

SAN LEANDRO UNIFIED SCHOOL DISTRICT
SAN LEANDRO, CALIFORNIA
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SPECIAL MEETING OF THE BOARD OF EDUCATION - MINUTES

July 11, 2007

The Board of Education of the San Leandro Unified School District met in special session on July 11, 2007, in the San Leandro Unified School District Office Conference Room 1, 14735 Juniper Street, San Leandro, California.

The meeting was called to order at 5:37 p.m. by President Rick Richards.

BOARD MEMBERS PRESENT

Mrs. Pauline Cutter (arrived at 5:40 p.m.)
Mr. Ray Davis
Mrs. Lisa Hague
Mr. Mike Katz-Lacabe
Ms. Linda Perry, Clerk
Mr. Stephen Cassidy, Vice President
Mr. T. W. "Rick" Richards, President

DISTRICT STAFF PRESENT

Christine Lim, Superintendent
Song Chin-Bendib, Assistant Superintendent
Cindy Cathey, Assistant Superintendent

PUBLIC COMMENTS

There were no public comments concerning items on the closed session agenda.

CLOSED SESSION

At 5:38 p.m., the Board went into Closed Session regarding Conference with Real Property Negotiator – Property(ies) pursuant to Government Code Section 54956.8.

The Board returned to open session at 5:55 p.m. with the Pledge Allegiance to the Flag. President Richards noted that the Board had been in closed session and that no action was taken and Trustee Perry had recused herself from the closed session discussion.

CONFERENCE ITEM

Facilities and Construction

5.1-CF Measure B Master Schedule & “Must Haves” for Revised Option #2

The Board discussed and considered approving the Measure B Master Schedule & “Must Haves” for revised Option #2.

President Richards recapped that at the July 9 Special Board meeting, the Board voted to accept Option 2, *Typical Design & Accelerated* Master Schedule without the “Must Haves”, including applying for Overcrowding Relief Grant (ORG) funds in the third and final round of funding. They also directed staff to bring back further information regarding the job descriptions and a cost comparison between consultants and “limited-term” Measure B staff.

Superintendent Lim said contact was made with officials at the Office of Public School Construction (OPSC) to verify the third and final round of the ORG application procedures and processes and learned that

1. The expectation of funding is **excellent** for districts applying for a high school site with our characteristics, if submitting their application by Round 2 (July 31, 2008) deadline.
2. If the amount of funding is exhausted by the number of eligible school districts applying for Round 2, those who do not receive funding would be placed on a priority waiting list ahead of new Round 3 applicants. This means that ORG funds could be exhausted before OPSC consider applicants in Round 3.
3. In light of this new information, staff analysis now determines that there is a major risk that funds most likely *will not* be available in Round 3 (deadline, January 31, 2009) for any district that did not apply in Round 2 (deadline July 31, 2008).

The Board was presented with a proposed revision to Option 2: *Compressed Design* for the 9th Grade Campus Only and *Accelerated* Master Schedule and “Must Haves” which would maximize potential state funding opportunities of up to \$11.45M and allow the District to complete major construction projects ahead of schedule; however, Superintendent Lim explained that the District would face some challenges such as limited changes to the architectural design of the 9th grade campus, opportunity of community input and involvement in the design of the 9th grade campus, the number of design presentations to the Board for the 9th grade campus, and input from San Leandro High School

teachers and staff on the design of the 9th grade campus.

A timeline with milestones, targeting the second round ORG deadline of the 9th grade campus (July 31, 2008), and Bonds Sales & Cash Flow proposals were touched upon by staff.

Staff also provided a cost comparison of construction management consultants and District “*limited-term* Measure B staff and job descriptions for the proposed revision of Option 2 “Must Haves”:

- **Must Have #4:** Hire a limited-term site-based Measure B Construction Coordinator for the high school to verse and coordinae the multiple, simultaneous construction projects (“red zone”) executed on the campus. (estimated at \$79,000)
- **Must Have #5:** Hire a limited-term Measure B Administrative Assistant to accommodate the increased level of documentation tasks, including contracts, minutes, budget report, etc. (estimated at \$50,000)
- **Must Have #7:** Hire an additional limited-term Measure B Campus Safety Supervisor to ensure student safety due to construction “red zone” issues (i.e. barricades, temporary fencing, equipment, construction debris, etc.). (estimated at \$34,000)

To further explain and clarify the permissible use of bond proceeds, Assistant Superintendent Song Chin-Bendib shared the following legal opinion from Bond Counsel, Bill Madison:

“It is permissible to use bond proceeds to pay the salaries of District employees, so long as the jobs being performed by their employees relate specifically to the design, construction and implementation of the project being financed by the Bonds. The key test is whether an accountant would treat that cost as “capitalizable”, and included within the cost of the project.

