

MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT

1919 B Street, Marysville, CA 95901

District Office (Conference Room #1)

BOARD MEETING ~ BOARD OF TRUSTEES

January 26, 2021

AGENDA

Participation Available Via Teleconference

Phone Number: 1-669-900-9128 (San Jose)

Meeting ID Number: 929 2842 3075

**For those viewing but not participating, the open session
livestream can be found at:**

<https://youtu.be/H8DHHjxXICo>

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 24 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"].

4:30 P.M. ~ OPEN SESSION
CONFERENCE ROOM #1

CALL MEETING TO ORDER

ROLL CALL

- Mr. Randy L. Rasmussen, President _____
- Mr. Gary J. Criddle, Vice President _____
- Ms. Alisan R. Hastey, Clerk _____
- Mr. Doug F. Criddle, Trustee Representative _____
- Mr. Jeff D. Boom, Member _____
- Mr. Frank J. Crawford, 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: SUPERINTENDENT MOTION

**RECONVENE TO OPEN SESSION
5:30 P.M. ~ REGULAR MEETING
CONFERENCE ROOM #1**

PLEDGE OF ALLEGIANCE

Gary Criddle, Vice President to the Board of Trustees.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

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

(NOTE: For teleconference meetings, please submit Public Comment card located on the district webpage at www.mjusd.com under "Board" before the board meeting begins.)

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"

(Public Comments – continued)

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.

PRESENTATION

- ◆ **Homeless Education Program** – Jami Larson
See Special Reports, Pages 1-2.

SUPERINTENDENT'S REPORT

SUPERINTENDENT

1. APPROVAL OF MINUTES

- ◆ Minutes from the regular board meeting of 12/15/20.
- ◆ Minutes from the special board meeting of 1/12/21.

MOTION

2. CONSENT AGENDA

The Board is requested to approve the Consent Agenda items under **Educational Services, Categorical Programs, Buildings and Grounds Department, Nutrition Services, Transportation Department, Personnel Services, and Business Services**. Please refer to details where these items are described fully.

MOTION

EDUCATIONAL SERVICES

1. AGREEMENT WITH LEARNING BY DESIGN LLC (MARIA NIELSEN) FOR PROFESSIONAL DEVELOPMENT AT MARYSVILLE HIGH SCHOOL

CONSENT AGENDA

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the agreement with Learning by Design LLC (Maria Nielsen) to provide four full days of training during the 2020-21 school year for the certificated staff at Marysville High School in the amount of \$20,000.

Background~

Maria Nielsen and associates of Learning by Design LLC will provide virtual professional development services to support the professional learning community process and development at Marysville High School.

Financial Impact~

General Fund 01 - Title I

Recommendation~

Recommend the Board approve the agreement. See Special Reports, Pages 3-13.

CATEGORICAL PROGRAMS

1. 2019-20 SCHOOL ACCOUNTABILITY REPORT CARDS

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the 2019-20 School Accountability Report Cards (SARCs) which are produced in the 2020-21 school year.

Background~

Proposition 98 requires the Governing Boards of California School Districts to prepare and issue annual SARCs. The report cards provide information to the community to allow public comparison of schools for student achievement, environment, resources, and demographics. Parents will be notified of their availability, and the report cards will be posted on the district website. School sites will also have copies for parents and interested community members who do not have access to the internet.

Recommendation~

Recommend the Board approve the 2019-20 SARCs. (The SARCs are available to review online or in the Categorical Programs Department's Office.)

BUILDINGS AND GROUNDS DEPARTMENT

1. AGREEMENT WITH JACK E. CAMPBELL INSPECTIONS FOR THE LINDA PRESCHOOL PORTABLE CLASSROOM (PROJECT #8303)

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the agreement with Jack E. Campbell Inspections for the Linda Elementary Preschool portable classroom in the amount not to exceed \$27,000.

