



AMENDMENT
January 11, 2019
Noted on Page 1, 8, & 9

**BOARD OF EDUCATION
REGULAR MEETING**
2309 TULARE STREET
BOARD ROOM, SECOND FLOOR
FRESNO, CA 93721-2287
www.fresnounified.org/board

AGENDA
WEDNESDAY, JANUARY 16, 2019, 4:30 P.M.

PLEASE NOTE: PARKING WILL BE AVAILABLE AFTER 5:00 P.M. AT THE “N” STREET PARKING PAVILION LOCATED ON THE SOUTHEAST CORNER OF TULARE AND “N” STREETS – ENTRANCE IS ON “N” STREET. Also, the City of Fresno will not enforce the street meters in this area **after 6:00 p.m.**, Monday through Saturday.

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, Jennifer Aguilar 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.

Any member of the public who wishes to address the Board shall submit a speaker card specifying the item he/she wishes to address. The card must be submitted before the Board president announces the specific agenda item.

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/board

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

***4:30 P.M., CALL Meeting to Order**

OPPORTUNITY for Public Comment on Closed Session Agenda Items

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): Paul Idsvoog; Employee Organizations(s): FTA, CSEA, Chapter 125, CSEA, Chapter 143, SEIU, Local 521, FASTA/SEIU, Local 521/CTW, CLC, Fresno Unified Building & Construction Trades/FTA; International Association of Machinists and Aerospace Workers (IAMAW), Unrepresented Employees: All Management, Confidential, and Supervisory Employees.
3. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation.
4. Public Employment/Appointment - (Government Code Section 54957).
 - a. *Administrator*
 - b. *Director*
5. Conference with Legal Counsel - Pending/Threatened Litigation (Government Code Section 54956.9(d)(2)).
 - a. *Potential Cases: Two (2)*
6. Conference with Legal Counsel - Pending/Threatened Litigation (Government Code Section 54956.9(d)(4)).
 - a. *Potential Case: One (1)*

6:00 P.M., RECONVENE and report action taken during Closed Session, if any.

PLEDGE OF ALLEGIANCE

A parent that has had a positive impact at Leavenworth Elementary School will lead the flag salute.

HEAR Reports from Student Board Representatives

An opportunity is provided to hear comments/reports from Student Board Representatives from Phillip J. Patiño School of Entrepreneurship. Contact person. Kim Mecum, telephone 457-3731.

HEAR Report from Superintendent

OPPORTUNITY for Public Comment on Consent Agenda Items

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 so requests, in which event, the item(s) will be considered following approval of the Consent Agenda.

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: Paul Idsvoog, telephone 457-3548.

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 December 12, 2018 Regular Board meeting. The Superintendent recommends adoption. Contact person: Kim Mecum, telephone 457-3731.

A-3, APPROVE Minutes from Prior Meeting

Included in the Board binders are the draft minutes for the November 14, 2018 Regular Meeting. The Superintendent recommends approval. Contact person: Robert G. Nelson, telephone 457-3884.

A. CONSENT AGENDA - *continued*

A-4, ADOPT Resolution 18-09 in Support of Full/Extended Day Kindergarten Instruction, and Resolution 18-10 in Support of Applications to the Full Day Kindergarten Facilities Grant Program

Included in the Board binders and recommended for adoption are Resolution 18-09 and Resolution 18-10, related to Fresno Unified’s full/extended day kindergarten programs. Resolution 18-09 declares support of full/extended day kindergarten instruction, as is required to apply for funding under the State’s Full Day Kindergarten Facilities Grant Program. Resolution 18-10 declares support of the district’s applications for State funding under the Full Day Kindergarten Facilities Grant Program, as required by the program. Assembly Bill 1808 (2018) appropriates \$100 million in 2018/19 for one-time grants to school districts for construction of new facilities or retrofit (modernization) of existing facilities to provide full day kindergarten classrooms. The Superintendent recommends adoption. Fiscal impact: Adopting the resolutions has no financial impact. However, implementation of projects utilizing grant funding would require the district to provide matching funds of 50% of project cost for new construction and 40% of project cost for modernization. Preliminary, it is estimated that the projects would cost approximately \$20-\$25 million total, or \$5-\$6 million per project. Measure Q and Measure X would be recommended as the source of funds for the district’s match. Submitting grant applications does not commit the district to implementing the projects. Board approval would be required for a project to move forward. Contact person: Karin Temple, telephone 457-3134

A-5, APPROVE Award of Bid 19-07, Solid Waste Disposal and Recycling Services

Included in the Board binders is information on Bid 19-07, Solid Waste Disposal and Recycling Services for all district schools and central office sites. Solid waste is collected Tuesday through Saturday; recycling is collected two to three times weekly depending on need. Implementation is expected approximately six weeks after Board approval. The contract term extends through June 30, 2024.

