

**AGENDA
WEDNESDAY, MARCH 11, 2009, 1:00 P.M.**

PLEASE NOTE: PARKING WILL BE AVAILABLE ON THE NORTHEAST CORNER OF TULARE & N STREETS BEHIND THE FRESNO COUNTY LIBRARY IN LOT-T AFTER 5:00 P.M. Also, the City of Fresno will not enforce the street meters in this area **after 6:00 p.m.**, Monday through Friday.

PLEASE NOTE

*DESIGNATED TIMES FOR CONFERENCE/DISCUSSION ITEMS ARE ESTIMATES

In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board President or Board Secretary, Elizabeth Quijano at 457-3938. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids or services.

Public materials are available for public inspection at the Fresno Unified School District Education Center, 2309 Tulare Street, 2nd Floor or visit our website at: www.fresnounified.org.

TRANSLATION SERVICES: Available in Spanish and Hmong in the Board Room upon request.

***1:00 P.M., CALL TO ORDER** by the President

**1:00 P.M. to 3:00 P.M.
PRESENT and DISCUSS the
Board Workshop on the Facilities Master Plan**

This workshop will include a presentation by staff on the Facilities Master Plan, followed with a discussion by the Board and staff on any topics contained in the presentation or related to the Facilities Master Plan. The topics to be covered in the presentation part of the agenda include:

- Feedback/input obtained from community meetings held in every high school area
- Receive and review the draft Facilities Master Plan Final Report

Contact person: Ruth F. Quinto, telephone 457-6226.

**All times are approximate and subject to change*

***3:15 P.M., CALL TO ORDER** by the President; **RECESS** to Cabinet Room for Closed Session to discuss

the following:

1. Student Expulsions pursuant to Education Code Section 35146
2. Conference with Labor Negotiator - Government Code Section 54957.6; FUSD Negotiator(s): Kim Mecum; Employee Organization(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 521, FASTA/SEIU, Local 521/CTW, CLC, Building & Construction Trades Council of Fresno, Madera, Kings, and Tulare Counties/AFL-CIO; Unrepresented Employees: All Management, Confidential, and Supervisory Employees
3. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation
4. Conference with Legal Counsel - Anticipated Litigation
(Government Code Section 54956.9(b).)
 - a. *Significant Exposure to Litigation: (1) potential case.*

5:30 P.M., RECONVENE and report action taken during Closed Session, if any.

Pledge of Allegiance

Ms. Joy Wilson will lead us in the Pledge of Allegiance. Ms. Wilson is a dedicated mother who volunteers her time as a Room Parent and also serves on the PTA Board. She also works on almost all school events at Bullard TALENT.

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives from DeWolf High School. Contact person: John Marinovich, telephone 457-3935.

APPROVE Minutes

Included in the Board binders are the draft minutes for November 19, 2008 and December 10, 2008, Regular Meetings. The Superintendent recommends approval. Contact person: Michael E. Hanson, telephone 457-3882.

HEAR Report from Superintendent

ALL CONSENT AGENDA items are considered to be routine by the Board of Education and will be enacted by one motion. There will be no separate discussion of items unless a Board member or citizen so requests, in which event, the item(s) will be considered following approval of the Consent Agenda. The Superintendent recommends approval or adoption of the following, with a roll call vote:

A. CONSENT AGENDA

A-1, APPROVE Personnel List

Included in the Board binders is the Personnel List, Appendix A, as submitted. The Superintendent recommends approval. Contact person: Kim Mecum, telephone 457-3593.

