

**MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT  
REGULAR MEETING ~ BOARD OF TRUSTEES**

**November 17, 2015**

**AGENDA**

**DISTRICT BOARD ROOM**

**1919 B Street, Marysville, CA 95901**

*The agenda for board meetings can be made available upon request in a format appropriate for a person with a disability. If you are an individual with a disability who needs special accommodations to participate, please call 749-6101 at least 48 hours in advance. Accommodations may include but are not limited to interpreters, parking, and accessible seating.*

**Open Session agenda related documents and pages in Special Reports can be viewed on the MJUSD website [www.mjusd.com – Select: "Board" and "Agendas and Minutes"].**

**5:00 P.M. ~ OPEN SESSION**  
**CONFERENCE ROOM #1**

**CALL MEETING TO ORDER**

**ROLL CALL**

Mr. Bernard P. Rechts, President	_____
Mr. Glen E. Harris, Vice President	_____
Mr. Jim C. Flurry, Clerk	_____
Mr. Anthony Dannible, Trustee Representative	_____
Mr. Jeff D. Boom, Member	_____
Mr. Frank J. Crawford, Member	_____
Mr. Randy L. Rasmussen, Member	_____

**CLOSED SESSION**  
**CONFERENCE ROOM #1**

*The Board strives to commence open session in a timely manner. To achieve this goal, the Board may be required to continue closed session at the conclusion of the open session agenda. In such cases, the Board will diligently seek to address all matters requiring the attendance of students and parents (e.g. student expulsion/reinstatement and enrollment matters) prior to reconvening in open session. Pursuant to Government Code Section 54954.3, members of the public shall be given the opportunity to address the Board on closed session agenda items prior to the Board's consideration of the item. Typically, this opportunity will occur immediately prior to the Board's consideration.*

(Closed Session – continued)

**1. MATTERS PERTAINING TO STUDENTS (Education Code section 35146)**

*(The Board will hear cases in closed session and return to open session to take action.)*

**A. EXPULSIONS**

**EH15-16/14**

**MOTION**

**EH15-16/15**

**MOTION**

**EH15-16/18**

**MOTION**

**EH15-16/19**

**MOTION**

**EH15-16/20**

**MOTION**

**B. SUSPENDED EXPULSION CONTRACTS**

**EH15-16/16**

**MOTION**

**EH15-16/17**

**MOTION**

**EH15-16/21**

**MOTION**

**EH15-16/22**

**MOTION**

**C. REVOKED SUSPENDED EXPULSION CONTRACTS**

**EH15-16/11**

**MOTION**

**EH15-16/21**

**MOTION**

**RECONVENE TO OPEN SESSION**  
**5:30 P.M. ~ REGULAR MEETING**  
**Board Room**

**PLEDGE OF ALLEGIANCE**

Glen Harris, Vice President to the Board of Trustees.

**ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

**STUDENT REPRESENTATIVE TO THE BOARD OF TRUSTEES**

Madeline Baker, MHS Student Representative to the Board of Trustees.

**PRESENTATIONS**

- ♦ **Williams Act Update** — Bobbi Abold
- ♦ **Facilities Update** — Ryan DiGiulio/Cynthia Jensen

**COMMENTS FROM BOARD MEMBERS**

**OPPORTUNITY FOR EMPLOYEE ORGANIZATIONS TO ADDRESS THE BOARD**

- ♦ **Marysville Unified Teachers' Association**
- ♦ **Operating Engineers Local Union #3**
- ♦ **California School Employees' Association #326 and #648**
- ♦ **Association of Management and Confidential Employees**
- ♦ **Supervisory Unit**

**PUBLIC COMMENTS**

Persons wishing to address the Board are requested to fill out a "Public Comments" card before the start of the meeting and give it to the secretary, board president, or superintendent. The public may address topics not on the agenda during this section of the agenda or ask they be heard during a specific agenda item. **Comments are limited to a maximum of three minutes per speaker — 20 minutes total time for public input on each item per Board Bylaw 9323.**

(Public Comments – continued)

The Ralph M. Brown Act prevents the Board of Trustees from responding to these comments with the exception of clarifying questions. The California Government Code, Section 54954.2.a states, “No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3”

*How do I get an item placed on a meeting agenda for discussion?*

If members of the public wish to have an item agendized for discussion or action, they are required to (1) submit a letter describing the issue to be agendized in as much detail as possible; (2) speak with the board president or other board members, or; (3) speak with the superintendent. In all cases, the request must be received no less than nine business days prior to a board meeting. The Board will determine how and when to agendize the request. The Board may not legally place an item on the agenda at a meeting except in emergency situations or where immediate action must be taken [Government Code Sections 54954.2.b.(1) and (2)].

