

CHICO UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Board Workshop

Wednesday, January 5, 2011

5:00 p.m. Open Session

Chico High School, New Building

901 Esplanade, Chico 95926

AGENDA

- 5:00pm 1. **RIBBON CUTTING CEREMONY AND TOUR OF CHS NEW BUILDING** (60 minutes)
- 6:00pm 2. **RECONVENE TO REGULAR SESSION**
- 2.1. Call to Order
- 6:05pm 3. **CONSENT CALENDAR**
- 3.1. EDUCATIONAL SERVICES
- 3.1.1. Consider Approval of Multiple Sites Proposition 39 for Nord Country School (John Bohannon)
- 3.2 BUSINESS SERVICES
- 3.2.1. Consider Approval of Accounts Payable Warrants
4. **DISCUSSION/ACTION CALENDAR**
- 4.1. BUSINESS SERVICES
- 6:20pm 4.1.1. Public Hearing/Discussion/Action: Public Hearing Regarding Solar Power Purchase Agreements and Making Findings Required by the Government Code (Michael Weissenborn) (30 minutes)
- 6:50pm 4.1.2. Information: Measure A Current Project Updates: Phase I and Phase 2 Updates (Michael Weissenborn) (20 minutes)
- 7:10pm 4.1.3. Information: Measure A Phase 3 – Project Progress Report (90 minutes)
- 8:40pm 4.1.4. Discussion/Action: Measure A Phase 3 – Discuss Circulation of Requests for Proposals for Lease Lease-Back (Michael Weissenborn) (30 minutes)
- 9:10pm 5. **ADJOURNMENT**

Dr. Kathleen Kaiser, President
Board of Education
Chico Unified School District

Posted: 12/29/10
:mm

The Chico Unified School District Board of Education welcomes you to this meeting and invites you to participate in matters before the Board.

INFORMATION, PROCEDURES AND CONDUCT OF CUSD BOARD OF EDUCATION MEETINGS

No disturbance or willful interruption of any Board meeting shall be permitted. Persistence by an individual or group shall be grounds for the Chair to terminate the privilege of addressing the meeting. The Board may remove disruptive individuals and order the room cleared, if necessary. In this case, further Board proceedings shall concern only matters appearing on the agenda.

CONSENT CALENDAR

The items listed on the Consent Calendar may be approved by the Board in one action. However, in accordance with law, the public has a right to comment on any consent item. At the request of a member of the Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular agenda item. Board Bylaw 9322.

STUDENT PARTICIPATION

At the discretion of the Board President, student speakers may be given priority to address items to the Board.

PUBLIC PARTICIPATON FOR ITEMS ON THE AGENDA (Regular and Special Board Meetings)

The Board shall give members of the public an opportunity to address the Board either before or during the Board's consideration of each item of business to be discussed at regular or special meetings.

- Speakers will identify themselves and will direct their comments to the Board.
- Each speaker will be allowed three (3) minutes to address the Board.
- In case of numerous requests to address the same item, the Board may select representatives to speak on each side of the item.

PUBLIC PARTICIPATON FOR ITEMS NOT ON THE AGENDA (Regular Board Meetings only)

The Board shall not take action or enter into discussion or dialog on any matter that is not on the meeting agenda, except as allowed by law. (Government Code 54954.2) Items brought forth at this part of the meeting may be referred to the Superintendent or designee or the Board may take the item under advisement. The matter may be placed on the agenda of a subsequent meeting for discussion or action by the Board.

- Public comments for items not on the agenda will be limited to one hour in duration (15 minutes at the beginning of the meeting and 45 minutes at the end of the meeting).
- Initially, each general topic will be limited to 3 speakers.
- Speakers will identify themselves and will direct their comments to the Chair.
- Each speaker will be given three (3) minutes to address the Board.
- Once 2 speakers have shared a similar viewpoint, the Chair will ask for a differing viewpoint. If no other viewpoint is represented then a 3rd speaker may present.
- Speakers will not be allowed to yield their time to other speakers.
- After all topics have been heard, the remainder of the hour may be used by additional speakers to address a previously raised issue.

WRITTEN MATERIAL:

The Board is unable to read written materials presented during the meeting. If any person intends to appear before the Board with written materials, they should be delivered to the Superintendent's Office or delivered via e-mail to the Board and Superintendent 10 days prior to the meeting date.

