

# Minutes of Regular Public Meeting

## The Governing Board of the Amphitheater Public Schools

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A Regular Public meeting of the Governing Board Amphitheater Public Schools was held Tuesday, January 15, 2019, beginning at 6:00 p.m. in the Wetmore Center, 701 West Wetmore Road, Leadership & Professional Development Center.

### **Governing Board Members Present:**

Ms. Deanna M. Day, M.Ed., President

Ms. Vicki Cox Golder, Vice President

Dr. Scott K. Baker, Member

Mr. Matthew A. Kopec, Member

Ms. Susan Zibrat, Member

### **Superintendent's Cabinet Members Present**

Mr. Todd A. Jaeger, J.D., Superintendent

Dr. Roseanne Lopez, Associate Superintendent for Elementary Education

Mr. Michael Bejarano, Associate Superintendent for Secondary Education

Ms. Michelle H. Tong, J.D., Associate to the Superintendent and Legal Counsel

Mr. Scott Little, Chief Financial Officer

Ms. Kristin McGraw, Director of Student Services

Mr. James Burns, Executive Manager of Operational Support

Ms. Michelle Valenzuela, Director of Communications

Ms. Tassi Call, Director of 21<sup>st</sup> Century Education

### **Call to Order and Signing of the Visitor's Register**

*President Day called this meeting to order at 6:00 p.m. and asked visitors to sign in.*

### **Pledge of Allegiance**

Superintendent Jaeger welcomed the students from Rio Vista Elementary and invited Principal Dianna Kuhn to introduce them. Ms. Kuhn introduced the Rio Vista December students of the month, which included: Eddson, Ivanna, Aubrey, Julian, Obed, Nathalie, and Adrian. The students then led the Pledge of Allegiance.

On behalf of the Board, Dr. Baker thanked the students and presented them with certificates of commendation. Students were given the opportunity to introduce their parents and special people who were with them. A group photograph of the students was taken with the Superintendent and the Governing Board.

On behalf of the Board, Dr. Baker acknowledged the Art Display in the Board Room. He recognized the students and Art Specialist Stephanie Williams of Rio Vista Elementary School for their contributions.

## **Announcement of Date and Place of Next Regular Governing Board Meeting**

*President Day announced the next Special Governing Board meeting would be held Tuesday, January 29, 2019 at 5:00 p.m., Wetmore Center, 701 W. Wetmore Road in the Leadership and Professional Development Center.*

### **1. ORGANIZATIONAL MEETING**

#### **A. Administration of Oath of Office to Newly-Elected and Re-Appointed Governing Board Members**

*State law requires that officers and employees of the state, including its political subdivisions, take a loyalty oath of office. This requirement includes individuals appointed or elected to school district Governing Boards.*

*Pursuant to A.R.S. §38-321, the Oath of Office states: "State of Arizona, County of Pima, I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and the laws of the State of Arizona; that I will bear true faith and allegiance to the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of Governing Board Member for Amphitheater Unified School District No. 10, according to the best of my abilities, so help me God (or, so I do affirm).*

*Pursuant to A.R.S. §15-426, Board members are also required to execute the oath in writing before a Notary Public which shall then be forwarded to the Pima County School Superintendent.*

*Board members newly elected or appointed to a first term, or re-elected to a new term, are required to state and execute the oath of office. Board members continuing their existing term of office are not required to restate and re-execute the oath.*

Superintendent Jaeger introduced this item. The District welcomed one returning Board Member, Ms. Susan Zibrat, and one new Board member, Mr. Matthew Kopec. Superintendent Jaeger explained that they have already satisfied the State's requirements by signing the Oath of Office prior to assuming the duties of the office of the Governing Board. The "Oath of Office" is also administered verbally at their first public Governing Board Meeting primarily as a formality.

Ms. Susan Zibrat was led by her daughter, Melanie Zibrat, in reciting the Oath of Office. Followed by Mr. Matthew Kopec, who was led by Chief Judge Peter Eckerstrom, Arizona Court of Appeals Division II, in reciting the Oath of Office.

#### **B. Nomination and Election of Governing Board President and Vice-President**

*Arizona law, A.R.S. §15-521, requires that the Governing Board hold an organizational meeting annually between January 1 and January 15. The same section of Title 15 requires that the Board elect a president from among its*

*members. The President of the Board presides over all meetings of the Board, in accordance with Arizona law and District Policies.*

*A.R.S. §15-521(D) provides that the Board must prescribe rules for its own governance. Governing Board Policy BDA, one of the Governing Board rules of governance, does require the election of a clerk, which the Board has traditionally designated as “Vice-President”. The Vice-President presides over all meetings of the Board at which the President is not present.*

*The nomination of officers, under Roberts Rules of Order, may be done by open nomination. The President initiates this method by simply calling for nominations from the floor. Alternatively, any member could offer a motion that nominations be made from the floor. After passage of such a motion, or upon initiation by the President, the current President takes all nominations for the office of president first. Board members may, alternatively, move the nomination of a candidate, requiring a second and a passing vote for the nominee to be placed on the slate of candidates. This of course, adds an additional step to the election process and is not recommended for small bodies like the Board.*

