

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

**MINUTES OF REGULAR MEETING
August 14, 2018**

**Albany City Hall
1000 San Pablo Ave., Albany, CA 94706**

I. OPENING BUSINESS

A) CALL TO ORDER

President Black called the meeting to order at 6:00 p.m.

B) ROLL CALL

- 1. Board Members Present:** President Black, Vice President Stapleton-Gray, Board Member Blanchard, Board Member Clark, Board Member Trutane
- 2. Staff Members Present:** Superintendent Valerie Williams

C) IDENTIFY CLOSED SESSION PURSUANT TO SECTION III BELOW

II. PUBLIC COMMENT PERIOD FOR CLOSED SESSION ITEMS.

Having no one present to address the Board, the Board adjourned to Closed Session.

III. CLOSED SESSION: WITH RESPECT TO EVERY ITEM OF BUSINESS TO BE DISCUSSED IN CLOSED SESSION:

A) PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

- (Gov. Code Section 54957): Superintendent

IV. OPEN SESSION (reconvened)

A) CALL TO ORDER

President Black called the meeting to order at 7:35 p.m.

B) ROLL CALL

- 1. Board Members Present:** President Black, Vice President Stapleton-Gray, Board Member Blanchard, Board Member Clark, Board Member Trutane, Student Board Member Weinstein, and Student Board Member Mallah
- 2. Staff Present:** Superintendent Valerie Williams; Jackie Kim, Chief Business Official; Cheryl Cotton, Director, Human Resources; and Dax Kajiwarra, Director, Technology
- 3. Staff Excused:** Marie Williams, Director III, Curriculum, Instruction, and Assessment; Carrie Nerheim, Director I, Student Services; and Diane Marie, Director III, Special Education

C) PLEDGE OF ALLEGIANCE

D) READING OF AUSD MISSION & VISION STATEMENT

The mission of Albany Unified School District is to provide excellent public education that empowers all to achieve their fullest potential as productive citizens. AUSD is committed to creating comprehensive learning opportunities in a safe, supportive, and collaborative environment, addressing the individual needs of each student.

E) REPORT OF ACTION TAKEN IN CLOSED SESSION

President Black reported that the Board took no action in Closed Session.

F) APPROVAL OF AGENDA

1. **Changes to Agenda:** Superintendent Williams requested to pull Item: J2e) *Independent Contractor Agreement with Rincon Consultants, Inc. for Environmental Review Services for the Ocean View School Construction Project*. This item is not quite ready for Board review and approval, and will be brought back to the Board at a later date.
2. **Motion:** President Black requested a motion to Approve with this change: *Albany Unified School District Board of Education Agenda for the August 14, 2018 Regular Meeting*. Motion by Board Member Clark; seconded by Vice President Stapleton-Gray. The motion passed unanimously.

G) APPROVAL OF CONSENT CALENDAR

1) Human Resources

- a) Certificated Personnel Assignment Order & Classified Personnel Assignment Order

2) Business Services

- a) Independent Contractor Agreement with YMCA of the East Bay for Active Supervision During Lunch Recess

3) Curriculum, Instruction, and Assessment

- a) Adoption of Literature Novels for Albany High School
- b) Adoption of Business Management Textbook for Albany High School
- c) Overnight Field Trip: Albany High School to Chamber Singers Retreat in Montara, CA

4) Student Services

- a) Quarterly Report on Williams Uniform Complaints

Having no discussion or comments on the Consent Calendar, President Black requested a motion.

Motion: Vice President Stapleton-Gray moved to Approve: *Consent Calendar*. Seconded by Board Member Blanchard. The motion passed unanimously.

H) BOARD AND SUPERINTENDENT REPORT

Superintendent Williams welcomed everyone to the 2018-19 school year, and the new Student Board Members Michaela Weinstein and Audrey Mallah. She also gave a shout out to all of the SEIU custodial and maintenance staff for all their work getting schools ready, as well as for everything they did to help the District Office move over the summer.