COPIES OF AGENDAS AND RELATED MATERIALS:

- Available at the meeting
- Available on the website: www.chicousd.org
- Available for inspection in the Superintendent's Office prior to the meeting
- Copies may be obtained after payment of applicable copy fees

AMERICANS WITH DISABILITIES ACT

Please contact the Superintendent's Office at 891-3000 ext. 149 should you require a disability-related modification or accommodation in order to participate in the meeting. This request should be received at least 48 hours prior to the meeting in order to accommodate your request.

Pursuant to Government Code 54957.5, If documents are distributed to board members concerning an agenda item within 72 hours of a regular board meeting, at the same time the documents will be made available for public inspection at the Chico Unified School District, Superintendent's Office located at 1163 East Seventh Street, Chico, CA 95928 or may be viewed on the website: www.chicousd.org.

PROPOSED AGENDA ITEM: Findings for Multiple Sites Proposition 39 - Nord

Prepared by: John Bohannon

- ☒ Consent
- ☐ Information Only
- ☐ Discussion/Action

Board Date: January 5, 2011

Background Information

On March 28, 2008, Proposition 39 regulations regarding charter school requests for use of District facilities were amended. One of the amendments is the requirement that, if the District determines it cannot house a charter school on a single site, the Board of Education must make findings as to why and adopt a written statement of reasons.

On Oct. 28, 2010, Nord Country School presented the District with a request for facilities. Due to enrollment growth, NCS will require two additional classrooms.

Educational Implications

Fiscal Implications

Additional Information

See attached letter that explains the findings.



Administrative Offices
1163 E. Seventh Street
Chico, CA 95928-5999

3.1.1.
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530/891-3000

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www.ChicoUSD.org

January 5, 2011

MEMORANDUM TO: Kelly Staley, Superintendent

MEMORANDUM FROM: John Bohannon, Charter School Liaison

SUBJECT: Nord Country School
Findings and Statement of Reason per Proposition 39
Offer of Facilities

Introduction:

On March 28, 2008, Proposition 39 regulations regarding charter school requests for use of District facilities were amended. One of the amendments is the requirement that, if the District determines it cannot house a charter school on a single site, the Board of Education must make findings as to why and adopt a written statement of reasons.

The following findings and reasons are relative to the District's inability to house Nord Country School on the one site they currently occupy at 5554 California Street.

Background:

On October 28, 2010, Nord Country School (NCS) presented the District with a request for facilities pursuant to the regulations created by Proposition 39. One of the requirements of the District is that they review the charter school's projected average daily attendance (ADA) of in-District students and the methodology used in developing those projections. District staff has reviewed this information and does not dispute the projections provided by NCS.

Findings:

- Due to enrollment growth, Nord Country School will require two additional classrooms to accommodate their K-6 program for the 2011/12 school year plus space for their special needs students and support facilities.
- The District is not required to use unrestricted general fund revenues to rent, buy or lease facilities for charter students.
- Restricted general fund revenues (i.e., the General Obligation Bond passed by the voters in 1998 and developer fees) have specific restraints on how the monies are to be spent, and do not include expenditures for charter schools.
- California Code of Regulations, Title 5, Section 11969.2(d) states that "If the in-district average daily classroom attendance of the charter school cannot be accommodated on any single school district school site, contiguous facilities also includes facilities located at more than one site, provided that the school district shall minimize the number of sites assigned and shall consider student safety."

Conclusion:

Based on the needs of the charter school, State regulations and District funding sources, additional space for Nord Country School will need to be provided at another location.

Recommendation:

The Board of Education adopts these findings and the conclusion formulated by staff.

PROPOSED AGENDA
ITEM:

Warrant Authorization

Prepared by: Scott Jones, Director-Fiscal Services

☒ Consent

Board Date 1/05/11

☐ Information Only

☐ Discussion/Action

Background Information

Warrants in the amount of \$760,688.45 for the period of December 9 through December 16, 2010, have been reviewed and are ready for Board approval.

Educational Implications

Services and supplies are acquired by the district in support of the district's goals.

Fiscal Implications

The issuing of warrants affects all accounts and funds in the district and is supported by the district's approved budget.

