

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

MINUTES OF
Regular Meeting of the Governing Board

June 10, 2009

CALL TO ORDER	Board President Monach called the Board of Education meeting to order at 7:05 p.m. and led the audience in the Pledge of Allegiance.
ESTABLISHMENT OF QUORUM	President June Monach, Vice President Ray Gadbois, Board Members Roy Tolles, Martha Jones
Board Member Absent	Board Member Raushenbush (excused)
OTHERS PRESENT AT REGULAR OPEN SESSION	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services
Agenda Adjustments	None
COMMUNICATIONS / ANNOUNCEMENTS	
Association of Piedmont Teachers (APT)	None
California School Employees Association (CSEA)	CSEA Chapter 60 President Maureen Rhodin, extended thanks on behalf of classified employees to the citizens of Piedmont for passing Measures B and E.
Parent Clubs	None
Student Representative to the Board	Will Pritchett, Student Representative to the Board, reported: <ul style="list-style-type: none">• High School Graduation is tomorrow at Witter Field at 5:00 p.m.• The Piedmont High School orchestra's final performance of the school year was held He thanked the community for supporting Measures B and E.
PERSONS REQUESTING TO SPEAK ON ITEMS NOT ON THE AGENDA	None
Superintendent Announcements	Superintendent Hubbard advised everyone that the high school graduation is tomorrow; today was Millennium High School's and the Middle School's.
PRESENTATIONS	
A. Recognition of Parcel Tax Committee Co-Chairs Sarah Pearson and Terry London	Parcel Tax Co-Chairs Sarah Pearson and Terry London were thanked for their service and all of their time in getting the Measures B and E parcel taxes passed. Terry London remarked that more than 200 volunteers helped out on the campaign. He thanked Michael Brady for explaining how school district funding works.

The Board expressed their grateful thanks to Larry Tramutola of Tramutola & Associates, and his co-workers Sabrina Dickinson and Charles Heath, for their strategizing expertise.

The Piedmont citizens were thanked for making passage of Measures B and E possible.

B. Recognition of Outgoing Student Representative to the Board

President Monach thanked Will Pritchett for his thoughtful and detailed reports to the Board. He was presented with a gift symbolic of public service: a clock on one side – because democracy takes time - and a compass on the other side – because one must listen to one's own internal compass.

C. Recognition of 2008-09 Retirees, Certificated and Classified

All retirees were recognized as follows:

- Beach: Pam Rafanelli, Teacher (not present); Ann Chandler, Paraeducator; Kitty Nemecek, Library Assistant and Paraeducator
- Havens: Pearl Johnston, Teacher; Leah Krogh, Teacher; Marjorie Lawson, Teacher; Kathy Parish, Paraeducator (not present)
- Wildwood: Judy Soden, Resource Specialist
- Piedmont High School: Dan Garvin, Teacher, Site Tech Coordinator, District webmaster
- Districtwide: Pat Hellman, School Psychologist

The retirees were each presented with a gift.

D. Presentation of CSEA Student Scholarships (3)

Three \$300 scholarships were awarded by Chapter 60 of the California School Employees' Association as follows, and presented by Chapter 60 President Maureen Rhodin:

Casey Butler, Lauren Beth Hoffman, and Miguel Lima

REVIEW & ACTION ITEMS
Conduct Public Hearing on the Levy of Measure E Parcel Tax

Superintendent Hubbard advised that when the Board voted to place Measure E on the ballot earlier in the year - a special emergency tax - the Board wanted to ensure a public hearing was held to determine whether the tax should be levied effective July 1, 2009. The levy of the parcel tax was recommended by the Superintendent to be effective July 1, 2009. The District understands that the tax is another burden for some members of the community.

The public hearing was opened. Budget Advisory Committee member George Childs said he knows the Board will do the right thing for the school district.

All Board members present voiced their support for the levy of the Measure E tax, to become effective July 1, 2009.

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 Tolles to levy the full amount of the Measure E parcel tax as listed in Resolution 11-2008-09. The motion passed as follows:

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

Conduct Public Hearing and Adopt
Proposed New Textbooks

Dr. Jamie Adams, Director of Curriculum, stated that there were no public written comments received during the 30-day public review period. At the high school site council meetings and Curriculum Forum meetings, there were no comments of concern expressed.

