

Mendocino Unified School District



Agenda

Special Board Meeting

NOVEMBER 5, 2020

**MENDOCINO K-8 SCHOOL
44261 LITTLE LAKE ROAD
MENDOCINO, CA 95460**

5:00 P.M. OPEN SESSION - VIA TELECONFERENCE

Join Zoom Meeting

<https://zoom.us/j/97093549774?pwd=SDJmdm00RUhXamM1Z0VkYS9rUzIzdz09>

Meeting ID: 970 9354 9774 Passcode: h7KRF6

Dial by your location

+1 669 900 9128 US (San Jose)

Meeting ID: 970 9354 9774 Passcode: 852443

Please "mute" your device during the meeting.

MUSD is not available for technical support for remote meetings.

If the public wishes to make a comment regarding any closed session item before the Board adjourns to closed session, please email JMorse@mcn.org

5:45 P.M. CLOSED SESSION – VIA TELECONFERENCE

Board Priorities

- *Develop and expand community partnerships and communication*
- *Increase learning and achievement for all students, families, and staff*
- *Plan wisely for the future while maintaining fiscal integrity*
- *Maintain and improve the physical plant*

Any writings distributed either as part of the Board packet, or within 72 hours of a meeting, can be viewed at the District Office: 44141 Little Lake Road, Mendocino, CA 95460. Board backup materials are also located on the MUSD website at <http://www.mendocinoused.org/District/2285-Untitled.html>

In compliance with Government Code section 54954.2(a) Mendocino Unified School District will, on request, make agendas available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability related modification or accommodation in order to participate in the meeting should contact, Erin Placido Exec. Assistant to the Superintendent, in writing at P.O. Box 1154, Mendocino, CA 95460 or via email at doerin@mcn.org.

MENDOCINO UNIFIED SCHOOL DISTRICT IS PROUD TO BE AN EQUAL OPPORTUNITY EMPLOYER

1. 5:00 P.M. OPEN SESSION

- 1.1 Call to order and roll call
- 1.2 Approval of agenda

2. TIMED ITEM 5:30 P.M. - PARENT/COMMUNITY COMMENT

Items not on the agenda, but within the jurisdiction of this body, may be addressed at this time or be submitted to the Superintendent in writing for Board consideration as an agenda item. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes (Government Code 54952). The Brown Act does not permit the Board to take action on any item that is not on the agenda. In addition, in order to protect the rights of all involved, complaints about employees should be addressed through the District complaint process. Speaking about a personnel issue at a Board meeting may prevent the Board from being able to act on it. Please see an administrator to initiate the complaint process.

The Board may briefly respond to public comments by asking questions to clarify the speaker's comments and refer the speaker to the Superintendent for further clarification. We thank you for your comments and participation at this meeting.

3. CONSENT AGENDA

- 3.1 Approval of MOU between MUSD and CEMUS regarding the updated 2020-21 Classified Salary Schedule.

4. INFORMATION/DISCUSSION/POSSIBLE ACTION ITEMS

- 4.1. Discussion and possible action regarding the various construction delivery models relating to the High School Bond project (action)
- 4.2. Consideration and approval of Resolution 2020-16 Adopting Procedures and Guidelines for Selection of Lease-Leaseback Contractor (action)

5. ADJOURNMENT

The next Board meeting is scheduled for **November 19, 2020**.

6. 5:45 P.M., CLOSED SESSION CALL TO ORDER AND ROLL CALL

- 6.1. Call to order and roll call
- 6.2. The President will verbally identify the agenda items to be discussed during closed session as listed below.

7. PUBLIC HEARING FOR CLOSED SESSION

Members of the public may take this opportunity to comment on closed session agenda items per Board Policy 9322. Under the requirements of the Brown Act open meeting law, members of the community wishing to address an item on the closed session agenda may do so at this time. Items not on the agenda cannot be addressed at this time. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes. (Government Code 54954.3).

8. CLOSED SESSION

The Board will adjourn to closed session pursuant to Government Code 54950 - 54962.

