

SOLANO COUNTY BOARD OF EDUCATION

Regular Meeting
Wednesday, June 22, 2011
6:00 PM
Boardroom
5100 Business Center Drive
Fairfield, California

July Regular Meeting

In order to meet the June 30, 2011 budget adoption deadline, the Solano County Board of Education scheduled its July regular meeting to, instead, be held on June 22, 2011, at 6:00 PM in the Boardroom of the Solano County Office of Education.

AGENDA

The Solano County Office of Education does not discriminate against persons with disabilities and is an accessible facility. Persons with disabilities who wish to attend this meeting and require assistance in order to participate should contact the Administrative Services Manager at (707) 399-4402 at least 24 hours in advance of the meeting to make reasonable arrangements to ensure accessibility. Language translation services and American Sign Language (ASL) interpreters will be provided with a minimum notice of three business days prior to the meeting.

Non-confidential materials related to an item on this agenda that were submitted to the Board after distribution of the agenda packet are available for public inspection during normal business hours in the County Superintendent of Schools' office, 2nd floor, 5100 Business Center Drive in Fairfield.

Members of the public wishing to address any item listed on the agenda must submit a Request to Speak form to the Secretary of the Board (Superintendent) before the Board considers the specific item. Request to Speak forms are available on the table at the meeting room entrance. Please see the Comments from the Community section below for addressing items not listed on the agenda.

Posting or distribution of banners, leaflets, handouts, or other media or communications, which serve to promote or discourage specific points of view, are prohibited inside the meeting room.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG

II. ROLL CALL

Larry Asera, President
Rozzana Verder-Aliga, Ed.D., Vice President
Mayrene Bates
Michelle Coleman
Doug Ford
John Galvan
Raymond Silva
Jay Speck, Secretary

III. APPROVAL AND ADOPTION OF AGENDA

IV. CORRESPONDENCE

V. SUPERINTENDENT'S REPORT

(a) Human Resources Report

Janet Harden, Assistant Superintendent of Human Resources and Workforce Development, will report on routine personnel matters.

(b) Meetings/Special Dates

Board members wishing to attend any of the following upcoming events are encouraged to provide timely RSVPs to Monica Ross, Executive Assistant (399-4403, mross@solanocoe.net) or others where indicated.

June 29, 2011 (Wednesday)

- Solano EDC breakfast, Hilton Garden Inn, Fairfield (*RSVP deadline was June 17th*) * *Lisette Estrella-Henderson to speak on closing the achievement gap* *

July 4, 2011 (Monday)

- Solano Offices Closed – Independence Day

July 20, 2011 (Wednesday)

- Solano EDC breakfast, Hilton Garden Inn, Fairfield (*RSVP to Mrs. Ross by July 7th*) * *Congressman George Miller to speak on STEM* *

August 10, 2011 (Wednesday)

- Regular Board Meeting, 6:00 PM, SCOE

August 16, 2011 (Tuesday)

- Special Board Meeting/Planning Session, 9:00 AM, SCOE (*More details will follow*)

VI. UNFINISHED BUSINESS

(a) Adoption of 2011-12 Budget

A public hearing and study session was held on June 8, 2011, to review the proposed 2011-12 County School Service Fund (CSSF) budget and receive input from the community. Lettie Allen, Associate Superintendent of Administrative Services and Operations, will conduct the final review of the proposed 2011-12 CSSF budget. The Board must adopt a budget by July 1, 2011.

Action: Consider adoption of the 2011-12 County School Service Fund Budget as presented.

VII. NEW BUSINESS

(a) Golden Hills Classroom Project Lease/Leaseback

Mrs. Allen will give an overview of the six-classroom project at Golden Hills that has been approved by the State Allocation Board (SAB) but is unfunded at this time. In order to move forward and prepare for potential SAB priority funding in the fall, it has been determined that the lease/leaseback method of procurement is the most efficient and expedient option to ensure that SCOE will be able to meet the 90-day requirement for the start of construction when funds become available.

Jay Davison, AIA, President and Principal of Capital Outlay Program Management (CPM), will present information and answer questions about the lease/leaseback method and the benefits of moving forward with this option. In order to begin this process, the Board is asked to approve a lease/leaseback resolution authorizing staff to proceed. Attachment A

Action: Consider adopting Resolution No. B10-11-35. **(ROLL CALL VOTE)**

(b) Proclamation Honoring the Retirement of Robert Phillips

The Board will consider a proclamation recognizing the retirement of Rob Phillips, Associate Superintendent of Student Programs and Educational Services, for 10 years of dedicated service to the Solano County Office of Education and a total of 36 years of committed work in the field of education.

Action: It is recommended that the Board adopt a proclamation in Mr. Phillips' honor.