The job descriptions that you sent me all seem to be jobs relating directly to the construction of the project, rather than normal administrative expenses that the District would be incurring even if the project were not being undertaken. Therefore, it is permissible to pay the salaries of people filling those positions from bond proceeds.”

San Leandro High School Principal Amy Furtado and staff concluded the presentation with highlights of the Measure B community staff input process, the high school staff input process for the 9th grade campus and the Arts Education Center, and shared an organizational chart, illustrating the staffing structure of the Measure B Program.

PUBLIC COMMENT

- Mary Beth Barloga felt that the community would not readily accept the hiring of additional administrators. She urged the Board to carefully look at each job description to be sure that they were totally related to the Bond, not hire employees to begin work before the “red zone” period, and remove “*assists principals and/ or police department in investigating crimes committed on campus*” as a major duty/responsibility from the Campus Construction Safety Supervisor job description.
- Deborah Cox was pleased to see the list of Must Haves drop significantly from the June 9 Board meeting, and echoed the comments made by Ms. Barloga. She suggested adding the phrase “when construction starts” to the job descriptions where applicable. She favored the acceleration of the 9th grade campus.
- Alan Koizumi asked if the “Must Haves” were specifically related to the 9th grade campus, and questioned whether or not there was a need for the campus supervisor. He also noted that it appeared on the staffing structure of the organizational chart that there were not any architect firms designated for Lincoln Continuation High School or Roosevelt Elementary School.
- Gerald Shovlin favored accelerating the 9th grade campus, but had concern about the overall salary costs, and any additional costs that might not be reflected in the cost comparison chart.

Following public comments, staff further explained the staffing expenditures. Director of Measure B and Bond Projects Michael Murphy confirmed that there were architect firms assigned to Roosevelt and Lincoln and it was an oversight that they were missing from the staffing structure chart presented.

BOARD MEMBERS COMMENTS

The Board thanked staff for researching and bringing back such thorough information which would help in the decision-making process. They thanked the

community for their attendance, particularly at such short notice, adding that the Board valued their input.

While the Board agreed that it was crucial to accelerate the 9th grade campus and favored the revision to Option 2, they were not completely convinced that the “Must Haves” were necessary, and were concerned about the community’s perception to the use of Measure B funds for the additional administrative salaries.

Mrs. Cutter felt that the Measure B Construction Coordinator and Campus Safety Supervisor may only be needed for the initial “red zone” portion of the project. She also wasn’t satisfied that an administrative assistant level was needed for the clerical support, noting that the recently hired Bond Technician was not part of the staffing structure that was presented. She suggested that rather than hiring an additional administrative assistant, a classified position at a lower level could assist with the clerical support.

Ms. Perry felt that the interim housing had still not been addressed and wondered how the acceleration design would impact the construction timeline and change the “red zone”. In addition, she would like to see further expansion on neighborhood involvement, the Board process, expectations of the Steering Committee, and the role of the site design teams, so that the community clearly understands the process, risks, and reasons behind the decisions being made.

Mr. Cassidy was also concerned that the accelerated schedule would not provide for enough community and staff input. In response, San Leandro High School Principal Amy Furtado relayed that high school staff had communicated that they did not feel left out, adding that they had made a contribution to the process and were welcoming this accelerated option.

Mr. Katz agreed that it would be difficult to “sell” additional staffing with the use of the Measure B funds; however, considering the accelerated schedule, he felt the positions were justified as long as the positions didn’t begin earlier than needed to minimize those additional salary expenses as much as possible. Also, for clarification, he explained, to the community members present, that the “red zone” described a two-year period of time where four construction projects (9th grade campus, AEC, library expansion, and CTE renovation) occur on the campus simultaneously.

