

APPROVED DURING OPEN BOARD MEETING, MARCH 15, 2005

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

February 15, 2005
Tuesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:23 a.m., Tuesday, February 15, 2005, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida Present were Chair Stephanie Arma Kraft, Esq.; Vice Chair Benjamin J. Williams; Members Carole L. Andrews, Robin Bartleman, Darla L. Carter, Maureen S. Dinnen, Beverly A. Gallagher, Dr. Robert D. Parks, Marty Rubinstein; Superintendent Franklin L. Till, Jr.; and Edward J. Marko, Esq. and Marylin Batista-McNamara, Esq.

Call to Order The call to order was followed by the Pledge of Allegiance to the Flag of the United States of America.

Minutes for Approval Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the official minutes for the following Board Meetings:

January 18, 2005 – Regular School Board Meeting
February 1, 2005 – Special Meeting – Student Expulsions

Close Agenda Upon motion by Mr. Rubinstein, seconded by Ms. Gallagher and carried, the Agenda was approved and declared closed.

REPORTS

District Advisory Council – Janet Bravo

Ms. Bravo reported that DAC met on February 9, 2005. Dr. Earlean Smiley, Deputy Superintendent, Curriculum & Instruction/Student Support, and Mr. Frank Vodolo, Executive Director, Educational Programs, were guest speakers who spoke on the Uniform Policy, offering information to the membership and requesting feedback from the Area offices. The membership discussed how they believed looping would work best between the district and DAC.

One motion was offered from the South Area, that each semester contain 90 days and the first semester end in conjunction with the winter break for the 2005-2006 school calendar. This motion failed.

A comprehensive written report was submitted to the Board.

ESE Advisory Council – Nancy Nemhauser

Ms. Nemhauser reported that ESE met on February 14, 2005.

School Board Member Ms. Darla Carter and district staff were in attendance.

Ms. Egle Gallagher, Principal on Special Assignment, Blueprint for High School Reform, presented a blueprint for High School Reform. Ms. Leah Kelly, Executive Director, Student Support Services & Exceptional Student Education, presented Policy 6000.1 for discussion.

The District will offer two additional training sessions on the Easy Individual Education Plan (IEP). There was discussion regarding the lack of parental input on this system, and due to parents' concerns the meeting was extended to accommodate the discussion. Staff advised parents to bring their input regarding Easy IEPs to the district.

Ms. Nemhauser reported that a motion to eliminate the provision for a Nominating Committee from DAC bylaws failed. A motion passed regarding the need for expert behavioral intervention, and that a certified behavior analyst position at the district level be created to provide for accountability of equitable resources to ensure uniformity across the county regarding the needs of these children.

The next ESE meeting will be held on March 7, 2005 at South Broward High School, beginning at 7:00 p.m.

A comprehensive written report was submitted to the Board.

ESOL Leadership Council – Harry Escandon

Mr. Escandon reported that ESOL met on January 19, 2005 which highlighted the Magnet Program for the following school year. Applications were also distributed in the district's major languages. There was also information shared on the No Child Left Behind Act and there was discussion about the Adequate Yearly Progress of schools.

Gratitude was extended to School Board Member Mrs. Bartleman for attending the ESOL meeting on February 5, 2005. The Annual Bilingual Parent Institute was held at the Signature Grand, with an attendance of 249 bilingual parents, mostly of limited English proficient elementary school students. The Institute was composed of two workshops: The Magic of Reading with the five components of reading, and The Magic of Math with the five strands of math. The workshops were given in Spanish, Haitian Creole and Portuguese, and the parents learned many skills to assist their students at home. Guest speakers included Ms. Michaelle Valbrun-Pope, Principal, Northside Elementary School, and Dr. Larry Calderon, President, Broward Community College.

The next ESOL meeting will be held on March 2, 2005 at the K.C. Wright Administration Center, beginning at 6:30 p.m.

A comprehensive written report was submitted to the Board.

Employee Unions – Patrick Santeramo

Mr. Santeramo discussed the inadequate funding of schools by the state and the importance of supplementing the state's education budget.

Mr. Santeramo proposed that the district and the unions create a joint Blue Ribbon Committee, and have the committee look at counties such as Sarasota, Pasco, Manatee, and Pinellas, as examples, to determine the best way to address habitual gaps in state funding at the local level. Mr. Santeramo stated that BTU supports slot machines as an avenue for funding schools.

Former Florida Education Commissioner Jim Horne, Spokesman for Better Schools and Jobs, the proponent of Amendment 4 to the state constitution that allows Dade and Broward counties to decide whether they will allow slot machines in seven existing pari-mutuel facilities. Mr. Horne stated that this will enable the state to tax this revenue and then distributed to public education statewide.

Mr. Horne discussed concerns about making sure that Broward County receive its fair share, and that a pledge be made to work with the School Board and others to take these steps to ensure this becomes a reality.

Mr. Horne presented the Board with a letter signed by himself and Mr. Dan Atkins, Chairman of Better Schools and Jobs, with an attachment of Senator Steven A. Gellar's (District 31) House Bill which supports the provision of revenues from the slot machines that will be distributed to the counties annually through a trust fund.

Ms. Gallagher discussed her concerns regarding the Governor overturning the Class Size Amendment and the funds going to teachers, and the Governor's plan to veto any legislation regarding slot machines.

Dr. Parks requested that Lobbyists Jim Horne and Dan Atkins meet with the Chair of the School Board regarding Broward County receiving a significant portion of gambling revenues from slot machines for education. In addition, consider having an agreement with the School Board stating exactly what portion of revenues would go to the district.

Mrs. Dinnen requested an explanation as to how the state school trust fund would differ from the lottery distributions. She requested that staff define a state trust fund, and show the difference between a statute and a constitutional amendment.

Mrs. Bartleman stated she would be more comfortable if this issue was presented to the Board in writing, and have the Chair meet with the lobbyists and represent the School Board.

Mr. Williams requested that Lobbyist Horne make himself available to meet individually with Board Members to have a dialogue.

Ms. Gallagher stated she would like the school district to consider having a penny sales tax passed and have it aligned to teachers' salaries. She requested that this issue be placed on the agenda for the Tri-County meeting scheduled for February 28, 2005.

Mrs. Kraft stated there should be some type of written agreement that the district will be able to go to court to fight the issue if they do not receive what was promised.

Facilities Task Force – Donna Korn

Ms. Korn reported that the Task Force met on February 3, 2005. Gratitude was extended to Mr. Tom Getz, Director, Capital Planning & Programs; Mr. Donnie Carter, Deputy Superintendent, Operations; Mr. Tom Lindner, Executive Director, Physical Plant Operations; and Mr. Lee Martin, Director, Chief Building Official for their presentations and updates that each provided at past meetings.

Gratitude was also extended to Mr. Robert Goode, Project Manager, Northeast Zone, and Ms. Juana Romaniuk, Project Manager, McArthur Zone, for their comprehensive reports on the projects in their zones. They provided thorough descriptions of work that is currently underway as well as additional projects that are scheduled to begin.

Ms. Korn further reported that the Task Force reviewed the proposed Policy 7003. The Task Force was pleased with the policy's intent to streamline the prequalification of contractors and selection of professionals for facilities projects. Upon review of the policy, the Task Force discussed the proposed changes and unanimously felt that the policy should be accepted by the Board and implemented.

The nominating subcommittee for the selection of officers was formed and a slate will be presented at the next meeting.

The Tools for Schools Pilot Program is in its second year. The initial phase has proven very successful and the initial pilot program has expanded into Phase II which includes approximately 60 new schools.

The next Task Force meeting is scheduled for March 3, 2005.

A comprehensive written report was submitted to the Board.

Diversity Committee – Bill Rettinger

Mr. Rettinger reported that the Diversity Committee met on February 3, 2005 and the next scheduled meeting is on March 3, 2005. Gratitude was extended to Board Members Mrs. Bartleman, Mrs. Dinnen and Mr. Williams.

A presentation was made by Ms. Mary Fertig and Mr. Dan Lewis on the CCC agreement. Mr. Rettinger, who remarked that there are concerns that some schools are not in compliance with the agreement, requested the Board to defer action on the status report until further information is provided to the Diversity Committee.

Mr. Rettinger urged School Board Members to pay close attention to all Medicaid issues and Medicaid Reform issues in the Legislative Session, such as the removal of disabled funds and funding for Medicaid.

Dr. Till stated that by policy the CCC agreement must be presented to the Board in February. The Superintendent stated there will be no action taken until after a review is made by the Diversity Committee, which will be presented to the Board in April or May 2005.

Dr. Till stated that staff will check comment that the Diversity Committee did not have the opportunity to have upfront input into the process for site visitations, in the planning process, not in the final phase.

Ms. Carter requested a written report from the DAC distributed to School Board Members prior to giving its report at the Regular School Board meetings.

Ms. Minerva Casanas-Simon, 2004 Diversity Committee Chair and Mr. Tim Smith, 2004 Site Visitation Subcommittee Chair, reported to the Board regarding the preliminary report of the CCC agreement, and the Site Visitation Subcommittee report.

CONSENT AGENDA Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Mr. Rubinstein, seconded by Mrs. Dinnen and carried, to approve the Consent Agenda for the remaining items (identified by asterisks).

BOARD MEMBERS

Mrs. Andrews reminded her colleagues that the District 1 Educational Summit will be held on Friday, February 18, 2005, 8:00 a.m. to 12:00 Noon. District matters will be discussed with the community, including construction and capital matters.