Staff recommends award to the lowest responsive, responsible bidders:

Allied Waste Services (Fresno, CA) Estimated Annual Waste Disposal
\$1,141,400

Waste Management (Fresno, CA) Estimated Annual Recycling Services
\$211,400

The Superintendent recommends approval. Fiscal impact: Sufficient funds are available in the Maintenance and Operations Environmental Services general fund budget. Contact person: Karin Temple, telephone 457-3134.

A. CONSENT AGENDA - *continued*

A-6, APPROVE Agreements with SMG: Save Mart Center for Graduation 2019 and 2020

Approval is requested for the proposed agreements with SMG: Save Mart Center to provide facilities, security, and audio-visual services for the graduation ceremonies for six high schools and for the African American senior recognition celebration to be held June 2-5, 2019 and May 31-June 3, 2020. The Superintendent recommends approval. Fiscal impact: Sufficient funds in the amount of \$144,000 per year are provided in the Instructional Services annual budget. Contact person: Kim Mecum, telephone 457-3731.

A-7, APPROVE Renewal Grant Application to the California Department of Education for the After School Education and Safety Program

Approval is requested for the renewal grant application to the California Department of Education for the After School Education and Safety (ASES) Program. Fresno Unified operates thirty-one ASES programs (29 elementary and 2 middle schools). The goal of these site based programs is to provide a safe and educationally enriching environment that will improve student academic achievement, as well as support the educational goals of Fresno Unified. This renewal application will provide three years of continued program funding. The Superintendent recommends approval. Fiscal impact: The application requests \$4,125,672 in ASES program funds for the three-year period. Fresno Unified is to provide 33% in-kind matching funds as done in previous years. Contact person: Kim Mecum, telephone 457-3731.

A-8, APPROVE Award of Bid 19-10, McLane High School Construction of New Aquatic Center

Included in the Board binders is information on Bid 19-10, for construction of the new aquatic center at McLane High School. The project is comprised of a 35-meter competition pool for swimming, diving, and water polo including a shallow section to accommodate teaching and community use; team/locker building with coach's office and concession room; mechanical building with storage and office space; bleachers including a shade structure; and related site work. Staff recommends the bid submitted by Katch Environmental, Inc. be rejected as non-responsive for deficiencies with listing of subcontractors per Public Contract Code 4100 and 20111.6; and award to the lowest responsive, responsible bidder:

Davis Moreno Construction, Inc. (Fresno, California) \$7,499,000

The Superintendent recommends approval. Fiscal impact: \$4,635,167 is available in the General Fund and \$2,863,833 is available in the Measure X Fund. Contact person: Karin Temple, telephone 457-3134.

A. CONSENT AGENDA - *continued*

A-9, APPROVE Proposed Revisions for Board Policy 5127

Included in the Board binders are proposed revisions for Board Policy 5127 Graduation Ceremonies and Activities. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566.

A-10, APPROVE Provisional Internship Permits

Included in the Board binders are Provisional Internship Permit (PIP) recommendations to rehire or hire upon Board approval. The Superintendent recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: Paul Idsvoog, telephone 457-3548.

A-11, RATIFY Change Orders for the Projects Listed Below

Included in the Board binders is information on Change Orders for the following projects:

Bid 17-14, Fresno High School's Royce Hall Acoustical Improvements and Remodel

Change Order 3: \$80,736

Bid 18-09, Construction of New Classroom Buildings and Modernization of Administration Building for Slater Elementary School

Change Order 5: \$34,767

Bid 18-13, Duncan Polytechnical High School Career Technical Education (CTE) Center Building Construction and Alterations to Existing Shop Building

Change Order 2: \$68,453

Bid 18-14, Addams Elementary School Portable Relocation and Infrastructure

Change Order 2: \$31,621

Bid 18-17, Sections A, B, D, E – Installation of Exterior Lighting Upgrades at Various Schools

Change Order 1: \$ 0

Bid 18-25, Sections Roosevelt High School Construction of New Aquatic Complex

Change Order 2: \$35,821

Bid 18-28, Fremont Elementary School and Edison Computech Middle School Multipurpose Rooms HVAC Improvements

