

PIEDMONT UNIFIED SCHOOL DISTRICT  
Council Chambers, City Hall  
120 Vista Avenue  
Piedmont, California 94611

MINUTES OF  
Regular Meeting of the Governing Board

February 11, 2009

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CALL TO ORDER	Board President Monach called the Board of Education meeting to order at 5:32 p.m.
ESTABLISHMENT OF QUORUM	President June Monach, Vice President Ray Gadbois, Board Members Roy Tolles, Martha Jones, Rick Raushenbush
ADJOURN TO CLOSED SESSION	The Board adjourned to Closed Session at 5:33 p.m. to discuss:  A. Conference with District Labor Negotiator Constance Hubbard Regarding Negotiations with the Association of Piedmont Teachers (APT)  B. Conference with Real Property Negotiators Property: Ralph Hawley School, 1275-61 <sup>st</sup> Street, Emeryville, CA Agency Negotiators: Constance Hubbard, Michael Brady, Mark Kelley Negotiating Party: Emery Unified School District Under Negotiation: Price and Terms of Payment on Lease
OTHERS PRESENT FOR CLOSED SESSION	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services David Roth, Ph.D., Assistant Superintendent, Educational Services
RECONVENE TO REGULAR SESSION	Board President Monach called the Regular Session of the Board of Education meeting of Wednesday, February 11, 2009 to order at 7:07 p.m., and led the Board and audience in the Pledge of Allegiance.
OTHERS PRESENT AT REGULAR SESSION	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services David Roth, Ph.D., Assistant Superintendent, Educ. Services
Report of Action Taken In Closed Session	No action taken
Change in Order of Agenda	President Monach changed the order of the agenda so that the presentation on the budget will be given after the <i>Everyday Math</i> Program presentation and before the other Review and Action Items. The discussion regarding the budget will take place later in the agenda, as scheduled.
COMMUNICATIONS / ANNOUNCEMENTS	
Association of Piedmont Teachers (APT)	None
California School Employees Association (CSEA)	None
Parent Clubs	None

Student Representative to the Board

Will Pritchett, Student Representative to the Board:

- Spring sports started on Monday
- Winter sports have continued on due to tournaments
- The winter play was over this weekend
- Valentine's Day coming up

Student Representative Excused

Student Representative Will Pritchett excused himself so he could attend Lacrosse practice.

PERSONS REQUESTING TO SPEAK ON ITEMS NOT ON THE AGENDA

Catherine Ogle reported on an activity attended by some members of the PRAISE group. A neighboring district held a "diverse ability" week. The day they attended there were different stations set up and one could experience what it was like to be dyslexic, to have an auditory processing disorder, deafness, and eye tracking while reading disorder. They had guide dogs and a wheelchair basketball game. It was a huge community event and a great experience.

Superintendent Announcements

School will be out all next week for February recess.

The Superintendent reminded everyone that the application deadline for the Arthur Hecht Volunteer of the Year Award is March 2 by 4:30 p.m. The application is on the District web site; an application can also be picked up at the District Office. For anyone with questions, please contact Administrative Assistant Beverly Feusier at 594-2614.

Board President Announcements

A Parent Education Night will be held on Differentiated Instruction on February 23, at 7:00 p.m. in the Middle School multipurpose room.

The PAINTS Tri-School Art Show is being held tonight from 6:00-8:30 p.m. in the Middle School multipurpose room.

PRAISE will be having a parent education night on Tuesday, March 3; the topic will be, "How Children with Social Pragmatic Challenges Can Develop Awareness and Skills Through Promotion of Social Thinking". The program is at 7:15 p.m. in the High School library.

President Monach added some of her thoughts for consideration at tonight's meeting. She stated that we live today in a time filled with great economic uncertainty. The District is preparing to address up to \$1.5 million in budget cuts for next year; access to State construction funds has been put on temporary hold, and she feels that since the passage of Measure E three years ago, the community has experienced a level of divisiveness that has not been seen in many years. As a Board member, and as Board President, she would like to say it is not as she would have it. There are certain things that remain constant: belief in the importance of education; our confidence in the democratic process; and our desire to learn from past decision making processes, taking credit and responsibility for how the process has unfolded. She asked everyone to come together on behalf of education and the students of our schools so that the students can see – and we need to model – that we can overcome diversity if we work together.

Change in Order of Agenda:

## PRESENTATION

Update on *Everyday Math* Program

Dr. Roth introduced the three elementary principals: Tery Susman, Principal, Havens School; Carol Cramer, Principal, Wildwood School; and Julie Valdez, Principal, Beach School.

