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# **REVISED**

## **PIEDMONT UNIFIED SCHOOL DISTRICT Board of Education**

REGULAR MEETING  
Wednesday, July 8, 2009

Council Chambers, City Hall  
120 Vista Avenue, Piedmont

Closed Session: 6:00 p.m.  
Regular Session: 7:00 p.m.

### **A G E N D A**

- 6:00 p.m.
- I. **CALL TO ORDER**
  - II. **ESTABLISHMENT OF QUORUM**  
A majority of the Governing Board must be present in order to establish a quorum, allowing the Board to conduct business.
  - III. **ADJOURN TO CLOSED SESSION**  
Members of the public may speak to any Closed Session item on the agenda. The Board President may limit speaker time.
    - A. Conference with District Representative Constance Hubbard -  
Potential Litigation: One Case  
(Government Code Section 54956.9)
    - B. Public Employee Performance Evaluation: Superintendent  
(Government Code Section 54957)
  - IV. **REGULAR OPEN SESSION**
    - A. Call to Order
    - B. Pledge of Allegiance
    - C. Report of Action Taken in Closed Session
    - D. Agenda Adjustments
- 7:00 p.m.
- V. **COMMUNICATIONS / ANNOUNCEMENTS**  
The comments are informational only, covering items of interest to the Board, staff and community.
    - A. Association of Piedmont Teachers (APT)
    - B. California School Employees Association (CSEA)

- C. Persons Wishing to Speak to Any Item Not Listed on the Agenda
- D. Superintendent
- E. President, Board of Education

7:10 p.m.

VI. REORGANIZATION OF THE GOVERNING BOARD  
 Reorganization of the Board takes place every July. The Board will take action to elect the Board President, Vice President and Secretary to the Board for the period from July 2009 through **February 2010**, because it is an election year

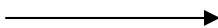
- A. Election of President: July 2009 through February 2010 (Superintendent to preside)
- B. Election of Vice President: July 2009 through February 2010 (new Bd. Pres. to preside)
- C. Election of Secretary to the Board: July 2009 through February 2010 (new Bd. Pres. to preside)

VII. REVIEW AND ACTION ITEMS  
 (The Board President may limit speaker time)

7:20 p.m.

- A. PUSD Seismic Safety Bond Program:
  - 1. \*Update & Presentation by Ruth Alahydoian, Vice President of Kelling, Northcross & Nobriga, Financial Advisors to the District, Regarding the Bond Fund Program
  - 2. \*Adopt Resolution 01-2009-10, "Resolution of the Board of Education of the Piedmont Unified School District Authorizing Filing an Application for Qualified School Construction Bond Allocation with the California Department of Education, and Approving Related Matters and Official Actions" (Superintendent Hubbard)
  - 3. Provide Direction to Staff on the Following in Anticipation of Issuing Bonds by September 2009: (Superintendent Hubbard)
    - a. Types of Bonds to Pursue
    - b. Assessed Valuation Growth Assumptions
    - c. Anticipated Tax Rate to be provided to the Alameda County Assessor's Office
    - d. Amounts and Timing of Issuance
  - 4. ***Adopt Resolution 02-2009-10, "Resolution of the Board of Education of Piedmont Unified School District Authorizing Debt Service Estimate to be Provided to the County of Alameda Respecting Authorized but Unsold General Obligation Bonds for Fiscal year 2009-10 and Approving Related matters and Official Actions"***

Pages 7 – 9,  
9-A & 9-B



8:30 p.m.

- B. PUSD Seismic Safety Bond Program:
  - 1. \*Approve Preliminary Services Agreement Between the District and Overaa Construction, Inc. for Pre-Construction Services Regarding the Modernization of Piedmont High School (Superintendent Hubbard)

Pages 10-23

The District is currently awaiting Division of the State Architect (DSA) approval of the plans and specifications for the modernization of Piedmont High School (Library/Quad Building and Student Center). The lease/lease-back agreements for the project cannot be executed, nor can construction commence until DSA approval is received. It is anticipated that DSA will approve the project in the next 30 days. While construction cannot commence until DSA approval is received, the District is permitted to move forward at this time with demolition and abatement work at the High School. Therefore, the Board is requested to approve a preliminary services agreement between the District and Overaa Construction so that this work may commence immediately. The amount of the contract is \$414,101.

