

# Portland Public Schools Board of Education



2009-2010

# Agenda

**Regular Meeting**  
**May 24, 2010**

- Approval of 2010-2011 Proposed Budget • High School System Design •

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**BOARD OF EDUCATION**

Portland Public Schools  
Regular Meeting  
May 24, 2010

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**Board Auditorium**

Blanchard Education Service Center  
501 North Dixon Street  
Portland, Oregon 97227

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**Note:** Those wishing to speak before the School Board should sign the citizen comment sheet prior to the start of the regular meeting. No additional speakers will be accepted after the sign-in sheet is removed, but citizens are welcome to sign up for the next meeting. While the School Board wants to hear from the public, comments must be limited to three minutes. All citizens must abide by the Board's Rules of Conduct for Board meetings.

Citizen comment related to an action item on the agenda will be heard immediately following staff presentation on that issue. Citizen comment on all other matters will be heard during the "Remaining Citizen Comment" time.

This meeting may be taped and televised by the media.

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**AGENDA**

1.     **STUDENT TESTIMONY**   7:00 pm
  
2.     **STUDENT REPRESENTATIVE'S REPORT**   7:15 pm
  
3.     **SUPERINTENDENT'S REPORT**   7:20 pm
  
4.     **EXCELLENCE IN OPERATIONS AND SERVICES**   7:25 pm
  - Board Approval of 2010-2011 Budget (*action item*)
  
5.     **EXCELLENCE IN TEACHING AND LEARNING**   8:00 pm
  - High School System Design (*information item*)
  
6.     **BUSINESS AGENDA**   10:00 pm
  
7.     **OTHER BUSINESS**   10:05 pm
  
8.     **CITIZEN COMMENT**   10:15 pm
  
9.     **ADJOURN**   10:45 pm

The next regular meeting of the Board will be held on **June 7, 2010**, at **3:00 pm** at the Blanchard Education Service Center.

***NOTE: The Board's agendas are focused on the five strategic operatives of the District as found in the 2005-2010 Strategic Plan: Excellence in Teaching and Learning; Excellence in Operations and Services; Strong Partnerships with Families and Community; Leadership for Results; and Continuous Learning Ethic.***

**Portland Public Schools Nondiscrimination Statement**

Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society. All individuals and groups shall be treated with fairness in all activities, programs and operations, without regard to age, color, creed, disability, marital status, national origin, race, religion, sex, or sexual orientation.

Board of Education Policy 1.80.020-P

**Student Representative Report**  
**Henry Johnson**  
**May 24, 2010**

Superintendent Smith's most recent recommendation for high school redesign has been well received by SuperSAC. We are impressed by the proposal's assertion of academic priority zones and its resolve on the issue of focus option schools that empowers teachers to reconstitute Marshall as a focus option. As the dream of guaranteeing educational parity across the district materializes, we have developed a keener appreciation for its scope, potential and the diligent leadership of Superintendent Smith and her team. Keeping this in mind, it is absolutely crucial that the enrollment numbers at all high schools hover around 1300, or whatever that magic number is. If a school starts out with only 1000 kids while other have 1350, it seems like a slippery path to past disparities. SuperSAC is not opposed to considering the seven schools model if it means bolstered programs and attendance at all the others. Lastly, we want to see the rationale for the proposed boundary changes. Some of them appear to be counterintuitive to the goals of increasing diversity, enrollment parity and shortening commutes.

Unfortunately, the last few SuperSAC meetings have been sparsely attended, with representatives limited to Grant, Lincoln and Franklin. We are striving to improve our attendance and somehow tap the energy bubbling from students in community meetings.

## **PPS Budget 2010-11 – Finance, Audit & Operations Committee Report to the Board of Education**

Superintendent Smith proposed a 2010-11 budget that was crafted to maintain strategic investments in alignment with our Milestones framework, deliver a full school year, and preserve teaching jobs. This budget, which she characterized as a “hold steady” proposal was presented despite a forecast \$14.4 million shortfall from the level of revenue that would be needed to maintain these service levels. She indicated to the PPS community in her budget message that she felt that this was a reasonable proposal in light of the fact that PPS was expected to enter 2010-11 with \$48 million in general fund reserves. Using \$14.4 million of these reserves to avoid cuts that would jeopardize instructional initiatives and programs was, she proposed, the right thing to do.

Even at this level of spending there are many hard choices that had to be made and a significant number of highly desirable services for students that are not possible to fund.

**FAOC supports the overall budget strategy outlined by Supt. Smith and the proposed use of reserves in 2010-11 to maintain levels of service in support of students. The committee recommends approval of the budget with the five changes outlined below in the areas of transportation, special education, ESL/ELL services, student custodians and health insurance.**

In addition, there are a number of areas of follow up work that the committee is recommending that the board of education direct the superintendent and her staff to complete.

### **Sustainability**

Clearly, spending \$14.4 million more than revenue is not a sustainable strategy. The 2011-12 budget is likely to have to include spending cuts and the result of decades of fiscal austerity and the PPS response to that is that a significant amount of that reduction may come from staffing in schools.

