

Approved in Open Board Meeting December 19, 2017

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

October 17, 2017
Tuesday, 10:05 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:07 a.m. in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: School Board Members, Abby M. Freedman, Chair; Nora Rupert, Vice Chair; Robin Bartleman; Heather Brinkworth; Patricia Good; Donna P. Korn; Laurie Rich Levinson; Ann Murray; Dr. Rosalind Osgood; Robert W. Runcie, Superintendent of Schools; and Barbara J. Myrick, Esq.

(Jeffrey Moquin, Chief of Staff, assumed the seat of the Superintendent on the dais.)

Call to Order The Chair called the meeting to order. Bonnie Clemon, Principal, and students from Seagull School (appearing through video conference) led the Pledge of Allegiance to the Flag of the United States of America.

A Moment of Silence was held for Edna Jones, a teacher from Deerfield and Monarch High Schools.

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

- August 8, 2017 – School Board Operational Meeting
- August 22, 2017 – Regular School Board Meeting
- October 3, 2017 – Special – Expulsions

Added/Changed Items The Superintendent requested that the Board permit the following changes to the agenda:

- **Minutes For Approval** - Added: August 22, 2017
- **Speakers** - Withdrawn: Derick Jackson; Added: Patrick Jabouin, Magaly Prezeau, Samson Borgelin
- **Items** - Revised: G-3, G-4, JJ-1
- **Items** - Added: Attorney-Client Session

The Chair approved the changes and announced the changes to the Agenda proposed by the Superintendent were accepted by the Chair after being determined that good cause had been established for said changes.

(The Superintendent assumed his seat on the dais.)

Close Agenda Upon motion by Dr. Osgood, seconded by Ms. Korn and carried, the Agenda was approved and declared closed. (9-0 vote)

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Special Presentations

- Resolution in Support of Breast Cancer Awareness Month – (Resolution #18-25)
- Resolution in Support of Gifted Awareness Month – (Resolution #18-22)
- Resolution in Support of Down Syndrome Awareness Month Across Broward County Public Schools in Florida – (Resolution #18-18)
- Resolution in Support of Children's Grief Awareness Day, November 16, 2017 (Resolution #18-32)
- Resolution in Support of LGBT History Month (Resolution #18-20)
- Resolution in Support of School Psychology Awareness Week, November 13-17, 2017 (Resolution #18-30)
- Resolution in Support of Hispanic Heritage Month, September 15 – October 15, 2017 (Resolution #18-10)
- Florida Asthma-Friendly School Recognition

These special presentations may be viewed in their entirety at:

<http://www.browardschools.com/School-Board/Special-Presentations>

Reports The following reports were presented:

- Broward County Association of Student Councils and Student Advisor to the Board - Cori Leonard, Alternate Student Advisor
- District Advisory Council (name not stated for the record)
- Employee Unions/Groups - Anna Fusco, President, Broward Teachers Union (BTU)
- ESOL Leadership Council - Maria Salas and Denorath Rodriguez
- Facilities Task Force (name not stated for the record)
- Gifted Advisory Council (name not stated for the record)

Superintendent's Report

Provided an update on the lawsuit filed yesterday challenging the provisions of House Bill (HB) 7069.

These reports may be viewed in their entirety at:

<https://becon223.eduvision.tv/Default.aspx?q=d0F7qPKKlcfmtjfuLqo9AQ%3d%3d>
(Click on School Board Meeting 10-17-17.)

Speakers

David Zapata
Ronald Barish
Cynthia Turni
Patrick Jabouin
Magaly Prezeau
Samson Borgelin
Trudy Jermanovich
Terry Preuss

Consent Agenda Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the Consent Agenda for the remaining items (**identified by ***).

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ITEMS

(Consent agenda items will be noted by a single letter, and open agenda items will be noted by double letters in accordance with Policy 1100A.)

G. OFFICE OF HUMAN RESOURCES

G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2017-2018 School Year (Approved)

Motion was made by Ms. Korn, seconded by Mrs. Rupert and carried, to approve the personnel recommendations for the 2017-2018 appointments and leaves as listed in the attached 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 Department of Education and The School Board of Broward County, Florida. (9-0 vote)

The Chair received audience input on this item.

No discussion from the Board was held on this item.

A vote was taken on this item.

***G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2017-2018 School Year (Approved)**

Approved the personnel recommendations for separation of employment or discipline as listed in the attached 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 Department of Education and The School Board of Broward County, Florida.

G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2017-2018 School Year (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Rupert and carried, to approve the personnel recommendations for appointments and reassignments as listed on the attached Executive Summary, respective lists and individual appointments for Non-Instructional Employees. (9-0 vote)

Mrs. Rich Levinson stated she did not receive any backup for the temporary grant position at a cost of \$40 per hour.

Eric Chisem, Director, Talent Acquisition & Operations, explained they traditionally did not provide additional backup information for temporary positions but they did detail information for this position in that section highlighting the role and salary information.

Mrs. Rich Levinson said she wanted to know what the person was paid previously when she worked for the District. In addition, before she could vote she needed some background on how that salary was derived, as well as knowing how many hours would be worked per week.