Background~

Inspection services will take place for the duration of the project. The scope of services includes, but is not limited to, the following: inspection of all work to assure completion in accordance with the DSA approved plans and specifications including all applicable federal, state, and local building codes and DSA requirements; submittal of daily inspections logs; certification of all work; all DSA required inspections and testing; and review of as-built and closeout drawings; along with all documentation. Work will also include attending the mandatory pre-bid walk and construction kick off meeting.

Financial Impact~

General Fund 01 - Special Education Early Intervention Preschool Grant

Recommendation~

Recommend the Board approve the agreement. See Special Reports, Pages 14-17.

2. AGREEMENT WITH JACK E. CAMPBELL INSPECTIONS FOR THE MCKENNEY THREE PORTABLE CLASSROOMS (PROJECT #8304)

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the agreement with Jack E. Campbell Inspections for the McKenney Intermediate School three portable classrooms in the amount not to exceed \$40,000.

(Buildings and Grounds Department/Item #2 – continued)

Background~

Inspection services will take place for the duration of the project. The scope of services includes, but is not limited to, the following: inspection of all work to assure completion in accordance with the DSA approved plans and specifications including all applicable federal, state, and local building codes and DSA requirements; submittal of daily inspections logs; certification of all work; all DSA required inspections and testing; and review of as-built and closeout drawings; along with all documentation. Work will also include attending the mandatory pre-bid walk and construction kick off meeting.

Financial Impact~

General Fund 01 - Facility One-Time Funds

Recommendation~

Recommend the Board approve the agreement. See Special Reports, Pages 18-21.

3. CONTRACT WITH BROWNSVILLE SAND & GRAVEL, INC. FOR THE TRANSPORTATION BUS PARKING LOT PAVING PROJECT

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the contract with Brownsville Sand & Gravel, Inc. for the transportation bus parking lot paving project in the amount not to exceed \$45,000.

Background~

The scope of services will include, but are not limited to, the following: saw cut edge of existing asphalt in parking lot and saw cut west gate entrance for smooth transition. Grade and compact existing gravel area for proper drainage. Pave approximately 18,900 square foot of area at 3” thick with PG64-10 asphalt.

Financial Impact~

General Fund 01 - Transportation home to school

Recommendation~

Recommend the Board approve the contract. See Special Reports, Pages 22-24.

NUTRITION SERVICES

1. GRANT AWARD NOTIFICATION — FRESH FRUIT AND VEGETABLE PROGRAM

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board accept the first allocation of the Fresh Fruit and Vegetable Program (FFVP) grant award notification in the amount of \$252,518 for the following nine schools: Cedar Lane, Covillaud, Dobbins, Ella, Johnson Park, Kynoch, Linda, Loma Rica, and Olivehurst.

(Nutrition Services/Item #1 – continued)

Background~

Congress provides funds to elementary schools for the sole purchase of fresh fruits and vegetables for all students on campus. This snack is served separate from the meal service program and provides an additional opportunity for students to have access to fresh produce. The FFVP is a reimbursement program, and the awards are based on each school’s student enrollment. USDA COVID-19 waiver allows the snack to be served in the non-congregate format and is served curb-side with meal distribution at the award schools.

The district received the grant award notification on 12/15/20 stating to return the signed award to CDE within ten days. It was determined to return the signed notification before being agendized for Board approval on 1/26/21 to avoid jeopardizing the funding.

Fiscal Impact~

None

Recommendation~

Recommend the Board accept the grant award notification. See Special Reports, Pages 25-28.

TRANSPORTATION DEPARTMENT

1. AGREEMENT WITH ADVENTIST HEALTH AND RIDEOUT DRUG TESTING SERVICES

CONSENT AGENDA

Purpose of the agenda item~

The purpose of the agenda item is to request the Board ratify the agreement with Adventist Health and Rideout Drug Testing Services through 12/31/21 in the amount not to exceed \$9,000.

