

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

MINUTES OF  
Regular Meeting of the Governing Board

September 23, 2009

---

CALL TO ORDER	Board President Gadbois called the regular meeting of the Board of Education to order at 6:05 p.m.
ESTABLISHMENT OF QUORUM	President Ray Gadbois, Vice President Roy Tolles; Board Member Martha Jones
BOARD MEMBERS ABSENT	Board Members June Monach (excused); Rick Raushenbush (excused)
ADJOURN TO CLOSED SESSION	The Board adjourned to Closed Session at 6:06 p.m. to discuss:  A. Conference with District Representative Constance Hubbard Regarding 2009-10 Negotiations with the Association of Piedmont School Administrators (APSA) (Government Code Section 54956.6)  B. Conference with District Representative Constance Hubbard Regarding 2009-10 Negotiations with the California School Employees Association (CSEA), Chapter 60 (Government Code Section 54956.6)  C. Conference with District Representative Constance Hubbard Regarding 2009-10 Negotiations with the Association of Piedmont Teachers (APT) (Government Code Section 54956.6)
OTHERS PRESENT FOR CLOSED SESSION	Constance Hubbard, Superintendent Michael Brady, Assistant Superintendent, Business Services David Roth, Assistant Superintendent, Business Services
RECONVENE TO REGULAR SESSION	Board President Gadbois called the Regular Session of the Board of Education to order at 7:03 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
BOARD MEMBERS ABSENT	Board Members June Monach (excused); Rick Raushenbush (excused)
REPORT OF ACTION TAKEN IN CLOSED SESSION	None
AGENDA ADJUSTMENTS	President Gadbois advised that in order to keep the seismic strengthening renovation project going at the High School, it is necessary to add the item of "Approve Guaranteed Maximum Price (GMP) for Contract Between the District and Overaa Construction Company for the Seismic Strengthening Renovation of Piedmont

High School (Quad/Library Building and Student Center Building)", which did not come to the attention of staff or the Board until after the posting of the agenda.

It was moved by Board Member Jones and seconded by Vice President Tolles to add the agenda item to the Review & Action portion of the agenda.

There was no one from the public wishing to speak on this item.

The motion passed as follows:

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

#### COMMUNICATIONS / ANNOUNCEMENTS

Association of Piedmont Teachers (APT) Virginia Lewskowski, APT Vice President and APT member Dana Hirsch were attending and observers and just wanted to say hello. Both are teachers at the high school.

Classified School Employees Association (CSEA) None

Parent Clubs None

Student Representative to the Board Ally Leong, Student Representative to the Board was unable to attend the Board meeting due to participation in a volleyball game.

PERSONS REQUESTING TO SPEAK ON  
ITEMS NOT ON THE AGENDA None

Superintendent Announcements Superintendent Hubbard announced that tomorrow is the Bond Program Citizens' Oversight Committee meeting, where Phillip Cardon will be welcomed as a new member.

Also, she and Assistant Superintendent Brady attended the Moody's and Standard & Poor's rating meeting, along with the District's bond financial services consultant, Ruth Alahydoian, Vice President of Kelling, Northcross & Nobriga. The District was able to retain its Aa3 rating; in this bond climate, the District has been told that investors are now looking for multiple ratings therefore the District went to both Moody's and Standard & Poor's. Standard & Poor's rating was an AA. Ruth Alahydoian, Vice President of Kelling, Northcross & Nobriga, and Janice Peters were thanked for their assistance. The bond rating presentation will be placed on the bond web site.

Board President Announcements None

#### INFORMATION

Long Range District Planning Process The District is embarking on a long range priority planning process. The Piedmont Educational Foundation has provided financial and leadership support for this process. A core "design team" has had a couple of meetings, focusing on guiding principles, priorities and process; revisiting what the underlying long-term principles are for

the program; what kind of trade-off decisions do we need to make over the next few years, particularly as we are trying to balance the budget; and what process do we want to institutionalize for having this discussion on an ongoing basis in the future. A combination of having two community meetings and a survey in the October-November time frame is being looked into. The full Board needs to be engaged in the process and a Board Workshop is being contemplated for October 7<sup>th</sup> from 4-6 p.m. in the District Office, along with facilitator Gina Bartlett.