Follow Up: FAOC recommends that the board direct the superintendent to initiate the 2011-12 budget process in the summer of 2010 with the goal of identifying a set of likely high level decisions for balancing the budget as soon as possible. In particular, PPS should identify the most likely options for school staffing scenarios by November 15, 2010. PPS should review this information with state legislators, parents, and other community partners in order to inform 2011-13 biennium funding for K-12 and to allow time for PPS to prepare for and implement whatever changes are required to accommodate the reduced spending that could result.

### **Special Education**

FAOC spent substantial time in review and discussion of Special Education topics, which also featured in hearings and testimony to the full board.

## PPS Budget 2010-11 – Finance, Audit & Operations Committee Report to the Board of Education

Included in the proposed budget was development of a self contained classroom continuum model, which should reduce movement of students between schools during their K-8 experience, at a cost increase of \$1.1 million. FAOC supports this proposal.

However, reduction in federal stimulus finds created a shortfall of \$3.7 million that required adjustments and reductions. The proposed budget addressed this in several ways – one of which was a 30-minute reduction in the workday for para-educators. FAOC does not support this reduction in hours for para-educators given the overall decision to “hold steady” on school staffing and not cut teaching positions or reduce the number of school days. If the proposed budget had included a more equitable set of measures to balance the budget in general then FAOC might likely have supported this proposal. Staff has identified alternative funding for some of the cost of restoring the 30 minutes.

Action: Add back an additional \$600,000 to cover the balance of the cost of adding back this time in the workday.

Follow Up: FAOC was able to get more complete information on the funding for various special education services and programs this year but this is an area where the committee would like to continue to review financial and budgetary information with staff in advance of a proposed budget for 2011-12. This analysis should be completed and reviewed with the board through appropriate committee(s) before December 31, 2010.

### Special Education Resources

#### Special Education Resource Allocation

Source	Actual 2006/07	Actual 2007/08	Actual 2008/09	Estimated 2009/10	Forecast 2010/11
SSF - IEP Students Capped at 11% of ADMr <sup>1</sup>	26,592,600	28,037,479	27,081,845	27,761,768	29,315,088
SSF - Students on IEP above 11% of ADMr <sup>1</sup>	2,980,664	4,355,576	4,609,585	3,725,272	3,793,293
Allowed Cost <sup>3</sup>	4,519,970	5,500,000	5,500,000	5,939,190	4,770,000
MESD Services - through the General Fund	1,333,126	1,077,632	1,127,377	1,127,377	1,127,377
Additional General Fund Discretionary Allocation	19,958,620	22,173,503	20,658,709	17,941,542	24,793,227
<b>Total General Fund Allocation</b>	<b>55,384,980</b>	<b>61,144,190</b>	<b>58,977,516</b>	<b>56,495,149</b>	<b>63,798,985</b>
IDEA - PPS SPED Grants <sup>2</sup>	8,328,873	7,218,125	8,376,986	9,776,284	8,450,981
ARRA - IDEA - SPED Dep't <sup>2</sup>	-	-	1,389,953	4,675,985	2,677,448
<b>Subtotal Other Funds</b>	<b>8,328,873</b>	<b>7,218,125</b>	<b>9,766,939</b>	<b>14,452,269</b>	<b>11,128,429</b>
<b>Total SpEd Resources</b>	<b>63,713,853</b>	<b>68,362,315</b>	<b>68,744,455</b>	<b>70,947,418</b>	<b>74,927,414</b>

1 Source: State School Fund Grant Estimates from ODE - <http://www.ode.state.or.us/search/results/?id=344>

2 Source: PPS Grants Accounting

3 Source: ODE Reports and PPS Forecast Model

FAOC notes that PPS is currently forecast to spend \$74.9 million on provision of SpEd services in 2010-11. Federal funds, through IDEA, funds \$11.1 million or 15% of that total – which is substantially less than the 40% level that was promised when the legislation creating this mandate was approved.

FAOC has no intent to question PPS' obligation to provide these services – an obligation that we accept unequivocally. But current federal funding is so woefully short of the level promised that it results in a

## PPS Budget 2010-11 – Finance, Audit & Operations Committee Report to the Board of Education

substantial funding subsidy from the remaining general education budget (more than \$20 million in 20010-11).

Follow Up: FAOC recommends that PPS undertake a vigorous communication strategy with Oregon’s federal delegation on this topic as soon as possible, and in any event before September 30, 2010, to identify the substantial financial impact on PPS and to press for action in Washington DC to improve federal funding in this area.

### ELL/ESL Programs

FAOC spent significant time on this topic, which was the subject of much public comment. The proposed budget included the addition of 12 ESL teachers to implement a staffing model that assured a level of instruction and support in all schools. FAOC strongly supports this move.

Given the overall budget situation, the proposed budget required that this increased staffing be funded within current resource levels. This resulted in a requirement to eliminate 23 FTE of educational assistants, although the intent was to try to find ways to reduce the impact by review of other funding sources. This reallocation had not taken place at the time the budget proposal was published.

FAOC reviewed overall funding sources for these programs and noted that the budget for ESL/ELL approximately equaled the amount of the additional 0.5 weighting per student in the state school fund (\$13.2 million) and the MESD allocation for non-English speaking students (\$2.5 million). In contrast to the budget for special education program and services, there is no “subsidy” from the SSF basic allocation per student. FAOC does not support the elimination of the 23 FTE.

