

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

March 27, 2018

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. Randy L. Rasmussen, President _____
Mr. Frank J. Crawford, Vice President _____
Ms. Susan E. Scott, Clerk _____
Mr. Jim C. Flurry, Trustee Representative _____
Mr. Paul F. Allison, Member _____
Mr. Jeff D. Boom, Member _____
Mr. Randy L. Davis, 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.

- 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. SUSPENDED EXPULSION CONTRACT**
EH17-18/70

MOTION

(Closed Session – continued)

2. LIABILITY CLAIM (Government Code 54956.95)

MOTION

Claimant: Amy McFarland for Cody McFarland, a minor

Agency Claimed Against: Marysville Joint Unified School District

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

PLEDGE OF ALLEGIANCE

Frank Crawford, Vice President to the Board of Trustees.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

STUDENT REPRESENTATIVE TO THE BOARD OF TRUSTEES

Kathy Vang, LHS Student Representative to the Board of Trustees.

SCHOOL REPORT

♦ **Johnson Park Elementary School** — See Special Reports, Pages 1-2.

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.**

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, it must be a "matter directly related to school district business" (Education Code 35145.5). You must submit a letter describing the issue to be agendized in as much detail as possible to the Superintendent. The request must be received no less than nine business days prior to a regularly scheduled board meeting. The Board and/or Superintendent will determine how and when to agendize the request.

SUPERINTENDENT'S REPORT

SUPERINTENDENT

1. APPROVAL OF MINUTES

- ♦Minutes from the regular board meeting of 3/13/18.

MOTION

2. CONSENT AGENDA

MOTION

The Board is requested to approve the Consent Agenda items under **Educational Services, Student Discipline and Attendance, Child Development, Nutrition Services, Personnel Services, and Business Services**. Please refer to details where these items are described fully.

EDUCATIONAL SERVICES

1. FIELD TRIP APPROVALS

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the following field trips:

A. Arboga Elementary School Fourth Grade

Sutter's Fort in Sacramento, CA

5/8/18-5/9/18

80 students and 11 MJUSD approved chaperones

ON18-00038

B. South Lindhurst High School FFA Program

California FFA State Convention in Anaheim, CA

4/21/18-4/25/18

Two students and one MJUSD approved chaperone

ON18-00021

Background~

Lennie Tate, Executive Director of Educational Services, has approved these overnight field trips to be submitted for Board approval. The school/program has guaranteed that permission slips will be completed and supplemental insurance will be purchased.

Recommendation~

Recommend the Board approve the field trips.

STUDENT DISCIPLINE AND ATTENDANCE

1. AGREEMENT WITH THE YUBA-SUTTER FAIRGROUNDS FOR THE INDIAN EDUCATION PROGRAM

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the agreement with the Yuba-Sutter Fairgrounds (aka 13th District Agricultural Association) for the Indian Education Program to rent the facility for the annual Yuba-Sutter Pow Wow to be held on 6/2/17-6/3/17 in the following amounts: Cleaning Deposit (\$200), rental fees (\$800), and security fees (\$817).

(Student Discipline and Attendance/Item #1 – continued)

Background~

The American Indian Education Program serves over 1,300 American Indian students within the Yuba-Sutter Counties. The AIEP sponsors cultural activities open to students, their families and the community in Yuba-Sutter Counties. The annual Yuba-Sutter Pow Wow is a cultural event open to the community. This event supports and promotes the social structural activities of the American Indian people, builds positive self-esteem, teaches life-long traditional skills, and provides a forum for cultural education for the community.

Recommendation~

Recommend the Board approve the agreement. See Special Reports, Pages 3-6.

CHILD DEVELOPMENT

1. AGREEMENT WITH FIRST 5 YUBA COUNTY CHILDREN AND FAMILIES COMMISSION

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the agreement with First 5 Yuba County Children and Families Commission for the Proposition 10 Mini Grant Program in the amount of \$4,972.89.

Background~

First 5 Yuba has approved the Proposition 10 Mini Grant with the MJUSD Child Development Program to enhance the learning environments with appropriate and purposeful child development learning materials at Cedar Lane, Ella, Linda, and Johnson Park School Readiness sites.

