



PAJARO VALLEY UNIFIED SCHOOL DISTRICT MISSION STATEMENT

The Mission of the Pajaro Valley Unified School District is to educate and to support learners in reaching their highest potential. We prepare students to pursue successful futures and to make positive contributions to the community and global society.

March 31, 2009
SPECIAL BOARD MEETING
PUBLIC SESSION: 5:30 PM

DISTRICT OFFICE
HUMAN RESOURCES CONFERENCE ROOM
294 Green Valley Road
Watsonville, CA 95076

And Via Teleconference from:
1101 Hyde Park Drive
Santa Ana, CA 92705

NOTICE TO THE PUBLIC: PURSUANT TO SB 343, BOARD PACKET DOCUMENTS ARE AVAILABLE FOR YOUR REVIEW AT THE FOLLOWING LOCATIONS:

- Superintendent's Office: 294 Green Valley Road, Watsonville, CA (4th Floor)
- On our Webpage: www.pvUSD.net

Notice to the Audience on Public Comment

At a Board Special Meeting, members of the audience can address the Board regarding the specified item on the agenda. Individual speakers will be allowed three minutes (unless otherwise announced by the Board President) to address the Board on each agenda item. **You must submit this card prior to the discussion of the agenda item you wish to speak to; once an item has begun, cards will not be accepted for that item.** For the record, please state your name at the beginning of your statement. The Board may limit the total time for public input on each agenda item to 20 minutes. With Board consent, the President may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The President may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

Note: Time allotment for each item is for the report portion only; it is not an anticipation of the total time for the discussion of the item.

We ask that you please turn off your cell phones and pagers when you are in the boardroom.

1.0 CLOSED SESSION OPENING CEREMONY IN OPEN SESSION – 5:30 P.M.

- 1.1 Call to Order
- 1.2 Public comments on closed session agenda.

2.0 CLOSED SESSION

2.1 Resolution #08-09-29, Non Reelection of Certain Probationary Certificated Employees.

3.0 OPENING CEREMONY – MEETING OF THE BOARD IN PUBLIC - 5:35 P.M.

3.1 Pledge of Allegiance

3.2 Welcome by Board President

Trustees, Doug Keegan, Sandra Nichols, Karen Osmundson, Kim Turley, Libby Wilson, Willie Yahiro, and President Leslie De Rose.

4.0 ACTION ON CLOSED SESSION

5.0 APPROVAL OF THE AGENDA

6.0 REPORT, DISCUSSION AND POSSIBLE ACTION ITEMS

6.1 Report, discussion and possible action to approve Resolution #08-09-30, Retirement Incentive for Tenured Certificated Non-Management.

Report by Dr. Albert J. Roman, Assistant Superintendent, Human Resources.

6.2 Report, discussion and possible action to approve Resolution #08-09-31, Retirement Incentive for Classified Non-Management.

Report by Dr. Albert J. Roman, Assistant Superintendent, Human Resources.

7.0 ADJOURNMENT

Board Agenda Back-up

ITEM #

6.1

DATE: March 31, 2009

ITEM: Supplemental Early Retirement Program (SERP) Incentive, Certificated Non-Management
RESOLUTION 08-09-30

OVERVIEW: The attached documents outline the potential establishment of a retirement incentive plan for certain eligible employees of the District.

The Retirement Plan will be referred to as the Pajaro Valley Unified School District Supplemental Employees Retirement Plan (SERP).

The eligibility requirements for employees to participate in the plan would be as follows:

85% of Base Salary as Spend Amount with Retiree benefits if qualified under the contract

Tenured Certificated Non Management

55 Years of age by June 30, 2009

At least 5 Years at 6/30/2009 of continues PVUSD service (7/1/04-

6/30/09) Must have 10 years continuous per contract for Retiree Benefits

Employee must retire from the district effective June 30, 2009

Employee must qualify to retire from STRS

Employee will not be eligible for reemployment in the district other than as a substitute

95% of Base Salary as Spend Amount employee must decline Retiree Benefits

Tenured Certificated Non Management

55 Years of age by June 30, 2009

10 Years at 6/30/2009 of continues PVUSD service (7/1/99-6/30/09)

Employee must retire from the district effective June 30, 2009

Employee must qualify to retire from STRS

Employee will not be eligible for reemployment in the district other than as a substitute