Board Member Trutane reported that she chaperoned the Albany High School bands trip to Germany and Austria this summer for 10 days. They played in Munich, Germany; Vienna, Austria; and in Salzburg, Austria, where they participated in a music festival at the [Salzburg Mozarteum](#). The musicians were fabulous and represented Albany very well.

She also reported that on the morning of August 14th, she attended a rally in Berkeley related to AUSD Board of Education Resolution 2017-18-19: California Schools & Local Communities Funding Act of 2018, which was passed by the AUSD Board on April 24, 2018. The rally was a celebration of the [Schools & Communities First](#) initiative to modify Proposition 13 to remove the exemption for commercial property. The initiative has received more than enough signatures to make it onto the 2020 ballot.

Since there was no Student Board Member Section on the Agenda for this meeting, President Black asked the new Student Board Members to introduce themselves to the Board and community.

Michaela Weinstein shared that she is a junior and is beginning her third year in Leadership at Albany High. She grew up in Albany, is very involved in student activism at the school, and co-founded an organization that provides education on social issues to younger students. She looks forward to enjoying serving on the School Board this year.

Audrey Mallah is a sophomore and in her first year in Leadership at Albany High. She's been in AUSD since Kindergarten, and is very excited to be part of the School Board this year.

I) PERSONS TO ADDRESS THE BOARD ON MATTERS NOT ON THE AGENDA

A member of the community addressed the board to talk about school zone safety. He would also like AUSD to raise awareness on school safety. He advocates for more paid crossing guards and school zone signs on roads near schools. He mentioned that state grants may be available for the city to pay more crossing guards. President Black asked to agendaize this for Staff to look into. Board Member Blanchard seconded the motion and stated that if there are resources to pay for more crossing guards, he would like to know about them. Board Member Clark requested a Resolution regarding this, and President Black suggested first to have Staff research it and bring it to the Board for future action.

J) REVIEW AND ACTION

1) Superintendent

a) Recognition of Albany Performing And Fine Arts Boosters As An AUSD Booster Organization And Authorization to Operate at the School

Seth Galvarro, incorporator of the *Albany Performing And Fine Arts Boosters As An AUSD Booster Organization*, attended to answer any questions or concerns the Board may have. Members of the

Board expressed appreciation for all the work done by Seth and others in this group to get this organization going, and further recognized Seth (also President of the Albany Athletic Boosters) for his service to the community.

Motion: President Black requested a motion to Approve: *Recognition of Albany Performing And Fine Arts Boosters As An AUSD Booster Organization And Authorization to Operate at the School by Board Motion* by Board Member Trutane; seconded by: Board Member Blanchard. The motion passed unanimously.

2) Business Department

a) *Budget Advisory Committee*

Superintendent Williams presented information on the Budget Advisory Committee to the Board and ran through some of the history leading up to this committee, as stated in the backup document. Per the Maddy Act, we need to post for membership of this committee for 10 business days. The posting for the committee will go on the AUSD website and will be sent out to the community using our Concentric Circles.

Board Member Blanchard stated that the purpose of the committee should be changed because Staff and Board members should not be asking staff/members of the committee for recommendations on what to cut from the budget. He added that it is the Board's job to approve the budget, and the budget should reflect the priorities that the Board has established.

Board Member Trutane stated that she also would like the purpose of the committee to change. She would like the committee to provide more of an analysis on the impact of possible budget cuts. The Board discussed examples of the types of options/categories that the committee could consider.

Members of the community addressed the board requesting more community input, and asked for more opportunities to have conversations about the community's values and trade-offs regarding the budget, and asked for more time in which to do so.

Board Member Clark commented that the Board needs to hear what is important to people and to prioritize accordingly. The committee can help with this, and given the short timeframe, it is important to make this committee as effective as possible.

Vice President Stapleton-Gray commented that there are many opportunities for input from the community, and that Board meetings are not the only venue for these types of conversations. Board Member Blanchard also pointed out that since this is a Board-appointed committee, all meetings will be open to the public and allow for public comments, participation, and dialogue. It was also clarified that agendas for committee meetings will be posted 72 hours in advance, per the Brown Act, and information may go out to the public via e-trees, websites, and emails. The Superintendent will not be a voting member; her attendance will not count toward a quorum.