Ms. Gallagher encouraged all high schools to get involved in Voter Registration Week and register students to vote.

Congratulations was extended to Gale Petro and Roberta Nazimovitz for their appointments to the Walter C. Young Resource Center Board of Directors, and for serving on behalf of the School Board.

Ms. Gallagher voiced her concern over the Sheridan Park project.

Ms. Gallagher informed her colleagues that last week Flanagan High School held the Extravaganza for the Flag and Drum Corps competition. Praising Ramblewood Middle School for their performance, Ms. Gallagher urged middle schools to compete in these events. Ms. Gallagher recognized Coral Glades and Everglades high schools for their performance. She said that the new schools are performing very well and Coral Glades placed very well in the competition.

Ms. Gallagher requested that she be provided with a list of appropriate names for new schools.

Dr. Parks informed his colleagues that he attended Apple Corporation headquarters in Cupertino, California. Dr. Parks discussed the software for staff development, and stated that there is an opportunity for the school district to save money. He urged his colleagues to visit Apple headquarters.

Mr. Rubinstein reported on his visit to Cupertino, California and meeting with Mr. Steven Jobs, President of Apple Corporation. Mr. Rubinstein stated that Mr. Jobs is focused on the future of Apple and the future of education. Mr. Rubinstein discussed the software solutions that Apple is presenting which will help the district, and the release of a new operating system.

Mr. Rubinstein further discussed the technological ability of Broward County going into wireless technology.

Mrs. Bartleman informed her colleagues that she attended the Silver Lakes Middle School PTA meeting with Ms. Gallagher and the Fort Lauderdale Civic Association meeting with Mrs. Dinnen. She thanked her colleagues for their leadership in their communities. Mrs. Bartleman stated she visited Plantation Park Elementary School , and expressed gratitude to 5th grade teachers for their hospitality.

Mrs. Bartleman discussed her attendance at the Bilingual Parent Institute, the Project CONNECTION program that is funded by a grant. She said that the program was attended by 249 parents and sessions were held to discuss strategies to assist their children. Mrs. Bartleman, who remarked that there has been a 266 percent increase in Limited English Proficient students, stated that the grant has ended and should continue. She requested that staff research how the program can continue, and to decide if this has to go through a budget process or a workshop.

Mrs. Dinnen informed her colleagues that she attended several schools, including Stephen Foster, Bennett Elementary, schools that were built in the late 1950s and early 1960s. She stated that several older schools have been replaced and they are enthusiastic about their surroundings.

Mrs. Dinnen stated that Central Park Elementary School in Plantation has been chosen every year for 10 years to win the Five Star Award, and is one of three schools in the entire county to win such an award.

Mrs. Dinnen stated that she also attended the Diversity Committee meeting, a four-hour event which featured an informative presentation by Ms. Mary Fertig and Mr. Dan Lewis.

Other area visits included the Broward County AFL / CIO Legislative Breakfast and the Council of Fort Lauderdale Civic Association. She said the Civic Association has voiced a concern over the issue of School Resource Officers possibly being eliminated at the schools.

Mrs. Kraft informed her colleagues that Stoneman Douglas High School Debate Team had an outstanding year and they have placed high consistently in the local and national circuits. She said that Douglas has gained recognition as one of the strongest high schools in the entire nation. She said that several members of the University of Florida's Blue Key Speech and Debate Tournament earned several first place awards in its first national tournament of the year.

Mrs. Kraft stated that Taravella High School's production of Beauty and the Beast has been recognized by the Florida State Thespian Awards at the 2005 State Thespian Festival in Tampa. She said this is the first time the production has been produced locally by a school.

Mrs. Kraft extended gratitude to the business community and Citrix for sponsoring a successful two-day training session at Darden.

Mrs. Kraft discussed the Meals on the Go, a program in a Pennsylvania school district, whereby students can buy healthy breakfast foods prior to attending early morning classes.

Mrs. Kraft requested staff to consider broadcasting certain items, where there is extensive conversation, on their workshops. She said that Board Members can e-mail the Superintendent to give staff clear direction.

SUPERINTENDENT

Dr. Till discussed Broward Days, the Legislative Session and its effect on services and education for children. Dr. Till stated that he will be spending more time in the Legislative Session and requested that a Board Member accompany him in order to expand the district's credibility.

The Superintendent congratulated Mr. Dan Cochran, Associate Superintendent, Human Resources, for being recognized as the top personnel individual by the Council of Great City Schools.

Dr. Till reminded the Board Members that the ACCLAIM Awards will be held next week, whereby the district's top principals and assistant principals will be honored. The FCAT pep rally will be held on February 25, 2005 in Lauderdale Hills.

Congratulations was extended to Mrs. Dinnen who will be honored with the Patricia Thompson Award on February 24, 2005.

A. RESOLUTIONS

- *A-1. Resolution in Support of National School Breakfast Week – March 7 Through March 11, 2005 (Adopted)

Adopted Resolution #05-55, in support of National School Breakfast Week – March 7 through March 11, 2005.

- *A-2. Resolution in Support of High School Voter Registration Week (Adopted)

Adopted Resolution #05-56, in support of High School Voter Registration Week, April 18-22, 2005.

A-3. The Waiving of School Impact Fee for Tract A, The Palms of Deerfield, Plat Book 112, Page 14, City of Deerfield Beach, not a 501(c)(3) Corporation
(Adopted)

Motion was made by Mr. Rubinstein, seconded by Ms. Carter and carried, to approve Resolution #05-56 which states that the School Board does not oppose action by the Broward County Board of County Commissioners under provisions of the Broward County Land Development Code, waiving approximately \$17,922 of the school impact fee applicable to the construction of 12 (six 2-bedroom and six 3-bedroom) very low income, townhouse, affordable housing units on Tract A, The Palms of Deerfield, Plat Book 112, Page 14, located on the north side of NW 3rd Street, between NW 2nd Terrace and NW 1st Terrace in the City of Deerfield Beach, and proposed for development by Deerfield Beach Housing Authority. Ms. Carter voted "no." (8-1 vote)

The project will consist of 12 (six 2-bedroom and six 3-bedroom) very low income townhouse, affordable housing units. The project proposed for construction by the City of Deerfield Beach will provide affordable housing for very low income persons as defined in Division 6 of the Broward County Land Development Code Definitions, thus qualifying these units as eligible for consideration of a school impact fee waiver as cited under Section 5-184(b)(4) of the Broward County Land Development Code. Under this Section, a school impact fee waiver can be granted based on percentages in the following manner: Very Low Income - 100 percent, Low Income - 75 percent and Moderate Income - 50 percent. The Broward County Community Development Division certified the project as 12 (six 2-bedroom and six 3-bedroom) townhouse affordable housing units. Based on the current school impact fee ordinance (Ordinance 97-40, effective October 1, 2004), the total school impact fee due for the project is approximately \$17,922. Based on criteria cited in Section 5-184(b)(4) of the Broward County Land Development Code, the total \$17,922 qualifies for school impact fee waiver. The Deerfield Beach Housing Authority is not registered as a 501(c)(3) and is not a nonprofit organization. Schools affected in the 2004/05 school year are Deerfield Park Elementary, Deerfield Beach Middle and Deerfield Beach High School.

Potential loss of approximately \$17,922 in school impact fees.

Ms. Carter stated she would not support the item because the company is not a registered 501(c)(3) company and there is a loss of school impact fees. Ms. Carter requested staff to bring forward to Board Members a list of all the impact fees in and around the district for the last five years, including waived fees, the 501(c)(3)s and non 501(c)(3)s. She reminded her colleagues that the waiving of impact fees do not go to the buyer or the owner of the property, it goes to the developer.

The following individual addressed this item:

Pamela Davis

Dr. Parks suggested adding, within the body of the Board item, the phrase, "Housing authority as defined by law."

Mr. Williams reminded his colleagues that the low-income housing will provide individuals and students an opportunity to live better.

B. BOARD MEMBERS

***B-1. Request to Reschedule April 5, 2005 and April 12, 2005 School Board Meetings (Approved)**

Approved the rescheduling of the April 5, 2005 Special School Board Meeting for Expulsions/Reassignments and Regular School Board Meeting to April 12, 2005.

It is further recommended to reschedule the April 19, 2005 Special School Board Meeting for Expulsions/Reassignments and Regular School Board Meeting to April 26, 2005. The times of these meetings remain the same.

The School Board of Broward County, Florida, School Board Members will be attending Broward Days in Tallahassee, Florida, April 4 through 6, 2005 and the National School Board Association Conference April 15 through 19, 2005. It is, therefore, requested that the April 5, 2005 School Board meetings be rescheduled to April 12, 2005 and the April 19, 2005 be rescheduled to April 26, 2005.

There is no financial impact to the school district.

***B-2. Walter C. Young Resource Center Appointments (Approved)**

Approved the appointment of Roberta Nazimovitz and Gale M. Petro to the Board of Directors; Walter C. Young Resource Center, and reappoint Barnett Balsam to the Board of Directors.

The City of Pembroke Pines has requested that we fill the vacancies on the above referenced Board. The original agreement, between the City and the School Board called for three (3) appointees from the City and three (3) appointees from the School Board. Each appointee shall serve for two (2) years and shall annually elect a chairperson who is responsible for calling no fewer than four meetings annually.

There is no impact to the district.

