

MERCED CITY SCHOOL DISTRICT



SCHOOL BOARD AGENDA

October 12, 2010

MERCED CITY SCHOOL DISTRICT

Our Mission...

The mission of the Merced City School District, a community of diverse learners striving for higher achievement, is to ensure that every student excels academically, builds character, and is a productive member of our community; we will do this by delivering exceptional instruction of a well-rounded and relevant curriculum that incorporates innovative practices and partnerships with family and community in a safe learning environment.

Beliefs

We believe that:

Every human being is unique with unlimited potential;

Treating individuals with respect and dignity elevates the human spirit;

Everyone has inherent value and purpose;

Mutual trust is essential to productive relationships;

A challenging environment balanced with support enables individuals to thrive;

Embracing diversity strengthens our community;

Individuals have responsibility for their actions;

Service to others strengthens the character of the individual, and the vitality of community.

Strategies

1. “Fully implement a district-wide user friendly system that monitors student performance and corresponding interventions to measure their effectiveness.”
2. “We will design, implement and monitor ongoing, innovative targeted professional learning approaches in order to achieve our objectives.”
3. “We will, in partnership with our community, develop a facilities plan that incorporates innovative design and common education specifications to optimize utilization of space and community resources, and provide exceptional learning environments district-wide.”
4. “We will, in partnership with family and community, identify core character traits and develop action plans to teach and assess whether students demonstrate those traits.”
5. “We will form a mutually beneficial academic partnership focusing on UC Merced and Merced College that will enable students to achieve academic excellence.”

Objectives

1. “Each student will meet, or exceed established academic performance standards.”
2. “Each student will demonstrate identified character traits that enrich the individual and community.”

REGULAR MEETING OF THE BOARD OF EDUCATION

Tuesday, October 12, 2010
District Office Board Room
444 West 23rd Street/Canal Street Entrance
Merced, California

CLOSED SESSION - 6:00 P.M.
OPEN SESSION - 7:00 P.M.

AGENDA

In compliance with the Americans with Disabilities Act, if you need special assistance to access the meeting room or to otherwise participate in this meeting, including auxiliary aids or services, please contact the Office of the Superintendent at (209) 385-6640. Notification at least 48 hours prior to the meeting will enable the Governing Board to make reasonable arrangements to ensure accessibility to the meeting.

Any writings or documents that are public records and are provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 444 West 23rd Street, Merced, California, during normal business hours.

The District welcomes Spanish and other language speakers to Board meetings. Anyone planning to attend and needing an interpreter should call (209) 385-6753, 48 hours in advance of the meeting, so arrangements can be made for an interpreter. *El Distrito da la bienvenida a las personas de habla hispana a las juntas de la Mesa Directiva. Si planea asistir y necesita interpretacion llame al (209) 385-6752, 48 horas antes de la junta, para poder hacer arreglos de intepretacion.*

Community members have two opportunities to address the Board of Education.

If you wish to address the Board on an agenda item, please do so when that item is called. Some agenda items are designated a specific start time and the Board will consider that item at the designated time or as soon as practical thereafter. ***The start times are only an estimate.*** Presentations will be limited to a maximum of three (3) minutes. Time limitations are at the discretion of the President of the Board.

Individuals have an opportunity to address the Board during the Period for Public Discussion on topics within the subject matter jurisdiction of the Board not listed on this agenda. Presentations will be limited to a maximum of three (3) minutes, with a total of thirty (30) minutes designated for this portion of the agenda. Individuals with questions on school district issues may submit them in writing. The Board will automatically refer requests to the Superintendent.

- I. **OPENING BUSINESS - 6:00 P.M.**
 - A. Call Public Session to Order
 - B. Roll Call

- II. **PUBLIC COMMENT PRIOR TO CLOSED SESSION**
 - A. Identification of Closed Session Topics
 - B. *Comments And/Or Questions From The Audience*
 - C. Adjourn To Closed Session

III. CLOSED SESSION

A. STUDENT EXPULSION

- Student Case No. 1-2010-2011

B. PUBLIC EMPLOYEE: APPOINTMENT/DISCIPLINE/DISMISSAL/RELEASE

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation: Two (2) potential cases, Gov. Code 54956.9(b)

IV. OPEN SESSION - 7:00 P.M.

A. Call to Order

B. Roll Call

V. FLAG SALUTE

VI. APPROVAL OF AGENDA

VII. ITEMS OF INTEREST

A. **Board members and district administrators** may report on activities, such as school visits, meetings, and conferences.

B. **Sunrise Rotary of Merced** - Book Presentation to Reyes Elementary School – **Mr. Dave Olsen**

C. **Written Communications**

D. **Board Reports**

Board member representatives to various committees may report on actions and discussion at those committee meetings held since the last meeting of the Board of Education. Board representatives may receive direction for future committee meetings.

VIII. REPORT

E-15-10-11 Student Attendance

**Ms. Dossetti
Mr. Blount**

F-15-10-11 2010-11 Budget Update

**Mr. Spicer
Ms. Cavallero**

IX. CONSENT

Items listed under the Consent Calendar are considered to be routine and are acted on by the Board of Education in one motion. There is no discussion of these items before the Board vote unless a member of the Board, staff, or public requests specific items be discussed and/or removed from the Consent Calendar. It is understood that the Administration recommends approval on all Consent Items. Each item on the Consent Calendar approved by the Board of Education shall be deemed to have been considered in full and adopted as recommended.

a. Superintendent

S-7-10-11 Meeting Minutes **Dr. P. Duran**
It is recommended that the Board of Education approve the minutes from the regular meeting of September 28, 2010.

b. Administrative Services

A-30-10-11 Employment Transactions - Certificated Personnel **Mr. Spicer**
Approval is recommended for certificated personnel items.

A-31-10-11 Employment Transactions - Classified Personnel **Mr. Spicer**
Approval is recommended for classified personnel items.

c. Fiscal Services

F-13-10-11 Warrants **Mr. Spicer**
Ms. Cavallero
It is recommended that the Board of Education ratify the list of warrants issued in the following consecutively numbered warrant registers.

F-14-10-11 Budget Transfers **Mr. Spicer**
Ms. Cavallero
It is recommended that the Board of Education ratify the list of budget transfers completed during the month of September 1 through September 30, 2010.

X. BOARD ACTION

Members of the public may address the Board on an agenda item when that agenda item is being discussed by the Board.

a. Superintendent

S-8-10-11 Gifts/Grants And Bequests Dr. P. Duran

It is recommended that the Board of Education accept the gifts/grants and bequests in the amount of \$13,300.00.

S-9-10-11 Resolution No. S-9-2010-2011 Dr. P. Duran

Move From Odd-Year To Even-Year Elections

It is recommended that the Board of Education approve the change to move from odd-year to even-year elections for Board of Education members.

S-10-10-11 Merced County School Boards Association Dr. P. Duran

2010-2011 Dues Statement

It is recommended that the Board of Education approve the 2010-2011 dues payment of \$300.00 to the Merced County School Boards Association.

S-11-10-11 Resolution No. S-11-2010-2011 Dr. P. Duran

Seeking The Removal of Section 5 Coverage Of The Federal Voting Rights Act

It is recommended that the Board of Education adopt Resolution No. S-11-2010-2011 seeking the removal of Section 5 Coverage of the Federal Voting Rights Act.

b. Educational Services

E-16-10-11 Student Expulsion Ms. Dossetti

It is recommended that the Board of Education adopt the findings of fact, rehabilitation plan, and readmission date as set forth in the recommendation of the administrative panel and approve the expulsion of Student Case No. 1-2010-2011.

