

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

MINUTES OF  
Regular Meeting of the Governing Board

February 14, 2007

CALL TO ORDER	Board President Lindenmayer called the Board of Education meeting to order at 6:34 p.m.
ESTABLISHMENT OF QUORUM	President Ward Lindenmayer, Vice President June Monach, Board Members Cathie Geddeis, Ray Gadbois, Roy Tolles
ADJOURN TO CLOSED SESSION	The Board adjourned to Closed Session at 6:35 p.m. to discuss:  A. Conference with District Labor Negotiator Constance Hubbard Regarding 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, Ph.D., Assistant Superintendent, Educational Services
RECONVENE TO REGULAR SESSION	Board President Ward Lindenmayer called the Regular Session of the Board of Education meeting of February 14, 2007 to order at 7:09 p.m. and led the Board and audience in the Pledge of Allegiance.
OTHERS PRESENT AT REGULAR SESSION	Constance Hubbard, Superintendent David Roth, Ph.D., Assistant Superintendent, Educational Services
Action Taken In Closed Session	None
Agenda Adjustments	None
Moment of Silence	President Lindenmayer called for a moment of silence in honor of Leo McCarthy, father of Piedmont resident Conna McCarthy. Mr. McCarthy was a very dedicated political public servant in California for many years and worked hard to advance the fortunes of many citizens of California.
COMMUNICATIONS / ANNOUNCEMENTS	
Association of Piedmont Teachers (APT)	None
California School Employees Association (CSEA)	None
Parent Clubs	None
Student Representative to the Board	Not present (excused)
PERSONS REQUESTING TO SPEAK ON ITEMS NOT ON THE AGENDA	None

Superintendent

Superintendent Hubbard advised that there will be no school the week of February 19-23 due to "ski week".

She wanted to make sure parents are aware of the Parent Calendar Survey sponsored by the Associated Parents Clubs of Piedmont, which is online now through February 27. It is regarding any input parents may have on the 2008-09 calendar. She added that although parents do not have an actual vote on the calendar, the teachers' association and District are committed to receiving feedback from parents. If you do not have online capability, you may obtain a copy from any school site office. She encouraged all parents to participate.

Board President

Board President Lindenmayer reported on the following:

- The Wildwood Elementary Art Show is continuing at the Citibank.
- The Havens Elementary School Open House is tomorrow evening
- Piedmont High School won the 2006 Alameda County-East Bay Canned Food Drive. Mercedes Foster, teacher in charge of the student Leadership team, coordinated the event.
- The City Hall is in the process of selecting new paint colors

## REVIEW & ACTION ITEMS

### Bond Program

#### A. 1. Presentation of Havens ADA and Fire/Life Safety Report (information)

Superintendent Hubbard stated that at the last Board meeting, there was a presentation by *murakami*/Nelson Architects & Engineers, regarding the partial Tier 2 report on Havens, which was the structural portion of the seismic issues at Havens. The report verified earlier reports that there are significant seismic issues at Havens. The presentation tonight was on the two additional components of the Tier 2 report: accessibility and fire and life safety issues.

She introduced John Nelson, President of *murakami*/Nelson, who reviewed the two portions (accessibility and Fire/Life Safety) for Havens Elementary.

Mr. Nelson introduced Zack Goodman from his office. Mr. Goodman is the architect on the Havens project.

Mr. Nelson explained the report the process used in order to compile this report:

- 1) basis of study – defining code sections that apply
- 2) review of existing documents, and assembly of documents from Piedmont schools and the Division of the State Architect (DSA), using both sets for analyses
- 3) conduct site investigations and code analyses
- 4) met numerous times as an internal team and with Capital Program Management (CPM), the District staff, and DSA to talk about the specifics on Havens and DSA's interpretation of the code

Laws were passed for our country about accessibility. The laws are a set of regulations written by the federal government and administered through the Department of Justice.