***B-3. Membership in National School Boards Association's National Affiliate Program - Council of Urban Boards of Education (CUBE) (Approved)**

Approved membership in the National School Boards Association's National Affiliate Program - Council of Urban Boards of Education (CUBE).

CUBE was established by the National School Boards Association (NSBA) in 1967. CUBE is the Urban component of NSBA's National Affiliate program. CUBE addresses the unique needs of School Board Members of the largest cities in the United States.

The benefits CUBE provides for large urban districts include: specialized federal lobbying and legal advocacy via a professional staff in Washington, D.C., ad hoc topical reports especially for and about CUBE districts; survey findings, which profile our nation's urban schools; specialized forums to facilitate sharing of concerns, ideas, and "best practices" in the urban school setting; news from the urban public education arena via a bi-monthly newsletter; access to contacts and data from other urban districts; and in-depth analysis on issues in periodic reports and monographs.

Belonging to CUBE provides the district with added strength to address educational issues at a national level. When combined with membership in the Council of Great City Schools, the district becomes empowered with synergy to advance academic initiatives, educational opportunities and legislative changes which are needed by large urban districts like Broward County. Of the 54 members of the Council of Great City Schools, 37 also belong to CUBE.

Cost of this affiliation is \$10,500. The source of funds is the Board Members' department budget.

*B-4. Request to Move the July 19, 2005, Special School Board Meeting for Expulsions and Regular School Board Meeting to July 26, 2005 (Approved)

Approved the recommendation that The School Board of Broward County, Florida, move the July 19, 2004, Special School Board Meeting for Expulsions and Regular School Board Meeting to July 26, 2005, at 12:00 Noon, and 12:15 p.m., respectively.

It is requested that the July 19, 2004, Special School Board Meeting for Expulsions and Regular School Board Meeting be moved to July 26, 2005, to provide a summer recess where School Board Members and administrative staff may appropriately schedule vacation time. This action will result in having only one meeting day that week, as July 26 is also the 1st Public Hearing on the Budget.

This item is being brought forth by School Board Chair, Stephanie Arma Kraft, Esq.

There is no financial impact to the school district.

C. BOARD POLICIES

C-1. Proposed Revised Job Description and Minimum Qualifications for Teacher Assistant Position for The School Board of Broward County, Florida (Approved)

Motion was made by Mr. Rubinstein, seconded by Mrs. Bartleman and carried, to approve the proposed revised job description and minimum qualifications for Teacher Assistant non-chart position. Authorization is requested to advertise for any vacant positions applicable to this job description immediately following the first reading. This is the **first** reading.

Responding to Mrs. Dinnen's inquiry, Dr. Till stated that the item is in regards to newly-hired teacher assistant. Dr. Till add that No Child Left Behind does have a significant impact on current employees.

C-2. Proposed New Job Descriptions and Minimum Qualifications for Technical, Supervisory, and Professional Positions for The School Board of Broward County, Florida 2004-2005 Organizational Chart (Approved)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve the proposed new job descriptions and minimum qualifications of two (2) Technical, Supervisory, and Professional Chart level jobs including Manager, Conferencing Services and Curriculum Support Specialist, Military Science. The Curriculum Support Specialist, Military Science is a new position and will result in an amendment to the 2004-2005 Organizational Chart. Approval is requested to advertise for vacant positions after the first reading. This is the **first** reading.

Mrs. Dinnen voiced concern over the proposed job description for Military Science as compared to the other major curriculum responsibilities of the district.

Dr. Till stated that the job description is in compliance with the Junior ROTC program and the program has grown in almost every school. The Superintendent expressed gratitude to Colonel Armstrong for running a quality program for the district, and urged Board Members to visit the program.

Colonel James R. Armstrong, JROTC, Core Curriculum, School Reform, stated that the district pays one half of the salary and the Army pays one-half of the salary for the position.

Mrs. Kraft requested the Superintendent to take a look next year when the Organizational Chart is completed, to possibly separate the Curriculum Specialist, Social Studies, into two positions, one for elementary and one for secondary.

Mrs. Dinnen discussed the lack of information students are getting regarding the country's background and governmental structure.

Mrs. Bartleman requested the Superintendent to continue to keep upper management to a minimum. Mrs. Bartleman said she wants to make sure that they continue to do that; and that every person who is certified that they are placed in a school or in a classroom. Mrs. Bartleman requested these figures as well.

- C-3. Proposed Revised Job Description and Minimum Qualifications for the Operations and Logistics Specialist, Junior Reserve Officers Training Corps (JROTC) and Student Leadership Development Corps (SLDC) for The School Board of Broward County, Florida (Approved)

Motion was made by Ms. Carter, seconded by Ms. Gallagher and carried, to approve the revised job description and minimum qualifications for the Operations and Logistics Specialist, Junior Reserve Officers Training Corps (JROTC) and Student Leadership Development Corps (SLDC) position. Approval is requested to advertise for this position following the first reading. This is the **first** reading.

No discussion was held on this item.

- C-4. Proposed Revised Job Description and Minimum Qualifications for the Building (Trade) Inspector/ Building Inspector Position for The School Board of Broward County, Florida 2004-2005 Organizational Chart (Adopted)

Motion was made by Mr. Rubinstein, seconded by Ms. Carter and carried, to adopt the proposed revised job description and minimum qualifications for the Building (Trade) Inspector/ Building Inspector Chart level position. This is the **final** reading.

No discussion was held on this item.

- C-5. Policy 4007 – Temporary Duty Authorization (TDA) (Approved)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve the revisions to Policy 4007. This is the **first** reading.

Ms. Carter stated that during negotiations, that the negotiation team changes the name of the temporary duty leave clause.

C-6. Revision to Policy 1100A, Rules for the Scheduling of Meetings and Establishment and Disposition of Agenda (Approved as amended)

Motion was made by Mr. Rubinstein, seconded by Ms. Carter and carried, to approve the revision to Policy 1100A, Rules for the Scheduling of Meetings and Establishment and Disposition of Agendas, to change the Public Participation section of the meeting to occur at the conclusion of the Board's deliberations upon matters set upon the Board agenda at this first reading. This item was amended to provide the speaker portion of the agenda to begin immediately after the Call to Order.

Dr. Till stated that this will provide a significant savings to BECON's time schedule and broadcasting time, which will be a cost savings to the district.

Mrs. Kraft stated this will also assist in the flow of the meeting.

D. OFFICE OF THE CHIEF AUDITOR

E. OFFICE OF DEPUTY SUPERINTENDENT, OPERATIONS

E-1. Bid/RFP and Other Financial Recommendations \$500,000 or Greater
(Approved)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve the following Bid/RFP and other financial recommendations \$500,000 or greater:

<u>BID/RFP</u>	<u>Title – Location – Amount</u>
25-073V	Toner, Ink and Consumables for Printers – Various – Amount: \$6,000,000
25-096B	Sanitary Washroom Supplies – Various – Amount: \$1,500,000
25-105R	Electrical Supplies – Stockroom – Amount: \$6,000,000
25-106R	Industrial Supplies, Tools and Accessories – Stockroom – Amount: \$6,000,000

No discussion was held on this item.

E-2. Additional Recommendations on Existing Contracts Less Than \$500,000
(Approved)

Approved additional expenditures on previously approved term contracts as shown below. The recommendations are requests for additional expenditures only and do not require any changes to the district budget.

A. APPROVAL FOR AN ADDITIONAL EXPENDITURE ON THE FOLLOWING CONTRACT:

1. 23-105R – Fencing Materials (additional expenditure of \$250,000 requested; \$400,000 originally approved on 12/10/02)

It is recommended that the School Board authorize an additional expenditure of \$250,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Stockroom to continue purchasing fencing materials as required through March 31, 2006, and will provide for an approximate total expenditure of \$650,000 for the award period.

B. APPROVAL FOR RENEWAL ON THE FOLLOWING CONTRACT:

1. 22-128R – Plumbing Fixtures (additional expenditure of \$0 requested; \$150,000 originally approved on 3/19/02)

It is recommended that the contracts with Rider Distributors, Inc. and Wool Wholesale Plumbing Supply Co. be renewed for an additional year from April 1, 2005 through March 31, 2006 in accordance with Special Condition 5 of the bid. This recommendation will allow the Maintenance Stockroom to continue purchase plumbing fixtures as required through March 31, 2006.

2. 22-165V – Optical Data Collection Systems (additional expenditure of \$0 requested; \$40,000 previously approved on 2/3/04; \$75,000 originally approved on February 19, 2002)

It is recommended that the contract with Compsee be renewed for an additional year from April 1, 2005 through March 31, 2006, in accordance with Special Condition 5 of the bid. This recommendation is not a request for an additional expenditure. This recommendation will allow schools and centers to continue purchasing optical data collection system equipment as required through March 31, 2006, and will provide for an approximate total expenditure of \$115,000 for the award period.

3. 23-163T– Sale of Unserviceable Obsolete Used Books (additional expenditure of \$0 requested; \$0 originally approved on 2/18/03)

It is recommended that the contract with Academic Book Services, Inc. be renewed for an additional year from March 1, 2005 through February 28, 2006 in accordance with Special Condition 5 of the bid. This recommendation is not a request for an additional expenditure. This recommendation will allow the Instructional Materials Department to continue to sell unserviceable obsolete used books as required through February 28, 2006.