Background~

Adventist Health and Rideout Drug Testing Services will provide the Transportation Department with DOT random, pre-employment, and reasonable suspicion drug screening for all commercial drivers employed with the MJUSD.

Financial Impact~

General Fund 01 - Transportation

Recommendation~

Recommend the Board ratify the agreement. See Special Reports, Pages 29-35.

2. NOTICES OF INTENT TO PURCHASE SCHOOL BUSES WITH A-Z BUS SALES, INC.

CONSENT AGENDA

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the notices of intent to purchase school buses with A-Z Bus Sales, Inc. for two (2) 24-passenger special need school buses and two (2) 22-passenger special need school buses in the amount not to exceed \$353,171.58.

(Transportation Department/Item #1 – continued)

Background~

The Transportation Department will utilize the Waterford Unified School District piggyback contract for the purchase of these school buses.

Financial Impact~

General Fund 01 - from current year Transportation budget savings of approximately \$600,000 to \$800,000. Please see the Transportation Department Update which includes reference to the budget savings from which this purchase will be made.

Recommendation~

Recommend the Board approve the notices of intent to purchase. See Special Reports, Pages 36-48.

3. AGREEMENTS WITH FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT FOR THE COMMUNITY AIR PROTECTION GRANT PROGRAM CONSENT AGENDA

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the agreements with Feather River Air Quality Management District (FRAQMD) for the purchase of three (3) 84-passenger buses in the total amount of \$494,999.22 with the anticipated grant amount of \$440,584.41 and the MJUSD contributing \$54,414.81 in matching funds.

Background~

FRAQMD offers the Community Air Protection Program (CAPP) funding to focus on reducing exposure in communities most impacted by air pollution. The district is required to purchase three (3) new buses and retire three (3) older buses to receive the grant funds.

Financial Impact~

General Fund 01 - Grant Award \$440,584.41, Transportation Equipment Budget \$54,414.81

Recommendation~

Recommend the Board approve the agreements. See Special Reports, Pages 49-79.

PERSONNEL SERVICES

1. CERTIFICATED RESIGNATIONS CONSENT AGENDA

Ben T. Seigler, Mental Health Clinician/DO, personal reasons, 1/15/21
Ryan Wallace, Teacher/MHS, personal reasons, 6/4/21

2. CLASSIFIED EMPLOYMENT CONSENT AGENDA

Nacola L. Gregory, Health Aide I/DO, 7.5 hour, 10 month, probationary, 1/5/21
Anthony A. Holt, Custodian III-Lead/DO, 8 hour, 12 month, probationary, 12/14/20
Katherine A. Kellogg, Graphics Technician/DO, 8 hour, 12 month, probationary, 1/4/21
Kasey L. F. Singleterry, Supervisor Health & Wellness/DO, 8 hour, 12 month, probationary, 1/11/21

(Personnel Services/Item #2 – continued)

Ramona E. VanDoren, Health Aide I/DO, 7.5 hour, 10 month, probationary, 1/5/21

Brian D.C. Williams, Grounds/Maintenance Worker/DO, 8 hour, 12 month, probationary, 1/4/21

3. CLASSIFIED LAYOFF REEMPLOYMENT

CONSENT
AGENDA

Fernando Ibarra, STARS Activity Provider/JPE, 3.75 hour, 10 month, permanent, 12/14/20

4. CLASSIFIED PROMOTIONS

CONSENT
AGENDA

Justin D. Hall, Custodian/Maintenance Worker/YFS, 3.5 hour, 12 month, permanent, to Custodian/Maintenance Worker/LIN, 8 hour, 12 month, permanent, 1/12/21

Angelica Mora, Elementary Student Support Specialist/EDG, 3.75 hour, 10 month, permanent, to Elementary School Secretary/EDG, 8 hour, 10.25 month, probationary, 1/4/21

