

Approved in Open Board Meeting, March 21, 2011

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
OFFICE OF THE SUPERINTENDENT

February 15, 2011
Tuesday, 9:45 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 9:55 a.m., Tuesday, February 15, 2011, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Benjamin J. Williams; Vice Chair Ann Murray; Members, Robin Bartleman, Maureen S. Dinnen, Patricia Good, Jennifer Leonard Gottlieb, Laurie Rich Levinson, Nora Rupert, David Thomas; Superintendent James F. Notter, and Marilyn Batista-McNamara, Esq.

Call to Order Mr. Williams, Board Chair, called the meeting to order and led the Pledge of Allegiance to the Flag of the United States of America.

Minutes for Approval Motion was made by Mr. Thomas, seconded by Mrs. Rupert and carried, to approve the official minutes for the following Board Meetings: (9-0 vote)

January 25, 2011 – Special – Student Expulsions
January 25, 2011 – Regular School Board Meeting
January 25, 2011 – Special – School Board Leasing Corporation
February 1, 2011 – Special – Student Expulsions

Close Agenda Upon motion by Mrs. Rich Levinson, seconded by Mrs. Good and carried, the Agenda was approved and declared closed. (9-0 vote)

Following the Task Force Committee Report, Ms. Dinnen requested a moment of silence to honor two students in her district who recently passed away: Nico Modoux, Senior, Northeast High School, and Augustin De La Cruz, 4th grader, Lloyd Estates Elementary School.

Mr. Thomas requested a moment of silence for Elmer Lopez, Coral Springs Middle School student who is in a medically-induced coma.

(A moment of silence was observed).

SPECIAL PRESENTATIONS

Leadership Program – LEAD, Interim APs, Interns, Interim Principals

On behalf of the School Board, Mrs. Gottlieb recognized the LEED Program, a program that provides professional development for aspiring and veteran administrators, school-based and district-based, and focusing on providing rigorous and relevant leadership programs so that Broward schools produce a cadre of leaders ready and able to take on the leadership challenges inherent in the district and schools.

Mrs. Gottlieb stated that dedicated administrators meet with Ms. Sherry Rose, Director, Leadership Department, between 3:30 – 8:00 p.m., and they learn about the operational, instructional and school leadership that is aligned to Florida’s ten leadership standards.

Ms. Rose stated that two of the recent graduates of Broward’s nationally recognized Leadership Program are Mr. James Griffin, Lauderdale Lakes Middle School, who received the State Principal Achievement Award for Outstanding Leadership; and Ms. Priscilla Ribeiro, Principal, New River Middle School, received the State Assistant Principal Achievement Award for Outstanding Leadership of the Year. Three Area Directors and one Area Superintendent are also recent graduates of the LEAD program.

Ms. Rose informed that in 2005 through 2009 the program implemented two \$1.5 million Leadership grants awarded by the Department of Education. In 2008, the program was recognized as a model leadership preparation program in the state of Florida. Also, 30 principals from Japan came to visit the district’s Leadership program. In 2009, the Leadership program received full accreditation through 2013, and in 2010 the 5th successful Summer Leadership Academy was recognized by the Miami Herald.

Upon completion of the program, administrators may apply to the Assistant Principal pool; when hired as an Assistant Principal they enter into a three-year program and they learn topics such as Internal Accounts, Ethical and Non-instructional Leadership. Upon completion, they can apply for the Interim Principal program, which is two years of training, after which they can apply for a principalship. The Interim Principal program for first-year principals is a one year program of continuous training after school.

Ms. Rose said that these leaders in the Leadership Program have made sacrifices and personal commitments for the School Board and in playing a major role in an A-rated district.

West Broward High School Cheerleaders State Championship

Mrs. Good recognized and congratulated the West Broward High School Bobcats Cheerleaders, who appeared via video conference, for winning the Florida High School Athletics Association Competitive Cheerleading Championship. The West Broward team won first place in its division, becoming the first Broward public school to win the competition held in Kissimmee, Florida, on February 4-5, 2011.

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Mrs. Good stated that cheerleading is a vigorous sport and requires tremendous hours of practice, to come together as a team and who have a combined GPA of 3.034. Blanche Ely and West Broward high schools were the two teams who advanced to the final round of cheerleading competition and West Broward was the first team to bring home a state title.

Mrs. Good introduced Coach Brooke Nelson and Coach Brooke Turco, who thanked the School Board for their support.

REPORTS

Technology Advisory Committee – Joel Levine

Dr. Levine welcomed the Board Members' appointees and said that he is working on recruiting new members to replace members that left the committee last year. Since there are new members, an overview of the Roles, Responsibilities and Expectations of TAC members was reviewed.

The meeting times of TAC will be held on the second Monday of each month, beginning at 2:30 p.m. All meeting dates and documents are on the TAC website:
www.broward.k.12.fl.us/tac/meetings/index.htm.

The Task Force took a tour of the network operations center and were very satisfied on how the network systems are being maintained and monitored throughout the district. A recommendation was made to go forward and continue with JDL Technologies in terms of future contractual relationships with the School Board.

Dr. Levine further reported that TAC is currently reviewing ETS guidelines that could become policies in the future. The two policies (draft form) being reviewed are Personally Owned Devices Guidelines and Personal Property Release Form. An idea is to have teachers be able to bring their own technologies into schools and other school district locations.

Several important updates were shared: Communication Planning Committee; Race to the Top Grant; Broward Virtual School's e-tutoring pilot; Web Collaborative Tools Committee; and Batteries and Adapters. Dr. Levine stated that after reviewing a variety of other tools, the Task Force supports the continued use of Elluminate, as the price has significantly reduced from \$350,000 to \$50,000.

Dr. Levine informed that there has been a concern by teachers about the older laptops, their batteries and adapters are no longer functioning and have to be replaced. Another alternative is the use of extension cords which could be a safety issue. Dr. Levine stated that replacing the adapters and electrical components that lead to the laptops and computers will cost \$4.5 million. If this is not feasible, the laptops can only be used unless they are plugged directly into an electrical outlet.

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Mrs. Rupert voiced concern over the safety issue with the extension cords and requested that research be made regarding a safety standard for the entire building.

Concurring, Dr. Levine stated that the cables need to be of proper gauge that can carry the electrical wattage to different locations in the room. Additionally, an overload of the circuitry could cause a fire.

Mrs. Good suggested that when the technology issues are scheduled for a Workshop discussion, including the technology regarding the end-of-year exams, that Dr. Levine be notified of that discussion.

Remarking that the district has a lot of business partners that want to help the school system, Ms. Dinnen suggested that the district reach out to computer/business partners who might have equipment they are no longer using.

A comprehensive written report was submitted to the Board.

Employee Unions – Pat Santeramo

Mr. Santeramo discussed concerns over the future of public education, stating that without the collaboration between the School Board and the Broward Teachers Union the leadership role that Broward County has always held will be lost.

Mr. Santeramo stated that the community is aware of what children need, what employees need and what families need in education. There is \$37 million of Race to the Top money within the reach of the district. Mr. Santeramo stated that teachers need to be valued and encouraged to take the future challenges that face them, with a sense of self pride.

Mr. Santeramo further stated that the BTU bargaining team began to withdraw language from the title in an effort to settle this year's contract. He informed that instructions were given to the Chief Negotiator to put together the remaining language and proposal into a package that will be presented this week.

Mr. Santeramo offered a one-time marathon bargaining session in order to settle this year's contract. Request was made of the School Board to instruct the Superintendent to take the same action with the district's team in order to come to a settlement, and for the School Board to act promptly to approve the settlement.

Mr. Notter stated that he accepted the collaborative effort, putting aside differences for the betterment of the children.

Concurring, Ms. Dinnen stated if there is not a collaborative effort public education will not exist in the state of Florida. Ms. Dinnen stated that the district spent the Jobs money following the federal directive and there is an indication that because this was done, one half of the money will be withheld from this year's district funding by the state.

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Facilities Task Force – Charlotte Greenbarg

Mrs. Greenbarg reported that the Task Force met on February 3, 2011, welcoming new members. The Facilities department is continuing to complete and close projects and the recovery is expected to cost approximately \$30 million.

In response to the extended discussion on change orders and the need to make them more transparent, Mr. Thomas Lindner, Acting Deputy Superintendent, Facilities and Construction Management, responded on several points, indicating that the Legal department prepares a quarterly report. If change orders go over 3 percent of a project, excluding Owner Requests, it is flagged for review; information will be provided when projects/change orders are complete.

Mrs. Greenbarg stated that the district must retire all portables by year 2018. Even with the removal of all portables, the district will be faced with approximately 17,000 empty seats within its structures.

Gratitude was extended to Mrs. Good for assisting in acquiring the Nova site for future Task Force meetings in April, when the Hortt will be vacated.