**CHICO UNIFIED SCHOOL DISTRICT
1163 EAST SEVENTH STREET
CHICO, CA 95928
530-891-3000**

3.2.1.
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January 5, 2011
Accounts Payable Warrants

FUND #:	FUND DESCRIPTION:	WARRANT #'S:	AMOUNT
01	General Fund	372391-372686	\$589,827.61
13	Nutrition Services	372687	\$22.40
14	Deferred Maintenance	372688-372689	\$9,080.53
24	Bldg Fund Measure A	372690	\$4,102.40
27	1998 SRB (2008 Sale P&I)	372691-372704	\$118,510.38
35	County School Facilities Fund	372705-372706	\$39,055.13
42	Special Reserve RDA City Pass Througl	372707	\$90.00
TOTAL WARRANTS TO BE APPROVED:			\$760,688.45

CC Maureen Fitzgerald, Assistant Superintendent, Business Services

CC Scott Jones, Director of Fiscal Services

PROPOSED AGENDA ITEM: **Public Hearing Regarding Solar Power Purchase Agreements
and Making Findings Required by the Government Code**

Prepared by: Michael Weissenborn, Facilities Planner/Construction Manager

☐ Consent

Board Date January 5, 2011

☐ Information Only

☒ Discussion/Action/Public Hearing

Background information

During 2010 District staff pursued the opportunity to generate savings on its utility bills by utilizing photovoltaic solar systems located on appropriate campuses. To help meet this objective, the District retained the services of Newcomb Anderson and McCormick Energy Engineering and Consulting (NAM). NAM conducted a feasibility analysis which indicated that there was potential for generating savings by placing solar installations on District sites. Based on these conclusions the District has circulated a RFP to provide solar power via a Power Purchase Agreement. The District received four proposals which were reviewed and analyzed. Solar City was selected as the firm whose proposal resulted in the highest savings to the District.

Educational Implications

The District's Strategic Plan states: "A safe, nurturing and inspiring environment is essential for individuals to thrive."

Fiscal Implications

The PPAs would provide energy at a reduced cost to the District. It is in the best interests of the District to enter into the Power Purchase Agreements.

Additional Information

Government Code Sections 4217.10-4217.18 permit the District to enter into energy conserving agreement(s) through a request for proposal/negotiation process, after a public hearing to receive any comment.

Upon review of the Agreement(s), the District's Board may find:

- 1) the anticipated cost to the District for electrical energy provided by the energy conserving solar systems installed and operated under the Agreement(s) will be less than the anticipated cost to the District of electrical energy that would have been consumed by the District in the absence of those purchases; and
- 2) funds for the repayment of the cost of design, construction, operation and financing of the energy conservation (solar) facility, as required by the Agreement(s), are projected to be available from revenues resulting from sales of electricity from the solar facility and from funding that otherwise would have been used for purchase of electrical energy required by the District in the absence of the energy conservation facility.

Recommendation

It is requested that the Board of Education adopt Resolution No. 1133-11

RESOLUTION NO. 1133-11

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
CHICO UNIFIED SCHOOL DISTRICT
APPROVING A SOLAR POWER PURCHASE AGREEMENT(S) AND MAKING FINDINGS
REQUIRED BY THE GOVERNMENT CODE**

WHEREAS, Chico Unified School District (the "District") desires to install solar energy producing equipment at various District sites and to purchase electric energy produced by such equipment;

WHEREAS, District staff issued a request for proposal ("RFP") pursuant to the authority granted in Government Code section 4217.16 for the purpose of identifying and selecting a firm that has the capability of installing solar energy producing systems (the "System") and generating energy to supply certain District facilities;

WHEREAS, by way of the RFP process, District staff have identified a firm that can install the System and supply electricity to the District;

WHEREAS, the District anticipates that the System will provide cost savings with respect to electric energy;

WHEREAS, the District desires to be a good environmental citizen by using, to the extent possible, renewable sources of energy, such as solar energy;

WHEREAS, the District's Board of Education (the "Board") now desires to enter into an agreement(s) with such firm for the purpose stated above; and

WHEREAS, in accordance with Government Code section 4217.13, the Board intends to make certain findings with respect to the System.

NOW, THEREFORE, be it resolved by the Board of Education of the Chico Unified School District, as follows:

Section 1. Recitals. The Board hereby finds and determines that the foregoing recitals are true and correct.

