

PIEDMONT UNIFIED SCHOOL DISTRICT

Council Chambers, City Hall

120 Vista Avenue

Piedmont, California 94611

MINUTES OF

Regular Meeting of the Governing Board

June 12, 2013

CALL TO ORDER

Board President Richard Raushenbush called the meeting of the Board of Education to order at 6:34 p.m.

ESTABLISHMENT  
OF QUORUM

President Richard Raushenbush, Vice President Andrea Swenson and Board Members Ray Gadbois and Roy Tolles were present.

Adjourn to Closed Session

The Board adjourned to Closed Session at 6:01 p.m. to discuss:  
Conference with District Labor Negotiator Constance Hubbard Regarding Negotiations with the Association of Piedmont Teachers (APT), (Government Code Section 54956.6)

Conference with District Labor Negotiator Constance Hubbard Regarding Negotiations with California State Employees Association (CSEA), Chapter 60 (Government Code Section 54956.6)

Others Present in Closed Session

Superintendent Hubbard  
Michael Brady, Assistant Superintendent, Business Services  
Randall Booker, Assistant Superintendent, Educational Services

Absent from Closed Session

Board Member Sarah Pearson is excused

Reconvene to Regular Session

President Raushenbush called the Regular Session of the Board of Education to order at 7:05 p.m. and led the Board and audience in the Pledge of Allegiance.

Others Present at Regular Session

Superintendent Constance Hubbard  
Michael Brady, Assistant Superintendent, Business Services  
Randall Booker, Assistant Superintendent, Educational Services

Absent from Regulars Session

Board Member Sarah Pearson is excused.

Report of Action Taken in  
Closed Session

The Board discussed labor negotiations in closed session; no action was taken.

Agenda Adjustments

None

COMMUNICATIONS/ANNOUNCEMENTS

Association of Piedmont Teachers (APT)

APT President Harlan Mohagen was pleased to announce that APC members approved the Tentative Agreement by a vote of 118 to 11. Over 91% voted to approve. She announced the new APT Board: the president is Gabriel Kashani, PHS teacher; the treasurer is Bill Marthinsen, PHS teacher; and the secretary is Elise Marks, PHS teacher. Susan Simonds is High School Director; John White is Middle School Director, Denise Meredith is Elementary Director and the Director at Large is Ellen Garrett. APT is accepting nominations for the position of vice president.

CSEA

None

Parent Clubs

None

Student Representative to Board

Elise Lasky reported that tomorrow is the end of finals with graduation at Witter Field at 5:00 p.m. The musical chosen for next year is *Anything Goes*. The new ASB officers are Cole Becker, President

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and Allen Hosler, Vice President and representative to the School Board.

## Superintendent Announcements

Superintendent Hubbard said tomorrow is the last day of school.

## PRESENTATION

### Recognition of 2012-13 PUSD Retirees, Certificated and Classified

Superintendent Hubbard acknowledged and thanked the PUSD employees retiring this year for their dedication and efforts on behalf of students. The employees retiring this year represent more than 236 years of service and have served over 20,000 students. The retirees this year include Leslie Flegel, speech pathologist at Wildwood; Nancy Parker, teacher and reading specialist at Beach; Jan Lewis, English teacher at Millennium; Pam Brandau, Millennium counselor; Don James, PMS math teacher; Christine Alper, PHS ESL and French teacher; Mike Humphries, PHS P.E. teacher; Janet Labberton, PHS English teacher; and Harlan Mohagen, Special Ed teacher and APT President. This year two staff members retired from the District Office: Shami Edum, who worked in the office 34 years, and Suzi Pinarcik, who managed the Adult School office operations for 13 years. Two administrators retired this year: Jeanne Donovan from PMS and Rich Kitchens from PHS.

Every year retirees are given a small token of appreciation. The District has begun a new tradition: giving wind chimes as a remembrance of the strength of mind over matter and of the metaphysical over the physical; they represent peace, serenity and creativity.

