



Fountain Valley School District

BOARD OF TRUSTEES
SPECIAL MEETING

A G E N D A

Videoconference via Zoom

September 24, 2020

Meeting Link: https://zoom.us/webinar/register/WN_OjhJGS42SC6fXAgE_0vVOA

- CALL TO ORDER: 6:30PM
- ROLL CALL
- APPROVAL OF AGENDA

M _____
 2nd _____
 V _____

- PLEDGE OF ALLEGIANCE
- PUBLIC COMMENTS

Speakers may address the Board of Trustees on Closed Session Items. In order to address the Board of Trustees, please email your comments to luccheser@fvsd.us by 5:00PM on Thursday, September 24th. Your comments will be read into the record.

- CLOSED SESSION

The Board of Trustees will retire into Closed Session to address the following:

- 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*
- 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.
- Threat to Public Safety or Facilities: *Government Code 54956.5*
- Consultation with Assistant Superintendent, Personnel, Assistant Superintendent, Business Services and Assistant Superintendent, Educational Services: *Government Code 54956.5*

Our mission is to promote a foundation for academic excellence, mastery of basic skills, responsible citizenship, and a desire by students to achieve their highest potential through a partnership with home and community.

- **REPORT OUT OF CLOSED SESSION**
The Board President will report out on action taken, if any.
- **OPEN SESSION:** Following Closed Session at approximately 7:00-7:15PM.

PUBLIC COMMENTS

Members of the community and staff are welcome to address the Board of Trustees on any item listed on the Agenda of Business or any other item of specific concern. If a member of the audience requests a response to their comments, the Board of Trustees may ask the Superintendent/Staff to respond to them in writing after the meeting, or direct that additional information be provided to the Board on a future agenda.

In order to address the Board of Trustees, please email your comments to luccheser@fvsd.us by 5:00PM on Thursday, September 24th. Your comments will be read into the record.

***** BOARD MEMBERS WHO WISH TO DISCUSS WITH STAFF ANY ITEMS LISTED UNDER LEGISLATIVE SESSION SHOULD INFORM THE BOARD PRESIDENT AT THIS TIME.**

LEGISLATIVE SESSION

1. APPROVAL OF LEARNING CONTINUITY AND ATTENDANCE PLAN

M ___
2nd ___
V ___

As part of Senate Bill 98, Governor Newsom waived the requirement for Districts to submit a Local Control Accountability Plan (LCAP) for the 2020-21 school year, and replaced it with the requirement to submit a Learning Continuity and Attendance Plan (LCP).

Superintendent’s Recommendation: It is recommended that the Board of Trustees approves the Learning Continuity and Attendance Plan (LCP) for the Fountain Valley School District.

2. APPROVE RESOLUTION NUMBER 2021-07 GIVING NOTICE OF INTENT TO GRANT A UTILITY EASEMENT TO SOUTHERN CALIFORNIA EDISON

M ___
2nd ___
V ___

Southern California Edison (“SCE”) requests an easement (“Easement”) over real property owned by the District, located between El Corazon Avenue and Brookhurst Street, at the District Office. The specific portions of property involved with the Easement, as well as the scope of the Easement, is identified and described in the Resolution of Intent.

Superintendent’s Recommendation: It is recommended that the Board of Trustees adopts Resolution #2021-07 Giving Notice of Intention to Grant A Utility Easement to Southern California Edison.

SUPERINTENDENT'S COMMENTS/NEW ITEMS OF BUSINESS

The Board President will receive any announcements concerning new items of business from board members or the superintendent.

- **CLOSED SESSION**

The Board of Trustees will retire into Closed Session to address the following:

- **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***
- **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.
- **Threat to Public Safety or Facilities: *Government Code 54956.5***
- **Consultation with Assistant Superintendent, Personnel, Assistant Superintendent, Business Services and Assistant Superintendent, Educational Services: *Government Code 54956.5***

- **REPORT OUT OF CLOSED SESSION**

The Board President will report out on action taken, if any.

