

**AMPHITHEATER PUBLIC SCHOOLS  
Tucson, Arizona**

**MINUTES OF SPECIAL PUBLIC MEETING OF THE GOVERNING BOARD**

**Place, Date and Time of Meeting**

Wetmore Center, 701 West Wetmore Road, November 19, 2013, 5:00 PM

**Board Members Present**

Dr. Kent Paul Barrabee, Vice President  
Julie Cozad, Member  
Deanna Day, Member  
Jo Grant, Member

**Board Members Absent**

Susan Zibrat, President

**Central Administrators Present**

Patrick Nelson, Superintendent  
Todd A. Jaeger, J.D., Associate to Superintendent and General Counsel  
Monica Nelson, Associate Superintendent  
Scott Little, Chief Financial Officer

**OPENING OF MEETING**

**Call to Order and Signing of Visitors' Register**

Dr. Barrabee called the meeting to order at 5:01 PM and invited members of the audience to sign the visitors' register.

**Pledge of Allegiance**

Mrs. Nelson led the Pledge of Allegiance.

**Announcement of Date and Place of Next Regular Governing Board Meeting:**

Dr. Barrabee announced the next regular meeting of the Governing Board: Tuesday, December 10, 2013, 5:00 PM, at the Wetmore Center, 701 W. Wetmore Road.

**PUBLIC COMMENT**

There were no public comments.

**1. CONSENT AGENDA**

Dr. Barrabee asked if there were Board member requests to have items addressed separately; there were none. A motion was made by Mrs. Cozad to approve the Consent Agenda items A-E, as presented. The motion was seconded by Mrs. Grant, and it passed unanimously, 4-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

**A. Approval of Minutes**

The Minutes of the October 8, 2013 and October 22, 2013, Executive Session meetings were approved, as submitted.

**B. Approval of Vouchers Totaling and Not Exceeding Approximately \$815,234.56 (Final Total)**

The Governing Board approved the following vouchers for goods and services as presented and payments authorized:

Vo. 754    \$ 207,181.23    Vo. 755    \$ 87,141.35    Vo. 756    \$ 520,911.98

### **C. Approval of Out of State Travel**

Out of state travel was approved for staff (source of funding indicated) from: from Ironwood Ridge High School to attend the National Athletic Directors Conference in Anaheim, California, December 13-16, 2013 (auxiliary and site M&O funds designated for staff development); from the District Offices to attend the EnergySmart 2014 Conference in Philadelphia, Pennsylvania, March 25-28, 2014 (site M&O funds designated for staff development); Governing Board to attend the 74<sup>th</sup> Annual National School Boards Association (NSBA) Conference in New Orleans, Louisiana, April 3-8, 2014 (M&O funds designated for staff development); from the District Offices to attend the 74<sup>th</sup> Annual National School Boards Association (NSBA) Conference in New Orleans, Louisiana, April 3-8, 2014 (Site M&O funds designated for staff development).

### **D. Approval of Disposal of Surplus Telephonic Equipment**

Board Book information: *Article 11 of the Arizona Administrative Code Section R7-2-1131, Material Management and Disposition, requires outdated learning materials and surplus materials regardless of value to be offered for sale through competitive sealed bids, public auction, established markets, trade-in, posted prices or through State Surplus Property. The Warehouse is accumulating surplus phone system equipment from each school site as their phone systems are upgraded.*

*With Governing Board approval, the District will attempt to dispose of the surplus phone equipment through competitive auction. If the District is unable to sell the equipment through competitive auction then the equipment will be sold for recycling materials through the districts contracted recycler.*

The Governing Board approved the disposal of surplus phone equipment via either competitive auction or the District's contracted recycler, *Vintage Tech LLC*.

### **E. Authorization to Issue Requests for Qualifications (RFQ) for Construction Manager at Risk Services Donaldson and Mesa Verde Elementary Schools**

Board Book information: *School District Governing Boards in accordance with Arizona Administrative Code Rule R7-2-1116, are required to make a written determination that the use of the Construction Manager at Risk (CM at Risk) alternative project delivery method is in the best interest of the District. This determination has been made based on the consideration of the seven factors identified in A.A.C. R7-2-1116(B)(2) as listed below:*

