San Leandro USD Minutes

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Special Board Meeting

July 10, 2012
Tuesday, 06:30 PM
San Leandro Unified Administration Office
14735 Juniper Street
San Leandro, CA 94579

Attendees

Hermy Almonte	Board Trustee	
Lance James	Board Trustee	
Mike Katz-Lacabe	Board Trustee	
Morgan Mack-Rose	Board Trustee	
Diana Prola	Board Trustee	
Carmen Sullivan	Board Trustee	
Cindy Cathey	Superintendent	*non-voting*
Song Chin-Bendib	Assistant Superintendent	*non-voting*
John Thompson, Ed.D.	Senior Director II	*non-voting*
Debbie Wong	Assistant Superintendent	*non-voting*

1. CALL TO ORDER / ROLL CALL- 6:30 p.m.

The meeting was called to order at 6:30 p.m. by President Mack-Rose. It was noted that all Board members were present with the exception of Trustees Carey and Sullivan.

2. PUBLIC TESTIMONY - CLOSED SESSION ITEMS

There were no public comments concerning items on the closed session agenda.

3. RECESS INTO CLOSED SESSION- 6:30 p.m.

The Board recessed into closed session at 6:35 p.m.

4. CLOSED SESSION ITEMS

a. Public Employee Discipline / Dismissal / Release / Hiring; Government Code Section 54957

b. Conference with Legal Counsel - Anticipated Litigation - 1 case

c. Conference with Real Property Negotiator - Property: Government Code Section 54956.8

5. RECONVENE TO OPEN SESSION / PLEDGE OF ALLEGIANCE 7:00 p.m.

The Board reconvened to open session at 7:10 p.m. President Mack-Rose said that Trustee Sullivan arrived at 6:38 p.m. and that Trustee Carey was absent.

a. REPORT ON CLOSED SESSION ACTION

President Mack-Rose said that the Board had been in closed session where no reportable action was taken.

b. APPROVAL OF AGENDA *(V)*

Motion made by: Mike Katz-Lacabe
Seconded by: Diana Prola

Votes
Unanimously Approved

c. LEGAL STATEMENT

6. PUBLIC TESTIMONY ON NON-AGENDA ITEMS - 7:00-7:05 p.m.

There were no public comments on non-agenda items.

At this time, Trustee Mack-Rose said that she needed to leave the meeting at 8:30 p.m. and would be turning the meeting over to Vice President Almonte at that time.

7. PRESENTATION - 7:05-7:30 p.m.

a. San Leandro High School Swim Center and Fields Status Report

Assistant Superintendent of Business and Operations, Song Chin-Bendib, Mike Murphy, Director of Bond Projects, Kurt Weidmann, Consultant with Harris and Associates, and Kevin MacQuarrie, WLC Architects, provided the board with information related to the San Leandro High School Swim Center and Fields projects. The presentation included:

- Chronology and clarification of the issues (including change of project scope and missed timelines
- Input from the Steering Committee regarding scaling back project design
- Identification of modifications and adjustments to the project in order to meet budget requirements including: what remains part of the project, what has been deleted, what has been included in the bid documents as core program vs. add alternates and the impact of all modifications and adjustments on the overall project and timeline
- Outstanding Issues, including budget shortfall of $2.7M

It was very clear that the Board was frustrated and angry about what had transpired. With regards to the presentation, Trustees James and Mack-Rose posed a question to WLC Architects on whether or not the design presented to the Board on September 7 and subsequently at three public meetings was going to be a $7.5M design, to which the WLC responded, "It was never going to be a $7.5M project at that point." Trustee Prola followed up by trying to understand why someone would design something that didn't fit the budget.

Trustee Mack-Rose asked for an explanation on why there was a delay in submitting the schematic design to DSA to December 12 from the time the Board was told on September 20 that the design would be submitted on October 20, adding that the

Board should have been made aware of the delay and the impact to the budget.

Additional comments and questions raised focused on the unfunded facility needs that have been identified/developed since July 19, 2011, and options for re-prioritization of the July 9, 2011, list.

The presentation was followed by a Board session designed to allow the Board sufficient time to hear the public and discuss the issues related to the project and the information presented. Staff is seeking direction from the Board regarding the scope of project, addressing the $2.7M shortfall, and next steps.

8. CONFERENCE ITEM - 7:30-8:30 p.m.

a. Approval of Conference Items

9. Conference Item - Facilities and Construction

a. San Leandro High School Swim Center and Fields Project *(D) (V)*
PUBLIC COMMENT

Al Frates, Rich Fishbaugh, Richard Ellison, Martin Capron, Pauline Cutter, Jeff Engler, Jerome Manos, Jerry Engler, and Brad Bowers addressed the Board regarding the $2.7M budget shortfall for the San Leandro High School Swim Center and Fields project as designed. Speakers shared their disappointment and frustration regarding the lack of communication between the District and architects. They offered alternate solutions and urged the Board to use their imagination, look at other areas to scale back and keep their promise to the community and do what is best for the students.

Responding to the frustration felt by the public speakers, Trustee Sullivan expressed that the District relied on things going a certain way. "We could've made the calls", adding that the District is feeling the pain as well, questioning how something like this could have happened, and "how we can make this work for the kids while keeping our promises to the community."

