader bay area communities today.**

**Recommendation:** Read Land Acknowledgement

### **6.2 Pledge of Allegiance**

The Board President will lead the Pledge of Allegiance.

**Recommendation:** Lead the Pledge of Allegiance.

### **6.3 Review and Potential Approval of Minutes for Regular Board Meeting Held October 16, 2024**

Board Meeting Minutes October 16, 2024

Minutes have been prepared for the board meeting on October 16, 2024 and are presented for review and approval.

**Recommendation:** Move to approve the minutes for the Regular Board Meeting held October 16, 2024.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve the minutes for the Regular Board Meeting held October 16, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **6.4 Review and Potential Approval of the Agenda**

The Governing Board may reorder or delete items within the agenda.

**Recommendation:** Move to approve the agenda.

#### **AMENDED - Motion**

Member **(Cherise Khaund)** Moved, Member **(Keisha Nzewi)** Seconded to approve the **AMENDED** motion 'Move to approve the agenda pulling Item 10.4 and moving item 12.1 to be heard at 8.1'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## **7.0 Report Out of Action Taken in Closed Session**

### **7.1 Negotiations - The Board May Discuss Negotiations or Provide Direction to its Representatives Regarding Represented Employees (Government Code Section 54957.6)**

Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to Government Code Section 54957.6. Agency negotiators: Dr. Adam Clark, Dr. Wendi Aghily, Samantha Allen, Kimberly Vaiana, Ryan Sheehy and legal counsel; Agencies: MDEA, DMA, MDSPA, CSEA, CST Local 1 and Teamsters Local 856

**Recommendation:** Information

The governing board received information.

### **7.2 Discipline, Dismissal, Release or Reassignment of Public Employee (Government Code Sec. 54957(b)(1))**

**Recommendation:** Information/action.

In closed session, by a vote of 5-0, the board took action to approve the resignation of one employee per the separation agreement.

### **7.3 Readmit of Student #05-24 to Regular Schools in the Mt. Diablo Unified School District**

Readmit of Student #05-24 to Regular Schools in the Mt. Diablo Unified School District

**Recommendation:** A move to approve the Readmission of Student #05-24 to Regular Schools in the Mt. Diablo Unified School District

A move to approve the readmission of student #05-24 to regular school in the Mt. Diablo Unified School District was made. School placement will be determined by Student Services. Upon a roll call vote being taken, the vote was 5-0 and the motion carried. The board voted to approve the readmission of student #05-24 to regular school in the Mt. Diablo Unified School District .

### **7.4 Public Employee Performance Evaluation - Superintendent, Pursuant to Government Code § 54957.**

**Recommendation:** Information.

The board received information.

## **8.0 Public Comment**

### **8.1 (Original 10.1) Presentation on the German American Partnership Program at Northgate High School**

Mt. Diablo Unified School District has participated in the German American Partnership Program since 2009. High school students in Germany and MDUSD spend three weeks in their host country attending school and living with families. Their experiences are building bridges among nations. Students will report on their experiences with the German American Partnership Program with an introduction by Northgate German teacher, Frau Nancy Grabow.

**Recommendation:** Information

### **8.2 Public Comment: The Public May Address the Board Regarding any Item Not on the Agenda. Public Comment Will Also be Allowed on Each Specific Agenda Item Prior to Board Action Thereon.**

Public Comment: The public may address the Board regarding any item within the jurisdiction of the Board of Education of the Mt. Diablo Unified School District that is not on this agenda. Speakers must submit a Speaker's Card to the Board secretary. The Board President will call each speaker to the podium as appropriate. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers, or the three minute limit may be shortened. If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting. Speakers are not allowed to yield their time. Public Comment will also be allowed on each specific agenda item prior to board action thereon.

**Recommendation:** Listen to Public Comment.

Nine (9) public comments were heard.