Motion to Separate and Table (Carried)

Motion was made by Mrs. Rich Levinson, seconded by Mrs. Rupert and carried, to separate 4.c. from this item. (9-0 vote)

A vote was taken on the Motion to Separate and Table.

Ms. Korn added when staff returned that she would like to know what the impact would be if the position was delayed being filled.

A vote was taken on the remaining G-3 item.

Motion was made by Mrs. Rupert, seconded by Mrs. Bartleman to bring back Item 4.c. to the table for discussion.

Mrs. Rupert indicated when staff brought this item back later that the six-month timeframe was needed for that job and she wanted to know what the anticipated plans were after the six (6) months ended as it related to the grant.

Craig Nichols, Chief Human Resources & Equity Officer, responded that the position was a two-year grant and it would come back to the Board for approval every six (6) months. Although there was no plan, most temporary positions go from grant funded to a permanent position.

Motion to Table (Carried)

Motion was made by Dr. Osgood, seconded by Mrs. Good and carried, to table this item until later in the meeting. (9-0 vote)

A vote was taken on the Motion to Table.

Following a vote on the Motion to Table, newly-appointed District personnel were recognized and congratulated by the Board.

(Mr. Moquin assumed the Superintendent's seat on the dais.)

Following the Attorney-Client session, Item 4.c., which was separated from Agenda Item G-3, was brought back to the table for discussion through a motion by Mrs. Good, seconded by Ms. Korn, and then withdrawn due to the absence of staff.

Following Agenda Item G-1, this item was brought back to the table.

Motion (Carried)

Motion was made by Mrs. Brinkworth, seconded by Ms. Korn and carried, to bring Item 4.c., which was separated from Agenda Item G-3, back to the table for discussion. Mrs. Rich Levinson and Ms. Murray voted no. (7-2 vote)

Mr. Chisem responded to the questions asked earlier in the meeting. He stated the recommendation for this position was for \$40 per hour and it would be 37.5 hours per week. The annual salary would have been \$76,000 but since this position was for six months the salary would not exceed \$36,600 based on 7.5 hours per day and a 37.5-hour workweek. Regarding questions as to the work that would be entailed, Mr. Chisem indicated much of the work would deal specifically with the recruitment at Teacher Incentive Fund (TIF) schools as well as critical-needs schools. He said the specific services would be provided through the Talent Acquisition & Operations department and directly aligned with recruitment, hiring, and filling hard-to-fill positions.

Mrs. Rich Levinson asked what was the salary range for this position.

Mr. Chisem replied it was \$54,903 to \$92,215 and would be paid on the temporary salary schedule. Since it was a Human Resource Administrator III it would be a Pay Band A2 and was under the Educational Support & Management Association of Broward, Inc. (ESMAB) salary schedule.

Mrs. Rich Levinson inquired if the plan was for six (6) months and then three (3) more at six (6) months.

Mr. Chisem answered no. He said the Board always requested they provide information around the grant they were actually using to source employment or pay for any type of employment opportunities. This would not necessarily be for two (2) years and they would have to come back to the Board to request additional services after the six (6) months, which was laid out in policy for any temporary hired.

Mrs. Rich Levinson wanted to know why a temporary employee would be hired for six (6) months if the grant did not end until June 30, 2021.

Mr. Chisem replied it was because they could not go beyond the six (6) months without coming to the Board. If there was a need to extend the temporary position past the six (6) months, they would have to bring it back to the Board for approval.

Mr. Nichols added the assumption was that they would need someone for longer than six (6) months, especially as teacher recruiting needs worsened in the years to come.

Mrs. Rich Levinson questioned why was staff not hiring someone for the entire time instead of a temporary employee for the six-month period.

Mr. Nichols responded they had someone qualified for the role that was intimately knowledgeable with the operations of the recruiting machinery on the instructional side and it was a grant-funded position, which was a good way to meet the needs of the department.

Mrs. Rich Levinson stated she did not understand the reasoning and could not support the item. It was obvious this was a position staff needed until 2021 and they wanted someone who would fit in that position that would last longer than the six-month period.

Mrs. Brinkworth concurred with her colleague and did not understand why someone would not be hired permanently.

Ms. Korn believed staff was trying to do what they were asked to do, which was to not hire someone that would have to be fired at the end of their time when the grant was over. At the same time, it should not appear that someone was being hired with the intent to put them in that position over and over again. She said there needed to be a policy that matched the intent so staff would have the flexibility to hire someone for a period of time and the Board would be comfortable knowing that person would not be rolled into a position over and over.

Mr. Nichols commented that they look at the department constantly to determine what would be the best way to organize and handle the recruiting, especially since the department had been stripped of a lot of resources and had that many more requirements to accomplish it. He said in trying to do more with less, this would allow them more flexibility, while following policy.

Ms. Korn asked if it were not due to policy, would staff ask for a year instead of the six (6) months.