*Nominees may decline their nomination prior to any vote. When it appears no further nominations are forthcoming, the President may close the floor to further nominations, or it may be closed upon a passing motion to do the same.*

*Under Roberts Rules, there are technically several ways of conducting the election of officers following the nomination process; those that are practicable and applicable to the election of Governing Board officers are described below. Secret balloting, for example, is permitted by Roberts Rules, but not by the Arizona Open Meeting Law. Once again, any one of the alternative methods below may be used – either upon selection of method by the current President or by motion (the latter of which controls in the event of conflict). If a voting method is selected, the chair should explain how the matter will proceed prior to the vote being taken.*

**Acclamation.** *If there is only one nominee for an office, the chair of the meeting can simply declare the individual is elected, rather than taking a vote.*

**Voice or Other Voting.** *Absent election by acclamation, a vote of the Board on nominees is required by voice, roll call, show of hands or rising (where Board members stand). Roberts provides that, unless a method of voting is selected upon motion, the chair will decide the method based upon the nature of the election, closeness of the expected vote, and the size of the group.*

*The current President announces the result of a vote formally, for the record. Until that announcement, Roberts permits any Board member to change their vote. In the event of a tie between nominees, the chair may call for a new vote to determine the tie.*

*Superintendent Jaeger introduced the item and provided an overview of the Governing Board Officer election process (as stated above) beginning with the*

office of the Presidency and then followed by the Vice President (or Clerk), who serves in the absence of the President.

President Day began by asking if any Board Member wished to offer a nomination for president. Ms. Day nominated Ms. Cox Golder; all concurred. There were no other nominations and through acclamation, Ms. Cox Golder was declared President.

Ms. Cox Golder nominated Ms. Zibrat for the Office of Vice President; all concurred. There were no other nominations and through acclamation, Ms. Cox Golder declared Ms. Zibrat as Vice President.

A Certificate of Election of Governing Board President and Vice President was signed by all Board Members. A copy of this Certificate, as well as, Certificates of Election for each Board Member, was forwarded to the Pima County School Superintendent's office.

**2. RECEPTION FOR NEWLY-ELECTED GOVERNING BOARD MEMBERS**

Superintendent Jaeger welcomed returning Board Member, Ms. Zibrat and newly elected Board Member, Mr. Kopec to the Governing Board and invited all in attendance to the Reception honoring them both.

**3. PUBLIC COMMENT<sup>1</sup>**

*President Cox Golder read the Call to the Audience Procedures.*

David Bosak, Sr. with ARCH L.L.C. addressed the Governing Board regarding concerns his company had with Amphitheater Public Schools regarding a disputed invoice.

**4. CONSENT AGENDA**

***Details of agenda items, supporting documents, and presentations are available for review in the electronic BoardBook by clicking on the hyperlink below.***

**<https://v3.boardbook.org/Public/PublicHome.aspx?ak=1000433>**

*President Cox Golder asked if there were any Items on the Consent Agenda for further discussion, there were none. Vice President Zibrat motioned to approve Agenda Items A. - N. as presented. President Cox Golder seconded the motion. There was no discussion. Voice vote in favor - 5: President Cox Golder, Vice President Zibrat, Dr. Baker, Ms. Day, and Mr. Kopec. Opposed - 0. Consent Items A. - N. passed 5 - 0.*

**A. Approval of Appointment of Non-Administrative Personnel**

*Non-Administrative personnel were appointed as listed in Exhibit 1.*

**B. Approval of Personnel Changes**

*Certified and classified personnel were appointed as listed in Exhibit 2.*

**C. Approval of Leave(s) of Absence**

*Leaves of Absence were approved as listed in Exhibit 3.*

**D. Approval of Separation(s) and Termination(s)**

*Separation(s) and Termination(s) were approved as listed in Exhibit 4.*

**E. Approval of Stipend for Coaching Volunteers**

*Stipends for Coaching Volunteers were approved as listed in Exhibit 5.*

**F. Approval to Increase Employees Affected by Arizona's New Minimum Wage**

*An increase in wage for Employees Affected by Arizona's New Minimum Wage was approved by the Governing Board as listed in Exhibit 6.*

**G. Results Based Funding Performance Bonus Payout**

*Results Based Funding Performance Bonus Payout was approved as listed in Exhibits 7, 8, 9, and 10.*

**H. Approval of Contract Forms for the 2019-2020 Fiscal Year for Contracted Staff**

*Contract Forms for the 2019-2020 Fiscal Year for Contracted Staff were approved as listed in Exhibit 11.*

**I. Approval of Vouchers Totaling and Not Exceeding Approximately \$3,089,268.68**

*A copy of vouchers for goods and services received by the Amphitheater Public Schools and recommended for payment has been provided to the Governing Board. The following vouchers were approved as presented and payment authorized as listed in Exhibit 12:*