C. APPROVAL FOR RENEWAL AND AN ADDITIONAL EXPENDITURE ON THE FOLLOWING CONTRACTS:

1. 22-091R – Fans and Accessories (additional expenditure of \$450,000 requested; \$250,000 previously approved on 8/17/04; \$100,000 previously approved on 3/16/04; \$750,000 originally approved on 12/18/01)

It is recommended that the contracts with C. Stewart and Associates, Inc., Johnstone Supply and Rexel Consolidated Electric Supply be renewed for an additional year from April 1, 2005 through March 31, 2006 in accordance with Special Condition 5 of the bid; that the contract with A-All Major Brands Corporation (not interested in renewing) not be renewed; and that the School Board authorize an additional expenditure of \$450,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Maintenance Stockroom to continue purchasing fans and accessories as required through March 31, 2006, and will provide for an approximate total expenditure of \$1,550,000 for the award period.

2. 22-127R – Bearing Assemblies, Couplings, Boiler Parts and Related Items (additional expenditure of \$50,000 requested; \$50,000 previously approved on 3/16/04; \$150,000 originally approved on 3/19/02)

It is recommended that the contracts with Florida Bearings, Inc. and Technico of Broward be renewed for an additional year from April 1, 2005 through March 31, 2006 in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$50,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Maintenance Stockroom to continue purchasing bearing assemblies, couplings, boiler parts and accessories as required through March 31, 2006, and will provide for an approximate total expenditure of \$250,000 for the award period.

3. 22-129R– Laminates (additional expenditure of \$75,000 requested; \$50,000 previously approved on 3/16/04; \$50,000 originally approved on 3/19/02)

It is recommended that the contract with Javan Lumber, Inc. be renewed for an additional year from April 1, 2005 through March 31, 2006 in accordance with Special Condition 5 of the bid; and the School Board authorize an additional expenditure of \$75,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Maintenance Stockroom to continue purchase laminates as required through March 31, 2006, and will provide for an approximate total expenditure of \$175,000 for the award period.

4. 23-144R – Construction Equipment Rental (additional expenditure of \$250,000 requested; \$600,000 originally approved on 3/18/03)

It is recommended that the contracts with Blanchard Machinery, Inc., Chuck's Backhoe Service, Inc., Gold Coast Crane Service, Inc., Govea Trucking, Inc., Hertz Equipment Rental Corporation, Nations Rent USA, Inc. and Smith Brothers Contracting Equipment, Inc. d/b/a Bobcat of Broward be renewed for an additional year from April 1, 2005 through March 31, 2006 in accordance with Special Condition 5 of the bid; that the contracts with G. S. Equipment, Inc., Kelly Tractor Co. and Sims Crane and Equipment Co. (not interested in renewing) not be renewed; and that the School Board authorize an additional expenditure of \$250,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Physical Plant Operations Department to continue renting construction equipment as required through March 31, 2006, and will provide for an approximate total expenditure of \$850,000 for the award period.

E-3. Approval of Energy Services Agreement with ChevronTexaco
(Approved)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve and authorize the execution of the Energy Services Agreement with ChevronTexaco for Energy Conservation Measures in eleven schools.

On July 16, 2002, The School Board of Broward County, Florida, entered into an Energy Audit Agreement with ChevronTexaco to examine eleven (11) schools to identify Energy Conservation retrofits which meet the requirements of State Statute 1013.23 for Energy Efficiency Contracting. This Energy Services Agreement stipulates that these improvements to the school will pay for themselves in a ten (10) year period of time, through avoided electric, fuel and maintenance material costs. This second phase of Performance Contracting builds on the financial benefits demonstrated in Phase One of Performance Contracting. The scope of work includes lighting retrofits with high efficiency lights, a new high efficiency chiller, enhanced control of lighting and air conditioning, water conservation and insulation of water heaters.

These utility savings measures will avoid \$2,723,864 in electrical, water and maintenance materials over 10 years guaranteed by ChevronTexaco. If there is any shortfall in savings, as outlined in the agreement, ChevronTexaco will monetarily reimburse the District. The retrofits will cost the District \$2,144,039.49 and an additional \$78,378.54 for ten (10) years of maintenance, measurement and verification of savings. Please see the cash flow sheets which detail the cost of financing the above costs and the net cash flows for years one through ten.

Staff traditionally shows the cash flow coinciding with the term of the financing agreement, the savings guarantee and expected life of the installed equipment (all of which are ten years.) If the equipment lasts longer than the ten years, the District would benefit substantially. These potential savings for years eleven through fifteen are shown for informational purposes only and are not required for the 10 year payback.

This Energy Services Agreement will authorize ChevronTexaco to install utility savings measures as described above.

The Financial Impact is \$2,222,418.03 which will be offset by the guaranteed savings or cost avoidance in the Energy Services Agreement over the 10 year period of that contract. Appropriations for this item are included in the Adopted District Facilities Educational Facilities Plan, Fiscal 2004-2005 to 2008-09, Appendix E, Page 107, Capital Improvement Program. The funding source for the \$13 million Energy Management Performance Program will be a Certificate of Participation (COPs) to be issued for a period of 10 years.

Mrs. Bartleman, who praised the program, stated that the program will save the district a lot of money over the long term.

Dr. Till stated that over time, the savings the district receives in energy costs will pay the cost of retrofitting and the lifespan of the equipment would exceed the cost of the retrofitting. Dr. Till stated that the program is cost effective and brings the district into the 21st century; the technology does a better job and pays for itself over time.

Ms. Carter discussed the chiller equipment throughout the district which has been endorsed by the Federation of Public Employees.

Concurring, Mr. Robert Jindracek, Project Manager II, Physical Plant Operations, stated that there are seven thermal storage chiller systems in the district.

Dr. Till added that the district is building new technology into the schools and through the remodeling process in order to avoid retrofitting.

Responding to Mrs. Kraft's inquiry, Mr. Jindracek stated that Phase II will be completed in March 2005 which comprises of 70 schools. He stated that staff will attempt to retrofit in increments of 30 to 40 schools, beginning with older schools, geographic location, and needs of the district.

Mrs. Kraft requested that staff research whether Coral Springs Middle School is scheduled to get a chiller replacement in the near future.

E-4. Authorization to Release Requests For Proposal (RFP)
(Approved as amended)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve to request that the School Board authorize the release of the following RFPs: Bid/RFP 26-009N was pulled for separate consideration. Bid/RFP 26-009N was amended to incorporate legal recommendations concerning Senior Management's issues regarding scholarships, School-Based Partnerships and alternate-fee programs for on-site school staff. This motion was superseded by a Motion to Defer (page 20).

<u>RFP #</u>	<u>Title</u>	<u>Department</u>
26-001V	Group Vision Care Insurance for School Board Employees and Dependents	Benefits
26-009N	Eligibility for Offering Before and/or After School Child Care On-Site for Elementary, Middle, High and Exceptional School Children Through Calendar School Year 2010 (Deferred to March 1, 2005 Regular School Board Meeting)	Before and After School Care

The RFP listed above seek proposals from qualified firms for one of the following procurement criteria: 1) technology; 2) financial services; 3) health and/or safety; or 4) other procurements in excess of \$500,000. A copy of each RFP listed is attached for the School Board's consideration. The following is a brief synopsis of the intent and purpose of the RFP:

26-001V – Group Vision Care Insurance for School Board Employees and Dependents (Revised)

The purpose of this Request For Proposal (RFP) is to provide group vision insurance to the employees of The School Board of Broward County, Florida. The current contract with our vision insurance carrier expires on December 31, 2005.

This RFP was developed, reviewed and approved by the Superintendent's Insurance Advisory Committee in public meetings.

This item is in keeping with the School Board's request to receive this RFP prior to issuance. After consideration of this Agenda Item, this RFP will be released on February 22, 2005. Board members may submit any recommendations they believe appropriate for consideration. All recommendations must be in writing and submitted on or before February 18, 2005 to the Director, Benefits Department.

26-009N - Eligibility for Offering Before and/or After School Child Care On-Site for Elementary, Middle, High and Exceptional School Children Through Calendar School Year 2010 (Deferred)

The School Board of Broward County, Florida desires to receive proposals from not-for-profit charitable providers of child care services to provide before and/or after school child care on site for Elementary, Middle, High and Exceptional School Children for five consecutive school years commencing 2005-2006 calendar school year and continuing through year 2010 calendar school year.

There is no financial impact to the District at this time.

Mrs. Bartleman discussed the inconsistency in after-school care at certain schools within the same area, which makes it difficult for parents to find care for their children on teacher work days. She said that parents must find a private provider for the child's care on these days. Mrs. Bartleman requested that staff consider that every school must provide holiday care or that there is a contract provider in close proximity, that they have an option.

Ms. Gallagher requested staff to consider making changes now to the RFP relative to a school survey for the needs of their community, such as changing the hours of operation to make it more user friendly. In addition, consider extending hours to 7:00 p.m. for picking up children from after-school child care. Ms. Gallagher further requested that each school site be given the opportunity to survey parents as to their needs.

Remarking that there is no provision for flexible hours, Ms. Gallagher suggested an amendment to consider changing the language, and that each school site be given the option of going to their school community and asking them what services they need.

Motion to Amend (Withdrawn)

Motion was made by Ms. Gallagher, seconded by Mrs. Bartleman, to amend to change the language, and that each school site be given the option of going to their school community and asking them what services they need.

Mr. Marko voiced concern over the development of the language; what the provider can or cannot provide a community and what they are not required to do if another community does not request the service.

