ORANGE UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION • REGULAR MEETING

District Education Center • Board Room 1401 North Handy Street • Orange, California

Thursday • August 26, 2010 6:00 P.M. • Closed Session 7:00 P.M. • Regular Session

MINUTES

1. CALL MEETING TO ORDER

Board President John Ortega called the meeting to order at 6:00 p.m.

2. ESTABLISH QUORUM

A quorum was established.

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

No Comment.

4. ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:01 p.m. to discuss the following items:

- A. Public Employee Employment/Discipline/Dismissal/Release
- B. Conference With Labor Negotiators

Employee Organizations: 1) Orange Unified Education Association

2) California School Employees Association

5. CALL TO ORDER – REGULAR SESSION

Mr. Ortega called the meeting to order at 7:04 p.m.

6. PLEDGE OF ALLEGIANCE

Mr. Ortega invited the audience to join together in reciting the Pledge of Allegiance.

7. REPORT OF CLOSED SESSION DECISIONS

No action taken

8. ADOPTION OF AGENDA

Motion No. 9

It was moved by Mrs. Nichols, seconded by Mr. Wayland, and carried by a vote of 7-0 to adopt the August 26, 2010 agenda.

9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Item 9.A. Superintendent's Report

Dr. Dreier reported on the first day of school. She stated that throughout the District there was a great beginning of school – parents, students, teachers and staff happy to be at school and very well prepared for a productive school year. Dr. Dreier noted that she visited Orange High, Yorba Middle and Portola Middle Schools. Dr. Dreier also noted that the "Welcome Back" podcast is on the website.

Dr. Dreier announced that the District was notified that the District has been awarded by the U.S. Department of Education a Readiness in Emergency Management for Schools, a REMS grant. This grant amounts to \$600,000 and will enable the District to improve plans that address all four phases of emergency management, prevention, mitigation, preparedness response and recovery. Dr. Dreier thanked Mike Pollok, Aileen Sterling and Larry Hausner for their leadership in getting this grant for the District.

Dr. Dreier commented that throughout the state the API (Academic Performance Index) test results will be released August 30. Once the scores are received a report will be provided to the Board of Education.

Item 9.B. Board Presidents Report

Mr. Ortega congratulated District staff for obtaining the REMS Grant. He noted that it is a very important grant seeing where in lie with the natural disasters that come our way – fires and other disasters.

Mr. Ortega asked the Board to entertain some thoughts for changing Board meetings to Wednesday seeing that there have been some challenges with Thursday meetings due to scheduling conflicts.

Mr. Ortega congratulated everyone for a great start to the new school year.

Item 9.C. Board Recognition of Students, Staff and Community

Mr. Ledesma quoted Newsweek Magazine, "Newsweek picks the best high schools in the country based on how hard school staffs work to challenge students with advanced placement college level courses and tests." Mr. Ledesma noted that this year three Orange Unified School District schools made the list – El Modena, Villa Park and Canyon High Schools. The 1600 schools listed represent only six percent of all the public schools in the United States. He expressed that this is a major accomplishment to have three high schools on this list and recognized all three schools.

Mrs. Moffat recognized a former Villa Park High School student, Connor Covington, who earned the title of Community College State Champion in Golf. He will attend San Jose State on a full golf scholarship.

10. APPROVAL OF MINUTES

July 29, 2010 (Regular Minutes)

Motion No. 10

It was moved by Mrs. Nichols, seconded by Dr. Deligianni, and carried by a vote of 7-0 to approve the minutes of the July 29, 2010 regular meeting.

11. PUBLIC COMMENT: Non-Agenda Items

Speakers

Marjann Dunn, parent, commented that the Santiago Charter School changed their board meeting days to Wednesday from Thursday so that they could be available to attend the Board of Education meetings currently scheduled for Thursday. She suggested that proposed changes to the Board calendar be made in June so that parent group meetings could schedule their meetings accordingly.