A. CONSENT AGENDA – continued

- A-2, ADOPT Findings of Fact and Recommendations of District Administrative Board**
The Board of Education received and considered the Findings of Fact and Recommendations of District Administrative Panels resulting from hearings on expulsion and readmittance cases conducted during the period since the February 25, 2009, Regular Board Meeting. The Superintendent recommends adoption. Contact person: Peter Summers, telephone 457-3340.
- A-3, RATIFY Independent Contractor Services Agreement with Collaborative Partners Participating in the Full Service Community Schools Grant Awarded – Fresno Police Department for Carver Academy, King, Kirk, and Lincoln Schools**
Included in the Board binders is the final Independent Contractor Services Agreement for a collaborative partner, Fresno Police Department, with the Full Service Community Schools (FSCS) grant funded by the U.S. Department of Education to improve educational and social outcomes for children and families by coordinating the delivery of comprehensive services at Carver Academy, King, Kirk, and Lincoln schools. The term of the agreement will commence upon Board approval and will end September 30, 2009. The Superintendent recommends ratification. Fiscal Impact: Funding will be provided through the grant. Contact person: Peri Lynn Turnbull, telephone 457-3904.
- A-4, RATIFY a Contract and a SB472 Responsibility Agreement between FUSD and Stanislaus County Office of Education for the Reading Intervention SB472 Professional Development Training**
Included in the Board binders is a Contract and a SB472 Responsibility Agreement with Stanislaus County Office of Education (SCOE), the State-approved provider for SRA/Reach Program SB472 Professional Development Training that will provide training for approximately 170 grade 4-8 teachers in Special Education Teacher Professional Development (SETPD) Reading First funded schools. The term of the agreement commenced on July 1, 2008 and will end on June 30, 2009. The Superintendent recommends ratification. Fiscal Impact: Funding will be provided through the SETPD Reading First Grant in the amount not to exceed \$130,000. Contact person: Mabel Franks, telephone 457-3226.
- A-5, RATIFY Submission of Kindergarten Camp Grant Application to First 5 Fresno County**
Included in the Board binders is application material for the First 5 Fresno County Kindergarten Camp (K-Camp) Initiative to provide a comprehensive kindergarten transition activity for children with no prior early education experiences, children at risk of school failure and children who are English Learners. K-Camp provides an opportunity for children to engage in socialization time, be exposed to the kindergarten environment and routine, and receive all necessary health and developmental screenings prior to kindergarten entry. The Superintendent recommends ratification. Fiscal Impact: Funding will be provided through grant. The district has requested \$225,000 for 27 classes at 11 sites to serve an estimated 500 children. Contact person: Barbara Bengel, telephone 457-3661.

A. CONSENT AGENDA – continued

- A-6, APPROVE Authorization for a Microsoft Campus Licensing Agreement and to Utilize an**

Existing Contract from Monterey County Office of Education

In order to reduce the annual Microsoft License fees for district-wide software, we have negotiated with Microsoft to switch to a Campus Agreement, which is usually offered only to colleges and universities. This agreement is based primarily on the number of employees instead of the number of computers. Due to the large number of laptops that have been added to our classrooms during the past year, this one-of-a-kind agreement will afford the district an annual savings of over \$600,000 on our current agreement. In addition, the District is requesting authorization to utilize a piggyback contract for the Microsoft Campus Licensing Agreement which further reduces our costs.

| Awarding Agency | Vendor | Contract Expiration Date |
|------------------------------|-----------------------|--------------------------|
| Monterey County of Education | Educational Resources | September 30, 2011 |

Use of this contract is in accordance with the provisions of Public Contract Code 20112 and 20118. The Superintendent recommends approval. Fiscal Impact: Funding for fiscal year 2009/10 has been set aside in the Information Technology budget for this expenditure. Anticipated annual expenditures are \$749,752.85. Contact person: Kurt Madden, telephone 457-6228.

A-7, APPROVE Award of Bid #2913, Asphalt Rehabilitation at Chavez Adult School

Included in the Board binders is information on Bid #2913 to seal cracks, apply seal coating, and place pavement markings for the Chavez Adult School parking lots. The request for bid was lawfully advertised on January 5, 2009, and January 12, 2009. The bids were opened on January 21, 2009. Bid specifications were sent to eight (8) vendors, and the district received seven (7) responses. The Superintendent recommends award be to the lowest responsive, responsible bidder:

- Tri-County Asphalt, Porterville California \$15,200.00

Fiscal Impact: Sufficient funds of \$15,200.00 are available in the 2008/09 Chavez Adult School Building Direct Maintenance budget. Contact person: Deo Persaud, telephone 457-3134.

A-8, APPROVE Award of Bid #2915, Exterior Painting at Homan and Vinland Elementary Schools

Included in the Board binders is information on Bid #2915. This project is to provide exterior painting for two elementary schools. The request for bid was lawfully advertised on December 29, 2008, and January 5, 2009. The bids were opened on January 26, 2009. Bid specifications were sent to thirty-two (32) vendors, and the district received thirteen (13) responses. The Superintendent recommends award be to the lowest responsive, responsible bidder:

- Leo’s A-C, Inc., Rowland Heights California \$100,000.00

Fiscal Impact: Sufficient funds of \$100,000.00 are available in the 2008/09 Deferred Maintenance budget. Contact person: Deo Persaud, telephone 457-3134.