Mrs. Bartleman suggested letting the private providers that they are sending the RFP to – give them an opportunity to provide the service to in-house schools to make it fair.

Ms. Barbara Flynn, Coordinator I, Before and After School Care, stated that the RFP does address for private providers to offer after school care, holidays and teacher work days. She said that sometimes not enough students will sign up for the service and it is not feasible. Ms. Flynn stated that next school year staff can ascertain whether the private providers will offer the service on holidays and other similar days, and that the schools be notified of this service.

Mrs. Kraft stated she would like to see some flexibility; currently, they have a very rigid program, whether it is the in-house or outside, whereby if a parent needs after care two days a week, they have to pay for five days a week. Mrs. Kraft said she would like to see some flexibility, where the child care providers would accept payment for two or three days a week, instead of a full week.

Ms. Gallagher requested that staff consider building flexibility into the RFP, possibly consider changing the guidelines in the RFP. She requested that the bid be deferred, so that the language can be revised.

Mr. Williams concurred that the RFP should include flexibility and to give the outside provider an opportunity to set it up.

Ms. Gallagher stated she would withdraw her Motion to Amend, and would offer a motion to defer.

Motion to Defer (Carried)

Motion was made by Ms. Gallagher, seconded by Mrs. Bartleman and carried, to defer Bid/RFP26-009N to the March 1, 2005 School Board meeting.

A vote was taken on the Motion to Defer.

F. CURRICULUM AND INSTRUCTION STUDENT SUPPORT

G. HUMAN RESOURCES

***G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2004-2005 School Year (Approved)**

Approved the personnel recommendations for 2004-2005 appointments and leaves as listed on 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 Personnel Recommendations for Instructional Employees include the following items:

1. Teacher Approvals
2. Substitute Teacher Approvals
3. Interim Substitute Teachers
4. Part-time Teacher Approvals
5. Teacher Extension of Calendar
6. Instructional Leaves

*G-2. Personnel Recommendations for Instructional Separation of Employment and Discipline for the 2004-2005 School Year (Approved)

Approved the personnel recommendations for separation of employment and discipline as listed on 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
2. Instructional Suspensions/Terminations

*G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2004 – 2005 School Year (Approved as amended)

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 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. This item was amended to: add additional name to page 8, Section 2; add additional page 21 to Section 6; and add additional pages 22-29 to Section 8.

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

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

Newly-appointed district employees were recognized by the Chair on behalf of the Board.

*G-4. Personnel Recommendations for Non-Instructional Separation of Employment and Discipline(s) for the 2004-2005 School Year (Approved)

Approved 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 State Department of Education and The School Board of Broward County, Florida.

The Personnel Recommendations include the following items:

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

*G-5. Supplemental Pay Positions – List #11 (Approved)

Approved the recommended supplemental pay positions of employees for the 2004-2005 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 2004-2005 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 attached revealing all individuals recommended for Non-Specific (SPL). Non-Specific Supplements are additional Task Assignments performed beyond the employee's regular day based on the recommendations of the direct supervisor.

Individuals listed meet the requirements for the supplemental positions. The total number of Supplements recommended in this item is 222.

Funding has been Budgeted in 04-05 fiscal year for all supplements through June 30, 2005.

*G-6. Recommendation(s) for Instructional/Noninstructional Discipline for the 2004-2005 School Year (Approved)

Approved the recommendation(s) for discipline as listed on the attached list for Instructional/Noninstructional staff. All recommendation(s) 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.

This disciplinary action recommendation is a result of an investigation by the Office of Professional Standards & Special Investigative Unit. The individual(s) involved have been provided the opportunity to appear and participate, with representation, before the Professional Standards Committee and in a pre-disciplinary hearing prior to submission of this recommendation. We have followed the School Board processes for disciplinary action. The requested action(s) is listed on the attachment.

There is no financial impact to the School District.

H. ATTORNEY

I. OFFICE OF THE SUPERINTENDENT

*I-1. Amendments to Agreements and Payment Approval (Approved)

Approved Amendments to Agreements with the Florida Institute for Peace Education and Research, Inc. (FIPER) and National Conference for Community and Justice (NCCJ), that extend the agreement termination dates to June 30, 2006. Approve payment for program services provided by three agencies; FIPER, NCCJ and the Anti Defamation League., Inc. (ADL) which already has a partnership agreement with an expiration date of June 30, 2006.

The School Board partnerships with the Florida Institute for Peace Education and Research, Inc. (FIPER) and National Conference for Community and Justice (NCCJ), and the Anti Defamation League, Inc. (ADL) are long standing. Each of the agencies continues to provide programs and maintain relationships with the district/schools. During the 2004-2005 budget process, the School Board approved allocations for these agencies as part of the Diversity Department budget. Funding for the agencies includes: \$16,666 for FIPER, \$16,666 for ADL and \$91,666 for NCCJ. Program descriptions follow.

FIPER is a Peace Education, Human Relations, and Violence Prevention Institute that is committed to teaching children and adults nonviolent methods to manage conflict, and promote peace in homes, schools, and communities. Through this partnership FIPER facilitates the Peace Rangers Human Relations program (K-5), provides the Peace Makers Curriculum and guide for teachers (K-5), We Can Work It Out classroom posters, accompanying student books, and staff training.

FIPER also provides assistance to the Diversity & Cultural Outreach Department with the annual Peace Rangers Round-up.

The Anti-Defamation League (ADL), is a civil-rights/human relations agency that is committed to fighting all forms of bigotry and discrimination. Through this partnership, ADL facilitates a series of workshops for middle school students, teachers and staff, to provide insights, strategies, tools and skills that will enhance their ability to learn and benefit from the community's diversity. ADL also provides assistance to the Diversity & Cultural Outreach Department with the annual middle school Human Relations Conference.

The NCCJ is committed to providing students with exposure to non-violent methods for promoting social change by improving human relations in our community. Current programs include: Metrotown, Unitown, Anytown, Hertiage Panel, and Different and the Same. This agreement will provide the opportunity for the NCCJ to continue delivering programs to Broward County high school students.

This item will align the expiration dates for the agency agreements. And provide approval to establish payment for services rendered. These Agreements have been approved as to form by the attorney.

Financial impact for this appropriation is \$124,998. Special Programs Funds have been placed in the Diversity & Cultural Outreach Department's budget for the administration of this program.

I-2. Partnership Agreement with the University of Cincinnati (Approved)

Motion was made by Ms. Carter, seconded by Dr. Parks and carried, to approve this Agreement with the University of Cincinnati to provide student interns to work in our schools. Mr. Rubinstein was absent for the vote. (8-0 vote)

University of Cincinnati offers its students a program of study Education. Students from this program are required to participate in a field experience/internship program. This agreement offers Trinity International University students with the opportunity to participate in internships within the Broward Schools, under School Board supervision.

Approved as to form by School Board Attorney.

There is no financial impact to the School Board for this Agreement.

Dr. Parks requested that the Urban Academies also be included as part of the placement for these students. In addition, that staff speak with Ms. Sara Rogers, Coordinator, Urban Academies, to coordinate. Dr. Parks said if the students want an internship, place them in the Urban Academies.

Mrs. Dinnen, who inquired about the kind of incentives given to the classroom teachers for working with these interns, requested that staff follow-up with the universities and meet with her to discuss this issue.

*I-3. Petition for Formal Proceedings (Received)

Received the Petition for Formal Proceedings submitted by the Superintendent in reference to this teacher and that teacher be suspended immediately without pay pending final action on these charges.

The Professional Standards Committee found probable cause of sexual misconduct/inappropriate touching of students.

There is no financial impact to the school district.

*I-4. New Agreement with the Florida Department of Law Enforcement (Approved)

Approved a new agreement with the Florida Department of Law Enforcement.

The Florida Department of Law Enforcement is entering into an Agreement to participate in its Grant Law Enforcement Terrorism Prevention Program with The School Board of Broward County, Florida. The Department is awarding \$176,032 for the school district to purchase and install security equipment that will comply with requirements set forth in the current edition of the U.S. Department of Justice, Office of Justice Programs *Financial Guide* and the U.S. Department of Homeland Security, Office for Domestic Preparedness FY 2004 *Homeland Security Grant Program Guidelines*.

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

This agreement will be executed after School Board approval.

The positive financial impact is \$176,032. The source of funds is the Florida Department of Law Enforcement. There is no additional financial impact to the school district.

*I-5. Grant Applications (Approved)

Approved the submission of grant applications.

- A. AD Henderson Foundation Grants Program
- B. Challenge Grant Collaborative Project Grant Program
- C. Captain Planet Foundation Grant Program
- D. General Mills Champion Youth Nutrition and Fitness Grants
- E. NFIE Learning & Leadership and Innovation Grants

Copies of the full grant applications are available at the public stand in the lobby of the KC Wright Building and at the Board Members' Office on the 14th Floor of the KC Wright Building.

The positive financial impact is \$86,424 from various sources. There is no additional financial impact to the school district. (See Executive Summary.)

J. FACILITIES AND CONSTRUCTION MANAGEMENT

***J-1. Reduction of Retainage – Royal Palm Elementary – Addition & Renovation – Project No. 1851-98-01 (Approved)**

Approved the recommendation to reduce retainage now being held on Royal Palm Elementary, Project No. 1851-98-01, from the contractor, General Contractors & Construction Management, Inc. from \$487,735 to \$272,806.

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from 10% to 5% for Phase I, Bldg. 6, from \$487,755 to \$272,806.