Dr. Testa

a. Administrative Services

- | | | |
|-------------------|--|---|
| A-32-10-11 | School Bus Driver Training Agreement
It is recommended that the Board of Education approve the Bus Driver Training Agreement with Mariposa County Department of Community Services, Transit Program. | Mr. Spicer
Mr. Magnussen |
| A-33-10-11 | Phase I Environmental Site Assessment (ESA) Contract For The Rivera K-8 Project
It is recommended that the Board of Education approve the contract with Kleinfelder for services to update the Phase I Environmental Site Assessment for the Rivera K-8 Project. | Mr. Spicer
Mr. Magnussen |
| A-34-10-11 | Lab Testing And Observation Contract For Rivera Joint-Use Gym Project
It is recommended that the Board of Education approve the contract with Kleinfelder for soils services in both soils lab and soils field observation of the Rivera Joint-Use Gym construction project. | Mr. Spicer
Mr. Magnussen |
| A-35-10-11 | Rivera Joint-Use Gym Project
General Construction And Specialties Bid (Category No. 1)
It is recommended that the Board of Education accept the low responsible bid from Harris Builders, Inc., for General Construction and Specialties (Category No. 1). | Mr. Spicer
Mr. Magnussen |
| A-36-10-11 | Rivera Joint-Use Gym Project
Demolition, Grading And Paving Bid (Category No. 2)
It is recommended that the Board of Education accept the low responsible bid from DC Grading & Paving, Inc., for Demolition, Grading and Paving (Category No. 2). | Mr. Spicer
Mr. Magnussen |
| A-37-10-11 | Rivera Joint-Use Gym Project
Concrete Bid (Category No. 3)
It is recommended that the Board of Education accept the low responsible bid from Diede Construction, Inc., for Concrete (Category No. 3). | Mr. Spicer
Mr. Magnussen |
| A-38-10-11 | Rivera Joint-Use Gym Project
Masonry Bid (Category No. 5)
It is recommended that the Board of Education accept the low responsible bid from Dorfmeier Masonry, Inc., for Masonry (Category No. 5). | Mr. Spicer
Mr. Magnussen |

- | | | |
|-------------------|---|-------------------------------------|
| A-39-10-11 | Rivera Joint-Use Gym Project
Structural Steel Bid (Category No. 6)
It is recommended that the Board of Education accept the low responsible bid from San Joaquin Steel, Inc., for Structural Steel (Category No. 6). | Mr. Spicer
Mr. Magnussen |
| A-40-10-11 | Rivera Joint-Use Gym Project
Roofing Bid (Category No. 8)
It is recommended that the Board of Education accept the low responsible bid from Priority Roofing Solutions, Inc., for Roofing (Category No. 8). | Mr. Spicer
Mr. Magnussen |
| A-41-10-11 | Rivera Joint-Use Gym Project
Doors, Frames, Hardware And Glazing Bid (Category No. 9)
It is recommended that the Board of Education accept the low responsible bid from Whitehead Construction, Inc., for Doors, Frames, Hardware and Glazing (Category No. 9). | Mr. Spicer
Mr. Magnussen |
| A-42-10-11 | Rivera Joint-Use Gym Project
Gypsum Board And Plaster Bid (Category No. 10)
It is recommended that the Board of Education accept the low responsible bid from Tarlton & Son, Inc., for Gypsum Board and Plaster (Category No. 10). | Mr. Spicer
Mr. Magnussen |
| A-43-10-11 | Rivera Joint-Use Gym Project
Mechanical And Plumbing Bid (Category No. 12)
It is recommended that the Board of Education accept the low responsible bid from Modern Air Mechanical, Inc., for Mechanical and Plumbing (Category No. 12). | Mr. Spicer
Mr. Magnussen |
| A-44-10-11 | Rivera Joint-Use Gym Project
Electrical Systems Bid (Category No. 13)
It is recommended that the Board of Education accept the low responsible bid from Applegate Johnston, Inc., for Electrical Systems (Category No. 13). | Mr. Spicer
Mr. Magnussen |

XI. COMMUNICATIONS

E. Public Comment Period

Members of the audience may also address the Board on any topic *not* listed on the agenda at this time. Topics not on the agenda, which are brought to the Board's attention, may be investigated by the administration and a report made to the Board, either publicly or privately at a future meeting. Comments from members of the public shall not exceed three (3) minutes or a total of thirty (30) minutes, unless timelines are waived by a majority of the Board.

XII. BOARD MEMBER ROUNDTABLE

XIII. ADJOURNMENT

**EQUAL OPPORTUNITY EMPLOYER
DRUG FREE WORK PLACE EMPLOYER**

POSTED: October 8, 2010

**Board of Education Meeting Schedule
 2010-2011 School Year**

<u>Date Of Meeting</u>	<u>Time</u>	<u>Location</u>
Tuesday, August 10, 2010	7:00 p.m.	Board Room
Tuesday, August 24, 2010	7:00 p.m.	Board Room
First day of school - (August 16)		
Tuesday, September 14, 2010	7:00 p.m.	Board Room
Tuesday, September 28, 2010	7:00 p.m.	Givens School
Tuesday, October 12, 2010	7:00 p.m.	Board Room
Tuesday, October 26, 2010	7:00 p.m.	Stefani School
Tuesday, November 9, 2010	7:00 p.m.	Rivera School
Nov. 2 – Election Day *Thanksgiving Week - (November 22-26)		
Tuesday, December 14, 2010	7:00 p.m.	Board Room
*Winter Break - (December 20-December 31)		
Tuesday, January 11, 2011	7:00 p.m.	Board Room
Tuesday, February 1, 2011	7:00 p.m.	Board Room
Tuesday, February 15, 2011	7:00 p.m.	Burbank School
*Presidents' Week - (February 21-25)		
Tuesday, March 8, 2011	7:00 p.m.	Board Room
Tuesday, March 22, 2011	7:00 p.m.	Franklin School
Tuesday, April 12, 2011	7:00 p.m.	Board Room
Tuesday, April 26, 2011	7:00 p.m.	Tenaya School
*Spring Break - (April 18 - 25)		
Tuesday, May 10, 2011	7:00 p.m.	Muir School
Tuesday, May 24, 2011	7:00 p.m.	Board Room
Graduation - (June 1)		
Tuesday, June 14, 2011	7:00 p.m.	Board Room
Tuesday, June 28, 2011	7:00 p.m.	Board Room