**SUPERINTENDENT'S REPORT**

**SUPERINTENDENT**

**1. APPROVAL OF MINUTES**

♦Minutes from the regular board meeting of 10/27/15.

**MOTION**

**2. CONSENT AGENDA**

The Board is requested to approve the Consent Agenda items under **Educational Services, Personnel Services, Purchasing Department, Student Services, Facilities and Energy Management Department, and Business Services.** Please refer to details where these items are described fully.

**MOTION**

**EDUCATIONAL SERVICES**

**1. TEXTBOOK APPROVAL**

*Purpose of the agenda item~*

The purpose of the agenda item is to request the Board approve the following textbook for use in all high schools:

**CONSENT  
AGENDA**

1. Calculus Graphical, Numerical, Algebraic AP Edition

***Recommendation~***

Recommend the Board approve the textbook. See Special Reports, Pages 1-2.

**PERSONNEL SERVICES**

**1. CLASSIFIED EMPLOYMENT**

**Jennifer I. Diego**, Para Educator/ABE, 3.75 hour, 10 month, probationary,  
10/28/15  
**Maria Palato**, Nutrition Assistant/YGS, 3 hour, 10 month, probationary,  
11/5/15  
**Janel V. Walter**, Para Educator/ARB, 3.75 hour, 10 month, probationary,  
11/2/15

**CONSENT  
AGENDA**

(Personnel Services – continued)

**2. CLASSIFIED PROMOTION**

**CONSENT**  
**AGENDA**

**LeAnn C. Palu**, STARS Activity Provider/ELA, 3.75 hour, 10 month, to After School Program Support Specialist/ELA, 6 hour, 10 month, probationary, 11/1/15

**Saira J. Salazar**, Nutrition Assistant/LHS, 7 hour, 10 month, to Nutrition Site Manager I/YGS, 8 hour, 10 month, probationary, 11/1/15

**Tina L. Vieira**, Nutrition Assistant/LHS, 3.5 hour, 10 month, to Nutrition Assistant/LHS, 7 hour, 10 month, permanent, 11/4/15

**3. CLASSIFIED TRANSFER**

**CONSENT**  
**AGENDA**

**Colleen C. O'Rourke**, Para Educator/MHS, 3.5 hour, 10 month, to Para Educator/ARB, 3.75 hour, 10 month, permanent, 11/4/15

**4. CLASSIFIED RESIGNATIONS**

**CONSENT**  
**AGENDA**

**Barbara J. Bolton**, Para Educator/JPE, 3.5 hour, 10 month, retirement, 12/31/15

**Sara J. Crawford**, Para Educator/KYN, 6 hour, 10 month, personal, 11/11/15

**Ryan N. Crockett**, Nutrition Assistant/BVS, 3.5 hour, 10 month, moving out of the area, 12/31/15

**Mary Moua**, After School Program Support Specialist/YGS, 6 hour, 10 month, personal, 9/14/15

See Special Reports, Pages 3-6.

**5. HOURLY RATE CHANGES: MINIMUM WAGE AND NON-REGULAR EMPLOYEES**

**CONSENT**  
**AGENDA**

***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board approve the new hourly pay rate changes, as outlined below, effective 1/1/16.

***Background~***

California's Labor Code as outlined by the Department of Industrial Relations has set the new minimum wage to be ten dollars (\$10) per hour effective 1/1/16. There is an exception for learners, regardless of age, who may be paid not less than 85% of the minimum wage rounded to the nearest nickel during their first 160 hours of employment. Learners may include student tutors and student helpers in school cafeterias.

The non-regular employee (e.g., substitute teachers and retirees) hourly rate has not been increased since December of 2007. The Personnel Department recommends a rate increase to reflect twenty-eight dollars (\$28) per hour.

If approved, pay rates shall not be retroactive, but rather shall begin on 1/1/16, consistent with the required increase to the hourly minimum wage.

***Recommendation~***

Recommend the Board approve the changes to hourly rates.

## **PURCHASING DEPARTMENT**

### **1. BID AUTHORIZATION — DELIVERY TRUCK**

**CONSENT  
AGENDA**

#### ***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board approve authorization to seek bid proposals for a warehouse refrigerated delivery truck.

#### ***Background~***

There is a need to replace a refrigerated warehouse delivery truck due to age and condition of the current vehicle. Initial research has indicated that the delivery truck will exceed the bid limit. The truck will be funded through the general fund.

#### ***Recommendation~***

Recommend the Board authorize the district to proceed with seeking bid proposals.