A. CONSENT AGENDA – continued

A-9, APPROVE Request For Qualifications (RFQ) #2919, Professional Environmental Site Assessment and/or Geotechnical Services

RFQ #2919, for Professional Environmental Site Assessment and/or Geotechnical Services, provides the district with a pool of qualified firms/individuals for use in support of new construction, modernization and deferred and general maintenance assignments for a three (3) year period. The RFQ was lawfully advertised on December 29, 2008, and January 5, 2009. The Request for Qualifications was sent to thirty-six (36) vendors, and the district received twelve (12) responses. The Superintendent recommends approval of the following firms to provide Professional Environmental Site Assessment and/or Geotechnical Services to the district. This approval is not project specific. Project assignment will be made based upon qualifications, including experience, cost, availability and schedule.

| | |
|--------------------------------|---|
| • BSK Associates, Fresno | • Provost & Pritchard Consulting, Visalia |
| • Kleinfelder, Fresno | • Technicon Engineering Services, Fresno |
| • Krazan Geo Technical, Fresno | • USR Corporation, Fresno |
| • Moore-Twining, Fresno | |

Fiscal Impact: The funding source will be determined by project. Contact person: Deo Persaud, telephone 457-3134.

A-10, RATIFY the Change Orders for the Projects Listed Below

Included in the Board binders are Change Orders and backup information for the following bids:

1. Bid #2828, Construction of New Library/Media Center at Ericson Elementary School
Change Order #1: \$9,314.00. The new contract amount: \$805,529.00. This change order includes, but may not be limited to, provide and construct concrete ramp improvements to existing walkway; provide and install tile; and provide and install foundation reinforcement. Fiscal Impact: Sufficient funds of \$9,314.00, the amount of the change order #1, are available in the Measure K Fund. The original contract amount is \$796,215. The new contract amount, including this change order, will be \$805,529.
2. Bid #2900 A, Improvements at Dailey Elementary School (Site Work)
Change Order #1: (\$13,810.00). The new contract amount: \$219,775.00. This change order includes, but may not be limited to, remove and replace the concrete sidewalk at the entry to the office.
 Fiscal Impact: Sufficient funds of (\$13,810.00), the amount of the change order #1, are available in the Measure K and State Facility Funds. The original contract amount is \$233,585. The new contract amount, including this change order, will be \$219,775.

The Superintendent recommends ratification. Contact person: Deo Persaud, telephone 457-3134.

A. CONSENT AGENDA – continued

A-11, RATIFY the Filing of the Notices of Completion for Projects Listed Below

Included in the Board binders are Notices of Completion for the following projects, which have been completed according to plans and specifications:

1. Bid #2623, Construction of the Nutrition Center - Package 16 - HVAC Sheet Work
Fiscal Impact: Central Valley Support Services Joint Powers Agency Lease Revenue Bonds.
2. Bid #2808, Electrical Upgrades for Hoover High School
Fiscal Impact: Deferred Maintenance Fund
3. Bid #2906, Design/Build Ropes Course for DeWolf High School
Fiscal Impact: Unrestricted General Fund

The Superintendent recommends ratification. Fiscal Impact: The 10% retention will be released after ratification of the Notices of Completion. Sufficient funds are available in the 2008/09 budget as listed. Contact person: Deo Persaud, telephone 457-3134.

A-12, DENY Claim #08-0305-0063 for Minor

Included in the Board binders is a Claim for Damages for Minor, #08-0305-0063. The Superintendent recommends that the Claim be denied and the matter referred to the District's Director of Benefits and Risk Management for further handling. Fiscal Impact: There is no financial impact. Ruth F. Quinto, telephone 457-6226.

A-13, DENY Claim #09-0123-0015 for Minor

Included in the Board binders is a Claim for Damages for Minor, #09-0123-0015. The Superintendent recommends that the Claim be denied and the matter referred to the District's Director of Benefits and Risk Management for further handling. Fiscal Impact: There is no financial impact. Ruth F. Quinto, telephone 457-6226.

**END OF CONSENT AGENDA
(Roll Call Vote)**

UNSCHEDULED ORAL COMMUNICATIONS

At this time, an opportunity is provided for individuals to address the Board on topics within the subject matter jurisdiction of the Board not listed on this agenda. If you wish to address the Board on an agenda item, please do so when that item is called. Presentations will be limited to a maximum of three (3) minutes, with a total of thirty (30) minutes designated for this portion of the agenda. Time limitations are at the discretion of the President of the Board. Individuals with questions on school district issues may submit them in writing. The Board will automatically refer to the Superintendent any formal requests that are brought before them at this time. The appropriate staff member will furnish answers to questions.