Susan Rockelman, Director, Talent Acquisition & Operations, replied she initially wanted the position for a year but after they looked at the critical nature and what was needed for teachers she looked at her department and questioned if it was set up to handle the sourcing and the talent they needed. She indicated she looked at other large districts across the country to see how their recruitment office was set up. She said some offices had a Recruitment Coordinator, which was a full-time job sourcing candidates, going out to the community, and working with different city commissioners. Ms. Rockelman wanted to see if there were other ways to restructure her department and this would give her some time to buy-in and see whether or not to keep the position as is and continuing it for the remainder of the grant, or perhaps using other positions in her department to restructure it to better fit the needs.

Ms. Korn said the information was helpful and would support staff on the six-month appointment based on the fact that it would actually help to restructure the department going forward and that staff seemed confident in the individual chosen.

Mrs. Bartleman commented staff should have provided that explanation up front because it made total sense. She said she would support it.

Mrs. Brinkworth said she would support the item based on the explanation.

Ms. Murray indicated when a six-month limitation on temporary positions was put into place, it as done so someone could not come into a temporary position and stay forever. She asked if someone in a temporary position would be able to apply if the position became permanent.

Mr. Chisem replied yes, the person would have the ability to apply for the job.

Ms. Murray stated what happened was an individual was allowed to gain experience within a department and the message being sent was if someone was already working the department they would likely get the position. She did not feel it was fair for everyone nor was it the way to award people the position and, for that reason she would not support it.

Mrs. Rich Levinson commented that she wanted the policy to be brought back to the Board to discuss hiring people for the duration of a grant. She said it would be very simple to add language to policy so people would know they were not guaranteed a position once the grant expired.

Mr. Moquin said he would review the schedule for workshops and add it for a future meeting.

Mrs. Good understood the need but the fact that it was a substantial salary, she could not consciously support something when the individual was hand-picked and it would go beyond the six (6) months. She agreed that the policy needed to be reviewed again and believed this sent a mixed message to the public that it was temporary when, in fact, it was not temporary. She said she would not be able to support this item. Mrs. Good also stated that at one time it was a problem for the District when it re-hired people who had already retired from the District and she wanted staff to be cautious in following that path again. She indicated it was her desire to see new individuals joining the District to be hired before someone was re-hired for the job. She did not want the District to have the reputation that someone would only be hired based on who they knew or use the "temporary" label as the norm for hiring. She asked staff if they envisioned restructuring the department within the next six (6) months.

Ms. Rockelman answered in the affirmative. She said hiring this individual would solve the crisis and current need.

Mrs. Good thanked staff for clarifying a multitude of points and thanked her colleagues for their questions.

Mr. Moquin stated this approach would serve as a short-term solution regarding recruitment and he suggested that the Board approve the item short-term and within a six-month window, he would schedule a workshop to discuss the policies and have staff present a plan for the future of the recruitment effort holistically.

A vote was taken on the separated item, 4.c.

G-4. Personnel Recommendations for Non-Instructional Separation of Employment and Discipline for the 2017-2018 School Year (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the personnel recommendations for separation of employment and discipline as listed on the attached 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 Department of Education and The School Board of Broward County, Florida. Mrs. Freedman was absent for the vote. (8-0 vote)

Several Board Members thanked Mr. Boegli for his years of service to the District and congratulated him on his retirement. In addition, Brian Sullivan was also thanked and congratulated on his retirement.

(The Vice Chair assumed the role of Chair on the dais.)

A vote was taken on this item.

***G-5. Supplemental Pay Positions 5 (Approved)**

Approved the recommended supplemental pay positions of employees for the 2017-2018 school/fiscal year.

GG. OFFICE OF HUMAN RESOURCES

A. RESOLUTIONS

AA. RESOLUTIONS

B. BOARD MEMBERS

BB. BOARD MEMBERS

BB-1. Membership in National School Boards Association's National Affiliate Program-Council of Urban Boards of Education (CUBE) (Approved)

Motion was made by Mrs. Good, seconded by Ms. Korn and carried, to approve membership in the National School Boards Association's National Affiliate Program-Council of Urban Boards of Education. Mrs. Brinkworth and Mrs. Freedman were absent for the vote. (7-0 vote)

No discussion was held on this item.

A vote was taken on this item.

CC. BOARD POLICIES

DD. OFFICE OF THE CHIEF AUDITOR

E. OFFICE OF STRATEGY & OPERATIONS

***E-1. Pre-Qualification of Contractors - Superintendent's Recommendations Regarding Pre-Qualification Certification (Approved)**

Approved the recommendation by the Superintendent indicated in the Superintendent Recommendations - Tracking Report.

E-2. Supplier Diversity Outreach Program Report as of September 22, 2017 (Received)

Motion was made by Ms. Korn, seconded by Mrs. Good and carried, to receive Supplier Diversity Outreach Program (SDOP) Report. Ms. Korn was absent for the vote. (8-0 vote)

(The Chair resumed her seat on the dais.)

Dr. Osgood inquired what was the monetary amount for the spend with primary Minority/Women Business Enterprise (M/WBEs).

(The Superintendent resumed his seat on the dais.)

Mary Coker, Director, Procurement & Warehousing Services, replied the total amount for 2015-2016 was \$33 million, which was an increase of 28% from the previous year and over 100% increase from the previous two (2) years when the Disparity Study was conducted. Ms. Coker read a break-down for the amount.