2. \*Conditional Approval of the Lease/Lease-Back Agreements Between the District and Overaa Construction for the Modernization of Piedmont High School (Library/Quad Building and Student Center) (Superintendent Hubbard)

Pages 24-150

In anticipation of the Piedmont High School modernization project receiving DSA approval, the Board will be requested to approve the contract terms and conditions of the site lease and facilities lease for this lease/leaseback project. The lease terms include a guaranteed maximum price (GMP) of \$5,250,000. The Board's approval is conditioned upon DSA approval of the plans and specifications for the project, and the leases will not be executed until DSA approval is received. In the event modifications of any of the material terms of the leases are necessary as a result of the DSA approval process, the leases will be re-presented to the Board for approval.

9:00 p.m.

3. \*Amend Contract with Murakami/Nelson Architectural Corporation for Foundation Investigation of Existing Foundation Systems at Beach Elementary School (David Burke, Seismic Safety Bond Program Manager) Subcontractor R.P. Gallagher Engineer Associates needs additional information about openings in the foundation walls to properly design the hold downs at the new shear walls or the wall/floor framing connections at critical areas. They also need information about the depth and width of the footing under the retaining wall along Linda Avenue. The total request is for an additional \$27,870, to be effective July 9, 2009 through July 15, 2009

Pages 151-155

- 9:10 p.m. 4. \*Amend Contract Between District and Murakami/Nelson Architectural Corporation for Additional Structural Investigation of Existing Foundation Systems at Wildwood Elementary School  
(David Burke, Seismic Safety Bond Program Manager)  
Additional investigations of the foundations are needed in order for R. P. Gallagher Engineers to complete the foundation design of the seismic strengthening. There are no original drawings of this area so field investigation and verification is required. Applied Materials and Engineering will do the work at a total amount not to exceed \$44,620, effective July 9, 2009 through August 30, 2009 Pages 156-159
- 9:20 p.m. 5. \*Approve Proposal Between the District and Murakami/Nelson Architectural Corporation for Design of Audiovisual Systems at the Piedmont High School Student Center  
(David Burke, Seismic Safety Bond Program Manager)  
The audiovisual improvements will allow the facility to function for a variety of uses as a teaching kitchen for group events and for daytime multi-class presentations. The improvements are not an increase to the \$9.8 million overall project budget. The proposal is effective July 9, 2008 through August 30, 2009, in a total amount not to exceed \$35,300 Pages 160-165
- 9:40 p.m. C. \*Review and Adopt 2009-10 District Goals  
(Subcommittee Board Members Monach/Jones)  
Based upon Board discussion at the May 20, 2009 Board meeting and input received from both staff and the public, the proposed 2009/10 District Goals have been developed for the Board's review and adoption. Pages 166-168
- 9:50 p.m. VIII. REVIEW AND DISCUSSION ITEMS  
A. \*Review of Board Committee Assignments Page 169  
The Board will review the current 2008-09 list to discuss positions on which to serve as liaisons for 2009-10. Board Members may wish to add or discontinue some of the liaison assignments.
- 10:10 p.m. IX. CORRESPONDENCE
- 10:15 p.m. X. BOARD REPORTS
- 10:20 p.m. XI. CONSENT CALENDAR: ACTION ITEMS  
The following items are considered routine and can be handled with one action since it is recommended that all items be approved unanimously. Board members may request any item(s) be removed from the Consent Calendar and considered separately.
- A. Adopt Regular Board Meeting Minutes of June 24, 2009 Available at Board Mtg Page 170
- B. \*Extend Consultant Services Agreement Between the District and Julie Moll, to provide services as the Seismic Safety Bond Program communications consultant under direction of the Superintendent, effective July 1, 2009 through November 9, 2009, at a total amount not to exceed \$50,000

