

LEARNING COMMUNITY OF DOUGLAS AND SARPY COUNTIES

LEARNING COMMUNITY COORDINATING COUNCIL

June 20, 2019

A meeting of the Coordinating Council of the Learning Community of Douglas and Sarpy Counties was held June 20, 2019, at the Learning Community Center of North Omaha, 1612 N. 24 Street, Omaha, Nebraska 68110. Notice of the meeting, containing the date, time, place and agenda, was given in advance thereof by publication in the Daily Record on June 12, 2019. The proofs of publication have been received and will be made a permanent part of the record of the meeting. Notice of the agenda was given to all members of the Council on June 13, 2019.

1. **Call Meeting to Order.** The meeting was convened and called to order by Chair Kelley at 6:00 p.m. and began with the recitation of the Pledge of Allegiance.
2. **Public Notice & Compliance with Open Meetings Act.** Chair Kelley announced that the Nebraska Open Meetings Act was posted at the room entrance and that copies of materials being reviewed by the Council were available to the public.
3. **Roll Call.**

Voting Members Present: Ekwerekwu, Hahn, Hoeger, Kozel, Martinez-Real, Thommes, Ward, Woodward, Kelley

Voting Members Excused: Avery, Hager

Members Absent: Williams

Staff Present: Franklin, Parker, Benzel, Patton, Kreher

Also Present: Margaret Hershiser, Koley Jessen P.C.; Penny Gildea, Consultant; Andreea Shnayder, MCC; Mark Avery, Nebraska Auditor of Public Accounts

It is noted for the record that Dr. Williams arrived at 6:06 p.m.

Immediately after the Roll Call, Ms. Ward raised a point of privilege stating that she will not be limited by policies and restrictions that she believes restrict her rights as a Council member. One handout was provided.

4. **Approval of Minutes.** Chair Kelley presented the Council minutes from the May 16, 2019 public meeting of the Council. Motion by Mr. Hoeger, seconded by Ms. Ward, to approve the minutes of the Council meeting held on May 16, 2019. Discussion took place. Yeas: Ekwerekwu, Hahn, Hoeger, Kozel, Martinez-Real, Thommes, Ward, Williams, Woodward, Kelley. Abstain: None. Nays: None. **Motion carried.**

5. Reports

- a) Chair – Chair Kelley reviewed the proposed meeting calendar and introduced Dale Kreher, Finance Director, to the Council. Chair Kelley congratulated Jamalia Parker on her WCA award and reported that there will be no Council meeting in July.

b) Treasurer

i. Motion by Ms. Hahn, seconded by Ms. Woodward, to accept Treasurer's Report dated May 31, 2019. Discussion took place. Yeas: Ekwerekwu, Hahn, Hoeger, Kozel, Martinez Real, Thommes, Williams, Woodward, Kelley. Abstain: None. Nays: Ward. **Motion carried**

ii. Motion by Ms. Hahn, seconded by Mr. Thommas, to accept the Third Quarter Budget to Actual Report. Discussion took place. Yeas: Ekwerekwu, Hahn, Hoeger, Kozel, Martinez Real, Thommes, Williams, Woodward, Kelley. Abstain: None. Nays: Ward. **Motion carried.**

iii. 2017/2018 Auditor's Report - Comments/Questions – Mark Avery, Audit Manager provided a summary of the audit.

1. Motion by Ms. Hahn, seconded by Mr. Thommes, upon recommendation of the Budget, Audit and Finance Subcommittee, motion to accept the 2017/2018 Auditor's Report as presented. Discussion took place. Yeas: Ekwerekwu, Hahn, Hoeger, Kozel, Martinez Real, Thommes, Williams, Woodward, Kelley. Abstain: None. Nays: Ward. **Motion carried.**

c) Chief Executive Officer – Mr. Patton introduced Shirley Vargas of the Nebraska Department of Education and explained her involvement with the Santee project. Mr. Patton explained the differences between the two Council meetings in August.

d) Legal Counsel – No Report

6. Public Comment – None.

7. Superintendents' Plan for Early Childhood Education Plan Overview – No Report

8. Learning Community Center of South Omaha Update – Ms. Franklin provided a report.

9. Learning Community Center of North Omaha Update – Andreea Shnayder provided a presentation on Early Childhood Future Teachers. Discussion took place. Penny Gildea provided a presentation on Childcare Director Training. Discussion took place. Three handouts were provided.