He added that a lot of time and energy has been placed into the math program. Below is a chronology of the progress of the *Everyday Math* program:

August/September:

- an inservice was provided by the publisher to all elementary teachers on the *Everyday Math* program
- a presentation was given to the Board about the year-long plan
- a Collaboration Day and Articulation Day was held with focus on math

October / November / December

- Math Solutions workshops were held
- Collaboration Day discussions were held
- An additional *Everyday Math* publisher training was given
- Grade level articulation was held including for the 5-6<sup>th</sup> grades

January / February

- A K-5 Articulation Day to set the agenda for the February Math Solutions training and to discuss assessments was held
- Math Solutions full-day workshops were held
- A Collaboration Day was held today

A big piece was thoughtful reflections as everyone works with this program, such as :

- Opportunities for collaboration are rich with a common program K-5
- Professional development successfully launched the new curriculum
- After a full year, a more complete picture will unfold
- Instruction and reflective practice continue to be the key to student learning

The Piedmont Educational Foundation was thanked for its funding of the Math Solutions training which was so valuable.

Communications with Families:

- September Parent Information meeting
- Unit newsletters / teacher newsletters
- Fall Conferences / Spring Conferences
- Algorithm Information evenings in January
- Family Math Nights proposed for spring

Assessment Tools:

- Journal pages, slateboards, and math messages are given to see if students understand what they are working on, in addition to games and activities

More formal measures are:

- Unit assessments and student self-assessments on mathematical reasoning
- Mid year assessment
- Open response with rubrics (examples were shown)
- Exit slips / quick checks

The principals were thanked for their presentation.

*Change in Order of Agenda:*  
PowerPoint Presentation on Budget

It was explained that this PowerPoint budget presentation is being given earlier in the meeting so that when the Board listens to the parcel tax recommendations, there will be a context to see where we are now.

Update on State Fiscal Crisis:

- Piedmont Unified School District's total operating budget is approximately \$30 million
- State and Federal funds account for roughly two-thirds of PUSD revenue, or \$19 million
- Local funds, including donations and the parcel tax account for \$11 million
- Projected revenue limit loss for 2009-10 is \$1.1 million (-7.53%, includes mid-year cuts)

The District still does not know how the Federal package may affect the State package; there continues to be many unknowns.

PUSD Budget – People:

- 200 certificated FTE: \$19,000,000  
→ teachers, counselors, librarians, math and reading specialists, site technicians, and District administrators
- 115 classified FTE: \$6,500,000  
→ paraeducators, custodians, maintenance, site and District clerical support

Average Costs for Personnel:

- Certificated Personnel: \$90,000+
  - Teachers, administrators
- Classified Personnel:
  - Paraeducators: \$40,000
  - Clerical Support: \$60,000
  - Maintenance: \$75,000
- Cost per day of instruction: \$107,000

Projected 2009-10 Shortfall

- Loss of revenue limit funding: \$1.1 million
- Increased cost of operations (2008-09 vs. 2009-10): \$440,000
- Total projected delta between loss of State revenue and increased costs of operations for 2008-09 and 2009-10: \$1.5 million

Program and People Reductions:

- \$1.1 million in reductions represents:
  - √ 12.2 full-time teachers/administrators  
or
  - √ 18.3 full-time classified employees  
or
  - √ 10 instructional schools days

Areas Reviewed and NOT Recommended:

- 175 day instructional year (\$535,000 @\$107,000/day)
- Reduce High School from 7-period to 6-period day (would have to be negotiated)
  - ▣ 4.0+ FTE (\$360,000) reduction
  - ▣ significant loss of student program
  - ▣ significant impact competitive eligibility for college
- Reduce Middle School from 7-period to 6-period day (would have to be negotiated)
  - ▣ 4.5 FTE (\$405,000)
  - ▣ loss of program and elective experience
- Class Size Reduction (K-3)
  - ▣ State program is currently funded but the State may eliminate the program – to be determined
  - ▣ District is eligible for approximately \$700,000 in State funds, which supports 7.5 of the 9.0 FTE required to implement the program
- District General Fund support (via parcel tax) is approximately \$110,000. This would be the only savings realized in increasing class size from 20:1 to 26+:1

**Current Actions in Progress:**

Target \$1.1 million in cuts:

- Track one-time vs. ongoing savings
- Conservative spending to build "bottom line"
  - supplies, overtime/substitutes, hiring freeze
- Negotiations with employee groups
  - stabilize costs, voluntary reductions, review total compensation, retirement options and incentives
- Categorical ending fund balance transfers
- Deferred Maintenance match eliminated

Near-Term Savings: \$200,000

- includes Deferred Maintenance match

Ongoing Savings: \$877,000+

- Negotiations in progress (APT/CSEA/APSA)
- Early retirement options/incentives
- Stabilize budget to control cost increase to step & column, retain new hires
- Issue layoff notices

Implement Layoff Procedure

- Provides flexibility to deal with budget issues

Certificated Notices:

- Must be notified by March 15 – decisions by June

Classified Notices:

- Must be notified by April 15 – decisions within 45 days

Certificated Layoffs must identify a "particular kind of service" (PKS), as defined in full-time equivalent (FTE) positions.

