

BOARD MEETING: September 9, 2008

ATTENDANCE: Board: April Treece, Dick Allen, Gary Eberhart, Linda Mayo, Paul Strange
Administrative Staff: Superintendent Gary McHenry; Associate Superintendent Alan Young; assistant superintendents Mildred Browne, Gail Isserman, Rose Lock and Dick Nicoll; General Counsel Greg Rolan

1. **CALL TO ORDER:** President Treece called the meeting to order at 6:00 p.m. in the Board Room at the MDUSD Dent Center.

PUBLIC COMMENT: None

CLOSED SESSION: The Board adjourned to Closed Session at 6:01 p.m. in Room 6 at the Dent Center. Topics discussed included one request for readmission; anticipated litigation (two potential cases); and negotiations.

Readmission

Mayo moved, Eberhart seconded, and the Board voted 5-0-0 to approve staff's recommendation to readmit one student.

2. **RECONVENE OPEN SESSION:** The Board returned to Open Session in the in the Board Room at the MDUSD Dent Center at 7:34 p.m. President Treece led the Pledge of Allegiance to the Flag and reported the subjects discussed and the action taken in Closed Session.
3. **CONSENT AGENDA**

After moving Item 3.5 to the Business Section of the agenda and removing Item 3.2.3 for clarification at Eberhart's request, Mayo moved, Allen seconded, and the Board voted 5-0-0 to adopt the Consent Agenda, thereby approving the following items:

 - 3.1 Minutes of the meeting of August 12, 2008.
 - 3.2 Certificated Personnel
 - 3.2.1 Leaves of Absence, Resignations, Retirements, Employment
 - 3.2.2 Increase in Full-Time Equivalent Position (FTE) for the 2008-2009 School Year

Added 3.4 FTE positions as follows: 0.4 psych intern at Pleasant Hill Elementary; 0.2 psych intern at Hidden Valley Elementary; and, districtwide, 1.0 literacy coach and 1.8 teachers of ESL students to be funded by Categorical Funds for 2008-2009. Fiscal Impact: \$176,613.93 increase in the expenditure budget of Categorical Funds Funding Source: Site Improvement Plan: \$13,094.00; Professional Development Grant: \$61,060.93; Title III-LEP Student Program: \$108,411.00
 - 3.2.3 Post Retirement Contract for Retired Administrator—Moved to "Separate Action" below
 - 3.2.4 Approval of Provisional Internship Permit (PIP) Request(s)

Adopted Resolution 08/09-15, authorizing Linda Rodemsky to apply for a Provisional Internship Permit (PIP) in order to complete her assignment for the 2008-09 school year..
 - 3.3 Classified Personnel
 - 3.3.1 Leaves of Absence, Resignations, Retirements, Employment
 - 3.3.2 Request Approval to Eliminate a Full-Time Vacant Electrician Position and Vacant Full-Time Senior Account Clerk Position in Maintenance, Operations and Facilities

Eliminated two vacant full-time positions in Maintenance, Operations and Facilities: Electrician and Senior Account Clerk. Fiscal Impact Savings of \$69,707 for Senior Account Clerk and \$78,099 for ; Electrician, already realized through the Maintenance and Operations reorganization approved at the June 17, 2008, Board meeting. Funding Source: State School Building Fund – Proposition 55 and General Fund
 - 3.4 Resolution 08/09-16 Adopting the 2008 Appropriation Limit Calculation (Gann Limit)

Approved Resolution 08/09-16, adopting the Gann Limit calculation for 2008. A school agency's Gann Limit is increased for both inflation and population. Inflation for these purposes is currently the annual percentage change in California per capita personal income.
 - 3.5 Contract Amendment with Vanir/Parsons – Proposition 55 Heating, Ventilating and Air Conditioning Program for the Phase I and II Schools—Moved to Business Section, following Item 10.4
 - 3.6 Contract Amendment with Charles Ham Associates for Architectural Services for Measure A Supplemental Restroom Buildings

Approved amendment valued at \$7,972 to contract with Charles Ham Associates. Amendment applies to services needed to re-orientate the planned restroom building at College Park High School. Funding Source: Measure A

3.7 Final Change Orders

3.7.1 Final Change Order to Bid 1498, Contract C-870 Kel-Tec Builders, Inc. in the amount of \$7,565 for ADA doorway improvements at Ayers and Monte Gardens elementary schools. Funding Source: Measure C

3.7.2 Final Change Order to Bid 1522, Contract C-881 to Precision Tile and Granite in the amount of \$1,470 for kitchen flooring replacement at Clayton Valley, Concord, Mt. Diablo, Northgate and Ygnacio Valley high schools. Funding Source: Deferred Maintenance