The State of California also has regulations which are mandated under the State Building Code. Both sets of regulations must be consulted in order to do an accessibility analysis.

He explained the scope of fire and life safety. The process is related to the type of construction of a building; the ability to exit the building in the event of an emergency or fire; the path of travel in the school, the number of doors, size of doors, ease of navigation through a school in order to get to the exterior in an emergency, and also the resistance of a building to a fire.

The second part of the report describes the accessibility deficiencies; the third part of the report describes the fire and life safety deficiencies, and the fourth part is the conclusions and next steps.

The Havens campus is comprised of five buildings and because the uses of the five buildings change, they have been labeled A-B-C-D-E. Building A is the Kindergarten/Administration-Library section; B is the 2<sup>nd</sup> Grade building; C is the Ellen Driscoll Theater; D is the 1<sup>st</sup> grade building and E is the multi-purpose building. For the purpose of the analysis they did, they were mandated to do an analysis on the priority buildings (A-B-C) first. During the next phase, they will be completing the analysis on Buildings D and E.

Building A was constructed in 1954; Building B was constructed in 1935; and Building C was constructed in 1940.

Accessibility deficiencies defined were:

- site/exterior path of travel
- interior path of travel
- restrooms
- interior environment
- state access

Door knobs take a certain type of action that is harder for a person with mobility impairment, therefore, levers on certain doors would be needed. The accessibility ramp is too narrow. Handrails are supposed to extend above the top step and beyond the lower step for firm footing. The ramps in Havens are too steep, too long, too high, not the right landing, and the handrails are too short.

Areas looked at were the site and exterior path of travel. The interior path of travel in Havens is extremely difficult, especially for reaching the library; restroom access and use of the restrooms are issues; there are a number of issues related to the interior environment of the classrooms; and stage access to the Ellen Driscoll Theater is an issue.

From the exterior access issue, there is a disabled parking spot where the cross slope is greater than is allowed so the wheelchair would be in an unstable position to use in a safe manner. The walkway-ramp is not wide enough. The doors to the main entry are in compliance; in other places in the building, doors are too narrow which would require removing the door and frame and rebuilding. Some would require changing the hardware only or adding an automatic door opener. The doors going into the theater are also too narrow for wheelchair access and need to be modified.

Regarding path of travel on Highland, there is a disabled parking stall, and one can get to the front of the theater but the fence and gate on either side are barriers because a disabled person would be unable to

use that path of travel. The fence and gate are also life safety issues for them as well. The only accessible path to get to the Kindergarten-First grade (because the ramps don't meet the requirements) is to park on Highland via a circuitous route.

There are numerous issues within the administrative area:

- bathroom sizes are not accessible
- access to the library: the landing is too small; handrails don't extend far enough
- ramps are too steep and too long; on one side the landing isn't the right size and the handrails don't extend properly
- for the most part, landings at the stairways for non-wheelchair but still mobility-impaired persons is still very difficult – the landings do not meet code requirements

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In the Kindergarten-First Grade wing:

- doorways have issues in terms of hardware
- there is an issue of access on landing size in order to exit
- restrooms not accessible
- for all classrooms, where there are sinks, there is not knee space for wheelchair users; the light switches are not at the right height; there are requirements for plug height, etc. within classrooms
- there are issues about access and maneuverability of wheelchairs that do not meet the code requirements
- continued issues of doorways and door hardware; issues of exterior doors – such as a bookcase right up against a door. There are many impediments to using these doors from an accessibility standpoint but also from a life-safety standpoint.

In the Ellen Driscoll Theater:

- the restrooms are not wheelchair accessible – that area would have to be completely redone
- doorways are too narrow and would probably need automatic door openers
- the kitchen area is not accessible; no knee space or way for a disabled person to be in there
- access to the exit way by the stage: the doors are not wide enough and do not meet access requirements
- there is no access to the stage area or the room behind it for a disabled person and there is no means of egress that meets accessibility code from the room at the rear of the stage

Life-Safety Deficiencies:

The buildings at Havens are built as Type 5, No Hour construction, which is basically wood frame construction with no particular fire rating. The next upgrade would be one-hour which is a higher standard and more resistant to fire.