Dr. Osgood stated it was critical to have that data and quantify the spend.

Ms. Murray commended the Coordinator and those involved.

A vote was taken on this item.

EE. OFFICE OF STRATEGY & OPERATIONS

EE-1. Grant Agreement with the Community Foundation of Broward, Inc. (Turner-France Fund) (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the Terms and Conditions Agreement between The School Board of Broward County, Florida, and the Community Foundation of Broward, Inc. The Agreement period shall commence on November 7, 2017 and shall conclude on June 30, 2018. Ms. Korn was absent for the vote. (8-0 vote)

Mrs. Rupert stated this was a wonderful opportunity, predominantly for District 7 schools, for teacher development projects.

A vote was taken on this item.

EE-2. Direct Negotiation Recommendation of \$500,000 or Less - 58-073E - Substitute Instructional Staffing Automated System (Not Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Rupert to approve the above Direct Negotiation Agreement. Contract Term: October 18, 2017 through June 30, 2021, 3 Years, 8 Months; User Department: Talent Acquisition & Operations (Instructional); Award Amount: \$262,735.36; Awarded Vendor(s): ESchool Solutions, LLC; Small/Minority/Women Business Enterprise Vendor(s): None. Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (0-7 vote)

Mrs. Rich Levinson questioned why this was being taken out-of-house and paying twice the cost annually.

Ms. Coker replied it had been out-sourced for many years and it was only maintained in-house while paying a fee. It now had to be changed because the vendor did not support the service and the software had to go to the Cloud, which was the reason the servers would be leaving the District.

Edward Hine, Director, Business Applications, added that the company supported the model in the past by having servers on site and they fully managed those servers. When their business model changed due to the Cloud technology, their business model would no longer support their systems on site, but would support their systems in the Cloud in their data centers. The cost could be twice as much because they were now paying for the network and telephone lines, as well as updates/upgrades they were making to the server hardware.

Mr. Runcie said servers, licenses, and staff used to maintain it when it was done internally and that number was offset a little, however he did not have the number to quantify it.

Mrs. Rich Levinson thought \$75,000 was a round number and questioned if it had been negotiated.

Ms. Coker replied this was a direct negotiation. She said they reached out to other vendors to determine what kind of market was available for this type of software and there were only 3-4 vendors that could do it because it was a specialized market. She explained the pricing was negotiated to \$75,000 from the original price that was over \$100,000 and that there were over 15 districts in various states using this company.

Mrs. Brinkworth wanted to know how it would free up resources in Information Technology (IT) for them to manage other projects.

Mr. Hineline responded that IT was supporting this system by managing incoming telephone lines, as well as assisting in hardware updates as needed by the vendor, and by moving to the Cloud they would not be touching any of those boxes any more.

Mrs. Brinkworth stated based on recent items brought to the Board over the last year from IT and with some of the management responsibilities that would no longer exist, the Superintendent needed to look at the structure of the department as these types of transitions take place as to how the department would look in the future.

Mr. Runcie replied the nature of work and dynamics of this department would continue to change in the mix of talent and resources that would be needed. He said they would be cognizant to bring that to the front when they discussed this department at either a specific workshop or any proposed organizational changes/adjustments that would be presented to the Board in the future.

Ms. Korn expressed she had been very disenfranchised with the system for substitutes and she did not think the timing was appropriate to support dollars for a software system until the problem was fixed to actually get substitutes in to the system.

Mr. Runcie responded she was correct and said he had conversations with staff on this topic and there were process changes that were needed. He indicated a workshop item on substitutes would be coming to the Board soon to have a more comprehensive conversation.

Ms. Korn asked why the Board could not wait to support additional dollars for the software until that workshop conversation took place.

Mr. Runcie explained they would still need the infrastructure and systems to administer the work and manage the substitutes and that was what the system provided. He stated he wanted to know from staff if there was a timing issue and would prefer to wait a month for staff to get the information.

Ms. Coker stated the problem with the system was that the servers were not working properly and were creating havoc, which was why IT was trying to fix the issues because the vendor was not supporting it.

Ms. Rockelman added that another concern was that the server was no longer supported and if it broke the parts were difficult to replace. She said they could delay the item but there was a risk that the system could break down. In addition, it was possible that the vendor would want to re-negotiate the price.

Mrs. Rupert inquired if this was vetted through the Technology Committee.

Ms. Rockelman replied no.

Mrs. Rupert stated the District had valued committees to vet things through and to get public comments, as well as the expertise of vendors. She asked why the Technology Committee was not being apprised of this situation.

Maurice Woods, Chief Strategy & Operations Officer, responded that he could not speak for the Chief of Information & Technology, but on his behalf said the message was heard loud and clear and they believed it was a great process in which most items go through; however, he did not know why this did not go through the committee.

Mr. Runcie said items that come to the Board for renewal typically did not go through a committee. He indicated as items are brought through he would ensure staff made the best effort possible to bring it through the Technology Committee.

Mrs. Rupert suggested moving forward, that staff indicate in the backup whether or not the item had gone through a committee. Her next question was how many substitutes were utilized each year.

Ms. Rockelman replied approximately 4,000 were on the active substitute list.