• PKS: 2.0 Admin, Counseling, Library	\$180,000
• PKS: 0.8 English/Math CSR – 9th grade	\$ 72,000
• PKS: 2.0 Maximum Class Size, 4-12 <sup>th</sup> grades	\$180,000
• PKS: 1.5 PE/TechVPA – K-12 <sup>th</sup> grades	\$135,000
• Co-curricular schedule (no PKS)	<u>\$ 60,000</u>
	\$627,000

Next Steps:

- At February 24<sup>th</sup> Special Board Meeting:
  - Provide list of PKS for Board to review
  - Board then to provide direction to staff
- At March 11<sup>th</sup> Board Meeting:
  - Board to act on Resolution for PKS layoffs
  - Letters of certificated layoffs to be determined, including temporary staff
- At March 25<sup>th</sup> Board Meeting:
  - List to be provided of classified positions for layoff
  - Update of ongoing savings through negotiations, early retirement options
- At April Board Meeting:
  - Board to act on Resolution for classified layoffs
  - K-3 Class Size Reduction (CSR) determination, if known

Recap in FTEs of Current Actions in Progress:

Total 2009-10 Projected FTE Reductions:

- 6.3 FTE Certificated
- 5.5 FTE Classified

Notice to K-3 Class Size Reduction Teachers

- Independent of State determination on future preservation of CSR program
- 12.0 FTE Certificated

REVIEW & ACTION ITEMS

Approve Early Retirement Incentive for Employees Covered Under the APT Contract

Any incentive program must demonstrate a savings to the District in future years. Administrative staff and the Association of Piedmont Teachers (APT) worked together to develop a proposal that benefits employees on the last step of the salary schedule who had planned to retire within the next three years. The time frame is such that it is intended to positively impact the need for the issuance of layoff notices. The Superintendent will provide a report on March 11, 2009 as to the number of employees affected and cost savings realized. Criteria for eligibility was discussed by Assistant Superintendent Brady:

- Must have reached top of salary schedule (Step F25), or top of School Psychologist Schedule who have at least ten years of service to the District
- Must have completed 75% of this school year
- Application period is from February 12-26, 2009
- Must have minimum of 5 certificated employees qualify, with a maximum of 8

Parent Catherine Ogle: questioned how it was decided on at least five teachers but no more than eight? How did the District decide on the \$28,000 payment, and how does it compare to other districts doing similar things?

Assistant Superintendent Brady responded that he has spoken with a number of districts about their incentive options and that the contract language is unique from district to district. He has seen a range for retirement options from \$300 to \$37,000. It is contingent upon the wording of the contracts. There is a cost savings to the District based on where a teacher can leave the salary schedule and then we offer service credit for incoming teachers with up to nine years of experience. Therefore, if we were to hire a teacher for someone leaving, we would look at the maximum amount that one could come in as a beginning teacher, but not at the lowest end of the column, and then look at the difference and spread it over a couple of years so that number had to be within the range.

Again, he said, It depends on how the numbers play out for each different scenario. The District wants to have enough so there is a balance of what the District can save but not have too many retirees because at some point, there would be diminishing returns.

Superintendent Hubbard added that an incentive would have to be more than one would get naturally. The District has a history of having only 1, 2 or 3 retirees a year and this year, it did not even expect three, so the idea was to get as many people as possible to retire.

It was moved by Vice President Gadbois, seconded by Board Member Tolles, and passed unanimously to approve the Early Retirement Incentive for employees covered under the Association of Piedmont Teachers.

Review Contract Reopener Proposals for 2009-10 Negotiations Between the District and the Association of Piedmont Teachers (APT) and Conduct Public Hearing

The District and Association of Piedmont Teachers (APT) still share the theory of interest-based bargaining.

This year the entire APT contract is due to expire in June of 2009. However, the District and APT agreed to open only one Article, which is Article I. – Length of Contract. All other articles would be closed for discussion – “zipped” - including salary and benefits.

Another public hearing will be held at the next Board meeting and the Board will be requested to act on the reopener at that time.

Kate MacDonald, lead negotiator for the APT, read a statement indicating the APT will work together with the District in light of the financial condition of the State and Federal funding, and advised that

the contract is a temporary financial sacrifice on behalf of the APT employees (no salary increase for 2008-09 and 2009-10).

There was no one requesting to speak on this issue.

#### Board Recess

President Monach called for a five-minute recess.

#### Summary of Community Meetings by Parcel Tax Committee Co-Chairs and Recommendations for Parcel Tax Renewal

An overview was presented by Parcel Tax Co-Chairs Terry London and Sarah Pearson.