Professional Development Days, October 12-13, 2009

Dr. David Roth, Assistant Superintendent, Educational Services, announced that preparations are being made for teacher participation, and classified staff will meet on October 13<sup>th</sup>. The themes will deal with diversity and differentiated instruction. Instructor Anne Beninghof will return to the District to help. She will work with secondary and elementary staff. Parent workshops are anticipated, also. Last school year, there was a hate-related incident and since that time, a diversity task force was instituted to work with facilitators Maude Pervere and Margo Okazawa-Ray. They have had a couple of meetings and a retreat this summer. In August, the Middle School had a "Facing History" workshop for the teachers. Building relationships and community is a goal. A similar workshop will return for the October 12<sup>th</sup> professional development day, and the High School and Elementary schools are developing some teacher-leader facilitators on conversations that may be reviewing case studies. Of particular interest at the elementary level is how we speak to students in a developmentally appropriate manner. The hope is that we will also be building capacity so that administrators and teachers will broaden out to become leaders in this conversation. There will also be technology training (building web sites) at the Middle School. Other activities may be added as planning gets closer.

## REVIEW & ACTION ITEMS

Conduct Public Hearing and Approve the 2008-09 Unaudited Actuals and Revised 2009-10 Budget for All of the Funds Operated by the District: General Fund; Adult Education; Cafeteria; Deferred Maintenance; Capital Facilities; Building; Special Reserve/Noda; Special Reserve/Parcel Tax; and Authorize the Appropriate Budget Transfers

The 2009-2010 Adopted Budget for all funds operated by the District was approved by the Board of Education at the June 24, 2009 Board meeting. Typically, districts submit their annual budgets and then adjust once the State budget is approved. For 2009-10, the State's budget was approved five months early, though all indications were that it was "out of balance" immediately. Many analysts assumed the legislature would reduce 2008-09 funding levels prior to the end of the fiscal year to address shortfalls but this action was never taken. The consequence to school districts was that some mid-year cuts that had been anticipated were not fully realized by the end of FY 2009, and instead have been shifted to the 2009-10 budget and include a one-time \$250 per student cut to the per pupil Revenue Limit. A revised 2009-10 District Budget and 2008-09 Unaudited Actuals was presented by Assistant Superintendent Michael Brady as follows:

**New Budget Provisions and Implications:** In addition to mid-year cuts enacted in 2008-09, most school districts receive 18.35% less funding per the Revenue Limit (per pupil apportionment) for 2009-10 and for the next two years. Piedmont Unified will receive about 81 cents per \$1.00 of Revenue Limit funding, resulting in an average loss of \$1.3M each year over a four-year period. The State has granted districts permission to shift many of its categorical funds

(which have also been reduced by 20%) to the General Fund. While this provides greater flexibility to districts, it does not relieve them of fulfilling its obligations in receiving those funds. For example, to receive K-3 class-size reduction funds, the district must still operate average class sizes that approximate a 20:1 ratio (although penalties for going over 20:1 are less severe). Districts are not required to purchase new textbooks until 2012, but they must still maintain sufficiency of texts for all students, even though Instructional Materials funding is reduced by 20%. Districts are also allowed to reduce their reserve for economic uncertainty from the required 3% to as low as 1%. PUSD will not lower its reserve below 3% for two reasons: first, economic forecasts already show State revenue falling short of projected levels; and second, maintaining less than a 3% reserve will not leave the District with sufficient funds to draw upon should there be mid-year cuts in the existing budget. Finally, districts have been granted flexibility to reduce the length of the school year by up to five days. This flexibility is provided for up to four years, though this would need to be negotiated through the collective bargaining process.