5. CLASSIFIED TRANSFER

CONSENT
AGENDA

Xay C. Vang, Custodian/Maintenance Worker/LIN, 8 hour, 12 month, permanent, to Custodian/Maintenance Worker/BVS, 8 hour, 12 month, permanent, 1/12/21

6. CLASSIFIED RELEASE

CONSENT
AGENDA

Brenda A. Padilla Barajas, Para Educator/PRE, 3.75 hour, 10 month, released during probationary status, 12/14/20

Tara J. Koelln, Para Educator/MHS, 3.5 hour, 10 month, released during probationary status, 1/7/21

Ivette R. Raya, Para Educator/JPE, 3.5 hour, 10 month, released during probationary status, 12/16/20

7. CLASSIFIED RESIGNATIONS

CONSENT
AGENDA

Anthony A. Holt, Custodian/Maintenance Worker/BVS, 8 hour, 12 month, accepted another position within the district, 12/11/20

Jo Dee K. Kaylor, Clerk II/YGS, 8 hour, 10 month, retirement, 12/31/20

Christine D. Kenney, Career Center Technician/MHS, 6 hour, 10 month, other employment, 1/12/21

Traci B. Trujillo, Para Educator/EDG, 3.5 hour, 10 month, personal, 1/29/21

8. CLASSIFIED 39-MONTH REEMPLOYMENT

CONSENT
AGENDA

Tony L. Greminger, School Bus Driver/DO, 7.75 hour, 10 month, exhausted all leaves, 1/6/21

Jody A. Powell, School Bus Driver/DO, 6.25 hour, 10 month, exhausted all leaves, 1/7/21

(Personnel Services – continued)

9. VARIABLE TERM WAIVERS

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve and authorize the following applicants will be employed on the basis of a Variable Term Waiver for the 2020-21 school year:

*Brandon D. Sanders – LHS/CCSD Waiver – English Learner Authorization

*Nicholas D. Wright – MCK/CCSD Waiver – English Learner Authorization

Background~

In accordance with the Education Code Section 44830 (a), the waivers provide the applicants additional time to complete the requirements for the credentials that authorizes the service or to provide the district time to fill the assignment with an individual who wither hold an appropriate credential or qualifies under one of the available assignment options.

Recommendation~

Recommend the Board approve the waivers. See Special Reports, Pages 80-95.

10. QUARTERLY REPORT ON WILLIAMS UNIFORM COMPLAINTS

**CONSENT
AGENDA**

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the quarterly report on Williams Uniform Complaints (10/1/20-12/31/20) as a way of publicly reporting out the data contained within the report.

Background~

Consistent with Education Code 35186(d), the Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board and the County Superintendent of Schools on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. As outlined in statute, these summaries shall be publicly reported on a quarterly basis at a regularly scheduled board meeting.

Recommendation~

Recommend the Board approve the quarterly report. See Special Reports, Page 96.

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. EDGEWATER ELEMENTARY SCHOOL

a. Yuba City Wal-Mart donated school supplies valued at \$350.

B. ELLA ELEMENTARY SCHOOL

a. SayLove donated 80 new jackets valued at \$1,200.

C. FOOTHILL INTERMEDIATE SCHOOL

a. Ellyson Chiropractic Corp. donated \$200 to the fine arts program and \$200 to the athletics program.

❖ **End of Consent Agenda** ❖

NEW BUSINESS

BOARD OF TRUSTEES

1. **AMENDMENT TO EMPLOYMENT CONTRACT WITH ASSISTANT SUPERINTENDENT OF PERSONNEL SERVICES RAMIRO CARREÓN**

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the amendment to employment contract between the Marysville Joint Unified School District and Assistant Superintendent of Personnel Services Ramiro Carreón extending the contract by three (3) years from 7/1/21-6/30/24.

Background~

The original employment contract was signed on 7/24/12 with extensions approved through 6/30/21.

Recommendation~

Recommend the Board approve the amendment to the employment contract. See Special Reports, Page 97.