Mrs. Good suggested committees having the added value of an end-user-type of action. In regards to substitutes, she believed something greater needed to be done for substitutes to make it easier for substitutes to participate within the school system, especially those that were former educators.

Mrs. Bartleman voiced concern with having everything in the Cloud and the possibility of the Internet going down and not having the ability to complete payroll. In addition, she had an issue that this department did not go out for bid on items for IT and would not be supporting this item.

Ms. Korn thanked staff for their explanation and stated that although this appeared important, it was not imminent in terms of voting on it today. She would rather wait until the comprehensive discussion to see the big picture in order to have the total investment in the substitutes and schools at the District level. Once her colleagues have spoken, she wanted to defer this item until the next meeting in order to have a discussion at a scheduled workshop.

Motion to Postpone (Withdrawn)

Motion was made by Ms. Korn, seconded by Mrs. Rupert to postpone this item until the Board meeting following the Board workshop on substitutes.

Ms. Myrick advised the Board it could not postpone the item to a meeting after a workshop and had to have a specific date. She suggested withdrawing the motion or voting it down.

Ms. Korn withdrew her motion and Mrs. Rupert withdrew her second. She shared she had the same concerns as her colleague regarding the committees. She believed staff knew the value in the committees, but the value should be seen by actions and not words. She would like to see the action of that so it would be more convincing that staff believed the Technology Committee was as useful as stated.

Mr. Nichols reiterated what the risks would be if this item was delayed and stated that holding up the purchase of this tool would not affect the process problem.

Dr. Osgood commented she did not have enough knowledge of the situation and was in favor of a workshop in order for her to obtain the needed information.

Second Motion to Postpone (Withdrawn)

Motion was made by Mrs. Bartleman, seconded by Mrs. Good to postpone this item until the first Board meeting in December.

Mr. Runcie suggested the item be voted down in order to have the flexibility to bring it back to another Board meeting as soon as possible.

Mrs. Bartleman withdrew her motion and Mrs. Good withdrew her second.

A vote was taken on this item.

F. OFFICE OF ACADEMICS

FF. OFFICE OF ACADEMICS

FF-1. Work Authorization #3 to the Agreement between Broward County and The School Board of Broward County, Florida Family Counseling Program, Agreement #16-CP-CSA-8267-02 (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the renewal of contracted funds from Broward County Behavioral Health Services in the amount of \$1,343,940 for the Family Counseling Program. Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (7-0 vote)

The Chair received audience input on this item.

Mrs. Brinkworth stated her comment related to both FF-1 and FF-2 and said the financial impact appeared to be a positive impact for FF-2 but was not indicated on the Agenda Request Form (ARF) as it was for FF-1.

Judith Marte, Chief Financial Officer, replied that was correct. She said the financial impact was positive and not a cost of \$1.3 million. It was a contribution to support services that the department provided. The total positive financial impact for Item FF-2 was overlooked and was approximately \$600,000.

A vote was taken on this item.

FF-2. Second Amendment to the Agreement between Broward County and The School Board of Broward County, Florida Family Counseling Program, Agreement #17-CP-CSA-8267-01 (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the first renewal option of the contract agreement between Broward County Behavioral Health Services (Children's Services Administration Section [CSAS]) and The School Board of Broward County, Florida (SBBC) in the amount of \$439,053; and the second amendment extending the funding sunset date for the Byrne/JAG grant (\$202,321) to December 31, 2017. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

No discussion was held on this item.

A vote was taken on this item.

**FF-3. Continuation of the Dental Health Agreement between The School Board of Broward County, Florida and the State of Florida, Department of Health
(Approved)**

Motion was made by Dr. Osgood, seconded by Mrs. Good and carried, to approve the continuation of the Dental Health Agreement between The School Board of Broward County, Florida (SBBC) and the State of Florida, Department of Health for the Head Start/Early Head Start Program. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

No discussion was held on this item.

A vote was taken on this item.

**FF-4. Agreement between The School Board of Broward County, Florida and Cloud 9 World Corp.
(Approved)**

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve renewal agreement between The School Board of Broward County, Florida (SBBC) and Cloud 9 World Corp. for Character Education. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

Mrs. Brinkworth inquired if there would be an impact to the District-wide initiative from HB 7069 and the Title I spending changes.

Michaëlle Valbrun-Pope, Executive Director, Student Support Initiatives, replied yes, there would be an impact to this program and all other programs funded at the Local Education Agency (LEA). This was for one (1) year only and the dollars used for renewal were dollars rolled over from last year's Title I funds. She said beyond this year there would be no more dollars at LEA level to support this program or any other program.

A vote was taken on this item.

H. OFFICE OF THE GENERAL COUNSEL

HH. OFFICE OF THE GENERAL COUNSEL

I. OFFICE OF THE SUPERINTENDENT

II. OFFICE OF THE SUPERINTENDENT

J. OFFICE OF FACILITIES & CONSTRUCTION

JJ. OFFICE OF FACILITIES AND CONSTRUCTION

JJ-1. Construction Bid Recommendation of \$500,000 or Less - ITB 17-177C - Henry D. Perry Education Center - Miramar - LEGO Construction Co. - Childcare and Clinic Restroom Renovations - Project No. P.001734

(Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the recommendation to award the above contract. User Department: Office of Facilities & Construction; Lump Sum Award Amount: \$222,116; Vendor Awarded: Lego Construction Co.; Minority/Women Business Enterprise Vendor(s): LEGO Construction Co. Ms. Korn, Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (6-0 vote)

Mrs. Bartleman commented the majority of items went to this company and she was concerned with its ability to take on all the work. She asked if there was a point where staff would question whether or not a company was able to handle all the work.