Action: Add back the incremental cost of funding the assured level of service and support. Increase in cost of \$1,058,000.

Follow Up: FAOC was able to get more complete information on the funding for various ESL/ELL services and programs this year but this is an area where the committee would like to continue to review financial and budgetary information with staff in advance of a proposed budget for 2011-12. In addition, especially in light of the recent audit of these programs and the challenges in reaching compliance faced by PPS, it would be appropriate to conduct a more comprehensive budgetary review to align resources with required programs and to determine if the current level of funding is appropriate. This analysis should be completed and reviewed with the board through appropriate committee(s) before December 31, 2010.

**School staffing**

Acting on questions raised by board members the committee reviewed information on several topics including: counselors in K-5 schools; new requirement to use 0.5 FTE in high schools to support IB or AP or other components of the core program proposed in high school system design (on-line learning, AVID, credit by proficiency, credit recovery lab); business managers in high schools.

FAOC is not recommending any changes to the proposed budget.

**Central staffing for curriculum and instruction**

The committee was briefed on the reallocation of existing resources to support implementation of various initiatives and materials adoptions. FAOC is concerned about TOSA staffing in three subject areas: PE/Health; Russian language immersion; Art. Committee members are not proposing to change individual staffing decisions but seek assurance from the Superintendent that resources will be found to provide a minimal level of staffing in each of these areas. Clarification on this topic should be provided to the FAOC before June 9, 2010.

**Transportation**

The proposed budget included elimination of a number of non-mandated transportation services.

FAOC reviewed the proposed changes. We agree with the Superintendent and her staff that this an area that calls for review and may be appropriate for cuts. PPS has developed a number of one-off practices and provisions. However, we think that PPS should develop clear criteria for the provision of transportation and that any changes should be proposed with adequate lead time for public discussion and notification to affected students and families. FAOC does not support the elimination of non-mandated transportation in the 2010-11 budget.

Action: Add back the cost of transportation services that had been proposed for elimination, which adds \$513,000 in net cost to PPS.

Follow Up: A more systematic review of transportation practices should be undertaken with proposals brought to the board via committee. Work can begin immediately and changes may be implemented as approved. In any event any changes to be implemented in the 2011-12 school year should be presented to the board by December 31, 2010.



**Facilities: Student Custodians**

The proposed budget includes 4 additional FTE in Facilities for fire alarm testing technicians. In order to balance the budget a number of cuts were proposed including elimination of the student custodian program, which saves \$350,000. FAOC did not want to eliminate this program completely and asked staff to operate a scaled back summer program.

Action: Add \$175,000 to fund this.

**Health Insurance**

FAOC discussed the underlying assumptions for cost increases for all employee groups. For a number of bargaining units and for non-represented employees the proposed budget assumed a 9% increase in PPS costs. FAOC revised the assumption for cost increases.

Action: FAOC changed the assumption to an increase of \$50/employee/month. Cost saving of \$453,000.

**Use of Reserves**

The proposed budget had end-of-year reserves of \$33.4 million. The five changes recommended by FAOC result in a net increase in spending of \$1.9 million. In addition, staff has identified a \$1.1 million reduction to forecast MESD revenues. These two factors are almost offset by a higher forecast ending balance for 2009-10 (\$2 million) and an additional \$0.5 million in forecast grant revenue in 2010-11. The net impact of all of these factors is that ending reserves of \$32.9 million will be \$0.5 million lower than in the proposed budget, which is still an adequate amount to cover unforeseen needs or changes to forecast costs and revenues, to offset any mid-year reductions in state funding, and even perhaps to provide some cushion for the 2011-13 biennium.

Finance, Audit and Operations Committee:

David Wynde, Chair

Dilafruz Williams

Pam Knowles

May 13, 2010



# PORTLAND PUBLIC SCHOOLS

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## STAFF REPORT SUPERINTENDENT RECOMMENDATION TO FAO

**To:** Superintendent Smith  
**From:** C.J. Sylvester, Chief Operating Officer *cs*  
**Date:** May 6, 2010  
**Subject:** Recovery Zone Bond Allocation for Energy and Water Conservation Capital Projects

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### I. BACKGROUND

In January 2009, the Board reviewed \$289 million in high-priority facilities work needed to support programs and stabilize our school buildings and sites, including nearly \$40 million in energy conservation capital projects. In February 2009, the Board refined this project list to \$87 million in immediate action highest priority projects.

\$25.75 million in interim borrowing was approved for roof work, modular classrooms, historic/ADA/seismic evaluations, and other high priority project and pre-construction work plans. A number of these projects and work efforts were accomplished in 2009.

The City of Portland has just recently come forward and proffered the District significant Recovery Zone Bond allocation to stimulate local job recovery while improving the environment through resource conservation capital projects. The timing is immediate, with substantial work to both start and complete during summer 2010 and before the start of the fall heating season in the school buildings.

Recovery Zone Bonds are one part of the much larger American Recovery and Reinvestment Act of 2009. Recovery Zone Bonds are intended to stimulate recovery and may only be issued until December 31, 2010. These are governmental bonds that will allow the District to borrow on a lower cost than traditional tax-exempt financing. The Bonds are taxable, however the federal government will reimburse 45% of the interest paid; thus making the true cost of the interest lower than that paid on tax-exempt bonds.