## REVIEW AND ACTION ITEMS

### A. Approve Tentative Agreement between the District and Association of Piedmont Teachers (APT)

Superintendent Hubbard presented the details of the collection bargaining agreement with the Association of Piedmont Teachers (APT). It was not possible to publicize details of the contract until this evening because APT members were still voting. The District's obligation is that the public and the Board be aware of the fiscal impact of the agreement. The agreement must be approved by the County Office of Education. Damon Smith, the Associate Superintendent of Business Services for ACOE has confirmed anticipated approval, and the numbers from this contract will be included in this year's adopted budget.

The agreement includes an increase in the District's cost share of health and dental benefits. For the past three years employees have observed the entire cost of the increase in healthcare benefits. The District will increase its contribution by the amount of the dental plan, which represents \$201,000 of ongoing expenses from the General Fund.

Benefits for retirees and active members must be negotiated separately. This agreement includes a one-time contribution to current retirees of \$500 in 2013-14 for a total of \$33,500 in one-time expenses from the General Fund.

The contract includes two additional professional development days to support the implementation of Common Core Standards. Originally there were a total of five furlough days for the 2013-14 academic year. A generous contribution from the Parents' Clubs supported the buyback of one professional day and one student day already included in the calendar. The additional professional development days represents a one-time expense of \$138,332 to be funded from state funds designated toward Common Core implementation.

The total cost of the agreement is \$373k of which \$201k is ongoing expenses and \$171k is one time expenses.

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The evaluation article is still being refined and the Piedmont Educational Foundation has once again given a grant for next year to help with implementation. Our assessment is focused on the fundamental purpose of answering the question: "how do you know that students learned it?" There is some clean-up language around retiree benefits. The agreement in regard to class size is that if it comes up as an issue, both parties will codify how to talk about it.

Jon Elliott, Piedmont resident, supports the proposed changes in medical benefits since this agreement is for one year. He believes the way the district distributes its health benefits utilizes an old model; some districts leave the decision of how to distribute benefit money up to the bargaining units. He finds that it is mostly disadvantaged workers, those with families and dependents, who drive the discussion about medical benefits.

Board members were supportive of the tentative agreement, although several expressed concern about ongoing increases in benefits while the District is still deficit spending. In regard to Mr. Elliott's comment, Board Member Tolles noted that the discussion about distribution of healthcare benefits is a policy shift and would require lengthy discussion.

Vice President Swenson moved, Board Member Tolles seconded and the Board unanimously voted to accept the Tentative Agreement between the District and APT.

Harlen Mohagen, APT President, thanked the Board for their support and said the teachers appreciate getting something back and the language on class size. President Raushenbush thanked Ms. Mohagen for her leadership of APT.

B. Adopt Resolution 15-2012-13 "Authorizing the Issuance and Sale of General Obligation Bonds, Election of 2006, Series E, in the Principal Amount of Not to Exceed \$12,000,000" and Approving Related Documents and Actions

Adopt Resolution 16-2012-13 "Authorizing the Issuance and Sale of 2013 General Obligation Refunding Bonds in the Principal Amount of Not to Exceed \$18,000,000" and Approving Related Documents and Actions

This evening, the Board is requested to review and approve two resolutions. The first resolution authorizes the issuance of a final series of bonds pursuant to the District's 2006 General Obligation bond authorization, for the purpose of redeeming the outstanding 2010 Bond Anticipation Notes (which were issued pursuant to Education Code Section 15150). This draft resolution authorizes capital appreciation bonds (CABs), current interest bonds, or a combination thereof, through a negotiated sale of the bonds to an underwriter to be selected at a later date.

The second resolution authorizes the issuance of refunding bonds for the purpose of refunding in full (or in part) the District's outstanding 2006 Series A & B General Obligation bonds. This draft resolution authorizes current interest bonds, and a negotiated sale of the bonds to an underwriter, to be selected at a later date.

Tonight Simon Gutman from KNN Public Finance and William Kadi, our bond counsel from Jones Hall, are present to answer questions. KNN has been looking at all of our bonds as a package and determining what it means for taxpayers in Piedmont. As we issue the \$12 million for the Series E Bonds, it may make sense to re-fund the others to lower our overall payments. We will not bring back the refinancing on its own unless it makes sense financially.

