

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

MINUTES OF

Regular Meeting of the Governing Board

July 26, 2006

CALL TO ORDER – CLOSED SESSION	Board President Lindenmayer called the meeting to order at 6:00 p.m.
ESTABLISHMENT OF QUORUM	President Ward Lindenmayer, Vice President June Monach, Board Member Cathie Geddeis, Board Member Ray Gadbois, Board Member Roy Tolles
ADJOURN TO CLOSED SESSION	The Board adjourned to Closed Session at 6:01 p.m. to discuss: A. Public Employee Performance Evaluation: Superintendent (Government Code Section 54957) B. School Boards: Consideration of Student Discipline (Education Code 48912)
STAFF PRESENT FOR CLOSED SESSION	Constance Hubbard, Superintendent
CALL TO ORDER – REGULAR SESSION	Board President Ward Lindenmayer called the Regular Session of the Board of Education meeting of July 26, 2006 to order at 7:00 p.m. and led the Board and audience in the Pledge of Allegiance.
STAFF PRESENT AT REGULAR SESSION	Constance Hubbard, Superintendent Michael Brady, Assistant Supt., Business Services/Operations
Action Taken In Closed Session	None
Agenda Adjustments	None. Resident George Childs asked about some of the items on the Consent Calendar; Superintendent Hubbard advised that his questions would be addressed later on in the meeting.
COMMUNICATIONS / ANNOUNCEMENTS	
Association of Piedmont Teachers (APT)	None
California School Employees Association (CSEA)	None
Parent Clubs	None
Student Representative to the Board	None
PERSONS WISHING TO SPEAK TO ANY ITEM NOT LISTED ON THE AGENDA	None
Superintendent Announcements	None

Board President Announcements

President Lindenmayer announced the registration of students as follows:

- New Kindergarten through Fifth Grade Students: Thursday, August 3, 9:00 a.m. to 12:00 p.m. and 1:30 – 3:30 p.m. at Wildwood Elementary School
- New and Returning Middle School Students: Monday, August 21 from 11:00 – 6:00 p.m. in the middle school gym
- New and Returning High School Students: Friday, August 18 – 11:00 a.m. – 5:00 p.m. and Monday, August 21 from 1:00 – 7:00 p.m.

REORGANIZATION OF THE GOVERNING BOARD

Pursuant to Education Code Sections 35022 and 35143, the Board will take action to elect the Board President, Vice President and Secretary to the Board from the period of July 2006 through July 2007.

Superintendent Hubbard called for nominations for Board President. Past historical elections of Board President was discussed, along with continuity during the time of the Seismic Risk Reduction Program.

It was moved by Board Member June Monach and seconded by Board Member Geddeis to nominate Board Member Ward Lindenmayer as President for a second term. The Board unanimously approved by voice vote.

It was moved by Board Member Geddeis and seconded by Board Member Tolles to nominate Board Member Monach as Vice President for a second term. The Board unanimously approved by voice vote.

It was moved by Vice President Monach, seconded by Board Member Gadbois and approved by voice vote to appoint Superintendent Constance Hubbard as Secretary to the Board.

REVIEW & ACTION ITEMS

Conduct Public Hearing, and Review and Approve Contract Changes for 2006-07 and 2007-08 Between the District and the California School Employees Association, Chapter 60

The Board was requested to approve the CSEA Contract for 2006-07 and 2007-08, which includes a salary increase equal to 4.5% (4.25% on salary schedule) for 2006-07 and a guaranteed 3.5% for 2007-08.

The 4.5% is a combination of 4.25% on the salary schedule and sharing the cost of moving some positions into higher steps of pay, placing them in a more comparable rate of pay.

It was moved by Vice President Monach, seconded by Board Member Geddeis and approved unanimously to approve the contract changes for CSEA for the 2006-07 and 2007-08 school years.

