

Board Special Meeting Operations Committee

August 22, 2018, 4:30pm

Board Office Conference Room, John Stanford Center
2445 – 3rd Avenue South, Seattle WA 98134



Minutes

Call to order: Director Eden Mack called the meeting to order at 4:33 p.m. Director Betty Patu was unable to attend. Directors Jill Geary, Scott Pinkham and Leslie Harris also were in attendance. Director Pinkham arrived at 5 p.m. due to traffic delay. Director Harris arrived at 5:05 p.m. Associate Superintendent Flip Herndon and Assistant Superintendent Pegi McEvoy staffed the meeting.

The agenda for the operations committee was approved, with a motion by Director Geary. Approval of minutes from the June 7, 2018, Operations Committee meeting was delayed until Director Pinkham arrived.

Monthly capital financial report: Melissa Coan, Capital Projects Financial Controller, reviewed all financial activities through June 30, 2018 and ending balances for each of the funds. The large increase in revenue was accounted for by the timing of levy collection funds – which are greatest in the spring. Coan reported that the financial numbers were as expected and there were no variances. There were no further questions from the committee.

2018 committee work plan: Director Mack reviewed the Committee Work Plan and noted scheduling adjustments.

- Director Mack questioned the Committee Work Plan, showing action on Policy 3231, regarding student records, as scheduled for the Aug. 22, 2018 meeting. Associate Superintendent Herndon will follow up on the status of this item and learn if it can go before the Operations committee on Sept. 6 or Oct. 4. He suggested that it might be a typo and may refer to policy is 3208.
- Introduction of Facilities Master Plan is scheduled for Sept. 6, 2018. Director Mack would like it presented in draft form during Sept. 6, 2018 Operations Committee meeting and presented for approval in October. Best reminded the committee that a facilities transition plan was recommended by the Facilities Master Plan Task Force (FMPTF) and needs to be completed before the Facilities Master Plan can be finalized. Capital Projects and Planning needs the agreed upon list of projects from the Board to develop the transition plan.
- Growth boundaries remained on the Committee Work Plan, and Board final decisions on proposed revisions are due December 2018 or January 2019. Director Mack requested the status of the plans. Assoc. Superintendent Herndon reported that there are no final dates for community meetings at this time, however those meetings typically occur in October. He expects to provide specific plans at the Sept. 6 Operations Committee meeting as he is still receiving feedback from principals. The item remained on the Aug. 22, 2018 agenda for a quick review. The item will be added to the Sept. 6, 2018 agenda as a Special Attention Item.
- Director Mack introduced the Capital Projects Work Plan as a tool to support the planning of Operations Committee meetings going forward, by raising the committee's awareness of the phases of distinct projects and when items will be due to the Board. Best will update the Work Plan for review at the Sept. 6, 2018, Operations Committee meeting. Director Geary requested clarification between this Work Plan and the BEX schedule. Best explained that the Capital

Projects Operations work plan highlights when BARs are coming to the Operations Committee. Director Mack suggested renaming it the BAR Management Work Plan. Director Geary raised concern that the document doesn't indicate the significant time needed to review some items and requested a way to highlight the more time-consuming items so that appropriate time is allocated for discussion. Best agreed.

- Discussion of policies 6900, 6901 and H13.00, three interrelated policies regarding capacity management, was scheduled for the January meeting of the Operations Committee.
- Director Mack referred to the back of the meeting agenda, where the scheduled public meetings have been included to make the public aware of upcoming meetings.
- A discussion of landmarking schools was added to the Committee Work Plan for the Oct. 4, 2018 meeting.

Update on upcoming capital and operations community engagement:

Director Mack requested that this presentation be delivered during the BEX V Work Session

Capital change order review: Best reported that he met with Director Geary three times since the June Operations Committee meeting to review design contract modifications and construction change orders, including: June 25, 2018, reviewing seven design contract modifications/construction change orders totaling \$945,568.50; July 26, 2018, reviewing four construction change orders totaling \$647,681.00 and August 17, 2018, reviewing five design contract modifications/construction change orders totaling \$476,298.50. Director Mack questioned if there were any concerns with the changes. Director Geary spoke to the value and importance of ongoing conversations about changes. Further, she noted she would prefer to see greater consistency in the documentation across projects, so there is a better record of projects and records are easier to understand. Director Mack suggested a regular check in on contingency funds at the Operation Committee meetings. Director Geary indicated that Coan would be able to provide that information.