Mr. Omar Shim, Director, Capital Budget, presented the District Educational Facilities Plan update. He stated the district cannot borrow any more money, that leasing is the same as borrowing, and the debt ratio is at a maximum. Mr. Shim feels it is more efficient to extend the life of the buses by three years than to replace 1/10th of the fleet.

The Task Force will provide input regarding the QSEC weights and evaluations, at the request of Mrs. Bartleman and Mrs. Rupert. Task Force Members were asked to bring back materials so that the committee can look at the evaluation process and make recommendations. The recommendations made in 2009 are now part of a policy.

Mrs. Greenbarg informed that a report was given by Mr. Steve Feldman on the Tools for Schools program; surveys and walk-throughs are resuming. The Energy and Environmental Design committee will hold its first meeting in one week.

Mrs. Greenbarg further reported that the Task Force met with Mr. Notter on February 10, 2011 to discuss the motion matrix. Mr. Notter will set up the process for motions to be in the referral system. (A list of motions that are resolved with the action taken is reference in the Task Force report to the Board).

A comprehensive written report was submitted to the Board.

Mrs. Bartleman requested that committee chairs be invited to attend workshop discussions when their issues are scheduled for discussion.

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Mrs. Good stated if there is a requirement that the Task Force meetings must be recorded, that staff provide proper equipment so that advisories can structure their committee meetings in a way to ensure collection of proper minutes. She further requested that this information be provided to Mrs. Greenbarg.

BOARD MEMBERS

Mr. Thomas informed that he was impressed with the fantastic job elementary school teachers are doing with very little resources and the children are learning. He praised Bright Horizons and Hunt Elementary School. Mr. Thomas stated that students are constantly engaged and their test scores show their accomplishments. He encouraged everyone to use these schools as a role model.

Mrs. Rich Levinson visited Village, Gator Run, Fox Trail, Embassy Creek, and Flamingo elementary schools, Tequesta Trace Middle School, and Cypress Bay High School. She is very impressed with the teaching and learning at the schools.

Mrs. Rich Levinson attended a Best Buddies dance at Cypress Bay High School, with over 100 students enjoying a Valentine's dance event.

Mrs. Rich Levinson informed that tomorrow evening the Teacher of the Year will be announced. Two finalists are in District 6, Mark Horowitz, Indian Trace Elementary, and Lazslo Nagy, Western High School. Mr. Nagy was awarded the top high school teacher by the Broward County Council of Teachers of Mathematics.

Mrs. Rupert informed her colleagues that a first meeting was held in the "Conversations with Nora" series, Empowering Our ESE & Gifted Students. Staff for ESE and Gifted attended, answering questions for some of the more than 75 people in attendance. Mrs. Rupert stated that she enjoyed meeting community members and parents, especially the children who attended.

Mrs. Rupert stated that Coconut High School Girls won their district championship basketball game. Lyons Creek Middle and Monarch High School won their divisions for the Winter Guard Competition. The Nomads rugby team at Northeast High School, her son's school, is undefeated in the county, improving significantly since last year. Congratulations was extended to Cypress Bay High School for winning the District Boys Soccer Finals.

Mrs. Rupert stated that she visits numerous sporting events, as they are fun and she can meet the community and support the children.

Noting the increase in students being hit by cars this school year, Mrs. Rupert requested that a service announcement be made by the Superintendent to all principals, and that Student Advisors to put out a public service announcement.

Concurring, Mr. Notter stated he will meet with the Communications staff to develop an announcement.

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Mrs. Gottlieb congratulated all Teacher of the Year finalists and all Teachers of the Year from each school. The Teacher of the Year will be announced tomorrow evening, February 16, 2011.

Mrs. Bartleman informed that she has visited business sites in lieu of visiting schools. She visited the Twin Lakes Administrative Annex, an area where all testing material is organized and the Safety Department handles charter school inspections and FEMA related issues. Other departments at this site include the print shop, welding shop, psychological data that is housed, and an employee who fixes the district's computers.

Mrs. Bartleman stated the Safety Department will be issuing a sticker that will be on the back of all district vehicles, Please Stay 3 Feet from Bikers, it's the law.

Mrs. Bartleman discussed the Magnet programming criteria and Gardner Seven Intelligences. She stated some of our magnet programs have a very strict stipulation to get into those programs, such as GPAs. Mrs. Bartleman stated that students' GPAs will go up if the programming may inspire them to stay in school. Mrs. Bartleman requested a review of the policy.

Praising all Broward County school teachers, Mrs. Bartleman stated that the greatest investment the state can make is educating children.

Ms. Murray informed her colleagues that McArthur High School's Band participated in the City of Hollywood, Hollywood West Concert Series. The band performed on Saturday, February 12, 2011 at the Boulevard Heights Amphitheater located in Hollywood, Florida. The Concert Band of approximately 50 students including the Wind Ensemble performed popular music for the show.

Reporting on Apollo Middle School, Ms. Murray stated that NASA selected Ms. Diana Dworzan to be an agent of change for Science, Technology, Engineering and Math, (STEM) education, and was awarded the Endeavor Fellowship with NASA. The scholarship will provide live online training for K-12 educators working to earn a certificate in STEM.

Ms. Murray announced that Nova Blanche Forman Elementary 3rd grade teacher, Ms. Marjorie Archer, was selected as the Elementary Mathematics Teacher of the Year by the Broward County Council for the Teachers of Mathematics.

Hollywood Hills Elementary School held their Walk for Wellness on Friday, February 11, 2011. Over 900 students, parents, faculty and staff joined together to promote healthy habits in the 5th Annual Hollywood Hills Elementary School Walk for Wellness. The walk occurred around the school campus and is aimed at teaching students healthy habits such as walking and drinking water. All students received a bottle of water and an ice pop at the completion of their walk. The Walk for Wellness also served as a fundraiser for the school PTA which in turn will donate 10 percent of all profits to the Joe DiMaggio Children's Hospital Foundation.

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Ms. Murray further reported that The Quest Center was recently awarded a \$4,300 Recycle Bank Green Schools Program Grant. The grant is designed to increase youth awareness in the fields of environmental awareness, education, and action. The review committee also paid special interest in programs that empower youth in the communities in which they live.

At the Quest, heavy emphasis is placed on Community-Based Instruction (CBI) opportunities for our students. The Quest also collected a little over \$4,400 for the Walk About Autism event that occurred on January 29, 2011, at Sun Life Stadium. The school will receive 25 percent of the proceeds from the total collections of this event, which will go toward the purchase of goods for the student reinforcement school store.

Hollywood Park Elementary students raised \$1,370 for the Leukemia and Lymphoma Society, through their annual Pennies for Patients fundraiser.

Ms. Murray stated that Driftwood Middle School 8th grader, Daniel Visosevic, won 1st place in the Best in Show at the Broward County Science Fair. Daniel will move forward to compete at the State Science Fair in March.

Mrs. Good informed her colleagues that she visited Everglades High School and met with Principal Dr. Paul Fetscher; Principal Daniel Traeger, West Broward High School; Cooper City High School Principal Ms. Wendy Doll; and Dr. Sharon Shaulis, Flanagan High School. Mrs. Good stated she was very impressed with teachers, principals and assistant principals, and the programs offered at these schools.

Mrs. Good attended the ribbon-cutting ceremony at Everglades High School. The school made a mosaic wall outside of the school grounds, Sunrise Over the Everglades: Mangroves to Sawgrass. This was made possible through the partnership with Everglades teacher Ms. Janet Rubinson and Artist in Residence Ms. Beth Ravitz. Many of the mosaic tile pieces were donated by the community. Gratitude was expressed to Mrs. Marla Armstrong, Curriculum, for doing a phenomenal job in promoting arts within the district's schools.

Mrs. Good thanked the City of Miramar for showcasing Broward students' artwork during an exhibition stemming from the Everglades exhibit. The artwork was showcased at the Miramar Cultural Art Center Partnership for Education. The Everglades High School Choir performed at the event.

Mrs. Good expressed gratitude to Miramar High School Principal Mr. Brian Faso and to Dr. Valerie Wanza, South Area Director, School Improvement, for the wonderful job in presenting Mr. Barney Brown. Mr. Brown spoke of his wrongful incarceration for many years, missing the opportunity to graduate with Miramar's first graduating class in 1972. The students and faculty welcomed back Mr. Brown, a touching and inspirational event that was witnessed by his mother, family, friends and some of his 1972 classmates. He was able to walk the gym and was invited back to the school for the prom.

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Mrs. Good participated with the Glades Middle School Team and Principal Ms. Krista Herrera in a 5k walk to benefit the Make A Wish Foundation. The school raised over \$10,000, one of the largest fundraising efforts by a team, including the corporate community.

