

BOARD OF EDUCATION  
SCHOOL DISTRICT NO. 1J, MULTNOMAH COUNTY, OREGON

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Purchases, Bids, Contracts

The Superintendent RECOMMENDED adoption of the following item:

Number 5082

Director Knowles moved and Director Morton seconded the motion to adopt the above numbered item. The motion was put to a voice vote and passed unanimously (yes-6, no-0; with Director Buel absent and Student Representative Jayaswal voting yes, unofficial).

## RESOLUTION No. 5082

### Expenditure Contracts that Exceed \$150,000 for Delegation of Authority

#### RECITAL

Portland Public Schools ("District") Public Contracting Rules PPS-45-0200 ("Authority to Approve District Contracts; Delegation of Authority to Superintendent") requires the Board of Education ("Board") enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

#### RESOLUTION

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into agreements in a form approved by General Counsel for the District.

#### NEW CONTRACTS

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
Cedar Mill Construction Company	5/14/2015 through 12/30/2015	Construction C 6XXXX	Window replacement at Glencoe. ITB-C 2015-1910	\$874,000	T. Magliano Fund 404 Dept. 5597 Project X0113
2KG Contractors, Inc.	5/14/2015 through 12/30/2015	Construction C 6XXXX	Roof replacement and seismic upgrade at Maplewood. ITB-C 2014-1884	Not-to-exceed \$1,500,000	C. Sylvester Fund 451 Dept. 1172 Project DC207

#### NEW INTERGOVERNMENTAL AGREEMENTS ("IGAs")

No New IGAs

#### AMENDMENTS TO EXISTING CONTRACTS

No New Amendments

Y. Awwad

### Other Matters Requiring Board Approval

The Superintendent RECOMMENDED adoption of the following items:

Numbers 5083 through 5085

During the Committee of the Whole, Director Knowles moved and Director Belisle seconded the motion to adopt Resolution No. 5083. The motion was put to a voice vote and failed (Yes-3 [Adkins, Knowles, Belisle], No-2 [Regan, Koehler], Abstain-1 [Morton]; with Director Buel absent and Student Representative Jayaswal voting yes, unofficial).

During the Committee of the Whole, Director Regan moved and Director Koehler seconded the motion to adopt Resolution No. 5084. The motion was put to a voice vote and failed (Yes-2 [Regan, Koehler], No-4 [Adkins, Knowles, Belisle, Morton]; with Director Buel absent and Student Representative Jayaswal voting yes, unofficial).

Director Knowles moved and Director Morton seconded the motion to adopt Resolution No. 5085. The motion was put to a voice vote and passed unanimously (yes-6, no-0; with Director Buel absent and Student Representative Jayaswal voting yes, unofficial).

During the Committee of the Whole, Director Koehler moved and Director Regan seconded the motion to adopt Resolution No. 5086. The motion was put to a voice vote and failed (Yes-2 [Adkins, Koehler], No-3 [Knowles, Belisle, Regan], Abstain-1 [Morton]; with Director Buel absent and Student Representative Jayaswal voting yes, unofficial).

**RESOLUTION No. 5083**  
**(FAILED)**

Authorization to enter into agreements with the City of Portland and the Native American Youth and Family Center (NAYA) for developing a Regional Early Learning Academy and Longhouse Community Center at the Foster School Site.

**RECITALS**

- A. There is a shortage of appropriate facilities to house and mentor foster children and adoptive families in the greater Portland area. Native American children in particular are overrepresented in the foster care program and are less likely to succeed if they remain in a foster setting.
- B. Intergenerational housing is a way to increase a child's success, utilizing seniors as mentors for children. This model has been extremely successful in providing a stable platform for children's growth with a community that has developed and sustained an intergenerational neighborhood for adoptive families of foster children.
- C. The Native American Youth and Family Center (NAYA) is seeking to develop this intergenerational housing model and partner with Portland Public Schools (PPS) to develop a Regional Early Learning Academy and Longhouse Community Center at the Foster School Site.
- D. One May 30, 2012, the Portland City Council authorized a memorandum of understanding (MOU) with PPS that provided for a long-term lease on a portion of the Foster School site for development of an intergenerational community by NAYA, referred to as the "Housing Tract."
- E. On October 1, 2012, the City and PPS executed an intergovernmental agreement regarding the City's commitment to provide \$500,000 in funding in exchange for leasing the Housing Tract so that the City could in turn sublease the Housing Tract to NAYA.
- F. The MOU contemplates that PPS would also enter into separate agreements with NAYA to jointly operate the existing school building and school grounds (or a replacement school and grounds) as an early childhood education center.
- G. On March 11, 2013, the Board approved resolution 4737 authorizing PPS to enter into Agreements for the Lease of the Foster Housing Tract to the City of Portland and to sublease to NAYA for intergenerational housing. In July 2013, that lease was amended to obligate NAYA to develop a Good Neighbor Agreement with the Lents Neighborhood Association.
- H. PPS and NAYA have developed a final site plan that contemplates intergenerational housing on the west half of the site and a regional early learning academy and "longhouse" community center, with new and improved public streets, based in part on input from the Lents community.
- I. NAYA has amassed the funding required to begin construction of the intergenerational housing in fall, 2015.