Meeting dates may change.
 (*Local Recess) - No School

Merced City School District Board Room: 444 West 23rd Street

**MINUTES OF THE REGULAR MEETING OF THE GOVERNING BOARD OF THE
MERCED CITY SCHOOL DISTRICT**

Givens Elementary School

September 28, 2010

- CALL TO ORDER: The meeting was called to order by President Cherf at 6:00 p.m.
- MEMBERS PRESENT: Mr. Darrell Cherf, Mr. Adam Cox, Ms. Jessica Kazakos, Mr. Gene Stamm (absent), Dr. Susan Walsh
- CLOSED SESSION: The Board met in closed session from 6:09 p.m. to 7:04 p.m. to discuss:
- Public Employee: Appointment/Discipline/Dismissal/Release
 - Conference With Legal Counsel – Anticipated Litigation, Significant exposure to litigation: Two (2) potential cases, Gov. Code 54956.9(b)
- COMMENTS AND/OR QUESTIONS FROM THE AUDIENCE: AUDIENCE COMMENTS:
1. Ms. Jennifer Krumm, Cruickshank Middle School parent regarding student's right to wear plastic logo bracelets at school.
 2. Mr. Allan Schoff, Muir School parent, spoke to the board members on parent participation at the school, Montessori Program, QEIA Grant, test scores and the school's chess club.
 3. Mr. Paul Chambers (Muir School Parent and School Site Council President) also representing CTA (Executive Director Merced/Mariposa Counties) spoke to the board on the topic of Muir's QEIA Grant, Prometheus Computer System and the use of a "collaborative formula with teachers."
- OPEN SESSION: The Board reconvened to open session at 7:05 p.m.
- MEMBERS PRESENT: Mr. Darrell Cherf, Mr. Adam Cox, Ms. Jessica Kazakos, Mr. Gene Stamm (absent), Dr. Susan Walsh
- STAFF PRESENT: District Superintendent, Dr. RoseMary Parga Duran; Associate Superintendent, Mr. Greg Spicer; Acting Assistant Superintendent, Educational Services, Ms. Annie Dossetti; Administrative Assistant to the Superintendent, Ms. Kathie Kubo; Chief Operations Officer, Mr. Kraig Magnussen; Director of Special Education and Pupil Services, Dr. Ken Testa; Director of Information Technology/Support Services, Mr. Greg Blount; Principal, Ms. Irma Ayala-Olson; Principal, Ms. Tara Bright, Principal, Ms. Elena Bubenchik; Principal, Mr. Brian Ferguson; Principal, Mr. Doug Collins; Principal, Mr. Rojelio Gutierrez; Principal, Dr. Connie Hadley; Principal, Ms. Sandi Hamilton; Principal, Mr. Nolan Harris; Principal, Mr. Jose Munoz; Principal, Dr. Dalinda Saich; Principal, Ms. Teresa Saldivar-Morse; Principal, Ms. Lucrecia Sicairos; Principal, Ms. Trisha Wylie; Supervisor/Operations & Grounds, Mr. Juan Mendoza; Supervisor/Maintenance, Mr. Bill Rains; Coordinator/Curriculum, Ms. Lila Lesly; Assistant Principal, Mr. Jared Pierce; Assistant Principal, Ms. Jill Settera
- PLEDGE OF ALLEGIANCE: Dr. Susan Walsh, clerk

REPORT OF ACTION TAKEN IN
CLOSED SESSION:

No action was taken in closed session.

MOMENT OF SILENCE:

President Cherf asked for a moment of silence to remember two district employees who recently passed away: Mr. Frank Noreiga (25 year classified employee) and Ms. Diane Reid-Romero (18 year certificated employee).

APPROVAL OF AGENDA:

It was moved by Mr. Cox, seconded by Ms. Kazakos, to approve the agenda as presented. Motion carried.

SCHOOL SHOWCASE:

Givens Elementary School Principal, Dr. Dalinda Saich gave a presentation on the District's Focus on Student Achievement and how Given's School is performing in five distinct areas. Also, those students who received high test scores were acknowledged with certificates of recognition.

ITEMS OF INTEREST:

BOARD

- Mr. Cox, Dr. Walsh and Dr. Parga Duran met on September 20 for a breakfast meeting with the City Manager and Mayor to discuss collaboration between the city and school district.
- Mr. Cox attended Chenoweth School's ELAC and School Site Council meetings.
- Dr. Walsh and Dr. Parga Duran handed out certificates at the Flag Ceremony at Muir School.

REPORTS:

SCHOOL SHOWCASE:

Ada Givens Elementary School Principal, Dr. Dalinda Saich welcomed all of those in attendance to the school. Dr. Saich presented an overview of the District Five Priorities and gave special awards for those students who received a "perfect 8" on the District's Writing Assessment (DWA).

CALIFORNIA STANDARDS TEST –
SY 2009-2010

Acting Assistant Superintendent, Ms. Annie Dossetti reported on the results of the California Standards Test (CST).

2010 SUMMER PROJECTS

Chief of Operations, Mr. Kraig Magnussen gave a report on the numerous Facilities, Maintenance and Operations projects accomplished during the months of June and July 2010.

CONSENT:

It was moved by Dr. Walsh, seconded by Ms. Kazakos, to approve the Consent Calendar as presented. Motion carried.

Superintendent

Meeting Minutes

- Approval of the regular meeting minutes of September 14, 2010

Administrative Services

Employment Transactions -
Certificated Personnel:

Approval of the following certificated personnel items:

A. Employment

Elizabeth Harmelin, Classroom Teacher, Rivera Middle School,
effective 9/7/2010

Catherine Hofmann-Mook, Classroom Teacher, Hoover Middle School,
effective 9/7/2010

Diana Morais, Classroom Teacher, Gracey School, effective 9/15/2010

Laurie Olson, Classroom Teacher, Hoover Middle School, effective
9/13/2010

William Shambaugh, Classroom Teacher, Tenaya Middle School,
effective 9/15/2010

Sandra Souther, Classroom Teacher, Sierra Preschool, effective
8/16/2010

Stephanie Wendel, Clinician, Chenoweth School, effective 9/20/2010

Substitutes:

Linda J. Fennel – Standard Elementary

B. Change Of Status

Cheryl Neely, From Clinician, Chenoweth School, to Classroom
Teacher, Rivera Middle School, effective 9/2/2010

C. Unpaid Leave Of Absence

Dolores Montanez, Classroom Teacher, Reyes School, Unpaid Leave of
Absence from 9/7/2010 to 10/29/2010, effective 9/7/2010

Employment Transactions -
Classified Personnel:

Approval of the following classified personnel items:

A. Change Of Status

Roseanne Johnson, From Instructional Assistant, Tenaya Middle School
To Instructional Assistant: RSP, Tenaya Middle School, effective
9/7/2010

B. Resignation

Stacy Perez, Health Assistant, Reyes School, effective 9/24/2010

C. Retirement

Connie Bartley, Cafeteria Manager, Tenaya Middle School, effective
10/1/2010

Fiscal Services

Warrants

- Approval of the ratification of the list of warrants issued in the following consecutively numbered warrant registers:

<u>Warrant Numbers</u>	<u>Dated</u>	<u>Amount</u>
032856-032883	9/2/10	\$ 154,034.68
036403-036487	9/10/10	<u>\$1,316,439.89</u>
	Total	\$1,470,474.57

Budget Transfers

- Approval of the ratification of the list of budget transfers completed during the month of August 1 through August 31, 2010.

BOARD ACTION

SUPERINTENDENT

GIFTS/GRANTS AND BEQUESTS

It was moved by Mr. Cox, seconded by Ms. Kazakos, to accept the gifts/grants and bequests in the total amount of \$1,032.90. Motion carried.

EDUCATIONAL SERVICES:

PUBLIC HEARING
RESOLUTION NO. E-14-2010-11
CERTIFICATION OF PROVISION
OF STANDARDS-ALIGNED
INSTRUCTIONAL MATERIALS
FOR STUDENTS FOR FISCAL
YEAR 2010-2011

It was moved by Dr. Walsh, seconded by Mr. Cox, to hold a public hearing to determine the sufficiency of textbooks and instructional materials for each pupil in the district and adopt Resolution No. E-14-2010-2011 certifying the provision of standards-aligned textbooks for all children in the Merced City School District. Motion carried.

Public Hearing Opened: 7:53 p.m.

Comments: None

Public Hearing Closed: 7:53 p.m.

ADMINISTRATIVE SERVICES:

INSPECTOR OF RECORD SERVICE
CONTRACT APPROVAL FOR
RIVERA JOINT USE GYM
PROJECT

It was moved by Ms. Kazakos, seconded by Mr. Cox, to approve the contract for Inspector of Record services to be provided by Iomlan Construction Services for the Rivera Joint Use Gym Project. Motion carried.

COMMUNICATIONS: No items.

