

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

MINUTES OF  
Regular Meeting of the Governing Board

May 13, 2009

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CALL TO ORDER	Board President Monach called the Board of Education meeting to order at 6:05 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 6:06 p.m. to discuss:  A. Public Employee Performance Evaluation: Superintendent (Government Code Section 54957)
OTHERS PRESENT FOR CLOSED SESSION	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services David Roth, Assistant Superintendent, Educational Service
RECONVENE TO REGULAR SESSION	Board President Monach called the Regular Session of the Board of Education meeting of April 29, 2009 to order at 7:09 p.m. and led the Board and audience in the Pledge of Allegiance.
OTHERS PRESENT AT REGULAR OPEN SESSION	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services David Roth, Assistant Superintendent, Educational Services
Report of Action Taken In Closed Session	None
Agenda Adjustments	None
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, reported that: <ul style="list-style-type: none"><li>• Students are excited about Career Day</li><li>• The men's tennis team has done very well; they are the top-ranked team and a championship game will be held tomorrow, 3:30 p.m. at the Vista tennis courts</li><li>• The Senior Prom will be on Saturday</li><li>• Next Friday is Spring Fling for seniors at Witter Field</li></ul>
PERSONS REQUESTING TO SPEAK ON ITEMS NOT ON THE AGENDA	None

## Superintendent Announcements

Superintendent Hubbard announced that the next Budget Advisory Committee meeting will be held on Tuesday, May 19, 3:30 p.m. at the District Office.

Also, the Memorial Day holiday is Monday, May 25.

## Board President Announcements

President Monach announced that:

- Tomorrow, May 14<sup>th</sup> at 7:00 p.m. in the Ellen Driscoll Theater is an improvisation performance by the Living Arts Playback Theater called, "Everybody Has a Story", which is appropriate for ages 10 and up.
- Also tomorrow, May 14<sup>th</sup> from 7:15 – 9:00 p.m. is a GATE parent education program called, "Gifted 101" with Dr. Susan Daniels, to be held at the Beach School auditorium
- On Friday, May 15 is the Piedmont High School 44<sup>th</sup> Annual Birdcalling Contest, starting at 4:00 p.m. in the Alan Harvey Theater. Tickets can be obtained at: [enrollment.piedmont.k12.ca.us/phs/birdcalling](http://enrollment.piedmont.k12.ca.us/phs/birdcalling)
- On Wednesday, May 20, 4-6 p.m., at the District Office, there will be a Special Board Meeting regarding District goal setting and long-range planning
- A fundraiser, "Run Steven, Run", will be held at Witter Field on Saturday, May 23<sup>rd</sup>, 8:30 a.m. Donations will go toward the K-12 school district program and the Piedmont Educational Foundation

## PRESENTATIONS

### A. 2009 Arthur Hecht Volunteer of the Year Recipients

The Board recognized Anne-Marie Lamarche and Mark Menke as the joint recipients of this year's Arthur Hecht Volunteer of the Year Award. They have given back to the schools and broader community with their achievements. Highlights of their work have been leadership support through the Parent Clubs; Anne Marie chaired "Every 15 Minutes", a program established to make teens aware of the serious effects and impact to others when someone drives while being intoxicated. She was for two terms the Piedmont High School Parent Club President and Associated Parents Club of Piedmont Chair; both have been team parents for various high school sports, and Anne Marie serves on the Wellness Center Committee. They both have provided leadership for the Piedmont Boy Scouts Council, the National Charity League and Stanford University. Mark has been President of the Piedmont High School Athletic Boosters Club for two years, and Piedmont Soccer Club President, and put together a comprehensive survey comparing Piedmont coaching stipends with other districts.

The recipients will receive a student piece of artwork, to be chosen at a later time.

Both Anne Marie and Mark stated what an honor it was to be a part of this school community and to work with the people that make it such a good school district. Anne Marie reminded everyone to vote yes on Measures B and E on the June 2 ballot.

### B. Peer Advisor Group, Piedmont High School

Brooke Zimmerman and teacher Karen Blanpied talked about the purpose of the group, which is to bring together a group of dynamic students who would lead thoughtful discussions with other students and give student voice to a lot of teen topics; to bridge the gap

between learning that goes on in the classroom and decisions that are made on the outside; and to foster more community and connection between upper class students and freshmen and sophomores. The group works under the auspices of the Wellness Center.