### **2. PURCHASE ORDERS PROCESSED IN OCTOBER 2015**

**CONSENT  
AGENDA**

#### ***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board ratify purchase order transactions listed for October 2015.

#### ***Background~***

Per Board Policy 3300, Education Code 17605, and Public Contract Code 20111, a list of purchase orders processed in October 2015 has been provided for Board review. The report is sorted by location and includes a fund recap and change order detail.

#### ***Recommendation~***

Recommend the Board ratify the purchase order transactions for October 2015. See Special Reports, Pages 7-22.

## **STUDENT SERVICES**

### **1. AGREEMENT WITH FIRST FIVE YUBA COMMISSION AND PEACH TREE HEALTHCARE, INC.**

**CONSENT  
AGENDA**

#### ***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board ratify the updated agreement with the First Five Yuba Commission and Peach Tree Healthcare, Inc. to clarify roles and responsibilities of each agency and terminate all previous contracts in order to continue to provide quality mobile dental services to the children of Yuba County.

#### ***Background~***

The current contract, beyond the previous, seeks to ensure all three agencies are parties to the agreement and each indemnifies each party from the other. First Five Yuba Commission provided the initial grant to finance the purchase of the mobile dental van and has supported the efforts of the collaboration between MJUSD and Peach Tree Healthcare, Inc. over the last eight years. The current commission continues with its commitment to dental care in our community with the addition of grant funds to support the ongoing maintenance and general appearance costs of the dental van which otherwise would be incurred by the MJUSD.

#### ***Recommendation~***

Recommend the Board ratify the agreement. See Special Reports, Pages 23-43.

**FACILITIES AND ENERGY MANAGEMENT DEPARTMENT**

**1. AGREEMENT WITH OPTIMA INSPECTIONS, INC. FOR INSPECTION SERVICES FOR MHS NUTRITION SERVICES KITCHEN PROJECT**

**CONSENT  
AGENDA**

***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board approve the agreement with Optima Inspections, Inc. for DSA required inspection services for the Marysville High School Nutrition Services kitchen modernization project in the amount of \$5,600.

***Background~***

The scope of services includes, but not limited to, the following: attending meetings, punch walk, DSA required inspections through the duration of the project (estimated at two hours per day with duration of approximately two months). Completion of all DSA related paperwork, preparation and submittal of daily inspections logs, coordination of testing with Mid Pacific for testing along with the general contractor, subcontractors, district staff, architect, or engineers and ongoing correspondence along with assurance that construction is proceeding according to the design and specifications. This project will be funded from maintenance funds (fund 14).

***Recommendation~***

Recommend the Board approve the agreement. See Special Reports, Pages 44-46.

**2. PROJECT AUTHORIZATION #75 FOR PROFESSIONAL SERVICES FOR THE SIDEWALK (QUAD) AND GASLINE PROJECT AT LHS**

**CONSENT  
AGENDA**

***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board approve the Project Authorization (PA) #75 under the master agreement for RGA Architects, dated 2/10/15 for professional architectural services for the sidewalk (quad) and gasline project at Lindhurst High School in the amount not to exceed \$250,000.

***Background~***

The scope of services includes, but not limited to, the following: site investigation, prepare project specifications, drawing and bid documents, assisting in bidding and bid negotiation services, engineering coordination, construction administration and post construction services for the abandonment of approximately 2,200 lineal feet of exterior underground site gas distribution piping and valves downstream of the existing gas meter and removal and replacement of approximately 51,000 square feet of concrete in and around the core of the campus. Removal and replacement of some irrigation and landscaping in center quad area along with some tie into the storm drain system.

(Facilities and Energy Management Department/Item #2 – continued)

The estimated breakdown of the \$250,000 is as follows:

Schematic Design	\$ 45,000
Design Development	\$ 27,000
Construction Documents	\$ 45,000
Bidding/Negotiations	\$ 9,000
DSA Review/Approval	\$ 9,000
Construction Administration	\$ 36,000
Post Construction/Project Closeout/Certification	\$ 9,000
Civil Engineer	\$ 30,000
Mechanical Engineer	\$ 25,000
Landscape Engineer/Architect	\$ 15,000

The project will be funded from the maintenance fund (fund 14) and one-time general funds (fund 1). DSA review and approval and a DSA approved inspector are required along with testing.

***Recommendation~***

Recommend the Board approve the PA. See Special Reports, Pages 47-48.

**3. AGREEMENT WITH OPTIMA INSPECTIONS, INC. FOR THE SIDEWALK (QUAD) AND GASLINE PROJECT AT LHS**

**CONSENT  
AGENDA**

***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board approve the agreement with Optima Inspections, Inc. for the DSA required inspection services for the sidewalk (quad) and gasline project at Lindhurst High School in the amount of \$5,280.