- 8.1. Public Employee Performance Evaluation (Government Code 54957)
Title: Superintendent
- 8.2. Public Employee Discipline/Dismissal/Release (Government Code 54957)

9. ADJOURNMENT



Mendocino Unified School District

Jason Morse, Superintendent

44141 Little Lake Road • PO Box 1154 • Mendocino, CA 95460

Phone: 707.937.5868 Fax: 707.937.0714 <http://www.mendocinoused.org>

Memorandum of Understanding

2020-21-1

January 1, 2021 through June 18, 2021

between the

Classified Employees of Mendocino Unified Schools (CEMUS)

and the

Mendocino Unified School District

Senate Bill 3 (Chapter 4/2016) increases California's minimum wage in increments with the next increment becoming effective January 1, 2021. In order to be in compliance with Senate Bill 3, the parties agree to adjust the 2020-21 salary schedule accordingly. Effective January 1, 2021, any CEMUS employee making less than \$14/hour will be brought to the new minimum wage amount of \$14/hour.

For Classified Employees of Mendocino Unified Schools:

Date: 10-31-20

Christine Kenton

For Mendocino Unified School District

Date: 10/30/2020

Jason Morse

Mendocino Unified School District
CEMUS 2020-21
Draft - November 5th, 2020

STEP		1	2	3	4	5	6	7	8	9	10	11	long.
RANGE													
23		12.80	13.31	13.84	14.39	14.97	15.57	16.19	16.84	17.51	18.21	20.07	20.87
24		13.06	13.58	14.12	14.68	15.27	15.88	16.52	17.18	17.87	18.58	20.48	21.30
25		13.32	13.85	14.40	14.98	15.58	16.20	16.85	17.52	18.22	18.95	20.89	21.73
26		13.59	14.13	14.70	15.29	15.90	16.54	17.20	17.89	18.61	19.35	21.33	22.18
27		13.86	14.41	14.99	15.59	16.21	16.86	17.53	18.23	18.96	19.72	21.74	22.61
28		14.14	14.71	15.30	15.91	16.55	17.21	17.90	18.62	19.36	20.13	22.19	23.08
29		14.42	15.00	15.60	16.22	16.87	17.54	18.24	18.97	19.73	20.52	22.62	23.52
30		14.71	15.30	15.91	16.55	17.21	17.90	18.62	19.36	20.13	20.94	23.08	24.00
31		15.00	15.60	16.22	16.87	17.54	18.24	18.97	19.73	20.52	21.34	23.53	24.47
32		15.30	15.91	16.55	17.21	17.90	18.62	19.36	20.13	20.94	21.78	24.01	24.97
33		15.61	16.23	16.88	17.56	18.26	18.99	19.75	20.54	21.36	22.21	24.48	25.46
34		15.92	16.56	17.22	17.91	18.63	19.38	20.16	20.97	21.81	22.68	25.00	26.00
35		16.24	16.89	17.57	18.27	19.00	19.76	20.55	21.37	22.22	23.11	25.48	26.50
36		16.56	17.22	17.91	18.63	19.38	20.16	20.97	21.81	22.68	23.59	26.01	27.05
37		16.89	17.57	18.27	19.00	19.76	20.55	21.37	22.22	23.11	24.03	26.49	27.55
38		17.23	17.92	18.64	19.39	20.17	20.98	21.82	22.69	23.60	24.54	27.05	28.13
39		17.57	18.27	19.00	19.76	20.55	21.37	22.22	23.11	24.03	24.99	27.55	28.65
40		17.92	18.64	19.39	20.17	20.98	21.82	22.69	23.60	24.54	25.52	28.13	29.26
41		18.28	19.01	19.77	20.56	21.38	22.24	23.13	24.06	25.02	26.02	28.68	29.83
42		18.65	19.40	20.18	20.99	21.83	22.70	23.61	24.55	25.53	26.55	29.27	30.44
43		19.02	19.78	20.57	21.39	22.25	23.14	24.07	25.03	26.03	27.07	29.84	31.03
44		19.40	20.18	20.99	21.83	22.70	23.61	24.55	25.53	26.55	27.61	30.44	31.66
45		19.79	20.58	21.40	22.26	23.15	24.08	25.04	26.04	27.08	28.16	31.04	32.28
46		20.19	21.00	21.84	22.71	23.62	24.56	25.54	26.56	27.62	28.72	31.66	32.93
47		20.59	21.41	22.27	23.16	24.09	25.05	26.05	27.09	28.17	29.30	32.30	33.59
48		21.00	21.84	22.71	23.62	24.56	25.54	26.56	27.62	28.72	29.87	32.93	34.25
49		21.42	22.28	23.17	24.10	25.06	26.06	27.10	28.18	29.31	30.48	33.60	34.94
50		21.85	22.72	23.63	24.58	25.56	26.58	27.64	28.75	29.90	31.10	34.28	35.65
formula	51	22.29	23.18	24.11	25.07	26.07	27.11	28.19	29.32	30.49	31.71	34.96	36.36
break	52	24.35	25.32	26.33	27.38	28.48	29.62	30.80	32.03	33.31	34.64	38.19	39.72