Recommendation~

Recommend the Board approve the agreement. See Special Reports, Pages 7-18.

2. AMENDMENT TO AGREEMENT WITH FIRST 5 YUBA COUNTY CHILDREN AND FAMILIES COMMISSION

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the amendment to the agreement with First 5 Yuba County Children and Families Commission for the School Readiness Program from the 6/28/16 Board approved amount of \$385,288 to the new amount of \$406,689 for a three-year term concluding 6/30/19.

Background~

A budget revision was submitted to the First 5 Yuba Commission due to increased costs of salaries and benefits for the three School Readiness Outreach Specialist staff. The First 5 Yuba Commission approved the budget revision at their 2/22/18 meeting.

Recommendation~

Recommend the Board approve the amendment to the agreement. See Special Reports, Pages 19-21.

NUTRITION SERVICES

1. AGREEMENT WITH THE YUBA-SUTTER FOOD BANK FOR JOHNSON PARK SCHOOL

CONSENT AGENDA

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the agreement with the Yuba Sutter Food Bank to implement the USDA brown box food assistance program for families of students enrolled at Johnson Park Elementary School.

Background~

The USDA Feeding America provides a brown box program to support families in need of food assistance. The brown box program provides shelf-stable food items and ingredients that follow the MyPlate framework for healthy eating.

All Johnson Park families are eligible to participate due to the school's Free and Reduced Price Meal Program qualification of 93%. The Yuba-Sutter Food Bank will deliver brown boxes to Johnson Park Elementary School on the 4th Friday of each month. Johnson Park families will have access to receive one brown box per family while supplies last.

Recommendation~

Recommend the Board approve the agreement. See Special Reports, Page 22.

2. MOU WITH CENTER FOR HEALTHY COMMUNITIES FOR ARBOGA SCHOOL

CONSENT AGENDA

Purpose of the agenda item~

The purpose of the agenda item is to request the Board ratify the Memorandum of Understanding (MOU) with Center for Healthy Communities (CHC) to implement the nutrition education and obesity prevention services to Arboga Elementary School under the Kid's Get Cooking project from 3/1/18-6/30/18.

Background~

The California Department of Public Health and Social Services, through the Network for a Healthy California, awarded U.S. Department of Agriculture (USDA) Supplemental Nutrition Assistance Program (SNAP) funds to the Yuba County Department of Health and Human Services. Yuba County has awarded a Contract to Foundation for CHC's Nutrition Education and Physical Activity Program: Kid's Get Cooking Project at Arboga Elementary School.

Recommendation~

Recommend the Board ratify the MOU. See Special Reports, Pages 23-24.

PERSONNEL SERVICES

1. CLASSIFIED EMPLOYMENT

CONSENT
AGENDA

Laura C. Giddings, School Bus Driver/DO, 6 hour, 10 month, probationary, 3/1/18

Anabel Hernandez, Yard Duty Supervisor/JPE, 3 hour, 10 month, probationary, 3/12/18

Andres J. Hernandez, Maintenance Worker III/DO, 8 hour, 12 month, probationary, 3/14/18

Savannah C. Ruiz, Yard Duty Supervisor/JPE, 3 hour, 10 month, probationary, 3/19/18

2. CLASSIFIED PROMOTIONS

CONSENT
AGENDA

Lisa G. Jay, Para Educator/LHS, 3.5 hour, 10 month, permanent, to Personal Aide/LHS, 6.5 hour, 10 month, permanent, 3/1/18

Katie L. Schaal, Clerk II/FHS, 3.5 hour, 10 month, permanent, to Intermediate School Secretary/FHS, 8 hour, 10.25 month, probationary, 3/7/18

Javier Vega, Head Mechanic/DO, 8 hour, 12 month, permanent, to Transportation Supervisor, 8 hour, 12 month, probationary, 3/12/18

3. CLASSIFIED RESIGNATIONS

CONSENT
AGENDA

Nora C. Blackshere, Clerk II/LIN, 8 hour, 10 month, retirement, 6/8/18

Andrea Raya, After School Program Support Specialist/JPE, 6 hour, 10 month, personal, 3/23/18

4. CLASSIFIED 39-MONTH REEMPLOYMENT

CONSENT
AGENDA

Rilda D. Pedley, Para Educator/DOB, 3.5 hour, 10 month, exhausted all leaves, 3/16/18

See Special Reports, Pages 25-26.

