

**FRUITVALE SCHOOL DISTRICT
BOARD OF TRUSTEES**

AGENDA

October 9, 2018

Regular Meeting

6:00 p.m. Closed Session

Dr. Carl F. Olsen Education Center Conference Room

6:30 p.m. Open Session

Dr. Carl F. Olsen Education Center Board Room

1.0 CALL TO ORDER

1.1 Roll Call

Board: __ Richard Traynor, President
__ William Jager, Clerk
__ Stan Greene, Member
__ Andrew Bransby, Member
__ Tina Stout, Member

Staff Members:

__ Dr. Mary Westendorf, District Superintendent
__ Dr. Matt Torres, Assistant Superintendent/CBO
__ Brian Prine, Director Maintenance, Operations and Transportation

1.2 ADOPTION OF AGENDA

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

1.3 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS

1.4 ADJOURN TO CLOSED SESSION – Time: P.M.

2.0 CLOSED SESSION

The Board will consider and may act upon any of the following items in closed session.

2.1 Personnel

Public employee employment, appointment, evaluation, resignation, discipline, dismissal, release, and other employment matters.

- a. Public Employee Appointment: Approval of Substitute teacher list
- b. Public Employee Appointment: (Certificated teachers)
- c. Public Employee Appointment:
- d. Public Employee Release: Approval of certificated and classified resignations and retirements.
- e. Public Employee Evaluation (Superintendent)

2.2 Pupil Personnel

- a. Suspensions List

2.3 Motion to Reconvene to Open Session – Time: P.M.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

3.0 OPEN SESSION

3.1 FLAG SALUTE

3.2 REPORT OF ACTION TAKEN ON CLOSED SESSION MATTERS (Government Code §54957.1)

3.2.1 Approval of action on personnel matter.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

4.0 PUBLIC COMMENTS - NON-AGENDA ITEMS FROM THE PUBLIC

The public may address the Board on matters pertaining to the District that are not on the agenda. The time limit set for presentations from the public is five (5) minutes per organization or individual. Total time for all non-agenda items will not exceed twenty (20) minutes. The public may address the Board on items on the agenda as those items are taken up. Please wait to be recognized by the Board President when wishing to comment on agenda items. More detailed procedures for making comments before the Board are posted above the counter at the back of the Boardroom. Speaker request cards are also located there.

5.0 HEARINGS, PRESENTATIONS AND REPORTS

The Staff will report to the Board about various matters involving the District. There will be no Board discussion except to ask questions and refer matters to staff and no action will be taken unless placed on an agenda for a subsequent meeting.

- 5.1 Teachers New to the District – Kim Carlson, Director of Human Resources
- 5.2 Curriculum and Instruction – Roadmap Presentation
- 5.3 Assistant Superintendent’s Report
- 5.4 Superintendent’s Report

6.0 ACTION ITEMS

6.1 Approval of Consent Agenda items:

The Board will be asked to approve all the following items by a single vote, unless a member of the Board asks that an item be removed from the consent agenda and considered separately.

- 6.1.1 Minutes from the September 11, 2018 Board Meeting and September 20, 2018 Special Board Meeting.
- 6.1.2 September mid- and end-of-month payrolls for \$1,949,829.54
- 6.1.3 Commercial warrants, batches #0017 and #0019 through #0023 for \$800,888.62
Total of Warrants: 186
- 6.1.4 Appointment of Administration Panel Members for Expulsion Hearings
- 6.1.5 School Safety Plan: Fruitvale Jr. High
- 6.1.6 Single Plan for Student Achievement: Fruitvale Jr. High
- 6.1.7 Student Teaching Agreement with National University
- 6.1.8 Internship Credential Program Agreement with National University
- 6.1.9 Donations

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

6.2 Approval of Resolution #1819-06: Resolution Adopting a Conflict of Interest Code.

This resolution updates the District’s Conflict of Interest Code, including the list of positions that are required to file annual disclosures.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

6.3 Approval of agreement with Indoor Environmental Services (IES) for Energy Manager services for Prop. 39 Projects.

Agreement includes energy reporting services made to the California Energy Commission to meet annual progress and final reporting requirements under the condition of the Prop. 39 funding. Agreement is in the amount of \$15,000.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.4 Approval to award bid to KYA Services for installation of tack boards, marker boards, and flooring for the Discovery Modernization Project.