Responding to Mr. Cassidy’s concern regarding the urgency in hiring the additional staff, Ms. Chin-Bendib said that staff felt that the Administrative Assistant position should be considered a priority. In addition it was confirmed that 1.5 FTE classified staff were currently providing clerical assistance for Measure B. With that, Mr. Cassidy suggested holding off on authorizing the Construction Coordinator and Campus Safety Supervisor for now, and proposed that staff research the role, duties, and responsibilities of the administrative

assistant position and exiting positions, and consider merging the duties, which would eliminate the need to hire this limited-term position.

Ms. Hague appreciated the pared down list of “Must Haves” and felt that the information presented clearly mapped out the course to follow.

Mr. Davis supported the clerical support for the Bond Director, and was open to discussing how the position would be structured. He asked that when the Board revisits the Construction Coordinator position, staff might indicate the responsibilities of the construction management firm, Harris & Associates, to the District so that it is clear that we are not duplicating efforts, adding that he would have liked to see more emphasis on knowledge of project management and scheduling techniques included in the job descriptions.

Mr. Richards favored moving forward with the Administrative Assistant to the Bond Director, noting that he felt that the job description clearly justified that level of support. He suggested that staff provide the Board with a refined job description for the Measure B Construction Coordinator and Campus Safety Supervisor as it gets closer to the implementation of those positions.

Following Board comments, the members took the following vote:

- On a motion made by Mrs. Cutter and seconded by Mr. Katz, the Board approved the Option 2 with the accelerated 9th grade campus only, without the three proposed “Must Haves” staffing positions by a 7-0 vote.

PUBLIC TESTIMONY ON NON AGENDA ITEMS

None

PUBLIC COMMENTS

There were no public comments concerning items on the closed session agenda.

CLOSED SESSION

At 7:16 p.m., the Board went into Closed Session regarding Public Employee Performance Evaluation, Title: Superintendent’s Evaluation, Public Employee Discipline/Dismissal/Release, Conference with Labor Negotiator, Public Employee Appointment – Title: Information Technology Administrator; Assistant Director, Special Services, Conference with Real Property Negotiator – Property(ies), and Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation pursuant to Government Code Sections 54957, 54957.6, 54956.9(b), 54956.8.

The Board returned to open session at 9:40 p.m. President Richards noted that the Board had been in closed session and the following action was taken:

- On a motion made by Mr. Davis and seconded by Mr. Richards, the Board appointed Ling King as Information Technology Administrator by a 4-2-1

vote. Trustees Cutter, Davis, Perry, Richards voting yes; Trustees Cassidy, Hague voting no; and Trustee Katz abstaining.

- On a motion made by Mrs. Hague and seconded by Mr. Davis, the Board appointed Thomas Anderson as Assistant Director, Special Services by a 6-1 vote. Trustee Cassidy voting no.

BOARD MEMBER COMMENTS

- Mr. Davis revisited his request to have a discussion with San Lorenzo Unified regarding adjusting the attendance boundaries, noting that a recent article in the Daily Review reported that Castro Valley Unified School District was very close to redrawing a portion of its attendance boundaries that spill into Dublin's city limits. He asked for Board consensus to have this be agendaized for further discussion, which was not received.
- Mrs. Hague reported that approximately 150 Muir students were currently participating in the summer music program. The performance is scheduled for Friday, July 27 at 8 a.m. in the gymnasium at John Muir Middle School.
- Mr. Cassidy concluded his comments with a quote from Joel Klein, Chancellor of the New York City Schools, which was part of a recent New York Times article where Mr. Klein spoke about the importance of quality teachers in education. "Good principals, better teachers, who can serve as mentors, are among the ingredients," Mr. Klein said, "that are needed to create a "dynamic, positive feedback."
- Ms. Perry reported that she had a copy of the Transit-Oriented Development (TOD) language. She reminded the Board that there would be hearing before the Planning Commission on Thursday, July 12, with all written comments needing to be received by 5 p.m. on July 19.

ADJOURNMENT

On a motion made by Mr. Davis and seconded by Mr. Katz, the Board adjourned the meeting at 9:45 p.m. by a 7-0 vote.

Respectfully submitted,

Linda Perry, Clerk