BUILDINGS AND GROUNDS DEPARTMENT

1. **2020-21 BUILDINGS AND GROUNDS DEPARTMENT UPDATE**

INFORMATIONAL ONLY

Purpose of the agenda item~

The purpose of the agenda item is to provide a Buildings and Grounds Department update for 2020-21.

Background~

The Buildings and Grounds Department consists of Facilities, Maintenance, Grounds, and Custodial. This update is provided to the Board of Trustees to show current progress of projects and planned summer 2021 projects.

Financial Impact~

None

Recommendation~

This item is informational only. (The PowerPoint presentation is included in each board member's packet and available to review online or in the Superintendent's Office.)

BUSINESS SERVICES

1. **2020-21 MJUSD BUDGET OVERVIEW FOR PARENTS**

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the 2020-21 MJUSD budget overview for parents.

Background~

SB 820 requires the template for the budget overview for parents to be aligned to the Learning Continuity Plan (LCP) which was adopted by the Board on 9/22/20. In addition to the budget overview for parents provided with the LCP this year, staff will again present a budget overview for parents in a template provided by the California Department of Education and aligned with the budget amounts from the First Interim Budget Report.

(Business Services/Item #1 – continued)

Financial Impact~

None

Recommendation~

Recommended the Board approve the MJUSD budget overview for parents. See Special Reports, Pages 98-101.

2. 2020-21 MCAA BUDGET OVERVIEW FOR PARENTS

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the 2020-21 MCAA budget overview for parents.

Background~

SB 820 requires the template for the budget overview for parents to be aligned to the Learning Continuity Plan (LCP) which was adopted by the Board on 9/22/20. In addition to the budget overview for parents provided with the LCP this year, staff will again present a budget overview for parents in a template provided by the California Department of Education and aligned with the budget amounts from the First Interim Budget Report.

Financial Impact~

None

Recommendation~

Recommended the Board approve the MCAA budget overview for parents. See Special Reports, Pages 102-105.

3. RESOLUTION 2020-21/14 — AUTHORIZATION TO ENTER INTO AN ENERGY EFFICIENCY SERVICE CONTRACT AND FACILITY GROUND LEASE

HOLD PUBLIC HEARING

Purpose of the agenda item~

The purpose of the agenda item is to request the Board hold a public hearing to determine whether an Energy Service Contract with SitelogIQ, Inc. is in the best interest of the district and approve the resolution for authorization to enter into an energy efficiency service contract.

Background~

The Board of Trustees held a public hearing on 1/26/21, duly noticed two-weeks prior thereto, and after considering all documentary evidence, studies, reports, oral testimony and presentations that included, but was not limited to, current rates, rate projections for electrical and thermal energy from utilities currently providing thermal electrical energy to the district, information from the Public Utilities Commission and/or the State Resources Conservation and Development Commission and other relevant information, the Board of Trustee’s finds as follows:

MOTION TO CLOSE PUBLIC HEARING

(Business Services/Item #3 – continued)

1. The anticipated cost to the district for thermal, electrical, or other energy or conservation services provided by the proposed energy conservation measures, equipment and facilities set forth in the Energy Services Agreement with Famand, Inc., dba SitelogIQ, Inc., will be less than the anticipated marginal cost to the district of thermal, electrical, or other energy that will be consumed by the district in the absence of these agreements.
2. That the difference between the fair rental value for the property subject to a facility ground lease, if any, and the agreed rent, if any, is anticipated to be offset by below-market energy purchases or other benefits provided under the Energy Services Contract.
3. That funds for repayment of financing are projected to be available from funding that would otherwise have been used for the purchase of electrical, thermal, or other energy required by the district in the absence of the energy conservation measures, equipment, and facilities.