3.8 Notices of Completion

3.8.1 Notice of Completion to Bid 1498, Contract C-870 Kel-Tec Builders, Inc. in the amount of \$127,690 for ADA doorway improvements at Ayers and Monte Gardens elementary schools. Funding Source: Measure C

3.8.2 Notice of Completion to Bid 1522, Contract C-881 Precision Tile and Granite in the amount of \$128,535 for kitchen floor replacement at Clayton Valley, Concord, Mt. Diablo, Northgate, and Ygnacio Valley high schools. Funding Source: Deferred Maintenance

3.9 Award of Bid 1528

Awarded Bid 1528 to be split between Office Depot (\$280,330) and Southwest School and Office Supplies (\$49,405) to provide office supplies/classroom supplies district wide. Fiscal Impact: \$329,735 Funding Source: General Fund

3.10 Contract Amendment for Linda Grundhoffer

Approved amendment to contract with Linda Grundhoffer, who was awarded an initial contract not to exceed \$24,000 to assist with the end-of-year closing and related fiscal matters because the Director of Fiscal Services position was vacant. The amendment, valued at \$26,000, secures Ms. Grundhoffer's continued direction and assistance as the director position is still vacant. Funding Source: Fiscal Services Program 5032

3.11 Renewal of Contract with David Costa for Courier Service Pick up and Delivery from School Sites to Concord Diablo Federal Credit Union

Approved cost proposal not to exceed \$35,000 for David Costa to pick up petty cash from various school sites and then deliver the funds directly to Concord Diablo Federal Credit Union. Fiscal Impact: Not to exceed \$35,000. Funding Source: General Fund

3.12 Renewal of Contract with David Costa for Courier Services for Food and Nutrition Services

Approved renewal of contract not to exceed \$38,500 between David Costa and Food and Nutrition Services for courier services between school sites for reports, deposits, and related documents. Fiscal Impact: Projected expense not to exceed \$38,500 for the 2008-2009 school year. Funding Source: Cafeteria Fund; already budgeted.

3.13 New Room Lease Agreement for Dianne Adair Day Care Centers, Inc. at Monte Gardens Elementary School

Approved a Room Lease Agreement with Dianne Adair Day Care Center, Inc. for the purpose of providing before- and after-school child care services at Monte Gardens Elementary School. The term of the agreement is September 10, 2008, through June 30, 2011. There is no impact to the General Fund. In lieu of monthly payments, Dianne Adair will install air conditioning in Room A-3.

3.14 Approve Amendment in Master Contract between Mt. Diablo Unified School District and Communication Works for 2008-2009 School Year

Approved amendment to Master Contract with Communication Works for speech-language pathologist (SLP) services in 2008-09. The amendment reflects a change in rate of one of the SLP positions listed on the contract approved by the Board on June 24, 2008. The change reduces the initial contract amount by \$36,494. Funding Source: General Purpose/Special Education.

3.15 Approve Amendment in Master Contract between Mt. Diablo Unified School District and Progressus Therapy, LLC for 2008-2009 School Year

Approved amendment to Master Contract with Progressus Therapy, LLC for speech-language pathologist (SLP) services in 2008-09. The amendment reflects the agency's inability to fill all the positions listed in the contract approved by the Board on June 24, 2008. The District has identified another agency to fill those vacancies, reducing the contract with Progressus Therapy by \$328,560. This savings will be used to fund contracts with Bay Area Speech Language Consultants and Jewitt & Associates. Funding Source: General Purpose/Special Education