## **9.0 Communications**

### **9.1 District Organizations: At Regular Board Meetings, a Single Spokesperson of Each Recognized District Organization May Make a Brief Presentation. Items Are Limited to Those Which are Informational**

At regular Board meetings, a single spokesperson of each recognized District organization may make a brief presentation following the Consent Agenda. Items are limited to those which are informational.

**Recommendation:** Listen to Communications.

One (1) comment was heard.

## 10.0 Recognitions and Resolutions

### 10.1 Review and Potential Approval of Resolution 24/25-29 Recognizing November as Native American Heritage Month

Resolution 24/25-29 Recognizing November as Native American Heritage Month  
November has been designated as Native American Heritage Month. The Mt. Diablo Unified School District also recognizes the contributions made by Native Americans to the economic, political, and social development of California and the nation.

**Recommendation:** Move to approve Resolution 24/25-29, recognizing November 2024, Native American Heritage Month.

#### **ORIGINAL - Motion**

Member **(Keisha Nzewi)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-29, recognizing November 2024, Native American Heritage Month'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### 10.2 Review and Potential Approval of Resolution 24/25-30 Recognizing November as California Runaway and Homeless Youth Prevention Month

November has been designated as California Runaway and Homeless Youth Prevention Month. The Mt. Diablo Unified School District also recognizes the need for increased attention and support for these students.

**Recommendation:** Move to approve Resolution 24/25-30, recognizing November 2024, as California Runaway and Homeless Youth Prevention Month.

#### **ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Debra Mason)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25-30, recognizing November 2024, as California Runaway and Homeless Youth Prevention Month'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### 10.3 Review and Potential Approval of Resolution 24/25-31: Authorization to Join Sourcewell JPA

Resolution 2024/25-31 and Sourcewell Cooperative Purchasing Program Participation Agreement

Government Code §§ 6500 et seq. provides that public agencies, including cities, counties, school districts, the federal government, and public agencies outside of the State, may enter into joint powers agreements to exercise powers common to them, including the power to procure equipment, materials, and supplies. Sourcewell is a public agency that operates under the legislative authority of the Minnesota State Legislature's Service Cooperative Statute that follows procurement procedures for products and services in accordance with Minnesota Uniform Municipal Contracting Law, Minnesota Statute § 471.345, and is permitted to engage in cooperative purchasing pursuant to Minnesota Statute § 123A.21 Subd. 7(23) to serve all government, education, and non-profit agencies nationally. All

purchasing agreements offered through Sourcwell have been awarded via a competitive solicitation by a public agency/governmental entity (such as a state, city, county, public university or school district). By registering with Sourcwell through the approval of the Sourcwell Cooperative Purchasing Program Participation Agreement, the District is able to piggyback off the competitively procured contract in accordance with Government Code Section 6500, et seq. The Purchasing Department requests that the Board of Education find it in the best interests of the District to participate in the cooperative purchasing program administered by Sourcwell, which will result in the District having access to competitively procured contracts.

**Recommendation:** Move to approve Resolution 24/25 - 31 Authorizing the District's membership with Sourcwell through the approval of a Sourcwell Cooperative Purchasing Program Participation Agreement, effective October 23, 2024.

**ORIGINAL - Motion**

Member **(Cherise Khaund)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve Resolution 24/25 - 31 Authorizing the District's membership with Sourcwell through the approval of a Sourcwell Cooperative Purchasing Program Participation Agreement, effective October 23, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**10.4 PULLED DURING AGENDA REVIEW Review and Potential Approval of Resolution 24/25-32 Second Revision to Regular Board Meetings for the 2024 Calendar Year**

Staff became aware that the December organizational meeting date does not align with California Education Code Section 35143, which indicates in an election for governing board member year, organizational meetings are held "on a day within a 15-day period that commences with the second Friday in December following the regular election". The correct timeframe for the organizational meeting is between December 13-27, 2024. The resolution will reschedule the December 2024 meeting to be held December 18, 2024.

**Recommendation:** Move to approve resolution 24/25-32 Second Revision to Regular Board Meetings for the 2024 Calendar Year.