The Board provided positive feedback on the increased level of documentation for this adoption.

It was moved by Board Member Jones and seconded by Board Member Tolles to adopt the proposed new textbooks:

- “Algebra I”, Grade 9
- “Pre Calculus With Trigonometry: Concepts and Applications”, Grades 10, 11, 12

The motion passed as follows:

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

PUSD Seismic Safety Bond Program:

1. Approve the Following Documents
Between the District and Webcor
Builders for the Construction of Havens
Elementary School:

- Facilities Lease (Lease/Lease-Back Agreement)
- Exhibit C, “Maximum Project Cost and Other Project Cost, Funding and Payment Provisions”
- Exhibit D, “General Construction Provisions”
- Exhibit E, “Memorandum of Commencement Date”

Webcor’s intent is to put all of its energy and resources to get the Havens Elementary School done on time and on budget. Per a phone call today from Webcor President Andy Ball, any savings realized from the project will go back to the school district.

The approval being asked for from the Board tonight is for the exhibits shown (there are others to be added); approval of the lease/lease-back contract, and the Guaranteed Maximum Price (GMP) of \$20.5 million. The contract still needs tweaking, therefore, the contract version the Board has is not quite up to date. The District has received the official letter from the Division of the State Architect (DSA) that plans for Havens construction has been approved.

Seismic Safety Bond Program Manager David Burke advised that:

- The abatement contractor will be at Havens prepping. We want to get the abatement started as soon as possible because the area is where we will be placing the portable for PHS students
- The moving is progressing rapidly; the movers will be at Havens on Saturday, Monday and Tuesday
- The scope of services and GMP are still being worked on with Overaa Construction for the High School
- The move at the High School is becoming more and more complex because there are so many layers of issues
- There is a basketball court at the High School with six cargo containers on it

- The initial cost project estimates for Havens were:

Retrofit option:	\$18.3 million
Hybrid Option:	\$23.0 million
Replacement Option:	\$48.8 million

The Becker-Webcor project budget is \$23.5 million so we can see how advantageous their proposal is. In addition, with a lease/lease-back contract, the \$20.5 million GMP never changes. Additionally, there is more of a collaborative design process; it provides the best value as opposed to lowest price; it ensures a quality contractor and solid sub-contractors who will perform; quality materials and workmanship are promoted; the construction schedule is more secure; the contractor rather than the District assumes the risk; and there are potentially no or far fewer change orders.

The Guaranteed Maximum Price (GMP) of \$20.5 million includes all work in the DSA plans; a synthetic surface field; and all site work for the High School interim portables to be placed at Havens for the 2009-10 school year. The contingency risk and budget shifts to Webcor Builders.

Superintendent Hubbard asked the Board to reserve July 1 for a Special Board Meeting to hear discussion from Kelling, Northcross & Nobriga, the District's consultant on bond financing, on our bond capacity, in order to make a decision at the July 8th Board meeting as to whether or not to pull out the financing by Webcor. If the District does it's own financing, it will be more economical. A contract will need to come to the Board for approval on July 8.

When asked what the extra \$5 million is for, the Program Manager responded it is for project "soft costs", such as design fees, leasing of portables, architectural and engineering fees; \$25.5 million is the total project budget.

The Ellen Driscoll budget is completely separate. In the program timeline, it was originally intended to come back the same time that the Havens GMP would come back; however, since that time, focus will be placed on the portables and the main facility. After the rainy season, the contractors will open up the Ellen Driscoll GMP, which would be the July or August Board meeting .

The field turf and SchoolMates is being funded by the City at \$1.2 million. It is included in the GMP. Of the \$25.5 project budget, the District will receive \$1.2 million from the City.

Vice President Gadbois asked if, for any reason, the District decided it did not want the artificial turf, can it be removed from the scope of the contract or is the District locked in? Program Manager David Burke responded that the synthetic turf is the most expensive option. The GMP includes a synthetic turf field. If the District decided it does not want a synthetic field turf, at that time, there would be a change order, but it would be a deductive change order rather than one that would increase the GMP.

Superintendent Hubbard added that she has been in contact with the City Administrator and advised him the Board of Education is

committed in the fall to discussing the use of synthetic turf and use of the field. December 2009 will be the decision-making date on whether or not to proceed with synthetic turf.