Financial Impact~

Adoption of the resolution authorizes the district to enter a contract with SitelogIQ, Inc. to construct energy efficiency measures, equipment and facilities at various district facilities and upon repayment of financing for the costs of construction, the Energy Efficiency Project will result in a substantial net savings on the anticipated cost to the district for thermal, electrical, or other energy that will be consumed by the district in the absence of installation of the energy efficiency measures, equipment, and facilities.

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. See Special Report, Pages 106-110.

**MOTION TO
APPROVE
RESOLUTION**

4. **RESOLUTION 2020-21/15 — FINDING THE ENERGY EFFICIENCY PROJECT ACTIVITIES ON VARIOUS DISTRICT SITES ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE FILING AND RECORDATION OF A NOTICE OF EXEMPTION**

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the resolution finding the energy efficiency project activities on various district sites are exempt from the California Environmental Quality Act and approving the filing and recordation of a notice of exemption.

(Business Services/Item #4 – continued)

Background~

This resolution provides that the Board has reviewed the Project and finds that, pursuant to CEQA Guidelines sections 15301, 15311 and 15329, the Project qualifies for a categorical exemption from further review as a minor alteration of existing facilities; negligible expansion of the existing use of the Site(s); accessory structures and installation of a cogeneration project that is 50MW or less in net generating capacity located at an existing facility. The Board approves the filing and recordation of a Notice of Exemption with the California State Office of Planning and Research. This Resolution shall take effect immediately upon passage. The Superintendent or designee is authorized to take such actions and execute such agreements.

Financial Impact~

None

Recommendation~

Recommend the Board approve the resolution. See Special Reports, Pages 111-112.

5. **RESOLUTION 2020-21/16 — AUTHORIZING THE EXECUTION AND DELIVERY OF A GROUND LEASE, A LEASE AGREEMENT, A TRUST AGREEMENT, A CERTIFICATE PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE CERTIFICATE WITH RESPECT TO THE EXECUTION AND DELIVERY OF MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT CERTIFICATES OF PARTICIPATION (2021 ENERGY EFFICIENCY PROJECTS), AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH CERTIFICATES EVIDENCING PRINCIPAL IN AN AGGREGATE AMOUNT OF NOT TO EXCEED \$40,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS**

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve the resolution authorizing the execution and delivery of a Ground lease, Lease Agreement, Trust Agreement, Certificate Purchase Agreement, Continuing Disclosure Certificate, and authorizing staff to take all necessary actions for the execution and delivery of the Marysville Joint Unified School District Certificates of Participation for 2021 Energy Efficiency Projects.

Background~

In order to finance the acquisition, installation and equipping of solar, heating, ventilation and air conditioning and lighting systems throughout the District (the “Project”), the district proposes executing and delivering the Marysville Joint Unified School District Certificates of Participation (2021 Energy Efficiency Projects) (the “Certificates”). The proceeds of the Certificates will be used to (i) finance the Project and (ii) pay the costs incurred in connection with the execution and delivery of the Certificates.

(Business Services/Item #5 – continued)

The proposed transaction is structured as a lease/leaseback between the District and the Marysville Joint Unified School District Financing Corporation (the “Corporation”). The District expects to lease certain land and improvements, consisting of the Yuba Feather Elementary School, Ella Elementary School, Anna McKenney Intermediate School and Johnson Park Elementary School, to the Corporation pursuant to the Ground Lease, and to sublease the property back for continued use by the District, pursuant to the Lease Agreement. The obligation to pay rent each year under the Lease Agreement will be evidenced by the Certificates, and the Certificates will be sold to investors.

The proposed Resolution approves a not-to-exceed amount of \$40,000,000 in aggregate principal for the Certificates. The Resolution also approves the draft forms of legal documents necessary for this transaction, including:

1. Ground Lease
2. Lease Agreement
3. Trust Agreement
4. Certificate Purchase Agreement
5. Continuing Disclosure Certificate
6. Preliminary Official Statement

The District has engaged Isom Advisors, a Division of Urban Futures, Inc. to perform financial advisory services in connection with the delivery of the Certificates. The Certificates are to be purchased by D.A. Davidson & Co., the Underwriter selected by the District. The District will be represented by Orrick, Herrington & Sutcliffe LLP as special counsel and disclosure counsel, and by Kingsley Bogard, LLP as counsel to the District and the Corporation.