Several of the students spoke of their experiences while being a peer advisor.

### C. K-12 Science Curriculum

Dr. Jamie Adams, Director of Curriculum, discussed the K-12 Science Curriculum program with the changes that have been made and how the curriculum is moving forward. Second grade teacher, Anjuna Wagner, discussed the FOSS program in the elementary grades.

Piedmont Middle School science teacher Marianne Gielow, spoke of her appreciation for the support of Principal Jeanne Donovan by getting smartboards, laptops and overhead projectors, and for bringing in community resources to the school for science programs via the resources of the Piedmont Educational Foundation and the UC Berkeley College of Chemistry grad students who lead lessons. It has been inspirational for the Middle School students to get a new perspective. The lunch time with the scientist was very good, also. Teacher Gielow appreciated the professional development time to learn new techniques and differentiated instruction. FOSS is an inquiry-based program although the classroom also has activity-based programs. She felt the new textbooks are user-friendly. She also praised the health textbooks.

PHS Science teacher Andy Willats, talked about student progression after two years.

### REVIEW & ACTION ITEMS

Adopt Resolution 22-2008-09, "Resolution & Decision Not to Reemploy Certificated Employees"

Superintendent Hubbard explained that the District is planning on anywhere from \$600,000 up to at least \$1.6 million of employee reductions, to be implemented in next year's program. The Resolution is the result of negotiations as the District moved through the layoff process. Administrators will receive a separate notice and go through a separate process, as do the classified employees.

Former Board Member Grier Graff asked if the Measure E parcel tax passes, will any of the employees to be reduced be brought back? Superintendent Hubbard advised some may be returned but there will be some who will not be brought back at all.

It was moved by Board Member Raushenbush and seconded by Board Member Tolles to adopt Resolution 22-2008-09, "Resolution & Decision Not to Reemploy Certificated Employees".

The Board was polled and the motion passed unanimously.

Conduct Public Hearing and Approve Contract Reopener Proposals for 2009-10 Negotiations Between the District and California School Employees Association (CSEA) Chapter 60

Superintendent Hubbard explained the interest-based bargaining negotiation process.

The "sunshining" of the reopeners provides two weeks for the public to provide comment on the reopener proposals and are as follows:

Article 9 – Layoff and Reemployment  
Examine layoff and reemployment policies.

Article 23 – Terms

Both parties have expressed interest in continuing the terms of the contract as is for two more years, which includes zipping the salary schedule but continuing movement for professional development units and longevity payments; and continue health benefits at the current rate, with the District paying the increase in the Kaiser Family Plan rate. “Zipping” means to leave articles in place as is.

Provisions under additional articles may be reopened by mutual agreement of the negotiating teams.

Financial Impact: The costs to maintain the existing contract under current terms is approximately \$650,000 over two years. This was based on an anticipated 8-10% increase in health benefits, which the District believes will be significantly less but will not know for sure until the next Board meeting.

Board President Monach opened the public hearing.

Resident Jon Elliott asked the Board not to zip the contract at all because the possible budget scenarios keep changing. He requested that the District reopen the health benefit portion to look at cost containment.

There being no one else requesting to speak, the public hearing was closed.

It was moved by Vice President Gadbois and seconded by Board Member Jones to approve the contract reopeners for 2009-10 between the District and CSEA.

Board Member Tolles stated there still seemed to be clarification needed on the reopeners. Superintendent Hubbard responded that if the Board preferred to hold action on this item to the next meeting in order that she can get written clarification from CSEA, this would be fine. The Board consensus was to bring the item back.

Board Member Jones withdrew her second to the motion, and Vice President Gadbois withdrew his motion.

Seismic Safety Bond Program:

1. Report from Bond Program Citizens' Oversight Committee

Citizens' Oversight Committee Chair Grier Graff presented the report of the committee. He advised that the figures provided by the District match with the unaudited actuals from the independent auditor.

The committee is pleased with the services of Rich Vila, Construction Project Manager, and Dave Burke, Seismic Safety Bond Program Manager.

There was no one from the audience requesting to speak.