Mrs. Good attended a meeting in the Sustainable Energy & Environmental Design committee (SEED), a committee that reviews potential ideas for conserving energy. Several staff members from Facilities and schools attended the meeting. The Energy Tools for Schools program is currently providing incentives for schools to save energy, and they will be forwarding information to the Superintendent regarding a similar program regarding water conservation within schools.

Mrs. Good attended the Pioneer Middle School Spaghetti Dinner and Talent show, joined by Mayor Debby Eisenberg and Commissioner Lisa Mallozzi.

Mrs. Good attended the New Teacher Orientation at the Signature Grand Hotel, a standing-room only event that illustrated how many teachers are coming back to Broward schools.

Mrs. Good also attended the Re-Engagement Fair at McFatter Technical Center, which was attended by students of all ages. Guidance counselors were on hand at this successful event.

Mrs. Good announced that Pembroke Pines Charter School competed in a statewide energy management competition sponsored by the Florida Division of Emergency Management and they won 1st place in a statewide contest.

Mrs. Good informed her colleagues that Cooper City High School Principal Ms. Wendy Doll participated in the U.S. Army Golden Knights Principals Day Event – Tandem Skydiving event. Twelve principals and assistant principals from Miami-Dade and Broward schools participated in this event.

Mrs. Good announced the winners of the Paula Abdul's Live to Dance: Sunset Lakes Elementary School student, 9 year old D'Angelo Castro and his partner Amanda Carbajales, 10. This dancing duo won the title of the best dance act in America and won a \$5,000 prize.

Ms. Dinnen attended the Tower Forum breakfast and three speakers spoke on education issues: Mr. Levi Williams, formerly on the Board of Trustees of Broward College; Mr. George Moraitis; and Mr. Notter. Mr. Notter outlined many facets and achievements of the district.

Ms. Dinnen informed her colleagues that she spoke to the Broward County Retired Education Association members, the Broward Education Foundation and the District Advisory Council about the future of public education in Florida.

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Ms. Dinnen indicated that she put together a group of people that will get a conference call from lobbyists from Tallahassee every week. The group consisted of students, parents and business people that will hear "fresh" news from Tallahassee. Ms. Dinnen stated this would help to influence the issues. Ms. Dinnen stated she would provide minutes of these conference calls to the Board.

Ms. Dinnen spoke about Mr. Allan Phipps, South Plantation High School teacher and 2011 Teacher of the Year. Celebrating the finalists for this year's Teacher of the Year, Ms. Dinnen stated that the Board does not meet every teacher in the district and it is the teachers who do the daily work that determines success for the district.

Ms. Dinnen informed that Dr. Brenda Snipes, Supervisor of Elections, invited Virginia Shuman-Young students to visit the Supervisor of Elections office during the holidays. Students got a chance to see the voting machines and functions of the office. She voiced concern that Broward County had the lowest voting percentage of the 67 counties in Florida in the last election. Ms. Dinnen suggested a manner in which district employees could be encouraged to vote.

Ms. Dinnen attended Broward Days and Broward Teachers Union Educational Forum, with Mrs. Rupert presenting budget information which many people had not seen before.

Ms. Dinnen visited Floranada Elementary School, Principal Mr. Keith Peters, a popular principal; and Whiddon –Rogers, Principal David Watkins. She stated she was very impress with each of these individuals and their schools.

Speakers

Billy Davison
James Young

CONSENT AGENDA Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Mrs. Rich Levinson, seconded by Mrs. Rupert and carried, to approve the Consent Agenda for the remaining items (**identified by ***). (9-0 vote)

CONSENT ITEMS

A. RESOLUTIONS

*A-1. Resolution in Support of Entrepreneurship Week (Adopted)

Adopted Resolution #11-80, in support of National Entrepreneurship Week – February 19 through February 26, 2011.

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- A-2. Resolution No. 11-81 – Certificates of Participation (COPs), Series 2004D & 2006B Liquidity Providers Replacement (Adopted)

Motion was made by Mrs. Gottlieb, seconded by Mrs. Murray and carried, to adopt Resolution No. 11-81, and related documents authorizing the substitution of the Liquidity Facility with respect to each of the \$113,825,000 aggregate principal amount of Certificates of Participation (COPs), Series 2004D and the \$65,000,000 aggregate principal amount of Certificates of Participation (COPs), Series 2006B. (9-0 vote)

At the February 1, 2011 School Board Meeting, the School Board approved J. P. Morgan Chase and PNC Bank as liquidity replacements for Dexia. Dexia Credit Local was originally selected to serve as liquidity provider for the School District's COPs, Series 2004D & 2006B. Dexia chose not to renew the credit facility beyond the March 17, 2011 expiration date. A Request for Proposal (RFP), was issued December 17, 2010, and responses received on January 10, 2011. Proposals were received from three banks: Citi, PNC and J. P. Morgan Chase. J. P. Morgan Chase and PNC Bank were the low bidders.

Copies of the full application are available at the Board Members Office on the 14th Floor of the K. C. Wright Administration Building.

The net increase in fees is approximately \$1.1 million to be paid from the Capital Budget. The increase is due to market conditions and many banks are decreasing their exposure to this market. Interest savings of approximately \$4.7 million is anticipated to be realized over the next eighteen (18) years.

No discussion was held on this item.

B. BOARD MEMBERS

D. OFFICE OF THE CHIEF AUDITOR

E. CHIEF OPERATIONS OFFICER

- E-1. Bid Recommendations Less Than \$500,000 (Approved)

Motion was made by Mrs. Gottlieb, seconded by Mrs. Bartleman and carried, to approve the Bid recommendation as stated on the award recommendation for the Bid listed below. (9-0 vote)

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<u>BID/RFP</u>	<u>Title – Location – Amount</u>
11-016T	Disposal of Surplus, Obsolete, Used Computer Equipment and Related Items – Various – Amount: Income

This bid will provide revenue for the salvage of Surplus, Obsolete, Used Computer Equipment and Related Items that no longer has any useful purpose to the District. This bid also provides value for the cost avoidance by reducing waste volume, which would otherwise end up in our dumpsters. The previous contract for these services was at no charge to the District. This contract provides the service at no charge to the District, and provides additional revenue for salvage. Staff seeks to redeploy all functional equipment by transferring to alternate locations, making parts available for repair of other equipment, and identifying equipment, which will maximize our Digital Divide program, before any used equipment, is released for surplus disposal via this contract.

This bid will produce revenue of salvage value at prices awarded in the bid. Actual revenue will depend on the volume of Surplus equipment identified for disposal through the term of the contract.

Mrs. Bartleman inquired whether the equipment being surplused is being posted so that other schools or locations can salvage items for their use.

Mr. Jeff Moquin, Executive Director, Support Operations, responded that before any items are disposed of a determination is made whether the item has exhausted its life cycle and what is being done to ensure that the life cycle is being maximized. Mr. Moquin stated that the Metrology department is eliminating the technology pieces by taking out batteries, plugs, keyboards and, also trying to refurbish certain equipment in order to re-issue them to schools. The actual cost associated with refurbishing far exceeds purchasing new equipment.

Mr. Moquin further stated that the CAB Conference is available for B-stock items, another level that is used prior to the items going to surplus, based on requests that have been made. In addition, items that have been requested in the past that have been warehoused and they are still cost efficient to warehouse, those items are being used before they are surplused.

Mr. Carter informed that the bid is a potential revenue-generating bid; the vendor provides the district with revenue in the event they are able to sell the products as surplused products. Mr. Carter stated that it is a necessity to have this type of service since the district is required to ecologically dispose of computer products.

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Mrs. Rupert requested that research be made regarding whether students in centers, such as Bright Horizons, can prepare the items for surplusing, which would save money and would provide the students with marketable skills.

Mr. Carter responded that there are toxic metals inside computers which would require special handling. A follow up will be made as to whether there are any other categories of service related to surplusing the computers that they can provide.

Mr. Thomas requested staff to investigate as many different avenues to utilize students in the district's centers and vocational programs to do this work.

Mr. Carter responded that a comprehensive review will be submitted to the Board.

*E-2. Default of FESCO Equipment (Approved)

Approved declaration of default, approval of cancellation of contract 10-015N – Cafeteria Equipment, and approval of vendor disqualification for a period of two years for FESCO Equipment.

It is recommended that The School Board of Broward County, Florida, find FESCO Equipment in default of the bid conditions of the subject bid. FESCO had been notified on December 2, 2010, to submit their certificate of insurance in accordance with General Condition 12 – Insurance for the subject bid. FESCO did not submit its certificate of insurance to our Risk Management Department when notified by the Supply Management and Logistics Department. On January 19, 2011, the Supply Management and Logistics Department received a letter from FESCO stating the company is unable to carry the required insurance limits for the subject bid. When this bid was issued by the Supply Management and Logistics Department, 10 different suppliers responded with valid bids confirming acceptance of all terms and conditions including the insurance requirements. Therefore, we can conclude the Bid Specifications for Insurance are not overly restrictive to competition and serve the best interest of the District.