**II. FISCAL IMPACT**

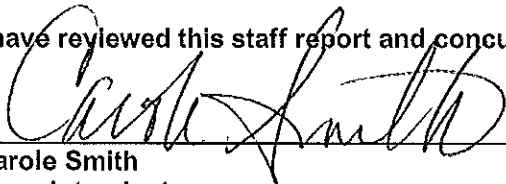
The utility savings to accrue from identified conservation capital projects will service the Recovery Zone Bond debt. However, the Recovery Zone Bonds can also simply act as interim funding pending a future voter-approved capital borrowing should the Board make that determination in the future. In that scenario, the utility savings would then be realized by the General Fund for general district purposes.

**III. STAFF RECOMMENDATION**

Staff have identified \$9.83 million in energy and water conservation capital projects representing \$1.15 million in annual utility savings for debt service. Consistent with the original intent of Board action in Resolution no. 4032 to identify projects for near-term implementation should funding become available, staff recommends FAO approval and Board adoption of the attached resolution:

1. Resolution Authorizing Recovery Zone Borrowing for 2010 Energy and Water Conservation Capital Projects

I have reviewed this staff report and concur with the recommendation to the Board.

  
\_\_\_\_\_  
Carole Smith  
Superintendent  
Portland Public Schools

5/6/10  
Date

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

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REGULAR BUSINESS MEETING

May 24, 2010

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Purchases, Bids, Contracts

The Superintendent RECOMMENDS adoption of the following items:

Numbers 4271 through 4273

**RESOLUTION No. 4271**

Revenue Contracts that Exceed \$25,000 Limit for Delegation of Authority

**RECITAL**

Board Policy 8.90.010-P, "Contracts," requires the Board of Education ("Board") to enter into and approve contracts where the total revenue amount reaches \$25,000 or more per contractor. 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.

**INTERGOVERNMENTAL AGREEMENTS / REVENUE ("IGA/Rs")**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Fund, Department, Grant/Project</b>	<b>Contract Amount</b>	<b>Responsible Administrator</b>
City of Portland, Bureau of Parks & Recreation	07/01/09 through 06/30/14	IGA 57xxx	Wilson HS: Reimbursement for custodial services, including pool cleaning, during summer program hours.	General Fund	Estimated \$18,000/year	T. Magliano
City of Portland, Bureau of Parks & Recreation	07/01/09 through 06/30/15	IGA 57xxx	Green Thumb CTC: Reimbursement for water service to community garden.	General Fund	Estimated \$1,200/year	T. Magliano
Multnomah Education Service District	07/01/09 through 06/30/10	IGA 57xxx	Various Sites: Provide one classroom for special education programs.	General Fund	\$1,378/year	T. Magliano

**LIMITED SCOPE REAL PROPERTY AGREEMENTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Department</b>	<b>Contract Amount</b>	<b>Responsible Administrator</b>
Portland Institute for Contemporary Art	09/01/10 through 11/15/10	Lease Agreement IGA 57xxx	Washington-Monroe Site: Use of site for public art program.	General Fund	\$14,107	T. Magliano
Irvington Extended Day Program	08/20/10 through 06/19/11	Lease Agreement IGA 57xxx	Beaumont 6-8: Lease of a classroom space for community pre-K program.	General Fund	\$7,685	T. Magliano

*M. Gunter*

**RESOLUTION No. 4272**

Expenditure Contracts that Exceed \$25,000 Limit for Delegation of Authority

**RECITAL**

Board Policy 8.90.101-P, "Contracts," 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 reaches \$25,000 or more annually per contractor. 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>Fund, Department, Grant/Project</b>	<b>Contract Amount, Payment Total*</b>	<b>Responsible Administrator</b>
Northwest Textbook Depository	05/07/10	Purchase Order PO 93380	Grant HS: Purchase of 448 Spanish 1 textbooks ( <i>jAventura!</i> by EMC Publishing).	Fund 191 Dept. 5555 Project B0018	\$29,615 \$1,652,827	M. Arganbright
Northwest Textbook Depository	05/07/10	Purchase Order PO 93381	Lincoln HS: Purchase of 384 Spanish 1 textbooks ( <i>jAventura!</i> by EMC Publishing).	Fund 191 Dept. 5555 Project B0018	\$25,384 \$1,652,827	M. Arganbright
Northwest Textbook Depository	05/07/10	Purchase Order PO 93392	District-wide: Purchase of 825 Spanish 1 textbooks ( <i>jAventura!</i> by EMC Publishing).	Fund 191 Dept. 5555 Project B0018	\$29,615 \$1,652,827	M. Arganbright
DoubleTree Hotel Portland	05/18/10	Lease Agreement 4363	District-wide: Ratification of contract for venue and catering for Career & Technical Education Advisory Committee meeting.	Fund 205 Dept. 5442 Grant G1011	\$1,200 \$37,618	M. Arganbright
TBD – based on lowest responsible bidder	05/25/10 through 12/31/10	Construction C 57xxx	Chapman K-5: Construction services for space remodel.	Fund 191 Dept. 5597 Project F0113	Not-to-exceed: \$39,500 TBD	T. Magliano
TBD – based on lowest responsible bidder	05/25/10 through 12/31/10	Construction C 57xxx	Lewis K-5: Construction services for space remodel.	Fund 191 Dept. 5597 Project F0113	Not-to-exceed: \$33,500 TBD	T. Magliano
TBD – based on lowest responsible bidder	05/25/10 through 12/31/10	Construction C 57xxx	Ainsworth K-5: Construction services for space remodel.	Fund 191 Dept. 5597 Project F0113	Not-to-exceed: \$19,500 TBD	T. Magliano
Enterprise Rent A Car	05/14/10	Purchase Order PO 93555	District-wide: Purchase of six used Ford Econoline vans.	Fund 101 Dept. 5423	\$52,474 \$368	G. Ross