Voucher #196	\$102,255.72	Voucher #197	\$390,031.10
Voucher #198	\$200,811.19	Voucher #199	\$47,764.01
Voucher #200	\$166,173.92	Voucher #201	\$653,413.31
Voucher #202	\$51,708.29	Voucher #203	\$22,471.84
Voucher #204	\$59,430.22	Voucher #205	\$184,122.07
Voucher #206	\$84,835.13	Voucher #207	\$26,072.27
Voucher #208	\$14,602.27	Voucher #209	\$61,194.85
Voucher #210	\$11,734.76	Voucher #211	\$135,050.18
Voucher #212	\$158,666.64	Voucher #213	\$151,049.14
Voucher #214	\$101,510.51	Voucher #215	\$165,556.24
Voucher #216	\$18,782.94	Voucher #217	\$1,401.49
Voucher #218	\$76,310.19	Voucher #219	\$6,011.35
Voucher #220	\$22,575.18	Voucher #221	\$175,733.87

**J. Receipt of November 2018 Report on School Auxiliary and Club Balances**

*The Governing Board approved the receipt of November 2018 Report on the School Auxiliary and Club Balances, as shown in Exhibit 13.*

**K. Approval of Disposal of Surplus Property via PublicSurplus.com**

*The Disposal of Surplus Property via PublicSurplus.com was approved as listed in Exhibit 14.*

**L. Acceptance of Gifts**

*Gifts were accepted by the Governing Board as listed in Exhibit 15.*

**M. Approval of Grants**

*Grants from SaddleBrooke, Rosemont Copper, PICOR Charitable Foundation, and The Burton Family Foundation were approved by the Governing Board as listed in Exhibits, 16, 17, 18, and 19.*

**N. Approval of Out of State Travel**

*Out of State Travel was approved as listed in Exhibit 20.*

**5. EXECUTIVE SESSION**

*President Cox Golder asked for a motion to recess Open Meeting and hold Executive Session; Vice President Zibrat moved to recess Open Meeting and hold Executive Session; and Ms. Day seconded the motion. Voice vote in favor - 5: President Cox Golder, Vice President Zibrat, Dr. Baker, Ms. Day, and Mr. Kopec. Opposed - 0. President Cox Golder proclaimed they were in Executive Session at 6:43 p.m.*

**A. Executive Session for:**

1. Potential Dedication and Transfer of District-Owned Real Estate Currently Operated as a Private Road Named "Glover Road", and More Formally Identified Below, to the Town of Oro Valley for Use as a Public Road, Pursuant to A.R.S. §38-431.03(A)(3) and (7):

The South 45.00 feet of the East Half of the Southwest Quarter (SW 1\4) of the Northeast Quarter (NE 1\4) of Section 4, Township 12 South, Range 13 East, Gila and Salt River Meridian, Pima County, Arizona.

Together with the South 45.00 feet of the South half of the Southeast Quarter (SE 1\4) of the Northeast Quarter (NE 1\4) said Section 4;

Except the East 30.00 feet thereof;

Also together with the following described parcel;

The North 35.00 feet of the West 60.00 feet of the East 214.73 feet and the North 30.00 feet of the East 154.73 feet of the Northeast Quarter (NE 1\4) of the Southeast Quarter (SE 1\4) of said Section 4;

Except the East 30.00 feet thereof.

2. Potential Abandonment of Easements Recorded with the Pima County Recorder's Office at Docket 10146, Pgs. 885, 891, and 897; Pursuant to A.R.S. §38-431.03(A)(3) and (7).

3. Potential Land-Lease of District-Owned Real Estate Located at 400 East Wetmore Road to the Pima County Joint Technological Education District ("JTED"); Pursuant to A.R.S. §38-431.03(A)(3) and (7).

4. Its Position and Instruct Its Representatives in the Meet and Confer Process Pertaining to Compensation and Benefits for Certificated, Professional Non-Teaching, Support and Administrative Staff for the 2019-2020 Fiscal Year, Pursuant to A.R.S. §38-431.03(A)(5).

**B. Motion to Close Executive Session and Reconvene Open Meeting**

*Mr. Kopec moved to close Executive Session and reconvene Open Meeting. Vice President Zibrat seconded the motion. Voice vote in favor - 5: President Cox Golder, Vice President Zibrat, Dr. Baker, Ms. Day, and Mr. Kopec. Opposed - 0. President Cox Golder announced the return to Open Meeting at 8:49 p.m.*

**BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

President Cox Golder asked if any Board Members had any future agenda items. There were no requests.

**PUBLIC COMMENT**<sup>1</sup>

There were no comments.

**ADJOURNMENT**

*President Cox Golder moved to adjourn the meeting. Vice President Zibrat seconded the motion. There was no further discussion. Voice vote in favor - 5: President Cox Golder, Vice President Zibrat, Dr. Baker, Ms. Day, and Mr. Kopec. Opposed - 0. Meeting adjourned at 8:51p.m.*



*Minutes respectfully submitted by:*

*Andrea Carr*

*Governing Board Secretary*

\_\_\_\_\_  
Vicki Cox Golder, President

May 7, 2019  
Date

*Governing Board Approval Date:*

*May 7, 2019*