We are presenting both measures tonight because we want to ensure we have the option to re-fund available. We will be bringing this back in August. The draft contemplates the marketing of the Series E Bonds as well as the Refunding Bonds together in one document. The final Preliminary Official Statement (POS) will be circulated to potential investors and posted on the District website.

Mr. Gutman of KNN explained that the plan is to proceed with the

sale of the Measure E bonds and if it makes sense, to proceed with refunding. The way it works is KNN negotiates the rates and depending on the rates, will make a determination on refunding. They are pursuing negotiated financing and are preparing an RFP for underwriting services. They are working with Mr. Brady and Ms. Hubbard and expect a proposal by Friday.

Tracy Kirkpatrick, a community member on the Alan Harvey Theater committee, said that the Quattrocchi-Kwok design represents a theater complex that measures up to the rich performing arts program of PHS. Given that there is a special election February, the District would have the ability to place a measure on the ballot about developing the Alan Harvey Theater complex. She urged the board to consider if there is a capacity to place a modest bond measure on the February ballot. She is confident that with a joint public-private partnership, the proposed changes to Alan Harvey Theater can become a reality.

President Raushenbush said the Board will give consideration to reviewing our bond capacity and considering a ballot measure for the February election.

Mr. Gutman explained the District has the capacity to issue an additional bond and with the growth in assessed value there will be additional capacity. Superintendent Hubbard noted that we are waiting to get the total assessed valuation (AV) for 2013-14. Based on AV there is a current 6-12M leeway in the bonding capacity. KNN will do an analysis of AV and turnover so as we go out for bond ratings in July will have a better idea of total capacity. Working with Courtney Jones of Jones Hall and Ruth Alahydoian of KNN has been a real team effort and she appreciates the emphasis on the effect on the entire community.

Board Member Gadbois moved to adopt resolution 15-2012-13 "Authorizing the Issuance and Sale of General Obligation Bonds, Election of 2006, Series E, in the Principal Amount of Not to Exceed \$12,000,000" and Related Documents and Actions, and to Adopt Resolution 16-2012-13 "Authorizing the Issuance and Sale of 2013 General Obligation Refunding Bonds in the Principal Amount of Not to Exceed \$18,000,000" and Approving Related Documents and Actions. Vice President Swenson seconded.

The motion passed as follows:

AYES: Tolles, Gadbois, Swenson Raushenbush  
NOES: None  
ABSENT: Pearson  
ABSTAIN: None

Adopt Resolution 17-2012-13 "For Procurement of Technology" to Authorize Staff To Enter Into Negotiations With Qualified Vendors Responding to the Request For Proposals (RFP)

The Board will be asked to approve the Resolution that allows the District to negotiate with qualified vendors who submitted responses to the four RFPs issued by the District for technology infrastructure upgrades to the PHS, MHS and PMS campuses. Work on improving the technology infrastructure was approved by the Board as a Tier I project funded as part of the District Modernization Program. It is anticipated that significant work can be completed over the summer if contracts can be approved at the June 26, 2013 Board Meeting.

Assistant Superintendent Booker presented a background that discusses the RFPs as well as the instructional and learning goals of the technology program. Our technology plan goes to the heart of the push for Common Core and the integration of technology much more into classrooms. The Board identified four separate RFPs and

of them, the RFP for cabling is the most important. Cabling represents the wires behind the walls and is most important because it supports all the technology. A robust wireless network is needed to allow access to many users simultaneously. Switches and cables interact with the wireless routers to provide service, and servers are necessary to process and store information. RFPs were posted on May 8 and a walk-through was held with all vendors. On June 4 the Steering Committee reviewed the proposals and presented recommendations based on qualifications, experience, attention to detail and pricing. There was input from site administrators, steering committee, and technology coordinators.

Superintendent Hubbard explained there was also much input from community members with backgrounds in technology. Mr. Raushenbush expressed approval of our support contract with Alameda Office of Education. They have done this type of assistance with other districts and are highly recommended

Assistant Superintendent Booker described the timing of the work: the cabling is very intrusive and needs to be done in the summer whereas server virtualization switching can happen during the school year during after school hours, and wireless access points can be done on a rotating basis. He expects that all will be done by the end of the first quarter of school.