- 3.16 Approve Master Contract between MDUSD and Augmentative Communication and Technological Services
Approved a contract not to exceed \$55,000 with Augmentative Communication & Technological Services (ACTS) for speech-language pathologist (SLP) services in 2008-09. The contract is necessary due to the continuing inability to hire qualified speech pathologists to fill all vacancies and the need to meet student Individualized Education Program (IEP) requirements. Fiscal Impact: The contracted amount will be absorbed by savings resulting from unfilled contracted vacancies and/or late starting dates for new Speech Pathologists. Funding Source: General Purpose/Special Education
- 3.17 Approve Contract/Purchase Order between MDUSD and Jewitt & Associates Speech Language Pathology Services for 2008-2009 School Year
Approved contracts totaling \$73,520 with Jewitt & Associates for speech-language pathologist (SLP) services in 2008-09. An additional vendor for these services was needed because Progressus Therapy has been unable to fill all the positions listed in its contract with the District. The contracts are necessary due to the continuing inability to hire qualified speech pathologists to fill all vacancies and the need to meet student Individualized Education Program (IEP) requirements. Fiscal Impact: The total impact for fiscal year 2008-2009 is \$73,520 and is already a budgeted expense in the 2008-2009 budget. Funding Source: General Purpose/Special Education
- 3.18 Approve Master Contract between MDUSD and Bay Area Speech-Language Consultants for 2008-2009 School Year
Approved a \$246,160 contract with Bay Area Speech-Language Consultants for speech-language pathologist (SLP) services in 2008-09. An additional vendor for these services was needed because Progressus Therapy has been unable to fill all the positions listed in its contract with the District. The contracts are necessary due to the continuing inability to hire qualified speech pathologists to fill all vacancies and the need to meet student Individualized Education Program (IEP) requirements. Fiscal Impact: The total impact for fiscal year 2008-2009 is \$246,160 and is already a budgeted expense in the 2008-2009 budget. Funding Source: General Purpose/Special Education
- 3.19 Approve Contract/Purchase Order for Independent Service Contract with Ginger Nicolay-Davis for a Speech-Language Pathologist at Westwood Elementary and Eagle Peak Montessori for 2008-2009 School Year
Approved \$48,020 contract with Ginger Nicolay-Davis for speech-language pathologist (SLP) services in 2008-09 at Westwood Elementary and Eagle Peak Montessori School. The contract is necessary due to the continuing inability to hire qualified speech pathologists to fill all vacancies and the need to meet student Individualized Education Program (IEP) requirements. Fiscal Impact: The total impact for fiscal year 2008-2009 is \$48,020 and is already a budgeted expense in the 2008-2009 budget. Funding Source: General Purpose/Special Education
- 3.20 MAAT Consulting Services (MCS)
Approved \$48,000 independent services contract with MAAT Consulting Services to continue the services MATT provided during 2007-2008 to Rio Vista, Delta View, and Diablo Community Day schools. Services included teacher coaching, school climate assessment, and parent and student support. Fiscal Impact: \$48,000 There is no cost to the General Fund. Categorical and Grant funds are being used for this purpose.

SEPARATE ACTION

3.2.3 Post Retirement Contract for Retired Administrator

Oak Grove Middle School requested permission to hire Carol Snow, a retired MDUSD administrator, to provide support to the school's teachers of math, PE and electives.

Board comment: Eberhart asked if staff and parents were involved in this recommendation. Young explained that the School Site Council must be consulted on the initial budget for Quality Education Investment Act (QEIA) funds. Oak Grove Principal Terry McCormick said the budget was approved by the School Site Council. Eberhart requested a copy of the Site Council minutes. Eberhart then moved, Mayo seconded, and the Board voted 5-0-0 to approve a contract for retired administrator Carol Snow to provide support to teachers. Fiscal Impact: \$45,000 Funding Source: Quality Education Investment Act (QEIA)

4. RECOGNITIONS: None

5. BOARD FORUM

This item is here for the Board of Education to discuss any issues of concern.

5.1 Committee Minutes

5.2 Board Reports

Eberhart noted that he is running for re-election and is enjoying talking to people during his campaign. He praised MDUSD teacher Randy Monroe, whom he saw perform in a band at a teacher appreciation event in Walnut Creek last weekend. He announced that he met with members of CSEA and that he and Board candidate Sherry Whitmarsh received that union's endorsement.

Mayo reported on the meetings and events she's attended: the Parent Advisory Council meeting on Wednesday, where parents reported on good things happening at their schools and the challenges of opening day and set many agenda items for the year; the Adult Education Program's Professional Development Day last weekend, where many valuable workshops were offered; the Measure C Oversight Committee meeting, where it was reported that the District earned another \$2.650 million in interest, bringing interest earnings to date of more than \$7 million, which has gone for more Measure C projects; the Education Coalition press conference at Foothill Middle School on Friday, where Mike Noce of MDEA and Dick Allen spoke of the need for passage of a state budget that supports education; and the dedication of Northgate High's athletic track and field on Saturday, where the District was thanked for its support of the project. She urged the public to continue to contact state legislators to pass the budget. If the budget is not passed by September 30, she said, the state will lose a substantial amount of federal money deemed for underperforming schools.

Strange reported on attending the Career Integrated Academics (CIA) Committee meeting. He called CIA "a great program" that is intended to make students ready for work and for college. He explained that a number of academies at the high schools are not strictly vocational, but provide the opportunity for students to learn how to apply what they learn to the real world. He said he'd like to see more Career Integrated Academics courses.

Allen reported that he'd attended many of the same events as Mayo as well as a Concord Chamber of Commerce event for seniors last week. After attending the Education Coalition press conference at Foothill, he was pleased that evening to see Noce featured on the news and speaking very well. He also attended first MDUSD Community Advisory Committee (CAC) meeting of the year, where the new officers were announced and a report of all the activities and services being provided to District students was presented. He reported that the Community Advisory Committee for the Concord Naval Weapons Station Reuse Plan is working on the recommendation it will make to the City Council. He said alternatives range from the land's being 58% to 81% open space. He encouraged the public to attend a workshop, "Building Consensus," in regard to the Reuse Plan being held this Saturday from 9 a.m. to noon.