Bldg. 6 has reached Substantial Completion. The amount of \$272,806 is being withheld at this time pending completion of Phases II & III.

Subsequent to final completion, this project will be brought back to the Board for Final Acceptance and Release of Retainage or until full completion of the remaining Phases II & III.

Funds being released totaling \$214,929 are included in the Adopted District Educational Facilities Plan, 2004-2005 to 2008-2009, page 77.

J-2. Authorize Public Announcement – Pertaining to School Board Policy No. 7011 – Pre-Qualification of Contractors (Approved)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve authorization for Public Announcement pertaining to School Board Policy No. 7011.

The Facilities and Construction Management Division recommends the issuance of the Public Announcement pertaining to Board Policy No. 7011 for the following reasons:

1. The Public Announcement requests submissions of Pre-Qualification Applications in order to comply with School Board Policy No. 7011.
2. Proceeding with the Public Announcement will allow the District to develop a pool of pre-qualified contractors for the listed projects to improve and enhance the quality of facilities construction projects resulting with more efficient operations and economical outcomes.
3. The Public Announcement requires that contractors be pre-qualified for the listed projects in order for their bids to be opened for the listed projects when they are bid in the future.

There is no financial impact to the District.

Dr. Parks requested staff to revisit Policy 7011 and make sure that contractors who have performed poorly are not rewarded while they are still behind in the project they are presently doing. In addition, that the Board Attorney review the policy with staff; attorney to ascertain what the case law is with reference to this. Dr. Parks stated that staff needs to keep the Board in the loop as far as updates. Dr. Parks further requested that staff consider the rotation of RFPs.

*J-3. Pre-Qualification of Contractors – Approval of Application and Issuance of Certificates (Approved)

Approved the recommendations of the Superintendent and the Contractor Pre-Qualification Review Committee including Authorization to issue Pre-Qualification Certificates.

The Contractor Pre-Qualification Review Committee (CPQRC) convened on January 27, 2005, to review Pre-Qualification Applications received from the following contractors and makes the following recommendations to the Superintendent of Schools:

*Carrier Commercial Service-Division of Carrier Corporation – Issue Pre-Qualification Certification
Construction & Electrical Specialists – Issue Pre-Qualification Re-Certification
Darcon Group, Corp. – Issue Pre-Qualification Re-Certification
Decon Environmental & Eng., Inc. – Issue Pre-Qualification Re-Certification
James Hartley Contractor, Inc. – Issue Pre-Qualification Re-Certification
James B. Pirtle Construction Co., Inc. – Issue Pre-Qualification Re-Certification
*LVI Environmental Services, Inc. – Issue Pre-Qualification Certification
M.A.C. Construction, Inc. – Issue Pre-Qualification Re-Certification
Mora Engineering Contractors, Inc. – Issue Pre-Qualification Re-Certification
Quality Communications Fire & Security, Inc. – Issue Pre-Qualification Re-Certification
The Redland Company, Inc. – Issue Pre-Qualification Re-Certification
Williams Paving Company, Inc. – Issue Pre-Qualification Re-Certification
* New Certification

The Pre-Qualification Application reviews and recommendations were conducted in accordance with F.S. 1013.46, Florida Building Code, State Requirements for Educational Facilities and Board Policy 7011.

There is no financial impact to the District.

- J-4. Approve Award of Contract – New Cafeteria & 8 Classrooms – Sheridan Park Elementary School, Hollywood – Project No. 1321-21-02
(Withdrawn)

- *J-5. Reduction of Retainage – Pompano Beach High School – Phased Replacement II of III – Project No. 0181-99-51 (Approved)

Approved the recommendation to reduce retainage now being held on Pompano Beach High School, Project No. 0181-99-51 from the contractor, G.T. McDonald Enterprises, Inc. by \$252,526 from \$369,160 to \$116,634.

In accordance with School Board Policy 7005, the Facilities & Construction Management Division is recommending that the retainage be reduced from 5% to 1%.

This project has reached Substantial Completion. The amount of \$116,634 is being withheld at this time pending final completion and close out documents.

Subsequent to final completion, this project will be brought back to the Board for Final Acceptance and Release of Retainage.

The funds being released totaling \$252,526 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2004-2005 to 2008-2009, page 109.

- *J-6. Grant of Utility Easement to Florida Power and Light (FPL) for Installations at Amanda's Place (Approved)

Approved the Grant of Utility Easement to FPL for installation of a new transformer for the Day Care Center, Amanda's Place.

The proposed 10' utility easement was requested by FPL to provide service to Amanda's Place, Pompano Beach. FPL will install a three-phase 277/480 volt transformer on the above-referenced property.

The School Board Attorney has approved the easement as to form.

There is no financial impact to the School District.

- J-7. Change Orders (Approved)

Motion was made by Ms. Carter, seconded by Dr. Parks and carried, to approve the following Change Orders:

<u>Cooper City Elementary</u>		Change Order 02	\$0
Owner Request	\$0		

<u>Deerfield Beach High</u>		Change Order 14	\$40,361
Other	\$34,317		
Owner Request	\$566		
Unforeseen Condition	\$5,478		
<u>Ely, Blanche High</u>		Change Order 28	\$34,835
Consultant Error	\$13,304		
Owner Request	\$3,414		
Unforeseen Condition	\$18,117		
<u>Endeavor Primary Learning Center</u>		Change Order 16	\$3,080
Consultant Error	\$3,080		
<u>Fort Lauderdale High</u>		Change Order 21	\$59,607
Consultant Error	\$19,261		
Owner Request	\$7,011		
Unforeseen Condition	\$33,335		
<u>Hallandale Adult & Community Center</u>		Change Order 19	\$131,839
Consultant Error	\$16,117		
Other	\$88,351		
Owner Request	\$21,234		
Unforeseen Condition	\$6,137		
<u>Lauderdale Manors Elementary</u>		Change Order 01	\$205,097
Unforeseen Condition	\$205,097		
<u>Lauderdale Manors Elementary</u>		Change Order 08	\$4,366
Owner Request	\$4,366		
<u>McNab Elementary</u>		Change Order 31	\$13,157
Consultant Error	\$2,639		
Other	\$3,525		
Owner Request	\$6,993		
<u>Meadowbrook Elementary</u>		Change Order 01	\$22,449
Owner Request	\$12,434		
Unforeseen Condition	\$10,015		
<u>Palm Cove Elementary</u>		Change Order 03	\$104,206
Unforeseen Condition	\$104,206		
<u>Park Springs Elementary</u>		Change Order 03	\$36,620
Unforeseen Condition	\$-36,620		
<u>Plantation High</u>		Change Order 22	\$45,218
Unforeseen Condition	\$45,218		
<u>Royal Palm Elementary</u>		Change Order 16	\$107,460
Consultant Error	\$7,988		
Other	\$96,206		
Owner Request	\$3,266		
Unforeseen Condition	\$0		

Dr. Parks requested that Mr. Patrick Reilly, Executive Director, Management/Facility Audits, review the following: Under "Other" in Change Orders, identify specifically how much is attributed to our inspectors and their "interpretation." Dr. Parks inquired about the cost of time and dollars, and whether a review should be made of the Organizational Chart in the building department with regard to how an effective and efficient department flow chart can be established. Dr. Parks further inquired how inspections with technology can be improved.

Dr. Parks discussed the Magellan software program and requested staff to give the Board an update on the progress of Magellan; where does the district stand on it, and what is the timeline where district inspectors can be trained using that software with laptops.

Mrs. Bartleman requested that staff look at where the district is in collecting the consultant errors, that the Board be provided with a status update of the amount they have collected to date, and the progress on that.

- *J-8. Final Acceptance and Release of Retainage – Norcrest Elementary School, Pompano Beach – Phased Replacement-Phase II – Project No. 0561-94-02
(Approved)

Approved Final Acceptance of the Norcrest Elementary School, Phased Replacement-Phase II, Project No. 0561-94-02 and release the balance of retainage in the amount of \$58,198.

The contractor, Padula & Wadsworth Construction, has completed the project within the contract time limits.

The funds being released in the amount of \$58,198 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2002-2003 to 2006-2007, page 61 as previously budgeted.

- *J-9. Professional Services Agreement – Hawkes Bluff Elementary School, Davie – Drainage/IAQ – Project No. 3131-24-05
(Approved)

Approved the Professional Services Agreement with Brown & Brown Architects, for Drainage/IAQ, Hawkes Bluff Elementary School, Project No. 3131-24-05, in the form of the Professional Services Agreement and authorize the Deputy Superintendent to reimburse the Project Consultant for costs pursuant to the Professional Services Agreement.

Scope of Work: Determine why the site does not drain and design the correction. Replace existing fire alarm system, including the addition of visual alarms at restrooms. Provide accessible route to playground and handicap access to the stage. Investigate water damaged exterior walls, indoor air quality issues.

According to School Board Policy 7003, selection of Engineers and Architects, and pursuant to the Consultants' Competitive Negotiation Act, the Consultants Review Committee selected Brown & Brown Architects, and the Superintendent's Negotiating Committee met with Brown & Brown Architects, and negotiated a fixed fee in accordance with Article 5 of the Professional Services Agreement.

The Architectural/Professional Liability Insurance has been agreed upon to Article 9 of the Professional Services Agreement based upon the Project Contract Cost. The Office of the Chief Auditor and Risk Management departments have reviewed this agreement, and the School Board Attorney has approved it as to form.

The funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Years 2004-2005 to 2008-2009, page 47. The total fees included in this item are \$155,000. They include a Fixed Design Fee of \$135,000, and Supplemental/Reimbursable Services of \$20,000.

- J-10. Voluntary Commitment Regarding the Payment for Four Modular Classrooms as Mitigation for the Student Impact Anticipated from the Development of 320 Townhouse Units Proposed in Land Use Plan Amendment PC 05-4 in the City of Lauderhill (Approved)

Motion was made by Ms. Carter, seconded by Ms. Gallagher and carried, to approve acceptance of the voluntary Commitment by The City of Lauderhill to pay for four modular classrooms as mitigation for the Student Impact Anticipated from the Proposed Development of 320 Townhouse Units in Land Use Plan Amendment PC 05-4, in the City of Lauderhill.

The City of Lauderhill is proposing to change the land use designation of a 32.2 acre site located in the City from the current designation of Industrial to Medium (16) Residential to enable the development of 320 three or more bedroom townhouse units. Staff's review of the development estimates that it would generate a total of 88 students (44 elementary, 20 middle and 24 high) into Broward County Public Schools. The schools affected in the 2004/05 school year are: Larkdale Elementary, Arthur Ashe Middle and Dillard High School. The application is currently being reviewed as Land Use Plan Amendment PC 05-4 by the Broward County Planning Council.

School Board Policy 1161 requires the mitigation of students generated by rezoning or land use plan amendments that will increase residential density, generate students and impact overcrowded Broward County public schools. Furthermore, Rule 12(d) of the Policy "Mitigation Options" lists the payment for needed permanent capacity or the provision of needed permanent classrooms such as modular classrooms as a possible mitigation from developments proposed by private developers. The Rule also requires specific School Board approval for applicants proposing the subject option.

To address the impact of the 88 students anticipated from the development of the 320 townhouse units, The City of Lauderdale is proposing to pay for four modular classrooms, which is currently estimated at \$748,000. Based on the current school impact fee schedule (effective October 1, 2004), the school impact fee that would be currently due for the development is approximately \$670,720. Thus, based on current figures, the proposed mitigation is approximately \$77,280 above the county required school impact fee. Provisions of Policy 1161 also Mrs. provides that the estimated cost for each modular classroom will be revised at the beginning of each fiscal year by the School District. Therefore, the actual amount due for the four modular classrooms will be based on the determined cost at the time the developer pays prior to obtaining the first building permit for the total units. Upon acceptance of the commitment and per School Board Policy 1161, the applicant will be required to file a Declaration of Restrictive Covenant to enable legal enforcement of the voluntary commitment.

The financial impact to the School District is currently estimated to be \$77,280 in additional revenue above the County required school impact fee.

This item was discussed concurrent with Agenda Item J-11.

Discussing the demographic projections, Mrs. Kraft inquired why 320 three or more bedroom townhouse units can only generate 88 students.

Mr. Tom Moore, Director, School Boundaries, responded that there are two types of generation rates; one used for impact fees and mitigation purposes, which includes the agenda item in question, and TAZ data is used when enrollment projections are made.

Mr. Michael Garretson, Deputy Superintendent, Facilities and Construction Management, explained that TAZ data cannot be used because the ordinance is mandated by the Broward County Commission and is not an ordinance by the School Board. Mr. Garretson stated that the county collects impact fees and the county commission establishes the generation rates to calculate those fees.

Mr. Garretson further stated that the School Board has authorized a re-study of the generation rates; a contract has been awarded, and when the work is done it will be reviewed by the Board. He said if the Board feels that the generation rates are more accurate, staff will ask the County Commission to adopt new generation rates.

Mrs. Kraft inquired whether it states anywhere in the interlocal agreement that the district has to use the county ordinance, and whether the district is limited to only using the county ordinance. Mrs. Kraft said that the School Board could use their own generation rates.

Ms. Gallagher discussed the City Center in Pembroke Pines.

Mr. Chris Akagbosu, Director, Growth Management, informed the Board that public hearings are scheduled regarding both agenda items. He stated that the generation rates have been adopted into a countywide land development code which are tied to countywide school impact fees. New generation rates and impact fees are anticipated to be adopted into the code later in the year. Mr. Akagbosu further stated that many of the new units in a development may not consist of children, the children may not be school age, or the students may attend private schools. He stated that the generation rates only encompass public school students.

Mr. Garretson noted that you do not generate for schools that are not critically overcrowded.

Mr. Marko voiced a legal concern that if the Board were to reject the agenda item and that this is in compliance with the district's present policy, that it would cause interference with the developer.

Mrs. Kraft stated it is important for the public to understand that the Board is bound by a county ordinance and that the district is working to overturn that ordinance.

Ms. Gallagher requested that both sets of numbers be listed when it is presented to the Planning Council. She said that an explanation could be given that these are the county generation rates and these are the TAZ numbers.

J-11. Voluntary Commitment Regarding the Payment for One Modular Classroom as Mitigation for the Student Impact Anticipated from the Proposed Development of Riverwalk Townhomes in the City of Sunrise
(Approved)

Motion was made by Ms. Carter, seconded by Ms. Gallagher and carried, to approve acceptance of the voluntary Commitment by United Homes International, Inc. to pay for one modular classroom as mitigation for the Student Impact Anticipated from the Proposed Development of Riverwalk Townhomes in the City of Sunrise.

United Homes International, Inc., the developer of Riverwalk Townhomes is proposing to change the land use designation of a 7.40 acre site located in the City of Sunrise from the current designation of Commercial to Low Medium Residential to enable the development of 92 townhome units consisting of 66 two-bedrooms and 26 three-bedrooms. Staff's review of the development estimates that it would generate a total of 16 students (9 elementary, 3 middle and 4 high) into Broward County Public Schools, and schools affected in the 2004/05 school year are Indian Trace Elementary, Tequesta Trace Middle and Western High School. The application is currently undergoing the development review process in the City of Sunrise.

School Board Policy 1161 requires the mitigation of students generated by rezoning or land use plan amendments that will increase residential density, generate students and impact overcrowded Broward County public schools. Furthermore, Rule 12(d) of the Policy "Mitigation Options" lists the payment for needed permanent capacity or the provision of needed permanent classrooms such as modular classrooms as a possible mitigation from developments proposed by private developers. The Rule also requires specific School Board approval for applicants proposing the subject option.

To address the impact of the 16 students anticipated from the development of the 92 townhome units, United Homes International, Inc. is proposing to pay for one modular classroom, which is currently estimated at \$187,000. Based on the current school impact fee schedule (effective October 1, 2004), the school impact fee that would be currently due for the development is approximately \$113,302. Thus, based on current figures, the proposed mitigation is approximately \$73,698 above the county required school impact fee.

Provisions of Policy 1161 also provides that the estimated cost for one modular classroom will be revised at the beginning of each fiscal year by the School District. Therefore, the actual amount due for the one modular classroom will be based on the determined cost at the time the developer pays prior to obtaining the first building permit for the total units. Upon acceptance of the commitment and per School Board Policy 1161, the applicant will be required to file a Declaration of Restrictive Covenant to enable legal enforcement of the voluntary commitment.

The financial impact to the School District is currently estimated to be \$73,698 in additional revenue, above the County required school impact fee.

This item was discussed concurrent with Agenda Item J-10.

J-12. Purchase of Portable Classrooms for AYP/Choice Schools (Approved)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve the purchase of 12 portable classrooms for the 2005-2006 school year to be used for schools impacted by AYP/Choice.

In the school year 2004-2005, approximately 850 students changed schools as a result of AYP/Choice. No provision was made to accommodate these additional students. This request would allow us to order portable classrooms now and permit us to install them as soon as the impact of AYP/Choice was determined.

The financial impact will be \$1,200,000, which will be funded from the AYP-Classrooms Account. The estimated installation cost will be \$600,000, which will be included in the District Educational Facilities Plan for year 2005-06.

Mrs. Dinnen, who noted the financial impact to the district as a result of the AYP/Choice, stated that there are more variables than answers.

Mrs. Kraft voiced concern that the district is purchasing the classrooms without knowing where they will be needed.

Mrs. Bartleman stated there is a movement on a national level for Title I schools not to move students who are succeeding.

- *J-13. Amend Professional Services Agreement – Northeast High School, Oakland Park – Remodeling and Renovation, ADA, HSS – Project No. 1241-99-02 (Approved)

Approved the amendment to the Professional Services Agreement dated February 5, 2002, between The School Board of Broward County, Florida and M.C Harry and Associates, Inc., by increasing the Basic Services Fee by \$109,907 from \$276,365 to \$386,272 and increasing Supplemental, Reimbursable Services by \$20,000 from \$50,000 to \$70,000.

Additional related scope has been incorporated into this project, which was previously approved in the Adopted District Educational Facilities Plan 2004-2005 to 2008-2009. The additional scope includes a new fire line underground loop and sprinkler systems to Buildings 1, 3, 7, 8 and Mini Gym. The increase to the Supplemental/Reimbursable Services is due to Geotechnical Soil Analysis, Updated Survey and Architectural Insurance Renewal.

The request to modify the Professional Services Agreement was reviewed and ultimately approved by the Negotiations Parameters Committee on December 7, 2004.

The funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Year 2004-2005 to 2008 –2009, Page 107. Funds totaling \$109,907 and \$20,000 were moved from the Project Contingency (Line 6) to Basic Fees (Line 1) and to Supplemental/Reimbursable Services (Line 3) respectively.