It was moved by Mr. Tolles and seconded by Ms. Swenson to Adopt Resolution 17-2012-13 "For Procurement of Technology" to Authorize Staff To Enter Into Negotiations With Qualified Vendors Responding to the Request For Proposals (RFP).

The motion passed as follows:

AYES: Tolles, Gadbois, Swenson, Raushenbush  
NOES: None  
ABSENT: Pearson  
ABSTAIN: None

Accept Closeout of Seismic Safety Program Projects: Havens School, PHS Quad/Library and Student Center Buildings, Wildwood and Beach Schools, Ellen Driscoll Playhouse

Assistant Superintendent Brady presented the closeout of the seismic safety bond projects. Closeout is an important part of the process and confirms that the work is done and notices have been properly filed with the County Assessor. The Board will be requested to officially close the Seismic Safety Bond Program (SSBP) by accepting the Notice of Completion issued by the Division of the State Architect and filed with Alameda County for the following projects: construction of the new Havens campus, seismic strengthening of Ellen Driscoll, PHS library (Quad) building, PHS Student Center, Wildwood and Beach schools. The \$ 69.1M SSBP was completed on time and in budget with \$56M in bonds authorized by the voters in 2006, \$1.2M from the City of Piedmont and \$11.9M in State Modernization funds.

In August 2012, with the completion of seismic strengthening of Beach Elementary School, the District completed its comprehensive program for seismic strengthening or replacing school facilities to meet or exceed current standards for life safety. Upon completion of each seismic safety project, the State Department of General Services reviews the project and related documentation and determines whether the project is in fact completed. If so, DGS confirms in writing that the project is "closed." The DGS review process can be lengthy, and it is not unusual for DGS to take one year or longer after actual completion of a project to issue the letter recognizing completion. Failure to obtain DGS confirmation that a project has been fully completed can complicate future construction

and modernization projects at the site.

The District has now received close-out letters for each of the seismic safety bond program projects and Notice of Completion has been filed with Alameda County. Copies of the letters are attached. The District has created an archive of all documentation relating to the Seismic Safety Bond Program, including construction and as-built drawings for each of the school sites. These DGS letters will be included in the archive.

Mr. Tolles said that because the SSBP is completed, the Citizens' Oversight Committee can be disbanded once they complete their final report in February.

Mr. Tolles presented a motion to accept the Closeout of the Seismic Safety Bond Program Projects. The motion was seconded by Mr. Gadbois and unanimously approved.

**INSERT THE PROJECT NAMES AND DSA PROJECT NUMBERS THAT WERE IN THE BACKGROUND SO WE HAVE AN OFFICIAL RECORD**

A. Approve Revised Schedule of Board of Education Meetings for 2013-14

The meetings for May, 2014 were inadvertently scheduled for the first and third Wednesdays rather than the second and fourth Wednesdays. This revision sets the May meetings for May 14 and 28, 2014.

It was moved by Mr. Gadbois and seconded by Ms. Swenson to approve the Revised Schedule of the Board of Education Meetings for 2013-14. The vote to approve was unanimous.

Persons wishing to speak to any items not on the agenda

None.

**INFORMATION/ANNOUNCEMENTS**

Educational Services Report: Spotlight on Student Learning; Recap of Curriculum Forum: Review of District World Language Program

Assistant Superintendent Booker presented a recap of the Curriculum Forum on World Language.

One purpose of the forum was to develop a common understanding among participants of what we're trying to accomplish and a better understanding of the state content standards. The forum explored the idea and feasibility of an elementary world language program. There is interest in the community in offering an elementary world language program; however there are many obstacles both financial and curricular. Another highlight was to look at the middle school world language program and ensure there are adequate pathways for students to achieve language goals. The forum focused on the development of the new Spanish program, *Spanish 3 in Action*, which was approved by the Board this spring. The final focus of the forum was the textbook adoption process.

Mr. Booker said that Common Core will be the focus of next years' curriculum forum. This will include math, English and literacy in technical subjects.