It is further recommended the contract with FESCO be canceled, FESCO be removed from the bid list for two years, no bids be considered from FESCO, or make any recommendations for award to FESCO, and no future purchase orders be released to FESCO. This recommendation is in accordance with General Conditions 53 – Nonconformance to Contract Conditions and General Condition 23 – Cancellation. The effected bid items cancelled by this recommendation will be purchased through purchasing procedures as required by Purchasing Policy 3320, until Bid 10-015N – Cafeteria Equipment is rebid again.

There is no financial impact.

F. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

- *F-1. English for Speakers of Other Languages (ESOL) Add-On Certification Program/Endorsement (Approved)

Approved the English for Speakers of Other Languages (ESOL) Add-On Certification Program/Endorsement.

The State Board of Education approved the revised Teacher Standards for the ESOL Endorsement on March 26, 2010. Districts are required to submit a new ESOL Add-On endorsement plan for approval by the State by March 1, 2011. In addition, Broward participates in the ESOL for Reading Teachers (ERT) option, which must also be submitted to include revised activities and matrix. The new ESOL Add-on Endorsement will not affect the current timeline for professional development requirements for teachers.

There is a financial impact of \$110,354 to the district. The source of funds is \$52,104 from District Funds, and \$58,250 from Title II, Part A, Teacher and Principal Training and Recruiting Fund. There is no additional cost to the district.

- *F-2. Continuation of Behavioral Health Contract with the Broward County Community Partnerships Division (BCCPD) (Approved)

Approved amendment of the current contract agreement between Broward County Community Partnerships Division and The School Board of Broward County, Florida, (SBBC).

On September 22, 2009, the Broward County Board of County Commissioners approved funding recommendations made by the BCCPD for The SBBC Family Counseling Program to receive a grant in the amount of \$1,091,940. This current contract amendment is for one year beginning October 1, 2010, the first option for renewal for a three-year funding cycle. This amendment reflects a reduction of funds in the amount of \$48,000, for a new grant amount of \$1,043,940 for county FY11. Because the contract has an execution date past October 1, 2010, an extension of the previous grant was executed on November 23, 2010, and funds in the amount of \$181,990 have been disbursed since October 1, 2010; the remainder of the grant, \$861,950, will be disbursed as utilized monthly for counseling services provided for the remainder of the funding cycle, ending September 30, 2011.

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The Family Counseling Program is supported through a combination of District general revenue funds and BCCPD grant funding. The District provides approximately 57% of the funding (including required matching funds that are currently reserved in the District's budget).

The Family Counseling Program, which began in 1980, offers free, short-term counseling and related services for any student enrolled in any school in Broward County. In 2009-10, 26 family counselors served 3,272 customers, providing more than 17,642 counseling hours. Treatment goals and objectives in the areas of academics, attendance, and improved behavior set for each student served revealed an average of 88% improvement by the end of counseling sessions. Mental Health and Family Functioning treatment objectives were met with 94% improvement. The Family Counseling Program currently makes services available through 13 school sites, serving Broward County.

The BCCPD funding has helped the District in providing this degree of coverage. Currently, centers are located at Bair Middle, Cooper City High, Crystal Lake Middle, Deerfield Beach High, Everglades High, Fort Lauderdale High, New River Middle, Northeast High, Perry Middle, Plantation High, Sawgrass Springs Middle, South Broward High, and Taravella High Schools. Each center serves one or more Innovation Zones. Last year, of those clients who responded to a survey administered 90 days post counseling, 89% reported that improvements made in counseling had remained stable.

The School Board Attorney has approved this contract as to form and legal content.

This amendment will be executed by the Broward County Commission after School Board approval.

The financial impact for the 2010-11 school year is \$1,043,940 from the Broward County Community Partnerships Division. Broward County Public Schools provides a cash match in the amount of \$1,488,557, reserved in the District's budget, to fund approved positions. Because the match is based on actual rather than standard salaries it may increase or decrease depending on the specific salary and benefit costs of the employees in the positions and/or if additional pay raises are approved.

*F-3. New Agreement with the City of Coral Springs (Approved)

Approved a new agreement with the City of Coral Springs.

Approved in Open Board Meeting, March 21, 2011

The agreement from the City of Coral Springs will award a total of \$15,941, in grants to Coral Springs Elementary School to conduct a series of classroom group sessions to teach youth social-emotional skills and to improve classroom behavior; Country Hills Elementary School to conduct a violence prevention program at the school; Coral Springs Middle School to implement a special event where world class athletes will perform feats of strength to motivate students to reach their own personal achievements; Forest Glen Middle School to conduct a one-hour assembly by Rachel's Challenge, a motivational speaking group; Ramblewood Middle School to conduct a volunteer student crime watch program; Hunt Elementary School to conduct a Peer Mediator and No Bullying Ambassador program to educate students on the effects of bullying; and Sawgrass Springs Middle School to conduct a Hooked on Fishing – Not on Drugs program, which is a drug prevention program that focuses on sports fishing instruction, environmental stewardship, and youth development.

The School Board Attorney has approved this contract as to form and legal content.

This agreement will be executed after School Board approval.

The positive financial impact is \$15,941. The source of funds is the City of Coral Springs. There is no additional financial impact to the school district.

*F-4. Grant Applications (Approved)

Approved the submission of grant applications to:

- A. Bealls and Whistles for Schools, \$30,362
- B. Ezra Jack Keats Minigrants for School Libraries, \$475
- C. Kids in Need Teacher Grants, \$283
- D. Laura Bush Foundation for America's Libraries Grant Program, \$6,000
- E. Lennar Foundation, \$29,500
- F. Lowe's Charitable and Educational Foundation, \$4,500
- G. Miami Dolphins Youth Programs Grant, \$500
- H. NEA Youth Leaders for Literacy Grant, \$500
- I. Target Field Trips, \$3,840

Copies of the full grant applications are available at the Board Members' Office on the 14th floor of the KC Wright Building.

The positive financial impact is \$75,960 from various sources. There is no additional financial impact to the school district.

G. HUMAN RESOURCES

*G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2010-2011 School Year (Approved)

Approved the personnel recommendations for the 2010-2011 appointments and leaves as listed in the Executive Summary and respective lists for Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. The teacher approvals on this G-1 item are teachers in subject areas for which there is no surplus and/or layoff teacher in that certification area that could be placed in these positions.

The Personnel Recommendations for Instructional Employees include the following items:

1. Teacher Approvals
2. Substitute Teachers
3. Interim Substitute Teachers
4. Temporary Hourly Teacher Approvals
5. Instructional Leaves

There will be no financial impact to the school district. Funding for the positions has been allocated in the school and department budgets.

*G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2010-2011 School Year (Approved)

Approved the personnel recommendations for separation of employment or discipline as listed in the respective lists for instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

The Personnel Recommendations for Instructional Employees include the following items:

1. Instructional Resignations/Retirements/Layoffs

There will be no financial impact to the school district.

Approved in Open Board Meeting, March 21, 2011

*G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2010-2011 School Year (Approved)

Approved the personnel recommendations for appointments and reassignments as listed on the Executive Summary, respective lists and individual appointments for Non-Instructional Employees. All recommendations are made pending security clearance and with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

The Personnel Recommendations for Non-Instructional Employees include the following sections:

1. Non-Instructional Approval(s)
2. Non-Instructional Reassignment(s) – Promotion(s)
3. Non-Instructional Reassignment(s) – Demotion(s)
4. Non-Instructional Substitutes/Temporary Employees
5. Non-Instructional Leave(s) – Layoff(s)
6. District Managerial/Professional/Technical
7. Reassignment of Current School-Based/District Managerial/Professional Technical Personnel
8. School-Based Managerial
9. School-Based/District Managerial Acting/Special/Task Assignment(s)
10. School-Based/District Managerial/Professional/Technical Leave(s) – Layoff(s)
11. Salary Adjustment

Funding has been budgeted in 2010-2011 school/fiscal year for all appointments through June 30, 2011.

Newly-appointed district personnel was recognized by Mrs. Bartleman.

*G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline(s) for the 2010-2011 School Year (Approved)

Approved the personnel recommendations for separation of employment or discipline as listed on the respective lists for Non-Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

Approved in Open Board Meeting, March 21, 2011

The Personnel Recommendations include the following items:

Non-Instructional Resignation(s)/Retirement(s)
Non-Instructional Suspension(s)/Termination(s)
Managerial and Professional/Technical Resignation(s)/Retirement(s)
Managerial and Professional/Technical Suspension(s)/Termination(s)

There is no financial impact to the school district.