B. CONFERENCE/DISCUSSION AGENDA

6:30 P.M.

B-14, PRESENT an Update on English Learners (EL) Taskforce

Present an update on the work of the Superintendent's English Learners Task Force to support English Learners. This Task Force was established in November of 2008 and by April of 2009;

this Task Force will make recommendations for a district-wide coherent approach for supporting English Learners, with specific actions that will enable English Learners to meet the District goals and annual performance targets. Contact person: Maria Maldonado, telephone 457-3648.

6:50 P.M.

B-15, PRESENT an Update on the Superintendent's Commission on Workforce Readiness and Career Technical Education (CTE) Commission

Present an update on the work of the Superintendent's Commission. This Commission was established in December 2008 and by the Spring of 2009 will develop recommendations for a district-wide Action Plan to ensure that all students will graduate with the character and competencies necessary for workplace success. Contact person: Tracewell Hanrahan, telephone 238-5588.

7:10 P.M.

B-16, APPROVE the 2008/2009 Second Interim Financial Report

Included in the Board binders is the 2008/09 Second Interim Financial Report. California school districts are required to approve the interim financial reports twice each fiscal year. The 2008/09 Second Interim Financial Report reflects a positive certification of the District's financial condition. The report has been developed based on the January 31, 2009, year-to-date revenue and expenditures as required by state law. The Superintendent recommends approval of the Second Interim Financial Report for submission to the County Superintendent of Schools. Fiscal Impact: A positive certification reflects that Fresno Unified will have the required General Fund 2% reserve and will have a positive cash balance for the current year and two subsequent years. Contact person: Ruth F. Quinto, telephone 457-6226.

7:30 P.M.

B-17, ADOPT Resolutions 2009-18, 2009-19 and 2009-20 Approving Mitigated Negative Declarations for Athletic Facility Projects

Included in the Board binders are Resolutions 2009-18, 2009-19 and 2009-20 for the Adoption of Mitigated Negative Declarations for Athletic Facility Projects located at Edison High School, Hoover High School, and Roosevelt High School. Pursuant to the California Environmental Quality Act (CEQA), the Board of Education is required to adopt the CEQA documents prior to final approval of the projects. The Mitigated Negative Declarations are based on the Initial Studies which indicate that there are no significant or potentially significant impacts as a result of the proposed projects. The public notification and comment period as required by CEQA has been complied with, and all CEQA requirements have been satisfied. The approval of Resolutions 2009-18, 2009-19 and 2009-20 will allow the district to proceed with the construction of the athletic facility projects at Edison, Hoover, and Roosevelt High Schools. The Superintendent recommends adoption. Fiscal Impact: There is no financial impact as a result of adopting Resolutions 2009-18, 2009-19 and 2009-20. Contact person: Deo Persaud, telephone 457-3134.

B. CONFERENCE/DISCUSSION AGENDA – continued

7:40 P.M.

B-18, AWARD of Bid # 2925 Unit B, All Weather Track and Irrigation Improvements at Hoover High School

Included in the Board binders is information on Bid #2925A & B. This project is to construct all weather track and irrigation improvements at Bullard and Hoover High Schools. The request for

bid was lawfully advertised on February 10, 2009 and February 17, 2009. The bids were opened on March 3, 2009. Bid specifications were sent to twenty-four (24) vendors, and the district received eleven (11) responses. The Superintendent recommends award of 2925 Unit B, All Weather Track and Irrigation Improvements at Hoover High School be to the lowest responsive, responsible bidder:

- Seal Rite Construction \$566,516.00

Award of Bid #2925 Unit A – All Weather Track and Irrigation Improvements at Bullard High School is pending until further notice. Fiscal Impact: Sufficient funds of \$566,516.00 are available in the 2008/09 Unrestricted General Fund budget. Contact person: Deo Persaud, telephone 457-3134.

7:50 P.M.

B-19, APPROVE the Proposed Board of Education Dates for the 2009/10 School Year

Included in the Board binders are the proposed Board of Education Dates for the 2009/10 School Year. Approval of these dates will not preclude either additions or changes any time. The Superintendent recommends approval. Fiscal Impact: There is no fiscal impact to the District. Contact person: Michael E. Hanson, telephone 457-3884.

C. RECEIVE INFORMATION & REPORTS

There are no items for Receive.

BOARD/SUPERINTENDENT COMMUNICATIONS

D. ADJOURNMENT

**NEXT REGULAR MEETING:
WEDNESDAY, MARCH 25, 2009 - OPEN SESSION AT 5:30 P.M.**