

CHICO UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Regular Meeting – November 16, 2016

Closed Session – 5:00 p.m.

Regular Session – 6:00 p.m.

Marsh Junior High School, Multi-Purpose Room
2253 Humboldt Road, Chico, CA 95928

ADDENDUM

The following item has been added to the Consent Calendar of the Regular Board Meeting Agenda for November 16, 2016:

9. CONSENT CALENDAR

9.3. BUSINESS SERVICES

- 9.3.6.** Consider Approval of the Architectural Agreements for Phase III Facilities Master Plan Projects

The following item has been added to the Discussion/Action Calendar of the Regular Board Meeting Agenda for November 16, 2016:

10. DISCUSSION/ACTION CALENDAR

10.2. BUSINESS SERVICES

- 10.2.2.** Adoption of Resolution 1358-16 for Exemption of the Development of Canyon View High School from the City of Chico's Zoning Ordinances (Julie Kistle)

Posted: 11/14/16

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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.

AGENDA ITEM: Architectural Agreements for Phase III Facilities Master Plan Projects

Prepared by: Julia Kistle, Director of Facilities & Construction

☒ Consent

Board Date November 16, 2016

☐ Information Only

☐ Discussion/Action

Background Information

On February 19, 2014, the Board approved Lionakis Architects for Athletic Master Planning services for the high school campuses. In June of 2014, the Board adopted the Athletic Master Plans for each high school site.

On May 18, 2016, the Board of Education granted staff the authority to enter into contracts with the architectural firms listed below to begin programming and conceptual design services for Phase III Facilities Master Plan Projects. On October 19, 2016, the Board adopted the conceptual plans for Shasta, Marigold/Loma Vista and Neal Dow Elementary School sites.

With the passing of Measure K, we are now able to proceed with design and construction documents for submittal to the Division of the State Architect for the Phase III Facilities Master Plan Projects. The firms and projects are listed below:

| Phase III Project | Architectural Firm |
|--|---------------------------|
| Marigold Elementary School | Rainforth Grau Architects |
| Loma Vista School | Rainforth Grau Architects |
| Shasta Elementary School | Lionakis Architects |
| Neal Dow Elementary School | DLR Group |
| Athletic Master Plan Phase I Projects at Chico and Pleasant Valley High Schools | Lionakis Architects |

Educational Implications

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

Fiscal Implications

The Athletic Master Planning services are funded with Measure K. All available State reimbursement will be pursued.

The proposed projects qualify as projects defined in the voter approved Measure K ballot language.

Recommendation

It is recommended that the Board of Education authorize Staff to enter into Architectural Agreements with the selected architectural firms for design and construction documents for review and approval by the Division of the State Architect (DSA) and Construction Administration Services through the completion of the construction of the designated projects.

AGENDA ITEM: Adoption of Resolution for Exemption of the Development of Canyon View High School from the City of Chico's Zoning Ordinances

Prepared by: Julia Kistle, Director of Facilities & Construction

☐ Consent

Board Date November 16, 2016

☐ Information Only

☒ Discussion/Action

Background Information

Per Government Code section 53091(a), public entities are generally required to comply with municipal zoning ordinances. However, Government Code section 53094 provides an exception for school district's educational facilities.

The Chico Unified School District ("District") will develop the Canyon View High School ("Project") located within the City of Chico ("City"). The Project consists of site preparation and construction and operation of a new high school, including classrooms, administrative buildings, ball fields, basketball courts, a football stadium, several parking lots, an on-site storm water detention system, and new access roads, on fifty acres.

Since the City has an adopted General Plan and its zoning ordinances and code provide for the location of public schools, per Government Code section 53094(b), the District must take action by a two-thirds' vote of its Board members to exempt the Project from the City's zoning ordinances and associated permitting requirements.

Unless exempted from the City's zoning ordinances, the Project would be subject to undue delay, unreasonable requirements, or denial by the City of approvals under the City's zoning ordinances that likely would significantly hamper, interfere with, or jeopardize the viability of the Project.

If the resolution is adopted, Government Code section 53094(c) requires the Board to notify the City within ten (10) days of adoption. Thus, staff requests the Board to direct the Superintendent or his designee to give that notice to the City.

Even though the District is exempting the Project from the City's zoning ordinances, the District will continue to provide information on the Project's implementation to the City.

Fiscal Implications

A costs savings would be realized by not having to process zoning entitlements through the City.

Recommendation

It is recommended that the Board of Education adopt Resolution No. 1358-16 Exemption of the Project from the City of Chico's Zoning Ordinances.

Resolution No. 1358-16
Exemption of the Development of Canyon View High School from the City of
Chico's Zoning Ordinances

WHEREAS, the District owns the property located at the northwest corner of Raley Boulevard and Bruce Road in Chico, California; and,

WHEREAS, the Project consists of site preparation and construction and operation of a new high school, including classrooms, administrative buildings, ball fields, basketball courts, a football stadium, several parking lots, an on-site storm water detention system, and new access roads, on fifty (50) acres("Project"); and,

WHEREAS, Government Code section 53094(b) expressly authorizes the District's Board of Trustees, at any time, by a two-thirds' vote of its members, to exempt the Project from the City of Chico's ("City") zoning ordinances, which include, without limitation, Title 19 of Chico's Municipal Code, and any other City Municipal Code that embodies the subject matter of zoning (collectively, "Zoning Ordinances"); and,

WHEREAS, the Project is for educational facilities within the meaning of Government Code section 53094(b); and,

WHEREAS, the District has unique expertise in educational programs and is best suited for designing facilities to serve the District's schools in the City; and,

WHEREAS, the California Division of the State Architect reviews and approves the plans and specifications of education facilities and oversees the construction of education facilities, including the Project; and,

WHEREAS, unless exempted, the Zoning Ordinances would subject the Project to undue delay, unreasonable requirements, or denial by the City that likely would significantly hamper, interfere with, or jeopardize the viability of the Project; and,

WHEREAS, educational facilities are an integral, important part of the education of the District's students.

NOW, THEREFORE, BE IT RESOLVED, for good and sufficient cause based on the entire record of proceedings, the Chico Unified School District Board of Trustees ("Board") hereby finds the following:

1. The Project is for educational facilities within the meaning of Government Code section 53094(b); and,

2. The Board hereby exempts the Project from the Zoning Ordinances, which includes all City permitting conditions and prohibitions that would otherwise apply to the Project to the maximum extent possible by law; and
3. The Superintendent or the Superintendent's designee is authorized and directed to serve notice of this action and this Resolution upon the City Clerk within ten (10) days.

PASSED AND ADOPTED BY a two-thirds' vote of the Governing Board of the Chico School District on November 16, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Board President
Chico Unified School District
Butte County, California