The Parcel Tax Advisory Committee formed in November 2008. The charge of the committee was to:

- Gather input from community
- Recommend parcel tax measure specifics
- Lead public campaign for passage

#### Situation:

- Measures B & C tax measures expire June 2010
- It currently represents 27% of the District budget
- \$1.1+ million annual cutback in State revenue expected
  - \$1.5 million with loss of COLA
  - cuts effective in 2009-10 school year
- Very challenging economic environment
- District seismic program has generated broad mistrust

The parcel tax monies have been very efficiently spent.

#### Information Gathering Segment:

- A telephone survey was conducted in mid-January, of 300 likely voters, with a broad demographic cross-section (older/younger; with students/with no students; male/female; Republicans / Democrats)
- Two community-wide meetings were held, for a total of approximately 120 attendees who provided input on size and scope of a possible tax renewal
- Attended Parent Club and Support Club meetings for input
- Received emails, telephone calls, and spoke with citizens while out and about

#### Findings:

- Maintaining a high quality educational program a priority
- District has taken significant cost-control steps
- "Baseline" parcel tax will no longer fully fund program
  - State cutbacks expected of \$1.5 million next year
  - Classroom level cuts necessary
  - possible further takeaways in years
- Baseline parcel tax is essential to survival of District program
- Voters strongly support baseline tax
- Support somewhat less strongly for additional tax

#### Additional Tax – Catalysts for Support

- Excellent program, excellent teachers, excellent results
- Minimize damage from State budget cutbacks
- Preserve program excellence



- Appreciation for “burden sharing”
  - relatively low administrative spending at District
  - willingness of employees to work with District
  - large annual financial contributions by school families

#### Additional Tax – Obstacles to Support

- Increases taxes for fixed-income households
- General financial uncertainty in current environment
- Cost-cutting effort not widely recognized
- Skepticism about District fiscal responsibility
- Lingering dissatisfaction with handling of seismic program

#### Recommendations of Parcel Tax Advisory Committee:

- Two measures:
  - a renewal of the combined baseline tax for four years
  - average cost per parcel : \$2,082
  - takes effect for 2010-2011 school year
- A second tax to partially offset State cutbacks
  - average cost per parcel: \$249
  - begin immediately for 2009-10 school year
- Limitations on the second tax:
  - only a three-year term
  - no 5% annual escalator
- Enhanced citizen review/input
  - revised structure for Budget Advisory Committee
  - formal annual recommendations on parcel tax size/increase
  - ensure that second tax will no longer be assessed if State and/or Federal money is restored

Discussion was held on input received at community meetings; having a parcel tax oversight committee; and organized opposition to a core parcel tax. It was not recommended to offer a senior citizen tax exemption because such a large number of parcels are owned by senior citizens, which would be a major revenue loss).

There are 3,942 total parcels in Piedmont; 1,432 of those parcels have students in Piedmont schools (36%).

The co-chairs felt confident that both the core parcel tax proposal and accompanying proposed three-year tax would be successful.

Resident George Childs complimented the parcel tax co-chairs for their helpful community meetings. At their suggestion, he forwarded a letter to the Board in which he expressed that there are areas within the District budget that can be reduced. The one area that could be further explored is: each time the second measure somehow becomes an entitlement that gets folded into the baseline. The way it is being worded right now – even if we don't go for the second tax, we are folding in Measures B & C to come up with a new measure. Somehow or other, the District needs to sift through some of those enhancements that have been built in to the last 2-3 measures to look for opportunities to cut back a little, which would perhaps provide the District with an amount of what the shortfall is. He likes the idea of a three-year tax, with no escalator. He urged the Board to be conservative, exercise restraint, and where possible, keep in mind that there are many of those who live on a fixed income and have to deal with an ever-increasing cost of living. Even without

the school parcel tax, the City property taxes go up 2% per year.

Parent Catherine Ogle: she thanked the parcel tax co-chairs for running excellent public input forums. They created an environment where lots of different ideas came out. She felt the co-chairs were open to listening to viewpoints different from theirs. She feels strongly there should be a parcel tax advisory committee to the Board. It is imperative that the Board have an independent group of taxpayers and parents doing work to advise the Board.

Resident Grier Graff: Terry London and Sarah Pearson did an outstanding job with the community forums. He was impressed with the thought of an advisory committee and liked the idea of a three-year tax. He said the District staff and unions have done a lot. We need both of the proposed taxes to move forward. He felt the District has not done a good job of keeping citizens informed of the process and reporting back to the community. He is willing to help out with this.

There being no one further wishing to speak, the public hearing was closed.

The Board offered its thanks to Sarah Pearson and Terry London.

Vice President Gadbois liked the idea of an expanded Budget Advisory Committee for the parcel tax. It provides additional transparency and accountability. Our administrative costs are reasonable; our salaries are competitive, and we offer an excellent educational program for the money. He feels there is broad community support for the baseline tax with a yearly 5% increase. He has concern about asking for more. If the District asks for more and it does not pass by 2/3 majority vote, then it is back to square one. The community cannot stand a divisive election that splits the community. He likes the advisory committee idea and the three-year term on the second measure.