- **APPROVAL TO ADJOURN**

The next regular meeting of the Fountain Valley School District Board of Trustees is on Thursday, October 8, 2020 at 6:30pm.

A copy of the Board Meeting agenda is posted on the District's web site (www.fvsd.us). Materials related to this agenda submitted to the Board of Trustees less than 72 hours prior to the meeting are available for public inspection by contacting the Superintendent's Office at 10055 Slater Avenue, Fountain Valley, CA 92708 or calling 714.843.3255 during normal business hours.

Reasonable Accommodation for any Individual with a Disability: Any individual with a disability who requires reasonable accommodation to participate in a board meeting may request assistance by contacting the Superintendent's Office at 10055 Slater Avenue, Fountain Valley, CA 92708 or calling 714.843.3255 or faxing 714.841.0356.



Fountain Valley School District
Educational Services

MEMORANDUM

TO: Board of Trustees
FROM: Jerry Gargus, Director, Educational Services
SUBJECT: **APPROVAL OF LEARNING CONTINUITY AND ATTENDANCE PLAN**
DATE: September 14, 2020

Background:

As part of Senate Bill 98, Governor Newsom waived the requirement for Districts to submit a Local Control Accountability Plan (LCAP) for the 2020-21 school year, and replaced it with the requirement to submit a Learning Continuity and Attendance Plan (LCP).

Pursuant to Executive Order N-56-20, the LCP must describe a district's plans for the 2020-21 school year related to:

- Stakeholder Engagement
- In-person Learning Offerings
- Distance Learning Program
- Pupil Learning Loss
- Mental Health and Social-and-Emotional Well-Being
- Pupil and Family Engagement and Outreach
- School Nutrition
- Increased or Improved Services

The LCP template, released on August 1, 2020, places great emphasis on the engagement of stakeholders (parents, staff, and community members). FVSD considered input related to both the LCP and the Schools Reopening Plan gathered over the past six months in developing the Learning Continuity & Attendance Plan. The District conducted multiple presentations of the LCP in August and September, including:

- District English Learner Advisory Committee (August 6, 2020)
- FVSD Administrative Team (August 11, 2020)
- FVSD LCP Advisory Group (August 25, 2020)
- FVSD Board Study Session (September 3, 2020)
- Learning Continuity & Attendance Plan Community Forum (September 16, 2020)

The final step in the input process is taken by the Board of Trustees. As required, a public hearing was held at the meeting of the Board of Trustees on Thursday, September 17, 2020 to solicit feedback from members of the community regarding the specific actions in the LCP. Per Executive Order N-56-20, the Governing Board shall adopt the LCP in a subsequent public meeting on or before September 30, 2020.

Fiscal Impact:

There is no fiscal impact involved in the approval process.

Recommendation:

It is recommended that the Board of Trustees approves the Learning Continuity and Attendance Plan (LCP) for the Fountain Valley School District.



Fountain Valley School District
Business Services Division

MEMORANDUM

TO: Board of Trustees
FROM: Christine Fullerton, Assistant Superintendent, Business Services
SUBJECT: **APPROVE RESOLUTION NUMBER 2021-07 GIVING NOTICE OF INTENT TO GRANT A UTILITY EASEMENT TO SOUTHERN CALIFORNIA EDISON**
DATE: September 23, 2020

Background:

Southern California Edison (“SCE”) requests an easement (“Easement”) over real property owned by the District, located between El Corazon Avenue and Brookhurst Street, at the District Office. The specific portions of property involved with the Easement, as well as the scope of the Easement, is identified and described in the Resolution of Intent, discussed below.

The District has the authority to grant easements pursuant to Education Code Section 17556 *et seq.* Before granting easements under this process, the District Board must first adopt a “Resolution of Intent” declaring its intention to consider the conveyance of the easements. The Resolution of Intent will set a public hearing at least ten (10) days after the adoption of the Resolution of Intent so that the public may have an opportunity to comment on the proposed conveyances. After holding such hearing, the Board may, unless it receives a written protest signed by at least 10 percent of the District’s qualified electorate, consider a resolution conveying the requested easements. The hearing must be noticed both through the posting of the Resolution of Intent in at least three public places at least 10 days before the hearing, and the publication of notice once in a newspaper of general circulation within the District at least 5 days before such hearing.