The revised budget presented tonight will require further modification once final figures on staffing, benefit modifications, and Step & Column/Longevity calculations have been completed. These will be presented at the First Interim report in December, 2009. The Unaudited Actuals for 2008-09 were not completed at the June 24, 2009 meeting, so the 2008-09 Ending Fund balance was estimated at that time. The Beginning Fund Balance used for the 2009-10 year is based on the previous year's Ending Fund Balance. After the close of the fiscal year June 30, the District "closes" its books to reflect actual expenditures and revenues to determine a final Ending Fund Balance. In the coming weeks, the accounting firm of Vavrinek, Trine, Day and Company, LLP will perform an audit on all of the funds operated by the District and present the 2008-09 Annual Financial Report in January 2010.

A summary of the 2008-09 Unaudited Actuals for all funds operated by the District, along with a Revised Budget for 2009-10 that reflects budget adjustments, and the Beginning Fund Balance per the Ending Fund Balance from the Unaudited Actuals was also provided. As budget assumptions change (the Beginning Fund Balance, enrollment, staffing and State revenue changes), the budget must be revised based on these more current set of actuals and assumptions.

The Budget is fluid and therefore under constant "revision" as revenues and expenditures are clarified. Major revisions to the Adopted Budget for all funds operated by the District must be approved by the Board and may be done at any time during the year. The Board must review the Budget at least twice during the year, at the First and Second Interim Reports. The Revised Budget presented as part of the First Interim Report in December 2009 will reflect year-end projections based on actual expenditures through October 31, 2009. The Second Interim Report, which is based on actual expenditures through January 31, 2010, will be presented in March, 2010.

Following is a summary of the changes to each of the funds operated by the District. Spreadsheets provided compared the 2008-09 Estimated Actuals (Column I) as of June, 2009 and the 2008-09 Unaudited Actuals (Column II). The 2009-10 Adopted Budget as of June 24, 2009 (Column III) is compared to the proposed Revised Budget (Column IV) as of September 23, 2009 for each fund operated by the District.

**General Fund:** The General Fund is the most significant of the funds managed because it represents the day-to-day operations of the District. The General Fund includes income from the State and Federal Government (including federal stimulus funding [IDEA = \$515k over two years and ARRA = \$900k over two years] in February of 2009 ), the final year of Parcel Tax Measures B and C, the emergency parcel tax (Measure E = \$997k, potentially over 3 years), and Educational Foundation and Support Group donations. The General Fund reflects the District's priorities to offer a breadth of student program opportunities and provide compensation to attract and retain the most highly qualified personnel possible. The Board recognizes and is concerned about the reliance on one-time Federal funds in the budget and is grateful to the Piedmont community for its continued support. The Board has made explicit the need to address a \$1+ million shortfall in funding that will result once federal stimulus and emergency parcel tax fund authorizations expire.

#### Column I Estimated Actuals 06/24/09

- Estimated actuals for revenue and expenditures for 2008-09 as presented June, 2009 for the adopted budget.
- Expenditures in books, supplies, services, and operating expenses were matched to revenue from the State in categorical programs: arts and music block grant, secondary school counseling grant; discretionary site and district block grants; one-time art, music, technology, and physical education block grants.

#### Column II Unaudited Actuals for 2008-09

- The unaudited actuals will be audited by Vavrinek, Trine, Day and Company, LLP and will be adjusted, if required, and will become the audited actuals certified in January 2010.
- The increase in State revenue of \$550,929 was primarily the result of unrealized reductions to the Revenue Limit based on the adjusted deficit factor from -11.42% to -7.84%. These full reductions are recaptured later and reflected in the 2009-10 revised budget which includes the 18.35% deficit factor. Federal revenues were up due to required allocation of IDEA funding in 2008-09 of 20% of total funds.
- The additional increase in State revenue of \$19,000 came from the previously unfunded 9<sup>th</sup> grade class-size reduction program. Local revenue increased overall by \$122,000, including \$38k in interest earnings, special education and high school exit exam apportionments; \$72k in anonymous donations, increased rental fees, lost library books and textbooks; \$71k in Piedmont Education Foundation reimbursements for grants; a \$15k contribution from CHIME; and \$79k in receivables from parent and community organizations and associated student body

accounts that were committed and expended to support student programs. There was also a -\$153k accounting adjustment for the County Assessor's collection of parcel tax fees.