Board Member Jones asked for more information about contingency planning. Program Manager David Burke advised there will be a critical path scheduled and provided with milestones throughout the course of construction. Vila Construction will monitor the progress as the schedule moves forward. There is a penalty for liquidated damages if a contractor falls behind schedule.

Attorney Glenn Gould of Miller, Brown and Dannis Law Firm added that the Guaranteed Maximum Price gives the contractor an enormous incentive to get the work done on time.

When asked when the construction schedule is due, Mr. Burke responded that they have 30 days.

Resident George Childs is very encouraged to hear all of the commitments have been made.

It was moved by Vice President Gadbois and seconded by Board Member Tolles to accept Webcor Builders' Gross Maximum Price (GMP) of \$20.5 million; and to authorize the Superintendent to execute the finalized lease-leaseback agreements to incorporate the Piedmont High School interim housing scope, and finalize payment process (progress payments).

2. Update on June 4, 2009 Community Meeting Regarding Bus Transportation (Routes/Stops) and June 8, 2009 Community Meeting Regarding Construction and Related Concerns of Havens Neighbors

Seismic Safety Program Manager David Burke shared that a meeting was held on May 21 focusing on the Havens' parents concerns about bussing – the proposed routes and stops. In addition to that, District consultants wanted to communicate and meet with the Havens neighbors who may be impacted. Twelve hundred notices were sent out targeted community members for a second meeting on June 4. Three persons attended. Two of the three were parents. The low attendance was taken as an indication that there is no great concern regarding the routes and bus stop locations.

A June 8th meeting was held for Havens neighbors regarding construction concerns. Webcor will be publishing a monthly newsletter for circulation. Periodic meetings will be held with the Havens neighbors.

INFORMATION ITEMS

Budget Update

Assistant Superintendent Michael Brady provided an update of the State budget.

The projected deficit is now \$24.3 billion with the failure of the May 19 special election ballot measures and falling revenue projects

Major budget-balancing proposals:

- \$16 billion in cuts and savings, with \$7.2 billion from Prop 98
- \$2.8 billion from revenue accelerations and fees
- \$2 billion from local government borrowing
- \$3.5 billion from program consolidations, fund shifts, and other changes

The net result will be more cuts to the Revenue Limit. Piedmont has lost \$1,155 per pupil.

The revenue limit deficit factor is almost 18%.

There is a proposal out about shortening the school year; however, it would take legislative action and it would still have to be negotiated.

Update on District Long-Range Planning and Priority Setting

The District is poised to begin a long-range planning process. A copy of the proposal reviewed and approved by the Board on May 20th was included in the Board packet. This proposal was brought to the Piedmont Educational Foundation, and they voted to approve a grant in the amount of \$24,000 for the District to work with the Center for Collaborative Policy on the long-range planning / priority setting process. The consultant, Gina Bartlett, will first meet with the administrators to frame and outline the primary areas for discussion. In the late summer or early fall, a collaborative design team will work out a work plan and schedule.

President Monach and Vice President Gadbois will continue to work on the collaborative design team and ask for input from the rest of the Board.

A subgroup of administrators met with Ms. Bartlett to help the leadership team start on some priorities such as, what kinds of things are they really committed to - continuous improvement, engagement, etc. They will be meeting next Tuesday with all administrators.

Update on the Needs Assessment Survey

Superintendent Hubbard updated the Board on current participation rate and progress to date. The District has had about 400 responses so far. District staff are working to establish a link to online registration to obtain more responses. 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*.

Review of Proposed New Administrative Regulation 4216 (Classified Employees)

Legal counsel pointed out that the District needed an administrative regulation on Discipline, Suspension and Dismissal, which is a requirement by law. Verbiage from other districts was reviewed and our District fashioned an Administrative Regulation similar to Acalanes Union High School District. Collective bargaining unit would also address these issues. The proposed Administrative Regulation was reviewed by legal counsel and is being presented tonight as information and will be added to the Board Policies.

CORRESPONDENCE

Communications were received regarding:

- the parcel tax
- cleanup day and recreation day at Havens
- concerns about the budget cuts, particularly at Level II
- a question regarding Webcor's GMP
- a Havens neighbor question about construction, recycling, and reuse

Superintendent Hubbard added that Webcor's corporate mission includes "green", reuse, and as much environmental recycling as possible.