Financial Impact~

Under the Lease Agreement, the District is obligated to pay the base rental payments from any source of legally available funds of the District.

Recommendation~

Recommend the Board approve the resolution and authorize staff to take all necessary actions for the execution and delivery of the Refunding Certificates. A representative from Isom Advisors will be available to answer questions. See special Reports, Pages 113-122. (Additional documents are included in each board member’s packet and available to review online or in the Superintendent's Office.)

STUDENT SERVICES

1. 2020-21 MJUSD PANDEMIC SCHOOL REOPENING PLAN UPDATE

Purpose of the agenda item~

The purpose of the agenda item is for staff to share with the Board a summary of changes and additions that will be made to the 2020-21 MJUSD Pandemic School Reopening Plan based on the new public health guidance provided through the 1/14/21 Reopening In-Person Instruction Framework & Public Health Guidance for K-12 Schools in California, 2020-21 School Year.

**INFORMATIONAL/
DISCUSSION ITEM**

(Student Services/Item #1 – continued)

Background~

In order to slow the spread of COVID-19, the California Department of Public Health (CDPH), Yuba-Sutter Bi-County Public Health, and the California Department of Education (CDE) have set forth health and safety guidelines and instructional delivery models to protect students and staff at school. The manner in which the MJUSD will execute these health and safety guidelines, and instructional models, is documented in the 2020-21 MJUSD pandemic school reopening plan. This plan was originally developed with stakeholder input and revised according to further input following the 7/7/20 posting of the draft plan on the district website. On 7/21/20, staff presented a four-page brochure highlighting key concepts in the plan along with revisions. The Board approved the approach of the plan, subject to further revisions, and voted to implement distance learning as the instructional delivery model for opening the 2020-21 school year in accordance with the Governor's 7/17/20 executive order mandating all school districts serving counties under the state's COVID-19 watch list open the school year utilizing distance learning until the county remains off the watch list for at least 14 consecutive days. On 8/11/20, the Board received an update on the plan during a staff presentation to the Board. On 10/1/20, a link containing an updated version of the plan, framed toward submitting a TK-6 Elementary School waiver, was emailed to Board members, elementary school parents, and all MJUSD district employees. This version was posted on the district website following an elementary school parent survey and in association with a staff presentation addressing 66 unduplicated parent questions taken from the parent survey.

At the 10/13/20 board meeting, the Board approved the MJUSD 2020-21 Pandemic School Reopening Plan. This plan is a working document open to ongoing revisions due to changing public health guidelines. This plan serves as the guide for staff, students, and parents to plan as the MJUSD prepares transition toward schoolwide in-person instruction.

On 1/14/21, the California Department of Public Health published COVID-19 and Reopening In-Person Instruction Framework & Public Health Guidance for K-12 schools in California, 2020-21 School Year. This guidance is a public health directive that applies to all public and private schools operating in California. Under operative executive orders and provisions of the California Health and Safety Code, schools must comply with orders and guidance issued by the California Department of Public Health and relevant Local Health Departments (LHSs) to limit the spread of COVID-19 and protect public health.

Recommendation~

This is an informational/discussion item summarizing changes and additions that will be made to the 2020-21 MJUSD Pandemic School Reopening Plan. (The 2020-21 Pandemic School Reopening Plan dated 10/7/20, and the 1/14/21 Reopening In-Person Instruction Framework & Public Health Guidance for K-12 Schools in California, 2020-21 School Year, and a summary presentation are included in each board member's packet and available to review online or in the Superintendent's Office.)

