

**BERKELEY PUBLIC SCHOOLS**  
**Meeting Location: 1231 Addison Street, Berkeley CA 94702**  
**Phone: (510) 644-8764**

**BOARD OF EDUCATION SPECIAL MEETING AGENDA**  
 Wednesday, June 24, 2015

**BOARD OF EDUCATION**

Judy Appel, President  
 Beatriz Leyva-Cutler, Vice President  
 Karen Hemphill, Director/Clerk  
 Josh Daniels, Director  
 Ty Alper, Director

**STAFF**

Donald E. Evans, Ed.D., Superintendent/Secretary  
 Javetta Cleveland, Deputy Superintendent  
 Pasquale Scuderi, Asst. Supt., Educational Services  
 Delia Ruiz, Asst. Supt., Human Resources

**Closed Session**

The President of the Board will adjourn the Regular Board of Education meeting at **8:30 p.m.** and immediately call the Special meeting to order at **8:30 p.m.**

The Board may recess into Closed Session before or after the public meeting under the authority of the Brown Act (including but not limited to Government Code section 54954.5, 54956.8, 54956.9, 54957, 54957.6, as well as Education Code section 35146). Under Government Code section 54954.3, members of the public may address the board on an item on the Closed Session agenda, before Closed Session.

**CLOSED SESSION PUBLIC TESTIMONY**

Persons wishing to address the Board should fill out a green speaker card. **Cards turned in by 8:15 p.m. will be given priority.** Speakers will be randomly selected based on topic and position, with BUSD students generally given priority. Public Testimony is limited to **15 minutes with a 3-minute limit per speaker per topic** although the time allotted per speaker may be reduced to 2 minutes at the discretion of the President.

**CONSENT ITEMS**

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The President of the Board will adjourn the Special Meeting and re-convene its Regular Board of Education meeting.

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Donald Evans, Superintendent  
**FROM:** Timothy White, Director of Facilities  
**DATE:** June 24, 2015  
**REGARDING:** **RESOLUTION 15-081** to establish the 2015-16 tax rate for the Special Tax: *Berkeley Schools Facilities Safety and Maintenance Act of 2010* [Measure H of 2010]

### **BACKGROUND INFORMATION**

The Berkeley Schools Facilities Safety and Maintenance Act of 2010 (Measure H) renews the function of a prior facilities and safety maintenance act (Measure BB of 2000), providing revenues to “maintain school buildings, classrooms, playgrounds, roofs, electrical systems, and address fire and safety hazards.”

The legislation establishing Measure H of 2010 permits an annual cost-of-living increase in the rate, beginning with FY 2013-14. The annual COLA increase allowed is equal to the annual percentage increase of the State of California statutory inflation adjustment as defined in Education Code Section 42238.1(b) (Para. 3C).

The statutory cost-of-living adjustment (COLA) based on the *District and County Office Financial Projection Dashboard* produced by the School Services of California in May 2015 has been determined to be **1.02** percent.

### **POLICY/CODE**

*Berkeley Schools Facilities and Safety and Maintenance Act of 2010* [Measure H, 2010, Para. 3C]

### **FISCAL IMPACT**

The revenue for *Berkeley Schools Facilities Safety and Maintenance Act of 2010* is projected to be approximately \$5,872,000 for FY 2015-16.

### **STAFF RECOMMENDATION**

Adopt the approved COLA increase for *Berkeley Schools Facilities and Safety and Maintenance Act of 2010* for FY 2015-16.

**BERKELEY UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 15-081**

**TO ESTABLISH THE 2015-16 TAX RATE FOR THE “BERKELEY SCHOOLS  
FACILITIES SAFETY AND MAINTENANCE ACT OF 2010”  
(Measure H of 2010)**

**WHEREAS**, in November 2010, the voters of the City of Berkeley adopted the “Berkeley Schools Facilities Safety and Maintenance Act of 2010” (Measure H) which levies a special tax for particular uses by the Berkeley Unified School District, namely, “provide grounds operations and essential maintenance of District buildings and grounds, thereby protecting the health, safety and security of children and staff and creating an environment that supports student and staff success to provide school safety and essential maintenance of the District’s buildings and grounds,” [Para. 2]; and

**WHEREAS**, Article 3C of the Act states: “Each year, commencing with the 2013-14 tax year, the first year of assessment, and thereafter, the rates imposed by this special tax may be increased by a cost-of-living adjustment equal to the annual percentage increase of the State of California statutory inflation adjustment as defined in Education Code Section 42238.1(b); and

**WHEREAS**, the annual Statutory COLA as reported in the School Services of California “Financial Projection Dartboard, May 2015, was determined to be 1.02 percent; and

**WHEREAS**, the tax levy for the 2014-15 fiscal year under Measure H of 2010 was at a rate of \$0.0646 for Residential Buildings and Improvements, and at a rate of \$0.0969 for all Commercial, Industrial and Institutional Buildings and Improvements, and \$20.50 for each unimproved parcel;

**NOW, THEREFORE, BE IT RESOLVED:** that the allowable COLA of 1.02 percent shall be applied, and therefore a tax shall be levied at the rate of \$0.0653 per square foot on all improvements on residential parcels, \$0.0979 per square foot on all improvements on commercial, industrial and institutional parcels, and \$20.72 for each unimproved parcel as authorized by Measure H of 2010.