BOARD REPORTS

Board Member Tolles attended the retirement for the teachers at Havens and the high school graduation.

Board Member Jones joined the tour of the completed Maintenance building – the first project under the bond program that has been completed.

Vice President Gadbois attended the production of “Midsummer’s Night Dream”. It was very professional and funny. He is always amazed at the talent of the students.

President Monach has a graduating senior and graduating college student this school year. She said it was very uplifting to see each of the graduates cross the stage.

CONSENT CALENDAR

It was moved by Board Member Jones, and seconded by Board Member Tolles to approve all of the Consent Calendar items as presented:

- A. *Adopt Regular Board Meeting Minutes of May 27, 2009
- B. *Approve District Warrant List for Services Rendered Dated May 27, 2009
- C. *Approve Monthly Financial Report of the District for May 2009
- D. *Approve “First Amended & Restated Joint Exercise of Powers Agreement Creating the Alameda County Schools Insurance Group” (ACSIG)
ACSIG provides its members the capabilities of self-insurance, establishment and maintenance of funds to pay self-insured losses, and establishment and maintenance of funds to pay for desired insurance coverage, claims adjustment and administration, safety engineering, and other risk management and loss-avoidance services; and to provide a forum for discussion, study, development and implementation of recommendations of mutual interest regarding insurance, loss control, and related issues. The Chief Business Official from each agency serves as the representative on the Board of Directors.
- E. *San Lorenzo Interdistrict Attendance Agreement 2009-10
This agreement covers any employees of the District or City of Piedmont government workers who reside in San Lorenzo and want to have their children attend Piedmont schools, under criteria set by the District.
- F. *PUSD Seismic Strengthening Bond Program: Approve Lamorinda School Bus Transportation Agency Joint Powers Agreement Amendment #3, and Memorandum of Understanding
The amendment formalizes the membership of the District in the Joint Powers Authority. The Memorandum of Understanding formalizes the scope of services and fees the Lamorinda School Bus Transportation Agency will be charging the District.
- G. *PUSD Seismic Strengthening Bond Program: Approve Contract Between the District and Norcal Moving Services
The Board will be requested to approve these services at prevailing wages for the move from Piedmont High School to Havens Elementary School, effective June 11, 2009 through August 30, 2009, at a total cost not to exceed \$41,900
- H. Approve reimbursement to parents of one middle school student for non-public school costs in an amount not to exceed a total of \$20,000.00. Funding: Special Education

- I. Approve reimbursement to parents of one middle school student for non-public transportation costs in an amount not to exceed \$730.00. Funding: Special Education
- J. Approve reimbursement to parents of one pre-k student for non-public agency services effect April 30, 2009 through June 30, 2009 in an amount not to exceed \$22,000.00. Funding: Special Education.
- K. Approve payment to Alameda Unified School District for two special education aides for two Piedmont students attending Alameda USD effective July 1, 2008 through June 30, 2009, at a total cost not to exceed \$43,940.68. Funding: Special Education

The motion passed as follows:

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

Vice President Gadbois wanted to ascertain that the Norcal contract under the Consent Calendar is being approved at prevailing wages, to which the Superintendent said yes. He would like to see a broader discussion regarding prevailing wages in the future.

FUTURE BOARD MEETINGS

—→ **SUBJECT TO CHANGE** ←—

- Conduct Public Hearing, Adopt 2009-10 District General Fund Budget and All Budgets Operated by the District; and Adopt Resolution Authorizing Year-End Budget Transfers (June 24)
- Recognition of Outgoing Board President (July 8)
- Reorganization of the Board (July 8)
- Lease/Lease-Back Contract with Overaa (July)
- Review of Board Bylaws (Section 9000) (TBD)
- Board Policy/Administrative Regulations 6163.4, "Acceptable Use of Technology" (TBD)

Board Members suggested the addition of the following items to future Board meeting agendas:

- District Goals (July 8)
- Field Turf and Use Restrictions at Havens (TBD Fall 2009)
- Accepting gifts for construction projects
- Policy on moving contracts (prevailing wage or not) (TBD)

ADJOURNMENT

There being no further business, and with no objections by the Board, President Monach adjourned the meeting at 9:52 p .m.

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

CONSTANCE HUBBARD
 Secretary, Piedmont Unified School District
 Board of Education