

**County Board of Education
Ronald L. Stewart Center
77 Santa Barbara Road, Pleasant Hill, California
February 26, 2014**

Special Board Meeting

ROLL CALL: Pamela Mirabella, Area 1 Trustee; Daniel Gomes, Area 3 Trustee; Richard Asadoorian, Area 4 Trustee; and Cynthia Ruehlig, Area 5 Trustee

Absent: Ellen Elster, Area 2 Trustee

Others: Joseph Ovick, Bill Clark, Mac Carey, and Loreen Joseph

Presiding: The special meeting of the Contra Costa County Board of Education was called to order by Vice President Gomes at 6:00 p.m. with the recitation of the Pledge of Allegiance.

AGENDA REVIEW AND ADOPTION Ms. Mirabella moved, Mr. Asadoorian seconded, and the Board voted 4-0-1 to approve the agenda as presented.

Ayes: Gomes, Asadoorian, Ruehlig, Mirabella
Noes: None
Absent: Elster
Abstain: None

PUBLIC COMMENT None

Receive legal opinion from Olson Hagel & Fishburn LLP regarding the law with respect to the placement of a ballot measure before the voters of Contra Costa County by the County Board of Education to make the elected position of County Superintendent of Schools an appointed position; consider waiving the attorney client privilege and making the opinion public. Ms. Ruehlig asked if the legal opinion was available. Mr. Gomes responded that he and Ms. Mirabella had a conference with Mr. Olson, and were told it will be ready by April. Ms. Mirabella suggested tabling the item until April 9.

Mr. Gomes moved, Ms. Mirabella seconded, and the Board voted 4-0-1 to make the opinion public at the next board meeting following its availability to the Board.

Ayes: Gomes, Asadoorian, Ruehlig, Mirabella
Noes: None
Absent: Elster
Abstain: None

Ms. Ruehlig asked if it is now too late to place the item on the June primary ballot. Mr. Gomes responded that it is too late. He also said he heard from a source on the Board of Supervisors that the general election would be less expensive than the primary. Ms. Ruehlig asked if that was the same opinion as the Elections Office and why the Board of Supervisors gave an opinion that is within the jurisdiction of the Elections Office. Mr. Gomes said there is a conflict between what one member of the Board of Supervisors said and what the Clerk/Recorder told them. Mr. Clark said he was told by the Elections Office that there would be an additional cost of \$270,000 for the June primary

Board Member Gomes is presenting to the Contra Costa County Board of Education (CCCBOE) Resolution 11-13/14 ordering an election that would give the voters of Contra Costa County the opportunity to vote on whether the CCCBOE should appoint the county superintendent of schools or the electorate should continue to elect the county superintendent of schools, and requesting that the Contra Costa County Board of Supervisors place the item on the primary election ballot in June 2014.

Mr. Asadoorian moved, Ms. Mirabella seconded, and the Board voted 4-0-1 to table the item until legal opinion is received and at that time change the date to the November election.

Ayes: Gomes, Asadoorian, Ruehlig, Mirabella
Noes: None
Absent: Elster
Abstain: None

Adjournment

There being no further business, the Board adjourned at 6:17 p.m.

Joseph A. Owick, Ed.D., Ex Officio Secretary
County Board of Education

Copies of all resolutions adopted by the Board are on file in the Office of the Superintendent, Ex Officio Secretary of the Board of Education.

These unadopted minutes are summaries and excerpts from the Special meeting of February 26, 2014, and are subject to amendments and/or correction prior to the approval of the County Board of Education.