**11.0 Public Employee Appointment**

**12.0 Reports/Information**

**13.0 Board Member Reports**

**13.1 Board Member Reports**

Board Members may choose to report out their activities.

**Recommendation:** Information.

**14.0 Superintendent Report**

**14.1 Superintendent's Report**

The Superintendent may choose to report out on activities.

**Recommendation:** Information.

## 15.0 Consent Agenda

### 15.1 Approval of Items listed under Consent Agenda.

Items listed under Consent Agenda are considered routine and will be approved/adopted by a single motion. There will be no separate discussion of these items; however, any item may be removed from the consent agenda upon the request of any member of the Board and acted upon separately.

**Recommendation:** Approve all Consent Agenda items.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Approve all Consent Agenda items'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### 15.2 Review and Potential Approval of the Recommended Action for Certificated Personnel

List of certificated hires, leave of absences, resignations, and retirements  
See attached for detailed list of certificated hires, leave of absences, resignations, and retirements.

**Recommendation:** Move to approve the recommended action for certificated personnel.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the recommended action for certificated personnel'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### 15.3 Review and Potential Approval of the Recommended Action for Classified Personnel

List of classified hires, leave of absences, resignations, and retirements.  
Information of classified hires, leave of absences, resignations, and retirements for consideration.

**Recommendation:** Move to approve the recommended action for classified personnel.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the recommended action for classified personnel'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **15.4 Review and Potential Approval of the Williams Quarterly Report for October 31, 2024**

The Williams legislation is a package of state laws resulting from the settlement of a class action lawsuit filed in San Francisco County Superior Court in 2000, Eliezer Williams et al vs. State of California. The basis of the lawsuit was that agencies failed to provide public school students with equal access to instructional materials, safe and decent school facilities, and qualified teachers. The Contra Costa County Office of Education has requested quarterly reports on specific complaints designated in the Williams lawsuit settlement. Quarterly Reports reflect complaints regarding textbooks and instructional materials, teacher vacancies or misassignments, and facilities conditions. This quarter's report includes the months of July through September 2024.

**Recommendation:** Move to approve the Williams Quarterly Report, October 31, 2024.

##### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the Williams Quarterly Report, October 31, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

#### **15.5 Review and Potential Approval of the Revised California College Guidance Initiative (CCGI) Partnership Agreement**

Revised MDUSD CCGI 006299 Mt. Diablo USD LEA MOU Documents referred to and incorporated into the revised agreement - Terms & Conditions - Data Privacy & Security Addendum - Data File Specifications (Student Data, Course Grade Data, Test Grade Data, CCGI Manifest Data, High School Graduate Data, Course Catalog Data)  
MDUSD requests authorization to enter into a revised K-12 DATA SHARING AND SERVICES PARTNERSHIP AGREEMENT with the Foundation for California Community College Foundation (Foundation) supporting MDUSD's implementation of the California Colleges Guidance Initiative (CCGI), the state's official, fully-subsidized college and career planning platform designed to streamline and personalize the planning and application process for 6th-12th grade students. The Foundation requested revisions to the Partnership Agreement, and thus, this Partnership Agreement will replace the agreement, which the Board approved in December 2022. The Partnership Agreement was revised to better cover CCGI security controls and standards, as the State of California's platform for college and career guidance. There are other minor changes such as: 1. Updating the Foundation's contact for security inquiries. 2. Updating access to data for charter-authorizing entities, if the contracting entity is a charter school this is an important update. Additionally, there are some minor updates to the terms and conditions section of the Partnership Agreement. The most salient of these changes are: 1. The standard addition of cyber liability coverage held by the Foundation on behalf of CCGI. 2. Establishing a clear process in the agreement for creation, authorization, and maintenance of Educator Accounts. 3. Standards for ensuring data elements are provided according to the Data File Specifications. 4. District requested revisions to address security and student data issues.