Treece called the Mt. Diablo Adult Education's Professional Development Day "impressive," especially in the use of data and technology. She also attended the Career Integrated Academics Committee meeting, which focused on developing a five-year plan for Carl Perkins funding and for District strategies. She said the District has come a long way from the 90s when the program, then called ATOP (Applied Technology and Occupational Programs), began. She was the community representative on the ATOP committee. She, too, enjoyed the Northgate field dedication and also the football game. She said the meeting of the Parent Advisory Council, on which she is a Board rep, was lively, with good topics suggested for the year. She reported that the Greater Chamber of Commerce's Business-Education Committee has changed its name to "Workforce Development" to better describe its purpose, which includes looking at Naval Weapons Station Reuse Plan in terms of educational needs. At the committee meeting she heard several elementary teachers share their perspective on the Chamber's Kids And the Power of Work (KAPOW)O program in which business people share their knowledge and information about their field in school classrooms.

5.3 Issues of Concern

Eberhart noted that a couple of meetings ago he expressed concern about Special Education costs in the District. Although the number of Special Education students is declining, costs have increased from \$50 million to \$67 million. He said he'd asked staff to explain what is driving the costs and was told by staff that there has been a significant increase in the number students diagnosed with autism. Eberhart said he recently reviewed an August 9, 2007, report on Special Education costs prepared by the District's former Chief Financial Officer and asked that staff revise that report to reflect current data and to respond to the recommendations listed in it. Perhaps some ways to cut costs will be identified, he said. Mayo noted that staff had recently presented a report to the Board on the program for students with autism. That report showed that the number of autistic students in the District has increased approximately 400%.

6. **PUBLIC COMMENT**

Jeff Adams, parent and candidate for School Board, said Eberhart acknowledged at a recent special Board meeting that there is negative and untrue information on the Internet blog site he and fellow Board member Strange maintain, but it is acceptable because it allows the public to express frustration with the school district. Adams voiced several concerns about the blog and said a comment that McHenry had met with him for six hours and recruited him to run for the Board was not true. He pointed out that Eberhart knew of his interest in being on the Board because he and the other Board members interviewed him when he applied for the late Bill Leal's seat. He called on Eberhart and Strange to correct all the misinformation about him, McHenry, and others that has appeared on the blog. *(Strange responded, saying he knew the allegations on the blog about McHenry recruiting Adams were not true and he told some people so in private conversations. However, he said, Adams had denied the allegations in an "off the record" conversation with Strange, so he did not want to break that confidence by writing about it on the blog. He invited Adams to go on the blog himself and correct any misinformation.)*

Richard Boynton, Pleasant Middle School staff member, described the difficult conditions staff and students experienced at the school from the recent heat waves during the first weeks of school. He said staff heard air conditioning was to be installed at the school two years ago, and asked when it would be. He said staff is filing formal complaints to OSHA and to the District.

Dorothy Englund, parent, announced that a new web site has been set up for candidates for the Board to answer questions from the public. She said Eberhart and Whitmarsh are responding. She encouraged Treece and Adams to do the same.

7. COMMUNICATIONS

7.1 Organizations

Mike Noce, MDEA president, thanked the Superintendent for his cooperation and support of the Education Coalition press conference held at Foothill Middle School last Friday. He also thanked Board member Allen, Foothill Principal Linda Hutcherson, and Foothill PFC President Vicki Frasier for their participation. He encouraged the public to contact their state legislators and urge them to support the “conference budget,” which supports education. He said he was glad to see that the Board discussed negotiations during Closed Session, saying that whatever happens with the state budget, the contracts need to be settled.

8. REPORTS/INFORMATION: None

9. SUPERINTENDENT’S REPORT

McHenry said it looks as if enrollment is slightly above projections at this time: 316 above projections at the elementary level; 13 below at the middle; and 267 below at the high school. Staff is “doing everything we can to balance classes across the district,” he said, but it may be necessary to hire more elementary school teachers, particularly at the kindergarten level. An increase in kindergarten students is a good thing as they are likely to stay in the District a long time, he said. In addition, one elementary school is currently over the 700-student enrollment threshold, and may need to have a vice principal added. He said a number of parents have been upset about the interdistrict transfer process because staff are having to wait for enrollments to settle down before they can approve some interdistrict transfer students for the school of their choice. He also reported that Special Education transportation needs are increasing, so costs for that service are rising. Referring to the Board’s earlier comments about Special Education costs, he said there is an increase not only in students with autism, but also in those who have severe disabilities and those with behavioral issues that require one-on-one assistants. He said the cuts in clerical positions at the high schools are being strongly felt, with fewer staff to handle the tasks. It may get worse. If the past pattern holds, about 100 more secondary level students will enroll between now and December.

