

**Contra Costa County Board of Education**  
**MINUTES**  
**BOARD OF EDUCATION MEETING**  
**December 14, 2022**

**MEMBERS**

Consuelo Lara, Area 1 Trustee  
Sarah Butler, Area 2 Trustee  
Anamarie Avila Farias, Area 3 Trustee  
Mike Maxwell, Area 4 Trustee  
Annette Lewis, Area 5 Trustee

**STAFF PRESENT**

Lynn Mackey, County Superintendent of Schools  
Denise Porterfield, Deputy Superintendent, Business Services  
Norma Gonzales, Assistant Superintendent, Human Resources  
Nick Berger, Senior Director, Student Programs  
Marsha Tokuyoshi, Senior Director, Educational Services  
Marcus Walton, Director, Communications and Special Projects  
Natalia Ciccone, Exec. Asst. to the Superintendent and Board  
Michelle Kiernan, Exec. Asst. to the Superintendent and Board  
Neil McChesney, Coordinator, Charter School Oversight  
Cynthia Schwerin, Assistant County Counsel

**1. CALL TO ORDER**

**1.1 The President will call the meeting to order**

Board President, Sarah Butler called the Board meeting to order at 5:06 p.m.

**2. GENERAL INFORMATION**

**2.1 General Information**

**3. OPENING PROCEDURES**

**3.1 Roll Call**

All Board Members were present.

**3.2 Pledge of Allegiance**

Trustee Maxwell led the Board in a Pledge of Allegiance

**3.3 Agenda Review and Adoption**

Action: Approve agenda as presented.

Motion by Annette Lewis, second by Mike Maxwell.

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

**3.4 Board Meeting Minutes – November 16, 2022- ACTION**

Action: Adopt the minutes for Board of Education meeting as presented.

Motion by Annette Lewis, second by Mike Maxwell.

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

#### **4. CLOSED SESSION**

##### **4.1 None.**

#### **5. RECOGNITIONS**

##### **5.1 Re-election Recognition (MACKEY)**

Superintendent Lynn Mackey recognized and congratulated Trustee Butler, Trustee Lewis and Trustee Maxwell on winning their reelection campaigns in November. She also presented the Board members with certificates. The Board members were administered their Oaths of Office on Friday, December 9, 2022.

##### **5.2 Recognition of Education Champion (WALTON)**

Contra Costa County Superintendent of Schools Lynn Mackey occasionally recognizes an Education Champion to thank our valued partners for their help, collaboration and support of public education. For the month of December 2022, San Ramon Valley Unified School District Board of Education President Ken Mintz was selected to receive the CCCOE Education Champion award.

##### **5.3 Recognition of Deputy Superintendent Denise Porterfield (MACKEY)**

Superintendent Lynn Mackey recognized the career and contributions of Deputy Superintendent Denise Porterfield as she announced her retirement from CCCOE starting the end of December 2022. Porterfield's career in education has spanned over 30 years working at several school districts and San Mateo County Office of Education before arriving at CCCOE. Mackey wished her luck on her retirement.

#### **6. CONSENT AGENDA**

##### **6.1 Consent Agenda**

**6.2 Consider Granting of a Contra Costa County High School Diploma to Adult School Student CCAS1-121422 (BERGER) – ACTION**

**6.3 Consider Granting of a Contra Costa County High School Diploma to Adult School Student CCAS2-121422 (BERGER) – ACTION**

**6.4 Consider Granting of a Contra Costa County High School Diploma to Adult School Student CCAS3-121422 (BERGER) – ACTION**

**6.5 Consider Granting of a Contra Costa County High School Diploma to Court School Student MM1-121422 (BERGER) – ACTION**

**6.6 Consider Granting of a Contra Costa County High School Diploma to Court School Student MM2-121422 (BERGER) – ACTION**

**6.7 Consider Granting of a Contra Costa County High School Diploma to Court School Student MM3-121422 (BERGER) – Action**

**6.8 Consider Granting of a Contra Costa County High School Diploma to Court School Student MM4 – 121422 (BERGER) – Action**

**6.9 Consider Granting of a Contra Costa County High School Diploma to Court School Student MM5 – 121422 (BERGER) – Action**

**6.10 Investment Activities Report (PORTERFIELD) – INFORMATION**

**6.11 Temporary County Certificates (TCCs) – November 2022 (GONZALES) – ACTION**

**6.12 AB 361 – Authorize Teleconferencing for Meetings – ACTION**

Action: Approve the consent agenda as presented.