2. Report on Seismic Safety Bond Program Plan

Seismic Safety Bond Program Manager David Burke reported on:

- Bus transportation planning is ongoing at this time.
- The lease/lease-back documents are being pulled together with

Webcor (for Havens/Ellen Driscoll Theater) and Overaa (for the High School)

- On Friday, the movers will be at Havens for the move to Emeryville or have items placed in a storage container to be located at Wildwood
- The Maintenance facility is completed
- The Master Program Schedule for the near-term projects and the Beach Design and Funding Schedule were reviewed and included milestone dates.
- Staff review of contracts is ongoing and will be brought back at the May 27<sup>th</sup> Board meeting.
- Havens/Ellen Driscoll DSA approval is anticipated for June 1
- The District will be entering into Guaranteed Maximum Price contract negotiations for those two projects and anticipate coming back for approval of the GMP for the Havens and Ellen Driscoll project by June 10<sup>th</sup>; if not, a Special Board meeting can be held
- The Piedmont High School project is anticipated to come out of DSA in July; the Guaranteed Maximum Price will happen in mid to late July and then brought before the Board
- The two Beach portables to house the two Havens kindergartens will be complete by the start of school next year, as well as the Beach SchoolMates portable
- The portables for Piedmont High School will be ready for occupancy by August 24, 2009
- Wildwood construction is anticipated for June 2010, pending State funding
- Beach construction is dependent on the next bond issuance

Resident George Childs made a brief comment.

3. Approve Contract Between the District and *murakami*/Nelson Architects for the Construction Administration Phase of the Ellen Driscoll Theater Seismic Retrofit Project

In preparation of the June 2009 commencement of the construction activities for the Ellen Driscoll Theater Seismic Retrofit Project, it is necessary to authorize *murakami*/Nelson Architects to proceed with the construction administration phase of their architectural services.

It was moved by Vice President Gadbois, seconded by Board Member Tolles and passed unanimously to approve the contract with *murakami*/Nelson Architects for construction administration services for the Ellen Driscoll Theater, effective May 14, 2009 through August 31, 2010, in an amount not to exceed \$104,440.

Resident George Childs made a brief comment.

4. Approve Contract Between the District and *murakami*/Nelson Architects and Engineers to Provide Construction Administration Services for the Piedmont High School Seismic Strengthening and Modernization Project (Library/Quad Building and Student Center)

In preparation for the June 2009 commencement of the construction activities for the Piedmont High School Seismic Strengthening Project, it is necessary to authorize *murakami*/Nelson Architects to proceed with the construction administration phase of their architectural services.

It was moved by Vice President Gadbois, seconded by Board Member Jones, and passed unanimously to approve the contract for pre-construction services, construction administration and record drawings for the Piedmont High School Seismic Strengthening and Modernization Project (Library/Quad Building and Student Center),

effective May 14, 2009 through August 31, 2010, at a cost not to exceed \$276,800.

5. Approve Remainder of Design Development Contract with *murakami/Nelson* Architects for the Beach Elementary School Seismic Retrofit Project

The contract is for the design development completion of Beach Elementary School. The Board previously authorized \$150,000 of the \$233,665 design development fee. At that time, the Board direction in the partial approval of the design development phase was to allow *murakami/Nelson* to keep the design phase moving forward. It is estimated the design development will be completed by the end of August 2009. In order to be in line for State funding while money is still available, the District must start construction documents by January 25, 2010.

Some funding has been released by the State Allocation Board but it is only addressing the backlogged projects and the State has not yet come to a position of releasing monies for projects going forward. The monies they released were fully used up by the backlog. Additional bonds will be issued but it is not known when.

Resident William Drum and observer to the Citizens' Oversight Committee, agreed that this item needs to be approved immediately.

It was moved by Board Member Raushenbush, seconded by Board Member Tolles, and passed unanimously to approve the remaining \$83,655 for the Beach Elementary School Seismic Retrofit Project.

6. Award Bid for Hazardous Materials Abatement and Removal, for Havens Elementary School and Ellen Driscoll Theater; and Authorize Staff to Issue a "Notice to Proceed"

The District is scheduled to begin the abatement of hazardous materials (asbestos and lead paint) at Havens Elementary School and the Ellen Driscoll Theater as soon as possible. As requested by Webcor, abatement will be completed through a stand-alone contract and will not be part of Webcor's scope of work.