- There are no sprinklers at Havens
- The school was built as a Type 5, No-Hour building. A Type 5 building can be a certain area and meet code requirements, but if it's too big, the building would be divided up into certain pieces. Havens is over the "allowable area". There are no longer any area

separation walls and this would have to be mitigated. Buildings A and B, because they are connected, are over allowable area.

- There is also an issue in regard to the back of Building B, which is the proximity of the exterior wall of the building and the property line. The building is too close to the property line to have windows or doors. Based on current code, this would need to be mitigated.
- Width of exits is an issue
- Exiting from the library, the existing path is sub-standard and the landing does not meet code. The lobby may have to be rated construction (none of the building is rated at this time)
- There are some exiting issues in the Administrative area in regard to door swings and clearances at doors. Again, the landings are not the right size at the exit doors and the handrails do not extend far enough. The exit doors should be 3' wide and they are not.

Ellen Driscoll Theater:

- Since it is considered an "assembly occupancy", DSA is looking to have three usable exits. One problem is that the gates swing in. When you have an occupancy of more than 50 persons, the gate has to swing out
- Because it is an assembly occupancy, a panic device is also required to open it the gate
- There is a potential issue with DSA; they might look upon the exit into the Bon Fare area as an "exit court". Because there is a building right on the property line, the windows may be an issue. They are now in the process of obtaining a title report.

Mr. Nelson stated these are all things that can be solved and there are ways to deal with them architecturally.

Next Steps:

- Concept design
- Cost estimate
- Public engagement process
- School board decision
- Proceed with design and construction

George Childs, Piedmont resident, said it needs to be kept in perspective that the entire bond measure was sold to the electorate as a seismic upgrade.

Mr. Nelson advised that State building code requires that accessibility work be done at the time the seismic work is done, with which DSA is inclined to follow. Therefore, the accessibility items would have to be taken care of along with the seismic issues.

Project Manager David Burke felt State modernization funding will allow another opportunity for accessibility upgrades that exceed what the District would have to do for the seismic retrofits to a building.

Discussion ensued regarding breaking up line items to distinguish between bond expenditures and modernization issues.

Bill Drum, resident and member of the Citizens' Oversight Committee, stated that the issue that initiated the bonds was child safety. While fire-life safety wasn't considered, it is still very important and thinks the public would expect the Board to look at it in that way first.

Secondly, he thinks the public looks to the Board for the quality of the environment of education. He has been very impressed that the Board has been focused and deliberate in this process. He commended them and asked them not to get lost in the detailed differentiation between expenditures. The Board needs to find what is going to be the best way to spend the money to achieve those goals of the safety of children and excellence in the environment of education and if it can be done with the combination of the state money and in a way that may not be exactly seismic, the Board has to do it. He advised not to waste their time on differentiating and to keep their focus on the real issues. He added that the houses in this town are worth millions of dollar more because of what the Board is doing.

Billy Allen, resident, stated that he has had some skepticism about the expenditure of bond measure money. Although everyone wants to keep things safe for the students, a cost benefit analysis regarding safety features would help. We want to use the bond money for the purpose it was intended: seismic upgrade.

Bond Program:

- A. 2. Approve Amendment to Architectural-Engineering Agreement Between District and *murakami*/Nelson, to Include Design Concepts for Havens Elementary School

It was moved by Vice President Monach, seconded by Board Member Tolles, and passed unanimously to approve the amendment to the *murakami*/Nelson agreement to include design concepts for Havens Elementary School, effective February 15, 2007 through June 30, 2007, in an additional amount not to exceed approximately \$300,000.