**Recommendation:** Move to approve the California College Guidance Initiative's revised Partnership Agreement.

##### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the California College Guidance Initiative's revised Partnership Agreement'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**



Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **15.6 Review and Approval of Potential Project Lead the Way Grants**

#### 2025-2026 PLTW Grant Application Summaries

Review and Potential Approval Grants for Project Lead the Way (PLTW) to implement and expand Project Lead the Way (PLTW) in Mt. Diablo Unified School District Schools 6-12. The two participating schools include Riverview Middle School (Phillips 66 grant) and Ygnacio Valley High School (Lockheed Martin grant). The program will be implemented during the school day at Ygnacio Valley High School. Riverview will implement PLTW during the school day and in the Riverview Expanded Learning Program. The total grant is for \$20,000 and will pay for supplies, materials, equipment, training and PLTW participation fees. PLTW provides transformative learning experiences for PreK-12 students and teachers across the U.S. creating an engaging, hands-on classroom environment and empowering students to develop in-demand knowledge and skills they need to thrive. They also provide teachers with the training, resources, and support they need to engage students in real-world learning.

**Recommendation:** Move to approve the submission of the \$10,000 PLTW Grant from Phillips 66 for Riverview Middle School and the \$10,000 PLTW Grant Lockheed Martin for Ygnacio Valley High School and acceptance if awarded.

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the submission of the \$10,000 PLTW Grant from Phillips 66 for Riverview Middle School and the \$10,000 PLTW Grant Lockheed Martin for Ygnacio Valley High School and acceptance if awarded'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **15.7 Review and Potential Approval of Increase to Purchase Order for Benefitfocus.com, Inc**

#### Change Order Form

Requesting approval for a change order to add funds to the purchase order for Benefitfocus.com, Inc. for ACA Reporting Fees.

**Recommendation:** Move to approve the increase to purchase order for Benefitfocus.com, Inc.

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the increase to purchase order for Benefitfocus.com, Inc'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## **A) Food and Nutrition Services**

### **15.8 Review and Potential Approval of New Position and Job Description for Food and Nutrition Services Special Events Lead**

Job Description for Food and Nutrition Services Special Events Lead.

Food and Nutrition Services Barbeques and Pancake Breakfasts have been tremendously successful; we currently have more demand for these events than we can manage. Therefore, we are seeking to create a Special Events Lead position to manage day to day logistics for various special events as part of the School Breakfast and Lunch Program. The Special Events Lead will order food and supplies, coordinate staff, communicate with schools, and work events at schools across the District. This is a fully benefited represented Teamsters position, which will be available as a transfer and/or promotional opportunity for internal candidates prior to being open to the general public for applications. We expect the increased revenue generated from student participation at these events to offset the cost of this position.

**Recommendation:** Move to approve new position and job description for Food and Nutrition Services Special Events Lead.

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve new position and job description for Food and Nutrition Services Special Events Lead'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **15.9 Review and Potential Approval of New Position and Job Description for Food and Nutrition Services Business Analyst**

New Job Description.

The current Fiscal Analyst I Job Description does not accurately describe the specialized nature of the work required in Food and Nutrition Services; therefore, staff is requesting to create a new position - Food and Nutrition Services Business Analyst. The new position better reflects the unique duties needed by the Food and Nutrition Services Department, such as filing monthly meal reimbursement claims and preparing and analyzing monthly inventory reports.

**Recommendation:** Move to approve new position and job description for Food and Nutrition Services Business Analyst.

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve new position and job description for Food and Nutrition Services Business Analyst'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

### **15.10 Review and Potential Approval of an Increase in the Awarded Amount for Excellent Packaging in the Amount of \$200,000**

RFP Response: Excellent Packaging B Plus PO \$114,000

Food and Nutrition Services is requesting an increase in the awarded amount for Excellent Packaging to \$410,000 for the 2024-25 school year. This adjustment is needed to cover expenses incurred prior to the recent approval of RFP #1944 by the Board of Education on September 25, 2024, as well as to accommodate increased costs due to higher meal participation. The amount requested on the September 25 docket did not account for the total funds required for Excellent Packaging throughout the year. The total awarded to Excellent Packaging & Supply under RFP #1944 should have been \$410,000. The remaining balance of the original PO #250090 will be disencumbered, and a new purchase order will be issued to align with the newly approved award.