ROUNDTABLE:

- Dr. Walsh is excited about the school year and impressed with the growth in student test scores and the four schools who topped the 800 mark.
- Ms. Kazakos remarked on the progress in the test scores and offered her thanks to the site principals in the audience.
- Mr. Cox offered his congratulations to all district schools and especially to Muir School who is no longer classified as a Program Improvement school.
-

ADJOURNMENT: The meeting adjourned at 8:00 p.m.

Secretary

Clerk

REPORT

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Annie Dossetti
Acting Assistant Superintendent, Educational Services

PREPARED BY: Greg Blount
Director of Information Technology and Support Services

DATE: October 12, 2010

SUBJECT: **REPORT ON ATTENDANCE**

Background

The District places high importance on daily attendance of our students. Mr. Greg Blount, Director of Information Technology and Support Services, will present a status update on the district attendance and enrollments.

MERCED CITY SCHOOL DISTRICT

TO: RoseMary P. Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent

PREPARED BY: Kris Cavallero
Chief Fiscal Officer

DATE: October 12, 2010

SUBJECT: **2010-11 BUDGET UPDATE**

Background

On October 11, 2010 district staff attended the Finance and Management Conference presented by School Services of California, Inc.

District staff will provide the Board of Education a report of any changes and/or updates received as they pertain to the 2010-11 budget.

CONSENT

MERCED CITY SCHOOL DISTRICT

TO: Board of Education

FROM: RoseMary Parga Duran, Ed.D.
District Superintendent

DATE: October 12, 2010

SUBJECT: **MEETING MINUTES**

Recommendation

It is recommended that the Board of Education approve the minutes from the regular meeting of September 28, 2010.

Background

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. (BP 9320)

Fiscal Impact

Revenue: None
Expenditure: None
Budget Category: None

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM : Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Denise Hernandez
Personnel Specialist

DATE: October 12, 2010

SUBJECT: **EMPLOYMENT TRANSACTIONS – CERTIFICATED PERSONNEL**

Recommendation

Approval is recommended for the following certificated personnel items:

A. Employment

Mary Brandt	School Nurse District Office Effective 9/21/2010
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Fiscal Impact

Revenue: None

Expenditure: None

Budget Category: General Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Elsa Arroyo
Personnel Specialist

DATE: October 12, 2010

SUBJECT: **EMPLOYMENT TRANSACTIONS – CLASSIFIED PERSONNEL**

Recommendation

Approval is recommended for the following classified personnel items.

A. Employment

Maria L. Bettencourt Health Assistant
Hoover Middle School
Effective 9/20/2010

Betty G. Torres Health Assistant
Givens Elementary School
Effective 9/20/2010

B. Change of Status

Cecilia Y. Mojica From Cafeteria Assistant Manager, Hoover Middle
School to Cafeteria Manager, Tenaya Middle School
Effective 9/23/2010

C. Resignation

Matthew Adams Shop Foreman
Transportation Department
Effective 10/15/2010

Fiscal Impact

Revenue: None
Expenditure: None
Budget Category: General Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary P. Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent

PREPARED BY: Kris Cavallero
Chief Fiscal Officer

DATE: October 12, 2010

SUBJECT: **WARRANTS**

Recommendation

It is recommended that the Board of Education ratify the list of warrants issued in the following consecutively numbered warrant registers:

Warrant Numbers	Dated	Amount
040212-040311	9/17/10	\$ 450,501.76
042522-042590	9/24/10	\$ 497,312.92
	Total	\$ 947,814.68

Background

The warrants listed have been issued in accordance with the District's Purchasing Policy (BP 3314).

Fiscal Impact

Revenue: None
Expenditure: \$947,814.68
Budget Category: Various

Merced City School District
WARRANT REGISTER FOR WARRANTS DATED 09/17/10

APY220ME H. 00.02

WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT	WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT
040212	005164	ABS PRESORT INC	03270	266.45	040213	000005	ACE PIPE & STEEL INC	03270	246.14
040214	011005	ADI	03270	86.51	040215	012563	AFP INDUSTRIES INC	03270	2,171.70
040216	008564	AG MOBILE TRANSMISSION REPAIR	03270	6,346.86	040217	012540	LEAH AGUINAGA	03270	24.98
040218	012906	ALHAMBRA & SIERRA	03270	75.94	040219	000062	ALL-PHASE ELECTRIC SUPPLY	03270	102.83
040220	001930	AMERIPRIDE	03270	1,896.26	040221	009207	APPLIED INDUST TECHNOLOGIES	03270	90.11
040222	008375	ASPEN PUBLISHERS INC	03270	319.00	040223	010626	ASSOCIATED VALUATION SERVICES	03270	816.71
040224	003140	ASSOCIATES LOCK & SAFE SVC	03270	179.12	040225	005379	ASSOCIATION FOR SUPERVISION	03270	89.00
040226	005331	BANK OF AMERICA	03270	285.78	040227	000183	BETTIS GLASS	03270	707.97
040228	012847	BILL'S TOW STORAGE AND	03270	35.00	040229	012265	BREW POWER SYSTEMS INC	03270	1,607.90
040230	000376	CITY OF MERCED	03270	73,906.56	040231	000431	CONSOLIDATED ELECTRICAL DIST	03270	1,468.22
040232	012925	COSCO FIRE PROTECTION INC	03270	115.00	040233	000452	COURTESY CHEVROLET CADILLAC	03270	79.17
040234	000565	DOM'S ELECTRIC MOTOR SHOP	03270	24.75	040235	009357	DON'S MOBILE GLASS INC	03270	75.00
040236	008518	EWING IRRIGATION	03270	2,541.68	040237	012092	FARM PLAN	03270	139.91
040238	000672	FEDEX	03270	38.27	040239	011324	FERGUSON ENTERPRISES INC	03270	1,501.77
040240	011329	FLOORTEC INC	03270	31,769.81	040241	008956	GENERAL BINDING CORPORATION	03270	103.53
040242	000776	GOPHER	03270	815.24	040243	003169	W GRAINGER INC	03270	325.03
040244	009318	HANDWRITING WITHOUT TEARS	03270	536.16	040245	012213	HECAT-WEST INC	03270	50.00
040246	012750	HM RECEIVABLES CO LLC	03270	300.74	040247	009711	HORIZON	03270	34.45
040248	010269	IMAGESTUFF.COM	03270	336.69	040249	012267	JOHNSTONE SUPPLY	03270	1,674.44
040250	000975	JONES SCHOOL SUPPLY CO INC	03270	281.40	040251	000997	KELLOGG'S SUPPLY	03270	488.15
040252	000999	KELLY MOORE PAINT CO INC	03270	15.51	040253	001078	LINGUISYSTEMS INC	03270	89.70
040254	012914	LOGICAL CHOICE TECHNOLOGIES	03270	7,587.98	040255	012881	LOWE'S	03270	1,231.08
040256	003196	MCGRAW-HILL COMPANIES	03270	1,993.78	040257	001117	MCNAMARA SPORTS INC	03270	1,921.30
040258	001169	MERCED COUNTY SOLID WASTE DIV	03270	112.77	040259	002212	MERCED IRRIGATION DISTRICT	03270	30,239.06
040260	001065	MERCED SUN-STAR	03270	440.00	040261	005572	MERCED TRUCK & TRAILER INC	03270	970.00
040262	012324	MODSPACE	03270	483.94	040263	007283	THE NOBLE GROUP DBA	03270	50.00
040264	003519	OFFICE DEPOT INC	03270	14,181.31	040265	006816	PARADIGM HEALTHCARE SVCS INC	03270	3,071.26
040266	009702	PARKER'S ACE HARDWARE INC	03270	2,167.15	040267	011545	PRO TECH SECURITY	03270	84.00
040268	012537	PROCLEAN	03270	2,983.63	040269	005690	RADIO SHACK CORPORATION	03270	31.49
040270	011417	SCHOETTLER TIRE INC	03270	258.21	040271	003103	SCHOLASTIC INC	03270	17,392.19
040272	008725	SCHOOL NURSE SUPPLY INC	03270	41.89	040273	001564	SHERWIN WILLIAMS CO	03270	1,290.28
040274	009634	SHRED IT CENTRAL CA INC	03270	71.50	040275	010561	THE SIGN GUYS	03270	430.84
040276	000133	SMITH AUTO PARTS INC	03270	988.34	040277	012249	SOLUTION TREE LLC	03270	1,737.00
040278	004824	SPURR/REMAC	03270	3,069.67	040279	012621	STAPLES ADVANTAGE	03270	327.23
040280	004734	RUBEN L. TORRES SR.	03270	54.50	040281	012494	TRI-SIGNAL INTEGRATION INC	03270	18,289.00
040282	001894	UNITED PARCEL SERVICE	03270	226.30	040283	009197	UNITED RENTALS INC	03270	42.96
040284	010873	VALLEY RENTAL CENTERS INC	03270	1,752.07	040285	002077	FRANK WILBER CO	03270	2,608.35
040286	009908	XEROX CORPORATION	03270	10,628.00	040287	003519	OFFICE DEPOT INC	03270	828.30
040288	004824	SPURR/REMAC	03271	94.98	040289	012881	LOWE'S	03271	747.33
040290	004824	SPURR/REMAC	03275	8.11	040291	002077	FRANK WILBER CO	03275	450.00
040292	012906	ALHAMBRA & SIERRA	03263	6.29	040293	000431	CONSOLIDATED ELECTRICAL DIST	03263	458.74
040294	004128	THE DANIELSEN CO	03263	2,179.40	040295	008298	ECONOMY RESTAURANT FIXTURES	03263	10,684.69
040296	012597	G & K SERVICES INC	03263	258.00	040297	007428	GOLD STAR FOODS	03263	3,068.71
040298	009605	J M SHUCKERS LLC	03263	6,300.91	040299	011065	J'S COMMUNICATIONS INC	03263	10.77
040300	001651	MADERA PRODUCE INC	03263	3,855.75	040301	003519	OFFICE DEPOT INC	03263	710.08
040302	012156	PLATINUM PACKAGING GROUP	03263	1,353.60	040303	009919	SCHOOL LUNCH PRODUCTS INC	03263	5,106.68
040304	012621	STAPLES ADVANTAGE	03263	77.45	040305	011620	SYSCO FOOD SERV OF CENTRAL CA	03263	15,395.61