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Fund, Department, Grant/Project</b>	<b>Contract Amount, Contract Total, Payment Total*</b>	<b>Responsible Administrator</b>
ACT, Inc.	06/01/10 through 08/31/11	Personal / Professional Services PS 57516	District-wide: Testing and reporting services for administration of a college entrance exam to all juniors on April 27, 2011.	Fund 101 Dept. 5405	\$135,000 \$121,330	J. Suggs

### AMENDMENTS TO EXISTING CONTRACTS

<b>Contractor</b>	<b>Amendment Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Fund, Department, Grant/Project</b>	<b>Amendment Amount, Contract Total, Payment Total*</b>	<b>Responsible Administrator</b>
Broadcast Technology	07/01/10 through 06/30/13	Maintenance Agreement MA 55192 Amendment 2	Benson HS: Three-year extension of contract for engineering services for KBPS-AM radio.	Fund 101 Dept. 3115	\$30,000 \$60,000 \$0	B. Cooper
Sports4Kids	01/05/10 through 06/15/10	Personal / Professional Services PS 56837 Amendment 2	Woodlawn PK-8: Adds recess and after-school student management and behavior support services at Woodlawn PK-8, in addition to services provided at eight other schools.	Fund 205 Depts. 1294 and 5407 Grants G1000 and G1001	\$13,100 \$201,100 \$94,000	L. Speed
Serebra Learning Corporation	07/01/10 through 06/30/11	Personal / Professional Services PS 56087 Amendment 2	District-wide: One-year extension of contract for hosting, maintenance, and support of Serebra learning management system.	Fund 101 Dept. 5581	\$18,500 \$55,500 \$18,500	N. Jwayad
Garten Services, Inc.	07/01/10 through 06/30/11	General Services GS 56157 Amendment 4	District-wide: One-year extension of contract for continued electronic devices removal and recycling.	Fund 101 Dept. 5581	\$75,000 \$207,400 \$58,806	N. Jwayad
Versifit Technologies, LLC	07/01/10 through 06/30/11	Personal / Professional Services PS 56433 Amendment 3	District-wide: One-year extension of contract for continued maintenance and support services for the data warehouse system.	Fund 101 Dept. 5581	\$30,726 \$96,978 \$65,399	N. Jwayad
CampusEAI Consortium	07/01/10 through 06/30/11	Personal / Professional Services PS 56846 Amendment 1	District-wide: One-year extension of contract for maintenance, software, hardware, and related services for "MyCampus" integrated portal solution.	Fund 101 Dept. 5581	\$33,897 \$65,729 \$32,230	N. Jwayad



<b>Contractor</b>	<b>Amendment Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Fund, Department, Grant/Project</b>	<b>Amendment Amount, Contract Total, Payment Total*</b>	<b>Responsible Administrator</b>
Robert Half International	05/04/10 through 06/30/10	Personal / Professional Services PS 57289 Amendment 1	BESC: One-month extension of contract for continued hourly professional services of IT Senior Financial Analyst.	Fund 101 Dept. 5581	\$9,600 \$49,600 \$139,796	N. Jwayad
Strada Communications	04/01/10 through 06/30/10	Personal / Professional Services PS 57192 Amendment 1	District-wide: Additional funds continued transcription services for District deaf/hard of hearing students.	Fund 101 Dept. 5414	\$35,000 \$6,000 \$53,576	J. Mabbott
Columbia-Cascade Construction, Inc.	04/23/10 through 08/31/10	Construction C 57369 Change Order 1	Green Thumb: Adds fire sprinkler system installation to modular classroom.	Fund 205 Dept. 5414 Grant G0986	\$11,168 \$69,768 \$178,823	T. Magliano
VavRosky MacColl, PC	06/01/10 through 06/30/10	Personal / Professional Services PS 56825 Amendment 2	District-wide: One-year extension of contract for workers' compensation legal services, as needed.	Fund 601 Dept. 5540	\$80,000 \$155,000 \$0	B. Meyers
PLATO, Inc.	06/14/10 through 07/31/11	Personal / Professional Services PS 57383	District-wide: Purchase of 50 additional software licenses and related services to implement online credit recovery courses.	Fund 101 Dept. 5485	\$50,759 \$65,400	J. Villano
SAFE Transportation, Inc.	05/15/10 through 09/30/10	Service Requirements SR 54224 Amendment 5	District-wide: Additional funds for cab services, as needed.	Fund 101 Dept. 5560	\$400,000 \$2,700,000 \$715,743	P. Weber

### INTERGOVERNMENTAL AGREEMENTS ("IGAs")

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Fund, Department, Grant/Project</b>	<b>Contract Amount</b>	<b>Responsible Administrator</b>
Multnomah County	07/01/10 through 06/30/12	IGA 56771 Amendment 1	District-wide: Written reports of all findings pertaining to the USDA National School Lunch Program Summer Meals Program and Child & Adult Care Food Program.	Fund 202 Dept. 5570	\$102,000	K. Obbink

\* "Payment Total" is the total amount actually paid to the vendor on all contracts with the District since July 1, 2009. Thus, Payment Total may be more or less than the "Contract / Amendment Amount" or "Contract Total," both of which are specific to the individual contract submitted for approval. Payment Total is not included for IGAs.