- Range 25: Instructional Aide, Integrative Aide, Office Assistant, Preschool Teacher Assistant, Cook
- Range 27: Library Assistant
- Range 30: Custodian
- Range 32: Grounds Keeper
- Range 35: Accounts Payable/Office Asst., Manager Cook
- Range 36: Maintenance Worker I, Lead Custodian, Preschool Teacher
- Range 39: Maintenance Worker II, Chorus Accompanist
- Range 40: Bus Driver
- Range 41: Payroll/Accounting Technician, Administrative Assistant, Lead Technical Sales + Billing, Registrar
- Range 42: Administrative Support - H.S.
- Range 43: MCN Operations Technician
- Range 48: MCN Inside + Outside Operations Manager
- Range 50: MCN Operations Engineer
- Range 51: Lead Bus Mechanic
- Range 52: Computer Support Technician

Effective 7/1/07 an employee who has worked in the classified service of the District for a period of 14 years or more shall receive a longevity increment of 4% at the commencement of their 15th year.
 Effective 07-01-2020 - 12 Month Employees will be contracted for 260 days per year

Mendocino Unified School District
CEMUS 2020-21
Draft - November 5th, 2020

4% Educational Increment

STEP	1	2	3	4	5	6	7	8	9	10	11	long.	
23	13.31	13.84	14.39	14.97	15.57	16.19	16.84	17.51	18.21	18.94	20.87	21.70	
24	13.58	14.12	14.68	15.27	15.88	16.52	17.18	17.87	18.58	19.32	21.30	22.15	
25	13.85	14.40	14.98	15.58	16.20	16.85	17.52	18.22	18.95	19.71	21.73	22.60	
26	14.13	14.70	15.29	15.90	16.54	17.20	17.89	18.61	19.35	20.12	22.18	23.07	
27	14.41	14.99	15.59	16.21	16.86	17.53	18.23	18.96	19.72	20.51	22.61	23.51	
28	14.71	15.30	15.91	16.55	17.21	17.90	18.62	19.36	20.13	20.94	23.08	24.00	
29	15.00	15.60	16.22	16.87	17.54	18.24	18.97	19.73	20.52	21.34	23.52	24.46	
30	15.30	15.91	16.55	17.21	17.90	18.62	19.36	20.13	20.94	21.78	24.00	24.96	
31	15.60	16.22	16.87	17.54	18.24	18.97	19.73	20.52	21.34	22.19	24.47	25.45	
32	15.91	16.55	17.21	17.90	18.62	19.36	20.13	20.94	21.78	22.65	24.97	25.97	
33	16.23	16.88	17.56	18.26	18.99	19.75	20.54	21.36	22.21	23.10	25.46	26.48	
34	16.56	17.22	17.91	18.63	19.38	20.16	20.97	21.81	22.68	23.59	26.00	27.04	
35	16.89	17.57	18.27	19.00	19.76	20.55	21.37	22.22	23.11	24.03	26.50	27.56	
36	17.22	17.91	18.63	19.38	20.16	20.97	21.81	22.68	23.59	24.53	27.05	28.13	
37	17.57	18.27	19.00	19.76	20.55	21.37	22.22	23.11	24.03	24.99	27.55	28.65	
38	17.92	18.64	19.39	20.17	20.98	21.82	22.69	23.60	24.54	25.52	28.13	29.26	
39	18.27	19.00	19.76	20.55	21.37	22.22	23.11	24.03	24.99	25.99	28.65	29.80	
40	18.64	19.39	20.17	20.98	21.82	22.69	23.60	24.54	25.52	26.54	29.26	30.43	
41	19.01	19.77	20.56	21.38	22.24	23.13	24.06	25.02	26.02	27.06	29.83	31.02	
42	19.40	20.18	20.99	21.83	22.70	23.61	24.55	25.53	26.55	27.61	30.44	31.66	
43	19.78	20.57	21.39	22.25	23.14	24.07	25.03	26.03	27.07	28.15	31.03	32.27	
44	20.18	20.99	21.83	22.70	23.61	24.55	25.53	26.55	27.61	28.71	31.66	32.93	
45	20.58	21.40	22.26	23.15	24.08	25.04	26.04	27.08	28.16	29.29	32.28	33.57	
46	21.00	21.84	22.71	23.62	24.56	25.54	26.56	27.62	28.72	29.87	32.93	34.25	
47	21.41	22.27	23.16	24.09	25.05	26.05	27.09	28.17	29.30	30.47	33.59	34.93	
48	21.84	22.71	23.62	24.56	25.54	26.56	27.62	28.72	29.87	31.06	34.25	35.62	
49	22.28	23.17	24.10	25.06	26.06	27.10	28.18	29.31	30.48	31.70	34.94	36.34	
50	22.72	23.63	24.58	25.56	26.58	27.64	28.75	29.90	31.10	32.34	35.65	37.08	
formula	51	23.18	24.11	25.07	26.07	27.11	28.19	29.32	30.49	31.71	32.98	36.36	37.81
break	52	25.32	26.33	27.38	28.48	29.62	30.80	32.03	33.31	34.64	36.03	39.72	41.31