Board comment Allen suggested that Board members visit Special Education classrooms to see teachers and students in action. He noted that transportation for Special Ed. students has always been a challenge. At both the PAC and the CAC meetings, parents said they are now seeing the impact of the budget cuts approved last spring. Eberhart reported on a conversation he had with parents in regard to an interdistrict transfer last Saturday. He called the Superintendent on a Saturday and thanked him and all the District staff who helped move the process along for this and other transfer students.

10. BUSINESS

10.1 Appointment of Payroll Manager

Allen moved, Mayo seconded, and the Board voted 5-0-0 to appoint Sharon Olafson as Payroll Manager, effective September 10, 2008.

10.2 Certification and Approval of the 2007-2008 SACS Unaudited Actuals-Statement of Receipts and Expenditures, the Annual Closing of the Books

The District is required by law to prepare an annual financial statement for Board approval and filing with the County Superintendent of Schools. The certification of the annual statement of all receipts and expenditures of the District for fiscal year 2008-2009 authorizes the Superintendent to file said statement with the Contra Costa County Superintendent of Schools. Nicoll presented a report on the 2007-08 Unaudited Actuals, i.e., the District’s budget following the closing of the books for 07-08 in August 2008. Highlights:

- Adopted Budget, June 2007 vs Actual Budget

Source	Adopted	Actual	% Change
Revenue	295.7	294.3	-0.46
Salaries	185.0	185.1	-0.02
Benefits	52.0	50.8	-2.39
Supplies	32.8	15.4	-112.08
Services	39.6	40.1	1.03
Facilities	5.8	5.9	2.43
Expenses	314.2	296.5	-5.98

(Supplies: decrease due to spending freeze the Superintendent instituted in January)

- Designations of the Unrestricted Ending Fund Balance - June 30, 2008

Components of the Fund Balance

The Projected Unrestricted Fund Balance of \$19,197,436 consists of the following:

Revolving Cash/Stores	\$ 810,879
Economic Uncertainties	5,992,757
FCMAT Recommendations	78,965
Teacher Health Care	1,882,173
MediCal	200,243
Energy Conservation	1,300,000
Secondary Education	96,165
Site Carryover	1,545,917
Undesignated Reserves	7,290,337

- Multi-year Projections, August 2008

Description	2008-2009	2009-2010	2010-2011
Beginning Balance	\$ 19,197,436	\$ 11,936,059	\$ 13,938,849
Revenues and other Financing Sources	162,037,141	171,911,950	176,268,936
Expenditures	169,298,518	9,909,160 ¹⁶	172,349,555
Net Increase/Decrease in Fund Balance	-7,261,378	2,002,790	3,919,381
Ending Fund Balance	11,936,059	13,938,849	17,858,230
Undesignated Ending Fund Balance	\$ 2,899,311	\$ 4,887,333	\$ 8,733,546

- Contributions to District programs from General Fund
 - Special Education\$29,115,952
 - Transportation2,760,200
 - Routine Repair & Maintenance Account8,442,665
(Legally required for Proposition 55 and Deferred Maintenance)
 - Summer School244,074
 - Athletics328,258
 - BTSA427,000
 - JROTC169,241
 - Diablo Day58,022
 - Other Programs Contributions274,778
 - Total Contributions** **\$43,762,168**

- Conclusions

- Budget will be balanced
- Jobs can be maintained
- Modest compensation increases are possible
- Additional expenditures will have to be funded by additional reductions
- Budget experts question whether Governor's lottery plan can work

- \$5 Million Question

- May Revise assumed new lottery revenue or sales tax increase of \$5 billion
- No state budget, no increase in state revenue
- Timeline missed for November election
- Clock is ticking
- Will there be mid-year reductions?

Nicoll acknowledged fiscal consultant Linda Grundhoffer and District Accountant Nance Juner for their work on the closing of the books.

Board comment Eberhart thanked Nicoll and expressed confidence in the data coming from the Fiscal Services staff. He pointed out that though the budget is balanced, it does not include employee compensation increases. "We have a ton of work ahead of us," he said, in having to make decisions without having a state

budget. He criticized state politicians for not passing a budget and asked staff to develop several scenarios to anticipate various impacts on the District budget.

Board action Allen moved, Mayo seconded, and the Board voted 5-0-0 to approve and certify the 2007-2008 SACS Unaudited Actuals-Statement of Receipts and Expenditures.