***Background~***

The scope of services includes, but not limited to, the following: attending meetings, punch walk, DSA required inspections through the duration of the project (estimated at two hours per day with duration of approximately two months). Completion of all DSA related paperwork, preparation and submittal of daily inspections logs, coordination of testing with Mid Pacific for testing along with the general contractor, subcontractors, district staff, architect, or engineers and ongoing correspondence along with assurance that construction is proceeding according to the design and specifications. The project will be funded from one-time general funds (fund 1) and deferred maintenance funds (fund 14).

***Recommendation~***

Recommend the Board approve the agreement. See Special Reports, Pages 49-51.

**BUSINESS SERVICES**

**1. DONATIONS TO THE DISTRICT**

**CONSENT  
AGENDA**

***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board accept the following donations:

(Business Services/Item #1 – continued)

**A. LINDA ELEMENTARY SCHOOL**

- a. Snowshoe Thompson Lodge donated school supplies valued at \$90.

**B. LINDHURST HIGH SCHOOL**

- a. Charles and Marilyn Center donated \$150 to the Music Club.  
b. Lindhurst Athletic Boosters Club donated \$100 to the Football Club.

**C. MJUSD MENTAL HEALTH SERVICES**

- a. Ben Seigler donated \$500.

**2. 2015-16 CONTRACT WITH AXIOM ADVISORS AND CONSULTANTS, INC.**

**CONSENT  
AGENDA**

***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board approve the 2015-16 contract with Axiom Advisors and Consultants, Inc. (Axiom) in the amount not to exceed \$5,175 for mandate reimbursement services contingent on any mandated claims filed.

***Background~***

Axiom Advisors and Consultants, Inc. identifies activities outside of the mandated block grant that are allowed to be reimbursed by the State of California when funds are available. In addition, Axiom will ensure the district complies with the mandates contained in the mandated block grant. This item will be paid from the general fund.

***Recommendation~***

Recommend the Board approve the contract. See Special Reports, Pages 52-57.

**3. TRANSPORTATION MOU WITH YUBA COUNTY OFFICE OF EDUCATION**

**CONSENT  
AGENDA**

***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board approve the MOU with the Yuba County Office of Education (YCOE) in the amount of \$4.91 per passenger per trip or \$9.82 per daily round trip in compensation for MJUSD providing transportation services for YCOE.

***Background~***

The MOU is to memorialize an arrangement with YCOE for the district to transport some of their students who attend their Alternative Education programs. The MOU is dated 11/17/15 but will be in effect retroactively to 7/1/15 and run through 6/30/18 unless modified in writing by both parties or terminated by 60 days' written notice.

***Recommendation~***

Recommend the Board approve the MOU. See Special Reports, Pages 58-59.

❖ **End of Consent Agenda** ❖



## **NEW BUSINESS**

### **BOARD OF TRUSTEES**

#### **1. ANNUAL ORGANIZATIONAL MEETING OF THE BOARD OF TRUSTEES**

#### **MOTION**

##### ***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board select a day and time for the annual organizational meeting.

##### ***Background~***

Education Code 35143 requires the Board select the day and time of the annual organizational meeting at the meeting immediately prior to this meeting. This meeting must be held within a 15-day period of 12/4/15-12/18/15.

##### ***Recommendation~***

Recommend the Board hold the annual organizational meeting on 12/8/15 at 5:30 p.m. See Special Reports, Pages 60-62.

### **PURCHASING DEPARTMENT**

#### **1. RESOLUTION 2015-16/10 — DISPOSAL OF SURPLUS AND WORN DISTRICT PROPERTY FOR 2015-16 SCHOOL YEAR**

#### **MOTION**

##### ***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board approve the resolution to dispose of surplus and worn district property by public/private sale, donation, recycle, or discard for the 2015-16 school year.

##### ***Background~***

In the normal course of operations, the district accumulates surplus property that is too expensive for the district to repair, becomes worn-out, and/or obsolete.

According to the Education Code, the governing board may sell personal property belonging to the district if the property is not required for school purposes, replacement is necessary, or if it is not suitable for school use. Education Code Section 17545, 17546, Board Policy 3270, and Administrative Regulation 3270 require Board approval before submitting items for disposal. For items that are of insufficient value to defray the cost of a sale, Education Code 17546 section (a), (b), and (c) shall be followed as applicable.