Board Member Raushenbush said part of the obligation of living in a community is to help maintain the schools in the community, whether or not we have children in the schools. He is in favor of a tax; he supports renewal of a baseline tax. He also supports a temporary stop-gap tax. He does not support a senior citizen exemption. He supports a Parcel Tax Advisory Committee.

President Monach stated that the parcel tax support helps to maintain the quality of the education in our school system for educational excellence. The parcel tax has traditionally been fully supported because it returns a measure of local control to the community. She would want to see that the Advisory Committee as being independent but also supportive in educating the community as to its findings. She has reservations about the presence of the second tax and the level.

Board Member Jones stated that the District has kept within the footprint; that since 2000 on, the District has been constant. If you compare with the 1990's, there has been an increase, but not increased in the last 8-9 years. In terms of people, the numbers since 2000 have stayed pretty constant. She supports the base tax

and thinks there is broad support for it. In terms of the extra tax, at the community meeting, there were several amounts proposed. The top amount was \$389 which would compensate for the whole \$1.5 million, so there would be some cutting if only \$249/parcel was passed. She would support a second measure but she is not convinced that we should go up to \$249/parcel.

Board Member Tolles supports an oversight committee for the parcel tax which would be more of a public forum that would be conducted like a City commission. He is reticent not to increase the parcel tax by 5%. He is in favor of adding a second tax. It is essential that we give the community the opportunity to fill the budget gap. He likes the \$249/parcel chosen on the second tax.

President Monach does not think a 5% increase should be added the first year so that the community can see the District's belt-tightening.

Board Member Raushenbush stated District costs will continue to increase (step and column and other salary increases). He would go along with not adding in a 5% increase this year, but there should be an escalator for future years. People deserve an opportunity to vote on it.

Vice President Gadbois stated that for this last year of the current parcel tax, it is anticipated that the Board will increase it by 5%.

President Monach stated that the current Budget Advisory Committee has representation from all parent clubs, support groups and interested community at-large citizens. All of the meetings are noticed and it is helpful to have discussions with not just citizens but to hear from the perspective of the other support groups and employee groups.

Staff was directed to finalize the resolutions to include "trigger language" that would drop the second parcel tax from being assessed if State and/or Federal money is restored and to include a Citizens Advisory Committee to annually review the parcel taxes, which would be separate from the Budget Advisory Committee. The resolution will return at the Special Board meeting of February 24, 2009.

Measure E Bond Program:  
Discussion and Possible Approval of  
Lease Agreement with Emery Unified  
School District; Update on Transition Plans  
for Piedmont High School and Havens  
Elementary School

Superintendent Hubbard stated that the Board had authorized the Superintendent to enter into negotiations with Emery Unified School District for a lease agreement at their vacant Ralph Hawley School in Emeryville. The proposed agreement was reviewed. It includes wording for flexibility in the event the District cannot continue with the project because State/Federal funds have been frozen and needs to opt out of the lease; and to lease the school site for the 2011-2012 school year if construction is not completed within the planned three-year timeline.

It was moved by Board Member Raushenbush, seconded by Board Member Jones, and passed unanimously to approve the Lease Agreement as presented. Superintendent Hubbard had just received a text message from the Superintendent of Emery Unified indicating that their Board had also approved the Lease Agreement.

Havens Elementary Principal Tery Susman stated that at Havens, a Steering Committee has already been formed consisting of Program Manager David Burke, Principal Susman, Assistant Principal Valerie Jew, two parent representatives, two teachers (to become involved when moving is discussed), and Havens Administrative Assistant Cheryl Vaughn. The Steering Committee meets weekly. This past week, two staff members from the City of Piedmont Recreation Department attended the meeting as the *SchoolMates* program was also discussed. So far, meeting discussions have included busing companies, different possible routes, and types of busing needed. At the last Havens faculty meeting, David Burke attended and a representative from Norcal, the company that will assist with the move. Movers spoke with the teachers about the coordination of moving from Havens to Emery Unified.

Additionally, the three elementary principals were in consensus that it would be the best arrangement for all the kindergarten children to attend Beach, rather than a choice between Beach and Wildwood. This was based on parity of program, makeup of classes and best experience for kindergarten students.

Piedmont High School Principal Randall Booker stated the High School students will be moving to the existing portables at Havens while seismic renovation is being done on the High School Quad/Library Building and Student Center. They will be asking students to take personal belongings home. Staff is working on how many classrooms are going to be moving over, which is still to be determined because it is a Master Schedule and budget issue. They need to look at keeping departments together. Discussion has been held about boxing up material and color coding it for storage or moving to the portables. A parents' committee is being formed for the relocation process.