The Resolution of Intent currently before the Board will set a public hearing for October 8, 2020 at the Board’s next meeting, after which the Board may consider a resolution to convey the easement. Both the Resolution of Intent, which is currently before the Board, and the subsequent resolution to convey the easement interests, must be approved by a vote of at least two-thirds of all the members of the Board.

Fiscal Impact:

There is no fiscal impact

Recommendation:

It is recommended that the Board of Trustees adopts Resolution #2021-07 Giving Notice of Intention to Grant A Utility Easement to Southern California Edison.

RESOLUTION OF THE BOARD OF EDUCATION OF THE FOUNTAIN VALLEY SCHOOL DISTRICT GIVING NOTICE OF INTENTION TO GRANT A UTILITY EASEMENT TO SOUTHERN CALIFORNIA EDISON

WHEREAS, the Fountain Valley School District (“District”) is the owner of certain real property located between El Corazon Avenue and Brookhurst Street as further identified in Exhibit A (“Property”);

WHEREAS, Southern California Edison (“SCE”) requests an easement from the District to install, operate, and maintain certain underground electrical supply and communications systems as further identified in the proposed easement attached hereto as Exhibit B (“Easement”);

WHEREAS, pursuant to Education Code section 17556, the governing board of a school district may dedicate or convey to the state, or any political subdivision of municipal corporation thereof, for utility purposes, any real property belonging to such school district upon such terms and conditions as the parties thereto may agree;

WHEREAS, the District desires to provide the Easement to the SCE on the Property as set forth in the Easement;

WHEREAS, pursuant to Education Code section 17557, the School District’s governing board must, prior to dedicating an Easement, adopt a resolution declaring its intention to dedicate such Easement in a regular open meeting by two-thirds (2/3) vote of all of its members;

WHEREAS, pursuant to Education Code section 17557, the School District’s governing board must fix a time at its regular place of meeting for a public hearing upon the question of making the dedication of the Easement; and

WHEREAS, pursuant to Education Code section 17558, the School District is required to post copies of this Resolution, signed by the board, in three (3) public places within the School District’s boundaries not less than ten (10) days before the public hearing, and publish notice once, not less than five (5) days before the public hearing in a newspaper of general circulation published in the School District, if there is one, or, if there is no such newspaper published in the School District, then in a newspaper published in the county which has a general circulation in the School District.

NOW THEREFORE, be it resolved by the Board of Education of the Fountain Valley School District as follows:

1. That the above recitals are all true and correct.
2. That the School District’s governing board declares its intent to dedicate the Easement to the City upon the terms and conditions set forth in the recitals.

3. That the Board establishes October 8, 2020 for a public hearing on the question of the School District's intent to dedicate the Easement to SCE.

4. The School District staff shall post this resolution in three (3) public places within the School District's boundaries and publish notice of the adoption of this Resolution in compliance with Education Code section 17558.

ADOPTED, SIGNED AND APPROVED this 24th day of September, 2020.

President of the Governing Board of the
Fountain Valley School District

I, Lisa Schultz, Clerk of the Governing Board of the Fountain Valley School District, do hereby certify that the foregoing Resolution was adopted by the Governing Board of said District at a meeting of said Board held on the 24th of September, 2020, and that it was so adopted by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Clerk of the Governing Board of the
Fountain Valley School District

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

The property is known as the Fountain Valley District Office located at 10055 Slater Avenue, Fountain Valley, California 92708. The nearest cross streets are Brookhurst Street and Slater Avenue.