- C. \*Approve Consultant Services Contract Between the District and Dan Garvin, to provide technology services for the District, effective July 1, 2009 through June 30, 2010, at a total amount not to exceed \$30,000 (Funding Source: Seismic Safety Bond Program) Page 171
- D. \*Approve Personnel Action Report Page 172-173
- E. \*Approve District Warrant List for Services Rendered Dated June 30, 2009 Page 174
- F. \*Approve Contract Between the District and Murakami/Nelson Architectural Corporation to Design Photovoltaic System at Beach Elementary School Pages 175-177  
The Beach Parent Organization donated photovoltaic panel systems to generate electricity at their school and to serve as an environmental learning tool. Murakami/Nelson will design a three-kilowatt photovoltaic panel system for Beach Elementary School. The contract is for a total amount not to exceed \$8,250.
- G. \*Ratify Supplemental Personnel Action Report presented at Board Meeting of June 24, 2009 Page 178  
The Superintendent provided explanations of the Supplemental Personnel Action Report presented at the Board meeting of June 24, 2009. The report was presented to the public at the meeting of June 24<sup>th</sup> via the public information table, but the Board Members did not receive their copy. Following the Superintendent's comments regarding the contents of the report, the Board approved the action. Because the Board did not see the actual report until after the June 24, 2009 Board meeting, it is being returned as a ratification.
- H. \*Approve Quarterly Report of Complaints received under Williams Settlement Agreement (April-June 2009) Page 179
- I. \*Approve Submission of Consolidated Application, Part I, 2009-10 Page 180  
The Consolidated Application is used by the California Department of Education to distribute categorical funds from various state and federal programs (e.g., Economic Impact Aid, Title IV Safe and Drug-Free Schools and Communities) to county offices, school districts, and charter schools throughout California. In June of each year, every local educational agency (LEA) submits Part I of the application to document participation in categorical programs and provide assurances that the LEA will comply with the legal requirements of each program. Part II of the application, submitted in January of the following year, contains the LEA's entitlements for each funded program. Out of each state and federal program entitlement, LEAs allocate funds for indirect costs of administration for programs operated by the LEA and for programs operated at schools.

10:25 p.m.

XII. FUTURE BOARD AGENDA ITEMS

→ **SUBJECT TO CHANGE** ←

- STAR Test Results (Aug/Sep)
- Approve Contract for Student Information Data System (Aug/Sep)
- Report on Web-Based Online Registration at Schools (Aug/Sep)
- Review of Accountability Progress Report (APR): (Sep)

- Academic Performance Index (API) and
- Adequate Yearly Progress (AYP)
- Professional Development Activities (2<sup>nd</sup> Sep mtg)
- Conduct Public Hearing on Unaudited Actuals Financial Report and Revised District Budget (2<sup>nd</sup> Sep mtg)
- Annual Review of Specific Board Policies (2<sup>nd</sup> Sep mtg)
- Conduct Public Hearing and Adopt Resolution on Sufficiency of Textbooks and Instructional Materials (2<sup>nd</sup> Sep mtg)
- Adopt Resolution on Gann Limit (2<sup>nd</sup> Sep mtg)
- Adopt Resolution re: Authorization for Assignment Out of Credentialed Area (if needed) (Sep)
- Update on Action Plan from Administrative Team (Sep/Oct)
- Review of Board Bylaws (Section 9000) (TBD)
- Board Policy/Administrative Regulations 6163.4, "Acceptable Use of Technology" (TBD)

10:35 p.m. XIII. ADJOURNMENT

Next **Regular** Board of Education Meeting:

Wednesday, August 26, 2009

7:00 p.m.

City Hall, Council Chambers, 120 Vista Avenue, Piedmont

Please be advised that any communication sent to the Board of Education is subject to the Freedom of Information Act and can be viewed by the public, unless it is of a confidential issue covered under the Brown Act.

Board Agenda Material

*(in compliance with Senate Bill 343)*

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Public Comment

Individual speakers are asked to limit their comments for any item on the agenda to not more than three minutes in order to allow everyone who wishes to speak the opportunity to do so. Groups are asked to limit comments to a total of ten minutes.

ADA Assistance

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Superintendent's Office at (510)594-2614. Notification by Monday noon preceding the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

*The scheduling of time for agenda issues is approximate.*

\*Attachment