- Salaries for certificated and classified employees are actual costs. Salaries for certificated employees include one half of the cost of an early retirement incentive offered by the District to reduce the number of required lay offs and post-employment benefit obligations for the District. An increase in employee benefits of approximately \$26,000 was in the form of an annual pre-payment of health benefit premiums
- Expenditures in books and supplies was \$267,766 less than the Estimated Actuals. Typically, unexpended categorical funds are booked to the following year as expenses. Any identified "Tier 3" categorical funds not expended in 2008-09 were "swept" to the bottom line as approved by the Board in May, 2009, with the notable exception of Instructional Materials Funds, Gifted & Talented Education, and individual Site Block grants.
- Services/Operating expenses were reduced by approximately \$260,000, including reductions of \$71k in legal fees and consultant fees; \$44k savings in reduced postage, phones, travel, equipment rentals, and maintenance contracts; \$26k in general operating costs; and \$119k is carried over for unexpended anonymous donations and professional development
- The net projected increase of \$1,410,565 to the Ending Fund Balance in 2008-09 is reflected in the increase for the 2009-10 Beginning Fund Balance as presented in Column IV.
- Components of the Ending Fund Balance include \$869,432 in reserve for economic uncertainty, \$236,202 in designated restricted categorical funding and \$1,748,826 in self-designated funding now marked to offset reduced funding and expenditures for 2009-10.

#### Column III - Adopted 2009-10 Budget (6/24/09)

- Assumptions for revenue and expenditures in the 2009-10 District Adopted Budget were based on the "May Revise" held in June of 2009. Budget and changes in District programs and personnel are made per Education Code 42127 (as presented on June 24, 2009). Collective Bargaining issues for 2009-10 were settled for the Association of Piedmont Teachers (APT) and terms of the existing contracts for the California School Employees Association (CSEA) and Association of Piedmont Administrators (APSA) are carried forward and remain in effect for all versions of budget projections.

#### Column IV - Revised Budget 09/23/09

- Revenue -\$662,098:
  - Revenue Limit funds shift significantly and include a one-time reduction of \$250 per student (\$618,750).
  - State revenue increases by \$225,000 due to direct apportionment of Adult Education funding of \$240,000 to the General Fund and a \$37,000 decrease in K-3 class-size reduction funding. The \$240k Adult Ed fund revenue is subsequently transferred to the A/E fund.

- Federal stimulus IDEA funding of \$150,000 that was previously allowed for use in 2010-11 is now required for use in 2009-10
  - Local funding is reduced \$120,000 due to a reduction of - \$151k in parcel tax revenue based on prior year accounting adjustment; reductions in Parent Club paid salaries of \$86k; increased special education funding of \$55k and Wellness Center grants of \$54k.
  - The seeming reduction in the transfer of the parcel tax reserve from \$538,006 down to \$296,460 is a result of the \$240,000 transfer to the Adult Education program, half of which is returned to the General Fund in the form of a contribution due to Adult Education operating expenses.
  - Average Daily Attendance equal to that of 2008-09. Multi-Year Projections presented as part of the Interim Reports for 2009-10 will be adjusted to reflect actual attendance based on K-12 enrollment (2549, up from 2531).
- Expenditures +\$184,874
    - Adjustments have been made to reflect known changes since June 24, 2009. The cost for actual employee salary and benefits will be reflected at the First Interim (and as in past years, the budget still reflects some costs as place holders for employees). Employee benefits increase reflects a possible liability for a one-time STRS audit settlement from 2002-03 of \$120,000
    - Books/supplies and services/operating expenses decrease overall by \$21,170. There are a number of adjustments related to IDEA fund allocations offset by grants and categorical expenditures. No expenditures for facilities projects including the *Seismic Risk Reduction Program* are included in the General Fund.
  - Ending Fund Balance: \$2,058,542
    - Reserve for Economic Uncertainty of 7.0%.
    - \$1,158,019 is designated for use in 2010-11

Other Funds operated by the District are summarized with comparisons from the 2008-09 Estimated Actuals as presented in June, 2009 (Column I), the Unaudited Actuals as of September 23, 2009 (Column II), the 2009-10 Adopted Budget as presented in June 2009 (Column III) and the 2009-10 Revised Budget (Column IV) based on the 2008-09 Unaudited Actuals and additional information through September 23, 2009.

