

**FRUITVALE SCHOOL DISTRICT
BOARD OF TRUSTEES**

MINUTES

October 9, 2018

Regular Meeting

1.0 CALL TO ORDER

Meeting was called to order at 6:00 p.m. by Richard Traynor, President. Members present: William Jager, Andrew Bransby, Tina Stout and Richard Traynor. Member absent: Stan Greene. Staff Members present: Mary Westendorf, District Superintendent, Dr. Matt Torres, Assistant Superintendent/CBO and Brian Prine, Director Maintenance, Operations and Transportation.

1.2 ADOPTION OF AGENDA

Motion Jager Second Bransby Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

1.3 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS

1.4 ADJOURN TO CLOSED SESSION – Time: 6:00 P.M.

2.0 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: 6:30 P.M.

Motion Stout Second Jager Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

3.0 OPEN SESSION

3.1 FLAG SALUTE – Was led by Dr. Matt Torres

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

3.2.1 Approval of action on personnel matters.

Motion Jager Second Bransby Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

Certificated

Resignation – 2018-2019

Dr. Matt Torres	Assistant Superintendent/CBO	District
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Classified

Employment

Cody Bell	Daycare	Discovery
Brittney Gutierrez	SDC – Substitutue	

Resignation

Karen Adams

Yard Aide/Combo Aide

Endeavour

4.0 PUBLIC COMMENTS - NON-AGENDA ITEMS FROM THE PUBLIC

No comments received.

5.0 HEARINGS, PRESENTATIONS AND REPORTS

- 5.1 Teachers New to the District – Kim Carlson, Director of Human Resources
- 5.3 Dr. Torres, Assistant Superintendent, introduced Danny Ordiz from Ordiz-Melby Architects who was in attendance in the event any questions arose from the agenda change orders. Dr. Torres also stated that our auditors, Linger, Peterson and Shrum would be at the District on October 11, 2018.
- 5.4 Dr. Westendorf, Superintendent shared the following report:
- Curriculum and Instruction Roadmap report.
 - Teacher evaluations and what the Board policy states.
 - Extended Day Class numbers of enrolled and staff.
 - Important Legislation that Governor Jerry Brown recently vetoed Senate Bill 328 which would have required middle schools and high schools to start school no earlier than 8:30 a.m.
 - The Kern Pledge: The Kern Education Pledge identifies key goals from pre-k through employment.
 - California Healthy Kids Survey. The District will administer before Thanksgiving to all 5th and 7th graders, also teaching staff.
 - Kindergarten Enrollment and three year averages. The District numbers are fairly consistent.
 - Calendar of the District Assessments.
 - The Fruitvale Educational Foundation will be sponsoring a Fruitvale Night at Christmas Town and Basket Raffle on December 6th.
 - September was Attendance Awareness Month. The District collaborated with Rosedale and Norris on an attendance campaign with mailers, banners and signs.
 - 1st Quarter ends on Friday, October 12th and Parent Conference week is October 22-26.
 - The Jr. High Robotics team under the guidance of Mrs. Shelton will participate in 3 competitions this year, October 6th, November 10th and December 15th.
 - Free and Reduced Lunch Percentages as of today is 47.6 percent.
 - Dr. Westendorf also handed out the October and November Calendar.

6.0 ACTION ITEMS

- 6.1 Approval of Consent Agenda items:
- 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 Jager Second Bransby Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

- 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 Stout Second Bransby Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

- 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 Bransby Second Jager Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

- 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 Stout Second Jager Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

- 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 Stout Second Bransby Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

- 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 Bransby Second Jager Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

- 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 Bransby Second Jager Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

- 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 Jager Second Bransby Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes
- 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 Stout Second Jager Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes
- 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 Jager Second Bransby Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes
- 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 Bransby Second Jager Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes
- 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 Jager Second Bransby Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes
- 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 Stout Second Jager Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes
- 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 Stout Second Bransby Ayes 4 Noes 0

Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

- 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 Jager Second Stout Ayes 4 Noes 0

Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

- 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 Stout Second Jager Ayes 4 Noes 0

Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

- 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 Jager Second Bransby Ayes 4 Noes 0
Bransby Yes Greene Absent Jager Yes Stout Yes Traynor Yes

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) – No complaints received.
 - 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

Tina Stout, Andrew Bransby, William Jager and Richard Traynor thanked Dr. Matt Torres for his 21 year of service to the Fruitvale School District. They also wished him the best in his new position.

9.0 ADJOURNMENT

Time: 7:55 P.M.

Clerk

Secretary / Superintendent