**RESOLUTION**

The Board hereby authorizes the following:

- 1. The Superintendent's Designee shall execute the second amendment to the ground lease to place the Housing Tract on the western side of the site and add the obligation of PPS to dedicate land for public street improvements and for the costs of land dedication and street construction to be shared by PPS and NAYA as set forth in the pre-development agreement.
- 2. The Superintendent's Designee shall dedicate land and sign a petition for a local improvement district for public street improvements in the location shown in Exhibit A as "PPS Dedication."

3. The Superintendent's Designee shall execute a pre-development agreement with NAYA for the purpose of defining roles, responsibilities, anticipated budget and schedule for developing the regional early learning academy and longhouse community center on the terms described in Exhibit B Summary of Pre-development Terms.
4. The Superintendent's Designee shall execute any other documents required in conjunction with these transactions for the purposes of fulfilling the obligations of the ground lease, land dedication, local improvement district and the pre-development agreement terms.
5. The Superintendent's Designee shall execute any other amendments to the ground lease necessary for the approval of the housing site development as long as they do not affect rent, the 99-year term, or overall intent of the ground lease.

Exhibits:

- A. Tract Plan
- B. Summary of Pre-development Terms

*S. King*



## EXHIBIT B

Topic	Term
<b>Program</b>	33,000 sq. ft. Early Learning Academy – 8 classrooms + support space: <ul style="list-style-type: none"> <li>• 3 classrooms Kindergarten</li> <li>• 3 classrooms of PPS Head Start</li> <li>• 2 classrooms of day care</li> </ul> 12,00 sq. ft. Longhouse/community center and kitchen
<b>RELA/LH Owner, manager</b>	PPS to own building, SE parking lot for 20 spaces; NAYA to use 2 classrooms for day care via long term lease; PPS to use Longhouse community space and kitchen via shared space agreement; Both parties agree to share site parking and to develop operating agreement.
<b>RELA/LH Developer</b>	PPS to develop building; is responsible for building design and permitting, selection of architect and contractor, coordination of financing and completion of project per schedule.
<b>RELA/LH Design Cost Sharing</b>	Site master planning split 55%/45% between NAYA and PPS, respectively, including LID; Building design cost split 60%/40% between PPS and NAYA, respectively.
<b>Preliminary RELA/LH Construction Funding</b>	Preliminary building cost estimated at \$12,500,000; <ul style="list-style-type: none"> <li>• PPS share @\$4,500,000 (60%); @\$780,000 land;</li> <li>• NAYA share @\$3,070,000 (40%);</li> <li>• Other funding @\$4,150,000 (public sources + New Market Tax Credits).</li> <li>• Agreement will NOT authorize construction spending</li> </ul>
<b>RELA/LH Operations</b>	PPS to operate the RELA; NAYA to operate the Longhouse; Shared spaces per Lease agreement.
<b>Demolition of Foster School</b>	To be demolished during housing phase by NAYA; Parties to share cost of demo.
<b>Creation of Local Improvement District (LID)</b>	Requires initial petition approval by PPS; Requires agreement to dedicate land – 25,729 sq. ft.; Requires financial commitment – between \$610,000 and \$730,000; Costs to be shared between PPS and NAYA 45%/55% based on final costs and appraisal.
<b>Negotiate a Development Agreement</b>	Includes: <ul style="list-style-type: none"> <li>• Project schedule</li> <li>• Funding commitments by both parties</li> <li>• Direction for lease, draft operating and share use agreements</li> <li>• Shared use of parking lots</li> <li>• Construction cost and cost sharing</li> <li>• Provision of wrap-around services</li> </ul>