Change Order 1: \$4,567

Change Order 2: \$ 0

A. CONSENT AGENDA - *continued*

Bid 18-33R, Fort Miller Middle School Gymnasium Make-up Air Units Replacement Rebid

Change Order 1: \$2,402

The Superintendent recommends ratification. Fiscal impact: \$80,736 for Bid 17-14 is available in the General Fund and Measure Q Fund; \$134,841 for Bids 18-09, 18-13, and 18-14 is available in the Measure Q Fund; and \$42,790 for Bids 18-25, 18-28 and 18-33R is available in the Measure X Fund. Contact person: Karin Temple, telephone 457-3134.

A-12, RATIFY the Filing of Notices of Completion

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

Bid 17-14, Fresno High School Royce Hall Acoustical Improvements and Remodel

Bid 18-17 Sections A, B, D, E, Installation of Exterior Lighting Upgrades at Various Schools

Bid 18-24, Sections B, C, Water Conservation and Irrigation Improvements at Various Sites

Bid 18-28, Fremont Elementary School and Edison Computech Middle School Multipurpose Rooms HVAC Improvements

Bid 18-31, Storey and Viking Elementary Schools, and Tioga Middle School, Boilers and Chiller Replacement

Bid 18-38, Section A, Addicott and Vang Pao Elementary Schools' Portable Classroom Relocation and Infrastructure

The Superintendent recommends ratification. Fiscal impact: Retention funds are released in accordance with contract terms and California statutes. Contact person: Karin Temple, telephone 457-3134.

A-13, RATIFY Purchase Orders from October 1, 2018 through October 31, 2018

Included in the Board binders is information on purchase orders issued from October 1, 2018 through October 31, 2018. Purchase orders for \$10,000 or more are presented first, followed by purchase orders for less than \$10,000. A list of purchase orders issued for Associated Student Body (ASB) accounts is also provided. The Superintendent recommends ratification. Fiscal impact: Funding is noted on the attached pages. Contact person: Karin Temple, telephone 457-3134.

**END OF CONSENT AGENDA
(ROLL CALL VOTE)**

UNSCHEDULED ORAL COMMUNICATIONS

Individuals who wish to address the Board on topics within the Board's subject matter jurisdiction, but **not** listed on this agenda may do so at this time. If you wish to address the Board on a specific item that is listed on the agenda, you should do so when that specific item is called. While all time limitations are at the discretion of the Board President, generally members of the public will be limited to a maximum of three (3) minutes per speaker for a total of thirty (30) minutes of public comment as designated on this agenda. Any individual who has not had an opportunity to address the Board during this initial thirty (30) minute period may do so at the end of the meeting after the Board has addressed all remaining items on this agenda. Without taking action and only as expressly permitted by Board Bylaw 9323, Board members may ask questions, make brief announcements, or provide a brief response to statements presented by the public about topics raised in unscheduled oral communications. Board members must be recognized by the President in order to speak and will generally be limited to no more than one (1) minute each for this purpose. The Board President shall have the discretion to further limit Board members' opportunity to speak on topics raised in unscheduled oral communications to ensure the orderly and efficient conduct of District business. Members of the public 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

6:45 P.M.

B-14, OPPORTUNITY for Public Discussion of the California School Employees Association Chapter 143 initial proposal to the Fresno Unified School District for the 2019-2020 Reopener Agreement

In accordance with Government Code 3547, all initial proposals of the exclusive representative shall be presented at a public meeting of the public school employer, and thereafter shall be a public record. Included in the Board binders is the California School Employees Association (CSEA) Chapter 143 initial proposal to the Fresno Unified School District for the 2019-2020 Reopener Agreement presented at the December 12, 2018 meeting of the Board of Education and returned to this agenda for formal presentation, public discussion and acknowledgment of receipt. Fiscal impact: There is no fiscal impact to the district at this time. Contact Person: Paul Idsvoog, telephone 457-3548.

6:50 P.M.

B-15, OPPORTUNITY for Public Discussion and ADOPT the Fresno Unified School District initial proposal to the the California School Employees Association for the 2019-2020 Reopener Agreement

In accordance with Government Code 3547, all initial proposals of the public school employers shall be presented at a public meeting of the public school employer, and thereafter shall be a public record. Included in the Board binders is the Fresno Unified School District initial proposal to the California School Employees Association (CSEA) Chapter 143 for the 2019-2020 Successor Agreement presented at the December 12, 2018

B. CONFERENCE/DISCUSSION AGENDA - *continued*

meeting of the Board of Education and returned to this agenda for public discussion and Board adoption. The Superintendent recommends adoption. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

6:55 P.M.