*M. Gunter*

**RESOLUTION No. 4273**

Expenditure Contracts that Exceed \$25,000 Limit for Delegation of Authority  
Office of School Modernization Projects Fund

**RECITAL**

Board Policy 8.90.101-P, "Contracts," 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 reaches \$25,000 or more annually per contractor. 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 and execute agreements in a form approved by General Counsel for the District.

<b>Modular Classrooms 2010</b>				<b>Total Budget: \$1,954,000</b>
<b>Contractor</b>	<b>Contract Terms</b>	<b>Project Number(s)</b>	<b>Description of Contract / Amendment</b>	<b>Contract Amount</b>
Paradigm Construction	05/25/10 through 12/15/10  Construction C 57525	C0406, C0407, and C0410	Astor K-8, Lee K-8, Rigler K-8: Construction services for the installation of new modular classroom buildings.	\$249,570
Columbia-Cascade Construction, Inc.	05/25/10 through 12/15/10  Construction C 57526	C0408, C0409, and C0411	Llewellyn K-5, Rieke K-5, and Sunnyside K-8: Construction services for the installation of new modular classroom buildings.	\$268,330
				<b>Project Budget OSM Funded \$1,354,000</b>
				<b>Project Budget Facilities Funded <u>\$600,000</u></b>
				<b>Total Project Budget \$1,954,000*</b>
				<b>This Resolution Request \$517,900</b>
				<b>Previously Committed Amount \$918,243</b>
				<b>Remaining Budget \$517,857</b>

\* Board of Education Resolution No. 4221 (Feb. 8, 2010)

C.J. Sylvester

Other Matters Requiring Board Action

The Superintendent RECOMMENDS adoption of the following items:

Numbers 4274 through 4276

## RESOLUTION No. 4274

### Budget Committee Approval of the FY 2010-11 Budget and Imposition of Property Taxes

#### RECITALS

- A. Oregon Local Budget Law, ORS 294.401 requires the Portland Public Schools (“District”) Budget Committee to hold one or more meetings to receive the budget message and the budget document; and to provide members of the public with an opportunity to comment upon the budget document.
- B. Oregon Local Budget Law, ORS 294.406 requires each legal jurisdiction’s Budget Committee approve a budget and specify *ad valorem* property tax rate for all funds.
- C. Oregon Local Budget Law, ORS 294.411, requires submission of the budget document to the Tax Supervising Conservation Commission (“TSCC”) by May 15 of each year.
- D. The Board of Education (“Board”) appointed a Citizen Budget Review Committee (“CBRC”) to review the Proposed Budget and expenditures of the Local Option Levy. The CBRC acts in an advisory capacity to the Board.
- E. On March 15, 2010, the Budget Committee received the Superintendent’s budget message and Proposed budget document.
- F. On April 12, 2010, the Budget Committee held a public hearing to receive public comment on the proposed budget.
- G. On April 26, 2010, the Budget Committee received testimony and a report on the Local Option Levy and testimony and budget recommendations from the CBRC.
- H. ORS 457.010(4)( a) provides the opportunity for a school district to exclude from urban renewal divide-the-taxes that amount with a statutory rate limit on July 1, 2003, that is greater than \$4.50 per \$1,000 of assessed value, to the extent that the rate limit was increased under section 11 (5)(d), Article XI of the Oregon Constitution and, property tax revenue from said increase is excluded from local revenues, as that term is used in ORS Chapter 327, and provided that the school district notifies the county assessor of the rate to be excluded for the current fiscal year not later than July 15.
- I. Portland Public Schools has a statutory rate limit that in is in excess of the \$4.50 limitation that includes an increase under section 11 (5)(d), Article XI of the Oregon Constitution.
- J. The Finance, Audit and Operations (“FAO”) Committee reviewed and discussed the Superintendent’s revised Proposed Budget. FAO submitted a report and recommendations on the proposed budget to the Budget Committee.
- K. The FAO voted unanimously to recommend the Budget Committee approve the budget as revised by the committee.

#### RESOLUTION

- 1. The Budget Committee approves the Budget as revised and described in the Finance, Audit and Operations committee report.
- 2. The Budget Committee approves the budget for the fiscal year 2010-11 in a total sum of \$653,796,298.
- 3. The Budget Committee approves appropriations for the fiscal year beginning July 1, 2010, in the expenditure amounts summarized by program in Attachment A to this resolution.