**RESOLUTION No. 5084**  
**(FAILED)**

Audit of Administrative Compensation

**RECITALS**

- A. Given PPS's mission to serve Portland students, the district's funds must be focused primarily on the classroom and school-based supports for students, teachers, principals and other critical staff.
- B. The Portland School Board has a fiduciary duty to review, approve and adopt an annual budget that supports and bolsters the district goal of helping students progress through academic milestones and successfully graduate all students ready for college, the workforce and their future.
- C. Given that employee salaries and other compensation is the largest expense of the school district, as part of its responsibilities related to the budget, the Board will review and approve general compensation levels, parameters for salaries, and the overall budget level for central office staff.
- D. It is the intent of PPS to provide competitive compensation -- as the budget allows -- for its employees in order to recruit and retain the best employees possible.
- E. The Board in its governance role, and to ensure fiscal responsibility, sets parameters for the Superintendent to follow and approves the budget.
- F. The Board is interested in obtaining a performance audit to determine whether PPS has adequate processes and procedures in place to guide the Superintendent in determining compensation for all employees while meeting the above provisions, and to review whether the processes and procedures are being followed.
- G. The public and the Board would be well served to have an independent performance auditor review and analyze the supporting documentation, comps, processes and procedures relating to administrative compensation.
- H. The Board Audit Committee requests Board approval for a performance audit to be completed by an independent auditor of the transactions, approvals, justifications, and all relevant materials and communications related to new central office positions earning over \$70,000 or any raise of more than 3% percent and to inventory the year over year change in the number of senior administrators. In addition, the audit will review the effectiveness of the current processes and procedures for setting compensation for employees of PPS.

**RESOLUTION**

- 1. The Board of Education approves the recommendation of the Audit Committee and directs the incoming PPS Performance Auditor (or another independent performance auditor approved by the audit committee if the PPS Performance Auditor position is not filled by June 15, 2015) to complete an audit that covers, at a minimum, these topics:
  - a) The number of new central office administrative positions at PPS with salaries over \$70,000 and those positions that had an increase of more than 3%.
  - b) For any salary increase of more than 3%, review and report on the employment documentation that was created prior to the positions being added or raises being granted, including market comps, performance evaluations, job descriptions, authorization for all the new positions, and communications to employees.
  - c) Where PPS ranks in terms of central office, non-represented position salaries and compensation versus other Oregon districts as agreed upon with the Audit Committee.
  - d) The ratio of central office administrators per student compared to other large Oregon school districts.

- e) The effectiveness of the current processes and procedures for setting compensation for PPS employees, including appropriate Board oversight.
  - f) The Independent Performance Auditor will develop the scope of the audit in consultation with the Audit Committee. The Board asks that the audit be completed within four to six months and submitted to the Board Audit Committee for review. The summary of the initial findings should be shared as early as possible with the Board Audit Committee to help inform the Board's work on the budget and in the development of parameters and policies in this area.
2. The Board directs the Superintendent to freeze any further "market adjustments" until the Board has had a chance to review the information and an independent auditor's analysis is completed and the Board has set parameters for any future increases.
  3. In addition, the Board will consider any recommendations from the auditor for creating a formal policy regarding Board review and approval of central office administrative pay, including the differentiation between school administrators (Principals, Assistant Principals, Vice Principals) and central office certified administrators and non-educator administrators and an analysis of market competitive positions and compression.

## **RESOLUTION No. 5085**

### Minutes

The following minutes are offered for adoption:

April 28, 2015

**RESOLUTION No. 5086**  
**(FAILED)**

Authorization to enter into agreements with the City of Portland and the Native American Youth and Family Center (NAYA) for developing a Regional Early Learning Academy and Longhouse Community Center at the Foster School Site.