Due to the generosity of the Piedmont Educational Foundation, the High School was able to recomputerize Room 49 with a brand new computer lab and computer classes will more than likely be held there. Library services will not be the same for the 2009-10 school year; they will be more limited. There is a ten-minute passing period so there should be no problem in students getting from the campus to the portables.

Parent Joe Loduca: he asked how can Beach house 50-60 students with just one portable? He urged the school board to continue to work with the City to look at other potential areas for the portables rather than the Beach blacktop so as not to interfere with physical activities, and to consider opening up the grassy Beach field to playground play to help with congestion. Superintendent Hubbard added that the City already has approved the use of the Beach grassy field during school hours. Mr. Loduca said to have supervision available on the field is problematic.

Approve Fee Proposal Between the District and *murakami/Nelson* Architects for the Design Development Services and Construction Documents for Beach Elementary School

Superintendent Hubbard requested to modify the request due to recent changes in possible State funding. The District will have a better idea after meeting with members of the State Allocation Board. The District is requesting authorization to continue work on the design development for an amount not to exceed \$150,000 based on their current master contract with the District. After the District has

more information, it will then come back to the Board to proceed or hold according to the information learned. This will keep the project going without committing such a significant amount of money. The Bond Steering Committee is in agreement.

Bob Lally, member of the Citizens Oversight Committee, feels there is not a comprehensive financial plan for this project. He talked about bond capacity and growth rate.

Financial bond advisor Ruth Alahydoian of Kelling, Northcross & Nobriga will be making a presentation at the March 25 Board meeting.

It was moved by Board Member Raushenbush and seconded by Board Member Tolles to approve design development work under the existing *murakami*/Nelson Master Agreement, for an amount not to exceed \$150,000, effective February 12, 2009.

The motion passed as follows:

AYES:	Monach, Gadbois, Tolles, Raushenbush
NOES:	Jones
ABSTAIN:	None
ABSENT:	None

Approve Agreements Between the District and the City of Piedmont to Cover the Terms and Conditions for the Havens Elementary School "Becker Plan" for:

- Monetary Contribution Relating to Havens School
- Havens SchoolMates Facility Use
- Use of Havens Elementary School Play Field

President Monach stated the agreements cover a monetary contribution from the City to the new Havens Elementary School for the *SchoolMates* program; an agreement for facility use for *SchoolMates* at Havens; and a use agreement for the Havens Elementary School play field.

Superintendent Hubbard stated it is the City's intent to provide the District with \$1.2 million to be used for the development of a *SchoolMates* facility to be contained in the new Havens School and for the artificial turf of the Havens play field; also, for a use agreement for the play field after it is finished.

Geoff Grote, City Administrator, stated a community member expressed some surprise that an artificial turf play field was planned for Havens. Yet City Administrator Grote explained that when Mr. Becker made his presentation to the City Council in March of 2008, Mr. Becker fully indicated that among the components would be an addition of an artificial turf field and this is shown in the City Council minutes. Also, Mr. Becker and Mr. Jim Nybakken presented the City Council with a request to the City to make a contribution to the play field, which included artificial turf. This was a televised public meeting. The request also provided the Council with cost estimates for an artificial turf field and *SchoolMates* with restroom facilities, and those were the figures used to request the amount of a contribution to the City. The City Council has voted to make this contribution in the amount of \$1,200,000 over a period of three years. Mr. Grote wanted to assure people that this issue of artificial turf was a subject of public discussion at a public televised Council meeting and when Mr. Becker came to the Board, it included artificial turf field. The Council, in its deliberations and conclusions to vote to pay the amount, agreed that the creation of an additional play field would greatly benefit City recreational programs, local sports groups and

the general public.

The City is also experiencing some of the financial difficulties all cities and school districts are, and it is likely that for the next two years, the only capital improvement project contribution the City will make will be to honor the \$400,000 for the next two years that will be necessary to make the Becker Plan and new school possible. The City will not be putting any investment into any of their own City facilities or projects. The civic nature of a joint venture in this one area was made in public and done in public. Minutes show there was public testimony.

The other issue, Mr. Grote continued, was that in the use agreement regarding the field, the City was to regulate the use of the play field during non-school hours during the weekend, and certain basics were included that the Board and City must follow, such as no start time before 8:00 a.m., and no start time on Sundays before 12:00 noon. The neighborhood has every reasonable expectation of coming before the Council and asking for more restrictions. Therefore, the Council must have the agreement in place in order to contractually allow restrictions and regulate use. Noise, litter and field lighting was also addressed in the use agreement that was prepared. He presented copies of the minutes from the City Council meeting that addressed the use agreements.

The artificial turf was also discussed during City Council budget discussions.

Resident Margaret Ovenden: she urged the Board not to pass the Use Agreement in order to allow more time for discussion of natural vs. synthetic turf options. The findings have changed in the last year or so and she is concerned about long-term health effects. She felt a sufficient comparison of the options has not been done.