Robert Corbin, Program Director/Vice President, Heery International Inc., responded today's agenda items included seven (7) projects awarded to LEGO Construction Company for a total just over \$2.7 million. He said many of the projects were associated with Single-Point of Entry (SPOE) and deemed by many as a smaller type of project. He indicated this was a well-established company that had single-limit bonding capabilities of \$12 million for projects, with an overall aggregate limit in excess of \$30 million. He stated the company had significant clients/portfolios, such as Miami-Dade County and Miami-Dade College, where they were successful in delivering multiple projects. He believed LEGO Construction was capable of taking on and executing the work successfully.

Mrs. Bartleman wanted to ensure there was a system in place for a check and balance that would ensure all the projects would be completed.

Mr. Corbin replied they monitor from the beginning with a very detailed construction schedule that would map out weekly activities in great detail that could be monitored on a daily and weekly basis to ensure progress was occurring. He said if the company should falter with any of the activities by more than 14 business days, they would be required to provide a recovery schedule and an action plan to bring the work back into the schedule to ensure it would not continue to slip. He indicated the Heery Project Manager and Scheduler would be the ones responsible to oversee it.

Mrs. Rupert inquired if the Bond spend was being tracked regardless if the awardee was M/WBE.

Ms. Coker said it was being tracked through the Bond Oversight Committee (BOC) quarterly report.

(The Chair stepped away and the Vice Chair asked for a brief recess until the Chair returned in order to have a quorum to vote.)

A vote was taken on this item.

JJ-2. Construction Bid Recommendation of \$500,000 or Less - ITB 17-230C - McNicol Middle School - Hollywood - LEGO Construction Co. - Single Point of Entry - Project No. P001856 (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the recommendation to award the above contract. User Department: Office of Facilities & Construction; Lump Sum Award Amount: \$193,604; Vendor Awarded: LEGO Construction Co.; Minority/Women Business Enterprise Vendor(s): LEGO Construction Co. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

Agenda Items JJ-2, and JJ-4 through JJ-7 were moved concurrently.

No discussion was held on these items.

A vote was taken on these items.

JJ-3. Construction Bid Recommendation of \$500,000 or Less - ITB 17-230C - North Fork Elementary School - Fort Lauderdale - LEGO Construction Co. - Single Point of Entry - Project No. P.001901 (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the recommendation to award the above contract. User Department: Office of Facilities & Construction; Lump Sum Award Amount: \$45,861; Vendor Awarded: LEGO Construction Co.; Minority/Women Business Enterprise Vendor(s): LEGO Construction Co. Ms. Korn, Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (6-0 vote)

Mrs. Brinkworth stated the original dollar amount was almost double the allocation and she wanted to know if the SPOE had any impact to the Department of Transportation (DOT) project.

Mr. Corbin replied he was not aware of any impact by a DOT project.

A vote was taken on this item.

JJ-4. Construction Bid Recommendation of \$500,000 or Less - ITB 17-230C - Dave Thomas Education Center-West - Coconut Creek - LEGO Construction Co. - Single Point of Entry - Project No. P.001876 (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the recommendation to award the above contract. User Department: Office of Facilities & Construction; Lump Sum Award Amount: \$68,968; Vendor Awarded: LEGO Construction Co.; Minority/Women Business Enterprise Vendor(s): LEGO Construction Co. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

Agenda Items JJ-2, and JJ-4 through JJ-7 were moved concurrently.

No discussion was held on these items.

A vote was taken on these items.

JJ-5. Construction Bid Recommendation of \$500,000 or Less - ITB 17-217C - Tequesta Trace Middle School - Weston - ACA Contractors, Inc. - Single Point of Entry - Project No. P.001852 (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the recommendation to award the above contract. User Department: Office of Facilities & Construction; Lump Sum Award Amount: \$137,400; Vendor Awarded: ACA Contractors, Inc.; Minority/Women Business Enterprise Vendor(s): ACA Contractors, Inc. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

Agenda Items JJ-2, and JJ-4 through JJ-7 were moved concurrently.

No discussion was held on these items.

A vote was taken on these items.

JJ-6. Construction Bid Recommendation of \$500,000 or Less - ITB 17-216C - Sunrise Middle School - Fort Lauderdale - LEGO Construction Co. - Single Point of Entry - Project No. P.001834 (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the recommendation to award the above contract. User Department: Office of Facilities & Construction; Lump Sum Award Amount: \$154,500; Vendor Awarded: LEGO Construction, Co.; Minority/Women Business Enterprise Vendor(s): LEGO Construction Co. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

Agenda Items JJ-2, and JJ-4 through JJ-7 were moved concurrently.