**RECITALS**

- A. There is a shortage of appropriate facilities to house and mentor foster children and adoptive families in the greater Portland area. Native American children in particular are overrepresented in the foster care program and are less likely to succeed if they remain in a foster setting.
- B. Intergenerational housing is a way to increase a child's success, utilizing seniors as mentors for children. This model has been extremely successful in providing a stable platform for children's growth with a community that has developed and sustained an intergenerational neighborhood for adoptive families of foster children.
- C. The Native American Youth and Family Center (NAYA) is seeking to develop this intergenerational housing model and partner with Portland Public Schools (PPS) to develop a Regional Early Learning Academy and Longhouse Community Center at the Foster School Site.
- D. On May 30, 2012, the Portland City Council authorized a memorandum of understanding (MOU) with PPS that provided for a long-term lease on a portion of the Foster School site for development of an intergenerational community by NAYA, referred to as the "Housing Tract."
- E. On October 1, 2012, the City and PPS executed an intergovernmental agreement regarding the City's commitment to provide \$500,000 in funding in exchange for leasing the Housing Tract so that the City could in turn sublease the Housing Tract to NAYA.
- F. The MOU contemplates that PPS would also enter into separate agreements with NAYA to jointly operate the existing school building and school grounds (or a replacement school and grounds) as an early childhood education center.
- G. On March 11, 2013, the Board approved resolution 4737 authorizing PPS to enter into Agreements for the Lease of the Foster Housing Tract to the City of Portland and to sublease to NAYA for intergenerational housing. In July 2013, that lease was amended to obligate NAYA to develop a Good Neighbor Agreement with the Lents Neighborhood Association.
- H. PPS and NAYA have developed a final site plan that contemplates intergenerational housing on the west half of the site and a regional early learning academy and "longhouse" community center, with new and improved public streets, based in part on input from the Lents community.
- I. NAYA has amassed the funding required to begin construction of the intergenerational housing in fall, 2015.

**RESOLUTION**

The Board hereby authorizes the following:

- 1. The Superintendent's Designee shall execute the second amendment to the ground lease to place the Housing Tract on the western side of the site and add the obligation of PPS to dedicate land for public street improvements and for the costs of land dedication and street construction to be shared by PPS and NAYA as set forth in the pre-development agreement.
- 2. The Superintendent's Designee shall dedicate land and sign a petition for a local improvement district for public street improvements in the location shown in Exhibit A as "PPS Dedication."

3. The Superintendent's Designee shall execute a pre-development agreement with NAYA for the purpose of defining roles, responsibilities, anticipated budget and schedule for developing the regional early learning academy and longhouse community center on the terms described in Exhibit B Summary of Pre-development Terms.
4. The Superintendent's Designee shall execute any other documents required in conjunction with these transactions for the purposes of fulfilling the obligations of the ground lease, land dedication, local improvement district and the pre-development agreement terms.
5. The Superintendent's Designee shall execute any other amendments to the ground lease necessary for the approval of the housing site development as long as they do not affect rent, the 99-year term, or overall intent of the ground lease.
6. The District shall continue to actively pursue fundraising and partnerships to support development of the Regional Early Learning Academy in order to defray the costs to the District and NAYA.

Exhibits:

- A. Tract Plan
- B. Summary of Pre-development Terms



## EXHIBIT B

Topic	Term
<b>Program</b>	33,000 sq. ft. Early Learning Academy – 8 classrooms + support space: <ul style="list-style-type: none"> <li>• 3 classrooms Kindergarten</li> <li>• 3 classrooms of PPS Head Start</li> <li>• 2 classrooms of day care</li> </ul> 12,00 sq. ft. Longhouse/community center and kitchen
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<b>RELA/LH Developer</b>	PPS to develop building; is responsible for building design and permitting, selection of architect and contractor, coordination of financing and completion of project per schedule.
<b>RELA/LH Design Cost Sharing</b>	Site master planning split 50%/50% between NAYA and PPS The LID will be split 55%/45% between NAYA and PPS, respectively; Building design cost split 50%/50% between NAYA and PPS.
<b>Preliminary RELA/LH Construction Funding</b>	Preliminary building cost estimated at \$12,500,000; <ul style="list-style-type: none"> <li>• Preliminary PPS share @\$4,500,000 (60%); @\$780,000 land;</li> <li>• Preliminary NAYA share @\$3,070,000 (40%);</li> <li>• Other funding @\$4,150,000 (public sources + New Market Tax Credits).</li> <li>• This Agreement will NOT authorize construction spending and this information will come back to Board of Education for approval as part of a development agreement.</li> </ul>
<b>RELA/LH Operations</b>	PPS to operate the RELA; NAYA to operate the Longhouse; Shared spaces per Lease agreement.
<b>Demolition of Foster School</b>	To be demolished during housing phase by NAYA
<b>Creation of Local Improvement District (LID)</b>	Requires initial petition approval by PPS; Requires agreement to dedicate land – 25,729 sq. ft.; Requires financial commitment – between \$610,000 and \$730,000; Costs to be shared between PPS and NAYA 45%/55% based on final costs and appraisal.
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