Resident Kimberly Sweeney: she lives directly across from the proposed play fields. Her son is allergic to the rubber in the synthetic turf fields. She probably would not have purchased her house if she knew of the proposed use of the field from 8:00 a.m. to sundown, and then 12:00 noon on Sundays. She is opposed to organized sports on Saturdays and Sundays. She is also concerned about drainage with an artificial turf. There is a natural spring underneath Havens school.

Resident Carol Anderson: she lives at 240 Bonita Avenue, on the corner of Bonita and Oakland Avenues directly across from Havens. She will have a view of the play field from her bedroom and upstairs office when she works at home. She is here regarding the public process and notice with regard to the tax assessment, but this notice was totally missing with these use restrictions. She asked the Board not to approve the use agreements proposed. She learned 48 hours ago that seven days a week until sundown, there could be organized sports across the street from her home. This will fundamentally change the use and enjoyment of her home. There will be no quiet on weekends. Every time that there is sunlight and she and her family eat in their dining room, they will hear screaming across the street, along with whistles and shouting. They supported the Becker Plan, although they were reluctant with the field location. Yet they

recognized the value of a new school and the benefit of the play ground. However, the use restrictions are inappropriate. The City should have met with the neighbors. A CEQA study should be done. There is no termination right in the agreements for fifty (50) years. The City should not be allowed to create legislation through a contract with the school board. It is not appropriate for the school board to agree to more expansive uses at the Havens field than the City is able to get through the public process at Beach Field and despite the fact that an artificial turf field may have been talked about with the Becker Plan, it was assumed that the field would only be for use by the children and recreational use on weekends, which does not equate with organized sports.

City Administrator Geoff Grote stated that this matter will come before the City Council on March 2 and a notice will be sent to everyone within 500 feet of the Havens playfield. With regard to Use Restrictions, if the City Council adopts this, there will be no use of the play field before noon on Sunday, and use will be prohibited after sundown. Once both parties are signatories, one of the two parties cannot change it.

He realizes that homeowners in the Havens area will be requesting parking restrictions be extended to the weekends so residents will be able to park in front of their homes. The play field will be used for small children – the youth of Piedmont. This was also discussed in public with Mr. Becker, with both the Board and City Council and in a private home. With regard to public process, he went to neighbors first and discussed the use in meetings held at private homes and in public meetings with the Board and in City Council meetings. This is substantial.

Resident Mark Becker: he thanked everyone for all their work. He came here to talk specifically about turf. He feels terrible about Kimberly and wants to make sure what he presented is accurate. It was presented to the Board and special interest groups about a year ago. He was in Kimberly Sweeney's house. In each meeting he was involved in, the design was there and there was a sports field. He is pretty certain he was always talking in terms of an artificial field turf because of drainage (permeable and infrastructure in place). The biggest emphasis was to get more playground space for the Havens students. He did not see anything definite or conclusive about synthetic field turf. He has a friend who is opposed to synthetic field turf. When he met with the Bonita neighbors, the issues were of lighting and making the field available for teams either 8 and under or 10 and under. He was thinking of the field as an overflow for practices.

It was Board Member Raushenbush's understanding that the Havens sports field would be artificial turf and that it would be a community resource. There were quite a lot of meetings held regarding this issue, including noticed school board and City Council meetings talking about the Becker Plan. However, he had no objection to waiting two weeks before approving the agreements.

Additional discussion was held regarding the agreements.

Board Member Tolles felt there had not been due public process and was in agreement that the use agreements should be delayed for a few weeks. It was his understanding that the play field turf would be artificial and it was always his understanding that use of the field would be not only for Piedmont organizations but other organizations outside of Piedmont, as well.

City Administrator Grote remarked that the process is that the Recreation Commission will conduct a public hearing and make its recommendation, and then the City Council will also conduct a public hearing and then make a final decision. He wanted to know what process the Board wanted to engage in. The use agreement was developed at the behest of the Board.

Superintendent Hubbard and the City Administrator will work out the details. The revisions to the agreements will be made and brought back for approval. The Special Board meeting of February 24 will provide another opportunity for the public to provide their input on the Havens field. The Council will discuss the Use Agreement and Quitclaim Deed at their meeting of March 2.

The Board was in consensus to table approval of the Use Agreement for the Havens play field and monetary contribution until the February 24<sup>th</sup> Special Board Meeting.

Recess

President Monach called for a three-minute recess.

## REVIEW & DISCUSSION ITEMS

### District General Fund Budget Discussion

At the Special Board meeting of February 24<sup>th</sup>, a preliminary list of particular kinds of service to be eliminated or reduced will be presented, and the Board can add or subtract to it. At the Board meeting of March 11, 2009, a final list will be presented which will trigger who will be laid off. Full-time equivalents will also be provided.

