

**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, February 19, 2013, 4:30 p.m.

**Board Members Present**

Mrs. Susan Zibrat, President (arrived at 5:30 p.m.)  
Dr. Kent Paul Barrabee, Vice President (arrived at 5:30 p.m.)  
Ms. Julie Cozad, Member  
Ms. Deanna Day, Member  
Mrs. Jo Grant, Member

**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**

Ms. Day called the meeting to order at 4:30 p.m.

**1. EXECUTIVE SESSION**

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

1. Discussion or Consultation with Legal Counsel to Obtain Legal Advice Regarding Student Discipline, Pursuant to A.R.S. §38-431.03(A)(3).

A motion was made by Ms. Day that the Board recess into Executive Session pursuant to A.R.S. §15-843(A)(3), as presented. Mrs. Grant seconded the motion and it passed unanimously, 3-0. Ms. Day announced a recess at 4:32 p.m. for the purpose of holding Executive Session for private consultation with legal counsel.

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

Upon return to the Board Room, Ms. Day moved to reconvene the meeting into open session. Dr. Barrabee seconded the motion and it passed, unanimously, 5-0. The time was 5:33p.m. Mrs. Zibrat declared the meeting in open session.

**OPENING OF MEETING**

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

Mrs. Zibrat called the meeting to order at 5:33 p.m. and invited members of the audience to sign the visitors' register.

**Pledge of Allegiance**

Mr. Nelson led the Pledge of Allegiance.

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

Mrs. Zibrat announced the next regular meeting of the Governing Board: Tuesday, March 5, 2013, 6:30 p.m., at the Wetmore Center, 701 W. Wetmore Road. [Note: the start time for the March 5, 2013 meeting has been changed to 6:00 p.m.]

**PUBLIC COMMENT**

There were no public comments.

## 1. **CONSENT AGENDA**

Mrs. Zibrat asked if there were Board member requests to have any items addressed separately; there were none. A motion was made by Mrs. Cozad to approve consent agenda items A-P. The motion was seconded by Ms. Day and passed unanimously, 5-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

### **A. Approval of Minutes of Previous Meeting**

The minutes of the February 5, 2013 Regular Governing Board and Executive Session meetings were approved, as submitted.

### **B. Appointment of Personnel**

Certified and classified personnel were appointed, as listed in Exhibit 1.

### **C. Personnel Changes**

Certified and classified personnel were appointed, as listed in Exhibit 2.

### **D. Leave(s) of Absence**

Leaves of Absence requests were approved for certified and classified personnel, as listed in Exhibit 3.

### **E. Addendum to Separation(s) and Termination(s)**

Certified and classified personnel separations were approved, as listed in Exhibit 4.

### **B. Approval of Vouchers Totaling and Not Exceeding Approximately \$1,275,055.17 (Final Total)**

The following vouchers were approved as presented and payment authorized:

Vo. 584	\$259,217.28	Vo. 585	\$444,101.43	Vo. 586	\$ 82,830.30	Vo. 587	\$156,719.89
Vo. 588	\$113,600.77	Vo. 589	\$218,585.50				

### **G. Receipt of Monthly Status Report for the Fiscal Year 2012-2013**

A summary of comparative totals as of December 2011 is as follows:

Budget Capacity .....	\$82,500,000.00	Expenditures & Encumbrances .....	\$ 82,500,000.00
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Totals' Comparisons:

Expenditures as of 1/31/12 .....	\$39,893,340.37	M & O Budget Capacity for 2011-2012.....	\$81,843,474.00
Expenditures as of 1/31/13 .....	\$42,351,974.74	M & O Budget Capacity for 2012-2013...	\$82,500,000.00

Bond Balance Outstanding: \$83,035,000.00

Tax Rates: Primary – 4.3424; Secondary – 1.6517

### **H. Receipt of November 2012 Report on School Auxiliary and Club Balances**

Board book information: *Arizona Revised Statutes §§15-1121 and 15-1125 provide for the operation of Student Activity and Auxiliary Operations funds respectively. The Uniform System of Financial Records for Arizona School Districts (USFR) outlines procedures to be followed by school districts in the disbursements of monies from either of these funds. One requirement for the operational compliance is to provide a report to the Governing Board summarizing the transactions for the month.*

The Governing Board approved the Monthly Report on School Auxiliary and Club Balances for month-end November, 2012, as submitted. (Exhibit 6, pp. 1-8)

### **I. Approval of Parent Support Organization(s) for 2012-2013**

The Governing Board approved the following Parent Support Organization applications pursuant to District Policy KBE-R from: *IRHS Baseball Booster Club.*