##### ***Recommendation~***

Recommend the Board approve the resolution, list of items, and any additional accumulated items that the district declares obsolete throughout the 2015-16 school year for said disposal. See Special Reports, Pages 63-64.

## **PERSONNEL SERVICES**

### **1. NEW BOARD POLICY 1313 – CIVILITY POLICY**

#### ***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board hold a public hearing to adopt Board Policy 1313 (Civility Policy). Administrative Regulation 1313 and Exhibit 1313 are included for reference.

#### ***Background~***

The Marysville Joint Unified School District believes staff should treat all community members with respect and will expect the same in return. The district is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds.

This policy promotes mutual respect, civility, and orderly conduct among district employees, parents, and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for our students and staff. In the interest of presenting district employees as positive role models to the children of this district as well as the community, MJUSD encourages positive communication, and discourages volatile, hostile, or aggressive actions. The district seeks public cooperation with this endeavor.

#### ***Recommendation~***

Recommend the Board hold a public hearing. A motion is required to close the public hearing. A motion is also required to adopt BP 1313. See Special Reports, Pages 65-70.

**HOLD PUBLIC  
HEARING**

**MOTION TO  
CLOSE PUBLIC  
HEARING**

**MOTION TO  
ADOPT  
BP 1313**

## **FACILITIES AND ENERGY MANAGEMENT DEPARTMENT**

### **1. BID AWARD — LINDHURST HIGH SCHOOL HVAC, INCREMENT 1, PROJECT (PROJECT 8151)**

#### ***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board award a contract based on competitive bid for the Lindhurst High School HVAC, Increment 1, project to Diede Construction, Inc. in the amount of \$1,417,000.

#### ***Background~***

Bids were opened at the district office on 11/12/15 at 2:00 p.m. for the LHS HVAC, Increment 1, project. Bids were received from four pre-qualified general contractors as follows:

• <b>Diede Construction, Inc.</b>	<b>\$1,417,000</b>	<b>LOW BIDDER</b>
• BOBO Construction	\$1,464,000	
• United Building Contractors	\$1,498,672	
• BRCO Constructors	\$1,558,000	

The scope of services includes, but not limited to, the following: adding stand-alone HVAC units and controls to the C and F buildings along with removal of these buildings from the central plant plus commissioning of the new units. Demolition of the existing louvers to the mechanical closets along with rebuilding access gates and enclosures plus miscellaneous electrical, low voltage and plumbing related components, plus DSA required inspections.

**MOTION**

(Facilities and Energy Management Department/Item #1 – continued)

Local fire has reviewed and approved the drawings and specifications, and access to the site will be maintained at all times.

Work is to begin upon receipt of all necessary bonds and insurances and is estimated to begin on 11/30/15 and be substantially complete in four months no later than 4/15/16. DSA closeout with certification will follow in the spring of 2016. The liquidated damage sum is \$1,500 for each calendar day in excess of the established completion date that the work remains uncompleted. Construction is to take place after bell schedules and on weekends and holidays, and detours and barricades will be in place through the duration of the project to ensure safety compliance.

The project is funded from a combination of one-time general funds (fund 1) and routine restricted maintenance funds (fund 14). DSA approval is required along with a DSA approved inspector.

### ***Recommendation~***

Recommend the Board award the LHS HVAC, Increment 1, project to the lowest qualified bidder, Diede Construction, Inc. for \$1,417,000 and approve the collective agreements for services (project agreement and general conditions agreement). See Special Reports, Pages 71-113.

**CLOSED SESSION** - *continued if needed*

*If the Board did not complete all items on the closed session agenda, they will continue closed session.*

## ADJOURNMENT



NEXT REGULAR BOARD MEETING – December 8, 2015 – 5:30 P.M. – DISTRICT BOARD ROOM

## SCHOOL BOARD MEETING FORMAT

### **What is a School Board Meeting?**

A School Board Meeting is the normal business meeting of the governing board at which district business is conducted. It is not a public meeting where questions and discussion come from the audience. Members of the audience may address their comments to the Board during the *time at which the Board is discussing the agenda item*. Comments are limited to a maximum of three minutes per speaker (20 minutes total time for public input) on each item per Board Bylaw 9323.

### ***Notification of Meetings***

To provide the public with information regarding agenda items being considered by the Board of Trustees, a public notice is published as follows:

- \* Posted on the MJUSD district website at [www.mjusd.com](http://www.mjusd.com).
- \* Posted on the Public Notice Bulletin Board at the MJUSD District Office at 1919 B Street, Marysville, CA 95901 [located in the hallway outside the Superintendent's Office, Room 101].
- \* Emailed to all employees of the district, the Appeal-Democrat, and KUBA.

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