12. ACTION ITEMS

Item 12.A. Adoption of 2009-10 Unaudited Actuals and Revised Budget for 2010-2011

Mr. Christensen noted that the State of California does not have a budget as of this date — the legislators have not come to an agreement. Orange Unified School District, as a single-adoption District, adopted the 2010-11 budget on June 10, 2010. *Education Code* section 42127(i)(4) specifies that within 45 days after the Governor signs the budget, the district shall make available for public review any material revisions in the revenues and expenditures made available by the Budget Act. At the time of printing this revised budget, the Budget Act has not been signed by the governor. In compliance with AB 1200 requirements, the Board of Education is presented the 2009-10 Unaudited Actuals for approval prior to September 15.

Average Daily Attendance: Average daily attendance 27,183.19 (not including District charter schools) is used for purposes of calculating the Revenue Limit Apportionment. The following chart is a composition of 2010-11 ADA:

ADA	
OUSD	26,833.79
Non-Public Schools	50.44
OUSD Community Day School	65.21
County Special Education	18.92
County Community Schools	<u>214.83</u>
Subtotal	27,183.19
El Rancho Charter	1,122.58
Santiago Charter	960.72
Subtotal (Charter School Only)	2,083.30
GRAND TOTAL	29,266.49

Revenues: Included in the revenue of the District's budget for 2010-11 is a negative (.39)% cost of living adjustment (COLA) with an 18.355% Revenue Limit Deficit. In addition, the Governor's May Revise imposed an on-going 3.85% reduction to each District's undeficited revenue limit. The COLA deficit and 3.85% revenue limit reduction yields an estimated \$271 per student decrease in

the revenue-limit calculation resulting in a deficited revenue limit of \$4,941.28 per ADA for 2010-11. The 2010-11 Budget revenue component reflects deferred revenues/carryovers from the 2009-10 fiscal year. The unexpended entitlements have been included in components of the 2009-10 ending fund balance and added to the 2010-11 expenditure lines. These entitlements, including State Fiscal Stabilization, Medical-Cal Billing option, English Language Acquisition Program, Economic Impact Aid, and Quality Education Investment Act, amount to approximately \$10.2 million.

Other unexpended/remaining components of the 2009-10 ending fund balance are El Rancho Charter School, non-resident tuition, site/department donations and Instructional Materials totaling approximately \$3.0 million. Federal and state categoricals are projected at 2009-10 allocations with reductions in COLA of 0% and (.38)% respectively for those entitlements and grants known to be ongoing.

Expenditures: Supplies, services/operating expenses, and capital outlay are in conformity with estimated site and program budgets.

Ending Balance: The projected ending balance of \$21,900,098 is comprised of the following:

Revolving Cash	\$125,000
Stores	\$150,000
Designated for Economic Uncertainties (3%)	\$6,880,059
El Rancho Beginning Balance	\$1,250,000
Non-Resident Tuition	\$ 56,127
Unappropriated Amount	\$13,438,912

The ending balance meets the state-required three percent reserve and the 2010-11 budget complies with the AB1200 accountability guidelines as set forth by the State of California. The First Interim Report will be presented to the Board of Education at its December 9, 2010 meeting. The Second Interim will be presented at the first meeting in March 2011.

The Orange County Department of Education requested that local boards of education include the following statement in the 2010-11 budget revision action:

Transfer Resolution: Resolution Nos. 03-10-11 and 04-10-11 are the technical mechanisms which the Orange County Department of Education uses to authorize and input the information shown in the 2009-10 Unaudited Actuals and the 2010-11 Revised Budget.

Motion No. 11

It was moved by Mrs. Smith, seconded by Mrs. Nichols, and carried by a vote of 7-0 to adopt the 2009-10 Unaudited Actuals and the 2010-11 Revised Budget and authorized staff to implement the necessary transfers as shown in Transfer Resolutions Nos. 03-10-11 and 04-10-11.

13. INFORMATION/DISCUSSION ITEMS

Item 13.A. Opening of Schools Report

Dr. Hansen made a presentation to the Board on the opening of school for the 2010-2011 school year. This is the first annual Opening of Schools Report for the Orange Unified School District. The first day of school went very well, an excellent start to the school year. Dr. Hansen noted that the

administration leadership at both the schools and the District have been working collaboratively to prepare for the beginning of school. There was a strategic planning session where the focus was on next steps and goals; there were focused secondary and elementary principal meetings to review achievement data and to design improvement goals for the schools; and the Educational Services Division is working closely in partnership with the schools to focus on what the needs are of the students. Dr. Hansen shared additional information regarding a school support survey, Data Director, school site visits, parent community partnerships, and more. See attached power point presentation.