**Recommendation:** Move to approve an increase in the awarded amount for Excellent Packaging in the amount of \$200,000 for the 2024-25 school year.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve an increase in the awarded amount for Excellent Packaging in the amount of \$200,000 for the 2024-25 school year'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason	Yes
Linda Mayo	Yes
Cherise Khaund	Yes
Erin McFerrin	Yes
Keisha Nzewi	Yes

## **B) Maintenance and Operations**

### **15.11 Review and Potential Approval of Elementary School Playground Rubber Surface Replacements at Ayers Elementary, Cambridge Elementary, Delta View Elementary, Mountain View Elementary, Sun Terrace Elementary and Westwood Elementary per SOURCEWELL CONTRACT 010521-SFS with SofSURFACES, Inc., Rubber Tile Solutions.**

Quote Q110669-3-TP Ayers Elementary Quote Q112740-4-TP Cambridge Elementary  
Quote Q112727-4-TP Delta View Elementary Quote Q112732-5-TP Mountain View  
Elementary Quote Q104087-4-TP Sun Terrace Elementary Quote Q113613-3-TP Westwood  
Elementary COI

Government Code §§ 6500 et seq. provides that public agencies, including cities, counties, school districts, the federal government, and public agencies outside of the State, may enter into joint powers agreements to exercise powers common to them, including the power to procure equipment, materials, and supplies. Sourcewell is a public agency that operates under the legislative authority of the Minnesota State Legislature's Service Cooperative Statute that follows procurement procedures for products and services in accordance with Minnesota Uniform Municipal Contracting Law, Minnesota Statute § 471.345, and is permitted to engage in cooperative purchasing pursuant to Minnesota Statute § 123A.21 Subd. 7(23) to serve all government, education, and non-profit agencies nationally. The District has joined Sourcewell, through the approval of a Sourcewell Cooperative Purchasing Program Participation Agreement, thereby allowing the District to piggyback off of competitively procured contracts. At the August 28, 2024 Board meeting, staff brought forward the Summer Resolution Ratification to include sofSURFACES Playground Replacement at multiple schools. We are now seeking approval of the attached Contracts with sofSURFACES, Inc., which incorporates Sourcewell Contract # 1010521-SFS. The price is based on Sourcewell Contract # 1010521-SFS and includes Bond Fees.

**Recommendation:** That the Board approve the Piggyback Contracts for elementary school playground rubber surface replacements at Ayers Elementary, Cambridge Elementary, Delta View Elementary, Mountain View Elementary, Sun Terrace Elementary

and Westwood Elementary per SOURCEWELL CONTRACT 010521-SFS with sofSURFACES, Inc., Rubber Tile Solutions.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'That the Board approve the Piggyback Contracts for elementary school playground rubber surface replacements at Ayers Elementary, Cambridge Elementary, Delta View Elementary, Mountain View Elementary, Sun Terrace Elementary and Westwood Elementary per SOURCEWELL CONTRACT 010521-SFS with sofSURFACES, Inc., Rubber Tile Solutions'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**15.12 Review & Potential Approval of Change Order for Additional Installation for the Elementary Modernization Phase I Projects at Meadow Homes, Mt. Diablo and Rio Vista Elementary Schools with Meteor Education.**

Meadow Homes Change Order Mt. Diablo Elementary Change Order Rio Vista Change Order

At the February 21, 2024 Board meeting, staff presented and the Board approved the original furniture purchase for classroom furniture for the Elementary Modernization Phase I projects at Meadow Homes, Mt. Diablo and Rio Vista Elementary. Proposals included installation costs. The original contract was based on a competitively procured contract through OMNIA (Region 4 Education Service Center (ESC) Contract # R191810 for Furniture, Installation and Related Services with MeTEOR Education, LLC). Due to construction delay, additional installation cost occurred, though these costs are still incidental to the overall furniture purchase. Staff is seeking approval of the change order to cover these costs.