EXHIBIT "B"

COPY OF THE EASEMENT



RECORDING REQUESTED BY

SOUTHERN CALIFORNIA
EDISON

An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO

SOUTHERN CALIFORNIA EDISON COMPANY

2 INNOVATION WAY, 2nd FLOOR
POMONA, CA 91768

Attn: Title and Real Estate Services

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SCE Doc. No
**GRANT OF
EASEMENT**

DOCUMENTARY TRANSFER TAX \$ NONE VALUE AND CONSIDERATION LESS THAN \$100.00	DISTRICT	SERVICE ORDER	SERIAL NO.	MAP SIZE
	Orange Coast	TD1652938		
SCE Company	FIM 40-10C-8	APPROVED:	BY	DATE
SIG. OF DECLARANT OR AGENT DETERMINING TAX FIRM NAME	APN 169-121-11	VEGETATION & LAND MANAGEMENT	SLS/CG	08/07/20

FOUNTAIN VALLEY SCHOOL DISTRICT, a public school district duly organized and existing under Chapter 1 of Division 3 of Title 2 of the Education Code of the State of California (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and including above-ground enclosures, markers and concrete pads and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence, data and/or communications (eg. through fiber optic cable), in, on, over, under, across and along that certain real property in the County of Orange, State of California, described as follows:

A 6.00 FOOT WIDE STRIP OF LAND LYING WITHIN PARCEL "C", AS SHOWN ON A PARCEL MAP FILED IN BOOK 135, PAGES 1 AND 2 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF EL CORAZON AVENUE WITH THE WESTERLY BOUNDARY OF SAID PARCEL "C", AS SHOWN ON SAID PARCEL MAP; THENCE ALONG SAID WESTERLY BOUNDARY, SOUTH 00°36'59" EAST 116.50 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE NORTH 89°23'01" EAST 6.50 FEET; THENCE NORTH 67°00'00" EAST 33.00 FEET; THENCE NORTH 00°36'59" WEST 9.00 FEET TO A POINT OF ENDING.

THE SIDELINES OF SAID STRIP ARE TO BE PROLONGED OR SHORTENED TO JOIN AT THE ANGLE POINTS.

It is understood and agreed that the above description is approximate only, it being the intention of the Grantor(s) to grant an easement for said systems as constructed. The centerline of the easement shall be coincidental with the centerline of said systems as constructed in, on, over, under, across, and along the Grantor(s) property.

This legal description was prepared pursuant to Sec. 8730(c) of the Business & Professions Code.

Grantor further grants, bargains, sells and conveys unto the Grantee the right of assignment, in whole or in part, to others, without limitation, and the right to apportion or divide in whatever manner Grantee deems desirable, any one or more, or all, of the easements and rights, including but not limited to all rights of access and ingress and egress granted to the Grantee by this Grant of Easement.

Grantor agrees for himself, his heirs and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, planter boxes, earth fill or other structures except walls and fences on the above described real property. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut tree roots as may endanger or interfere with said systems and shall have free access to said systems and every part thereof, at all times, for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on said property of the Grantor, the Grantee shall make the same in such a manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the surface of the ground to as near the same condition as it was prior to such excavation as is practicable.

To the extent that Grantee, in the exercise of its discretion, determines that this easement is no longer needed, then upon written request, Grantee shall execute a quitclaim deed on a mutually acceptable form at no cost to Grantor.

EXECUTED this ____ day of _____, 20 ____.

GRANTOR

FOUNTAIN VALLEY SCHOOL DISTRICT, a public school district duly organized and existing under Chapter 1 of Division 3 of Title 2 of the Education Code of the State of California

Signature

Print Name

Title

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____, a Notary Public, personally appeared

_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EL CORAZON AVENUE

30'

BROOKHURST STREET

60'

NLY 250.00', SLY 450.00', WLY 220.00',
SW 1/4, NW 1/4, SEC. 29, T5S, R10W
RANCHO LAS BOLSAS
M.M. 51/12

POC

S00°36'59"E

116.50'

TPOB

PARCEL "C"
PARCEL MAP
P.M.B. 135/1-2

POR. SEC. 29



LEGEND



DENOTES
SCE EASEMENT AREA

POC = POINT OF COMMENCEMENT

TPOB = TRUE POINT OF BEGINNING