**Adult Education:** The Adult Education program income and expenditures are accounted for separately from General Fund activity.

- The 2008-09 Unaudited Actuals:

The change in the Unaudited Actuals from the estimated actuals in June 2009 reflects prior year revenue adjustments. For the next four years, State funding for Adult Education is projected to remain at the

2009-10 amount. Adult education programs are not required to have a minimum reserve level and are encouraged not to carry high reserves. However, given current conditions, the program will try to build reserves so that it might increase its annual contribution to the General Fund

- The 2009-10 Revised Budget:

The Revenue limit for Adult Education programs has been reduced 20% throughout the State. The Adult Education program will offer a significantly reduced complement of State-funded ADA classes and try to maintain profitable fee-based classes. Additional reductions in books & supplies/operating expenses have been budgeted.

**Cafeteria Fund:** The Cafeteria Fund is the fund through which the Federal milk money income must be accounted and all costs associated with the service of food for students at Piedmont Middle School and Piedmont High School.

- The difference in the 2008-09 unaudited actuals reflects both reduced costs (for personnel) and reduced income. All of the costs associated with personnel are reimbursed per actual expenditures by the PMS and PHS Parent Clubs. There was a slight decline in cost of supplies.
- The 2009-10 Revised Budget reflects the change as a result in the final Ending Fund Balance of 2008-09 as carried forward to the Beginning Fund Balance for 2009-10. This is a projection at this time and will be refined at the First Interim. Revenue will be added to match any employee expenditure because this fund is self-funded by donations.

**Deferred Maintenance:** The Deferred Maintenance Fund is used to account for major school building repair projects such as roofing, paving, electrical and plumbing.

- The 2008-09 Unaudited Actuals:

Revenue for the Deferred Maintenance account from the State is received one year in arrears. Deferred Maintenance entitlements accounted in 2008-09 included eligibility for matching funds from 2007-08. Deferred Maintenance is a "Tier 3" categorical fund, and the District has the option to sweep DM funds to the General Fund. It is important to note that the District may also choose to sweep the entire Ending Fund Balance of the DM fund to the General Fund, but must decide to do so by June of 2010.

Expenditures reflect actual work performed on Deferred Maintenance projects for supplies, classified salaries of District employees working on the deferred projects, and services that were contracted outside of the District. There was also a \$131,314 sweep of DM funds to the General Fund.

- The 2009-10 Revised Budget:

The Revised Budget reflects only the State contribution to Deferred Maintenance. Totals will be revised at the First Interim as necessary based on the information at that time.

Expenditures are estimates for projects to be completed during the 2009-10 school year and are included in the District's approved Five-Year Maintenance Plan on file with the State. The District will continue to look at the use of Deferred Maintenance funds to support efforts of the District's Seismic Risk Reduction Program. The District continues to track Deferred Maintenance hours worked by PUSD employees to save General Fund resources where appropriate.

**Building Fund:** The Building Fund is the fund through which all of the District construction projects that were authorized as part of the General Obligation Bond program are accounted.

- The 2008-09 Unaudited Actuals:  
The 2008-09 ending fund balance is comprised entirely of Seismic Safety Bond funds. The Citizens' Oversight Committee will review unaudited expenditures for the program at its next meeting, and will provide instruction for the 2008-09 auditors in preparation of its annual report in early 2010.
- The 2009-10 Revised Budget:  
The Revised Budget reflects anticipated issuance of General Obligation Bonds in the amount of \$19 million, and possible State modernization funding of about \$9 million. These figures are only projections, and serve as placeholders. The amounts do, however, approximate the amount of funding required to complete the current projects under construction (Piedmont High School Quad & Student Center; Ellen Driscoll Theatre; Havens Elementary Replacement project).