- *J-14. Amend The Professional Services Agreement – Cooper City Elementary School, Cooper City – New Cafeteria and ADA Restroom – Project No. 1211-98-02 (Approved)

Approved the amendment to the Professional Services Agreement dated October 22, 2002, between The School Board of Broward County, Florida and M.C. Harry Associates, Inc., by increasing the limit of Supplemental/Reimbursable Services from \$75,000 to \$130,000.

Supplemental/ Reimbursable Services have been authorized for this project up to the limit previously established in the Professional Services Agreement. Additional Supplemental/ Reimbursable Services will be required in order to perform threshold inspections and additional site work. Any increase in services beyond \$130,000 would require further Board action.

The funds for this item are included in the Adopted District Facilities Work Program, Fiscal Year 2002-2003 to 2006-2007 Appendix E- Page 30. Funds totaling \$55,000 will be moved from Miscellaneous Construction (Line 9) to Supplementary Services (Line 3).

- *J-15. Approve Final Construction Documents and Authorization to Advertise for Bids – Marine Magnet Science Addition – North Fork Elementary School, Ft. Lauderdale, Florida – Project No. 1191-99-01 (Approved)

Approved Final Construction Documents and Authorization to Advertise for Bids for North Fork Elementary School, Marine Magnet Science Addition, Project No. 1191-99-01.

Project Consultant: Johnson Associates Architects, Inc.

Scope of Work: Construct (4) four Marine Science Magnet classrooms; install new intercom; increase electrical supply, construct covered PE area; construct site improvements; install fencing along river, and renovate existing horticulture shade house.

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

The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2004-2005 to 2008-2009, page 63.

- J-16. Contract Amendment – Cooper City High School, Cooper City – Regional Athletic Facility – Phase II Bleacher Replacement – Project No. 1931-22-01 (Approved)

Motion was made by Mr. Rubinstein, seconded by Mrs. Andrews and carried, to approve a contract amendment for new bleachers for the Regional Athletic Facility at Cooper City High School. The cost for the new bleachers and associated work is \$916,441.00.

An agreement with MBR Construction, Inc., was approved by the Board at the April 29, 2003 Board Meeting Agenda Item J-18.

The Building Department and Safety Department cited fence safety clearance issues at the perimeter of the new eight (8) lane track after construction was completed. In order to obtain occupancy, the above referenced change was deemed required by the Building Department and Safety.

The added benefit to the District will be reduced liability due to maintaining recommended safety clearances. These fence safety clearances have now been implemented District-wide.

The total contract price, excluding any change orders, will be \$916,441.00.

There is a financial impact to the District in the amount of \$916,441.00.

No discussion was held on this item.

- J-17. The Contract for the Purchase and Sale of ALPHA 250, Parcel 23, 5.74 acres, between Broward County and The School Board of Broward County, Florida (Approved as amended)

Motion was made by Mr. Rubinstein, seconded by Dr. Parks and carried, to approve the Contract for the Purchase and Sale of ALPHA 250, Parcel 23, 5.74 acres, between Broward County and The School Board of Broward County, Florida. This motion was superseded by a Motion to Amend (page 38). Mrs. Bartleman and Ms. Carter were absent for the vote. (7-0 vote)

As per the direction of the School Board, staff has entered into negotiations with Broward County for the purchase of ALPHA 250, Parcel 23, 5.74 acres, in the City of Pompano Beach.

The site was recommended to the Superintendent by the Site Review Committee on June 24, 2004, to locate the Cypress Run Alternative School. The contract will be contingent upon a due diligence period of 60 days, during which time the School Board will conduct a Phase II, Geotechnical and any other studies deemed necessary.

The Site is currently zoned Industrial and would require zoning and land use changes to accommodate Community Facility use, after School Board acquisition.

The City Commission of Pompano Beach, Florida, passed a resolution in support of the land use change and rezoning of the ALPHA 250 site designated for Cypress Run.

The contract has been approved as to form by the School Board Attorney. However, the School Board Attorney has expressed reservation in purchasing the property prior to land use changes and rezoning being completed.

An additional financial impact of \$387,225 will come from districtwide land acquisition.

Dr. Till stated that it is prudent to present this item to the Board in order to put the district as the owner of the property prior to negotiating with the county and the city.

Mrs. Kraft voiced procedural concerns, that the policy has specific requirements that should be provided to the Board. In addition, the Board Attorney needs to address any reservations there may be to this contract.

Dr. Till stated that the district is buying a piece of property that has not been completely cleared.

Ms. Batista-McNamara informed the Board that reservations included the clearance issue, and if the agenda item is approved there needs to be an amendment stating that the School Board is waiving the provisions of Policy 7002-B.

Mr. Garretson stated there is a resolution from the City of Pompano Beach in which they approve the selection of the site and will commit to assisting the district in terms of bringing the site to fruition. He said that the issue is before the Broward County Commission on February 22, 2005. Mr. Garretson further stated this would enable Pine Ridge and Cypress Run centers to be on the same schedule and developed within the same time frame.

Mrs. Kraft noted that the purchase agreement contains language that the district is using due diligence and there is sufficient language to ensure that the district can opt out of the contract in the event something unforeseen should occur.

Motion to Amend (Carried)

Motion was made by Dr. Parks, seconded by Mr. Williams and carried, to amend to waive the provisions of Policy 7002B, all purchases of real estate by the School Board shall be for property that is either (A) already zoned for the purpose for which it is intended to be used by the School Board or (B) purchased contingent upon the property becoming zoned for the School Board's intended use within 120 days of contract execution and prior to closing. This policy may be waived for any specific purchase by a vote of the School Board.

A vote was taken on the Motion to Amend.

Dr. Parks requested that in the Board item, to change the name from Alternative Center to Education Center.

Mr. Williams stated that a presentation has been made to the Resource Recovery Board and they have accepted the recommended site and the City of Pompano Beach will do everything possible to ensure that the site goes forward. He reminded his colleagues that the site is the last site involved in the 1987 Bond issue.

Mrs. Kraft, who requested that the item be tabled momentarily, stated that the language in paragraph 9.1 is not standard language in the district's purchase agreements, and she would like to discuss some concerns with the Board Attorney.

Motion to Table (Carried)

Motion was made by Mrs. Kraft, seconded by Ms. Gallagher and carried, to table the agenda item for discussion.

Following the action of Agenda Item J-16, the following discussion continued.

Motion to Remove Item Off Table (Carried)

Motion was made by Ms. Gallagher, seconded by Mr. Williams and carried, to remove item from the table.

Mr. Marko noted that Section 7.1 indicates that the School Board has entitlement of 60 days to review and for any reason can terminate the contract. Once the 60 days is passed, Section 9.1 would then apply. He stated if the Board wanted to make an amendment, the recommendation is to delete the words, under 9.1., "Notwithstanding anything to the contrary herein." Mr. Marko stated that the disclaimer would be that it is expressly understood and agreed that the School Board is purchasing the property as is. He said that the district needs to do its due diligence within the 60 day time frame.

Mr. Garretson stated that everything is done except the zoning.

K. OFFICE OF CHIEF FINANCIAL OFFICER

*K-1. Interim Financial Statements for the Period Ended November 30, 2004.
(Approved)

Approved the Interim Financial Statement for the period ended November 30, 2004.

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.

*K-2. Comprehensive Annual Financial Report for year ended June 30, 2004.
(Approved)

Approved the audited Comprehensive Annual Financial Report for the year ended June 30, 2004.

The audited Comprehensive Annual Financial Report (CAFR) is prepared in accordance with Generally Accepted Accounting Principles. The CAFR will be submitted to both the Association of School Business Officials International (ASBO) and the Government Finance Officers Association (GFOA) for consideration of the Certificate of Excellence and the Certificate of Achievement for Excellence in Financial Reporting awards.

In order to be awarded these respective Certificates, the District must publish an easily readable and efficiently organized report.

The District has received the Certificate of Excellence for the preceding twenty-one years from ASBO and has received the Certificate of Achievement for Excellence for the preceding eight years from GFOA. The CAFR was reviewed and approved by the Audit Committee on December 17, 2004. In addition, our external auditors have audited the financial statements and have rendered an unqualified opinion.

There is no financial impact to the District.

*K-3. Revision to General Fund Amendment (Approved)

Approved the General Fund Amendment I-4 for Fiscal Year 2004-2005.

This amendment is for the purpose of updating the Broward County School District Budget for changes in Revenues and Appropriations due to the recognition of new revenue or the adjustment of projected revenue.

Financial Impact: Recognize revenue received in the General Fund through 12/31/04.

*K-4. Revision to Special Revenue (Other) Amendment (Approved)

Approved the Special Revenue (Other) Amendment IV-4B for Fiscal Year 2004-2005.

This amendment is for the purpose of updating the Broward County School District Budget for changes in Revenues and Appropriations due to the recognition of new revenue or the adjustment of projected revenue.

Financial Impact: Recognize changes in Revenues and Appropriations due to new revenue or the adjustment of projected Revenue through 12/31/04.

SPEAKERS

Barney Schlesinger
Andrew Valenti
Tom Jenkins

Mrs. Kraft requested that staff look into Mr. Valenti's concerns regarding his termination with the Broward County School Board and talk to the Board about this.

Adjournment This meeting was adjourned at 3:55 p.m.

RT