### **J. Out of State Travel**

Out of state travel was approved for students and staff (source of funding indicated): from Harelson to take 152 students from 6<sup>th</sup> grade to Project Exploration in San Diego, CA February 18-20, 2013 (auxiliary and tax credits); from Canyon del Oro High School to take 40 students from the Canyon Singers and Jazz Band to participate in a

National Show Choir and Jazz Band Competition in Anaheim, CA April 5-7, 2013 (auxiliary, tax credit and student activity funds); from Coronado K-8 to take 50 students from Orchestra and Band to participate in a competition and festival in Anaheim, CA, May 3-5, 2013 (auxiliary, tax credit and student activity funds).

Out of state travel was approved for staff (source of funding indicated) from District Offices to attend the Teachers of English to Speakers of Other Languages (TESOL) Conference in Dallas, TX, March 20-23, 2013 (federal funds designated for staff development).

Travel was previously approved at the December 4, 2012 board meeting for Cross Middle School to take students from the science department, February 26-March 2, 2013, chaperones have changed; at the January 8, 2013 from Ironwood Ridge High School to take 15 students from DECA, February 7-11, dates have changed to May 1-5 and chaperones have changed.

Travel was previously approved at the February 5, 2013 meeting for staff from Walker Elementary School to attend the AVID Institute March 12-15, 2013; cost of travel has increased.

#### **K. Approval of Grant(s)**

The Governing Board approved the Arizona Game and Fish Department Heritage Fund Outdoor Education grant in the amount of \$700 on behalf of Amphitheater High School to be used towards the cost of transportation and substitutes for the students to attend two programs by the Pima County National Resources Parks and Recreation Department at Agua Caliente Park.

#### **L. Approval of Request for Waiver(s) of Graduation Requirement**

Board book information: *Periodically students in our high schools request waivers from the District Physical Education requirement based on reasons such as medical documentation. In such cases, students are required to replace the credits with other course work. Letters from the parent and the doctor are attached.*

The Governing Board approved the waiver of 1.5 credits of physical education with required replacement course work credit for necessary for graduation for Student # 30037855 from Canyon del Oro High School.

#### **M. Approval of Textbook(s) for Adoption**

The Governing Board approved the following textbook, which has been on display to the public for sixty days in accordance with Section 15-721 of the Arizona Revised Statutes. TEXTBOOK: **Standard Level Chemistry**, Publisher: Pearson Education Limited, Author: Catrin Brown, Mike Ford.

#### **N. Approval of Textbook(s) for Display**

The Governing Board approved to have the following list of textbooks placed on display effective February 19, 2013 for a period of sixty days prior to official adoption, this, in accordance with Section 15-721 of the Arizona Revised Statutes (Exhibit 7, p. 1)

#### **O. Award of Contract for Substitute Placement Automated Services Based on Responses to Request for Proposal (RFP) 12-0030**

Board book information: *The Human Resources Department is responsible for providing substitute personnel when required for both certified and classified staff persons. Automated systems are available that allow employees to report their absence, to assign a pre-qualified substitute, and provide special instructions as needed. Substitutes are notified either on line, by email and/or by telephone. System access is controlled by Human Resources utilizing a user ID and a PIN Number.*

*Eight vendors registered with the Purchasing Department and were mailed the RFP 12-0030. Three vendors responded: Automated Substitute Placement & Absence Management, eSchool Solutions and CRS Advanced Technology. A Human Resources evaluation team led by John Hastings the Department Manager ranked each vendor as per their response to the RFP.*

The Governing Board approves the award of contract for substitute placement automated services to *CRS Advanced Technology* based on their response to RFP 12-0030.

**P. Approval of Bond Related Projects**

**1. Award of Contract for New Construction & Site Improvements to Amphitheater High School Based on Responses to Request for Bid (RFB) 12-0050**

Board book information: *Request for Bid (RFB) 12-0050 was mailed to five general contractors prequalified by the Governing Board on January 8, 2013. The scope of work as identified in the 2006 Blue Ribbon Budget Analysis and Facility Needs Committee Summary & Recommendations includes: restroom upgrades for ADA compliance, 500 Wing and Athletic Facilities renovations. The five approved general contractors were: Diversified Design & Construction, Lloyd Construction Company, Core Construction, D.L. Withers Company and W.E. O'Neil. Listed below is each general contractor's net bid price less tax.*

General Contractor	Net Bid Price Less Tax
D.L. Withers	\$3,001,945.00
W. E. O'Neil	\$3,094,149.00
Lloyd	\$3,356,648.00
Core Construction	\$3,522,036.00
Diversified	No Bid

The Governing Board approved the award of contract for new construction and site improvements at Amphitheater High School to *D.L. Withers Construction Company* based on their response to RFB 12-0050.