Motion by Mike Maxwell, second by Anamarie Avila Farias

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

#### **7. PUBLIC COMMENT**

##### **7.1 Public Comment**

None.

## **8. PUBLIC HEARINGS**

### **8.1 Labor Agreement Proposals – CCCSEA (GONZALES) – INFORMATION**

Norma Gonzales, Assistant Superintendent, Human Resources, presented the initial labor agreements for full three-year Successor Agreements from CCCSEA/NEA and Management Proposal with representatives of the Certificated Unit for a second time. The initial presentation was at the November 16, 2022, Board meeting. These proposals are presented as opening successor contract negotiations for CCCSEA (certificated association) and CCCOE (administration at CCCOE). These proposals were presented in accordance with AR 4143.1 which provides that initial collective bargaining proposals shall be presented to the Board of Education and County Superintendent of Schools in public during a regularly scheduled Board meeting.

Public hearing opened at 5:25 p.m.

Public hearing closed at 5:26 p.m.

## **9. BUSINESS/ACTION ITEMS**

### **9.1 Reorganization of the Board of Education – Elect President and Vice President – ACTION**

The Board nominated and voted for candidates to fill the positions of President and Vice President for the Board of Education with the term beginning Dec. 14, 2022. Per BB 9100, at the organizational meeting, the County Board shall: 1) Elect a president and vice president from its members. Per BB 9121, the Contra Costa County Board of Education shall elect a president from among its members to provide leadership on behalf of the County Board and the educational community it serves. Superintendent Mackey also recognized Trustee Butler for her services to the Board as President during the last year. Trustee Lara immediately assumed her new role as Board president. Trustee Maxwell was voted Vice President of the Board.

Action: Elect President Consuelo Lara for a one-year term beginning Dec. 14, 2022.

Motion by Annette Lewis, second by Mike Maxwell

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

Action: Elect Vice President Mike Maxwell for a one-year term beginning Dec. 14, 2022.

Motion by Anamarie Avila Farias, second by Sarah Butler

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

### **9.2 Acting as the County Committee on School District Organization, elect officers for County Committee on School District Organization for 2023 – ACTION**

BB 9600 states: “The County Board of Education acts as the County Committee on School District Organization. Where no legal provisions exist as to the governance of the County Committee on School District Reorganization, it will be governed by existing bylaws applicable to the County Board of Education.” Historically, the board members elected as the officers for the County Board of Education also hold the same offices on the County Committee.

Action: Acting as the County Committee on School District Organization, elect officers for County Committee on School District Organization for 2023. President Consuelo Lara, Vice President Mike Maxwell.

Motion by Mike Maxwell, second by Annette Lewis

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

### **9.3 Announcement of Superintendent as Secretary & Executive Officer to County Board – INFORMATION**

Per BB 9100, at the organizational meeting, the County Board announced the County Superintendent Lynn Mackey as secretary and executive officer to the County Board.

### **9.4 Authorize Board Signers – ACTION**

Per BB 9100, at the organizational meeting, the County Board authorized signatures. The Board approved President Lara and Vice President Maxwell to be the authorized signers.

Action: Board will vote on County Board authorized signatures. President Consuelo Lara, Vice President Mike Maxwell  
Motion by Annette Lewis, second by Mike Maxwell

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

Nos: None

Final Resolution: Motion Passes

### **9.5 Review the 2023 Proposed Schedule of Regular Meetings of the County Board of Education – ACTION**

The Board reviewed and discussed proposed meeting dates for 2023. The trustees noted the September 6, 2023, proposed date was the week of Labor Day and suggested amending the proposed calendar with a September 13, 2023, instead.

Action: Approve calendar of regular board meetings for 2023 as amended. Move. Sept. 6, 2023 to Sept. 13, 2023.