Section 2. Findings. In accordance with Government Code section 4217.13, the Board hereby makes the following findings:

A. the anticipated cost to the District for electrical energy provided by the System installed and operated under a solar power purchase agreement(s) (the "Agreement(s)") and a service agreement(s) (the "Service Agreement(s)") will be less than the anticipated cost to the District of electrical energy that would have been consumed by the District in the absence of those purchases; and

B. funds for the repayment of the cost of design, construction, operation and financing of the System, as required by the Agreement(s) and the Service Agreement(s), are projected to be available from revenues resulting from sales of electricity from the System and/or from funding that otherwise would have been used for purchase of electrical energy required by the District in the absence of the System.

Section 3. District Sites. The Board authorizes the System to be installed and operated at the following District sites in accordance with the Agreement(s) and the Service Agreement(s):

- A. Chapman Elementary School;
- B. Marsh Junior High School;
- C. Chico High School;
- D. Pleasant Valley High School; and
- E. Chico Unified School District Corporation Yard-Warehouse.

Section 4. Authorization. The Board authorizes and directs District staff to negotiate and enter into the Agreement(s) with the firm selected by way of the RFP process described above for the purchase and sale of solar generated electric energy from the System. The Board further authorizes and directs District staff to negotiate and enter into a Service Agreement(s) for the design, construction and maintenance of the System.

Section 5. Additional Acts. The Board hereby directs and authorizes District staff, for and in the name of and on behalf of the District, to do and perform any and all such acts and to execute and deliver any and all such forms, documents and agreements as deemed to be necessary, proper or convenient in order to fulfill the intent of this Resolution, including, but not limited to, entering into the Agreement(s) and recording a license(s) of District real property in connection with the installation and operation of the System. All actions heretofore taken by officers, employees, and agents of the District that are in conformity with the purposes and intent of this Resolution are hereby approved, confirmed, and ratified.

APPROVED, RATIFIED, PASSED, AND ADOPTED on January 5, 2011, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

President of the Board of Education
Chico Unified School District

ATTEST:

Clerk of the Board of Education
Chico Unified School District

PROPOSED AGENDA ITEM: **Measure A Current Project Update – Phase 1 and Phase 2 Updates**

Prepared by: Michael Weissenborn, Facilities Planner/Construction Manager

☐ Consent

Board Date January 5, 2011

☒ Information Only

☐ Discussion/Action

Background information

The purpose of this item is to update the Board of Education on the status of the Measure A Phases 1 and 2 projects. Phase 1 consists of the CUSD Center for the Arts and two Career and Technical Education (CTEFP) projects at Pleasant Valley High School. These two projects were the PVHS Welding Technology project and the PVHS Building Trades project. These projects have been completed and Notices of Completion have been filed. Phase 2 consists of the new classroom building at Chico High School, the Arts, Media and Entertainment (CTEFP) project at Chico High School and the Agriculture and Natural Resources (CTEFP) project at Chico High School. A Notice of Completion has been filed on the Agriculture and Natural Resources project. The other two projects are being wrapped up and Notices of Completion will be filed soon.

Educational Implications

The District's Strategic Plan states: "A safe, nurturing and inspiring environment is essential for individuals to thrive."

Fiscal Implications

Leverage! One of the main focuses District staff maintains when tackling any project is to find and maximize, if available, any additional funding. This may include funding from the State or other private sector parties.

The primary source for funding at PVHS was Measure A bond funds. The Center for the Arts received an \$11,087 check from PG&E's Savings by Design Program. We also received \$251,860 from Prop 1D CTEFP funds for the two CTEFP projects on the PVHS campus.

The new classroom building at Chico High School is also funded by Measure A. Two of the classrooms and one of the labs in this building were used as leverage to provide a match for two of the CTEFP projects at CHS. We have received two checks from the State for these projects, \$963,223 for the Arts Media and Entertainment project and \$831,872 for the Agriculture and Natural Resources Project. The new classroom project received a \$72,426 check from PG&E's Savings by Design Program. On December 15, 2010, the State Allocation Board (SAB) announced that it has allocated \$1.4 billion for "shovel-ready" school construction projects across the state. The new classroom project was included on that list with an allocation of **\$6,319,269.00!**

PROPOSED AGENDA ITEM: Measure A Phase III Project Progress Report

Prepared by: Michael Weissenborn, Facilities Planner/Construction Manager

☐ Consent

Board Date January 5, 2011

☒ Information Only

☐ Discussion/Action

Background information

The purpose of this item is to update the Board of Education on the progress made regarding identified Measure A Phase III projects at Chico High School, Pleasant Valley High School, Fair View High School, and Inspire School of Arts & Sciences.