Merced City School District
WARRANT REGISTER FOR WARRANTS DATED 09/17/10

WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT	WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT
040306	007241	WAWONA FROZEN FOODS	03263	1,757.71	040307	011329	FLOORTEC INC	03276	105,882.33
040308	002888	JOHNSON PLUMBING INC	03277	295.00	040309	012337	FOUNDATION FOR MEDICAL CARE	03267	700.00
040310	012337	FOUNDATION FOR MEDICAL CARE	03264	3,563.00	040311	005241	MERCED CITY SCHOOL DISTRICT	03264	27,891.80

TOTAL AMOUNT OF ALL WARRANTS \$450,501.76***

Merced City School District
WARRANT REGISTER FOR WARRANTS DATED 09/24/10

APY220ME H.00.02

WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT	WARR NUMBER	VENDOR NUMBER	PAYEE NAME	FUND	AMOUNT
042522	012731	APOLLO GROUP INC	03270	1,420.00	042523	000127	ATKIN/ANDEL/LOYA/RUUD & ROMO	03270	1,606.00
042524	010060	BECKER'S SCHOOL SUPPLIES	03270	85.26	042525	010900	CDW GOVERNMENT INC	03270	4,882.58
042526	003548	CENTRAL VALLEY ELECTRONICS	03270	129.00	042527	000376	CITY OF MERCED	03270	750.00
042528	007963	FASTENAL COMPANY	03270	645.83	042529	003169	W W GRAINGER INC	03270	52.85
042530	009843	NOLAN HARRIS	03270	101.49	042531	000890	HM RECEIVABLES CO LLC	03270	16,005.36
042532	012750	HM RECEIVABLES CO LLC	03270	106,434.11	042533	010269	IMAGESTUFF.COM	03270	385.80
042534	001036	LAKESHORE	03270	617.82	042535	001108	WILLIAM V MACGILL & CO	03270	48.92
042536	011389	KRAIG MAGNUSSEN	03270	108.11	042537	007886	THE MARKERBOARD PEOPLE	03270	1,282.02
042538	001534	MCGRAM-HILL	03270	573.91	042539	000541	MCGRAM-HILL COMPANIES	03270	189.23
042540	001117	MCNAMARA SPORTS INC	03270	2,578.41	042541	009224	MERCED COMMERCIAL PEST CONTROL	03270	375.00
042542	001065	MERCED SUN-STAR	03270	217.50	042543	001231	MOBILE COMMUNICATIONS INC	03270	284.95
042544	001232	MODERN AIR MECHANICAL INC	03270	537.00	042545	003519	OFFICE DEPOT INC	03270	4,982.12
042546	008015	PREFERRED ALLIANCE INC	03270	60.00	042547	012537	PROCLEAN	03270	10,916.40
042548	008545	REALLY GOOD STUFF	03270	73.40	042549	012303	SAN JOAQUIN VALLEY AIR	03270	87.00
042550	003103	SCHOLASTIC INC	03270	20,994.47	042551	009634	SHRED IT CENTRAL CA INC	03270	76.51
042552	012249	SOLUTION TREE LLC	03270	6,940.74	042553	011109	SPINITAR	03270	592.79
042554	012621	STAPLES ADVANTAGE	03270	34.36	042555	010546	TOY DEPOT	03270	538.55
042556	012494	TRI-SIGNAL INTEGRATION INC	03270	1,935.37	042557	011347	ULINE	03270	71.06
042558	001887	UNISOURCE WORLDWIDE INC	03270	570.29	042559	011364	US AIR CONDITIONING DIST	03270	594.90
042560	012710	VALLEY FLOORING	03270	3,144.00	042561	011344	JANINE VIEIRA	03270	69.56
042562	009908	XEROX CORPORATION	03270	20,674.75	042563	010960	AMS.NET INC	03275	10,310.46
042564	000376	CITY OF MERCED	03275	336.60	042565	001036	LAKESHORE	03275	194.52
042566	001174	MERCED COUNTY ARTS COUNCIL INC	03275	2,004.52	042567	003519	OFFICE DEPOT INC	03275	1,592.62
042568	001368	PG&E	03275	455.06	042571	012932	AMERICAN DIETETIC ASSOC	03263	1,816.78
042570	010960	AMS.NET INC	03263	7,689.80	042573	012831	DOLE NUTRITION INSTITUTE	03263	150.00
042572	004128	THE DANIELSEN CO	03263	2,271.68	042575	007428	GOLD STAR FOODS	03263	1,044.37
042574	009408	FOCUS PACKAGING & SUPPLY CO	03263	1,397.51	042577	001065	MERCED SUN-STAR	03263	3,557.72
042576	011151	MADERA PRODUCE INC	03263	4,732.50	042579	008687	PRODUCERS DAIRY FOODS INC	03263	170.18
042578	003519	OFFICE DEPOT INC	03263	164.33	042581	008663	SMART AND FINAL	03263	20,847.25
042580	009919	SCHOOL LUNCH PRODUCTS INC	03263	2,740.63	042583	012903	PRIORITY ROOFING SOLUTIONS INC	03276	170.96
042582	012621	STAPLES ADVANTAGE	03263	456.74	042585	001065	MERCED SUN-STAR	03277	6,255.00
042584	011545	PRO TECH SECURITY	03276	15,638.00	042587	010960	AMS.NET INC	03265	968.88
042586	012493	WLC CONSTRUCTION SERVICES INC	03277	26,689.76	042589	005201	FOUNDATION FOR MEDICAL CARE	03265	57,785.50
042588	010960	AMS.NET INC	03273	88,916.65					
042590	005241	MERCED CITY SCHOOL DISTRICT	03264	26,642.10					