Following no responses to either the first or second bid packages, the District recommends awarding the bid for the installation of flooring, tack board, and marker boards to KYA Services in the amount of \$168,504. Colombo Construction, acting as the District's Construction Manager, negotiated the scope of work directly with the vendor, and recommended that the work be awarded to KYA Services.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.5 Approval of modification and amendment to the agreement with School Program Management, LLC for Bond Program Management Services and State School facilities Program Finding Applications.

This is the second amendment to the original contract which modifies the payment for services for Program Management. The District will move from a percentage rate of construction costs to an hourly rate of \$125 for Program Management Services. For State School Facility Program Funding Applications services, the District will pay the balance of the 1% of eligibility amount upon verification the District is on the Approved but Unfunded List.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.6 Approval of Change Order – 01 Item 1 for the labor, materials, and installation of wall tile in Quailwood Restrooms.

Staff recommends approval of change order 01-Item 1 in the amount of \$470 to Rosedale Ceramic Tile and Marble, Inc. Tile purchased and installed was not a match to existing tile and had to be replaced.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.7 Approval of Change Order – 01 Item 2 for the labor, materials, and equipment for tactile surfacing on curbing to meet accessibility code requirements.

Staff recommends approval of change order 01-Item 2 in the amount of \$1,413.50 to Medford Construction, Inc. The existing wall and curb/gutter providing access to parking stalls were non-compliant for accessibility.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.8 Approval of Change Order – 01 Item 3 for the labor, materials, and equipment for revised framing in janitor room and restrooms.

Staff recommends approval of change order 01-Item 3 in the amount of \$4,793 to David M. Schmidt. At the District's request, the ceiling access door was enlarged for easier installation of new in-line duct heater.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.9 Approval of Change Order-01 Item 4 for the labor, materials, and equipment to delete the replacement of toilet partitions in Quailwood Restrooms.

Staff recommends approval of deductive change order 01- Item 4 in the amount of \$2,625 to Robert B. Moss, Jr. Architectural Specialties. The contractor was able to reconfigure and reuse existing toilet partitions to meet all code requirements.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.10 Approval of Change Order-01 Item 5 for the labor, materials, and equipment to add electrical power at Quailwood Elementary.

Staff recommends approval of change order 01- Item 5 in the amount of \$4,904.54 to Curtis Electrical Construction, Inc. At the District's request, electrical power access was added for HVAC equipment and cafeteria's point of sale.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.11 Approval of Change Order-01 Item 6 for the labor, materials, and equipment to revise the operation of the Kitchen roll-up door at Quailwood Elementary.

Staff recommends approval of change order 01- Item 6 in the amount of \$3,280 to South Coast Industrial Door, Inc. At the District's request, the ability to roll-up kitchen door was changed from a push- up operation to a crank due to the size and weight of the door.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.12 Approval of Change Order-01 Item 7 for the labor, materials, and equipment to add fiberglass reinforced polyster panels to the wall in janitor's room at Quailwood Elementary.

Staff recommends approval of change order 01- Item 7 in the amount of \$1,818.84 to Western Building Materials. Reinforced panels were installed to protect existing gypsum board walls from water and other common wear and tear to walls.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.13 Approval of Change Order-01 Item 8 for the labor, materials, and equipment for painting of the exterior walls of kitchen building and the interior walls of restrooms at Quailwood Elementary.

Staff recommends approval of change order 01- Item 8 in the amount of \$6,523 to Elite painting & Covering. At the District's request, walls were painted that were not a part of the original scope of work.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.14 Approval of Change Order-01 Item 9 for the labor, materials, and equipment for the removal and replacement of existing water heater at Quailwood Elementary.