BEX IV: Wing Luke Elementary School Replacement Project Phase II: Constructability Review

Report and Implementation: Best explained that this report is required by OSPI's Form D-9. He clarified that third party review of the construction documents assists architects and engineers to help them understand what is not being clearly communicated and what might not be fully coordinated. The hope is that this effort will create greater clarity in the contract documents. Mack asked if any concerns came up in report. Best noted the report was typical and did not express concerns with the documents. Director Geary moved to put the item forward for Board Approval. The motion passed unanimously. (Mack and Geary)

Recommendation to award contracts for furniture procurement 2019-20, Bid. No. B05866: Best reminded the committee that the furniture contracts for elementary schools were approved in the spring 2018 for a three-year contract. This new furniture contract is for secondary schools and office space. He noted that two high schools will be opening summer of 2019, Lincoln HS and Ingraham. An initial bid for this contract also went out in the spring. At that time, bidders expressed contract concerns and only one bid was received who later withdrew. The RFP was revised to a two-year contract and was reissued during the summer. Director Mack asked if numbers are based on what is needed. Best confirmed that the estimate was based upon the need of the two schools and a trend analysis of what other secondary schools have purchased in the past. Director Geary raised the issue of the consistency of appearance of a school's furniture. Best said this will be achieved with this contract. Director Geary moved this item forward for board approval and the motion passed unanimously. (Mack and Geary)

At this time in the meeting, Director Pinkham arrived. The committee paused to review the minutes from the June 7, 2018 meeting. Director Mack moved to approve the minutes, and Director Pinkham seconded. The minutes were approved. (Pinkham and Mack. Geary abstained)

Director Pinkham raised question about a landmark conflict concerning Wing Luke Elementary (BEX IV: Wing Luke Elementary School Replacement Project Phase II: Constructability Review Report and Implementation). Best replied that the matter is not related to the BAR. Best further clarified that once the city approves demolition of a building, the question of landmarking is resolved. Director Mack asked how many hours are staff working on landmark requests and if more staff are needed. Assoc. Superintendent Herndon is working on document that addresses this question. He will provide it at the Oct. 4 meeting as a special attention item. Best noted that Tingyu Wang oversees the landmark process for the District but that is not her sole responsibility.

Note: Director Mack called out the poor condition of the chairs at Aki Kurose. Best agreed and informed the committee that the District is beginning to collect that information about older schools.

Final acceptance for BTA III Public Works contract K5082 with Sprinturf LLC for the Athletic Field Improvements at Franklin High School: Best reported that the field was completed in the summer of 2017 and the lights for the field will be installed in fall 2018. Best and Assoc. Superintendent Herndon explained that the Board's acceptance of the documentation allows final acceptance to be completed by three agencies of the State of Washington – Labor & Industries, Employment Securities and Revenue. Director Pinkham asked for additional information about the change order for this project. Director Pinkham pursued the matter because he heard the district is due \$200k credit for fiber optics installation. Director Harris requested that Assoc. Superintendent Herndon email the answer to the full board when he gets it. Director Pinkham moved to recommended advancing this item forward for board approval, provided that additional information about the change order credit is delivered. The motion passed unanimously. (Mack, Geary and Pinkham)

Final acceptance for BTA III Public Works contract K5084 with CDK Construction Services for the Dearborn Park Mechanical Upgrade Project: Best reported that the work was completed in summer 2017 for Dearborn Park's Mechanical system. He reported a budget surplus on this project. Director Geary moved to advance this item to the full Board for approval. It was seconded by Director Pinkham and passed unanimously. (Mack, Geary and Pinkham)

Final acceptance for BTA III Public Works contract K5083 with Kassel & Associates, Inc. for the BF Day and Gatewood Elementary Seismic Improvements: Best reported that the work was completed in summer 2017. Best reviewed the cost and change orders for the project. Director Mack requested the typical range for a change order. Best explained that it varies based upon the type of project: five percent if new construction, ten percent if modernization, and 15 percent if historical landmarked structure is a good guideline. Director Geary asked why final acceptance of projects takes so long once construction is done. Best said the active construction market is one reason, plus project close-out does not produce revenue making it a lower priority for the construction firms. Director Geary asked if we can provide incentive. Best explained that liquidation damages are a possible route if it can be proven. The committee agreed that this process is not worthwhile for these projects. Director Pinkham asked if this change order was within range. Best said yes, it's at the higher end of expected for modernization. Director Pinkham would like reference in the BARs to what is appropriate level of change order. The committee requested that a footnote be added to the other final acceptances moved forward. Director Pinkham moved to approval as amended. Director Geary seconded. The motion passed unanimously. (Mack, Geary and Pinkham)