RECOMMENDATION:

It is recommended that the Board approve the proposed retirement incentive plan to be discussed with the bargaining unit

BUDGET CONSIDERATIONS:

Funding Source: Appropriate fund for each retiree

Budgeted: NA

Amount: Estimated savings \$ 900K to \$1 million over 5 years

ASSOCIATE SUPERINTENDENT, Business: Mary Hart

SUPERINTENDENT SIGNATURE: _____

BOARD RESOLUTION

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

08-09-30

On March 31, 2009, the Board of Education (the "Board") of the Pajaro Valley Unified School District (the "District") held a meeting. All members of the Board were present except the following:

On motion of Board Member _____, duly seconded and carried, the following Resolution was adopted:

WHEREAS, California Government Code Section 53224 authorizes school districts to make contributions to retirement plans; and

WHEREAS, the Pajaro Valley Unified School District desires to provide retirement benefits to its employees under such a plan; and

THEREFORE, IT IS RESOLVED that the Board of Education of Pajaro Valley Unified School District hereby establishes a retirement plan for certain eligible employees of the District effective July 1, 2009.

RESOLVED FURTHER that the eligibility requirements for employees to participate in such plan shall be as follows:

▪ **85% of Base %Salary as Spend Amount with Retiree benefits if qualified under the contract**

- Tenured Certificated Non Management
- 55 Years of age by June 30, 2009
 - At least 5 Years at 6/30/2009 of continues PVUSD service (7/1/04-6/30/09) Must have 10 years continuous per contract for Retiree Benefits
- Employee must retire from the district effective June 30, 2009
- Employee must qualify to retire from STRS
 - Employee will not be eligible for reemployment in the district other than as a substitute
-

▪ **95% of Base Salary as Spend Amount employee must decline Retiree Benefits**

- Tenured Certificated Non Management
- 55 Years of age by June 30, 2009
 - 10 Years at 6/30/2009 of continues PVUSD service (7/1/99-6/30/09)
- Employee must retire from the district effective June 30, 2009
- Employee must qualify to retire from STRS
 - Employee will not be eligible for reemployment in the district other than as a substitute

RESOLVED FURTHER that the Board hereby adopts that certain plan known as the Pajaro Valley Unified School District Supplemental Employee Retirement Plan, effective July 1, 2009.

RESOLVED FURTHER that the Life Only benefit under such Plan shall be based on a % of salary as determined by the district per the requirements before mentioned.

RESOLVED FURTHER that the District shall make all contributions to the Plan to fund said benefits.

RESOLVED FURTHER that, for purposes of the limitations on contributions and benefits under the Plan, as prescribed by section 415 of the Internal Revenue Code of 1986, as amended, the "limitation year" shall be the Plan Year, as defined under the terms and provisions of the Plan.

RESOLVED FURTHER that, for purposes of clarification of administration of the Plan but not for purposes of making said Plan subject to title I of ERISA, the Board hereby designates the District as the plan administrator.

RESOLVED FURTHER that the Board hereby appoints the following individuals to comprise the Plan Committee:

Albert Roman
Assistant Superintendent Human Resources

Mary Hart
Associate Superintendent, Business

RESOLVED FURTHER that the Board hereby authorizes any member of the Plan Committee to execute on behalf of the District the Form 2848, Power of Attorney and Declaration of Representative.

RESOLVED FURTHER that the Board hereby appoints Keenan & Associates as the contract administrator to assist the District in the implementation and administration of the Plan.

RESOLVED FURTHER that the Board hereby authorizes and directs Associate Superintendent, Business and Assistant Superintendent, Human Resources to take the following actions:

- A. Execute the Plan and any and all other documents necessary or proper to implement the Plan.
- B. Contract with Keenan & Associates as contract administrator to provide all services described in the contract.
- C. Execute any and all documents, including any amendment to the Plan, necessary or proper to maintain favorable determination of the Plan.
- D. Enter into any other contract or agreement which he or she deems necessary or proper to administer and/or fund the Plan and to attain and maintain the income tax qualification of the Plan under the Internal Revenue Code of 1986, as amended.