10.3 Request for Authorization to Proceed with the Installation of New Heating, Ventilating and Air Conditioning Systems at Fair Oaks and Shore Acres Elementary Schools, Pleasant Hill Education Center, and Olympic High School

Staff requested final authorization to proceed with the installation of new heating, ventilating and air conditioning (HVAC) systems at Fair Oaks and Shore Acres elementary schools, Pleasant Hill Education Center, and Olympic High School using the \$2,150,000 ending balance from the Measure C Program and \$8,082,252 from available Proposition 55 funds. The estimated cost of this comprehensive four-school project is estimated at \$10,232,252. Funding Source: Measure C and Proposition 55 funds

Board comment Strange suggested the Board consider spending the \$10 million in a different way: rather than HVAC systems in four schools, install individual Mitsubishi air conditioning units at \$10,000 a unit in each of the 600-plus remaining classrooms in the District that do not have it. Nicoll said some air-conditioning-only units have been installed in some classrooms. He thinks standalone air conditioning units for the 600-plus classrooms and remaining offices without air conditioning could be funded with the \$10 million. He said it "would be a shift in direction from what the Board has previously had us do," which was to replace old heating systems with comprehensive systems that include air conditioning. He referred to study sessions in 2004 and 2006 when staff reviewed five proposals for the Board and recommended the one deemed most cost-effective over a 30-year duration. In response to Allen, Nicoll said the old hydronic (boiler) systems were built in the 50s and require additional maintenance. It is a long-term goal to replace them with newer systems.

Eberhart remarked that a heating component can be attached to a standalone air conditioner. Maintenance and Operations Director Pete Pedersen agreed, but reminded the Board that the consultant who conducted the HVAC study noted that some of the heating systems are "derelict." Also, with all its hydronic systems, the District is non-compliant with code in terms of fresh-air exchanges. Pedersen said the Mitsubishi systems recycle air, but do not provide the fresh air exchange. They do make a heat pump combination that the Board can consider if it wishes. Pedersen explained that Woodside recently was outfitted with individual air conditioning units at a low cost, but it is not really a model for other schools. It is a newer school with gas furnaces in place and required little retrofitting to accommodate the AC units. The four schools currently in the planning stages have the old hydronic systems. In addition to the standalone AC units they would need each classroom to have a new mechanical system for the fresh air exchange and a heat pump. This, said Pedersen, "would clearly change the costs" that Nicoll mentioned earlier in the discussion.

Mayo called Strange's proposal "interesting." She recalled the planning that went into determining the Measure C and Proposition 55 projects and the in-depth air conditioning/HVAC study that was prepared for the Board's consideration. She said she has strongly supported the boiler replacements for the heating systems because that project was discussed even before Measure A, which funded some boiler work. The air exchange was a concern then and is now a state requirement for a healthier classroom. The new systems include an energy management component, adding more efficiency. She believes the existing plan is still sound and that the District needs to pass another bond to complete its facilities needs.

Allen asked why the standalone units were not considered during the earlier planning. Pedersen recalled the two study sessions held on this topic. He said staff directed the consultant "to assess a variety of strategies; five effervesced to the top, and we selected this one." He added that the use of ductless systems and electric heaters was discounted outright because they did not comply with code for environmental safety and did not deal with the archaic plumbing throughout the District. The strategy of split systems and packaged rooftop units was chosen as being the most comprehensive and cost-efficient over a 20-year life cycle.

Strange noted that he just came up with his idea a day ago and believes it warrants further study "given that there are new facts here." Mayo pointed out that the Measure C Committee reviewed the HVAC project at its meeting last week and that \$500,000 has already been expended on design and plans for the four schools. She believes schools need the heat component perhaps more than air conditioning over the course of a year.

Eberhart said he recognizes the importance of the air exchange and heating in the classrooms and the time and money that has been expended on this project so far. At the same time, he said he'd never heard of ductless AC systems when the Board considered the comprehensive proposal years ago and thinks it's worth examining now. He would like staff to explore other options and to consider including other work areas, particularly kitchens, as well.

In response to Treece, Pedersen said the standalone units present some electrical challenges, may require some demolition that requires approval by the Department of the State Architect (DSA), which would postpone the installation. He explained that consultants will need to examine the air conditioning project under this new strategy as a whole new set of questions arises. McHenry pointed out that the projects were prioritized in a way for the District to be eligible for further funding. He thinks the Olympic High project needs to be completed in order to qualify for that funding. (Pedersen will investigate.)

Strange argued that it makes more sense to place air conditioning units in classrooms and other work areas in 26 schools than to spend the money for HVAC systems on only four schools. Mayo said three District

schools were built with air conditioning, 14 have been outfitted to date, and another 250 classrooms will be under the plan that was developed. She pointed out that the District has been working on a heating/ventilating plan since 2002. She suggested that Board members visit schools that have the new systems and ask how they performed during the cold months. She is also concerned about the cost of energy consumption. The long-range plan accounted for gradual cost increases, with time to consider offsets, such as solar energy.