Conduct Public Hearing and Approve Salary Increase for 2006-07 for Members of the Association of Piedmont School Administrators (APSA); and Approve Increase for Other Unrepresented Employees on Personnel Services Contracts (Food Services Managers, Superintendent)

The Board was requested to approve a 4.4% salary increase for all APSA employees. In addition, the Board will be requested to approve a 4.25% salary increase for Unrepresented Employees on Personnel Services Contracts (Food Services Managers, Superintendent).

It was moved by Board Member Gadbois, seconded by Board Member Tolles and approved unanimously to approve a salary increase for 2006-07 for members of the Association of Piedmont School Administrators (APSA) and other Unrepresented Employees on Personnel Services Contracts.

Adopt Resolution 03-2006-07, "Designated Signatures"

This resolution authorizes the signatures of all Governing Board members and signatures of persons authorized by the Board to sign orders for filing with the County Superintendent of Schools.

It was moved by Board Member Geddeis and seconded by Vice President Monach to adopt Resolution 03-2006-07. The Board was polled and the motion passed unanimously.

Conduct Biennial Review of Board Bylaw and Exhibit 9270, "Conflict of Interest"

Superintendent Hubbard explained that a biennial (every two years) review of this bylaw is required by the Political Reform Act. The bylaw and exhibit were last reviewed in 2004. The only changes since that time are to remove job positions irrelevant to this District. A Second Reading and Adoption will be conducted at the August 23, 2006 Board meeting.

Conduct First Reading of Proposed Revised Board Policy 5117, "Interdistrict Attendance"

The Board Policy is being streamlined to remove details that should be placed in the Administrative Regulation. The policy will return for adoption at the August 23, 2006 Board meeting. Administrative Regulations are not brought to the Board for approval but can be provided at the next meeting for informational purposes.

Superintendent Hubbard advised there are layers of issues involved with Interdistrict Attendance; at this time, we are trying to make our regulations as specific as possible in time for registration for the 2006-07 school year.

With declining enrollment, Board Member Geddeis requested that this issue return at a future Board meeting.

Update On General Obligation (G. O.) Bond Measure "E" In Connection With the Seismic Risk Reduction Program Projects; Information and Possible Direction/Action by Board to Superintendent

1. Update on Havens Temporary Housing Project (Information - oral)

Superintendent Hubbard provided an update on the Havens portable classrooms project. Additional unknown expenses were discussed:

- Traffic Controllers: did not expect this expense (projections)
- The Fire Department has requested certain issues be addressed with the portables which was not part of ATI's original contract; therefore, their contract is being amended

She reviewed all of the SRRP projects shown on the Consent Calendar.

Board Member Gadbois asked the Superintendent find out the process Vila Construction Company used to choose the firm of Pacific Power & Systems for the electrical project.

Vice President Monach asked what systems the District is using to develop systems to monitor and track the SRRP expenditures.

The Superintendent advised that in the future, requests for bids will go before the Board, along with a resolution awarding bids, if the project is not under an urgency resolution. The District is still on target to complete the Havens portable classroom project by August 10. The District's custodial staff will be available to perform cleaning services at overtime rates, rather than hiring outside help. The movers are in place and that contract was approved at a previous Board meeting and more than one proposal was submitted.

The Havens Interim Housing Project is projected to be \$1.328 million. The Board commended the Superintendent and Vila Construction Company for their coordination of this project.

Superintendent Hubbard praised the City for their cooperation in all aspects of this project.

In addition, the District formally requested the use of the tennis and basketball courts at a Recreation Commission meeting as a play area for Havens students for the 2006-07 school year. The District is trying to work out a schedule whereby tennis groups will not be totally displaced.

Board Member Geddeis felt the support and level of consideration that the Recreation Commission gave to the District's request was phenomenal. Although it involves some level of imposition to tennis clubs, they were also willing to compromise. It was clear that the District has a huge responsibility to take care of that property, such as oversight of debris and ensuring the proper types of shoes are worn by the students when on the courts.