Bond Program:

- A. 3. Approve Amendment to Architectural-Engineering Agreement Between District and *murakami*/Nelson for Tier 2 Evaluation and Analysis Phase of Beach and Wildwood Elementary Schools

Superintendent Hubbard advised there is a sense of urgency in approving this amendment so that work can begin during ski week (February) and continue during spring recess (April). Another reason for urgency is because the original drawings of Wildwood cannot be found and will have to be recreated.

It was moved by Board Member Geddeis, seconded by Vice President Monach, and passed unanimously to approve an amendment to the agreement between the District and *murakami*/Nelson to conduct a Tier 2 Evaluation and Analysis Phase of Beach and Wildwood Elementary Schools, effective February 15, 2007 through June 30, 2007, in the approximate amount of \$300,000.

- A. 4. a. Ratify Agreement Between District and EStructure (Maryann Phipps) for Professional Services as Structural Peer Reviewer, Piedmont High School Campus

At the last Board meeting, the Board authorized District staff to begin negotiations with structural peer reviewers for Piedmont High School and Havens campuses. There were three Requests for Qualifications submitted. One was identified for the High School and one for Havens Elementary School. Everything is in order regarding the legal requirements of the agreements. Because these contracts have already been authorized by the Board, tonight's action will be for ratification of the agreements.

- A. 4. b. Ratify Agreement Between the District and Theodore Zsutty for

Resident George Childs feels it is valuable to have structural peer reviewers on these projects.

Professional Services as Structural Peer Reviewer, Havens Elementary School Campus

It was moved by Board Member Gadbois, seconded by Board Member Geddeis, and passed unanimously to ratify the agreements with EStructure (Maryann Phipps) as a structural peer reviewer for Piedmont High School, and Theodore Zsutty as a structural peer reviewer for Havens Elementary School, effective February 15, 2007 through February 29, 2008, in an amount not to exceed \$20,000 each.

A. 5. Ratify Agreement Between District and Hazard Management Services, Inc. for Professional Services

David Burke, Project Manager, presented the agreement for hazardous materials abatement services, mainly sampling for asbestos and lead paint.

It was moved by Vice President Monach, seconded by Board Member Tolles, and passed unanimously to ratify the agreement between the District and Hazard Management Services, Inc. for professional services to be conducted at Beach, Havens and Wildwood Elementary Schools, Piedmont Middle School, Piedmont High School, Adult School, District Office, and the Maintenance and Operations facility, effective February 14, 2007 through April 15, 2007 (basic services), at a total amount not to exceed \$27,500.

A. 6. Update by Board Subcommittee on Public Engagement Process

Vice President Monach reported on the following:

- A second newsletter was released a couple of days ago. There are currently approximately 130 subscribers and other community members are urged to sign up at [www.pusdbond.org](http://www.pusdbond.org). Feedback has been received and appreciated.
- Citizens should have received by now their invitation from the City to attend the first of two public engagement meetings for the Civic Center Master Planning Process; the first will be held on Thursday, February 15, 7:30 p.m. in the Piedmont Community Hall and televised (tape delay). The second meeting will be held on Thursday, February 26, 7:30 p.m. at the Piedmont Community Hall.
- On March 1, the entire Tier 2 accessibility and fire-life safety reports presented to the Board will be posted on the District web site.
- On March 12, a Board workshop will be held from 8:00-10:00 a.m. in the City Council Chambers on State funding, to be presented by Project Manager David Burke. The workshop will be broadcast live.

Adopt Resolution 17-2006-07, "Arts Education Month – March"

PAINTS is looking at arranging a student art exhibition, in coordination with the City's centennial.

It was moved by Board Member Geddeis and seconded by Vice President Monach to adopt Resolution 17-2006-07, "Arts Education Month – March",

The Board was polled and the motion passed unanimously.

Approve Certificated Assignments by Waiver

The California Commission on Teacher Credentialing provides the option of assigning teachers by waiver when a district is unable to employ a teacher who holds the appropriate credential.