Item 13.B. Update of the District's Strategic Plan: Year 2 Priorities

The six goal team leaders of the District's Strategic Plan provided a report on Year 2 Priorities. Last year was the first year of the Strategic Plan. The goal areas are identified as follows: 1) Student Achievement, 2) Student Engagement, 3) Safe, Welcoming Schools, 4) Parent & Community Partnerships, 5) Communications, and 6) Effective Use of Resources. The goal team leaders are: Aileen Sterling, Executive Director, Secondary Education, Michelle Moore, Principal at Panorama Elementary School, John Briquelet, Principal at El Modena High School, Randy Leach, Principal at Crescent Elementary School, Larry Hausner, Administrative Director for Communication and Educational Technology, and Mike Christensen, Deputy Superintendent. Each goal team leader provided a brief overview on the priorities that were identified at the Administrative Conference that reflect the work that we think needs to get done this year. See attached Strategic Plan, Year 2 Priorities Power Point presentation.

Item 13.C. Request from Community Member to Rename an Orange Unified School District Elementary School

Mr. Robert Torres, Chairman of the Committee for Ramirez, presented to the Board of Education his request to rename Esplanade Elementary School to Lorenzo Ramirez Elementary School in honor of Mr. Ramirez' campaign in the 1940's to end segregation in the El Modena school system. Mr. Torres noted that Lorenzo Ramirez was one of the co-plaintiffs in the Mendez, et al. v. Westminster, et al. case, which succeeded in ending segregation in California public schools. The case preceded by seven years the 1954 Brown v. Board of Education which ended racial segregation in all public schools in America. Mr. Torres noted that a committee has been formed engage the public about the possibility of renaming Esplanade Elementary to Lorenzo Ramirez Elementary School.

Board Discussion

The Board members engaged in discussion regarding the request to rename Esplanade School and remarked on the significance of the event. Mr. Ortega noted that there appeared to be general support to move forward with the request, but that the process needs to be clarified and done correctly. Mr. Ortega asked staff to come back with appropriate direction to move forward with the request and to do it appropriately so that it is done correctly. Further, he asked that staff stay in contact with the Lorenzo Ramirez Committee. Dr. Dreier responded that staff will do the research and follow-up.

Item 13.D. Presentation on Safe and Drug-Free Schools

Mr. Hausner shared a proposal for enhancing safe and drug-free campuses. Statistical data was presented depicting an increase in the use of alcohol and drugs by high school students. The presentation focused on a strategy to eliminate the presence of drugs and alcohol through a canine detection service provider. See attached Power Point presentation.

Board Discussion

The members of the Board discussed the many issues surrounding the use of drugs on school campuses and the efforts that have been made to address the problem. It was noted that it would be a good thing for the high schools to have another tool to assure the community that everything is being done to keep our campuses safe and free from drugs. The Board asked that follow-up information be provided and requested a three-year breakdown of the District's suspension data, as well as statistics and testimonials from neighboring school districts that have used canine detective services.

14. CONSENT ITEMS

PULLED ITEM

Item 14.J. Assistance League of Orange

Pulled by Mr. Ledesma

Motion No. 12

It was moved by Mrs. Smith, seconded by Mrs. Nichols, and carried by a vote of 7-0 to approve the following consent items minus Item J, Assistance League of Orange.

Item 14.A. Purchase Orders List

The Board approved the Purchase Order List dated July 19, through August 15, 2010 in the amount of \$4,594,056.28. See attached Purchase Orders Lists.

Item 14.B. Warrants List

The Board approved the Warrants List dated July 19, through August 15, 2010 in the amount of \$6,568,314.56. See attached Warrants List.

Item 14.C. Contract Services Report – Administrative Services

The following contract services for Administrative Services were approved:

DRIFTWOOD DAIRY BID NO. 614

In October 2009, Driftwood Dairy was competitively awarded a price agreement for dairy products. The price agreement provides for an initial one-year term, followed by two one-year options. The District has utilized the price agreement and is satisfied with their product and service. Accordingly, the price agreement should be renewed for a second year to support continuing District needs. This is not a request for any additional budgetary appropriation.