~~B-16, CONDUCT Public Hearing Regarding Preliminary Environmental Assessment for the District-owned Parcel at the Southeast Corner of East Church Avenue and South Orangewood Drive Related to the Proposed Relocation of the Phoenix Academy Campus~~

~~Included in the Board binders is the Executive Summary for the draft Preliminary Environmental Assessment (PEA) related to the district's five-acre parcel at the southeast corner of Church Ave. and Orangewood Dr. (east of Peach Ave.), the planned location for a new master-planned modular campus for Phoenix Academy, the district's secondary community day program. Phoenix Academy is currently housed at the Southeast Campus at 5090 E. Church, and must be relocated to accommodate construction of the new Herrera Elementary School. Education Code requires the district to make the PEA available for public review, conduct a public hearing, and accept the PEA before the State Department of Toxic Substances Control (DTSC) makes a final determination on the PEA. Fiscal impact: There is no fiscal impact to the district. Contact person: Karin Temple, telephone 457-3134.~~

7:10 P.M.

B-17, PRESENT and DISCUSS 2017/18 Measure Q and Measure X Annual Report

The Measure Q and Measure X Annual Report for the period July 1, 2017 - June 30, 2018 is included in the Board binders and will be presented on behalf of the Citizens' Bond Oversight Committee (CBOC). The duties of the CBOC are to review the quarterly bond expenditure reports produced by the district's independent accountant, and present an annual report indicating the district's compliance with the Constitution of the State of California. To perform the duty of reporting on Constitutional compliance, the CBOC receives and reviews the required annual, independent performance and financial statements audits conducted by the district's independent accountant, as well as the quarterly audits that exceed State requirements. The annual audits were received and reviewed by the CBOC on November 15, 2018. There were no audit findings or adjustments. Fiscal impact: There is no fiscal impact to the district. Contact person: Karin Temple, telephone 457-3134.

B. CONFERENCE/DISCUSSION AGENDA - *continued*

7:25 P.M.

B-18, PRESENT and DISCUSS Overview of Governor's 2019/20 Proposed Budget

Governor Newsom is scheduled to release his proposed 2019/20 State Budget on January 10, 2019. Staff will attend a School Services of California workshop focused on the new budget on January 15, 2019 to receive the most updated information. This information will be presented to the Board of Education at the January 16, 2019 Board meeting. The presentation and discussion will outline the Governor's 2019/20 Proposed State Budget. Fiscal impact: Not available at this time. Contact person: Ruth F. Quinto, telephone 457-6226.

7:40 P.M.

B-19, DISCUSS and APPROVE the 2019 List of Board Member Committees and Organizations

Included in the Board binders is a list of committees and organizations to which Board Members are appointed each year. The Board President has solicited input from members as to their preferences and will take this opportunity to announce the appointments. Any organization or committee appointments that are contested by a board member will be brought to a vote if needed. The Board President recommends approval. Fiscal impact: There is no fiscal impact to the district. Contact person: David Chavez, telephone 457-3566.

C. RECEIVE INFORMATION & REPORTS

C-20, RECEIVE the Fresno Teachers Association Initial Proposal to Fresno Unified School District for the 2019-2022 Successor Agreement

Receive the Fresno Teachers Association initial proposal to Fresno Unified School District for the 2019-2022 Successor Agreement. In accordance with Government Code 3547, all initial proposals of the exclusive representative shall be presented at a public meeting of the public school employer, and thereafter shall be public record. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

C-21, RECEIVE the Fresno Unified School District Initial Proposal to Fresno Teachers Association for the 2019-2022 Successor Agreement

Receive the Fresno Unified School District initial proposal to Fresno Teachers Association for the 2019-2022 Successor Agreement. In accordance with Government Code 3547, all initial proposals of the public school employers shall be presented at a public meeting of the public school employer, and thereafter shall be public record. Fiscal impact: There is no fiscal impact to the district at this time. Contact person: Paul Idsvoog, telephone 457-3548.

BOARD/SUPERINTENDENT COMMUNICATION

D. ADJOURNMENT

NEXT REGULAR MEETING
WEDNESDAY, January 30, 2019