Educational Implications

The District's Strategic Plan states: "A safe, nurturing and inspiring environment is essential for individuals to thrive."

Fiscal Implications

No funding impact, information only.

**CUSD Facilities Department
Update to the Board of Education
January 5, 2011**

Chico High School New Field House and Lincoln Hall Building

Stafford King Weise Architects was selected to proceed with conceptual design regarding the Lincoln Hall/Field House project at Chico High School. The conceptual design phase includes gathering information from the Stakeholder Group on the programming, space requirements and constraints of the site. Representatives from Stafford King Weise Architects will make a presentation on their progress thus far.

Pleasant Valley High School New Classroom Building

Nichols Melburg and Rosetto Architects were selected to proceed with conceptual design regarding the new classroom building at Pleasant Valley High School. The conceptual design phase includes gathering information from the Stakeholder Group on the programming, space requirements and constraints of the site. These are balanced with the budget available for the project to present a series of potential design solutions and inform the District on the scope of the commitment. Once the conceptual design is approved by the Board, the District will enter into the District's standard agreement with the Architect to provide design and contract administration services.

Fair View High School

Thomson & Hendricks Architects have been developing a couple of potential projects for the Fair View High School Campus. The first project involves the relocation of six relocatables to the Fair View Campus. Three of the relocatables would come from Chico High School and three would come from Parkview School. The relocatables would be set up on the southwest corner of the campus in a fashion allowing for the housing of AFC or other alternative programs. The classrooms would be supported by the addition of a relocatable restroom. The next project being analyzed is the addition of a shade structure and associated utilities to the northeastern end of the campus. This structure would be utilized by the Construction Academy. The final project being looked at would be the addition of a permanent building which could house these same programs. Leslie Swaim with Thomson and Hendricks will discuss these concepts.

Inspire School of Arts & Sciences

NTD Architecture was selected to work with the District to develop appropriate housing for Inspire School of Arts and Sciences. It was clearly understood that the Board's priority was to have the new home operational by fall 2011, if possible. The first step in this process was to document the educational program in a way that could help assure that the housing needs of the program would be met. The next step in the process is to develop a plan that puts the required facilities in place in phases. The first phase is proposed to utilize existing buildings on the Chapman campus, with appropriate modifications and relocate/reconfigure relocatable classrooms from the CHS campus. A future phase may add additional support facilities and classrooms utilizing permanent construction. Derek Labrecque and Jordan Knighton with NTD Architecture will provide an update on this project.

PROPOSED AGENDA ITEM: **Measure A Phase III – Discuss Circulation of Requests for Proposals (RFP's) for Lease Lease-Back**

Prepared by: Michael Weissenborn, Facilities Planner/Construction Manager

☐ Consent

Board Date January 5, 2011

☐ Information Only

☒ Discussion/Action

Background information

Now that the Measure A Phase III projects have been identified and selected Architects have begun programming and conceptual designs, Staff would like to circulate RFPs for lease lease-back entities to provide pre-construction services performing constructability reviews during the design phase with the option of proceeding with the eventual construction of the projects.

Educational Implications

The District's Strategic Plan states: "A safe, nurturing and inspiring environment is essential for individuals to thrive."

Fiscal Implications

Identifying the lease lease-back entity in conjunction with the design team will generate project savings for the District. The costs for the Phase 3 projects will be funded out of Measure A bond proceeds and will have no impact on the general fund. The bond proceeds are currently on deposit with the County Treasurer.

Additional Information

Traditionally Chico Unified School District has used a design-bid-build delivery system for its facility construction project. On the last two large projects the District utilized the Lease Lease-Back delivery system with great success. With the Lease Lease-Back delivery system we have the ability to select a Lease Lease-Back entity who can work with the architect during the initial design phases. By having a builder on board during these early phases we are able to realize savings by having constant constructability reality checks. In other words the builder can advise the architect on the most effective and efficient way to build what the architect is envisioning. There is also a great deal of builder "buy in" or ownership of the plans generated by this approach. We have not utilized this approach to date because the plans have been completed by the time we look for the lease lease-back entity (builder). Using a preconstruction services agreement allows the District the freedom to seek another contractor to work with should problems arise in the early stages of the process.

Recommendation

It is requested that the Board of Education authorize Facilities Staff to circulate a request for proposals for Lease Lease-back Entities for the Measure A Phase III projects.