Seth Galvarro, Albany parent and community member, proposed creating potential revenue sources for the District, including a parcel tax for the 4,000 parcels in the City of Albany, and other avenues

such as SchoolCare or Albany Education Fund. President Black stated that he agreed the District and Board definitely need to be considering revenue sources in addition to cuts.

The Board discussed and agreed upon the following language change within the **DETAILS** section of *Budget Advisory Committee*:

2. Purpose of the committee: Identify potential expenditure reductions to meet the School Board's goal to balance the budget and evaluate consequences (pros and cons) associated with each. ~~Advise the Board on areas of the budget to be reduced to meet the Board's goal to balance the budget.~~

Motion: Board Member Blanchard made a motion to Approve: Budget Advisory Committee with the modified purpose of the committee as stated above. The motion was seconded by Board Member Trutane. The motion passed unanimously.

b) Independent Contractor Agreement with CAS Inspections, Inc. for Inspector of Record Services for the Albany High School Addition Project

Superintendent Williams stated that for a point of clarification, the Albany High School Addition Project will be referred to as the "New Addition," whereas the Albany Middle School Project will be referred to as the Albany Middle School Annex."

Board Member Blanchard requested that Superintendent Williams read some of the Board questions that were submitted to Staff prior to the board meeting, for the public record.

Q1: *Have we used CAS Inspections, Inc. previously?*

A1: *Yes, AUSD has been using CAS since 2008 on most of its construction projects.*

Q2: *Why did we chose CAS?*

A2: *We are recommending CAS because they have been instrumental in helping AUSD repair its relationship with the Division of State Architect (DSA). DSA has to approve (or veto) the inspector selected by the District, and DSA prefers the District work with an inspector that has history with the District and DSA and has a good performance record from DSA's perspective. This inspector of record has a good reputation, AUSD has significantly improved their relationship with DSA over the last 4-5 years.*

President Black provided a bit of history between CAS and Albany Unified School District. In the past, the District did some work without going through the proper DSA channels. When DSA learned about it, they were less than happy and lost trust in the District. This work with CAS Inspections has been instrumental in helping AUSD repair its relationship with the DSA.

Q3: *Are these reasonable contract amounts? What are the dates of service?*

A3: *Yes, this is a reasonable contract amount. The proposed fee is based on full-time inspection (required by DSA) and an hourly rate, which is a competitive hourly rate for this type of work. Pricing is based on 12 months of construction where the Inspector of Record will be full time plus additional hours to cover some part time months. Further, the contract dates were written*

for the main construction period. The additional time, which may not be required, would make this more like 15 months. In the end, the service period will be between 12 and 15 months.

President Black and Superintendent Williams pointed out that the money for this project is coming from Measure B: a bond measure passed a couple of years ago. All of the money in the bond must be spent on construction projects listed in the Bond language (all construction projects). By law, that money cannot be used for day-to-day operations or salaries.

Motion: Board Member Trutane moved to Approve: *Independent Contractor Agreement with CAS Inspections, Inc. for Inspector of Record Services for the Albany High School Addition Project.* Seconded by Vice President Stapleton Gray. The motion passed unanimously.

c) *Independent Contractor Agreement with Ninyo & Moore for Geotechnical, Materials Testing, and Special Testing Services for the Albany High School Addition Project*

Superintendent Williams stated that these services are required by Department of State Architect (DSA). She clarified the language “Albany High School New Classroom Building” means “Albany High School New Addition” and will be referred to in this manner going forward. She also added that the contract (and contract template) has some grammatical and spelling errors that will be cleaned up and corrected.

Student Board Member Mallah asked about student traffic flow on campus during construction. Superintendent Williams stated that the Project Manager and his team have been working with Principal Ritchie on the flow of traffic for students, as well as on evacuation routes in the event of a fire drill or emergency. Some areas on campus will not be as free-flowing as usual during construction, but they do have plans in place.