Motion by Anamarie Avila Farias, second by Annette Lewis

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Absent: None

Final Resolution: Motion Passes

### **9.6 Charter School Update (MCCHESENEY) – INFORMATION**

Neil McChesney, Coordinator of Charter School Oversight, introduced Douglas Corbin, Golden Gate Community School to present the charter school's LCAP presentation. McChesney also introduced Executive Director and principal Jim Trombley and Director of Business Services Martin Coyne to present the Manzanita Charter School LCAP presentation. These presentations are an opportunity for the charter schools to inform the Board members of their current performance and progress with focus on their most recent LCAPs and their goals, actions and expenditures associated with it.

### **9.7 Appointments to Charter School Governing Boards (MCCHESENEY) – ACTION**

The Charter Committee presented the Board draft documents delineating the appointee process, as well as drafts of the application, announcement template and interview rubric for selecting a community member for Charter School Governing Boards. The documents incorporated Board member feedback discussed in previous Board meetings. There were discussions among the Charter committee and at Board meetings about the authority provided in Ed Code for an authorizer to appointment trustees to the Boards of the Charter schools it authorizes. The Board provided feedback on the documents. The Board delayed consideration of the documents until Board Policy 0420.41 Oversight of County Charter Schools is considered and acted on by the Charter Committee.

Action: Table documents for next meeting with policy included.

Motion by Mike Maxwell, second by Annette Lewis

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: None

No: None

Final Resolution: Motion passes

### **9.8 2022-23 First Period Interim Report (PORTERFIELD) – INFORMATION/ACTION**

The California Education Code provides that each school district and county office complete an interim financial report for the period ending October 31 of each fiscal year. Denise Porterfield, Deputy Superintendent, presented the 2022-23 First Period Interim Report for the County Office of Education. The report details the financial condition of the County Office and compares current year projected expenditures and revenues to the Board-approved operating budget. The

report provides for a Positive Certification indicating that the Contra Costa County Office of Education will meet its financial obligations for the current and two subsequent fiscal years.

Action: Review the 2022-23 First Period Interim Report of the Contra Costa County Office of Education

Motion by Mike Maxwell, second by Anamarie Avila Farias

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: None

No: None

Final Resolution: Motion passes

### **9.9 Budget Calendar (PORTFIELD) – INFORMATION**

Denise Porterfield, Deputy Superintendent, presented the proposed Budget Development calendar for 2023-24 fiscal year. The calendar is provided annually to the Board and aligns with the 2023 Board meeting calendar approved earlier in the meeting. Superintendent Lynn Mackey also announced that former Deputy Superintendent Bill Clark will serve as interim as Porterfield is set to retire in December.

### **9.10 Consider Increase in County Board of Education Compensation (PORTERFIELD) – ACTION**

In accordance with Education Code 1090(a) and Board Bylaw 9250, annually the Board may increase the compensation of Board members in an amount not to exceed five percent based on the present monthly rate of compensation. Any increase made pursuant to these sections shall be effective upon approval of the Board. Historically, Board compensation has been increased to keep pace with inflation. These annual increases have been presented and recommended to the Board based on the increase given to all employees. Four-year historical trends on recommended and approved compensation increases were provided. The Board has the authority to consider an alternative rate not to exceed five percent. This year's CCCOE employee increase is five percent.

The Board's current monthly rate of compensation is \$558.23. To be consistent with the practices of the agency, it is recommended to increase the Board's monthly rate by the same percentage increase given to all employees of the agency. If approved, the monthly rate would increase five percent, bringing the revised monthly to \$586.14, effective immediately. The Board was interested in salary study for the Superintendent and trustees.

Action: Staff recommends a five (5) percent increase to the monthly stipend paid to members of the Board of Education

Motion by Anamarie Avila Farias, second by Mike Maxwell

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: None

No: None

Final Resolution: Motion passes

### **9.11 County Superintendent, Compensation (PORTERFIELD) – ACTION**

In accordance with County Board Bylaw 9500, the Contra Costa County Board of Education believes that the County Superintendent of Schools renders services that promote the success of students and of the educational programs of the county office of education, and that anyone occupying the position should be fairly compensated for their service. In accordance with law, the County Board shall fix the salary of the County Superintendent and may adopt a remuneration package that includes, but is not limited to, salary, allowances, health and welfare benefits, and other benefits as appropriate.