In response to Allen, Pedersen said there is time to consider other proposals before the projects in this item need to be approved, though there are logistics to be considered at the Pleasant Hill Adult Center site. Allen said his concern is about the heating system, which Pedersen confirmed, is used more than air conditioning. Allen said he would like to hear a report from Pedersen on the proposal for standalone systems before he makes a decision. Strange said he can see reasons to complete the project at Olympic and is open to hear rationale for continuing with the projects at all four schools. Mayo said it is important to know how long it would take to install the standalone air conditioning units in 600-plus classrooms. McHenry reminded the Board that schools were offered a choice of Priority 2 projects under Measure C. Some chose not to have air conditioning in favor of other projects.

Board action: No action was taken. The Board asked staff to analyze alternative dual-duct systems for air conditioning and for heating in classrooms that do not presently have air conditioning. Consider equipment and installation cost estimates, timelines, scope of work, and operational costs.

Public comment Sandra Walters, parent, asked how prudent it is to spend money on air conditioning systems that will require General Fund money for their operation.

10.4 Consider Approval of Extension of Existing Construction Management II Position

Contingent upon the Board of Education authorization to proceed with the installation of new heating, ventilating and air conditioning systems at Fair Oaks and Shore Acres elementary schools, Pleasant Hill Education Center and Olympic High School, staff requests that the term of the existing Construction Management II position be extended one (1) full calendar year from January 1, 2009 through December 31, 2009. Fiscal Impact: \$127,891 (included as part of the \$10,232,252 project cost) Funding Source: Proposition 55 funds

Board action: Based on the lengthy discussion of Item 10.3, no action was taken on this item.

Moved from Consent Calendar

3.5 Contract Amendment with Vanir/Parsons—Proposition 55 Heating, Ventilating and Air Conditioning Program for the Phase I and II Schools

Contract amendment with Vanir/Parsons in the amount of \$293,509 for comprehensive program and construction management services for the installation of new heating, ventilating and air conditioning at the Phase IIB schools (Fair Oaks and Shore Acres elementary schools; Pleasant Hill Education Center and Olympic High School). Funding Source: Proposition 55 funding

Board action: Based on the lengthy discussion of Item 10.3, no action was taken on this item.

10.5 Request for Budget for Repair of Exterior Bleacher System at Clayton Valley High

On November 13, 2007, the Board awarded a contract to PHd Architects for the structural analysis and engineering and design services required for the repair/replacement of the structurally compromised stadium bleachers at Clayton Valley High. The design for the bleacher retrofit/repair is complete and has been submitted to the Division of State Architect. The estimated cost for this project is \$485,157. To avoid any delays in moving this project forward, staff requested the creation of a budget using available Proposition 55 funding.

Board comment Strange noted that he has received several calls about this project. He said he's responded that once facilities are built, whether through District, private donations, or other funding, they are the District's responsibility to maintain. In response to Allen, Pedersen said the bleachers were installed shortly after the school was built in 1960. The bleachers were not replaced when a privately-funded field was installed there a few years ago. In response to Mayo, Pedersen said the schedule calls for construction to begin when track season ends next Spring and be ready for use by Fall 2009.

Board action Strange moved, Eberhart seconded, and the Board voted 5-0-0 to approve the creation of a budget for the repair of the exterior bleacher systems at Clayton Valley High School. Fiscal impact: \$485,157 Funding Source: Proposition 55

10.6 Request for Budget for Installation of Video Surveillance Systems

In 2007-08 the District spent more than \$213,000 responding to vandalism to its facilities. The costs do not include equipment replacement, lost time/production, arson damage, or resources expended by site personnel. Since 2000, vandalism has cost the District \$882,336. Several sites have installed video surveillance systems and reduced instances of vandalism and theft. At this meeting staff recommended

installing these systems at all secondary sites that do not yet have them as well as at those sites which have a documented history of extensive vandalism/break-ins. The sites include College Park and Ygnacio Valley high schools; Diablo View, El Dorado, Foothill, Oak Grove, Pine Hollow, Pleasant Hill, Riverview, Sequoia and Valley View middle schools; Bel Air, Cambridge, Meadow Homes, Rio Vista and Shores Acres elementary schools and Loma Vista Adult Center. Fiscal Impact: \$1,165,500 Funding Source: Proposition 55 funding

Public comment Sandra Walters, parent, asked what kind of savings is being achieved by having video cameras on sites. She suggested parent patrols in the evening as a way to reduce vandalism and ensure safety. She also suggested that the District do a better job of securing copper wire and pipes. Teresa Torbett, parent, spoke in favor of the proposal, saying the cameras would provide for safer, cleaner, and healthier campuses.