*G-5. Supplemental Pay Positions – List #13 (Approved)

Approved the recommended supplemental pay positions of employees for the 2010-2011 school/fiscal year.

Employees are recommended for supplemental pay positions by Principals or Department Supervisors and approved by the Area Superintendent or appropriate Division Head. Supplemental positions are listed alphabetically by last name, with location and supplement type.

The Specific Supplemental Pay Positions include the following type of supplements: Secondary department chairpersons high school; secondary department chairpersons and/or team leaders middle school; elementary grade level chairpersons and/or team leaders; athletic supplements; general supplements; and special supplements for the 2010-2011 school year.

Individuals may be recommended for task assignments that improve the school's/department's programs and/or operations. A computer-generated list of those names is printed and lists all individuals recommended for Non-Specific Supplements. Non-Specific Supplements are additional task assignments performed beyond the employee's regular day based on the recommendation of the direct supervisor.

Individuals listed meet the requirements for the supplemental positions.

Funding has been budgeted in the 2010-2011 school/fiscal year for all supplements through June 30, 2011.

H. ATTORNEY

I. OFFICE OF THE SUPERINTENDENT

I-1. Agreement with The Town of Davie (Withdrawn)

Approved in Open Board Meeting, March 21, 2011

- I-2. Agreement with Debra Hall-Greene (Withdrawn)
- I-3. Renewal of Agreement with Florida Engineering Society, Broward Chapter (Approved)

Motion was made by Ms. Dinnen, seconded by Mr. Thomas and carried, to approve the renewal of the Agreement with the Florida Engineering Society (FES), Broward Chapter, to provide students with additional opportunities for real-world experiences. (9-0 vote)

Magnet and Innovative Programs and the Broward Chapter of the Florida Engineering Society (FES) have been working together since 2005. This partnership engages students, challenging them to think critically and problem-solve while using engineering principles. The partnership also exposes students to real-world tasks and career options in the field. FES members provide professional expertise, judging competitions, mentoring students in engineering-related projects. FES members include the students in industry-related events, and partner to provide scholarships, field trips experiences and funding opportunities.

This Agreement has been approved as to form and legal content by the School Board Attorney.

There is no financial impact to the district.

Ms. Dinnen, who remarked that this program needs to be showcased to the public, requested an explanation as to what the program entails. She stated the program exemplifies why magnet programs are needed.

Mrs. Leona Miracola, Director, Innovative Programs, informed that this long-standing partnership with the Florida Engineering Society works with all schools in Broward County to promote Science, Engineering and Math. They have hosted for many years a Math Counts program, and have worked with the Core Curriculum department, Science Specialists and Math Specialists on those projects. This joint effort has created high interest in all students, to help them see the benefits of math and science.

- *I-4. Approval of the 2010-2011 Broward Education Foundation (BEF) Board of Directors (Approved)

Approved the 2010-2011 Board of Directors of the Broward Education Foundation as required by Florida State Statute 1001.453.

Approved in Open Board Meeting, March 21, 2011

Since its inception, the Foundation has served as a Direct Support Organization (DSO), to the District. The Foundation's many years of dedicated leadership has and continues to include support of student achievement, education innovation, instructional excellence and community involvement. As the fundraising arm of the District, BEF provides resources for students, teachers, and other employees to achieve educational success.

There is no financial impact to the district.

- I-5. Proposed School Board of Broward County, Florida 2011-2012 Work Calendars, Year-round Calendars, and Summer Term Calendar for Community Schools and Technical Centers (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to approve the proposed School Board of Broward County, Florida 2011-2012 Work Calendars, Year-round Calendars, and Summer Term Calendars for Community Schools and Technical Centers. (9-0 vote)

Approved the Professional Study Days for the 2011-2012 school year.

On December 7, 2010, the School Board approved the school calendar for the 2011-2012 school year. The Calendar Committee has now developed work calendars, year-round school calendars, and the summer term calendar for Community Schools and Technical Centers to correspond with the primary calendar for the 2011-2012 school year. All calendars align to the primary school calendar and provide the appropriate number of work days and paid holidays in accordance with the respective collective bargaining agreements.

Additionally, the proposed Professional Study Days have been included for Board approval. The Calendar Committee was requested to include the proposed Professional Study Days within the calendar development process to minimize potential conflicts with testing schedules and other pertinent calendar events.

There is no financial impact to the district.

Ms. Dinnen stated that there is a lack of knowledge within the community regarding the process and the different parameters used in developing the school calendar. She requested that staff outline the process that is utilized.

Approved in Open Board Meeting, March 21, 2011

Mr. Moquin responded that the district utilizes a Calendar Committee to develop the school calendar and corresponding work calendars. The composition of the committee is extensive so that it represents a cross-section of the stakeholders, representatives from all unions and Meet and Confer groups, District Advisory Representatives, PTA, Gifted, and other parent groups are represented. All school-based administration at all grade levels, including centers and year-round schools are represented, and a multitude of departments who have some impact on the calendar; assessments or guidance, student activities, and Payroll and Employee Relations are represented on the committee.

Mr. Moquin stated that the committee meets in the spring to develop draft calendars which are based on feedback from past calendars, when people would like time off, or considerations around the semesters. The committees narrows the drafts to four or five preferred calendars and then presented to the Board. Mr. Moquin further stated that he presented before the DAC on the five calendars and an online presentation was made with an e-mail address to garner some feedback. Ultimately, a recommendation was made on the closest to a consensus calendar. He noted that there are a lot of constraints in terms of contractual holidays, statutory requirements on FCAT testing and how early the school year can start.

Mrs. Rich Levinson inquired about the Professional Study Days, whether there is data on how these days are being used.

Mr. Moquin informed that data will be subsequently provided to the Board, as the data comes from data and assessment on what days could be considered Professional Study Days.

Responding to Mr. Thomas' inquiry, Mr. Moquin stated that this was the first year that the online web piece was done and DAC has been a member of the committee since his involvement. Mr. Moquin stated, as compared to last year the process was more inclusive and ultimately there were 100 responses to the calendar. The committee will next meet in April 2011 to begin discussing the 2013 school calendar.

Mr. Thomas stated, it is important to have input at the beginning of the process so that everyone can have a voice.

The following individual addressed this item:

Bernie Schultz

Approved in Open Board Meeting, March 21, 2011

J. FACILITIES AND CONSTRUCTION MANAGEMENT

J-1. Change Orders (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Good and carried, to approve change orders as listed for various school projects, and approve an increase of \$598,452 to the Capital Projects Reserve. (9-0 vote)

<u>Bair Middle</u>		Change Order 01	\$0
Owner Request	\$0		
<u>Beachside Montessori Village</u>		Change Order 10	\$53,473
Consultant Error	\$2,289		
Consultant Omission	\$1,307		
Owner Request	\$1,779		
Unforeseen Condition	\$48,098		
<u>Lanier-James Education Center (SAAC)</u>		Change Order 07	\$12,047
Consultant Error	\$4,691		
Owner Request	\$1,199		
Unforeseen Condition	\$6,157		
<u>Liberty Elementary</u> (CREDIT)		Change Order 02	\$12,892
Owner Request	\$12,892 (CREDIT)		
<u>Margate Elementary</u>		Change Order 04	\$7,399
Unforeseen Condition	\$7,399		
<u>Meadowbrook Elementary</u>		Change Order 03	\$1,555,416 (CREDIT)
Owner Request	\$1,565,355 (CREDIT)		
Unforeseen Condition	\$9,939		
<u>Oriole Elementary</u>		Change Order 03	\$0
Unforeseen Condition	\$0		
<u>Pompano Beach Middle</u> (CREDIT)		Change Order 06	\$562,632
Owner Request	\$562,632 (CREDIT)		
<u>Southwest Area Bus Complex</u> (CREDIT)		Change Order 02	\$15,309
Consultant Error	\$18,377		
Consultant Omission	\$4,922		
Owner Request	\$38,608 (CREDIT)		

Financial Impact: The resulting financial impact shown below will increase the Capital Projects Reserve by \$598,452. Beachside Montessori Village – Project No.: P.000400 \$53,473; Meadowbrook Elementary – Project No.: P.000141 \$89,293 CREDIT; Pompano Beach Middle – Project No.: P.000005 \$562,632 CREDIT. There is no additional financial impact to the district for the remaining projects.

Approved in Open Board Meeting, March 21, 2011

Mrs. Rich Levinson inquired about the large amount of Owner Requests on the Beachside Montessori Owner Request change order.

Mr. Lindner informed that the original design was for an elementary school and the district made a decision during mid-construction to build the school a K-8 which required significant design changes, classroom changes and additional equipment to fit the middle school model.