President Lindenmayer commended Recreation Director Mark Delventhal for his handling of this issue and its presentation to the Commission.

Board Member Tolles did not feel there was discussion about having Havens students crossing the street to the tennis courts. He felt this was a safety issue and moved ahead farther than he realized. He added that he had not been able to keep totally abreast because of recent personal issues.

Superintendent Hubbard clarified that the City has not yet approved the request for use of the tennis/basketball courts. After speaking with the Havens Principal, it was determined that there is not enough space as originally hoped. The principal also spoke with staff members for their input. Staff felt that in order to deliver the physical education program and have opportunities for recess, additional personnel, and staggered lunch, the staff consensus was for the use of the tennis courts, and staff requested that the District proceed.

Havens Principal Tery Susman concurred that this request was the best solution for the operation of the school. Superintendent Hubbard took her recommendation and moved forward to get what she felt was the best for the students. The logistics are still being worked on. Physical Education is part of impact bargaining (changing the working conditions of staff) and any related support services impacted would be discussed after everything is installed and we know what options we have.

Board Member Geddeis stated we had talked about the use of the tennis courts before and she trusts the Superintendent to take the safety of students into consideration.

Vice President Monach added that this issue did come up in previous discussions at a past Board meeting regarding logistics of physical education and recess space. She said the Havens principal said there would be discussion about finding alternative space and working out the details. Vice President Monach agreed with Board Member Geddeis that when the Board was making a decision to relocate students into the portables, the use of the tennis courts was going to be handled by staff.

President Lindenmayer advised that, as a practical matter, two hundred minutes of physical education must be provided to elementary school students per school week. That would be up to 16 physical education classes per day, which would be impossible to do in such a limited space. It was a foregone conclusion that the District would be looking for adjacent space. The tennis courts are the closest and most adjacent to the school. The streets students would have to cross are not heavily traveled and he is confident that school staff would work out procedures for the safety of the students. *SchoolMates*, the before and after school program for students, must also be configured into the use.

Superintendent Hubbard said we are confronted with these circumstances and are trying to determine which will work best.

President Lindenmayer felt the educators are up to the task. To him, it is a site staff decision as far as implementation.

Board discussion ensued.

The Superintendent requested a motion on the direction that the Board wants her to continue. She advised that kindergartners and first graders would not be using the tennis/basketball courts.

It was moved by Vice President Monach and seconded by Board Member Geddeis to direct the Superintendent to continue to pursue the exclusive use of the City tennis and basketball courts at Vista and Bonita Avenues across the street from Havens school during certain hours of the day during the school week, as school site staff deems appropriate.

Board Member Gadbois proposed an amendment to the motion that all reasonable action be taken by the District and in conjunction with the City, to ensure the safety of the students.

Vice President Monach accepted the amendment to her motion.

Board discussion ensued.

The Superintendent said it takes a lot of time on other peoples' part to pursue this. For instance, the Havens principal came into the office today on her own time to provide information to Recreation Director Mark Delventhal. She does not want to put others through this process if the Board feels it is not an acceptable solution.

George Childs, resident, shares the concern of students crossing the street, but tempered his concern with the fact that there are other students crossing Oakland Avenue every day and to his knowledge it is done safely with a crossing guard; perhaps that would be a solution: have the crossing guard work extra hours. He felt the staff is in the best position to decide what works best for its site.

The motion with its amendment passed unanimously by the Board.

2. Update on Request for Proposals for Project Management Services (Information - oral)

The full text of the Request for Proposal (RFP) for the Program Management Services was provided to the Board and was available at the public information table and on the District web site. The RFP was sent to trade magazines and other firms. There were 27 firms

responding. One other firm was unable to make the walk-through and it will be rescheduled one other time.

