

**Fountain Valley School District**  
Superintendent's Office

**SPECIAL MEETING OF THE BOARD OF TRUSTEES**

10055 Slater Avenue  
Fountain Valley, CA 92708

**January 5, 2017**

**MINUTES**

President Crandall called the special meeting of the Board of Trustees to order at 5:30pm.

CALL TO ORDER

The following board members were present:

ROLL CALL

Sandra Crandall	President
Lisa Schultz	President Pro Tem
Jim Cunneen	Clerk
Ian Collins	Member
Jeanne Galindo	Member

**Motion:** Mr. Collins moved to approve the meeting agenda.

AGENDA APPROVAL

Second: Mrs. Galindo

Vote: 5-0

Mrs. Schultz led the Pledge of Allegiance.

PLEDGE OF  
ALLEGIANCE

**BOARD WORKSHOP**

District Counsel Martin Hom of Atkinson, Andelson, Loya, Ruud and Romo, led the Board of Trustees through a discussion of construction delivery options in the Fountain Valley School District following the passing of Measure O.

FACILITIES WORKSHOP

Mr. Hom opened the workshop by explaining the heart of public contracting guided by California Public Contract Code §100. He covered four main project delivery methods including: Design-Bid-Build, Lease-Leaseback, Construction Manager, and Design-Build. Regarding Design-Bid-Build, "lump sum, low bid," he explained that this is for public projects, a contract involving an expenditure of fifteen thousand dollars, where the contract is awarded to the lowest responsible bidder. He also reviewed the Uniform Construction Public Construction Cost Accounting Act. Following this, he reviewed Lease-Leaseback (LLB) explaining that the owner hires an architect/engineer and contractor who

work through the design process together. There are two agreements involved; the site is leased to the contractor and then leased back to District after improvements are completed. LLB requirements include that contractors provide an “enforceable commitment” to use “skilled and trained workforce” to perform the work; a competitive process (best value procurement) when selecting LLB contractor; and expressly authorizes preconstruction services. In addition, he reviewed Construction Management (CM) where a “local agency head” may select providers of construction management services. Construction Management—Agency means that the CM acts as the District’s agent to manage a traditional design-bid-build project, acting as the eyes and ears of the District for the project. Furthermore, in CM—Multi Prime, the CM acts as the District’s agent to manage a group of multiple prime contractors with complimentary scopes of work. In addition, Mr. Hom reviewed Construction Management At-Risk. Lastly, he reviewed Design-Build where a design and construction are awarded to one entity. Selection will be based on “best value” but must be specified; must use a prequalification procedure established by the Department of Industrial Relations; and the project must exceed \$1,000,000. Following this, Dr. Johnson thanked Mr. Hom for this information and his presentation. In addition, he asked the Board to start thinking of what additional information they may want to see, noting opportunities for further discussion and the vetting of options at the January 12<sup>th</sup> meeting, January 26<sup>th</sup> special meeting, in addition to opportunities in February. Mrs. Crandall clarified that if trustees have any questions or requests for information they should direct these to Dr. Johnson.

There were no requests to address the Board prior to closed session.

PUBLIC COMMENTS

Mrs. Crandall announced that the Board would retire into Closed Session. Action was not anticipated. The following was addressed:

CLOSED SESSION

- Personnel Matters: *Government Code 54957 and 54957.1*  
Appointment/Assignment/Promotion of employees; employee discipline/dismissal/release; evaluation of employee performance; complaints/charges against an employee; other personnel matters.
- Pupil Personnel: *Education Code 35146*

Student expulsion(s) or disciplinary matters for violation of Board Policy 5144.1.

- Negotiations: *Government Code 54957.6*  
Update and review of negotiations with the FVEA and CSEA Bargaining Units with the Board's designated representative, Cathie Abdel.

## **ADJOURNMENT**

**Motion:** Mrs. Galindo moved to adjourn the meeting at 7:34pm.

**Second:** Mr. Cunneen

**Vote:** Unanimously approved

/rl