TOTAL AMOUNT OF ALL WARRANTS \$497,312.92***

MERCED CITY SCHOOL DISTRICT

TO: RoseMary P. Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent

PREPARED BY: Kris Cavallero
Chief Fiscal Officer

DATE: October 12, 2010

SUBJECT: **BUDGET TRANSFERS**

Recommendation

It is recommended that the Board of Education ratify the list of budget transfers completed during the month of September 1 through September 30, 2010.

Background

Budget transfer transactions have been completed as necessary to permit payment of the obligations incurred by Merced City School District.

The Budget Transfer Transactions list will be provided to the Board for review.

Fiscal Impact

Revenue: N/A
Expenditure: N/A
Budget Category: Various

SUPERINTENDENT

MERCED CITY SCHOOL DISTRICT

TO: Board of Education

FROM: RoseMary Parga Duran, Ed.D.
District Superintendent

DATE: October 12, 2010

SUBJECT: **GIFTS/GRANTS AND BEQUESTS**

Recommendation

It is recommended that the Board of Education accept the gifts/grants and bequests in the amount of \$13,300.00.

<u>School/Department</u>	<u>Description</u>	<u>Donated By</u>	<u>Value</u>
Tenaya Middle School	Computer Related Items 75 Microsoft Office 2003 Introductory @ \$100.00 each 40 Microsoft Office 2003 @ \$100.00 each 3 Keyboard /Information Systems @ \$100.00 each 15 Office 2000 @ \$100.00 each	William Shambaugh	\$13,300.00

Background

As a result of Board Policy 3290, Gifts/Grants/Bequests, adopted by the Board on October 3, 1989, the items listed above reflect what has been received by a school and/or department in the district.

Fiscal Impact

Revenue: \$13,300.00
Expenditure: None
Budget Category: Instructional Supplies

MERCED CITY SCHOOL DISTRICT

TO: Board of Education

FROM: RoseMary Parga Duran, Ed.D.
District Superintendent

DATE: October 12, 2010

SUBJECT: **RESOLUTION NO. S-9-2010-2011**
MOVE FROM ODD-YEAR TO EVEN-YEAR ELECTIONS

Recommendation

It is recommended that the Board of Education approve the change to move from odd-year to even-year elections for Board of Education members.

Background

As a default matter, elections for the governing boards of school district and county board of education are to take place in November of odd-numbered years. (Elec. Code § 1302(a); Educ. Code §§ 5000 & 1007.) They can be changed, however, to coincide with statewide elections in even-numbered years, either the primary election or the general election. (Elec. Code § 1302(b).)¹ The process for making this change is as follows:

- The school district board or county board of education adopts a resolution specifying the new date for elections. (Elec. Code § 1302(b)(1).)
- The resolution is then submitted to the County Board of Supervisors for approval. If the district contains territory in more than one county, the resolution must be approved by every affected county to become effective. (Id.)
- The resolution must be adopted and submitted to the Board of Supervisors no later than 240 days prior to the next-scheduled election of the district board/county board of education. (Elec. Code § 10404.5(a).) For districts that are currently scheduled to hold their elections in November of 2011, the deadline to submit a resolution to the Merced County Board of Supervisors is March 11, 2011.² This date cannot be waived. (Elec. Code § 10404.5(b).)
- Upon receipt of a resolution from a school district, the Board of Supervisors must notify all the school districts and the county board of education of the proposal, and shall request input from each district on the effect of the consolidation. (Elec. Code § 10404.5(c).)
- No later than 60 days after receipt of the proposal from the school district, the Board of Supervisors must approve the change unless it concludes that the ballot style, voting equipment, or computer capacity is such that the request cannot be handled. The Board may ask the elections official to report on the cost-effectiveness of the proposed action.

MERCED CITY SCHOOL DISTRICT

(Elec. Code § 10404.5(d)(1).)

- Within 30 days following the approval by the Board of Supervisors (or the final board, if more than one county is at issue), the elections official must notify all registered voters of the district of the change. The notice shall be delivered by mail, at the expense of the district or county board of education. (Elec. Code § 10404.5(e).)³
- In the event that school districts holding elections in November 2011 choose to move their elections to November 2012, the terms of office of those members who would complete their terms in 2011 are extended until their successors are elected and qualified (in December 2012). Those members whose terms would end in 2013 are extended until December 2014. (Elec. Code § 10404.5(g).)
- The consolidation with the newly-specified date continues unless and until the resolution is repealed by the board of supervisors; at least one election must be held on the new date before it can be repealed/amended. (Elec. Code § 1302(b)(2),(4).)

Fiscal Impact

Revenue: None

Expenditure: Approximately \$10,863.50

Budget Category: General Fund

MERCED CITY SCHOOL DISTRICT

RESOLUTION NO. 9-2010-2011

RESCHEDULING ELECTION OF GOVERNING BOARD MEMBERS

WHEREAS, the current date for election of governing board members of the Merced City School District (“District”) is every two (2) years on the first Tuesday after the first Monday in November of odd years (e.g., November 2011) (Education Code section 5000 and Elections Code section 1302 (a)); and

WHEREAS, statewide general elections are held in California only in June and November of even years (e.g., November 2010) (Elections Code section 1001); and

WHEREAS, the District is located within Merced County; and

WHEREAS, the Merced County Elections Office has informed the District that there would be a cost savings for the District resulting from aligning the District’s elections with the statewide general elections; and

WHEREAS, generally voter turnout is greater for statewide general elections than for special local elections including school board member elections; and

WHEREAS, as a result of these facts, the Board desires to change the date of future board member elections to be consolidated with the California statewide general election in order to save District monies and to provide greater voter input into school board elections; and

WHEREAS, Elections Code 1302 (b) establishes a procedure whereby the Board may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county(ies) (Elections Code section 10404.5); and

WHEREAS, if the change in election date is approved, it is being requested that the new election date be moved from November 2011 to November 2012 with board members whose terms would have expired in 2011 being extended to 2012 and board members whose terms would have expired in 2013 being extended to 2014 [*refer to Appendix A*].

NOW, THEREFORE, BE IT RESOLVED that the Merced City School District Board of Education adopts this resolution to consolidate the election date for members of the Board with the date for the California general election in November in even years (Elections Code 1001) pursuant to Elections Code section 1302 (b).

MERCED CITY SCHOOL DISTRICT

BE IT FURTHER RESOLVED that the Superintendent will forward this resolution to the Merced County Board of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting within 60 days after submission and after the resolution has been posted in accordance with law.

BE IT FURTHER RESOLVED that the Superintendent will notify Merced County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election date by the Merced County Board of Supervisors as required by Elections Code 10404.5 (e).

BE IT FURTHER RESOLVED that if the consolidation of election is approved by the Board of Supervisors at least 240 days prior (Election Code section 10404.5 (a)) to the next scheduled school board election in November 2011, the date of that election will be moved to November 2012 and each subsequent board member election will be held two years thereafter in November of even years.