Range 25: Instructional Aide, Integrative Aide, Office Assistant, Preschool Teacher Assistant, Cook

Range 27: Library Assistant

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Range 36: Maintenance Worker I, Lead Custodian, Preschool Teacher

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Range 40: Bus Driver

Range 41: Payroll/Accounting Technician, Administrative Assistant, Lead Technical Sales + Billing, Registrar

Range 42: Administrative Support - H.S.

Range 43: MCN Field Technician

Range 48: MCN Inside + Outside Operations Manager

Range 50: MCN Operations Engineer

Range 51: Lead Bus Mechanic

Range 52: Computer Support Technician

See separate schedule for Jr. + Sr. Network Administrators

Effective 7/1/07 an employee who has worked in the classified service of the District for a period of 14 years or more shall receive a longevity increment of 4% at the commencement of their 15th year.

Effective 07-01-2020 - 12 Month Employees will be contracted for 260 days per year

Mendocino Unified School District
January 1st, 2021 - June 30th 2021 Minimum Wage Increase
Draft - November 5th, 2020
CEMUS Represented Positions

	1
Range 25: Instructional Aide, Integrative Aide, Office Assistant, Preschool Teacher Assistant, Cook	14.00
with education increment	14.56

**GOVERNING BOARD OF THE
MENDOCINO UNIFIED SCHOOL DISTRICT**

RESOLUTION NO. 2020-16

**RESOLUTION ADOPTING PROCEDURES AND GUIDELINES FOR SELECTION OF
LEASE-LEASEBACK CONTRACTOR (Education Code §17406)**

WHEREAS, Education Code section 17406 requires California school districts to use a best value process to select the lease-leaseback contractor; and

WHEREAS, for such lease-leaseback contracts, Education Code section 17406 requires the governing board of the school district to adopt required procedures and guidelines for evaluating the qualifications of proposers that ensure that the best value selections by the school district are conducted in a fair and impartial manner; and

WHEREAS, for such lease-leaseback contracts, Education Code section 17406 states that the best value process shall be a competitive procurement process where the contractor is selected on the basis of objective criteria for evaluating the qualifications of the proposers with the resulting selection representing the best combination of price and qualifications; and

WHEREAS, Education Code section 17406 requires that the lease-leaseback contractor selection process shall at a minimum include that statute's requirements.

NOW, THEREFORE, BE IT RESOLVED that the procedures and guidelines specified in Education Code section 17406(a)(2)(A)-(G) (see Exhibit A to this Resolution) are adopted for use when the Mendocino Unified School District seeks proposals for a public project using the lease-leaseback delivery method pursuant to Education Code section 17406.

BE IT FURTHER RESOLVED, that the Governing Board of the Mendocino Unified School District approve the use of the lease-leaseback delivery method pursuant to Education Code section 17400 et seq., for the Mendocino High School Modernization Project and authorizes the District Superintendent or designee to take all necessary action to implement this Resolution.