Board Member Blanchard elaborated more and explained some specifics that will be shown by the contractor at a board meeting soon. The flow through the main campus entry is open, and the pathway that extends toward the Gen7 classrooms and wraps around to the Albany Pool is all open for students. Some areas that will be closed for work during construction include the doors from the lobby near the gym, and the alley between the gym and Memorial Park. Construction is scheduled to be completed 1 year from now, so these places will be blocked off until then.

Having no further questions or comments, President Black requested a motion on this item.

Motion: Board Member Clark moved to Approve: *Independent Contractor Agreement with Ninyo & Moore for Geotechnical, Materials Testing, and Special Testing Service.* Seconded by Board Member Trutane. The motion passed unanimously.

d) *Purchase of Equipment and Programming Services from Ojo Technology for A Security Camera System and Access Control System for the Albany Middle School Annex Project*

Superintendent Williams turned this over to Jackie Kim, Chief Business Official, to present to the Board. Jackie Kim reported to the Board that this contract will be funded by Bond Measure E. The contract agreement has been revised to include the AUSD’s indemnification clause, our non-discrimination clause, and a new date of August 13, 2018.

Board Member Trutane stated that she knew of a local vendor who had previously met with Allan Garde, former Chief Business Official, regarding this project. Board Member Trutane asked if this contract could be tabled until this local vendor has an opportunity to put in a bid for this.

Superintendent Williams stated that she had no knowledge of the vendor submitting a bid, and asked Project Manager, Juan Barroso, to provide his opinion on the timing of the project if it was tabled.

Juan Barroso clarified that he was not in the meeting that Mr. Garde had with the vendor. He stated that timing is a critical item at this point to continue progress in the project. A delay could have an impact on the contract completion date for the project, which in turn would give reason for the contractor to ask for more money.

Board members discussed the competitive bidding and selection process. Juan described the purchase of equipment and services for this project are under the “California Multiple Award System” (CMAS) which is an option for local agencies. He explained that the state has components (like these IT and other types of components) on a competitive bid list wherein these items have been bid to the state. Districts can view the state’s published bid list and select the system, and manufacturer, the components wanted at a pre-approved competitive bid and purchase through an expedited process. There are many vendors available on this CMAS System. Juan stated that this local vendor may work with this type of CMAS system, but Board Members did not know if this vendor was on the CMAS list or not.

Board Member Trutane moved to table the item and bring it back. Board Member Blanchard seconded the motion but added that the Board follow the process of following the CMAS list. He also requested information on why this particular company was selected.

Dax Kajiwarra, Director of Technology, reported that Ojo was selected because they have worked with them in the past on the video security system at the high school, and were pleased with their work. Part of the idea to integrate the system at the Albany Middle School Annex with the existing video system at the high school, and Ojo can do that since they have expertise since they installed the previous system. Ojo has also been very generous with their time working on specs, design, educating us on access-control system, even without a contract. NAVCO did not have the expertise that AUSD needed, and the system that they recommended included cloud-based subscription model services; since this project may be bond-funded, Albany wanted to go with a vendor that could capture as much of the expenses up front instead of having ongoing expenses.

Board Member Trutane requested that the Board move on from this item without voting on it, and come back to it later so that she would have some time to think about it.

Ross Stapleton-Gray stated that Ojo was one of the donors to the B&E fund-campaign, but it was a \$500 donation, and that while existing vendors, builders, etc., had all kicked into the B&E Campaign, he did not feel that a donation in that amount would sway the District to sift through potential bidders. He added that he wants to adhere to what processes we have for posting things, following state guidelines, selecting things.