BE IT FURTHER RESOLVED that if the consolidation of election is approved, the term of office of current board members expiring in November 2011 will be extended to November 2012 and the term of board members expiring in November 2013 will be extended to November 2014.

PASSED AND ADOPTED by the Merced City School District Board of Education at a regularly scheduled meeting this 12th day of October 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President, Mr. Darrell Cherf

Secretary, RoseMary Parga Duran, Ed.D.

MERCED CITY SCHOOL DISTRICT

Appendix A to Resolution No. S-9-2010-2011

<u>Board Member</u>	<u>Current Election Year</u>	<u>New Election Year</u>
Darrell Cherf	2013	2014
Adam Cox	2013	2014
Jessica Kazakos	2013	2014
Gene Stamm	2011	2012
Susan Walsh	2011	2012

MERCED CITY SCHOOL DISTRICT

TO: Board of Education

FROM: RoseMary Parga Duran, Ed.D.
District Superintendent

DATE: October 12, 2010

SUBJECT: **MERCED COUNTY SCHOOL BOARD ASSOCIATION
2010-2011 DUES STATEMENT**

Recommendation

It is recommended that the Board of Education approve the 2010-2011 dues payment of \$300.00 to the Merced County School Board Association.

Background

These are annual dues for participation in the Merced County School Board Association.

Fiscal Impact

Revenue: None
Expenditure: \$300.00
Budget Category: Dues and Memberships

MERCED CITY SCHOOL DISTRICT

TO: Board of Education

FROM: RoseMary Parga Duran, Ed.D.
District Superintendent

DATE: October 12, 2010

SUBJECT: **RESOLUTION NO. S-11-2010-2011
SEEKING THE REMOVAL OF SECTION 5 COVERAGE OF THE
FEDERAL VOTING RIGHTS ACT**

Recommendation

It is recommended that the Board of Education adopt Resolution No. S-11-2010-2011 seeking the removal of Section 5 Coverage of the Federal Voting Rights Act.

Background

Section 5 of the Federal Voting Rights Act (42 U.S.C. section 1973c) requires certain specified jurisdictions (“covered” jurisdictions) to seek and obtain the approval of the US Attorney General or the federal district court in the District of Columbia, known as Preclearance, before implementing any change to the jurisdictions voting practices, only nine states are entirely covered by Section 5 and counties and townships in seven additional states are also covered.

The State of California is not subject to Section 5, and Merced is one of only four counties in California that is subject to Section 5 (along with Kings, Monterey, and Yuba).

The County’s coverage affects the Merced City School District because under the United States Department of Justice regulations, every jurisdiction within the county’s boundaries is also required to comply with the obligations imposed by Section 5.

As a result of the County’s coverage under Section 5, the County has insisted that every jurisdiction within its boundaries, even though not county agencies, also comply by submitting its voting changes for preclearance or consenting that the county do so, at significant expense.

Subsequent the County’s coverage determination in 1975, the County and jurisdictions within the County immediately began complying with the Act and have submitted hundreds of voting changes for preclearance.

Fiscal Impact

Revenue: None

Expenditure: None

Budget Category: None

MERCED CITY SCHOOL DISTRICT

RESOLUTION NO. S-11-2010-2011

SEEKING THE REMOVAL OF SECTION 5 COVERAGE OF THE FEDERAL VOTING RIGHTS ACT

WHEREAS, Section 5 of the Federal Voting Rights Act (42 U.S.C. section 1973c) requires certain specified jurisdictions (“covered” jurisdictions) to seek and obtain the approval of the US Attorney General or the federal district court in the District of Columbia, known as Preclearance, before implementing any change to the jurisdictions voting practices, and

WHEREAS, nine states are entirely covered by Section 5 and counties and townships in seven additional states are also covered, and

WHEREAS, the State of California is not subject to Section 5, and Merced is one of only four counties in California that is subject to section 5 (along with Kings, Monterey, and Yuba), and

WHEREAS, the County’s coverage affects the Merced City School District because under the United States Department of Justice regulations, every jurisdiction within the county’s boundaries is also required to comply with the obligations imposed by Section 5 and

WHEREAS, as a result of the County’s coverage under Section 5, the County has insisted that every jurisdiction within its boundaries, even though not county agencies, also comply by submitting its voting changes for preclearance or consenting that the county do so, at significant expense, and

WHEREAS, subsequent the County’s coverage determination in 1975, the County and jurisdictions within the County immediately began complying with the Act and have submitted hundreds of voting changes for preclearance.

NOW THEREFORE BE IT RESOLVED that Merced City School District supports the County of Merced in its goal to “bailout” from coverage under Section 5 of the Federal Voting Rights Act in accordance with the standards and procedures set forth in federal law and regulations.

PASSED AND ADOPTED by the Merced City School District Board of Education at a regularly scheduled meeting this 12th day of October 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Board President, Mr. Darrell Cherf

Board Secretary, RoseMary Parga Duran, Ed.D.

EDUCATIONAL SERVICES

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Annie Dossetti
Acting Assistant Superintendent, Educational Services

PREPARED BY: Ken Testa, Ed.D.
Director, Special Education and Pupil Services

DATE: October 12, 2010

SUBJECT: **STUDENT EXPULSION**

Recommendation

It is recommended that the Board of Education adopt the findings of fact, rehabilitation plan, and readmission date as set forth in the recommendation of the administrative panel and approve the expulsion of Student # 1/2010-11.

Background

The Board of Education may review and deliberate this item only in closed session. The Board of Education must vote in open session concerning each student.

Fiscal Impact

Revenue: None

Expenditure: None

Budget Category: None

ADMINISTRATIVE SERVICES

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **SCHOOL BUS DRIVER TRAINING AGREEMENT**

Recommendation

It is recommended that the Board of Education approve the Bus Driver Training Agreement with Mariposa County Department of Community Services, Transit Program.

Background

Mariposa County Department of Community Services, Transit Program has requested that the Merced City School District's Transportation Department perform scheduled classroom in-services and behind-the-wheel training as required by federal and state law for their transportation department. The Merced City School District's Transportation Department would provide routine classroom, in-service and behind-the-wheel training that would be regularly scheduled by Merced City School District for their certified bus drivers. Other training and/or behind-the-wheel training would be provided upon the request and the availability of the State Certified School Bus Driver Instructor or State Certified Behind-the-Wheel Trainer. There would be no additional shop personnel needed, nor would it put any of the Merced City School District's bus drivers in jeopardy of not receiving the training they need in order to execute this agreement. This training agreement will produce additional revenue to offset the transportation department's encroachment on the District's general fund.

Fiscal Impact

Revenue: Estimated Revenue \$1,500 – \$2,000

Expenditure: None

Budget Category: 01 - General Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA)
CONTRACT FOR THE RIVERA K-8 PROJECT**

Recommendation

It is recommended that the Board of Education approve the contract with Kleinfelder for services to update the Phase I Environmental Site Assessment for the Rivera K-8 Project.

Background

The purpose of the study is to evaluate potential environmental hazards for the site and assist in compliance with the State of California Department of Toxic Substance Control (DTSC). The initial California Environmental Quality Act (CEQA) study discovered a high pressure gas line near the area which initiated this Phase I update.

Fiscal Impact

Revenue: None
Expenditure: \$4,000.00
Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **LAB TESTING AND OBSERVATION CONTRACT FOR RIVERA
JOINT-USE GYM PROJECT**

Recommendation

It is recommended that the Board of Education approve the contract with Kleinfelder for soils services in both soils lab and soils field observation of the Rivera Joint-Use Gym construction project.