It was moved by Vice President Monach, seconded by Board Member Tolles, and approved unanimously to approve the waivers for Megan Cole as a .6 FTE Spanish teacher at Piedmont High School, and Joan

Germany as a .4 FTE American Sign Language teacher at Millennium High School.

Vote for 2007 California School Boards Association (CSBA) Delegate Assembly – Sub-Region 7-B (Alameda County)

The Delegate Assembly is made up of approximately 270 delegates who are elected by local board members in 21 geographic regions throughout the State. The Delegate Assembly sets the general policy direction for the association.

It was moved by Vice President Monach, seconded by Board Member Geddeis, and passed unanimously to cast a vote for the following individuals:

- Denis King, Dublin USD
- Nina Moore, Fremont USD
- Linda Perry, San Leandro USD

REVIEW AND DISCUSSION ITEM  
Review Condition/Replacement of  
Football Field Turf and Track

Superintendent Hubbard reiterated that this issue will be brought back in further detail at the next Board meeting on March 14 and return again for action or no action at the April 28 Board meeting.

A letter was sent to all Witter Field neighbors indicating that this was going to be an agenda item at tonight's meeting and if they wished to receive future agendas via email, they were to notify the Superintendent's office.

This agenda item is not to ask for bond money, nor is the District looking for any additional money or discussing any changing of use; it is only to update on the wear and tear of the football field and the track.

The Superintendent gave a history of the artificial turf, installed in August, 2000, with a warranty of 8 years. The first year of use was in the 2000-01 school year. Funding Source was from community donations and the District Field Maintenance Budget. The lease is through 2009. The total cost for the artificial turf was \$1,000,000. The artificial turf was expected to last 10-12 years.

Issues of the track and football field are:

- safety: injury, tripping hazards
- community need/access for field space
- protection of assets

The artificial turf is doing well in terms of not being a hazard. It is maintaining its usefulness in terms of safety.

The track no longer has warranty credit. We have estimates from last year in amounts of \$97,647 - \$260,000 for the artificial turf. The \$97,647 would cover respraying what we have. The \$260,000 is pulling up what we already have and putting everything on a different surface.

"D-zones" are the zones where the goals posts are and during track, the area is used for pole vaulting and long jump. They spill over with sand during the season. These areas are a mess and hard to keep clean. If the District decided to fix them, it would be approximately \$95,000 (2006 price quote).

The football field wear and turf was examined and has not been holding up as expected, although it was not expected that use would be 18 hours a day/6 days a week. There is now a new version of the product. District staff has been in touch with the company Field Turf and were quoted a cost of \$220,000 that would include:

- installation of new turf and disposal of old turf (\$50,000)
- permanent lines for football-soccer (\$23,000)
- Piedmont logo (\$10,000)

Field Turf said they would honor the year-old quote.

If this work is done after 2007, the increase in cost would be over twice as much (\$450,000).

No Measure E Bond funds or General Fund Program funds can be used.

There would be a loss of income to the District during the time of renovation (4 weeks).

Possible sources of funding:

Capital Facilities Fund:	\$184,000
1994 Bond Measure Carryover:	<u>\$172,000</u>
Total:	\$356,000

Other additional funding sources could be:

- Donations
- Lease options
- Set aside replacement from rental for future

The shortfall before inflation with no contingency would be up to \$225,000.

Field Turf is requesting that the District commit by March 30 in order for Summer 2007 installation.

#### INFORMATION ITEMS

Revisions to Administrative Regulation 5111.1, "District Residency"

Administrative Regulation 5111.1 was revised to provide more clarification to parents/guardians regarding residency requirements and documents required.

Revisions to Administrative Regulation 5117, "Interdistrict Attendance"

Administrative Regulation 5117 was revised to provide more clarification to parents/guardians regarding documentation required and categories of eligible non-resident students.

Administrative Regulations do not require Board action and are being brought forth as informational, only.