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:

A. LINDHURST HIGH SCHOOL

a. Antonio's Quick Lunch donated \$780 to the track team.

b. Don and Marilyn Graham donated \$200 to the Brens Scholarship.

2. RFQ AUTHORIZATION — PREQUALIFICATION FOR CONTRACTORS AND SUBCONTRACTORS

CONSENT
AGENDA

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve authorization to issue a Request for Qualifications (RFQ) to prequalify general contractors and specific subcontractors for various public works formal bid projects for the 2018-19 school year.

(Student Discipline and Attendance/Item #1 – continued)

Background~

The district would like to issue a RFQ for general contracting and Mechanical, Electrical, and Plumbing (MEP) subcontracting services from interested firms for various formal bid projects. The projects may include services related to modernization, new construction, modular buildings, and/or other capital projects related to school construction projects as needed. It is the intention of the district to identify a list of qualified firms that can provide service for various public works formal bid projects for the 2018-19 school year.

Recommendation~

Recommend the Board authorize the district to proceed with the RFQ process.

❖ **End of Consent Agenda** ❖

NEW BUSINESS

EDUCATIONAL PROGRAMS

1. BOARD POLICY 5126 – AWARDS FOR ACHIEVEMENT

Purpose of the agenda item~

The purpose of the agenda item is to request the Board hold a public hearing regarding revisions to Board Policy 5126 (Awards for Achievement).

Background~

The updated board policy is mandated for districts that maintain a scholarship and loan fund, includes material formerly in AR re: board responsibilities related to the scholarship and loan fund. Material related to selection of the scholarship and loan committee revised to delegate to the Superintendent the appointment of staff, community, and student representatives. Updated regulation deletes detailed eligibility criteria for the Golden State Seal Merit Diploma and State Seal of Biliteracy, as these criteria are in transition. Included for reference is Administrative Regulation 5126.

Recommendation~

Recommend the Board hold a public hearing. A motion is required to close the public hearing. A motion is also required to approve the revisions to BP 5126. See Special Reports, Pages 27-40.

**HOLD PUBLIC
HEARING**

**MOTION TO
CLOSE PUBLIC
HEARING**

**MOTION TO
APPROVE
REVISIONS
TO BP 5126**

PERSONNEL SERVICES

1. 2017-18 INITIAL BARGAINING PROPOSAL FROM MUTA TO THE MJUSD ***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board hold a public hearing to introduce the initial proposal from the Marysville Unified Teachers' Association (MUTA) to the MJUSD for the 2017-18 school year.

Background~

In accordance with the Educational Employment Relations Act (EERA) and Section 3547, Division 4, Title 1 of the Government Code, all initial proposals of exclusive representatives and of public school employers, which relate to matters within the scope of representation, shall be presented at a public meeting of the public school employer and thereafter shall be public records. Representatives for the MJUSD will work with the leadership of MUTA to establish bargaining dates.

Recommendation~

Recommend the Board hold a public hearing. A motion is required to close the public hearing. See Special Reports, Page 41.

HOLD PUBLIC HEARING

MOTION TO CLOSE PUBLIC HEARING

2. 2017-18 INITIAL BARGAINING PROPOSAL FROM THE MJUSD TO MUTA ***Purpose of the agenda item~***

The purpose of the agenda item is to request the Board hold a public hearing to introduce the initial proposal from the District to the Marysville Unified Teachers Association (MUTA) for the 2017-18 school year.