4. The Budget Committee affirms that Fund balances currently in Special Revenue Fund 225, PERS Rate Stabilization Fund, shall remain in the Special Revenue Fund.
5. The Budget Committee resolves that the District imposes the taxes provided for in the approved budget:
  - a. At the rate of \$5.2781 per \$1,000 of assessed value for operations;
  - b. At the rate of \$1.2500 per \$1,000 of assessed value for local option tax; and that these taxes are hereby imposed and categorized for tax year 2010-11 upon the assessed value of all taxable property within the district.
6. Taxes are hereby imposed and categorized as Education for tax year 2010-11 upon the assessed value of all taxable property in the District, as follows:

Education

Permanent Rate Tax Levy	\$4.7743/\$1,000 of assessed valuation
Permanent Rate Gap Tax Levy	\$0.5038/\$1,000 of assessed valuation
Local Option Rate	\$1.2500/\$1,000 of assessed valuation

7. The Budget Committee further resolves that it is the intent of the District to notify the county assessor that the \$0.5038 per \$1,000 Gap Tax Levy be excluded from division of taxes calculations.
8. The Budget Committee directs submittal of this approved budget to the TSCC by May 28, 2010, in accordance with ORS 294.411 and the extension as granted by the TSCC.

*M. Gunter/M. W. Murray*

**Attachment A to Resolution 4274**

Fund	Instruction	Support Services	Enterprise & Community Services	Facilities Acquisition & Construction	Debt Service & Transfers Out	Contingency	Ending Fund Balance	Fund Total
Fund 101	265,225,322	174,199,520	-	1,180,606	7,857,978	7,207,000	-	455,670,426
Fund 201	8,000,000	-	-	-	-	-	3,300,000	11,300,000
Fund 202	-	-	16,040,741	-	-	-	1,316,459	17,357,200
Fund 205	59,465,278	32,436,529	3,032,222	532,765	-	-	-	95,466,794
Fund 225	-	-	-	-	-	-	16,800,000	16,800,000
Fund 299	11,196,621	1,846,904	41,085	759,497	-	3,226,190	-	17,070,297
Fund 304	-	-	-	-	1,665,856	-	-	1,665,856
Fund 306	-	-	-	-	3,979,228	-	-	3,979,228
Fund 307	-	-	-	-	1,019,854	-	-	1,019,854
Fund 404	-	-	-	3,317,000	-	250,000	-	3,567,000
Fund 405	-	-	-	7,874,056	-	-	-	7,874,056
Fund 407	-	4,937,037	-	-	-	2,848,659	-	7,785,696
Fund 601	-	11,239,891	-	-	-	3,000,000	-	14,239,891
<b>Total</b>	<b>\$ 343,887,221</b>	<b>\$ 224,659,881</b>	<b>\$ 19,114,048</b>	<b>\$ 13,663,924</b>	<b>\$ 14,522,916</b>	<b>\$ 16,531,849</b>	<b>\$ 21,416,459</b>	<b>\$ 653,796,298</b>

## RESOLUTION No. 4275

### Designating District 1J as a Recovery Zone and Authorizing Recovery Zone Borrowing for 2010 Energy and Water Conservation Capital Projects

#### RECITALS

- A. At a regular meeting on January 12, 2009, the Board of Education reviewed the “Short Term Building Stabilization Projects and Program Investment Plan” totaling \$289 million of high-priority short-term facilities work to support programs and help stabilize the district’s facilities, including nearly \$40 million in resource conservation capital projects.
- B. Board Resolution No. 4032 subsequently (February 9, 2009) identified \$87 million in immediate action highest priority projects, affirming their need as soon as financing could be identified and secured, to stabilize the deteriorating condition of our schools and keeping them warm, safe and dry.
- C. Resolution No. 4043 (February 23, 2009) authorized \$25.75 million in interim funding with the borrowed funds to be repaid with proceeds from a future capital borrowing or the Construction Excise Tax. This interim funding provided new roofs, including structural upgrades and solar electrical systems, as well as classroom capacity through modular classroom placements and essential preparation for effective, efficient and timely implementation of an extensive capital plan.
- D. City of Portland Ordinance 183563 adopted by the City Council on March 03, 2010, designated the entire geographic area of the City as a recovery zone under the provisions of the American Recovery and Reinvestment Act (ARRA) of 2009, based on a variety of factors, including a more than 53% increase in unemployment in Multnomah County between 2008 and 2009.
- E. The City was allocated \$13,548,000 of Recovery Zone Economic Development Bond volume cap, that may be used by the City or suballocated to local governments within the City. Recovery Zone Economic Development Bonds are eligible for a 45% federal interest subsidy. However, Recovery Zone Economic Development Bonds may only be issued to finance costs of property that will be located in a recovery zone that is designated by the issuer of the bonds, that will be constructed or acquired after the issuer of the Recovery Zone Economic Development Bonds designates the recovery zone, and that would otherwise be eligible for tax-exempt financing. Recovery Zone Economic Development Bonds must be issued no later than December 31, 2010.
- F. The City has affirmed its intent to suballocate Recovery Zone Economic Development Bond volume cap to Portland Public Schools District 1J for energy and water conservation capital projects that could be implemented quickly to meet the federal and local goals of providing jobs during the nation’s, and our region’s, economic downturn.
- G. Of the nearly \$40 million in District energy and resource conservation projects previously identified, Exhibit “A” to this resolution “2010 Recovery Zone Energy and Water Conservation Projects” identifies \$10.3 million in proposed project categories for 2010 Recovery Zone Economic Development Bond funding. Annual energy savings are identified as \$1.13 million, which utility savings would be used for bond debt service.
- H. The proposed 2010 Recovery Zone Energy and Water Conservation Projects will improve heating system control and thermal comfort in the classroom in addition to providing educational opportunities regarding resource conservation and a reduced carbon footprint.
- I. The District is authorized by ORS 271.390 to enter into agreements to finance or refinance real or personal property that may be capitalized under generally accepted accounting principles.