Motion: President Black requested a vote on the motion, per Member Trutane, to Table this item

and bring it back at the end of the agenda. Seconded by Board Member Blanchard. The motion passed unanimously.

e) Independent Contractor Agreement with Rincon Consultants, Inc. for Environmental Review Services for the Ocean View School Construction Project

This item was pulled from the agenda as there was a calculation error and did not put in the proposal a column that is needed. We are also going to try to get them to reduce the cost. It will be brought back to the next meeting.

f) Independent Contractor Agreement with A3GEO for Geotechnical Engineering Services for the Ocean View School Construction Project

Chief Business Official, Jackie Kim, presented this to the Board. The expected timeframe is August 2018 to June 2021, and it will be funded through Bond Measure B fund in the amount of \$15,000. Superintendent Williams reported that CGS means “California Geological Survey.” The long range of dates is necessary because A3GEO will have to provide reports and certifications when construction is complete. Rates can be updated yearly.

Having no questions or comments, President Black requested a motion on this item.

Motion: Board Member Blanchard moved to Approve: *Independent Contractor Agreement with A3GEO for Geotechnical Engineering Services for the Ocean View School Construction Project.* Seconded by Vice President Stapleton-Gray. The motion passed unanimously.

g) Independent Contractor Agreement with Kister, Savio & Rei, Inc. for Topographic and Underground Utility Survey Services for the Ocean View School Construction Project

Chief Business Official, Jackie Kim, presented this to the Board. The expected timeframe is August 2018 to June 2021, and will be funded through Bond Measure B fund in the amount of \$15,000.

Having no questions or comments, President Black requested a motion on this item.

Motion: Board Member Trutane moved to Accept: *Independent Contractor Agreement with Kister, Savio & Rei, Inc. for Topographic and Underground Utility Survey Services for the Ocean View School Construction Project.* Seconded by Board Member Blanchard. The motion passed unanimously.

h) Amendment to Agreement with Derivi Castellanos Architects to Provide Program Management Services for Ocean View Elementary School Renovation/Rebuild

Superintendent Williams stated that the Backup for this item includes information about the work that Juan Barroso and his team have been doing for Albany Unified to meet the specifications and timelines as requested by Staff. The scope of services is through August 2021.

Superintendent Williams addressed a question submitted prior to the meeting from the Board regarding the cost effectiveness of hiring a construction project manager as part of our staff for these years with all of our building programs. She stated that hiring a construction project manager would include negotiating a salary and including the cost of benefits which we provide to all AUSD employees. Hiring a construction project manager through DCA provides a team of employees with

different levels of expertise. Juan has a team that can work on various aspects of projects that require different levels of expertise. DCA is also paid only for work that is actually done by their staff. For example, there are times when we need fewer people to work on a project and times when more people are needed. To find one well-qualified AUSD staff person to do the scope of work that requires several people with varying types of expertise would have been very difficult. Therefore, a team approach was more efficient and cost effective.

Board Member Blanchard commented that the reason DSA was unhappy with us in the past is because we didn't close out projects properly and certify them. Therefore, he was happy to see *Item #16 on this contract: to facilitate punch list, close out DSA certification, and final acceptance of the project.*

Vice President Stapleton-Gray noted that this item and the next item are addressing construction at Ocean View, which is still To be determined, and as a Board member, he has not received any information yet on the plan (i.e. what to do, what the site will look like compared to how it is now), so he is taking it on faith that the people involved in that will deliver something that will be within our budget and they will make wise choices. For the record, his vote on this item and the next item are contingent on good will and confidence in Board Members serving in that role.

Board Member Blanchard answered this as he and Board Member Trutane have been part of this process. He reported that the focus has been on modifying the design that has been seen to be one that can be built within the \$29 Million guaranteed maximum price (GMP), and they are now close enough that they are almost done with the schematic design phase. They will be ready to go out to the design-build teams, but should expect them to provide some different approaches. They are wanting 34 classrooms and some support spaces, with a concept of what it should look like, including a concept to preserve the Multi-Purpose room and the 5th grade wing, which could be repurposed as District office space. But it depends on what the design-build teams tell us they can build within the \$29M GMP. Otherwise, the process has been moving along. The next Design Committee meeting is August 23, at which time they will look at the final design and progress from there.