Background

The anticipated scope of services by Kleinfelder for soils testing and observation services will include the following items:

1. Native soils lab curves
2. Import soils lab curves
3. Aggregate base lab curves
4. Aggregate base lab qualification testing
5. Observation during clearing and grubbing of site
6. Scarifying and moisture conditioning starting grade soil and compaction testing
7. Fill placement observation and compaction testing
8. Underground trench backfill compaction testing
9. Roadway Finished Sub- grade compaction testing
10. Roadway Finished Sub- grade AB compaction testing
11. Site finished AB compaction testing

Fiscal Impact

Revenue: None

Expenditure: \$27,940.00

Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **RIVERA JOINT-USE GYM PROJECT – GENERAL
CONSTRUCTION AND SPECIALTIES BID (CATEGORY NO. 1)**

Recommendation

It is recommended that the Board of Education accept the low responsible bid from Harris Builders, Inc., for General Construction and Specialties (Category No. 1).

Background

Bids were opened on September 23, 2010, and the results are as follows:

<u>Bidder</u>	<u>Bid</u>	<u>Recommendation</u>
1. Harris Builders, Inc.	\$ 588,450.00	Approve
2. Roebbelen Contracting, Inc.	\$ 734,090.00	
3. Diede Construction, Inc.	\$ 784,680.00	

Fiscal Impact

Revenue: None

Expenditure: \$588,450.00

Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **RIVERA JOINT-USE GYM PROJECT – DEMOLITION,
GRADING AND PAVING BID (CATEGORY NO. 2)**

Recommendation

It is recommended that the Board of Education accept the low responsible bid from DC Grading & Paving, Inc., for Demolition, Grading and Paving (Category No. 2).

Background

Bids were opened on September 23, 2010, and the results are as follows:

<u>Bidder</u>	<u>Bid</u>	<u>Recommendation</u>
DC Grading & Paving, Inc.	\$220,000.00	Approve

Fiscal Impact

Revenue: None

Expenditure: \$220,000.00

Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **RIVERA JOINT-USE GYM PROJECT- CONCRETE BID
(CATEGORY NO. 3)**

Recommendation

It is recommended that the Board of Education accept the low responsible bid from Diede Construction, Inc., for Concrete (Category No. 3).

Background

Bids were opened on September 23, 2010, and the results are as follows:

<u>Bidder</u>	<u>Bid</u>	<u>Recommendation</u>
1. Diede Construction, Inc.	\$510,300.00	Approve
2. Davis Moreno Construction, Inc.	\$680,000.00	
3. Roebbelen Contracting, Inc.	\$681,460.00	

Fiscal Impact

Revenue: None

Expenditure: \$510,300.00

Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **RIVERA JOINT-USE GYM PROJECT- MASONRY BID
(CATEGORY NO. 5)**

Recommendation

It is recommended that the Board of Education accept the low responsible bid from Dorfmeier Masonry, Inc., for Masonry (Category No. 5).

Background

Bids were opened on September 23, 2010, and the results are as follows:

<u>Bidder</u>	<u>Bid</u>	<u>Recommendation</u>
1. Dorfmeier Masonry, Inc.	\$373,000.00	Approve
2. Cooper Chase Construction	\$458,580.00	

Fiscal Impact

Revenue: None

Expenditure: \$373,000.00

Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **RIVERA JOINT-USE GYM PROJECT – STRUCTURAL STEEL
BID (CATEGORY NO. 6)**

Recommendation

It is recommended that the Board of Education accept the low responsible bid from San Joaquin Steel, Inc., for Structural Steel (Category No. 6).

Background

Bids were opened on September 23, 2010, and the results are as follows:

<u>Bidder</u>	<u>Bid</u>	<u>Recommendation</u>
1. San Joaquin Steel, Inc.	\$398,054.00	Approve
2. Golden State Steel, Inc.	\$430,000.00	
3. Olson & Co. Steel, Inc.	\$427,329.00	
4. Fisher Metal Products, Inc.	\$322,922.00	Bid Withdrawn

Fiscal Impact

Revenue: None

Expenditure: \$398,054.00

Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **RIVERA JOINT-USE GYM PROJECT – ROOFING BID
(CATEGORY NO. 8)**

Recommendation

It is recommended that the Board of Education accept the low responsible bid from Priority Roofing Solutions, Inc. for Roofing (Category No. 8).

Background

Bids were opened on September 23, 2010, and the results are as follows:

<u>Bidder</u>	<u>Bid</u>	<u>Recommendation</u>
1. Priority Roofing Solutions, Inc.	\$134,500.00	Approve
2. Nations Roof West, Inc.	\$179,270.00	

Fiscal Impact

Revenue: None

Expenditure: \$134,500.00

Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **RIVERA JOINT-USE GYM PROJECT- DOORS, FRAMES,
HARDWARE AND GLAZING BID (CATEGORY NO. 9)**

Recommendation

It is recommended that the Board of Education accept the low responsible bid from Whitehead Construction, Inc., for Doors, Frames, Hardware and Glazing (Category No. 9).

Background

Bids were opened on September 23, 2010, and the results are as follows:

<u>Bidder</u>	<u>Bid</u>	<u>Recommendation</u>
Whitehead Construction, Inc.	\$78,000.00	Approve

Fiscal Impact

Revenue: None

Expenditure: \$78,000.00

Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **RIVERA JOINT-USE GYM PROJECT- GYPSUM BOARD AND
PLASTER BID (CATEGORY NO. 10)**

Recommendation

It is recommended that the Board of Education accept the low responsible bid from Tarlton & Son, Inc., for Gypsum Board and Plaster (Category No. 10).

Background

Bids were opened on September 23, 2010, and the results are as follows:

<u>Bidder</u>	<u>Bid</u>	<u>Recommendation</u>
Tarlton & Son, Inc.	\$142,747.00	Approve

Fiscal Impact

Revenue: None

Expenditure: \$142,747.00

Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **RIVERA JOINT-USE GYM PROJECT- MECHANICAL AND
PLUMBING BID (CATEGORY NO. 12)**

Recommendation

It is recommended that the Board of Education accept the low responsible bid from Modern Air Mechanical, Inc., for Mechanical and Plumbing (Category No. 12).

Background

Bids were opened on September 23, 2010, and the results are as follows:

<u>Bidder</u>	<u>Bid</u>	<u>Recommendation</u>
1. Modern Air Mechanical, Inc.	\$550,370.00	Approve
2. DDK Mechanical, Inc.	\$552,400.00	

Fiscal Impact

Revenue: None

Expenditure: \$550,370.00

Budget Category: Fund 21 – Bond Fund

MERCED CITY SCHOOL DISTRICT

TO: RoseMary Parga Duran, Ed.D.
District Superintendent

FROM: Greg Spicer
Associate Superintendent, Administrative Services

PREPARED BY: Kraig Magnussen
Chief Operations Officer

DATE: October 12, 2010

SUBJECT: **RIVERA JOINT-USE GYM PROJECT- ELECTRICAL SYSTEMS
BID (CATEGORY NO. 13)**

Recommendation

It is recommended that the Board of Education accept the low responsible bid from Applegate Johnston, Inc., for Electrical Systems (Category No. 13).

Background

Bids were opened on September 23, 2010, and the results are as follows:

<u>Bidder</u>	<u>Bid</u>	<u>Recommendation</u>
1. Applegate Johnston, Inc.	\$402,420.00	Approve
2. Collins Electrical, Inc.	\$431,400.00	

Fiscal Impact

Revenue: None

Expenditure: \$402,420.00

Budget Category: Fund 21 – Bond Fund