**2. Award of Contract for Library Improvements at Nash Elementary School Based on Responses to Request for Bid (RFB) 12-0053**

Board book information: *Request for Bid (RFB) 12-0053 was mailed to general contractors registered with the Purchasing Department. The scope of work includes: air mechanical, electrical, lighting, and furnishings to expand and modernize the Nash Elementary School Library. Eleven general contractors responded to this request for bid. Three responses were deemed to be non-responses. Two contractors failed to complete the bid price template and one failed to provide a stamped bid bond. With Governing Board approval the Administration will accept the Net Base Bid plus Alternates 1 & 2 to include window and carpet replacement. Listed below is each general contractor's net bid price less tax.*

General Contractor	Net Based Bid Less Tax	Net Base Bid Less Tax Plus Alternate 1	Net Base Bid Less Tax Plus Alternates 1 & 2
Kapp-Con	\$316,037.00	\$321,030.00	\$332,614.00
Silver Sage Builders	\$321,724.00	\$333,736.00	\$336,675.00
Division II Construction	\$325,268.00	\$328,306.00	\$339,628.00
4L Construction	\$328,654.00	\$332,269.00	\$347,064.00
Building Excellence LLC	\$342,360.00	\$346,503.00	\$358,780.00
United Builders, LLC	\$353,384.00	\$355,098.00	\$366,972.00
Durazo Construction	\$354,181.00	\$357,411.00	\$370,211.00
Rio West	\$380,584.00	\$383,684.00	\$396,519.00

The Governing Board approved the award of contract for the library improvements at Nash Elementary School to *Kapp-Con* based on their response to RFB 12-0053.

**3. Approval of a Guaranteed Maximum Price (GMP) for Holaway Elementary School**

- **Build 8 classroom complex to replace aging portables**
- **Modernize and add restrooms to ensure ADA compliance**
- **New inner campus security fencing**
- **Remodel kitchen**
- **Complete campus re-cabling**

Board book information: *District administration presents to the Governing Board a Guaranteed Maximum Price (GMP) from Diversified Design and Construction, Inc. for the Holaway Elementary School Bond-related project detailed above in the amount of \$4,376,939.00.*

The Governing Board approved the GMP to *Diversified Design and Construction, Inc.* for the Holaway Elementary School bond-related project in the amount of \$4,376,939., as submitted.

### **3. 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 # 30032923; b. Student # 30045264; c. Student # 30044554; d. Student # 11507109; e. Student # 30021292; f. Student # 30031906; and g. Student # 30044255.
2. Consideration and Decision Upon Expulsion Hearing Officer's Recommendation, Pursuant to A.R.S. §15-843(F)(2), Regarding: a. Student # 30037873; b. Student # 30014962; c. Student # 30045178; d. Student # 30042017; e. Student # 30006750; f. Student # 30045702; g. Student # 30036491; and h. Student # 30045478.
3. Consideration and Determination of Appeal of Long-term Suspension Hearing Officer's Decision, Pursuant to A.R.S. §15-843(A); Regarding: a. Student # 30025953.
4. Discussion and Consultation with Representatives of the Governing Board In Order to Consider Its Position and Instruct Its Representatives in the Meet and Confer Process Pertaining to Compensation and Benefits for Certificated, Professional Non-Teaching, Support and Administrative Staff for the 2013-2014 Fiscal Year Pursuant to A.R.S. §38-431.03(A)(5).

A motion was made by Ms. Day that the Board recess into Executive Session pursuant to A.R.S. §15-843(A) and (F)(2) and A.R.S. §38-431.03(A)(5), as presented. Mrs. Grant seconded the motion and it passed unanimously, 5-0. Mrs. Zibrat called a recess at 5:35 p.m. for the purpose of holding Executive Session for student disciplinary action and legal counsel.

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

Upon return to the Board Room, Ms. Day moved to reconvene the meeting into open session. Mrs. Cozad seconded the motion and it passed, unanimously, 5-0. The time was 8:07 p.m. Mrs. Zibrat 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. Grant, seconded by Ms. Day, and passed unanimously, 5-0 that the meeting be adjourned. Mrs. Zibrat declared the meeting adjourned at 8:08 p.m.

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Respectfully submitted,  
Margaret Harris

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Mrs. Susan Zibrat, President

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Date