

SAN LEANDRO UNIFIED SCHOOL DISTRICT
SAN LEANDRO, CALIFORNIA
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SPECIAL MEETING OF THE BOARD OF EDUCATION - MINUTES

November 6, 2008

The Board of Education of the San Leandro Unified School District met in special session on November 6, 2008, in the San Leandro Unified School District Office Conference Room 1, 14735 Juniper Street, San Leandro, California.

The meeting was called to order at 6:00 p.m. by President Davis.

BOARD MEMBERS PRESENT

Mr. Stephen Cassidy
Mr. Mike Katz-Lacabe
Ms. Linda Perry
Mr. T.W. "Rick" Richards
Mrs. Pauline Cutter, Clerk
Mrs. Lisa Hague, Vice President
Mr. Ray Davis, President

DISTRICT STAFF PRESENT

Christine Lim, Superintendent
Song Chin-Bendib, Assistant Superintendent
Cindy Cathey, Assistant Superintendent
Michael Potmesil, Assistant Superintendent
Linda Pollard, Administrative Assistant

APPROVAL OF AGENDA

On a motion made by Mr. Richards and seconded by Ms. Perry, the Board approved the agenda for the special meeting of November 6, 2008, by a 7-0 vote.

PUBLIC TESTIMONY ON NON-AGENDA ITEMS

- Mark Hamilton asked for clarification on the procedures following the closed session. It was explained that the Board would be recessing to closed session, following the open session, and that any action taken in closed session, would be reported out when the Board reconvened to open session.

CONSENT ITEMS

Ms. Perry requested that Consent Item 5.2-C be pulled for language clarification, and Mr. Katz asked that 5.1-C be pulled.

Educational Services

3.1-C Non-Public School Contract

Facilities and Construction

5.3-C Amendment #1 to Vista Environmental Consulting Contract to Provide Hazardous Materials Assessment, Remediation Design, and Remediation Oversight Services for the Bancroft Middle School Roof and Heat Replacement Project, Garfield Restroom Renovation and Monroe Restroom Renovation Projects.

5.4-C Chapot Construction Change Order #3 for the McKinley and Washington Elementary Schools Restroom Renovation Project

On a motion made by Mr. Richards and seconded by Ms. Perry, the Board approved the remaining consent items by a 7-0 vote.

Facilities and Construction

5.1-C Construction Contract with Jeff Luchetti Construction for the 9th Grade Campus, Bid Package #08-06

President Davis distributed updated clarifying language with regards to staff's recommendation.

Concerns and questions raised by Mr. Katz and Mr. Cassidy included why the bids received were well under the initial construction budget, how it was determined if a bidder was responsible and responsive, and any additional background information regarding the recommended contractor.

Staff explained that the time of year when the bid process was conducted, and the economy may have played a role in why the bids came in under the initial estimate. Staff also verified that Jeff Luchetti Construction had met all the criteria required by law, had a valid and appropriate contractor's license and bonding capacity, and therefore was considered a responsible bidder. In addition it was noted that while it was not required by law, calls made to references came back

favorable.

On a motion made by Mr. Katz and seconded by Mr. Cassidy, the Board approved the construction contract with Jeff Luchetti Construction, the lowest responsive and responsible bidder for the 9th Grade Campus, Bid Package #08-06 of \$21,258,000 and authorize 10% contingency of \$2,125,800 for a total not to exceed amount of \$23,383,000 by a 7-0 vote.

5.2-C Contract for Division of the State Architect (DSA) Inspector of Record (IOR) Inspection Services, with Shelly Coleman for the 9th Grade Campus Construction Project

Ms. Perry requested that “*semi-monthly*” be struck from the sentence “The Consultant shall assist the Construction Manager in the preparation of ~~semi-monthly~~ progress reports to the District Board of Education” on page 3 under #2, Consultant Responsibilities for Clerical Duties of the contract. She noted that the Facilities & Technology Committee felt that there needed to be more flexibility, as there may be a need to provide reports more often due to the timing/progress of the project.

On a motion made by Ms. Perry and seconded by Mrs. Cutter, the Board approved the contract for Division of the State Architect (DSA) Inspector of Record (IOR) Inspection Services, with *Shelly Coleman* for the 9th Grade Campus Construction Project with following amended language, “*The Consultant shall assist the Construction Manager in the preparation of progress reports to the District Board of Education*”, by a 7-0 vote.

RECESS INTO CLOSED SESSION

PUBLIC COMMENTS

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

CLOSED SESSION

At 6:18 p.m. the Board went into Closed Session regarding Public Employee Performance Evaluation, Title: Superintendent’s Evaluation, Public Employee Discipline/Dismissal/Release/Hiring, Conference with Labor Negotiator, Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation, Conference with Real Property Negotiator – Property (ies), and Conference with Legal Counsel – Existing litigation pursuant to Government Code Sections 54957, 54956.6, 54956.9(b), 54956.8, and 54956.9.

The Board returned to open session at 7:20 p.m. President Davis noted that the Board had been in closed session and that no action was taken.

BOARD MEMBER COMMENTS

None

ADJOURNMENT

On a motion made by Mr. Richards seconded by Ms. Perry, the Board adjourned the meeting at 7:20 p.m. by a 5-2 vote; Trustees Cassidy and Katz voting no.

Respectfully submitted,

Pauline Cutter, Clerk