No discussion was held on these items.

A vote was taken on these items.

**JJ-7. Construction Bid Recommendation of \$500,000 or Less - ITB 17-221C -
Seminole Middle School - Plantation - LEGO Construction Co. - Single Point of
Entry - Project No. P.001828 (Approved)**

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the recommendation to award the above contract. User Department: Office of Facilities & Construction; Lump Sum Award Amount: \$111,772; Vendor Awarded: LEGO Construction Co.; Minority/Women Business Enterprise Vendor(s): LEGO Construction Co. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

Agenda Items JJ-2, and JJ-4 through JJ-7 were moved concurrently.

No discussion was held on these items.

A vote was taken on these items.

**JJ-8. First Amendment to Professional Services Agreement - M.C. Harry and
Associates, Inc. - Atlantic Technical College - Coconut Creek - SMART Program
Renovations - Project No. P.000415 (Approved)**

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the First Amendment to the Professional Services Agreement dated June 21, 2016 with M.C. Harry and Associates, Inc., Atlantic Technical College, SMART Program Renovations, Project No. P.000415, in the amount of \$99,022. Ms. Korn, Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (6-0 vote)

Agenda Items JJ-8 through JJ-11 were moved and discussed concurrently.

Mrs. Brinkworth commented the Financial Impact stated it did not impact the overall budget but the Executive Summary showed there were additional needs.

Leo Bobadilla, Chief Facilities Officer, responded she was correct. He said they had a conversation with the Board at a workshop with regards to items that may come back to the Board. This was for the impact for the architect and what was identified was a need to replace chilled water lines on the campus that was not in the original scope of work. Once this item was designed and went out for bid, they would bring back the bid results and if there was a need for additional funds, they would make the request at that time.

Mrs. Brinkworth said it was very difficult for the Board to know what the scope was and to imply it did not increase this amendment so it did not increase the overall budget, she believed something more needed to be added so it was clear there was a possibility down the road that there could be an increase.

Mr. Bobadilla replied that he would meet with the Chief Financial Officer to revise the statement to indicate that they would be coming back at another time with the construction costs.

Mrs. Bartleman had concerns when the volume of work increased, the Board would not be able to see any of the Change Orders.

Ms. Marte responded at the workshop she understood the Board wanted a report with a list of dates approved for additional dollars to be spent, as well as a running total as to how it would affect the Reserves. She said moving forward that would become the summary in front of the quarterly report. She stated a document would also be provided as the Board requested with a running total of the savings. In regards to the financial impact, she agreed and said they would add a statement that there could be a budget increase once the construction began.

A vote was taken on these items.

JJ-9. First Amendment to Professional Services Agreement - CSA Central, Inc. - Hollywood Park Elementary School - Hollywood - SMART Program Renovations - Project No. P.001788 (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the First Amendment to the Professional Services Agreement dated December 6, 2016 with CSA Central, Inc., Hollywood Park Elementary School, SMART Program Renovations, Project No. P.001788, in the amount of \$34,745. Ms. Korn, Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (6-0 vote)

Agenda Items JJ-8 through JJ-11 were moved and discussed concurrently.

A vote was taken on these items.

JJ-10. First Amendment to Professional Services Agreement - Crain Atlantis Engineering, Inc. - Pembroke Lakes Elementary School - Pembroke Pines - SMART Program Renovations - Project No. P.001842 (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the First Amendment to the Professional Services Agreement dated April 18, 2017 with Crain Atlantis Engineering, Inc., Pembroke Lakes Elementary School, SMART Program Renovations, Project No. P.001842, in the amount of \$12,556. Ms. Korn, Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (6-0 vote)

Agenda Items JJ-8 through JJ-11 were moved and discussed concurrently.

A vote was taken on these items.

JJ-11. First Amendment to Professional Services Agreement - Crain Atlantis Engineering, Inc. - West Hollywood Elementary School - Hollywood - SMART Program Renovations - Project No. P.001794 (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the First Amendment to the Professional Services Agreement dated January 18, 2017 with Crain Atlantis Engineering, Inc., West Hollywood Elementary School, SMART Program Renovations, Project No. P.001794, in the amount of \$12,800. Ms. Korn, Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (6-0 vote)

Agenda Items JJ-8 through JJ-11 were moved and discussed concurrently.

A vote was taken on these items.

JJ-12. Increase of Funds - Monarch High School - Coconut Creek - Track Re-surfacing - Project No. P.002058 (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the request for increase of funds in the amount of \$35,000, Monarch High School, Track Re-surfacing, Project No. P.002058. Ms. Korn, Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (6-0 vote)

Agenda Items JJ-12 and JJ-13 were moved and discussed concurrently.

Mrs. Bartleman commented that this was very vague as to why the additional funds were needed. She inquired why a Change Order was not provided for the additional \$35,000.

Mr. Corbin replied it was not a Change Order but a funding increase.

Mr. Runcie stated this was a case where an item was put out for bid again and there was a cost increase.

Mr. Bobadilla added that this was just for the cost of the work. A single vendor would be completing both scopes.