Final acceptance for BEX IV Public Works contract P5046 with Forma Construction Company for the New Thornton Creek Building: Best reported that the building was occupied in the fall of 2016, although activities did occur after move in. Best highlighted that Capital was under budget on this project. Best reported that change orders were seven percent as it was a wet winter and the District paid overtime to make sure the school opened on time. Director Mack raised a question about the naming of the

buildings citing confusion when we have a site that has a name but then is renamed. Best acknowledged the confusion but noted that the two schools, Decatur and Thornton Creek have different addresses. Best referred the matter to Tom Redman, as he is an expert at school names. Director Geary made a motion to move the BAR forward for board approval and Director Pinkham seconded. The motion passed unanimously. (Mack, Geary and Pinkham)

Final Acceptance for BEX IV for Contract P5045 with Lydig Construction, Inc. for the Hazel Wolf K-8 at Pinehurst Replacement Project: Best reported that the school opened fall 2016. The budget was exceeded through small purchases and would require a minor budget transfer from the program contingency funds for this project. Director Pinkham asked if there was fiber optics done here. Best acknowledged that fiber optic cable was installed for Hazel Wolf K-8 at Pinehurst and Thornton Creek. Bruce Skowyra replied that if the District receives funds for fiber optics, they would likely go to utility fund. Best will follow up with John Krull on this matter. Director Geary asked if a fiber optics credit will impact this final acceptance. Best said no. He clarified that final acceptance information is for the directors' and public's benefit. Director Mack asserted that a credit should be applied to specific projects and not a general fund, in the same way that grants are tracked. Best noted that Melissa Coan tracks grant dollars to make confirm that they are placed in the capital fund. Director Pinkham made a motion to advance this final acceptance for board approval. Director Geary seconded, and the motion passed unanimously. (Mack, Geary and Pinkham)

Director Harris stepped out of meeting at 5:29 p.m. and returned at 6 p.m.

The committee skipped Policy 2151, Interscholastic Activities, while Deputy General Counsel John Cerqui was out of room, and returned to it later in the meeting.

Discussion of deleting Policy H02.00 and amending Policy 6882: Director Mack expressed confusion by 6882 and H02. Director of Facilities Operations, Bruce Skowyra said H02 is the policy. The procedure was H02.01. Policy 6882 was redone in 2012 and the language came from H02 and H02.01. Skowyra indicated that, as an oversight, they were not deleted. The only change to the policy requested at this time is revising 10 years to 5 years. Director Pinkham asked if this policy impacts Memorial Stadium. Skowyra replied that it does not. Director Geary moved to advance the policy change to the full board for approval. Director Pinkham seconded, and the motion passed unanimously. (Mack, Geary and Pinkham)

Discussion of Policy 3244, Corporal Punishment: Ronald Boy, Senior Assistant to General Counsel, reminded the committee that in 2015 the District worked on restraint and isolation policies. In 2018, the Legal department discovered that Policy 3244 had a section retained from previous records which must be deleted to follow law and District practices. Director Pinkham moved to advance the policy change to the full board for approval. Director Geary seconded and the motion passed unanimously. (Mack, Geary and Pinkham)

Discussion of Policy 3208, Sexual Harassment Annual Report: Tina Meade, Student Civil Rights Compliance Officer introduced Warner Santiago, the District's new Title IV Coordinator.

Meade confirmed that this annual report was delivered to the Operations Committee in August 2017. Director Mack requested this report be added to the committee work plan. Meade proceeded with a summary of Policy 3208 and explained that the numbers of reported incidents has grown since last year's report, which is interpreted as people being more comfortable reporting. The annual report is provided to school leaders and Meade's department is working on a toolkit for school leaders.

Director Mack asked where the protocol is documented. Meade said protocol comes from a flip chart reference guide located at the schools. She referred the committee to the Policy's attachment detailing the District's relationship and cooperation with the Seattle Police Department (SPD) as per the Memorandum of Understanding (MOU).