Mrs. Gottlieb explained that the school is the most sought-after model in the district, with a tremendous waiting list and interest, and it was a good investment for the district to design the school to a K-8 model. She stated that although there was an expense, the school has brought many children back to the public school system from private and charter schools.

Referring to Meadowbrook Elementary School, Ms. Dinnen noted the credit to the district of \$1,555,416.

Mrs. Bartleman, referring to Bair Middle School, stated that there was a delay of 253 days due to budgetary issues.

Mr. Lindner informed that the budgetary issues related to roofing projects as a result of Hurricane Wilma, due to a time line of having to have all claims in by October 2010 in order to receive reimbursement. Mr. Lindner stated that he made a decision to move the projects that the district would receive reimbursement for to the front, so that construction could begin and reimbursement would be sent from FEMA. The Hurricane Wilma projects needed to be covered first and then the remaining funds were allocated to projects that were not hurricane damage related.

Responding to Mrs. Bartleman's inquiry on the Southwest Area Bus Complex, Mr. Lindner stated that changes were made on the project and is back on track with the current contractor. Mr. Lindner stated that the complex is not in use at all, and it is anticipated that all the square footage will be used for transportation. He stated that language was added to the item that the consultant is responsible for the change order, the architect pays the profit, overhead and administration charges.

Mrs. Rupert inquired whether it is possible to indicate on a project that any Owner Requests will be paid by the responsible person.

Mr. Thomas Cooney, Assistant General Counsel, stated that there is no way to indicate upfront; it can be tracked as it occurs and documented as best as possible at the end of the job, when a full accounting is made and reimbursement is sought from the responsible party.

Approved in Open Board Meeting, March 21, 2011

Referring to Beachside Montessori, Mrs. Good stated that early on in the process of the project staff needs to ensure that plans are meeting code to eliminate additional cost at the tail end.

Mr. Lindner stated that many of the electrical issues involved redesigning the office and where the copiers and computer systems will be placed. The redesign of the trees and retention areas was made four times; the fence was moved as close to the retention area in order to maximize the amount of play space but it was too close to the trees.

Mrs. Good requested that before anything is done in the district that the guidelines are being followed. In addition, that whatever is placed in the specifications is aligned with what is being done with Furniture, Fixtures and Equipment (FF&E).

Mr. Thomas requested that in the designing of new facilities staff include input from community involvement and the end-users.

*J-2. Pre-Qualification of Contractors – Approval of Application and Issuance of Certification (Approved)

Approved the recommendations of the Superintendent indicated in Exhibit 1.

The Qualification Selection Evaluation Committee (QSEC) convened on February 2, 2011, to review Contractor Pre-Qualification Staff Application Review Executive Summaries received for the following contractors and makes the following recommendations to the Superintendent of Schools:

Cedars Electro-Mechanical, Inc. – Issue Pre-qualification Re-Certification
Hill York Service Corporation – Issue Recommendation to Not Re-Certify

**MCO Environmental, Inc. – Issue Pre-qualification Re-Certification

*Recreational Design & Construction, Inc. – Issue Pre-qualification Certification

State Contracting & Engineering Corporation – Issue Pre-qualification Re-Certification

Team Contracting, Inc. – Issue Recommendation to Not Re-Certify

*New Certification **Certified M/WBE and/or SBE

The Pre-Qualification Application reviews were conducted and the recommendations were determined in accordance with F.S. 1013.46, State Requirements for Educational Facilities and Board Policy 7003.

Approved in Open Board Meeting, March 21, 2011

Contractor Pre-Qualification Staff Application Review Executive Summaries are available for review at the Design & Construction Contracts Department.

There is no financial impact. This item is not affecting the overall budget; therefore, it does not require a collaboration form from the Capital Budget Department.

- *J-3. Contingency Use Directive No. 7 – James A. Cummings, Inc. – New Food Service Multipurpose Building & 8 Classroom Addition – Pompano Beach Middle School, Pompano Beach – Project No. P.000005 (f.k.a 0201-21-01) (Approved)

Approved an increase in the Contingency account in the amount of \$562,632 as provided for in the agreement between The School Board of Broward County, Florida, and the contractor, James A. Cummings, Inc.

This Contingency Use Directive represents the buyout savings achieved from the Guarantee Maximum Price. The current contingency remaining balance through CUD #7 is \$562,632.

This item adjusts the contract allocations and represents a cost savings to the district. This item does not require a collaboration form from the Capital Budget Department.

- *J-4. Authorize Negotiations of Professional Services Contracts for Continuing Contracts for Architectural Services (Approved)

Approved the selection and authorize negotiations for Professional Services for Continuing Contracts for Architectural Services.

In accordance with Board Policy 7003, and RFQ No. 2010-32-FC, the Qualification Selection Evaluation Committee shortlisted, interviewed and has selected for Continuing Contracts Architectural Services for approval by the Board as follows:

- **ACAI Associates, Inc.**
- **Manuel Synalovski Associates, LLC**
- **M C Harry & Associates, Inc.**
- **Song & Associates, Inc.**

The Division will process the Contracts and recommend award for the continuing contracts at a future School Board Meeting.

Proposal documents submitted by the proposers, staff evaluation documents and the Qualification Selection Evaluation Committee's score sheets are available at the Facilities and Construction Management Division.

Approved in Open Board Meeting, March 21, 2011

The funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015. There is no additional impact; therefore, a collaboration form is not required from the Capital Budget Department.

- *J-5. Reduction of Retainage – Padula & Wadsworth Construction Co., Inc. – New K-8 School – Beachside Montessori Village, Hollywood – Project No. P.000400 (f.k.a. 2041-25-01) (Approved)

Approved the recommendation to reduce retainage now being held on Beachside Montessori Village, New K-8 School, Project No. P.000400, for Padula & Wadsworth Construction Co., Inc., from \$931,683 to \$186,336.

In accordance with School Board Policy 7005, the Facilities and Construction Management Department is recommending that the retainage be reduced from \$931,683 to \$186,336. The amount of \$186,336 is being withheld pending final completion of the project.

This project will be brought back to the Board for Final Acceptance and Release of Retainage.

The funds being released totaling \$745,347 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015, page 36.

- J-6. Authorization to Advertise for Bids – Concrete Walkway and Aluminum Canopy Systems – Various Locations – Bid No. 2011-02-FC (Approved as amended)

Motion was made by Mr. Thomas, seconded by Ms. Dinnen and carried, to approve Authorization to Advertise for Bids for Concrete Walkway and Aluminum Canopy Systems, Various Locations, Project No. 2011-02-FC. This motion was superseded by a Motion to Amend (page 29). (9-0 vote)

Scope of Work:

The purpose of this Bid is to establish a term contract for furnishing and installing concrete walkways and aluminum canopy systems at various locations, as needed, for construction projects valued at up to \$1,000,000. Initial term contract is for one (1) year, with two (2) additional one (1) year renewal periods.

Final Bid Documents are available for review at the Facilities & Construction Management Division.

Approved in Open Board Meeting, March 21, 2011

There is no financial impact. This item is not affecting the overall budget; therefore it does not require a collaboration form from the Capital Budget Department.

Mrs. Levinson inquired about the placement of the concrete walkways and aluminum canopy systems.

Mr. Lindner responded that an ESE aluminum walkway, canopy and concrete bus ramp was built at Boyd Anderson High School. Mr. Lindner informed that covered walkways out to the buses are required; when a modification is made, such as Americans with Disabilities (ADA), additional canopy may be needed. He noted that if a disaster occurs, this contract will allow the hiring of someone to fix the canopies that blow away, such as occurred with Hurricane Wilma.

Mrs. Levinson stated that several years ago the Board raised the threshold of these contracts, as compared to at one point the threshold was \$500,000 and raised to \$1 million. Mrs. Levinson requested that the Board consider lowering the present amounts to where they used to be.

Ms. Dinnen said she would prefer that data be provided regarding the reason the threshold was increased several years ago and provide her with the pros and cons and back-up information in the future.

Responding to Mrs. Good's inquiry, Mr. Notter stated that the threshold was increased during the period of time when the district was undergoing an accelerated building program.

Mr. Lindner informed that it is more expeditious to have the spending authority already approved, as it requires significant preparation to bring it to the Board. Mr. Lindner stated that the only projects being approved at this time are ADA or safety related projects, or anything that involves direct impact on classroom instruction. He noted that there are projects in the District Educational Facilities Plan (DEFP) that are ADA related but there are none currently underway.

Mrs. Good stated that during these difficult budget time the Board needs to review every aspect of the district's expenditure.

Mrs. Bartleman inquired whether certain contracts should remain at the \$1 million threshold, such as contracts for emergencies.