Compensation for the County Superintendent is intended to be reasonably competitive with the compensation provided to superintendents occupying comparable-level positions in other county offices of education, and school districts. Compensation is to include all benefits afforded to the management personnel in order to fulfill the duties of the elected position of the County Superintendent of Schools.

To assist the Board when making a determination regarding "reasonably competitive," staff prepared a review of comparative data comprised of the total compensation provided to the superintendents of the four largest school districts in Contra Costa County and a list of the total compensation received by all Class 2 county superintendents in California. Based on this evaluation, total compensation for the Contra Costa County Superintendent is among the lowest of her peers

while residing in one of the highest cost-of-living areas. Attached is also a (4) four-year trend analysis of the County Superintendent compensation increases.

To be consistent with the 2021-22 salary settlement provided to management and all employees of the agency, Staff recommends that the County Board of Education adjust the compensation of the County Superintendent in accordance with the recently approved agency settlement of (5) five percent increase effective July 1, 2021.

Action: Staff recommends that the County Board of Education adjust the compensation of the County Superintendent in accordance with the recently approved agency settlement of five (5) percent increase effective July 1, 2021.

Motion: Anamarie Avila Farias, second by Mike Maxwell

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: None

No: None

Final Resolution: Motion passes

### **9.12 Review of lease with DeDiablo Holdings (PORTERFIELD) – ACTION**

The Contra Costa County Office of Education have been awarded a several three-year grants that have included the need to add staff. The Stewart Building is reaching its staff capacity and requires additional office space. Attached was the agreement with De Diablo Holding to lease 1,500 square-foot office space at 1800 Oak Park Blvd., Pleasant Hill, which is located directly across the street from Stewart Building. The lease agreement was presented to the Board in accordance with BB 9000.

Action: Consider approval of lease agreement

Motion by: Anamarie Avila Farias, second by Mike Maxwell

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

No: None

Final Resolution: Motion passes

### **9.13 Policy Standing Committee: Second Reading & Review (MACKEY) – ACTION**

Superintendent of Schools Lynn Mackey presented Board policies for second reading and approval by the Board. The policies were vetted through the Policy committee and presented for first reading to the full Board at the November 16, 2022, Board meeting. The following policies were presented for approval:

5000s – Student Policies:

BP 5113.2 - Work Permits

BP 5131.5 - Vandalism and Graffiti

BP 5131.62 - Tobacco

BP 5132 - Dress and Grooming

BP 5141 - Health Care and Emergencies

BP 5125 - Student Records

The following Board Policies were presented for elimination:

BP 5000 - Concepts and Roles in Student Personnel

BP 5126 - Award for Achievement

BP 5140 - Welfare

BP 5141.3 - Health Education

Action: Approve policies as presented.

Motion by Anamarie Avila Farias, second by Mike Maxwell

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: None

No: None

Final Resolution: Motion passes

## **9.14 Committee Assignments 2023 – ACTION**

As per BB 9130, the Board president may appoint standing committees, as may be deemed necessary. Current committees as they stand are: Policy Committee, Charter Committee, Budget Committee, and Legislative Committee. President Lara proposed delaying committee assignments until the January Board meeting in order to think about the committee makeup and for current committee assignments to be extended.

Action: Postpone committee assignments until the January Board meeting. Continue work in current committees.

Motion by Consuelo Lara, second by Anamarie Avila Farias

Yes: Sarah Butler, Anamarie Avila Farias, Consuelo Lara, Annette Lewis, Mike Maxwell

Absent: None

No: None

Final Resolution: Motion passes

## **9.15 CSBA Annual Conferences – INFORMATION/DISCUSSION**

Board members discussed the CSBA Coast 2 Coast Conference in April 24-26, 2023, in Washington, D.C., and the CCBE County Board Governance Workshop in Sacramento, March 10-11, 2023. Board members expressed their interest in attending either or both conferences.