Meade raised the Policy 3208 requirement for a task force on sexual harassment and sexual assault, which hasn't been done in years due to lack of staffing. The task force would be for one year, on odd years. Meade has not discussed this task force with Superintendent Juneau at this time. Director Geary inquired into cultural barriers that may inform the breakdown of reporting by region of the city and requested analysis on these areas to better understand the role of culture on what is reported. Director Mack requested that cultural analysis and district response times be added to the scope of the task force.

Meade requested feedback on development of task force. Director Mack said task force would be useful and should happen. Meade asked what information the committee would like to see in an annual report. Director Mack requested time to think before answering and would like task force input brought to committee.

Director Pinkham asked why the report doesn't go to the Curriculum and Instruction committee. Assoc. Superintendent Herndon replied that impacts on student life and interactions usually go through the Operations Committee.

Director Harris requested the timeframe from complaint, to investigation, to report. Meade replied that she doesn't have a clear answer at this time, due to funding and staffing issues. Director Harris referred to the Human Resources department's new Open Text reporting tool. Meade is aware of it and working with the Department of Technology Services (DOTS) to create a similar tool for schools. Director Mack requested that the task force also examine which tools might be helpful to Meade's work.

Discussion of Policy 2151, Interscholastic Activities: Deputy General Counsel John Cerqui reported that the District's membership in the WIAA and the Metro League were not incorporated in Policy 2151 and requested that the revision be approved. Cerqui also requested that the policy reference the grade waiver policy. Executive Director of Athletics Eric McCurdy, informed the committee that the District's required grade point average is 2.5, which is higher than WIAA requirement. The policy outlines the ability to waive grade policy between the District and WIAA. The District has been paying dues to the league, but this authority of the board dropped off. Director Mack requested that the grade point average issue receive more discussion at a later time. Director Harris requested a brief paragraph for the reference rather than a footnote. Director Mack confirmed that the fundamental change to the policy is the memberships and specifying that that is board policy and clarifying the conflict and process for grade point averages.

Director Geary – moved to advance the policy change to the board for consideration contingent upon the requested amendment. Director Pinkham seconded, and the motion passed unanimously. (Mack, Geary and Pinkham)

Process and timeline for community engagement and board action for 2019-20 Boundary Changes and Student Assignment Transition Plan: This matter was moved to the September 6, 2018 meeting.

Update on BEX/BTA Oversight Committee membership recruitment effort: Best reported that the call for committee members will be advertised similar to the Facilities Master Plan Task Force (FMPTF) but that the process isn't articulated in charter. Best requested help with language, advertising and bringing members before board. Director Mack required a minimum of one board member on task force

review applicants but would prefer two or three board members participate. Director Harris asked if Capital has Communications' support or will Capital Projects drive the recruitment. Superintendent Herndon explained that recruitment for this committee is a little different due to the need for industry background. In addition, he would like the committee to include people of color and women. Director Mack requested that a one-page document outlining the process and suggested timeline be developed. The document should articulate who is leading the process and what is needed from the board, and be presented at the Sept. 6, 2018, Operations Committee meeting. Best requested that the implicit bias training requested by Director Zachary DeWolf for these committees be added to the committee's charter. Harris requested that the one-pager be sent to all board directors. Director Geary reminded the committee that recruiting task force members is always a matter of outreach, particularly when working to include minority perspectives. Director Mack concluded that the committee will discuss the one-pager and consider changes to the charter at the Sept. 6, 2018 meeting.

Advisory Committee for Student Assignment, Boundaries and Capacity Management: Director Mack advised ongoing advisory committee talks. The operations committee is not prepared to decide these issues at this time.

Budget adjustment from BTA III Program Contingency to BEX IV Program Contingency: Asst. Superintendent Berge asked Richard Best to bring this issue before the Operations Committee concerning utilizing BEX IV Program Contingency in lieu of the BTA III Program Contingency for the Bagley project. Director Mack requested to discuss this matter at the Sept. 6, 2018 meeting.

Director Harris left at 6:27 p.m.

Update on waitlist movement planned prior to August 31, 2018 waitlist dissolving: Assistant Superintendent Flip Herndon will draft a memo, to be issued on Monday, Aug. 27, 2018.

The meeting adjourned at 6:29 pm.

mac & jsl