Background~

In accordance with the Educational Employment Relations Act (EERA) and Section 3547, Division 4, Title 1 of the Government Code, all initial proposals of exclusive representatives and of public school employers, which relate to matters within the scope of representation, shall be presented at a public meeting of the public school employer and thereafter shall be public records. Representatives for the MJUSD will work with the leadership of MUTA to establish bargaining dates.

Recommendation~

Recommend the Board hold a public hearing. A motion is required to close the public hearing. See Special Reports, Page 42.

HOLD PUBLIC HEARING

MOTION TO CLOSE PUBLIC HEARING

BUSINESS SERVICES

1. RESOLUTION 2017-18/19 —ENERGY CONSERVATION SERVICES FINDINGS AND SOLAR ENERGY PURCHASE AGREEMENT (PPA) WITH SUNPOWER CORPORATION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board hold a public hearing to approve the resolution approving energy conservation services findings as required by Government Code Section 4217.12 and authorize the Superintendent to negotiate a Power Purchase Agreement (PPA) with SunPower Corporation (SunPower) for solar systems at Marysville High School, Lindhurst High School, and Foothill Intermediate School.

HOLD PUBLIC HEARING

(Business Services/Item #1 – continued)

Background~

SunPower has proposed a PPA under which Solar Star Marysville, LLC, a wholly owned subsidiary of SunPower, will install, operate, and maintain solar systems at three school sites, and the district will purchase energy generated by these systems at a fixed rate of \$0.101 per kWh for 25 years. The PPA will include an easement agreement whereby SunPower will have the right to access the district's real property in order to install, construct, and maintain the solar systems. At the end of the PPA, the district may elect to purchase the systems at a fair market value to be determined by mutual agreement, renegotiate a renewal term, or require SunPower to remove the systems at SunPower's sole expense. The expected savings in the first year will be \$222,707 with a total savings over 25 years of \$7,069,797 (\$4,707,070 NPV). The proposed PPA, proposal, and pro forma are included with the backup information for these items.

During the hearing portion of this item, district staff will present evidence demonstrating that pursuant to Government Code section 4217.12, the costs of the energy purchased under the PPA are projected to be less than the anticipated cost of energy in the absence of the PPA, and the difference, if any, between the fair rental value of the district's real property on which the systems will be constructed and the agreed upon rental costs is anticipated to be offset by below-market energy purchases or other benefits provided under the PPA.

After district staff presents the aforementioned information, the Board will invite public comment.

Recommendation~

Recommend the Board hold a public hearing. A motion is required to close the public hearing. A motion is also required to approve the resolution and authorize the Superintendent, or designee, to negotiate a PPA with SunPower. See Special Reports, Pages 43-115.

2. RESOLUTION 2017-18/20 — ADOPT DEVELOPMENT FEES ON RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT TO FUND THE CONSTRUCTION OR RECONSTRUCTION OF SCHOOL FACILITIES

Purpose of the agenda item~

The purpose of the agenda item is to request the Board hold a public hearing to approve the resolution to institute a level one residential developer fee.

Background~

Sections of the Educational and Government Codes address the collection of school fees and adjustment of the maximum developer, or level one fees every two years. The State Allocation Board on 1/24/18 increased the developer fee from residential level one fee of \$3.48 to \$3.79 per square foot of residential development. They also increased commercial and industrial developer fees from .56 to .61 per square foot.

**MOTION TO
CLOSE PUBLIC
HEARING**

**MOTION TO
APPROVE
RESOLUTION**

**HOLD PUBLIC
HEARING**

**MOTION TO
CLOSE PUBLIC
HEARING**

(Business Services/Item #2 – continued)

As determined in the March 2016 Developer Fee Justification Study approved by the Board on 4/26/16, the district anticipates enrollment growth and a need for new facilities to house students. The level one fee will provide additional needed funding for the district's facilities program.

The district also has multiple mitigation agreements with specific developers, which cannot change due to this action.

**MOTION TO
APPROVE
RESOLUTION**

Recommendation~

Recommend the Board hold a public hearing. A motion is required to close the public hearing. A motion is also required to approve the resolution increasing the residential developer fee to \$3.79 per square foot, increasing the commercial and industrial fee to \$.61 per square foot, and authorizing staff to take the necessary action related to the agenda item. See Special Reports, Pages 116-165.