Nutrition Servicesnot-to-exceed\$400,000

ESCI ENVIRO SERVICES, INC.

The Federal Clean Water Act (CWA) requires that storm water associated with industrial activity that discharges either directly to surface waters or indirectly through municipal separate storm sewers, must be regulated by a federally enforceable discharge permit. ESCI EnviroServices, Inc. is qualified and will provide storm water permitting, related plan development and implementation services to the District. ESCT will also provide necessary occupational health & safety compliance services for the 2010-11 fiscal year.

General Fund......not-to-exceed......\$7,500

J.D. DIFFENBAUGH, INC.

The District awarded Bid No. FC6019 – Modernization – Yorba Middle School to J.D. Diffenbaugh, Inc., on June 18, 2009. Change Order 2.h increases the value of the contract and does not add any additional time to the contract. The cost and scope were reviewed and found to be reasonable by the architect, construction manager and staff. This Change Order falls within the allowable maximum of 10% per the Public Contract Code.

Special Reserve/Capital Projects.....\$26,480

P & A ADMINISTRATIVE SERVICES

P & A Administrative Services is a third party administration specializing in the area of medical reimbursement payments to retirees. P & A has expertise with CalPERS and other districts in providing an efficient medical reimbursement method for retirees. P & A services will prepare plan documents to orientate retirees with electronic reimbursement for medical expenses. All documents are compliant with the Internal Revenue Code and federal income tax regulations. The initial contract will be valid for six months; after that time the District will have the option to cancel with no penalty.

Support Services not-to-exceed \$35,000

JJJ FLOOR COVERING, INC. BID NO. 605

In September 2008, the firm of JJJ Floor Covering, Inc. was competitively awarded a Unit Price Contract (UPC) for flooring services as required by the District. The contract provides for an initial one-year term, followed by two one-year options. The District has utilized the UPC and is satisfied with their performance. Accordingly, the UPC should be renewed for a third year to support continuing District needs. Expenditures are made from all sites, programs and department budgets. This is not a request for any additional budgetary appropriation.

Various funds.....not to exceed.....\$500,000

UNIVERSAL ASPHALT CO., INC., BID NO. 607

In September 2008, the firm of Universal Asphalt Co., Inc. was competitively awarded a Unit Price Contract (UPC) for general asphalt work as required by the District. The contract provides for an initial one-year term, followed by two one-year options. The District has utilized the UPC and is satisfied with their performance. Accordingly, the UPC should be renewed for a third year to support continuing District needs. Expenditures are made from all sites, programs and department budgets. This is not a request for any additional budgetary appropriation.

Various funds.....not to exceed.....\$500,000

FC & SONS ROOFING

The District awarded Bid No. 620 – Re-Roofing – Santiago Charter Middle School to FC & Sons Roofing on June 10, 2010. Change Order Lincreases the value of the contract but does not add any additional time. The cost and scope were reviewed and found to be reasonable. This change order falls within the allowable maximum of 10% per the Public Contract Code.

State School Funding Fund\$2,050

THOMPSON ROOF CO., INC.

The District awarded Bid No. 620 – Re-Roofing – Cerro Villa Middle School to Thompson Roof Co., Inc. on June 10, 2010. Change Orders 1 & 2 increase the value of the contract but do not add additional time. The cost and scope were reviewed and found to be reasonable. These change orders fall within the allowable maximum of 10% per the Public Contract Code.

State Fund	.\$12	2.5	12
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Item 14.D. Acceptance of Completed Contracts and Filing of Notices of Completion

The Board accepted the contract(s) as completed, authorized staff to file appropriate notice(s) of completion and release the retention payment(s) to the contractor(s) as follows:

Bid No. 607 – Unit Price Contract – Asphalt

Project(s): Anaheim Hills Elementary

Bid/Project Board Approved: September 10, 2009

Contractor: Universal Asphalt Co. Inc.

Purchase Order: 103028
Completion Date: July 12, 2010
Original Project Amount: \$17,131.80
Change Order(s) Amount: -0-

Total Project Amount: \$17,131.80

Fund(s): Capitol Project Fund (49)

Bid No. 616 - Installation of Dance Floor

Project(s): El Modena High School

Bid/Project Board Approved: June 10, 2010

Contractor: Pacific Floor Company

Purchase Order: 104209
Completion Date: July 27, 2010
Original Project Amount: \$22,000.00
Change Order(s) Amount: -0Total Project Amount: \$22,000.00

Fund(s): General Fund (01)

Bid No. 617 – Exterior Painting

Project(s): Santiago Middle School

Bid/Project Board Approved: June 10, 2010

Contractor: E. Bitsakis Painting Inc.