- *Cost Control – The involvement of a Construction Management Team in the development of the project design will be extremely valuable in assisting the District to know the status of the project budget as the design is fully developed. Making decisions based on the budget as the project progresses will prove to be a benefit.*
- *Schedule – It is important for the educational programs within the two schools to have additional and/ or renovated space and, it is critical for the Bond Program that these projects move forward. This process will allow construction to move forward without concern for re-design due to budget overruns and unexpected problems in the bidding process.*
- *Market Conditions – Due to the decline in the construction industry overall, with many subcontractors either leaving the industry or operating with skeleton crews, it is critical for our General Contractors to work with subcontractors who have been pre-qualified as to their ability to do the work and to have the financial resources available to maintain their equipment.*
- *Project Management – Amphitheater has assembled a team tasked with Bond Project Management. This team is composed of members with extensive background in commercial contracts as well as school construction. The addition of an Architect and a General Contractor to the Management Teams will complete the skills needed to manage these two projects.*

- *Specialized Expertise – It is important that the Donaldson and Mesa Verde Schools Management Team contain members with unique talents, one of which is scheduling. If the project is to minimize the impact to each school during construction, optimum scheduling is required.*
- *Technical Complexity – The skills required to complete a construction project and provide the financial consultation necessary to meet budget & design requirements is unique to only a certain number of General Contractors and Construction Managers. This process clearly provides the district with General Contractors and Construction Managers who possess these higher level skills.*
- *Value Engineering – Allowing General Contractors to work with Architects and Management Team Members prior to breaking ground to determine scheduling, system components, (fire safety, HVAC, security, etc. roofing, wall and framing requirements, etc.) will maximize the value of each dollar spent. A major goal of the Construction Manager at Risk process is to generate alternatives through the use of creative thinking to complete the work required at the lowest life-cycle cost without sacrificing safety, quality, and/or environmental attributes of the project.*

The Governing Board approved the use of the Construction Manager at Risk (CM@Risk) alternative project delivery method and authorized its use for the work required at Donaldson and Mesa Verde Elementary Schools

## **2. EXECUTIVE SESSION**

### **A. Motion to Recess Open Meeting and Hold an Executive Session for:**

1. Determination of Whether to Hold an Expulsion Hearing and Designate a Hearing Officer to Hear Evidence, Prepare a Record and Bring a Recommendation to the Board, Pursuant to A.R.S. §15-843(F)(2), Regarding: # a. Student # 30000090; b. Student # 30042805; c. Student # 30045885; d. Student # 30048114; e. Student # 30023086; f. Student # 30018340; g. Student # 30032916; h. Student # 30047658; i. Student # 30030561; and, j. Student # 30048311.
2. Consideration and Decision Upon Expulsion Hearing Officer's Recommendation, Pursuant to A.R.S. §15-843(F)(2), Regarding: a. Student # 30003924; b. Student # 30026347; c. Student # 30036742; d. Student # 30035129; e. student # 11705929; f. Student # 30036366; g. Student # 30020809; h. Student # 30037695; i. student # 30044662; j. Student # 30032018; k. Student # 30010425; l. Student # 30020315; m. Student #30018771; and, n. Student # 30028119.
3. Consideration and Determination of Appeal of Long-term Suspension Hearing Officer's Decision, Pursuant to A.R.S. §15-843(A); Determination of Whether to Hold an Expulsion Hearing and Designate a Hearing Officer to Hear Evidence, Prepare a Record and Bring a Recommendation to the Board, Pursuant to A.R.S. §15-843(F)(2), Regarding: a. Student #30006880; b. Student #30018709; and, c. Student #30041208.
4. Consideration and Determination of Appeal of Long-term Suspension Hearing Officer's Decision, Pursuant to A.R.S. §15-843(A), Regarding: a. Student #30034333.

A motion was made by Ms. Day that the Board recess into Executive Session pursuant to A.R.S. §15-843 (F)(2) and A.R.S. §15-843(A), as presented. Mrs. Cozad seconded the motion and it passed unanimously, 4-0. Dr. Barrabee called a recess at 5:03 PM for the purpose of holding Executive Session for student disciplinary action.

### **B. Motion to Close Executive Session and Reconvene Open Meeting**

Upon return to the Board Room, Mrs. Grant moved to reconvene the meeting into open session. Ms. Day seconded the motion and it passed, unanimously, 4-0. The time was 8:02 PM. Dr. Barrabee declared the meeting in open session.

**BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

There were no Board Members requests.

**PUBLIC COMMENT**

There were no public comments.

**ADJOURNMENT**

A motion was made by Mrs. Cozad and seconded by Mrs. Grant, and passed unanimously, 4-0, that the meeting be adjourned. Dr. Barrabee declared the meeting adjourned at 8:03 PM.

\_\_\_\_\_  
Respectfully submitted,  
Margaret Harris

\_\_\_\_\_  
Mrs. Susan Zibrat, President

\_\_\_\_\_  
12-10-13  
Date

Approved: 12.10.13