Mr. Lindner responded that in the event of a state-declared emergency the Superintendent would provide Facilities with emergency spending authority.

Approved in Open Board Meeting, March 21, 2011

Mrs. Bartleman offered an amendment to lower the bid because there are no pending projects.

Ms. Dinnen stated she does not have enough data to vote on an amendment.

Mr. Notter concurred with staff that when this bid comes back, ultimately any projects that would be charged against this bid would come before the Board for approval.

Motion to Amend (Carried)

Motion was made by Mrs. Bartleman, seconded by Mrs. Rich Levinson and carried, to amend to reduce bid amount from \$1 million to a cap of \$500,000. A roll-call vote was taken: Mrs. Bartleman, Mrs. Good, Mrs. Rich Levinson, Mr. Thomas and Mr. Williams voted "yes." Ms. Dinnen, Mrs. Gottlieb, Ms. Murray, and Mrs. Rupert voted "no." (5-4 vote)

Ms. Murray inquired if there are any other walkways that can be recycled to other locations that need them; for example, Hallandale High and Hallandale Adult & Community Center. Staff is requested to look into this.

Responding to Mrs. Rupert's inquiry, Mr. Lindner stated that a meeting is scheduled to discuss the walkway/canopy/bridge issue at Coconut Creek.

Mrs. Good voiced concern that there are pending projects that the Board has not been provided information. She requested that back-up information be provided as to the pending projects.

Mr. Lindner clarified that there are projects listed in the DEFP to install covered walkways, which do not have architectural plans and have not been put out to bid.

Mrs. Bartleman stated that the capital plan is "bare bones" and if projects are not included in the plan they should not be done. She stated this item, sidewalks and canopies, should be lowered to \$500,000.

Mrs. Good inquired whether there are projects that have been in the Five-Year Plan with regard to sidewalks and walkways since they are tied to code, and their totals.

Approved in Open Board Meeting, March 21, 2011

Responding affirmatively, Mr. Lindner stated if every single project that was required was done, it would cost approximately \$7 million. There is a need identified; the need is not executed until it becomes a requirement.

Mrs. Gottlieb stated that staff should be given the opportunity to provide the information that the Board is requesting. She said she would not support the amendment at this time.

Motion to Call Question (Carried)

Motion was made by Mrs. Gottlieb, seconded by Mrs. Rich Levinson and carried, to call the question. Mrs. Bartleman and Mrs. Good voted "no." (7-2 vote)

A vote was taken on the Motion to Call Question.

A roll-call vote was taken on the Motion to Amend.

Ms. Dinnen reiterated that if she is expected to make a decision on future items of this nature she wants back-up information, and does not want to make a decision on the dais.

A vote was taken on the item as amended.

J-7. Authorization to Advertise for Bids – Construction Services Minor Projects – Various Locations – Bid No. 2011-03-FC (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve Authorization to Advertise for Bids for Construction Services Minor Projects for Fire Sprinkler and Fire Suppression Services at Various Locations, Project No. 2011-03-FC. (9-0 vote)

Scope of Work:

The purpose of this Bid is to establish term contracts for procurement of Fire Sprinkler and Fire Suppression Services on various construction projects valued at up to \$1,000,000, to meet scheduled project needs as required.

Contracts:

Fire Sprinkler and Fire Suppression Services – Item No. 1 – Up to \$199,999.99
Fire Sprinkler and Fire Suppression Services – Item No. 2 – \$200,000 to \$1,000,000

Final Bid Documents are available for review at the Facilities & Construction Management Division.

Approved in Open Board Meeting, March 21, 2011

There is no financial impact. This item is not affecting the overall budget; therefore, it does not require a collaboration form from the Capital Budget Department.

Responding to Mrs. Good's inquiry, Mr. Lindner stated that the sprinkler items are driven by safety and code. At least 20 schools do not have a sprinkler system, including several older buildings at other schools. Mr. Lindner further stated that when capital funds were cut last year a contingency fund was created in order to continue to do this work for the next couple of years.

Mrs. Good requested that the number of pending projects on these bid items be included in the future, in order for the Board to have a better understanding of that particular item.

- J-8. Approve Contract Extension – Construction Services Minor Projects – C & F Electric, Inc. – (Electrical Services, Traffic Light Signalization and Signage Construction – Item #2) – Various Locations – Bid No. 2007-06-FC (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve the contract extension and increase in contract amount for Bid No. 2007-06-FC, Construction Services Minor Projects (Electrical Services), Various Locations awarded March 18, 2008, by the contract amount indicated in Exhibit 3, (Traffic Light Signalization and Signage Construction – Item #2), for one additional year and by \$350,000. (9-0 vote)

The School Board of Broward County, Florida, approved the award of contracts for Construction Services Minor Projects (Electrical Services, Traffic Light Signalization and Signage Construction – Item #2), on March 18, 2008, with a contract period of three (3) years from the date of execution. In accordance with Article 10.02.01, of the Agreement, The School Board of Broward County, Florida, may extend the term by one year and the contract amount in Article 4.01, by \$350,000. There are currently projects in progress and this contract needs to be renewed in order to complete those projects.

Contractor:

- C & F Electric, Inc. – Electrical Services, Traffic Light Signalization and Signage Construction – Item #2.

Scope of Work:

The purpose of this bid is to establish term contracts Construction Services to complete various projects and many others included in the Adopted District Educational Facilities Plan.

Approved in Open Board Meeting, March 21, 2011

There is no financial impact. This item is not affecting the overall budget; therefore it does not require a collaboration form from the Capital Budget Department.

Mrs. Rich Levinson inquired about the number of projects related to signage.

Responding affirmatively, Mr. Lindner stated that several projects are part of projects that are closing out. In order to achieve final completion, signals need to be installed that were agreed to be installed, dating back a couple of years, and currently there are a couple of projects in progress.

Mrs. Rich Levinson stated that in the future, it is important to allow enough time to be able to rebid some of these items and not have to finish up a project.

Mr. Lindner stated that the price is a good one and the work has already begun.

Mrs. Good inquired about the pending projects stated in this Board item and requested that the information be provided to her.

Mr. Lindner responded that the \$117,000 project is currently in progress and one project is pending to install a signal in Davie that was suppose to have been done two years ago.

- *J-9. License Agreement between SMG and The School Board of Broward County, Florida, to Hold the 2011 Broward National College Fair
(Approved)

Approved the License Agreement between SMG (operator for the Greater Fort Lauderdale/Broward County Convention Center) and The School Board of Broward County, Florida, to hold the 2011 Broward National College Fair.

The School Board of Broward County, Florida, in conjunction with the National Association of College Admission Counseling (NACAC), will hold the 2011 Broward National College Fair at the Greater Fort Lauderdale/Broward County Convention Center on October 18 and 19, 2011.

It is the policy of the Convention Center for the licensees to execute the agreement first.

This Agreement has been reviewed and approved as to form and legal content by the School Board Attorney.

Approved in Open Board Meeting, March 21, 2011

There is no financial impact to the school district; therefore, this item does not require a collaboration form from the Capital Budget Department. All costs will be paid by the NACAC.

- *J-10. Final Acceptance and Release of Retainage – James B. Pirtle Construction Co. Inc. – Classroom Addition, Mini-Gym, Kitchen Cafeteria, ADA Restroom – Western High School, Davie – Project No. P.000891 (f.k.a. 2831-24-01) (Approved)

Approved the Final Acceptance of the Western High School, Classroom and Mini-Gym Addition, with Kitchen/ Cafeteria Remodeling and Accessibility Enhancements, Project No. P.000891, and release the balance of retainage in the amount of \$421,386.

The contractor, James B. Pirtle Construction Co. Inc., has completed the project scope of work within the contract limits.

The funds being released totaling \$421,386 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, page 202.

- *J-11. Settlement Agreement – Zelch & McMahon, Architects – Various Projects (Approved)

Approved the Settlement Agreement with Zelch & McMahon, Architects, for Broward Estates Elementary School, Kitchen/ Cafeteria, Reroof Classrooms, ADA Shower & IAQ, #0501-98-01; Lauderdale Manors Elementary School, Cafeteria, Fire Alarm System, & Visual Alarms, #0431-98-01; Palm Cove Elementary School, 12 Classroom Addition, ADA & IAQ, #3311-98-01; Tedder Elementary School, Kitchen/ Multipurpose & Visual Alarms at Corridors & Restrooms, & ADA Restrooms, #0571-99-03; and Robert C. Markham Elementary School, Kitchen/ Dining Room/ Multipurpose & ADA, #1671-98-01 (collectively, the “Projects”).