**Recommendation:** Move to Approve of Change Order for Additional Installation for the Elementary Modernization Phase I Projects at Meadow Homes, Mt. Diablo and Rio Vista Elementary Schools with Meteor Education.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to Approve of Change Order for Additional Installation for the Elementary Modernization Phase I Projects at Meadow Homes, Mt. Diablo and Rio Vista Elementary Schools with Meteor Education'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**C) Purchasing**

**15.13 Review and Potential Approval of a Piggyback Contract for Grocery Products Services for Mt. Diablo Unified School District for the 2024-25 School Year**

Danielsen Piggyback Contract & MVWSD and Danielsen's Agreement for RFP #2023-24-05 08/17/2023 Board Minutes Approving the Award of RFP to Danielsen

California Public Contract Code § 20118 allows a school district to purchase items without competitive bidding, where another public corporation or entity has a contract to purchase items, known as a "piggyback contract." District staff seeks to piggyback on Mountain View Whisman School District's (MVWSD) Request for Proposal (RFP) #2023-24-05 for Grocery Services. MVWSD conducted an RFP for the grocery services, the same services MDUSD was seeking. MDUSD reviewed this RPF and several others. Staff also solicited the views and opinions of other districts in order to obtain an understanding of the groceries service market in the area. Due to the increase in meals served at the District and the ability of the District's current vendors to timely supply the needed items for the meals, District staff is looking to piggyback on an RFP to broaden our purchasing pool for the balance of the 2024/25 school year, and timely supply the items that our current grocery service vendors are unable to provide. Through the process, staff discovered The Danielsen Co., and their RFP award with MVWSD. Danielsen's quality and price point make them the best fit for our additional grocery service needs. By utilizing this piggyback option, the District is insuring a timely and complete procurement process. District staff asks the Board to make the determination that allowing this piggyback option is in the best interest of the District. Staff requests the Board approval of for the use of the piggyback agreement with MVWSD and The Danielsen Co. for Grocery Services not to extend beyond the date of the original agreement, being June 30, 2025, or until such Agreement is no longer in affect between MVWSD and The Danielsen Co.

**Recommendation:** That the Board finds that utilizing this piggyback option is in the best interest of the District, and moves to approve the use of a piggyback contract for groceries with The Danielsen Co., based on MVWSD's RPF # 2023-24-05, for the 2024-25 school year.

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'That the Board finds that utilizing this piggyback option is in the best interest of the District, and moves to approve the use of a piggyback contract for groceries with The Danielsen Co., based on MVWSD's RPF # 2023-24-05, for the 2024-25 school year'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

**15.14 Review and Potential Ratification of Contracts and Amendments to Contracts Under \$25,000 for October 1-15, 2024**

- 8 Contracts and Amendments from October 1-15, 2024 under \$25,000 - Purchase Order ("PO") Summary Report for all Contracts from October 1-15, 2024

This item seeks Board ratification of the attached contracts. Pursuant to Board Policy 3312, Contracts, the Board has delegated to the Superintendent or their designee the authority to enter into contracts on behalf of the District, not to exceed the amounts specified in Public Contract Code § 20111 except as otherwise provided by law. Contracts entered into by delegated authority must be ratified by the Board of Education at an open session meeting of the Board within 60 days of the date the contract was approved by delegated authority. (Education Code § 17604; Public Contract Code § 20111). The attached contracts comply with Board Policy 3312.