The Board reviewed and discussed the information shared by staff, and some difficult choices regarding the scope of the project particularly related to the size of the pool (30 meter pool vs. a 33 meter pool), artificial turf, decomposed granite vs. concrete, and dealing with cost escalation, etc.

At the conclusion of the discussion, the Board accepted staff's recommendation to increase the budget by $2.7M to deliver the project as designed and bid, and using the savings identified by Harris and Associates.

Before voting, the Board shared their general disposition with regards to the process, timeline, and budget shortfall of the pool and fields project at San Leandro High School:

- Trustee Prola was dismayed.
- Trustee James spoke about the lack of communication, and hoped for earlier updates for future projects. Stating, "While none of us are happy, we want to leave here knowing that we have the community's support, and we are doing the best we can."
- Trustee Katz-Lacabe commented that this is a huge improvement from what

we have now, and while it may not be "the mansion on the hill," "it is a worthwhile investment for the students and community."

- Trustee Sullivan echoed Trustee Katz-Lacabe's sentiments; however, felt that was very unfortunate that the District was put in this position - looking at something beautiful and having to scale it back down, "It's a slap in the face." She hoped the community would be forgiving of us for this error and felt terrible that we have to look in other areas to make this "scaled down" design work. However, one thing Trustee Sullivan could positively say was, "This will never happened again, because the "watchful eyes" are out there now and the ball will not be dropped again. Trustee Sullivan acknowledged and thanked WLC for the apology knowing that they would not let this happen again.
- Trustee Almonte was very upset, commenting that he was here because of the voters of San Leandro, and acknowledging that "Miscommunication occurred, leadership failed and we need to delve deeper into who dropped the ball."
- Trustee Mack-Rose commented that the community feels they are being short-changed because their expectations were set at a certain level in September 2011, their trust had been broken and WLC needs to understand that this will have a reverberating effect in the community as we move forward. She believed that we would not be here today if WLC had a better concept of the cost of what they were designing because when they were contracted they knew what the District's budget was and still went ahead and designed something that was 67% over budget and then the District was not made aware of it until 6 months after it was submitted to DSA - a huge failure on the part of WLC, adding that it was their job to walk us back to what we could afford and they failed to do that in the first place. We pay a lot of money for professional services because none of us are professional architects or construction managers. Trustee Mack-Rose made it clear that she is not willing to take it from other Measure M projects because it is not just the high school who was going to benefit from Measure M, it is about all the kids in this community. She concurred with Trustee James and hoped that, as we move forward, the community will communicate to its friends that we will have a great facility despite this set back and still needs their support.

Motion made by: Lance James
Seconded by: Carmen Sullivan

Votes

Unanimously Approved

10. ACTION ITEM - 8:30-8:40 p.m.

a. Approval of Action Items

11. Action Item - Business & Operations

a. Contracted Services Agreement with Godbe Research for Community Polling Services *(V)*

Motion made by: Lance James
Seconded by: Hermy Almonte

Votes

Unanimously Approved

12. ADDITIONAL SUGGESTIONS AND COMMENTS FROM BOARD MEMBERS-8:40 p.m.

President Mack-Rose noted that there was going to be a Special Board meeting on July 31, 2012, at the District Office.

13. ANNOUNCEMENT

a. Board of Education Meetings

- Regular Board Meeting - July 17, 201
- Regular Board Meeting - August 7, 2012
- Regular Board Meeting - August 21, 2012
- **Regular Board Meeting - September 5, 2012 (Wednesday)**
- Special Board Meeting - September 11, 2012 (District Office)
- Regular Board Meeting - September 18, 2012
- Regular Board Meeting - October 2, 2012
- Tentative Board Meeting/Work Session - October 9, 2012 (District Office)
- Regular Board Meeting - October 16, 2012
- Regular Board Meeting - November 6, 2012
- Tentative Board Meeting/Work Session - November 13, 2012
- Regular Board Meeting - December 4, 2012
- Special Board Meeting - December 11, 2012 (District Office)
- Regular Board Meeting - December 18, 2012 (if needed)
- Regular Board Meeting - January 15, 2013
- Regular Board Meeting - January 29, 2013
- Regular Board Meeting - February 5, 2013
- Tentative Board Meeting/Work Session (District Office)
- Regular Board Meeting - February 26, 2013
- Regular Board Meeting - March 5, 2013
- Special Board Meeting - March 12, 2013 (District Office)
- Regular Board Meeting - March 19, 2013
- Regular Board Meeting - April 2, 2013
- Regular Board Meeting - 16, 2013
- Regular Board Meeting - May 7, 2013
- Tentative Board Meeting/Work Session - May 14, 2013 (District Office)
- Regular Board Meeting - May 21, 2013
- Regular Board Meeting - June 4, 2013
- Regular Board Meeting - June 18, 2013
- Special Board Meeting - June 25, 2013 (District Office)

14. ADJOURNMENT*

a. Time *(V)*

The meeting was adjourned at 9:35 p.m.

Motion made by: Lance James
Seconded by: Diana Prola

Votes

Unanimously Approved

Respectfully submitted,

Carmen Sullivan, Clerk

Board Approved: 8/7/12