**Capital Facilities Fund:** The Capital Facilities Fund is used to account for facilities projects that are not eligible under the Deferred Maintenance Program or are not part of the construction projects funded by the General Obligation Bond program.

There were no significant changes in the 2008-09 Unaudited Actuals. For the past several years, the District made finance payments of approximately \$45,000 per year on the original Witter Field lease. The plan to transfer \$45,000 to the Capital Facilities Fund from the General Fund for future projects as part of a long-range Witter Field Fund plan continues to be suspended.

**Special Reserve Fund – NODA:** The NODA fund is established to support the Visual Arts Program in grades 6 through 12. The interest earned on the base endowment of \$100,000 is budgeted each year in the area of visual and performing arts.

There are no significant changes in the 2008-09 Unaudited Actuals or to the Revised 2009-10 Budget. Interest earnings and contributions have accrued sufficiently to maintain the base endowment of \$100,000.

**Special Reserve Fund- Parcel Tax:** This is a special fund established to account for transfers for future use to support Parcel Tax programs.

The 2008-09 Unaudited Actuals are very close to what was reported in June, 2009. The purpose of this fund is to support programs in the

final year (2009-10) of the Parcel Tax Measures B and C approved by the voters in June 2005.

The 2009-10 Revised Adopted Budget reflects the full transfer to the General Fund as required and as reported in June, 2009.

There was no one from the public wishing to speak.

It was moved by Vice President Tolles and seconded by Board Member Jones to approve the 2008-09 unaudited actuals and the 2009-10 Revised District Budget for all funds operated by the District.

Superintendent Hubbard advised that AB 1200 looks at making sure the public understands about the budget and its implications. People know what is going on. Those Board members absent tonight are in complete understanding of the budget numbers.

Adopt Resolution 05-2009-10, "Authorizing Budget Transfers of Funds"

It was moved by Board Member Jones and seconded by Vice President Tolles to adopt Resolution 05-2009-10.

There were no questions from the audience.

The motion passed as follows:

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

Conduct Public Hearing and Adopt Resolution 06-2009-10, "Resolution on Sufficiency of Textbooks and Instructional Materials"

Dr. Jamie Adams confirmed that all principals have acknowledged that each site has sufficient textbooks and instructional materials for all students.

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

Dr. Adams stated the District is looking at the Language Arts program internally. She is waiting for more direction from the long-range planning design team as to public engagement. No adoption requests will be made this year due to the extension of time from the State and the budget.

It was moved by Board Member Jones and seconded by Vice President Tolles to adopt Resolution 06-2009-10, "Resolution on Sufficiency of Textbooks and Instructional Materials".

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

Seismic Safety Bond Program:  
1. Update on Bond Program Projects Expenditures

A summary of the Seismic Safety Bond Program Expenditures through June 30, 2009 was presented to the Board:

Project	Thru 6/30/09
Maintenance Building	\$1,853,783.04
Havens Elem. School	\$3,850,813.95

Ellen Driscoll Playhouse	\$ 373,971.48
Piedmont High School	\$1,901,337.76
Piedmont Middle School	\$ 221,427.70
Wildwood Elem. School	\$ 994,460.61
Beach Elem. School	\$ 611,274.51
Emeryville site	\$ 412,267.85
District	<u>\$2,712,611.22</u>
Total thru 6/30/09:	\$12,931,948.12

There were no questions from the Board or public.

Mr. Burke is still working on the detailed expenditure budgets of each project.

ADDED AGENDA ITEM:

2. Approve Guaranteed Maximum Price (GMP) for Contract Between the District and Overaa Construction Company for the Seismic Strengthening Renovation of Piedmont High School (Quad/Library Building and Student Center Building)

Earlier in the meeting, the Board voted to add an agenda item that could not wait until the next Board meeting. This was the item.