VIII. COMMENTS FROM THE COMMUNITY

The County Board of Education is aware of the importance of providing an opportunity for community members to address the Board regarding matters within the Board's jurisdiction that are not on the agenda. The president of the Board will recognize those who wish to speak and have submitted a Request to Speak form to the Secretary of the Board (Superintendent) before the first speaker is called. Request to Speak forms are available on the table at the meeting room entrance. Speakers are requested to identify themselves by name.

IX. BOARD DISCUSSION

(a) Board Member Reports

The Board members may give a brief report on their recent activities including visits to any of SCOE's program sites.

(b) Suggestions on future Board agenda items

X. ADJOURNMENT

Attachment: (A) Resolution B10-11-35

SOLANO COUNTY BOARD OF EDUCATION
Solano County, California

RESOLUTION NO. B10-11-35
AUTHORIZATION OF LEASE-LEASEBACK PROCUREMENT PROCESS
RELATING TO ALL FACILITIES CONSTRUCTION PROJECTS

WHEREAS, the Solano County Office Of Education (SCOE) desires to modernize, renovate, and/or construct new and existing buildings (Project) on property it has leased from the Fairfield-Suisun Unified School District (FSUSD) located in the County of Solano, California; and

WHEREAS, SCOE intends to use a Lease-Leaseback Procurement Process to select the best qualified Entity based on criteria stated in a Request for Qualifications (RFQ). At the conclusion of the selection process, the Board will be presented with the recommendation for the best qualified Entity and the associated agreement(s) outlining the terms and conditions of the Lease-Leaseback agreement(s); and

WHEREAS, Education Code Section 35160 allows "school districts," which includes county offices of education, to "act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which school districts are established"; and

WHEREAS, the contemplated modernization, renovation, and/or construction of new and existing buildings on school district property is not in conflict with, or inconsistent with, or preempted by, any law and is not in conflict with SCOE's purposes, and the use to which the property will be put, after construction thereon, is consistent with the use or purposes contemplated upon the original lease of the property from FSUSD; and

WHEREAS, SCOE will be expending funds for purposes which are necessary or desirable in meeting its needs, and not inconsistent with the purposes for which the funds were appropriated; and

WHEREAS, Education Code Section 17406 authorizes the board of a school district, without advertising for bids, to let to any person, firm, or entity any real property belonging to the district if the instrument by which such property is let requires the lessee to modernize, renovate, and/or construct on the demised premises, a building or buildings for use of the school district during the term thereof, and provides that title to the building shall vest in the school district at the expiration of that term; and

WHEREAS, the use of the procedure provided for in Education Code Section 17406 is an established and reasonable methodology to modernize, renovate, and/or construct buildings for school purposes; and

WHEREAS, SCOE has available a site, as leased from FSUSD, upon which a building to be used by SCOE may be constructed; and

WHEREAS, it is in the best interest of SCOE to use the Lease-Leaseback procurement process for the modernization, renovation, and/or construction of the Project, subject to the selection of the best qualified Entity in response to the RFQ; and

WHEREAS, prior to presenting the Board with a recommendation for the best qualified Entity and the associated Lease-Leaseback agreement(s), the plans and specifications for the Project will have been prepared and submitted for approval to The Division of the State Architect (Construction Documents) which shall be incorporated, upon final approval, into any subsequent agreements in the Lease-Leaseback agreement(s).

RESOLUTION NO. B10-11-35 (Continued)

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Solano County Office of Education does hereby determine and order as follows:

Section 1. Recitals. All of the recitals herein contained are true and correct.

Section 2. Amendment of Lease from the FSUSD. To negotiate and secure amendment of the lease of the site from FSUSD to include an extension of the lease term to no earlier than December 31, 2051. Securing an amendment to the lease from FSUSD is a condition precedent to the authority to proceed with the Lease-Leaseback methodology authorized herein.

Section 3. Lease-Leaseback Procurement Process. To use the Lease-Leaseback process for the Project and to form the applicable Lease-Leaseback instruments, consistent with the authority and restrictions contained in Education Code Section 17406.

Section 4. Delegation and Other Acts. The President of the Board, other officers of SCOE and SCOE's Superintendent are hereby authorized and directed to do any and all things, to execute and deliver any and all documents which, in consultation with the staff, they may deem necessary or advisable in order to effectuate the purposes of this Resolution, and any such actions previously taken by such officers are hereby approved, ratified, and confirmed. This delegation includes, without limitation, administration of the RFQ and recommendation to the Board of a Lease-Leaseback Entity.

Section 4. Effective Date. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED this 22nd day of June 2011, by the Solano County Board of Education, Solano County, California, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

CERTIFICATION

I, Jay Speck, secretary to the Solano County Board of Education, Solano County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by said Board at a regular meeting thereof held on the above stated date, which resolution is on file in the office of said Board.

Secretary's Signature

Date