Mr. Tolles appreciated the process of the curriculum form and would like to see us offer languages at an earlier age.

Mr. Booker said that PUSD decided to offer electives such as choir in sixth grade because this may be the last time students can take such classes and to offer language electives in the seventh grade

Jon Elliott, Piedmont parent, participated in the process. He said the forum covered everything except the decision about resource demands; his experience was the forum had discussions and the staff decided. Some parents would like to know what the resource

demands are and he would hope that in the future parents would be able to look at when policy decisions get escalated to the Board. Some parents were frustrated with what did not happen. He noted the curriculum forum has improved greatly over the years.

Board Member Swenson suggested discussing the topic of world language in the "Shaping Our Future" discussion. Board Member Gadbois thinks these big structural discussions do not belong at the curriculum forum and should be held at the Board level. His suggestion is to raise the big structural questions at the "Shaping our Future" forum and then figure out what forum is appropriate for follow-up.

Superintendent Hubbard explained that the purpose of curriculum forum is to engage and educate, to structure and review and bring to the board. An example of this is the new Spanish in Action class

B. Update on Modernization Program Projects

With the closeout of the Seismic Safety Bond Program, the District is using the balance of State Modernization Funds received from the State for its intended use to "modernize" the facilities in the District. The Board approved approximately \$2,716,000 of these funds for essential projects. The established highest priority (Tier I) for use of the remaining modernization funds are those projects that address issues required to protect structures from water intrusion and similar problems (e.g., roofs and mechanical systems) and campus security improvements (including two-way communications systems at each site, and fencing, gates and locks where appropriate.)

Emergency roof work will be finished this summer. The Alan Harvey Theatre (AHT) pit filler will be completed this summer in conjunction with the Quattrocchi-Kwok design. The existing pit filler will be cleared out by the end of June. The storm drain behind PMS is part of the Learnscape and investigation is underway as to the best method to repair the drain. The Wildwood playground is in process and there is interest in creating a path of travel between the ramp at the playground and garden area. Right now, it is a grading project and the District is working to determine the feasibility of the path in conjunction with ADA requirements. The drain is within the path of travel. The doors, stucco repair and painting of the field house will be completed this summer.

Superintendent Hubbard explained that unresolved security and safety questions, i.e., fences, gates, cameras, will be brought back under the discussion of technology infrastructure. For example, the installation of a gate at Highland Avenue is a discussion where board direction is needed. Work is proceeding on mitigating nonstructural hazards.

In the future other modernization projects will be brought back. We are waiting to see the report on the assessed valuation and the debt capacity and have the 2006 Bond series completed so we can communicate the level of indebtedness of the District.

Mr. Brady said that for each approved project we have identified hard costs and built in a tentative 20% contingency, depending on the project. We will have a couple million left after all the current work is done. Part of the reason we do not have a final budget is the storm drain is still under investigation. Once we have that number and more specific numbers for the Wildwood playground, it will be possible to present a budget.

Superintendent Booker explained that the communication is not yet

in the budget and a larger discussion is needed about the Calypso system. After discussion with tech expert the steering committee is looking at other potential ways to resolve the issue of communications and audiovisual needs. The tech committee is looking at developing two RFPs that may be and not aligned with the existing Calypso system in the elementary schools. If the Board does decide they want Calypso, the tech infrastructure still needs to be replaced.

We're trying to figure out the actual cost of the current projects before we move forward on the next questions such as Calypso, security, fences, gates and AHT.

ANNOUNCEMENTS  
Employee Appreciation Day

Per Ed Code, the second Wednesday in May is designated "Day of the Teacher" and the third week as "Classified Employees Week." It has been a longstanding tradition in Piedmont to honor all of our staff on the same day. We designated May 31, 2013 as Appreciation Day. Morning treats were provided at each site, and Parent Clubs scheduled activities. We appreciate the acknowledgement of our dedicated professionals by parents and community members.

CORRESPONDENCE

Vice President Swenson and all Board members received an annual letter from the gifted parent support group.