Board comment Eberhart said Ms. Walters made some good points, but it's hard to put a cost on the "return on investment." He believes the cameras are useful in many ways in providing a safe and healthful learning environment on school campuses. Allen noted that the cameras are a deterrent. Strange asked if there are any plans that will allow the cameras to be monitored centrally. Joe Estrada said his department provides the infrastructure, which allows the cameras to be monitored centrally, but he does not oversee the security staff who review the film. Mayo pointed out that the cameras are located in public locations, not in classrooms. She also noted that the District has taken steps to protect equipment with copper wire and pipe. Treece recalled parent Melinda Moore who was instrumental in initiating a video surveillance system at Clayton Valley High a few years ago. From the outset, the film is not viewed unless something has occurred that might have been caught on camera. In response to Treece, Estrada said the cameras have an average life span of five years; new technology is always being introduced. He advised the development of a five-year replacement plan. In response to Treece, Nicoll said the cameras could reduce the need for additional security personnel.

Board action Eberhart moved, Allen seconded, and the Board voted 5-0-0 to approve \$1,165,500 for the installation of video surveillance systems at several District schools. Funding Source: Proposition 55

10.7 Consider Approval to Amend the Master Contract with Dori Maxon Pediatric Contracting Services for Physical Therapy Services for the 2008-2009 School Year

On June 24, 2008, the Board approved a Master Contract with Dori Maxon Pediatric Contracting Services to provide physical therapy services specifically for the 2008 Extended School Year (ESY) Program. Staff requested amending the contract to provide those services for the 2008-2009 school year at a cost of \$102,248.50.

Board comment In response to Eberhart, Browne said staff do not anticipate any more expenses from Budget 1662 than are listed in this and the following agenda items. She said staff made budget transfers to assure this budget is sufficient to the needs. Treece said she appreciated receiving the Special Education budgets from staff along with the Board agenda and asked for confirmation that the amount being requested is reflected in Budget Code 1662. Nicoll said it is.

Board action Allen moved, Mayo seconded, and the Board voted 5-0-0 to amend the contract with Dori Maxon Pediatric consulting Services for the 2008-09 school year. Fiscal impact: \$102,248.50 Funding Source: General Purpose/Special Education, Budget Code 1662.

10.8 Consider Approval to Amend the Master Contract with Progressus Therapy, Inc. for Occupational/Physical Therapy Services for the 2008-2009 School Year

On June 24, 2008, the Board approved a Master Contract with Progressus Therapy, Inc. to provide occupational therapy services specifically for the 2008 Extended School Year (ESY) Program. Staff requested amending the contract to provide those services for the 2008-2009 school year at a cost of \$1,452,096.

Public comment Dorothy Englund, parent, requested additional information in Board agendas when contracts such as the one being considered are presented. She expressed concern about the District's outsourcing many of its services.

Board comment: Strange said he would like to receive the information Ms. Englund requested. Browne said the Board is provided the master contracts once a year; this one was presented in June. Strange said he would like to see year-over-year costs for each provider. Bryan Cassin listed the costs for this and the contractor for the previous item. McHenry said he and Cassin talked about this issue last week. If the District can employ more occupational and physical therapists, that would be preferable. He will bring an analysis to the Board later in the year. Bryan said, as with Speech Language Pathologists, there is a critical shortage of qualified candidates nationwide. It may be necessary to increase the compensation to attract candidates. In response to Allen, staff confirmed that the District is outsourcing only in cases where there are no candidates available. Eberhart reiterated his belief that it is better to use employees than contractors to provide services as employees get to know students better. McHenry explained that some of these jobs, such as physical and occupational therapists, did not exist in the District until a few years ago.

Board action Allen moved, Mayo seconded, and the Board voted 5-0-0 to amend the contract with Progressus Therapy, Inc. for the 2008-09 school year. Fiscal impact: \$1,452,096 Funding Source: General Fund/Special Education, Budget Code 1662.

10.9 CIF-NCS School Board Representative Election Ballot

Eberhart moved, Allen seconded, and the Board voted 4-0-1 (Mayo, abstain as she does not know any of the interested parties) to nominate Percy McGee, Jr. of the Pittsburg Unified School District as its candidate for North Coast Section, CIF, Board of Managers. Eberhart provided a background for this individual.

10.10 Adoption of the AP Chemistry Course of Study

Eberhart moved, Strange seconded, and the Board voted 5-0-0 to adopt the AP Chemistry course of study developed by a committee of secondary teachers and the Science Curriculum Specialist. Presented only as information at the August 26 meeting, this item was returned for action

10.11 Consider Approval of Four (4) New Members for the Budget Advisory Committee

Allen moved, Eberhart seconded, and the Board voted to approve the following individuals to the Budget Advisory Committee: John Salazar, replacing Chris Stieger-Maguire as Board member Mayo's recommendation; Hellena Postrk, replacing Rose Lock as DMA representative; new members Ben Samrick and Jeff Weiss.

11. ADJOURNMENT

Treece adjourned the meeting at 10:31 p.m.

Gary McHenry, Secretary