Purchase Order: 110475
Completion Date: July 26, 2010
Original Project Amount: \$19,800.00
Change Order(s) Amount: -0-

Total Project Amount: \$19,800.00

Fund(s): School Building Fund (35)

Item 14.E. Resolution No. 07-10-11: Gann Amendment Appropriations Limit

The Board adopted Resolution No. 07-10-11, Gann Amendment Appropriations Limit, for current and preceding fiscal years in accordance with Article XIII-B of the California Constitution.

Item 14.F. Declaration of Surplus Items

the Board of Education declare the items listed and described as surplus and approve the public and private disposition of the surplus items in accordance with Education Code Section 17545 and Board Policy 3270.

SURPLUS ITEMS LIST EQUIPMENT TAG NUMBERS & DESCRIPTION

118869	ARC WELDER: Lincoln	143998	BACKPACK BLOWER
006456	BLOWER/SWEEPER: Parker	143854	SAW CUTTER: CONCERT
000000	BLOWER/SWEEPER: Parker, S/N 8018632	254106	LAWN MOWER
000000	BLOWER/SWEEPER: Parker, S/N 8018805	254110	LAWN MOWER
131600	BLOWER/SWEEPER: Parker	107388	LAWN MOWER
261771	BACKPACK BLOWER	252333	RECOVERY MACHINE: OZ
143988	BACKPACK BLOWER	252073	RECOVERY MACHINE: PENGUIN
143989	BACKPACK BLOWER	252074	RECOVERY MACHINE: PENGUIN
120007	BACKPACK BLOWER	001114	PAPER FOLDER: HORIZON, PF-P310

Miscellaneous Items (not on Asset Inventory List or Cost < \$1,000)

To be declared surplus on a continuing basis throughout the fiscal year.

Various lots of obsolete computers and electronic related ifems.

Various lots of obsolete garage and tire items.

Various lots of obsolete HVAC equipment and supplies.

Various lots of obsolete kitchen equipment and related items.

Various lots of obsolete lighting fixtures and lamps.

Various lots of obsolete plumbing equipment and supplies.

Various lots of obsolete tools and parts.

Various lots of miscellaneous items determined to be unusable by the District.

Item 14.G. Personnel Report

The Board approved the attached Personnel Report.

Item 14.H. California State Teachers Retirement System Post-Retirement Earnings Limitation Exemption Request

The Board authorized staff to submit a CalSTRS Post-Retirement Earnings Limitation Exemption request for Bertha Anderson to serve as Elementary School Principal during the 2010-11 school year.

Item 14.I. Revised Memorandum of Understanding by and between the Orange Unified School District and Santiago Charter Middle School

The Board approved the revised memorandum of understanding by and between Orange Unified School District and Santiago Charter Middle School. This memorandum of understanding contains the terms and conditions that replace the previous memorandum of understanding in governing the operations of Santiago Charter Middle School and the relationship between the District and Santiago Charter Middle School commencing with the 2010-11 school year.

Item 14.J. Contract Services Report – Educational Services

The following contract services for Educational Services were approved:

KAGAN PROFESSIONAL DEVELOPMENT/ SARAH ZIEBELL

School Districts are required to provide an equitable share of federal monies to the private schools within their attendance boundaries. Kagan Professional Development, with consultant Sarah Ziebell, will conduct training on effective instructional teaching strategies for K-8 teachers at Trinity Lutheran School, November 22, 2010. Cooperative learning, along with higher level thinking and achievement will be covered. Fiscal impact will be the expenditure of restricted categorical fund monies.

Title II, Part A.....not-to-exceed.....\$3,999

INSIDE THE OUTDOORS: FIELD & SCHOOL PROGRAMS 2010-2011

The Orange County Department of Education offers the Inside the Outdoors Program for students in grades K-6. The program includes a one-hour on-site program (School Program) with a traveling naturalist for K-3 students. This program provides the foundation for student participation in the Outdoor Science School Program. Students attending the program from each participating school are responsible for the program cost. There is no impact to the general fund. The student cost can be supplemented by funds donated from individual parent organizations. Scholarships are available.