**Recommendation:** Move to ratify 8 Contracts and Amendments under \$25,000 for October 1-15, 2024

**ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to ratify 8 Contracts and Amendments under \$25,000 for

October 1-15, 2024'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## D) Special Education and Student Services

### **15.15 Review and Potential Approval of 2024-2025 School Year Contract Amendment #2 between Mt. Diablo Unified School District and Ensemble Therapy.**

Ensemble Therapy is a non-public agency (NPA) that provides Behavior Therapists and paraprofessionals for school-based services that are identified on Individualized Education Program (IEP's) and 504 Plans. When Mt. Diablo Unified School District is unable to fill all open positions with District employees, the use of certified NPAs is necessary to ensure that the District is in compliance with state and federal law that governs special education. Ensemble Therapy provides these special education services to ensure that all of our needed services are covered for the 2024-2025 school year. Mt. Diablo Unified School District Human Resources, Student Services and Special Education continues to recruit and hire district employees.

**Recommendation:** Move to approve the contract increase and total amount of \$724,000.00 between Mt. Diablo Unified School District and Ensemble Therapy.

#### **ORIGINAL - Motion**

Member **(Debra Mason)** Moved, Member **(Linda Mayo)** Seconded to approve the **ORIGINAL** motion 'Move to approve the contract increase and total amount of \$724,000.00 between Mt. Diablo Unified School District and Ensemble Therapy'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## E) Technology

### **16.0 Consent Item Pulled for Discussion**

#### **16.1 (Original 15.15) Review and Potential Approval of Membership Renewal Recommendations for Community Advisory Committee (CAC)**

The Community Advisory Committee (CAC) has members whose memberships have expired, and they wish to continue to serve the Board. Appointed members serve a two-year term at which time the membership may be renewed with the approval of the Board of Education. The CAC is recommending that the Board renew memberships for the following persons: Dorothy Weisenberger Janine Payne Lisa Buffum Theresa Buhlman Morena Grimaldi Ken Maddera

**Recommendation:** Move to approve the renewal of six memberships for the Community Advisory Committee (CAC).

#### **ORIGINAL - Motion**

Member (**Linda Mayo**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve the renewal of six memberships for the Community Advisory Committee (CAC)'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## 17.0 Consent Item Pulled by Staff

## 18.0 Business/Action Items

### 18.1 Review and Potential Approval of Edit to Board Bylaw 9323 Meeting Conduct to Align with Current Practices

Draft BB 9323

A revision was made to Board Bylaw 9323 Meeting Conduct to correct the total time for Public Comments from 20 to 30 minutes in agreement with current practices.

**Recommendation:** Move to approve revision to Board Bylaw 9323 Meeting Conduct as presented.

#### **ORIGINAL - Motion**

Member (**Keisha Nzewi**) Moved, Member (**Cherise Khaund**) Seconded to approve the **ORIGINAL** motion 'Move to approve revision to Board Bylaw 9323 Meeting Conduct as presented'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Debra Mason Yes  
Linda Mayo Yes  
Cherise Khaund Yes  
Erin McFerrin Yes  
Keisha Nzewi Yes

## 19.0 Meeting Extension

## 20.0 Closed Session (Carry Over)

### 20.1 Items Not Completed During the First Closed Session will be Carried Over to this Closed Session

Items not completed during the first closed session will be carried over to this closed session as needed.

**Recommendation:** Reconvene a second closed session as needed.

## 21.0 Reconvene Open Session

### 21.1 Report Out Action Taken During Closed Session

Report out action taken during closed session.

**Recommendation:** Information.

## **22.0 Future Agenda Items**

### **22.1 Requests May Be Presented for Consideration at a Future Board Meeting**

**Recommendation:** Information

Trustee Khaund made the request to have a presentation from Dr. Francies on Focal Scholars at a future board meeting.

## **23.0 Adjournment**

President McFerrin adjourned the meeting at 7:16pm

### **23.1 Adjourn Meeting**

The meeting of the Board of Education of the Mt. Diablo Unified School District will adjourn.

**Recommendation:** Adjourn the meeting.