## **10. SUPERINTENDENT'S UPDATE**

### **10.1 Superintendent's Update**

- Continued with school district site visits including Moraga School District, Oakley Union Elementary School District, Knightsen School District, San Ramon Valley Unified School District and Pittsburg Unified School District
- Attended library commission meeting
- Went to DVC's Superintendents'/Chancellor meeting with DVC's president
- Participated in CCCOE Equity Committee meeting
- Hosted CCCOE leadership meeting focused on equity
- Hosted SELPA study session
- Made site visits to several of our own schools
- Participated in Land Acknowledgment question and answer session
- Led by Marsha Tokuyoshi, we are in partnership with Leshar Foundation on art grant work and will be working with a couple of school districts. More information to come.

## **11. CABINET MEMBER UPDATES**

### **11.1 Cabinet Member Updates**

Denise Porterfield, Deputy Superintendent – Internal staff worked on the first interim and work will begin on developing the budget in January; external team is getting ready to receive all the first interim reports from the school districts; general services, Director III John Hild is retiring but projects that are in process will continue; IT continues to work on cyber security and increasing our ability to use our systems more efficiently.

Norma Gonzales, Assistant Superintendent – HR team is anticipating and planning for next year's recruitment; hosted a classified recruitment event with several school districts in Stewart Building; attended recruitment event in East County at O'Hara Park and were able to recruit several substitutes and classified employees; continue to onboard new employees; preparing for signature event, the Job Fair at Alhambra High School in Martinez on February 28. John Ibrahimi was hired to work with Youth Services as a new supervisor. Dr. Nicole Pitcher was hired to work with Student Programs.

Marsha Tokuyoshi, Assistant Superintendent – Preliminary Administrative Credential Program is graduating its first cohort of 36 aspiring administrators and the second cohort begins in February. A group of four staff are working on an Improvement Science Coaching Collective with staff at Mt. McKinley looking at the reading interventions for their students and this will be a year-long project collecting data. This is year one of a three-year implementation process for Universal Pre-K. Our team is providing professional development for teachers and administrators for Pre-K through K. We are looking at parent engagement and we're seeing cross-collaboration across districts. We have a posting for a P3 coordinator who will be supporting the districts.

## **12. BOARD UPDATES**

### **12.1 Board Standing Committee Reports**

Charter Committee (LARA) – Next meeting scheduled for Tuesday, Jan. 10, 2023

Policy Committee (MAXWELL) – Presented policies for approval today. Next meeting scheduled for Friday, Jan. 13, 2023.

Budget Committee (MAXWELL) – nothing to report

Legislative Committee (LEWIS) – nothing to report

### **12.2 Board Member Updates**

Mike Maxwell – Spent time at San Ramon Valley Unified School District.

Participating in sending off the San Ramon Valley High School football team to the state championship.

Would like to recognize the players, coaches and staff at San Ramon Valley High School for a great year.

Sarah Butler – Attended the Marchus School Feast

Charter School visit at Contra Costa County School of Performing Arts

Attended the CSBA AEC Conference in San Diego in early December

Participated in the Charter Committee meeting

Attended the Mt. McKinley School Site Council Meeting

Annette Lewis – Met with Monte Vista High School students to talk about health education for high school students county-wide to try to make it more current and relevant

Appointed to the Conference Planning, Budget and By Laws Committee for California County Boards of Education by the CCBE president. Also appointed as CCBE assistant Treasurer

Anamarie Avila Farias – Attended local school boards reorganizations

Attended the CSBA AEC Conference in San Diego in early December

Consuelo Lara – Attended School Site Council Meetings

Worked with girls group at Richmond High School

### **12.3 Future Agenda Items**

CCBE appointments for Annette Lewis for approval

Who is going to the workshops and budget

## **13. EVENTS CALENDAR**

### **13.1 Calendar of Events 2022**

### **13.2 Board Meeting Dates 2022**

Next meeting is scheduled for January 25, 2023.

## **14. ADJOURNMENT**

### **14.1 The President will adjourn the Board meeting**

President Lara adjourned the meeting at 7:50 p.m.