

ANAHEIM UNION HIGH SCHOOL DISTRICT

501 N. Crescent Way, P.O. Box 3520, Anaheim, California 92803-3520, www.auhsd.us

BOARD OF TRUSTEES Special Meeting Minutes Monday, April 18, 2022

1. CALL TO ORDER–ROLL CALL

Board President Jabbar called the special meeting of the Anaheim Union High School District Board of Trustees to order at 2:30 p.m.

Present: Al Jabbar, president; Brian O’Neal, clerk; Katherine H. Smith, assistant clerk; Annemarie Randle-Trejo and Anna L. Piercy, members; Michael B. Matsuda, superintendent; Jaron Fried, Ed.D., Brad Jackson, and Nancy Nien, Ph.D., assistant superintendents; and Karl H. Widell, District counsel.

2. ADOPTION OF AGENDA

On the motion of Trustee Piercy, duly seconded and unanimously carried, the Board of Trustees adopted the agenda.

3. PLEDGE OF ALLEGIANCE

Pledge of Allegiance

Board President Jabbar led the Pledge of Allegiance to the Flag of the United States of America.

4. PUBLIC COMMENTS, OPEN SESSION ITEM

There were no public comments.

5. ITEM OF BUSINESS

BUSINESS SERVICES

5.1 Resolution No. 2021/22-F-01, Notice of Exemption for the Magnolia High School New Construction and Modernization Project

Background Information:

On July 10, 2014, the Board of Trustees approved the District’s Facilities Master Plan (FMP), which provides a roadmap for the future improvement and development of the District’s facilities over the next ten years. Capital improvements at Magnolia High School are identified in the approved FMP. The Magnolia High School New Construction and Modernization Project (Project) is consistent with the intent of the approved FMP.

The scope of work of the Project consists of: 1) The demolition of an approximately 4,850 square foot art building, with 3 classrooms, and removal of 8 relocatable classrooms; 2) Construction of a two-story, approximately 22,161 square foot classroom and administration building with 11 classrooms (2 of which are small exterior breakout spaces to adjacent classrooms), including 8,020 square feet of covered outdoor walkways and a 7,000

square feet covered loggia; 3) Interior renovations of the music building to incorporate two single-use restrooms and seismic retrofitting; 4) Fire alarm panel replacement; and 5) Associated site work consisting of new perimeter fencing, a new vehicular turnaround, accessible parking, permeable paving, concrete paving, new landscape, signs and graphics, exterior lighting, security enhancements, utility relocation and storm drain chambers.

The Project is located at Magnolia High School, 2450 W. Ball Road, Anaheim, CA 92804.

Current Consideration:

Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 et seq., the District is required to evaluate each potential public works project to determine whether that project might have a significant effect on the environment. CEQA and the Guidelines promulgated thereunder (California Code of Regulations, Title 14, Division 6, Chapter 3, Article 19) provide for both categorical and statutory exemptions from the provisions of CEQA. Where an approved project is determined to be exempt from CEQA, the District may file a Notice of Exemption (NOE) with the Orange County Clerk-Recorder, who must then post the NOE for 30 days.

The District has evaluated the Proposed Project and has determined that it is categorically exempt from CEQA.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Piercy and duly seconded, the Board of Trustees adopted Resolution No. 2021/22-F-01, determining the Project to be exempt from CEQA, approving the project to be carried out, and directing that the NOE be filed with the Orange County Clerk-Recorder. The roll call vote follows.

Ayes: Trustees Piercy, Randle-Trejo, Smith, O'Neal, and Jabbar

5.2 **Selection of Lease-Leaseback Contractor for Magnolia High School High School New Construction and Modernization Project-RFP #2022-20**

Background Information:

Staff is using the Lease-Leaseback (LLB) delivery method to procure construction for the Magnolia High School New Construction and Modernization project, as previously approved by the Board of Trustees. Education Code Section 17406 is the LLB statute, which allows school districts to lease real property for the purpose of constructing buildings, as well as improvements for District use during the term of the lease, and requires that title to the buildings and improvements vest in the District at the expiration of that term.

Current Consideration:

The District issued RFP #2022-20 inviting contractors to submit qualifications and proposals to perform the work associated with the subject project, and for preconstruction services. Staff received proposals from prequalified contractors. After a review of the submitted qualifications and proposals, and interviews of shortlisted firms, staff recommends to the Board of Trustees the selection of Erickson-Hall Construction Co. as the LLB contractor for the project, based on the fact it achieved the highest best value score pursuant to the criteria set forth in the RFP. Next, staff will commence negotiations with the selected

contractor for preconstruction services, and for the final LLB agreement, which will include the guaranteed maximum price (GMP), as well as other related costs.

Budget Implication:

There is no budget impact for the selection of the LLB contractor. The final LLB agreement, which includes the GMP, and the preconstruction services agreement, will be presented to the Board of Trustees for ratification at an upcoming Board meeting.

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, following discussion, the Board approved the selection of Erickson-Hall Construction Co. as the LLB contractor pursuant to RFP #2022-20, for the Magnolia High School New Construction and Modernization Project, and delegate authority to the assistant superintendent, Business to: (1) negotiate and enter into the LLB agreement pursuant to the terms indicated in the forms of the LLB contract documents previously approved by the Board, subject to minor revisions approved by staff and legal counsel; (2) negotiate and enter into a preconstruction services agreement, subject to approval by staff and legal counsel; and (3) take all steps and perform all actions necessary to execute, as well as implement the LLB agreement and the preconstruction services agreement, and to take any actions deemed necessary to best protect the interest of the District, all subject to ratification by the Board of Trustees.

6. **CONSENT CALENDAR**

On the motion of Trustee Randle-Trejo, duly seconded and unanimously carried, the Board of Trustees approved all consent calendar items. The roll call vote follows.

Ayes: Trustees Piercy, Randle-Trejo, Smith, O'Neal, and Jabbar

EDUCATIONAL SERVICES

6.1 **Contract, Independent Psycho-Educational and Transition Assessment, Dr. Veronica Olvera, Neuro-Educational Clinic**

Background Information:

The District employs psychologists, speech-language pathologists, teachers, as well as other personnel who evaluate a student's needs for special education and related services. The District has both the right and obligation to assess special education students in all areas of suspected disability. Under the Individuals with Disabilities Education Act and California special education law, a parent of a special education student who disagrees with an evaluation conducted by a school district has a right to obtain an independent education evaluation at public expense. When a request for an independent evaluation is made, a district must either fund an independent evaluation or file a request for due process within a reasonable period of time to prove that the District's evaluation was appropriate. Districts also can come to an agreement during Due Process to fund an independent evaluation in order to resolve a Due Process filing.

Current Consideration:

During the Mediation portion of Due Process, the District determined that it was in the best interest of the student and the District to provide an independent psycho-educational and transition assessment, as well as allow the Individualized Education Program team to consider the information.

Budget Implication:

The total cost is not to exceed \$5,000. (Special Education Funds)

Action:

The Board of Trustees approved the contract to provide an independent neuro-educational assessment.

6.2 **Individual Service Contracts**

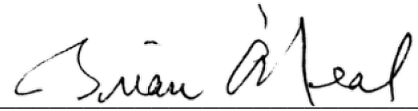
Action:

The Board of Trustees ratified the individual service contracts as submitted. (Special Education Funds)

7. **ADJOURNMENT**

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees adjourned the meeting at 2:36 p.m.

Approved

A handwritten signature in black ink, appearing to read "Brian O'Neal", written over a horizontal line.

Clerk, Board of Trustees