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: _____, 2009

BOARD MEMBERS:

Leslie De Rose
Libby Wilson
Sandra Nichols
Doug Keegan
Karen Osmundson
Willie Yahiro
Kim Turley

I, Dorma Baker, Secretary of the Board for the Pajaro Valley Unified School District, hereby certify that the above and the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof on the 31st day of March 2009, and passed by a majority vote of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 31st day of March 2009.

Secretary of the Board of Education for the
Pajaro Valley Unified School District

Board Agenda Back-up

ITEM #

6.2

DATE: March 31, 2009

ITEM: Supplemental Early Retirement Program (SERP) Incentive, Classified Non-Management
RESOLUTION 08-09-31

OVERVIEW: The attached documents outline the potential establishment of a retirement incentive plan for certain eligible employees of the District.

The Retirement Plan will be referred to as the Pajaro Valley Unified School District Supplemental Employees Retirement Plan (SERP).

The eligibility requirements for employees to participate in the plan would be as follows:

50% of Base Salary as Spend Amount

- Classified Non Management
- 55 Years of age by June 30, 2009
- 5 Years at 6/30/2009 of continues PVUSD service (7/1/04-6/30/09)
- Employee must retire from the district effective June 30, 2009
- Employee must qualify to retire from PERS
- Employee will not be eligible for reemployment in the district other than as s substitute

RECOMMENDATION:

It is recommended that the Board approve the proposed retirement incentive plan to be discussed with the bargaining unit

BUDGET CONSIDERATIONS:

Funding Source: Appropriate fund for each retiree
Budgeted: NA
Amount: Estimated savings \$ 0

ASSOCIATE SUPERINTENDENT, Business: Mary Hart

SUPERINTENDENT SIGNATURE: _____

BOARD RESOLUTION

PAJARO VALLEY UNIFIED SCHOOL DISTRICT

08-09-31

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RESOLVED FURTHER that the eligibility requirements for employees to participate in such plan shall be as follows:

- **50% of Base %Salary as Spend Amount**

Classified Non Management

55 Years of age by June 30, 2009

5 Years at 6/30/2009 of continues PVUSD service (7/1/04-6/30/09)

Employee must still meet contract requirements for retiree benefits (ie: 10 years)

Employee must retire from the district effective June 30, 2009

Employee must qualify to retire from PERS

Employee will not be eligible for reemployment in the district other than as a substitute

RESOLVED FURTHER that the Board hereby adopts that certain plan known as the Pajaro Valley Unified School District Supplemental Employee Retirement Plan, effective July 1, 2009.

RESOLVED FURTHER that the Life Only benefit under such Plan shall be based on 50% of base salary as determined by the district.

RESOLVED FURTHER that the District shall make all contributions to the Plan to fund said benefits.

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RESOLVED FURTHER that, for purposes of clarification of administration of the Plan but not for purposes of making said Plan subject to title I of ERISA, the Board hereby designates the District as the plan administrator.

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Assistant Superintendent Human Resources

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Associate Superintendent, Business

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RESOLVED FURTHER that the Board hereby authorizes and directs Associate Superintendent of Business and the Assistant Superintendent, Human Resources to take the following actions:

- A. Execute the Plan and any and all other documents necessary or proper to implement the Plan.
- B. Contract with Keenan & Associates as contract administrator to provide all services described in the contract.
- C. Execute any and all documents, including any amendment to the Plan, necessary or proper to maintain favorable determination of the Plan.
- D. Enter into any other contract or agreement which he or she deems necessary or proper to administer and/or fund the Plan and to attain and maintain the income tax qualification of the Plan under the Internal Revenue Code of 1986, as amended.

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: _____, 2009

BOARD MEMBERS:

Leslie De Rose
Libby Wilson
Sandra Nichols
Doug Keegan
Karen Osmundson
Willie Yahiro
Kim Turley

I, Dorma Baker, Secretary of the Board for the Pajaro Valley Unified School District, hereby certify that the above and the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof on the 31st day of March 2009, and passed by a majority vote of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 31st day of March, 2009.

Secretary of the Board of Education for the
Pajaro Valley Unified School District