10. Subcommittee Reports

a) Elementary Learning and Diversity Subcommittee – No Report

b) Budget, Finance & Audit Subcommittee – No Report

c) Legislative Subcommittee – No Report

11. New Business -

a) CEO 2019 Discretionary Performance Bonus and Contract Renewal

Motion by Chair Kelley, seconded by Ms. Ward, to move that the Board go into closed session at 7:27 p.m. for the purpose of evaluating and discussing the job performance of CEO David Patton. The closed session is necessary for the protection of needless injury to the reputation of Mr. Patton who has not requested a public meeting. Yeas: Ekwerekwu, Hahn, Hoeger, Kozel, Martinez-Real, Thommes, Ward, Williams, Woodward, Kelley. Abstain: None. Nays: None. **Motion carried.**

Motion by Ms. Hahn, seconded by Dr. Williams to come out of closed session at 8:35 p.m. Yeas: Ekwerekwu, Hahn, Hoeger, Kozel, Martinez Real, Thommes, Williams, Woodward, Kelley. Abstain: None. Nays: Ward. **Motion carried.**

Motion by Ms. Hahn, seconded by Dr. Williams to reconvene in open session. Yeas: Ekwerekwu, Hahn, Hoeger, Kozel, Martinez Real, Thommes, Williams, Woodward, Kelley. Abstain: None. Nays: Ward. **Motion carried.**

- i. Motion by Ms. Woodward, seconded by Ms. Hahn, upon recommendation by the Executive Committee, motion to approve payment to David Patton of a discretionary performance bonus of \$4,264.83 (3% of his 2018-2019 base salary) per Section 4(b) of his Employment Agreement based upon his successful completion of CEO Goals for 2018-2019 through the normal payroll process.

Motion by Ms. Ward, to move to amend agenda item 11 (a) (i) by striking the recommendation of the Executive Council and substitute: To approve payment of \$4,264.83 to CEO David Patton as a discretionary performance bonus (3% of his 2018-2019 base salary) through the normal payroll process on the condition that he use all such funds used to assist student households in the Learning Community who are at risk of loss of academic achievement due to conditions of poverty and who have no other means of assistance and further that he shall report each expenditure to the Council to increase our awareness of the challenges poverty poses for student families. **Motion Failed for lack of a second.**

Returning to original motion:

Yeas: Ekwerekwu, Hahn, Hoeger, Kozel, Martinez Real, Thommes, Williams, Woodward, Kelley. Abstain: None. Nays: Ward. **Motion carried.**

- ii. Motion by Mr. Thommes, seconded by Dr. Williams, upon recommendation of the Executive Committee, motion to recommend approval of the Third Amendment to David Patton's Employment Agreement as presented to the Learning Community of Douglas and Sarpy Counties' Coordinating Council, to include extension of the term of his Employment Agreement through June 30, 2022, a base salary for 2019-2020 of \$150,000.00 and a discretionary performance bonus of 2% of his base salary based upon CEO's accomplishment of 2019-2020 written expectations to be approved by the Learning Community Coordinating Council, such Third Amendment to be effective July 1, 2019.

Motion by Ms. Ward, to amend agenda item 11 (a) (ii) by striking the recommendation of the Executive Council and substitute: To amend David Patton's Employment Agreement to include a provision that David Patton serves as an employee of the Learning Community Council and employment may be terminated at will without penalty or severance compensation. **Motion Failed for lack of second.**

Returning to Original Motion:

Yeas: Ekwerekwu, Hahn, Hoeger, Kozel, Martinez Real, Thommes, Williams, Woodward, Kelley. Abstain: None. Nays: Ward. **Motion carried.**

12. Unfinished Business - None

13. Next Council Meeting –

- August 8, 2019 - Learning Community Center of North Omaha, 1612 N. 24th Street, Omaha, NE

14. Adjournment – Meeting was adjourned with unanimous approval at 8:55 p.m.

Documents provided were as follows, copies of which will be made a permanent part of the record of the meeting:

- Council Minutes dated May 16, 2019
- Proposed 2020 LCCC/Executive Committee Calendar
- Treasurer's Report dated May 31, 2019
- Third Quarter Budget to Actual for FY 2018/2019
- Audit Report
- Third Amendment to Employment Agreement


Jill Woodward – Secretary