Staff recommends approval of change order 01- Item 9 in the amount of \$2,026.25 to J. Noble Binns. The original scope of work included relocating the existing water heater, but upon removal, the existing heater was found to have been rusted through to the bottom and unable to be reused.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.15 Approval of Change Order-01 Item 10 for the labor, materials, and equipment for the replacement of four existing electrical receptacles at Quailwood Elementary.

Staff recommends approval of change order 01- Item 10 in the amount of \$328.49 to Curtis Electrical Construction, Inc. During final construction review of completed work, it was discovered that four outlets were not code compliant as they were too close to a water source. Receptacles were replaced with GFCI outlets.

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.16 Approval of Annual Contract for Robert Harte – Services to include per diem mileage and expenses.

This addendum to Post-Retirement Contract of Employment is entered into by and between the Fruitvale School District of Kern County, CA and Robert Harte and modifies the Post-Retirement Contract of Employment entered into between the parties on or about January 13, 2011. The current earnings limitation is \$45,022.00

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

- 6.17 Approval of revision to Board Policies and Administrative Regulations.

New:

BP 4121 - Temporary / Substitute Personnel
AR 4157.1, 4257.1, 4357.1 – Work-Related Injuries

Revised:

BP 4030 – Nondiscrimination in Employment
AR 4032 – Reasonable Accommodation
BP 4111, 4211, 4311 – Recruitment and Selection
BP/AR 4112.2 – Certification
BP 4112.21 – Interns
AR 4112.23 – Special Education Staff
AR 4112.4, 4212.4, 4312.4 – Health Examinations
BP 4112.42, 4212.42, 4312.42 – Drug and Alcohol Testing for School Bus Drivers
AR 4112.5, 4212.5, 4312.5 – Criminal Record Check
AR 4112.6, 4212.6, 4312.6 – Personnel Files
AR 4112.61, 4212.61, 4312.61 – Employment References
BP 4113 – Assignment
BP/AR 4115 – Evaluation / Supervision
AR 4117.7, 4317.7 – Employment Status Reports
BP/AR 4118 – Dismissal / Suspension / Disciplinary Action
BP/AR 4119.11, 4219.11, 4319.11 – Sexual Harassment
BP 4119.23, 4219.23, 4319.23 – Unauthorized Release of Confidential / Privileged Information
AR 4121 – Temporary / Substitute Personnel
BP 4151.1 – Salary Schedule Placement
AR 4218 Dismissal / Suspension / Disciplinary Action
AR 4222 Teacher Aides / Paraprofessionals

Motion _____ Second _____ Ayes _____ Noes _____
Bransby _____ Greene _____ Jager _____ Stout _____ Traynor _____

7.0 INFORMATION ITEMS

- 7.1 Current Enrollment/ADA (written report)
7.2 Current monthly budget income/expenditures (written report)
7.3 Williams Uniform Complaints Processed (July 1 – September 30) (written report)
 - Textbooks and instructional materials
 - Teacher vacancy or misassignment
 - Facility conditions

7.4 2018-2019 Fruitvale Bond Tax Rates (written report)
7.5 Revision of BP / AR 5111 – Admission (action item at November meeting)
7.6 Annual School Trustees Fall Dinner Meeting – Monday, October 29, 2018 at 5:30 p.m. at the Bakersfield Marriott Convention Center.

7.7 Correspondence

8.0 ITEMS FROM THE BOARD

Each Board member may report about various matters involving the District. There will be no Board discussion except to ask questions and refer matters to staff and no action will be taken unless placed on an agenda for a subsequent meeting.

9.0 ADJOURNMENT

Time: P.M.

NEXT REGULAR MEETING: November 13, 2018
6:00 p.m. - Closed Session
6:30 p.m. - Open Session

Any materials required by law to be made available to the public prior to a meeting of the Board of Trustees of the District can be inspected at the following address during normal business hours: 7311 Rosedale Highway, Bakersfield, CA 93312.

Individuals who require special accommodation, including but not limited to an American Sign Language interpreter, accessible seating or documentation in accessible formats, should contact the Superintendent at least two days before the meeting date.