#### CORRESPONDENCE

Emails were received regarding issues related to the High School.

Board Member Tolles commented on the compliment received from Stan Moy of the Technical Advisory Committee regarding the concise information received as shown on the PUSD Bond web site.

#### BOARD REPORTS

Board Member Tolles attended the Centennial Celebrations, a Beach Parents Organization meeting, a Technical Advisory Committee meeting,

a Steering Committee meeting, a Citizens' Oversight Committee meeting, and the Board workshop of February 12.

Board Member Gadbois attended the Centennial Celebrations, a Curriculum Council meeting, and the February 12 Board Workshop.

Vice President Monach attended the Centennial Celebrations, the February 12 Board workshop, and a California School Boards Association workshop on the role of Board Presidents, along with Board Member Geddeis.

President Lindenmayer shared that usually one of the Fiestaval auction items is a dinner at the Piedmont Fire House. He was an invitee of the bidder, and he had a delightful time.

CONSENT CALENDAR:  
ACTION ITEMS

It was moved by Board Member Geddeis and seconded by Vice President Monach to approve all of the items presented on the Consent Calendar.

The Board asked questions regarding the Consolidated Application, Part II, and Block Grant Spending Plan. Also, under tentative Board Workshops on the agenda, the May 7, 2007 Board Workshop is scheduled for a discussion on Havens design options, which will be televised.

President Lindenmayer announced that the next Board meeting will not be until March 14, 2007 due to the February ski week.

The motion to approve the Consent Calendar was unanimously passed. Items presented were as follows:

1. Adopt Regular Board Minutes of January 23, 2007
2. Approve Personnel Action Report
3. Approve Warrant List of Payments by the District for Goods & Services Received, Dated February 9, 2007
4. Monthly Financial Report of the District for the Month of January 2007
5. Approve Consolidated Application, Part II, 2006-07

FUTURE REGULAR BOARD  
MEETING AGENDA ITEMS

Agenda items for upcoming meetings:

- Maintenance Condition of Witter Field and Track
- Annual Review of Facilities Use Fees (March)
- Approve School Improvement Plans/Block Grant Spending Plans (March/April)
- Approve School Safety Plans (March/April)
- Comprehensive School Safety Plan (March/April)
- Review Second Interim Financial Report and Accept a Positive Certification of District's Ability to Meet Financial Obligations for Current and Subsequent Two Fiscal Years
- Certification of Athletic Coaches (March)
- Noda Memorial Grants (March)
- Calendar for the Levy of 2006-07 Parcel Tax (March)
- Approve Application for Multi8-School Teams Status (March)
- Report on Model Arts Program – 5 Year Grant Program (March)
- Notification of 2007 PEF Spring Grant Awards (April 25)

- Notification of 2007 Arthur Hecht Volunteer of the Year Awardee (April)
- Recognition of 2007 Arthur Hecht Volunteer of the Year Awardee (May 9)
- Review of Board Bylaws (Section 9000) (June)

Tentative Board Workshops (subject to change/cancellation):

- Monday, March 12, 2007, 8-10 a.m., City Council Chambers  
Subject: Study Session on State Funding of Seismic, Modernization, and Joint-Use Project
- Monday, April 23, 2007, 8-10 a.m., City Council Chambers  
Subject: PUSD Bond Program: Capital Program Management, Inc. / Decision-Making Models – Effects on Time
- Monday, May 7, 2007, 8-10 a.m., City Council Chambers  
Subject: Havens School Design Options
- Monday, June 11, 2007, 8-10 a.m., City Council Chambers  
Subject: TBA

ADJOURNMENT

There being no further business, and with no objections by the Board, the meeting was adjourned at 10:52 p.m.

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WARD LINDENMAYER, Board President  
Piedmont Unified School District  
Board of Education

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CONSTANCE HUBBARD, Superintendent  
Secretary, Piedmont Unified School District  
Board of Education