**PASSED AND ADOPTED** by the Board of Education of the Berkeley Unified School District this 24<sup>th</sup> day of June, 2015 by the following called vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Karen Hemphill**

Clerk, Board of Education

Berkeley Unified School District

Alameda County, State of California

## **BERKELEY UNIFIED SCHOOL DISTRICT**

**TO:** Donald Evans, Superintendent  
**FROM:** Natasha Beery, Director of BSEP and Community Relations  
**DATE:** June 24, 2015  
**REGARDING:** RESOLUTION **15-082** to establish the 2015-16 tax rate for the *Berkeley Public Schools Educational Excellence Act of 2006* (Measure A of 2006)

### **BACKGROUND INFORMATION:**

The legislation establishing the *Berkeley Public Schools Educational Excellence Act of 2006* (Measure A of 2006) permits an annual cost-of-living increase in the rate to maintain the programs and accomplish the goals of the Measure as stipulated in Paragraph 4C of the Measure:

*Each year, commencing with the 2007-08 tax year. . . the rates imposed by this Special Tax may be increased by a cost-of-living adjustment equal to the annual percentage increase of the State of California statutory inflation adjustment as defined in Education Code Section 42238.1(b).*

The statutory cost-of-living adjustment (COLA), based on the *District and County Office Financial Projection Dartboard* produced by the School Services of California in January 2015 was initially projected to be 1.58 percent, and preliminary budget allocations were made for all BSEP/Measure A purposes using that projection. However, in May 2015 the Governor's budget revision established a significantly lower COLA of **1.02** percent.

### **POLICY/CODE**

The *Berkeley Public Schools Educational Excellence Act of 2006*, (Para. 4C)

### **FISCAL IMPACT**

Revenues are projected to be approximately \$25,491,000, an increase of about \$129,000 from 2014-15.

### **STAFF RECOMMENDATION:**

Adopt the approved COLA increase for *Berkeley Public Schools Educational Excellence Act of 2006* for FY 2015-16.

**BERKELEY UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 15-082**

**TO ESTABLISH THE 2014-15 TAX RATE FOR THE “BERKELEY SCHOOLS  
EDUCATIONAL EXCELLENCE ACT OF 2006”  
(Measure A of 2006)**

**WHEREAS**, in November 2006, the voters of the City of Berkeley adopted legislation, "Berkeley Public Schools Educational Excellence Act of 2006" (Measure A of 2006) which levies a special tax for particular uses by the Berkeley Unified School District, namely, reducing class sizes, maintaining school libraries and music programs, providing professional development, educational program evaluation, technology, public information and parent outreach, and diverse academic programs at each school; and

**WHEREAS**, Article 4C of the Act states:

*Each year, commencing with the 2007-08 tax year. . . the rates imposed by this Special Tax may be increased by a cost-of-living adjustment equal to the annual percentage increase of the State of California statutory inflation adjustment as defined in Education Code Section 42238; and*

**WHEREAS**, according to information posted in the *District and County Office Financial Projection Dartboard* of May 2015, produced by School Services of California, the statutory cost-of-living adjustment (COLA) allowed for 2015-16 is 1.02 percent; and,

**WHEREAS**, the rates authorized in Measure A of 2006 for 2014-2015 were established at \$0.2816 cents/square foot for residential buildings, \$0.4245 cents/square foot for commercial/industrial/institutional buildings, and \$61.78 for unimproved parcels;

**NOW, THEREFORE, BE IT RESOLVED**, that an authorized COLA of 1.02% be applied to the rates of FY 2014-2015, therefore a tax rate of \$0.2845 per square foot for Residential Building Improvements, and \$0.4288 per square foot for Commercial, Industrial, and Institutional Buildings Improvements, and \$62.42 for Unimproved parcels shall be authorized for the *Berkeley Public Schools Educational Excellence Act of 2006* in FY 2015-2016.

**APPROVED AND ADOPTED** by the Board of Education on the 24<sup>th</sup> day of June, 2015 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Karen Hemphill  
Clerk, Board of Education  
Berkeley Unified School District  
Alameda County, State of California