Referring to the \$35,000, Ms. Coker explained when the estimates were calculated it was based on the pricing under bid from 2011. She said when they went out to bid in 2017, the difference was actually higher than what was presented today, but they were able to meet with the vendor to reduce it.

A vote was taken on these items.

JJ-13. Increase of Funds - Cypress Bay High School - Weston - Track Re-surfacing - Project No. P.002054 (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the request for increase of funds in the amount of \$45,000, Cypress Bay High School, Track Re-surfacing, Project No. P.001774. Ms. Korn, Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (6-0 vote)

Agenda Items JJ-12 and JJ-13 were moved and discussed concurrently.

A vote was taken on these items.

JJ-14. Construction Bid Recommendation of \$500,000 or Greater - ITB 18-049C - Manatee Bay Elementary School - Weston - LEGO Construction Co. - SMART Program Renovations - Project No. P.001759 (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Good and carried, to approve the recommendation to award the above contract. User Department: Office of Facilities & Construction; Lump Sum Award Amount: \$1,906,326; Vendor Awarded: LEGO Construction Co.; Minority/Women Business Enterprise Vendor(s): LEGO Construction Co. Ms. Korn, Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (6-0 vote)

Mrs. Brinkworth was confused on the request. When she looked at the backup information and the money allocated through the Safety, Music & Art, Athletics, Renovation, & Technology (SMART), and removed the Choice enhancement and \$50,000 for music, she was left with \$1.759 million. The request from a lump sum award was approximately \$1.9 and the requested an increase of \$625,661 from the Capital Reserve. She asked if someone could explain it.

Mr. Bobadilla responded that the numbers in the District Educational Facilities Plan (DEFP) were soft costs. He said to subtract \$110,877 for contingencies from the \$625,661 for a total of \$514,784, then add \$1,391,542 for the pre-bid FLCC, for a total amount of \$1,906,326 as shown in the Executive Summary in order to enter into this contract.

Mrs. Brinkworth inquired if the soft costs were running 30% on all projects.

Mr. Corbin said on an approximate basis, that percentage was very close.

Mrs. Brinkworth asked if any of the soft costs were fixed and constant or were they project-by-project.

Mr. Corbin replied they were on a project-by-project basis. The management fee was calculated uniformly and equally across the board for each of the SMART projects.

A vote was taken on this item.

K. OFFICE OF FINANCIAL MANAGEMENT

KK. OFFICE OF FINANCIAL MANAGEMENT

L. OFFICE OF PORTFOLIO SERVICES

LL. OFFICE OF PORTFOLIO SERVICES

LL-1. Premium Services Agreements Approval

(Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the Premium Services Agreements between The School Board of Broward County, Florida (SBBC), and the listed governing board. Ms. Korn, Mrs. Rich Levinson, and Ms. Murray were absent for the vote. (6-0 vote)

No discussion was held on this item.

A vote was taken on this item.

Following the action of G-3, the following attorney-client session commenced at 2:18 p.m.

Announcement by General Counsel

The General Counsel's Office requested attorney-client sessions for this School Board meeting. The sessions were schedule for 12:45 p.m. to discuss settlement negotiations and/or strategy relative to the following pending litigation:

First Session: J.A.B. vs. Broward County School Board, Case No. 16-7021E, before the State of Florida Division of Administrative Hearings. The following persons will attend this attorney-client session: School Board Members Abby M. Freedman, Chair; Nora Rupert, Vice Chair; Robin Bartleman; Heather Brinkworth; Patricia Good; Donna P. Korn, Laurie Rich Levinson; Ann Murray; Dr. Rosalind Osgood; Robert W. Runcie, Superintendent of Schools; and Barbara J. Myrick, Esq.

Second Session: The School Board of Alachua County, Florida; The School Board of Bay County, Florida; the School Board of Broward County, Florida; The School Board of Clay County, Florida; The School Board of Duval County, Florida; The School Board of Hamilton County, Florida; The School Board of Lee County, Florida; The School Board of Orange County, Florida; The School Board of Pinellas County, Florida; The School Board of Polk County, Florida; The School Board of St. Lucie County, Florida; The School Board of Volusia County, Florida; and The School Board of Wakulla County, Florida vs. Florida Department of Education; State Board of Education; Pam Stewart, in her Official Capacity as Florida Commissioner of Education; and Marva Johnson, in her Official Capacity as Chair of the State Board Of Education, before the Circuit Court of the Second Judicial Circuit in and for Leon County, Florida.

The following persons will attend this attorney-client session: School Board Members Abby M. Freedman, Chair; Nora Rupert, Vice Chair; Robin Bartleman; Heather Brinkworth; Patricia Good; Donna P. Korn, Laurie Rich Levinson; Ann Murray; Dr. Rosalind Osgood; Robert W. Runcie, Superintendent of Schools; and Barbara J. Myrick, Esq.

The attorney-client session was properly advertised for today at 12:45 p.m., in accordance with Florida Statute 286.011 (8). Telephone conferencing or other telecommunications technology may have been used to permit absent Board Members to participate and to be heard by other School Board Members and Counsel.

The attorney-client session concluded and the School Board Meeting reconvened at 3:09 p.m.

Adjournment This meeting was adjourned at 5:31 p.m.

/dvn