Superintendent Hubbard explained that it was being requested that the item be added to the agenda to ensure that there are no interruptions in the critical path and that construction can remain on time for the High School seismic strengthening of the Quad/Library Building and Student Center Building), and that installation of the integrated fire alarm system for the Piedmont High School, Millennium High School, and Piedmont Middle School buildings can continue. The cost estimates were not finalized in time to be included as part of the regular Board agenda posting for the approval of a GMP that is in excess of prior authorization. If the item was held to the Board meeting of October 14, 2009, it would stop the construction process for three weeks.

The Board is being requested to approve the Guaranteed Maximum Price (GMP) of \$5,573,500 for this project. The GMP is greater than previously authorized by the Board because it includes the amounts for the two approved preliminary services agreements for \$414,000 and \$49,000 approved by the Board on July 9, 2009 and March 11, 2009, and final costs for the changes required by DSA. The total cost for this project remains under the project budget for the seismic strengthening of the Quad/Library Building and Student Center at PHS and the installation of an integrated fire alarm system to include all of the buildings on the PHS, PMS and MHS campuses.

The July 22, 2009 authorization for the GMP for \$5,250,000 was for tentative costs associated with pending DSA approval documents. The changes in the plans required from DSA resulted in significant cost implications. That GMP authorization also did not adequately reflect the preliminary services agreements that need to be included in the final Board-approved GMP for all projects if the firm providing the preliminary services is designated as the Developer in the Lease-Leaseback Agreement.

Vila Construction Company has worked carefully with John Nelson and Overaa Construction for value-engineering and has reduced the non-essential scope of the project such as the equipment to enhance space as a teaching site (audio-visual, etc.). The current scope includes the infrastructure to add the equipment at a later date and incorporates the significant number of changes required by DSA in

their final approval notes. Overaa Construction and Vila Construction, in working with our Construction Manager, have been successful at keeping the project on time, in scope and on budget.

The GMP being requested for approval is within the project budgeted for the Seismic Safety Bond Program.

It was moved by Vice President Tolles and seconded by Board Member Jones to approve the Guaranteed Maximum Price between the District and Overaa Construction Company for the seismic strengthening renovation for Piedmont High School, in the amount of \$5,574,000.

The motion passed as follows:

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

On another Bond Program issue, Mr. Burke added that project coordinators are continuing to fine-tune the school bus routing and schedule. Board Member Jones asked about having bus monitors on the bus. There are currently some bus monitors but not on every bus. President Gadbois added that his understanding is that most all school bus transportation programs do not have monitors on the buses. It is not done in the Orinda, Lafayette and Moraga area. There would be budget implications if a second adult [besides the driver] was on each bus. The District is looking at all the issues.

The Havens construction continues to run on schedule.

Appoint Applicants to the Citizens' Advisory Committee on the Parcel Tax Program Measures B & E

A listing of the eight applicants was provided to the Board. Just prior to tonight's Board meeting, one of the applicants requested his name be withdrawn. Another applicant submitted his application after the deadline so a second call for applications was extended to October 7, 2009.

It was moved by Board Member Jones and seconded by Vice President Tolles to appoint the following persons to the Citizens' Advisory Committee on the Parcel Tax Program, Measures B & E:

George Childs  
Jon Elliott  
Mimi Felson  
Cathie Geddeis  
Matthew Lifschiz  
Catherine Ogle  
Eileen Ruby

The motion passed as follows:

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

Call for Nominations for the California School Boards Association (CSBA) Director At-Large

The Board chose not to nominate anyone for a Director-At-Large position.

#### ANNOUNCEMENTS

Vacancies on Board of Education

Elections for Board of Education candidates (two vacancies) will take place on February 2, 2010. The nomination period for the upcoming election is from October 12 to November 6, 2009. An Election Timetable was provided in the packet. Nomination forms must be obtained from the City Clerk and are not available on the web site.

#### CORRESPONDENCE

Since the last Special Board Meeting, the Board has received two emails with regard to ideas on the school bus program.

Assistant Superintendent Brady advised that the bond sales information will appear in the local newspapers and in trade papers. The District will have access to the funds by October 13, 2009.