The Board heard information presented by Program Manager David Burke on the schedule options for the abatement process and impacts on the program schedule and were requested to provide direction to the Program Manager on the schedule of the abatement in the negotiation process with the contractor prior to the issuance of the *Notice to Proceed*.

A total of five contractors submitted bids which were opened on May 7, 2009, with "Andy's Synergy" being the lowest bidder.

Abatement will begin the day after school is out; preparation work (putting plastic out, mobilizing the contractor, having materials ready on site, etc.) will begin prior to the end of school.

Superintendent Hubbard interjected that the District has been operating under the assumption that no hazardous materials will be removed during school time. The Notice to Proceed will not be issued until the Program and Project Managers have had an opportunity to speak with the lowest bidding contractor because the date for abatement to begin is different from their bid package. The Board is being asked to authorize awarding the bid based on negotiations that will take place for the timing because it is different from what was indicated in the initial bid that went out. If the contract changes within a reasonable amount, District staff will bring it back to

the Board. If the contract comes back at an unreasonable amount, the District will go out for bid again, which it still has time to do.

David Burke advised that considerable discussion had taken place with Rich Vila, Project Manager, and Webcor Builders, about impacting their critical path. The District felt strongly about not doing abatement activities while students are still in session.

Resident George Childs commented on the substantial savings created by the low bid. Andy's Synergy is the same company who did the abatement work in his home when he had to replace his furnace and they did a good job.

It was moved by Board Member Jones, seconded by Vice President Gadbois, and passed unanimously to award the bid for hazardous materials abatement and removal for Havens Elementary School and the Ellen Driscoll Theater to Andy's Synergy in the amount of \$204,000, and authorize staff to issue a Notice to Proceed, with appropriate direction on timing.

7. Approve Agreement Between the District and Fehr & Peers Transportation Consultants to Conduct Traffic Analysis for Bus Stops

Seismic Safety Bond Program Manager David Burke advised that bus transportation will be required for transporting first through fifth grade students from Piedmont to Emeryville and back for the 2009-10 school year and possibly the following two school years. Approval of the agreement will assist in learning of any mitigation issues for the proposed bus stops.

There was no one from the audience requesting to speak.

It was moved by Board Member Jones, seconded by Board Member Tolles, and passed unanimously to approve the agreement between the District and Fehr & Peers to conduct a traffic analysis for bus stops, effective May 24, 2009 through June 30 2009, in an amount not to exceed \$8,500.

Board Recess

The Board President called for a five-minute recess at 9:55 p.m.

Conduct Review of Draft Recommendation from Board Sub-Committee on Composition and Structure of Parcel Tax Citizens' Advisory Committee

Parcel tax ballot language includes the establishment of a Citizens' Advisory Committee to help review and project the financial needs of the District with respect to the school parcel tax.

Board Members Jones and Raushenbush were the sub-committee Board members who developed a draft of the Composition and Structure of the Parcel Tax Citizens' Advisory Committee. Board Member Jones explained some of the highlights of the proposal, which will return for final approval at the Board meeting of May 27, 2009. It was clarified that candidates must reside in Piedmont and be paying Piedmont property taxes (to exclude Piedmont Unified School District staff who may reside in Piedmont and be Piedmont taxpayers). It was also clarified that this committee would have a secretary to take the minutes of meetings.

Resident George Childs commented that it is important to have citizens provide input on how the parcel taxes are being spent.

REVIEW & DISCUSSION ITEMS

Conduct Status Review of District Action Plan for Long Range Goal Planning

Superintendent Hubbard reviewed the District Action Plan draft which will be placed on the District web site to be used as a tool for priority goal setting and planning. A one-page executive summary will be prepared, also.

A Special Board Meeting to discuss long-range planning will take place on Wednesday, May 20, 2009, from 4:00-6:00 p.m. at the District Administration Office. Continuation of the current goals will be considered.

The Piedmont Educational Foundation has been approached by the District to consider providing financial and leadership support on the District's long-range planning and prioritization.

There was no one from the audience requesting to speak.

Review Tentative Schedule for 2009-10 Regular Board Meetings

The draft schedule was presented. An error was noted and the schedule will return for adoption at the May 27, 2009 meeting.