(Student Services – continued)

2. 2020-21 MJUSD PANDEMIC SCHOOL REOPENING PLAN

MOTION

Purpose of the agenda item~

The purpose of the agenda item is to request the Board approve rephrasing in elementary grade levels on 3/9/21 and opening secondary schools when public health officials permit schools to resume in-person blended instruction and to continue providing services to the district’s special populations.

Background~

On 7/17/20, the Governor issued an executive order mandating all school districts serving counties under the state’s COVID-19 watch list to open the year utilizing distance learning until the county remains off the watch list for at least 14 consecutive days. On 10/6/20, Yuba County exited the “purple” tier of the state’s COVID-19 dashboard and entered the less restrictive “red” tier, which removed the county from the state’s COVID-19 watch list. Yuba County remained off the COVID-19 watch list through 10/20/20 permitting all Yuba County schools to reopen for in-person blended learning on 10/21/20 or thereafter as long as the metrics for Yuba County remain in the level of the tier system for in-person instruction on the state’s blueprint. Public health officials recommend schools open in a prudent, measured, rational, and patient approach to prevent the “yo-yo” effect.

At the 10/13/20 board meeting, the Board approved the MJUSD 2020-21 Pandemic School Reopening Plan, discussed options for returning to in-person instruction, and directed staff to agendize school reopening dates.

At the 10/27/20 board meeting, the Board approved the following school reopening dates to transition students back onto campus for in-person instruction through the blended learning model:

- * Preschool through first grade beginning on 11/12/20 with one additional grade level added each week thereafter through fifth grade.
- * Secondary grades (6-12) beginning on 1/5/21.

On 11/16/20, Dr. Phuong Luu issued guidance directing all Yuba-Sutter elementary schools to immediately “pause” phasing in of grade levels and reverting all Yuba-Sutter secondary schools to distance learning. As a result, MJUSD elementary schools paused the phasing in of in-person blended instruction at first grade.

As of 12/4/20, Dr. Luu’s pending public health guidance recommended reverting all elementary grades to distance learning due to the dire Yuba-Sutter area COVID-19 transmission and hospitalization rates.

(Student Services/Item #2 – continued)

At the 12/4/20 emergency board meeting, staff recommended and the Board approved reverting all elementary school grade levels, including preschool, to distance learning beginning 12/7/20 through 12/18/20 pending Dr. Phuong Luu’s public health advisory given the dire Yuba-Sutter area COVID-19 transmission and hospitalization rates. Please note that this recommendation does not impact the district’s continuing responsibility to provide certain in-person services to students in special groups (e.g., special education, English-Language Learners, and foster and homeless youth).

Based on public health guidance, at the 12/15/20 board meeting, the Board approved rephrasing-in elementary grade levels and opening secondary schools when public health officials permit schools to resume in-person blended instruction and to continue providing services to the district’s special populations. Until that time, all grade levels are currently receiving distance learning instruction. Through daily communication with the Yuba County Public Health Department, the district is continually monitoring the situation and providing stakeholders with updates. At each board meeting, the Board will review the situation and plan accordingly.

On 12/23/20, Dr. Phuong Luu, Bi-County Public Health Officer, addressed a letter to all Yuba-Sutter school board members and school superintendents strongly recommending all Yuba and Sutter County K-12 schools continue distance learning until spring 2021, with exceptions for special student populations to resume in-person learning via cohorts. The rationale for this governance stems from Yuba-Sutter COVID-19 test positivity rates, case rates, hospitalization rates, and ICU capacity ranking the worst, or among the worst, in the state. As of 1/21/21, Dr. Luu reaffirms this strong recommendation.

Recommendation~

Recommend the Board approve rephrasing-in elementary grade levels on 3/9/21 and opening secondary schools when public health officials permit schools to resume in-person blended instruction and to continue providing services to the district’s special populations.

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 – February 9, 2021 – 5:30 P.M.

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.

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