Parent Catherine Ogle: she agrees with the Board about increasing class size rather than reducing options. Even at the K-3 level, it is worth looking into. She also believes that there are cost savings that can be made in the Special Education program. She is also interested in the consumption by student in teacher and Superintendent time at Millennium High School. Are we efficiently delivering program to that population? Are we charging enough to the other districts for having students here? She does not want to cut administration. She thinks our program suffers when that is done. It serves the public and students better. In increasing revenue, she is wondering if solar panels on school roofs could be explored as a cost savings. For the Food Service program, there has to be a way of delivering food to our students in a profitable way.

When asked to comment on the Millennium High School funding structure, Assistant Superintendent Brady stated that all Millennium High School students are our students. Millennium High School is a small necessary high school program within an existing program funded as a continuation high school. There is a grant that the program receives to keep class size low. Millennium High School has been self-sufficient. There are accounting procedures that Millennium High School has undertaken over the years. It is



supported by a parent club. The discretionary budget is \$35,000/year. It is a very lean program. Although it has low class sizes, the teachers are all part-time.

#### INFORMATION ITEMS

Announcement of Tuesday, February 24,  
2009 Special Board Meeting

President Monach announced that a Special Board meeting will be held on Tuesday, February 24 for anticipated action on the parcel tax renewal and additional discussion on the particular kinds of services and layoff notification process and to take action on the use agreements with the City.

#### CORRESPONDENCE

President Monach acknowledged the following correspondence: numerous emails in response to the Board's decision to select the Havens relocation plan; several requests for information on the relocation implementation plan issues, which were forwarded to the Superintendent; information from a citizen for considering the terms for bus services; a public records request for agenda items for collective bargaining between the District and the Association of Piedmont Teachers; input regarding the school parcel tax; input on the material to be used for the Havens play field, input on insufficient notification to the neighbors on the use and access of the Havens play field.

#### BOARD REPORTS

None

#### CONSENT CALENDAR

Catherine Ogle: re Item Leave of Absence: she notices that a leave of absence has to be approved. Her concern is always having to approve it out of context. You don't know how many people are already on leave or the reasons. It looks like 15 teachers are on leave this year. This is a year that we have made a concerted push on teacher education and she is concerned about the high number of teachers missing that. There should be a little more attention paid to this. Vice President Gadbois remarked that many of these leaves are for portions of a leave from their position, not a 100% leave.

It was moved by Board Member Jones, seconded by Board Member Tolles and approved unanimously to approve the Consent Calendar as follows:

- A. \*Adopt Regular Board Meeting Minutes of January 14, 2009
- B. \*Approve Monthly Financial Report of the District for January 2009
- C. \*Approve Personnel Action Report
- D. \*Waive Second Reading and Adopt Proposed New Board Policy 3510, "Green Initiative"
- E. Approve one Individual Service Agreement and one Master Contract with Stars High School, to provide educational program for one high school student effective February 9, 2009 through June 30, 2009, at a total cost not to exceed \$12,090.00. Funding: Special Education
- F. Approve one Individual Service Agreement with Speech Pathology, to provide a speech assessment to one middle school student, effective February 12, 2009 through June 30, 2009, at a total cost not to exceed \$1,000.00. Funding: Special Education

#### FUTURE AGENDA ITEMS (subject to change)

- Hearing for Certificated Layoffs (Mar)
- Review of Facilities Use Fees (Mar)

- Report on Model Arts Program – 5 Year Grant Program (Mar)
- Certification of Athletic Coaches (Mar)
- Review 2008-09 Second Interim Financial Report of the District; Accept a "Qualified Certification" of the District's Ability to Meet Financial Obligations for Current Year and Subsequent Two Fiscal Years; and Adopt Resolution Authorizing Budget Transfers of Funds
- 2009 PEF Spring Grant Applications (Apr)
- Notification of 2009 Arthur Hecht Volunteer of the Year Awardee (Apr)
- Recognition of 2009 Arthur Hecht Volunteer of the Year (May)
- First Reading of Proposed Revised Board Policy 5145.3, (Student Version), and Board Policy 4030 (Employee Version), "Discrimination/Hazing/Harassment (Including Sexual Harassment), Intimidation, Bullying, Cyberbullying, to include a segment on "Hate Crimes" (Apr/May)
- Review of Board Bylaws (Section 9000) (TBD)
- Board Policy/Adm. Reg. 6163.4, "Acceptable Use of Technology" (TBD)

FUTURE BOARD MEETINGS

Regarding the tentative Board Workshop for a Saturday in March, not all Board members have been heard from.

ADJOURNMENT

There being no further business and with no objection from the Board, President Monach adjourned the meeting at 1:44 a.m.

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JUNE MONACH, Board President  
 Piedmont Unified School District  
 Board of Education

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CONSTANCE HUBBARD  
 Secretary, Piedmont Unified School District  
 Board of Education