Board Member Trutane added that their process is very robust. When the Ocean View Design Team first met, no one knew what the budget was going to be, and what was developed was educationally sound. Now they need to get both things within the stated budget because we must have enough money left to finish all 4 of our projects and to rebuild and renovate Marin. They have asked architect to include space to bring the district office back to Albany. She assured the Board that they are looking at the costs and how to get every dollar out of it that we can, and this may mean fusing buildings into wings to cut down on construction costs.

K) NEED TO EXTEND MEETING

President Black stated that they needed to extend the Meeting. Board Member Clark moved to Extend the meeting 15 minutes until 9:10 p.m. Seconded by Board Member Trutane. The motion passed unanimously.

L) REVIEW AND ACTION (resumed)

2) Business Department

h) Amendment to Agreement with Derivi Castellanos Architects to Provide Program Management Services for Ocean View Elementary School Renovation/Rebuild (Continued)

Superintendent Williams commented regarding trust and confidence in this contract and stated she has a tremendous amount of confidence and trust in Juan Barroso and the work that he is doing for Albany.

Having no further comments or questions, President Black requested a motion on this item.

Motion: Board Member Blanchard moved to Approve: *Amendment to Agreement with Derivi Castellanos Architects to Provide Program Management Services for Ocean View Elementary School Renovation/Rebuild*. Seconded by Board Member Clark. The motion passed unanimously.

i) Amendment to Agreement with HY Architects to Provide Architectural Services for the Ocean View School Construction Project

President Black stated that, for clarification, HY Architects has been working on the Ocean View Construction project. The original plan was a “wishlist” plan, and now we are asking them to go back and provide us a “bridging architecture” which is not the final design, but one that will be given to the design-build entity. The design team will use this to determine what their final design needs to include, and they will be free to include improvements that may work better and cost less than the bridging document design.

Board Member Blanchard commented that this amendment of \$51,000 is a fair amendment for the additional work they are doing. It should also be said that because this is being done as a “design-build,” we are also deleting the “design development” scope of services, which is approximately \$200,000. This will get spent later by design teams, but it will not get spent by HY Architects.

Board Member Trutane commented on how it can be challenging for some of the architects to sift through the robust conversations of the design committees and really listen to and hear the critical points, and act on them. She looks forward to working with the next group of design-build teams and using this process again as they work at Marin.

Motion: Board Member Blanchard moved to Approve: *Amendment to Agreement with HY Architects to Provide Architectural Services for the Ocean View School Construction Project*. Seconded by Board Member Trutane. The motion passed unanimously.

****d) Purchase of Equipment and Programming Services from Ojo Technology for A Security Camera System and Access Control System for the Albany Middle School Annex Project***

*The Board returned to this item for action. Board Member Trutane stated that she searched and could not verify that the local vendor, NAVCO, is approved under the CMAS process. Therefore, she will respect what Board members said about using that process and utilize those vendors to ensure we get a guaranteed bid. Therefore, she withdrew her request to table the item to the next regular meeting.

Motion: Board Member Clark moved to Approve: *Purchase of Equipment and Programming Services from Ojo Technology for A Security Camera System and Access Control System for the*

Albany Middle School Annex Project. Seconded by Board Member Blanchard. The motion passed unanimously.

AGENDA ITEMS/MATTERS INTRODUCED BY THE BOARD

- **School Zone Speed Limits and State grant for 10 crossing guards:** Superintendent Williams will reach out to the City Manager regarding these.
- **Board Self-evaluations:** Possibly in October, or as part of the Board Retreat
- **Annual Board District Goals:** It was decided to wait until new Board in January
- **BOE Retreat on September 15:** Superintendent Williams requested assistance from the Board to plan this. Board Member Trutane and Vice President Stapleton-Gray will discuss. Board Member Blanchard suggested Student Board members will work with the Superintendent.

V. ADJOURNMENT

The Board adjourned the meeting at 9:08 p.m.

FUTURE BOARD MEETINGS

Date	Time	Location
August 28, 2018	7:00 – 9:30 p.m.	Albany City Hall
September 11, 2018	*7:30 – 9:30 p.m.	Albany City Hall