3. RESOLUTION 2017-18/21 — FINDINGS RELATED TO CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND AUTHORIZING STAFF TO FILE A NOTICE OF EXEMPTION FOR SOLAR PROJECTS AT MHS/LHS/FHS

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the resolution for findings related to CEQA and authorizing staff to file a notice of exemption for solar projects at Marysville High School, Lindhurst High School, and Foothill Intermediate School.

Background~

The Marysville Joint Unified School District (District) plans to install solar photovoltaic generation facilities (the "System") at Marysville High School (the "High School Work"), Lindhurst High School (the "Lindhurst Work"), and Foothill Intermediate School (the "Foothill Work").

Marysville High School: The High School Work will involve installing a solar carport above the existing parking lot located at the southern end of the campus and removing nine existing trees.

Lindhurst High School: The Lindhurst Work will involve installing a ground-fixed system located on the vacant area situated west of the school's athletic track and field.

Foothill Intermediate School: The Foothill Work will involve installing a ground fixed system located where the existing orchard is at the southern end of the campus. This orchard was damaged in a recent fire and will require removing approximately 120 of the existing trees, all of which were destroyed by the fire.

District staff has worked with staff at SunPower and legal counsel, and believes the Project meets the following CEQA exemptions:

(Business Services/Item #3 – continued)

1. Solar Energy System at an Existing Parking Lot (Pub. Res. Code § 21080.35).
This statutory exemption provides that CEQA "does not apply to the installation of a solar energy system on the roof of an existing building or at an existing parking lot." Existing parking lot is defined as "an area designated and used for parking of vehicles as of the time of the application for the solar energy system and for at least the previous two years." Further all associated equipment needed to enable the generation and use of solar electricity shall not occupy more than 500 square feet of ground surface. The High School Work will involve the installation of the System over an existing parking lot and that parking lot has been used as such for at least the previous two years. Additionally, all associated equipment needed to generate and use the System will not occupy more than 500 square feet of ground surface after installation is complete.
2. Minor Additions to Schools (Cal. Code Regs., tit. 14, § 15314).
This exemption is for "minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less." The Systems being installed as part of the High School Work, Lindhurst Work, and Foothill Work will all be located within the existing school grounds of each respective campus. Additionally, installation of the Systems will not increase student capacity.
3. Accessory Structures (Cal. Code Regs., tit. 14, § 15311).
This exemption applies to "construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities." Here, the Systems being installed as part of the High School Work, Lindhurst Work, and Foothill Work will be located within close proximity to the existing school facilities and will serve the purpose of providing energy to those existing school facilities. The Project will not create any increased noise and will not affect student attendance, activities, or day to day operations of the school.
4. New Construction of Small Structures (Cal. Code Regs., tit. 14, § 15303).
This exemption is for the "construction and location of limited numbers of new, small facilities or structures" and the "installation of small new equipment and facilities in small structures." An example of this exemption includes "(e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools and fences." Here, the Systems being installed as part of the High School Work, Lindhurst Work, and Foothill Work are considered accessory structures as set forth in example (e) because they are utility service structures that will generate and provide energy for the existing school facilities nearby.
5. Catch-All Exemption (Cal. Code Regs., tit. 14, § 15061).
This exemption applies "[w]here it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment." Here, the proposed Systems will be installed in areas of the school sites that will not affect student attendance, activities, or day to day operations. Additionally, the Project's intended effect of reducing overall energy consumption over time will offset any effects on the environment from the installation process. Thus, the High School Work, Lindhurst Work, and Foothill Work will not result in any significant effect on the environment.

(Business Services/Item #3 – continued)

Recommendation~

Recommend the Board approve the resolution for findings related to CEQA and authorizing staff to file a Notice of Exemption for solar projects at Marysville High School, Lindhurst High School, and Foothill Intermediate School. See Special Reports, Pages 166-169.

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 – April 24, 2018 – 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.
- * 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.

 lm