#### BOARD REPORTS

Vice President Tolles attended the Middle School Parent Club Board meeting and the Middle School Back to School Night; he also attended the PRAISE potluck. Last week he attended the Alameda County School Boards meeting about supporting Board culture. One of the comments made was that it is a good idea to spend time with other Board members to get to know them and their philosophies. He also feels it would be worthwhile to have a candidate orientation night so interested candidates can see the amount of work and time is involved in the position.

Board Member Jones attended the High School Parent Club meeting and the High School Back to School Night.

Board President Gadbois attended the Back to School Night at the Middle School and High School.

#### CONSENT CALENDAR: ACTION ITEMS (one vote covers all items)

It was moved by Vice President Tolles and seconded Board Member Jones to approve the Consent Calendar as presented:

- A. Adopt Regular Board Meeting Minutes of September 9, 2009
- B. Adopt Resolution 07-2009-10, "Approve Gann Spending Limit"  
The Board will be requested to approve this resolution which establishes maximum appropriation limitations ("Gann Limit") for public agencies, including school districts
- C. Approve Overnight Field Trip for Beach fifth graders to attend Marin Headlands Outdoor Program, October 15-17, 2009
- D. Approve Overnight Field Trip for Wildwood Elementary School fifth graders to attend Marin Headlands Outdoor Program, October 19-21, 2009
- E. Second Reading & Adopt Proposed Revised Board Policy 3290, "Gifts, Grants & Bequests"  
The Board conducted a First Reading of the proposed revised Board Policy at the Board meeting of September 9, 2009. The revised wording addresses donations that have been offered toward the construction projects related to the Seismic Safety Bond Program. Edits were requested by the Board at their meeting of September 9, 2009, and have been incorporated
- F. Approve payment to STE Consultants for social behavior consultation for two middle school students and ABA training for

Middle School Special Education staff, effective July 1, 2009 through June 30, 2010 at a total cost not to exceed \$7,000.00. Funding: Special Education

- G. Approve payment to Behavioral Intervention Association (BIA) for therapy for one elementary school student, effective July 1, 2009 through September 30, 2009 at a total cost not to exceed \$7,000.00. Funding: Special Education
- H. Approve Personnel Action Report

#### FUTURE BOARD AGENDA ITEMS

—→     **SUBJECT TO CHANGE**     ←—

- Update on Action Plan from Administrative Team (Oct)
- Review of STAR and API Results (Oct)
- Review and Discussion of Prevailing Wage Use (Oct)
- Second Reading / Adopt Proposed Revised Board Policy 4030, "Discrimination / Hate Crimes / Hazing / Harassment (Including Sexual Harassment, Intimidation, Bullying and Cyberbullying" – *Employee Version*, and Board Policy 5145.3, "Discrimination / Hate Crimes / Hazing / Harassment (Including Sexual Harassment, Intimidation, Bullying and Cyberbullying" – *Student Version* (Oct)
- Comprehensive School Safety Plan (Oct)
- Report of Professional Development Activities (Oct 14)
- Quarterly Report on Williams Complaints, July-Sep (Oct 14)
- Approve Student Data Information System Software (Oct)
- Report and Possible Action on CALPADS Program (Oct)
- Approve Single Plans for Student Achievement (Oct)
- Review of Annual Needs Assessment (Oct/Nov)
- Public Hearing on Use of Synthetic Turf/Natural Grass/Blacktop (TBD)
- Quarterly Report on Bond Expenditures
- Review of Board Bylaws (Section 9000) (TBD)

The Superintendent said the second round of appointments to the Citizens' Advisory Committee for the Parcel Tax Program will be added for the October 14<sup>th</sup> Board meeting.

There was Board discussion about the STAR/Academic Performance Index overview and the Needs Assessment Survey.

#### ADJOURNMENT

There being no further business, and with no objections from the Board, President Gadbois adjourned the meeting at 9:22 p.m.

---

RAY GADBOIS, Board President  
Piedmont Unified School District  
Board of Education

---

CONSTANCE HUBBARD  
Secretary, Piedmont Unified School District  
Board of Education