BOARD REPORTS

Mr. Tolles attended the steering committee meeting. As usual the Millennium graduation was a highlight and a great personal experience; he appreciates that we have a means for all students to succeed in school and noted that almost every student reported how helpful Pam Brandau was to them.

Mr. Gadbois participated in the PEF "Raise a Racket" tennis tournament, which was a lot of fun.

Ms. Swenson attended the Budget Advisory Committee and also the City Public Safety Committee as a representative. This committee is grappling with some safety concerns regarding the Annual Harvest Festival. She attended the retirement celebrations for Harlan Mohagen and Rich Kitchens, the Millennium graduation and the Middle School promotion, as well as her daughter's college graduation from Wellesley.

Mr. Raushenbush attended several steering committee meetings, the PMS Parent Club meeting, the celebrations for Harlan Mohagen, Jeannie Donovan and Rich Kitchens, and Spring Fling.

CONSENT CALENDAR

Superintendent Hubbard explained that Item E needed to be removed because Ed Code requires that all five Board members must vote on the disposal of any obsolete property or textbooks.

Mr. Tolles moved to approve the Consent Calendar with the removal of Item E. This was seconded by Mr. Gadbois and unanimously approved.

- A. Adopt Regular Board Meeting Minutes of May 22, 2013
- B. Approve Monthly Financial Report for the District for the Month of May, 2013.
- C. Approve Personnel Action Report
- D. Adopt Resolution 14-2012-13, "Transfer Categorical Funds to Other District-Eligible State Programs"

School districts are authorized to use funding received from the State for Tier Three categorical programs for any educational purpose, to the extent permitted by law. The flexibility to use funds from these programs is authorized for five years through 2012-13 under Education Code Section 42605.

- E. Adopt Resolution 18-2012-13, "Declaration of Surplus Property, Disposal of Obsolete Textbooks, Piedmont High School" (removed)
- F. Approve Designation of 2013-14 California Interscholastic Federation Representatives to League
- G. Approve Field Trip for seventy Millennium Students to travel to Camp Augusta in Nevada City, California for an overnight trip from August 27- 29, 2013.
- H. \*Approve Field Trip for 14 members of the Women's Varsity Tennis Team to play in the California High School Tennis Championship on September 6-7, 2013 in Clovis, California.
- I. \*Approve Agreement for Professional Services with Fagen Friedman and Fulfrost Law Firm to provide legal services effective July 1, 2013 through June 30, 2014, per the fee schedule provided.
- J. \*Approve Agreement for Professional Services with Dannis Woliver Kelly Law Firm, to provide legal services effective July 1, 2013 through June 30, 2014, per the fee schedule provided
- K. \*Approve Student Teaching Agreement Between the District and St. Mary's College, effective August 15, 2013 through August 15, 2014.
- L. Approve one Master Contract and one Individual Service Agreement with Augmentative Communication and Technology Services (ACT), to provide non-public services for one student, effective June 17, 2013, through August 20, 2013, at a total cost not to exceed \$3,600.00. Funding: Special Education
- M. Approve one Master Contract and one Individual Service Agreement with Community Options for Families & Youth, to provide non-public services for one student, effective July 1, 2013, at a total cost not to exceed \$6,000.00. Funding: Special Education
- N. Approve one Independent Contractor Agreement with Melissa Wenters, Au. D., to provide non-public services for one student, effective July 1, 2013, at a total cost not to exceed \$800.00. Funding: Special Education

FUTURE BOARD AGENDA ITEMS

Additional agenda items include resolutions regarding bond sales, authorization of Tier 1 projects, authorization of the flexibility use of funds, and appointment of the PHS Principal.

- 2012-13 Action Plan Update (TBD)
- Adopt Budget (June 26)
- GASB 45 Actuarial Study (June)
- Facilities Use (TBD)
- Calendar Options for 2014-15 (TBD)

Adjournment

There being no further business, and with no objection by the Board, President Raushenbush adjourned the meeting at 8:26 p.m.

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RICHARD RAUSHENBUSH, Board President  
Piedmont Unified School District  
Board of Education

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CONSTANCE HUBBARD  
Secretary, Piedmont Unified School District  
Board of Education