OUTDOOR SCIENCE SCHOOL 2010-2011

The Orange County Department of Education offers the Outdoor Science School for 5th and 6th grade students. A four or five-day program provides students an opportunity to study science in a natural setting. The curriculum correlates to the 5th and 6th grade Science standards. Students attending the program from each participating school are responsible for the program cost. There is no impact to the general fund. The student cost can be supplemented by funds donated from individual parent organizations. Scholarships are available.

ASSISTANCE LEAGUE OF ORANGE

Pulled for discussion and separate action. See motion No. 13.

PAUL ALAN DORES, Ph.D.

Services are required for the purpose of consultation and attendance at Individual Education Program meetings during the 2010-11 school year.

Special Education not-to-exceed \$6,000

VICKI JOHNSON, CCC-SLP

Services are required to provide speech and language therapy for the 2010-11 school year for special education students as required by law.

Special Education not-to-exceed \$104,000

KAMOROFF & ASSOC.

As the result of an agreement in OAH Case #2010041473, the District agrees to reimburse the parents of a special education student for reasonable attorneys' fees and costs upon receipt of proof of payment.

Special Education not to exceed \$7,000

ORANGE COUNTY DEPARTMENT OF EDUCATION

Participation in the 2010-11 Special Education Legal Alliance provides opportunities to address issues without litigation.

Special Education not to exceed \$8,100

PROGRESSUS THERAPY, LLC

Services are required to provide occupational therapy to students with special needs during the 2010-11 school year.

Special Education not-to-exceed \$115,000

JUDY PRUNTY

Services are required for transcription of school assignments into Braille for visually impaired special education students during the 2010-11 school year.

Special Education not to exceed \$12,000

SPECIAL EDUCATION STUDENT #347333

As the result of an Individualized Education Program (IEP), the District agrees to reimburse the parents of a special education student for educational related mileage during the 2010-11 school year. Special Education not-to-exceed \$2,000

Item 14.K. Primary Language Waiver

Te Board approved the request for a Primary Language Waiver that will be submitted to the California Department of Education. Authorization is being requested to use English speaking personnel to administer the English and native language proficiency assessments (interview/questionnaire) to students who speak a primary language other than Spanish. The CDE will grant a waiver for this requirement when the native language is spoken by a small number of pupils and bilingual testers are not available. The District has bilingual testers available for Spanish only at this time.

Item 14.L. Textbook Adoptions – 30-Day Review by Public

The Board placed the attached list of textbooks on display for the 30-day review period to be considered for adoption at the October 14th Board meeting.

Item 14.M. Textbook Adoptions – Final

The Board adopted the attached list of textbooks for the District.

PULLED ITEM

Item 14.J. Assistance League of Orange

Mr. Ledesma noted that he pulled this item in order to separately recognize the Assistance League of Orange for all the good things they have done for the students of the District over the past many years. He asked that the Assistance League be given recognition as they have generously provided school uniforms, vouchers for shoes, back-packs filed with school supplies, etc. to many qualifying District students in need. He hopes the Board will entertain in the future some kind of recognition of that agency.

Mrs. Nichols noted that the Orange Community Council of PTAs has recognized the Assistance League for their service with an Honorary Service Award a couple of times in the past. Although this recognition is not from the District, it is representative of them. The Assistance League of Orange is a tremendous asset to the students of Orange Unified.

Motion No. 13

It was moved by Mr. Ledesma, seconded by Mrs. Nichols and carried by a vote of 7-0 to approve contract services for Assistance League of Orange. Through programs such as School Bell, HALOS (Helping A Little One Succeed) and the Dental Health Center, the Assistance League of Orange

(ALO), will provide reading tutoring/mentoring, school uniforms and dental care to students in need, as identified by the District. ALO assumes all costs associated with these programs.

15. PUBLIC COMMENT: Non-Agenda Items

None

16. OTHER BUSINESS

None

17. ADJOURNMENT

By call of the chair, the meeting adjourned at 9:36 p.m.

Mark Wayland

Clerk of the Board