Zelch & McMahon, Architects, (“ZMA”), met with the Dispute Resolution Committee to resolve issues concerning additional costs to the District resulting from Change Orders on the Projects categorized as Consultant Error or Consultant Omission. The additional costs before “betterment analysis” total \$414,297. After review of the Change Orders and a betterment analysis, the Dispute Resolution Committee and ZMA agree that ZMA should contribute \$75,390 towards the total cost of the Change Orders.

ZMA also alleges entitlement to \$151,312 in additional fees for services rendered on the Projects. After review and consideration of ZMA's claims, the Dispute Resolution Committee and ZMA agree that ZMA should be paid additional service fees in the amount of \$132,769.

Approved in Open Board Meeting, March 21, 2011

Staff recommends that The School Board of Broward County, Florida, pay the resultant net amount of \$57,379 to ZMA in full settlement of the disputes regarding the Projects. This Settlement Agreement settles all additional costs incurred by the District for the correction of consultant errors and omissions included in the project construction documents.

The Office of The School Board Attorney has approved this Settlement Agreement as to form and legal content.

The financial impact to the district is \$57,379. The source of funds will be the projects associated with this item, totaling \$16,602, and the remaining amount of \$40,777 from Legal and Contingency.

K. OFFICE OF CHIEF FINANCIAL OFFICER

- *K-1. Revision to General Fund Amendment (Approved)

Approved the General Fund Amendment I-4 for Fiscal Year 2010-11.

This amendment is for the purpose of updating The Broward County School District Budget for changes in Revenue and Appropriations due to the recognition of new revenue or the adjustment of projected revenue through 12/31/10.

Recognize changes in Revenues and Appropriations through 12/31/10.

- *K-2. Revision to Special Revenue (Other) Amendment (Approved)

Approved the Special Revenue (Other) Amendment IV-4B for Fiscal Year 2010-11.

This amendment is for the purpose of updating The Broward County School District Budget for changes in Revenue and Appropriations due to the recognition of new revenue or the adjustment of projected revenue through 12/31/10.

Recognize changes in Revenues and Appropriations due to new revenue or the adjustment of projected revenue through 12/31/10.

- K-3. Revision to Capital Funds Budget Amendments (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Gottlieb and carried, to approve the Capital Funds Budget Amendments for Fiscal Year 2010-2011. These amendments are as of December, 2010. (9-0 vote)

Approved in Open Board Meeting, March 21, 2011

These amendments are being submitted to reflect additional revenues and appropriations of the Capital Projects Funds in order to:

- 1) Recognize an increase in estimated revenue
- 2) Adjust appropriations
- 3) Reallocate budgeted funds
- 4) Allocate time and travel to projects

The financial impact of this agenda item is adjusting Revenue and Appropriation as indicated on schedules A and B for Capital Budget activities as of December, 2010.

Discussing Northeast High School, Termination Professional Services Agreement, Ms. Dinnen stated that this shows that the total remodeling and renovation was the first step in these proceedings. Ms. Dinnen stated that the school missed its renovation but the project will be placed on hold and will be memorialized.

Referring to the Designated Reserve Activity, Mrs. Rich Levinson stated that the 5-Year capital plan requires the district to set aside approximately \$70 million in funding to balance future years of the plan beyond the current fiscal year, which would come from closing out old projects. Mrs. Rich Levinson inquired how much these projects would actually amount to.

Mr. Shim responded that in the capital plan there is a reserve for \$50 million for next year and \$20 million for the following year in order to balance the 5-Year plan. So far this year, \$55 million has been collected. Mr. Shim stated that the items where funds are being collected are items from Western High School. When the project closes out the savings will be recaptured, and other terminated projects as funds are collected will replenish and balance the plan.

Mrs. Rich Levinson requested that the Board be provided with the data that shows the number of projects that have been closed this year and the dollars that have been recovered.

Mrs. Bartleman stated that there are various consultant errors and change orders that may not have been accounted for within the Capital Budget, and there should be enough funds to cover all outstanding issues.

Mr. Lindner responded, as part of the original total construction costs on any project a contingency is set aside per change orders, and the contingency has not exceeded on any projects. He stated that the district is in "good shape" on any project in progress or that was completed in the last year, year and a half.

Approved in Open Board Meeting, March 21, 2011

Mr. Lindner stated if the scope of work is changed Board approval would be needed. Mr. Lindner indicated that he has provided a report that shows the change order percentage over the past three years has been 2.3 percent of the total expenditure for construction.

Mr. Shim informed that the credits the district has received indicate that there was a savings on the job or there is additional funds in the budget.

Responding to Mrs. Rupert's inquiry, Mr. Lindner opined that the district may exceed the \$70 million, and the \$30 million reported to the Facilities Task Force was a conservative amount. He stated that projects dating back to 2004 are being closed out, including one project dating back to 2001.

Mr. Thomas informed his colleagues that he requested the capital projects within his district so that he could inform his constituents about the status of those projects.

Mrs. Good referred to the sale of fixed assets and land, \$5 million, and inquired what the plans are regarding any adjustments that will be made.

Mr. Shim responded that the 5-year plan includes a plan to sell land for \$5 million in this fiscal year and \$5 million in the upcoming fiscal year. To date, one piece of property has been sold for \$1.8 million.

Mr. Lindner informed that a worksheet will be provided to the Board regarding the leases for capital yearly expenses. He stated that staff is looking at options to remove the number of current leases. Noting the Zone II Maintenance Facility lease, Mr. Lindner stated that a review was made to purchase a facility to meet the district's needs; the cost for transportation was balanced against the cost of the lease before a decision was made to do the lease.

Mrs. Good stated that there should not be huge dollar expenses in retrofitting existing facilities.

Mr. Notter informed that he is communicating with the Council of Great City Schools nationally, as major school districts up north have populations that have left, regarding what are they doing and how are they restructuring. Mr. Notter stated that Mr. Lindner is one of the individuals the Council uses; visiting twice to speak on maintenance and capital programs.

Approved in Open Board Meeting, March 21, 2011

Ms. Murray stated that there has been an improvement on receiving information on the Capital Budget but she is still looking for discretionary money that may not yet be on the books. Ms. Murray further stated that the priorities set by the Board are important to constituents, that the children come first.

Ms. Rich Levinson, who praised staff for closing out projects and for providing information on the Capital Budget, stated as decisions are made on leases and repurposing, that ample time be given to discuss these options in order to develop the best solution.

Mr. Lindner noted the challenges when reductions in staff are made. He informed that the surplus of properties will be discussed at a Board Workshop on March 22, 2011. Thereafter, it is hopeful to issue an RFP on the four properties, with interest on two of those properties, at a price of at least \$3.2 million. The properties will probably close after the beginning of the fiscal year.

Informing the Board that these funds are for the next two fiscal years, Mr. Shim stated that the district is spending more than is being received in revenues, as was projected. Mr. Shim further stated that the district is not in an emergency situation, as staff has thought strategically.

Mrs. Good stated that it is important to know the cancellation provisions and the timing issue as to those cancellations with regard to the leases. She said the large amount being paid for leases can mean several jobs for district staff. Mrs. Good requested that staff provide the Board the necessary data so that those decisions can be made in a timely fashion.

Mrs. Rich Levinson stated that it is most important to get the best price on properties, whether or not the property is sold by the end of this fiscal year or after the fiscal year.

K-4 Interim Financial Statements for the Period Ended December 31, 2010 (Approved)

Motion was made by Mr. Thomas, seconded by Ms. Murray and carried, to approve the Interim Financial Statement for the period ended December 31, 2010. (9-0 vote)

Financial Statements are required to be submitted to the School Board, pursuant to State Board Administrative Rule 6A-1.008.

There is no financial impact to the district.

Mrs. Bartleman inquired whether the 3.28 percent will be maintained in the reserves for the remainder of the year.

Approved in Open Board Meeting, March 21, 2011

Mr. Leong responded that the percentage will remain the same. He informed that according to state law, if the district falls below the 3 percent the Superintendent needs to notify the School Board and the Commissioner of Education. There is no provision for the Commissioner to take any remedial action but if the percentage falls below 2 percent, the Superintendent needs to notify the School Board and the Commissioner and submit a plan to increase the Fund Balance. If the Commissioner determines that the plan is not adequate, he has the authority to ask the State Board to appoint a financial oversight board in order to manage the finances of the school district.

OPEN ITEMS

AA. RESOLUTIONS

BB. BOARD MEMBERS

CC. BOARD POLICIES

DD. OFFICE OF THE CHIEF AUDITOR

EE. CHIEF OPERATIONS OFFICER

FF. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

GG. HUMAN RESOURCES

HH. ATTORNEY

II. OFFICE OF THE SUPERINTENDENT

JJ. FACILITIES AND CONSTRUCTION MANAGEMENT

KK. OFFICE OF CHIEF FINANCIAL OFFICER

Adjournment This meeting was adjourned at 2:25 p.m.

RT