She is asking the Board for direction regarding the interviews and selection. She has tentatively looked at having interviews on August 21 in order to make a recommendation to the Board at the August 23 Board meeting. She is suggesting the chair of the SRRP and one other member, the two Board member liaisons, President Lindenmayer and Board Member Tolles, Assistant Superintendent Michael Brady, herself, and either one or two principals. She is suggesting the high school principal, as he has had extensive experience in terms of dealing with construction and construction management, and Havens Principal Tery Susman. In terms of paper screening, between August 11 and notifying the finalists on August 18th, she is recommending at least one member of the SRRP Advisory Committee conduct paper screening with the Superintendent and Assistant Superintendent, along with reference checks. The Board needs to direct her as to whether or not they want a full interview prior to making any recommendations in which case it would not be possible to make a final recommendation by the August 23 Board meeting.

Board Member Tolles suggested that additional community experts be included such as those on the Technical Advisory Committee, such as an architect, engineer, and a construction manager. Board Members Geddeis and Gadbois were in agreement. Vice President Monach recommends recruiting only from the SRRP Advisory Committee group.

President Lindenmayer was concerned about so much involvement that a decision cannot be made. He is in favor of limiting the number of people involved in the various steps in order to keep the project moving.

George Childs, resident, offered that he believes there are some people on the Oversight Committee that might fill the position. Board Member Gadbois advised that their role is limited.

It was moved by Vice President Monach and seconded by Board Member Gadbois to hold to the proposed scheduled timeline defined in the RFP for Program Management Services and that the Board direct the Superintendent to work with the chair of the SRRP Advisory Committee to identify two to three available members of the committee to participate in the interview process and that the Board also direct the Superintendent to include, as part of the process, an opportunity for the Board to meet with potential top candidates being recommended to fill the position. The Board will leave the paper screening committee to the decision of the Superintendent.

The Superintendent requested better clarification; therefore the motion was broken up as follows:

It was moved by President Lindenmayer, seconded by Board Member Geddeis and passed unanimously that the interview group consist of the two Board liaisons (Ward/Roy); 2-3 persons from the SRRP/Technical Advisory Committee, to include Chair Janiele Maffei; Assistant Superintendent Michael Brady; Superintendent Constance Hubbard, and one to two administrators, one of which would be Randall Booker, High School Principal.

It was moved by President Lindenmayer that the same group of individuals, to the extent they are available, participate in the paper screening (between August 11 and 16th).

Board Member Geddeis requested to amend the motion to include that that the screeners consist of the same SRRP members who will be the interviewers to the extent that they are available and that we seek individuals who will be available. The motion with the amendment was seconded by Board Member Gadbois.

The Board was polled and the motion passed unanimously.

It was moved by President Lindenmayer and seconded by Board Member Geddeis that the Board conduct interviews between August 21-23rd with the finalist(s) prior to a recommendation by the Superintendent for action to appoint.

The Board was polled and the motion passed unanimously.

During a public engagement subcommittee meeting, a press release was suggested to be sent out regarding the selection process for the position of Program Management Services. The subcommittee will provide a press release to be reviewed by the Superintendent prior to submission to the newspaper.

A Board discussion ensued about whether or not to conduct the interviews in public or in closed session. The Superintendent will contact legal counsel to clarify.

The fee proposal of each firm must be kept confidential. The consensus of the Board was to keep the process as open to the public as legally possible.

Adopt Resolution 02-2006-07,
"Authorize Increase to Revolving
Cash Account"

Some of the vendors who provide critical services under the Seismic Risk Reduction Program have requested immediate deposits or full payment for materials/equipment/labor prior to beginning a project. Monies from the Measure E Bond Fund may take as long as two weeks for processing, which will hold up moving forward on their projects. By increasing the Revolving Cash Account, the District can immediately pay the vendor and then back bill the Measure E Bond Fund to keep account of all Measure E Bond Fund expenditures. The increase also is for non-SRRP vendors who may request up-front funds.

It was moved by Board Member Geddeis and seconded by Vice President Monach to adopt Resolution 02-2006-07. The Board was polled and the motion passed unanimously.