The foregoing Resolution was adopted by the Governing Board of the Mendocino Unified School District of Mendocino County, State of California, at a meeting held of said Board held on the 5th day of November, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jim Gay, Governing Board President
Mendocino Unified School District

I, Windspirit Aum, Clerk of the Governing Board of the Mendocino Unified School District, County of Mendocino, State of California, do hereby certify that the foregoing is a true copy of the Resolution adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original Resolution is on file in the office of said Board.

Windspirit Aum, Governing Board Clerk
Mendocino Unified School District

EXHIBIT A

Procedures and Guidelines for Selection of a Lease-Leaseback Contractor

AR 3311.2

Lease-Leaseback Contracts

The Mendocino Unified School District may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). (Education Code 17406)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

(cf. 3312 - Contracts)

Any lease-leaseback contract shall be awarded through a competitive "best value" procurement process whereby a person, firm, or corporation is selected on the basis of objective criteria for evaluating the qualifications of proposers, with the resulting selection representing the best combination of price and qualifications. To make this determination, the district shall use the following procedures: (Education Code 17400, 17406)

1. Request for Sealed Proposals: The Superintendent or designee shall prepare a request for sealed proposals which shall include:

- a. An estimate of the project's price
- b. A clear, precise description of any preconstruction services that may be required and the facilities to be constructed
- c. The key elements of the contract to be awarded
- d. A description of the format that proposals shall follow and the elements they shall contain
- e. The standards the district will use in evaluating proposals
- f. The date on which proposals are due
- g. The timetable the district will follow in reviewing and evaluating proposals

2. Notice: At least 10 days before the date for receipt of the proposals, the Superintendent or designee shall give notice of the request for sealed proposals using both of the following methods:

a. Providing notice at least once a week for two weeks in a local newspaper of general circulation pursuant to Public Contract Code 20112

b. Providing notice in a trade paper of general circulation published in the county where the project is located

The Superintendent or designee also may post the notice on the district's web site or through an electronic portal.

(cf. 3311 - Bids)

3. Evaluation Criteria: The request for sealed proposals shall identify all criteria that the district will consider in evaluating the proposals and qualifications of the proposers, including relevant experience, safety record, price proposal, and other factors specified by the district. The price proposal shall include, at the district's discretion, either a lump-sum price for the contract to be awarded or the proposer's proposed fee to perform the services requested, including the proposer's proposed fee to perform preconstruction services or any other work related to the facilities to be constructed, as requested by the district.

The request for sealed proposals shall specify whether each criterion will be evaluated on a pass-fail basis or will be scored as part of the "best value" score, and whether proposers must achieve any minimum qualification score for award of the contract. For each scored criterion, the district shall identify the methodology and rating or weighting system that will be used by the district in evaluating the criterion, including the weight assigned to the criterion and any minimum acceptable score.

4. Evaluation of Proposals: All proposals received shall be reviewed to determine whether they meet the format requirements and the standards specified in the request for sealed proposals. The district shall evaluate the qualifications of the proposers based solely upon the criteria and evaluation methodology set forth in the request for sealed proposals, and shall assign a best value score to each proposal. Once the evaluation is complete, all responsive proposals shall be ranked from the highest best value to the lowest best value to the district.

5. Award of Contract: The award of the contract shall be made by the Governing Board to the responsive proposer whose proposal is determined, in writing by the Board, to be the best value to the district.

If the selected proposer refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the second highest best value score, if deemed in the best interest of the district. If that proposer then refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the third highest best value score.

Upon issuance of a contract award, the district shall publicly announce its award, identifying the entity to which the award is made, along with a statement regarding the basis of the award. The statement regarding the contract award and the contract file shall provide sufficient information to satisfy an external audit.

6. Rejection of Proposals: At its discretion, the Board may reject all proposals and request new proposals.

Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (Education Code 17407.5)

Any lease-leaseback agreement shall be reviewed by the district's legal counsel to ensure that all required terms, including a lease term that provides for the district's occupancy of the building or improved property during the lease and an appropriate financing component, are included in the agreement.

(cf. 9124 - Attorney)

Legal Reference:

EDUCATION CODE

17400 Definitions

17406 Lease-leaseback contract

17407.5 Use of a skilled and trained workforce

PUBLIC CONTRACT CODE

20111.6 Prequalification procedures

20112 Notices

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Association of School Business Officials: <http://www.casbo.org>