#### INFORMATION ITEMS

Budget Update

A Third Interim Financial Report of the District will come before the Board at the May 27, 2009 Board meeting. If the State Measures fail on May 19<sup>th</sup>, and if the cuts to education are in the \$3.6 billion range, the net could be zero to the District.

Federal stimulus monies are Title I monies, to which the District is not entitled; Individuals with Disabilities Act (IDEA) monies are supposed to be \$400,000 over two years, and State Fiscal Stabilization funding would be \$668,000 – a total of approximately \$1 million. Districts have been told not to anticipate receiving IDEA monies because the State may hold onto it. It will not be reflected in the Third Interim for that reason. With the cuts looming in the future May Revise, these figures are likely to exceed the amount of federal funds for 2009-10 and 2010-11.

A letter to the community and all parents will be sent out by the Superintendent and Board regarding budget plans and possible levels of reductions. Vice President Gadbois offered to draft the letter, to which the Board members agreed.

Motion to Extend Time of Meeting

It was moved by Board Member Raushenbush, seconded by Board Member Tolles and passed unanimously to continue the Board meeting to 11:15 p.m.

Needs Assessment Survey

David Roth, Assistant Superintendent, Educational Services, advised that the Needs Assessment Survey is about ready to be disseminated via the parent club web sites at each school. Families will be receiving an email inviting them to participate in an online needs assessment survey for their student's school site. Households at all sites will be invited to participate. The results of the survey will inform the Board of the District's continuous improvement progress and be used by Site Councils to develop goals for their *Single Plan for Student Achievement*. The questions were based on a survey developed by the Hillsborough School District for their use, which they shared with Piedmont, and our District adjusted some of the questions to fit its own circumstances.

CORRESPONDENCE

Emails were received regarding the CSEA contract reopeners, the contract with Fehr & Peers, and the composition and structure of the Parcel Tax Advisory Committee recommendation.

BOARD REPORTS

President Monach attended the GATE Advisory Meeting yesterday.

CONSENT CALENDAR

President Monach acknowledged a donation in the amount of \$500 by James R. Taggart and a donation in the amount of \$1,000 by Sally and Steve Harper for exterior lettering for the dedication of the Buzz Redford Gymnasium (formerly Piedmont Middle School patio gym).

It was moved by Vice President Gadbois, seconded by Board Member Raushenbush and approved unanimously to approve the Consent Calendar as presented:

- A. Accept Donations (acknowledged above)
- B. Adopt Regular Board Meeting Minutes of April 29, 2009
- C. Approve District Warrant List for Services Rendered Dated May 7, 2009
- D. Approve Monthly Financial Report of the District for April 2009
- E. Approve Contract Between District and Total Compensation Systems, Inc. for GASB 45 Actuarial Services  
For consulting services effective May 14, 2009 through June 30, 2009, at a total cost not to exceed \$4,600
- F. Approve Out-of-State Field Trip for Participants in the Piedmont High School Annual Birdcalling to Appear on the David Letterman Show in New York, May 18-20, 2009
- G. Approve Name Change of "Adult Education Advisory Committee", to "Adult and Career Technical Advisory Committee"  
Renaming of the committee will facilitate the development and implementation of vocational education programs

FUTURE AGENDA ITEMS

—————▶ **SUBJECT TO CHANGE** ◀—————

- Designation of CIF Representative to League (2<sup>nd</sup> May mtg)
- Consultant Services Contract with Carol King (May/June)
- **Special Board Meeting Regarding District Goal Setting (Open Session)**, Wednesday, May 20, 2009, 4:00-6:00 p.m. , District Administration Office, Board room
- Third Interim Financial Report of the District (May 27)
- Moving Services (May 27)
- Recognition of Retirees (Jun)
- Conduct Public Hearing and Adopt Proposed New Textbooks (Jun)
- Information on Minimum/Days (June)
- Conduct Public Hearing and Adopt Resolution on Flexibility Transfers
- Review of Board Bylaws (Section 9000) (TBD)
- Board Policy/Administrative Regulations 6163.4, "Acceptable Use of Technology" (TBD)

ADJOURNMENT

There being no further business, and with no objections by the Board, President Monach adjourned the meeting at 11:16 p.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