REVIEW & DISCUSSION ITEMS
Discuss District Goals for 2006-07

The Board will receive public comment as they review the 2005-06 District goals and discuss goals for 2006-07. Goals for 2006-07 will return for discussion at the August 23, 2006 Board meeting to give the community more of an opportunity for input. In the future, District Goals will be moved to March Board meetings.

Priorities should be identified as well as communicating to the public what cannot be accomplished, in order to give a complete picture.

The Board wants to maintain its emphasis on the education of students and maintaining the quality of our programs and the competitiveness and skill sets of our staff; and to be on guard that Measure E does not contribute to the detriment of this focus. The Board requested feedback on goals from the Superintendent and this will return as a future agenda item in September. Board Member Gadbois wanted the following issues to be considered:

Strategic goals:

- Successful implementation of Measure E
(strong organization for managing the project; strong process; spend money prudently; include the public in important decisions; perform cost analysis on projects, when appropriate)
- Perform long-term financial planning
(to include analysis of historical cost trends; scenario planning for the future; sustainable long-term financial budget that supports our program; continue to exercise cost control; minimize tax increases)
- Focus on quality of educational program; with a goal of continuous improvement
(perform a strategic review of where we are; how we compare with other school districts; what are our high level goals, approaches and philosophies; what are our strength and weaknesses; expand process for curriculum committee, with science curriculum being near-time action plan)

The Support Groups can communicate information to the Board. A draft can be sent to the various organizations.

Update on State Budget

Superintendent Hubbard updated the Board with additional news on the State Budget.

She stated there is still not a clear regulation on how some of the block grants are going to work; they will be included in the budget the more we learn. For our District and many other districts, declining enrollment offsets the revenue. There will be approximately a \$400,000 loss of revenue from the State due to declining enrollment.

The State budget will be discussed at the first Budget Advisory Committee meeting in September.

Review Board Committee
Assignments for 2006-07 School Year

The Board Committee assignments for 2006-07 were reviewed and will be revised for approval at the August 23 Board meeting.

CORRESPONDENCE

None

BOARD REPORTS

The 4th of July Parade was great. Vice President Monach added that there were a couple of Public Engagement Subcommittee meetings.

Resident George Childs, and member of the Oversight Committee, asked about the process of authorizing expenditures to make sure they are applicable to Measure E and what is the process for authorizing payment? How does the District go about approving the payment?

Superintendent Hubbard advised that expenditures are reviewed by her (and later on will be reviewed by Assistant Superintendent Michael Brady). The expenditures are tracked by purchase order and coded appropriately. Vila Construction Company also verifies that work has

been done and would be additionally approved by the Superintendent. After a Project Management person has been hired, this will be handled between the Project Management person and/or Vila Construction Company. Any item on the Consent Calendar can be requested to be looked at. The Superintendent will be bringing resolutions to the Board on change order authorizations and "small contract" authorizations at the next Board meeting.

It was moved by Vice President Monach, seconded by Board Member Tolles, and passed unanimously to approve the Consent Calendar as presented.

Items approved on the Consent Calendar were as follows:

1. Accept Donations as acknowledged above
2. Adopt Board Minutes from Regular Meeting of June 28, 2006
3. Ratify English Language Application Program Funding Application for 2006-07
4. Approve Quarterly Report (April 1, 2006-June 30, 2006) of Complaints Received Under the Williams Settlement Agreement
5. Approve Personnel Action Report
6. Monthly Financial Report of District for June, 2006
7. Approve Consultant Services Agreement Between the District and **Alisha Jensen** for services as Inspector of Record for the Havens Temporary Housing Project, effective June 27, 2006 through September 30, 2006, at a total amount not to exceed \$4,800. Funding Source: Measure E Bond Fund
8. Approve Contract Between the District and **Bailey Fence Company** for Removal of Backstop and Basketball Post and Installation of Temporary Fence Panels, effective June 8, 2006 through June 8, 2007 (one year rental), at a total cost not to exceed \$2,997. Funding Source: Measure E Bond Fund
9. Approve Contract Between the District and **Bailey Fence Company** (work performed by **subcontractor Ransome Company**) for asphalt work placed on Havens playground for portables, effective June 16, 2006 through June 19, 2006, at a total cost not to exceed \$8,126.00 Funding Source: Measure E Bond Fund
10. Approve Contract Between the District and **Ransome Company** for labor, equipment and materials for asphalt work in placing portables at Havens Elementary School playground, effective June 2, 2006 through June 7, 2006, at a total cost not to exceed \$73,214.00. Funding Source: Measure E Bond Fund
11. Approve Contract Between the District and **Traffic Management, Inc.** to provide traffic controllers and equipment during the time of placement of portables at Havens Elementary School playground, effective June 12, 2006 through June 13, 2006, at a total cost not to exceed \$12,652.00. Funding Source: Measure E Bond Fund
12. Approve Contract Between the District and **Vavrinek, Trine, Day & Co., LLP**, to provide services as independent audit of balance sheet and income statement of the bond fund of the District as of June 30, 2007, effective July 1, 2006 through June 30, 2007, at a total amount not to exceed \$3,500. Funding Source: Measure E Bond Fund
13. Approve Contract Between the District and **Safe & Secure Campus Security Agency** to provide security for the portables at Havens Elementary School playground, effective July 7, 2006 through August 10, 2006, at a total cost not to exceed \$7,320. Funding

Source: Measure E Bond Fund

14. Approve bid award to **Champion's Plumbing & Heating**, for installation of sewer and domestic water pipe and fittings to points of connection (to include saw cutting, excavation of trenches, backfilling and compaction up to level for base rock, and sterilization) for portables at Havens Elementary School playground, effective July 13, 2006 through August 30, 2006, at a total cost not to exceed \$58,273.00. Funding Source: Measure E Bond Fund
15. Approve Contract Between District and **Anderson Carpet & Linoleum, Inc.** for portable flooring, effective July 1, 2006 through August 10, 2006, at a total cost not to exceed \$4,936. Funding Source: Measure E Bond Fund
16. Approve Contract Between District and **Vila Construction Company**, to provide consulting services (Bill Jones) for the purpose of coordinating the rental and delivery of interim housing (16 portables) to the Havens Elementary School, playground area, effective June 1, 2006 through June 20, 2006 (\$7,500) and effective July 1, 2006 through September 30, 2006 (\$22,500), at a total cost not to exceed \$30,000. Funding Source: Measure E Bond Fund. NOTE: These bond expenditures fall under the guidelines of Resolution 28-2005-06, 'Futility Resolution'. (Vila Construction will be invoicing us upon receipt of purchase order)
17. Approve Agreement Between District and **Pacific Power & Systems** for Electrical Power for Sixteen (16) Portable Classrooms, Havens Elementary School, effective July 19, 2006 through August 10, 2006, at a total cost not to exceed \$442,124.00. Funding Source: Measure E Bond Fund
18. Approve Consultant Services Contract between the District and **Educational Services Associates**, to provide tutoring services in Math for a Special Education student, effective August 17, 2006 through August 31, 2006, at a total cost not to exceed \$1,560.00. Funding Source: Special Education
19. Approve Individual Service Agreement between the District and **Orion Academy** for non-public basic education services for a Special Education student, effective July 1, 2006 through June 30, 2007, at a total cost not to exceed \$25,500.60. Funding Source: Special Education
20. Approve Consultant Services Contract between District and **Helen Miller**, to provide assistive technology services for a Special Education student, effective June 16, 2006 through July 1, 2006, at a total cost not to exceed \$2,500. Funding Source: Special Education

ADJOURNMENT

There being no further business, and with no objections by the Board, the meeting was adjourned at 10:32 p.m.

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

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