- J. The Finance, Audit and Operations committee of the Board reviewed a draft of this resolution on May 13, 2010 and recommends approval to the Board.
- K. The Board finds that the entire geographic area of the District is eligible for designation as a recovery zone under ARRA because Multnomah County is experiencing significant unemployment, based on the more than 53% increase in unemployment in Multnomah County between 2008 and 2009.

### **RESOLUTION**

- 1. The Board hereby determines the 2010 Recovery Zone Energy and Water Conservation Projects are needed by the District. The District is hereby authorized to enter into financing agreements pursuant to ORS 271.390 that qualify as Recovery Zone Economic Development Bonds based on the suballocation of Recovery Zone Economic Development Bond volume cap from the City of Portland. The aggregate amount that is borrowed and outstanding under this Resolution shall not exceed \$11.0 million. Proceeds of the financing agreements shall be used to finance or refinance costs of the 2010 Recovery Zone Energy and Water Conservation Projects and pay related costs, including costs of the financing or refinancing.
- 2. The Board hereby designates the entire geographic area of the District as a recovery zone for purposes of ARRA and specifically Section 1400U-1(b) of the Internal Revenue Code of 1986, as amended.
- 3. The Superintendent or that official's designee (each of whom is referred to in this resolution as a "District Official") is hereby authorized, on behalf of the District and without further action by the Board, to:
  - a. Deliver any certificates and take any other action that is required to obtain a suballocation of \$11 million of Recovery Zone Economic Development Bonds volume cap from the City of Portland for the financings authorized by this resolution ("Financings");
  - b. Negotiate the terms of and enter into one or more financing or loan agreements ("Financing Agreements") pursuant to ORS 271.390 with commercial banks, escrow agents or other financial institutions to provide the Financing on terms that are advantageous to the District;
  - c. Negotiate, execute and deliver one or more escrow agreements or similar documents ("Escrow Agreements") pursuant to ORS 271.390 that provide for the issuance of one or more series of "certificates of participation" or "full faith and credit obligations" ("Obligations") that represent ownership interests in the loan payments due from the District under the Financing Agreements;
  - d. Determine the final principal amount, interest rates, prepayment rights, and all other terms of the Financings within the limits stated in this resolution;
  - e. Pledge the District's full faith and credit and taxing power within the limitations of Sections 11 and 11b of Article XI of the Oregon Constitution and the federal interest subsidies for the Financings, and commit to pay the Financings from all or any portion of the District's legally available funds with the internal mechanism identified as project utility cost savings;
  - f. Deem final and authorize the distribution of a preliminary official statement for each series of Obligations, and authorize the preparation and distribution of a final official statement or other disclosure document for each series of Obligations;
  - g. Undertake to provide continuing disclosure for each series of Obligations in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission;
  - h. Apply for ratings for each series of Obligations, determine whether to purchase municipal bond insurance or obtain other forms of credit enhancements for each series of Obligations, enter into agreements with the providers of credit enhancement, and execute and deliver related documents;



- i. Solicit competitive bids for the purchase of each series of the Obligations and award their sale to the bidder offering the most favorable terms to the District, or select one or more underwriters or commercial banks, negotiate the terms of the sale of each series of Obligations, and sell that series to those underwriters or commercial banks; or place one or more Financing Agreements with commercial banks or other financial institutions without issuing Obligations;
- j. Enter into Financing Agreements to obtain interim financing for the 2010 Recovery Zone Energy and Water Conservation Projects, refinance those Financing Agreements with other Financing Agreements, and provide for the issuance of Obligations for those refunding Financing Agreements;
- k. Negotiate, execute, and deliver all documents that are required for the Financings pursuant to ORS 271.390 and the applicable provisions of ORS Chapter 287A, which may, subject to the limitations of this resolution, be in such form and contain such terms as the District Official may approve;
- l. Provide that each Loan Agreement shall bear interest which is includable in gross income under the United States Internal Revenue Code of 1986, as amended ("Code"), but is eligible for the 45% federal interest subsidy that ARRA allows for Recovery Zone Economic Development Bonds, and enter into covenants that are necessary to obtain that federal interest subsidy;
- m. Apply for and receive the 45% federal interest subsidies for the Financing Agreements, and apply those subsidy payments to pay amounts due in connection with the Financings; and,
- n. Take any other actions that the District Official determines are desirable to carry out this resolution.

*C. Sylvester/M. Gunter/M. Murray*

**2010 Recovery Zone Energy and Water Conservation Projects  
Exhibit A to Resolution No. 4275**

Project	Description	# of Buildings	Cost	Annual Savings	Payback (yrs)	Life (yrs)	Type	Energy & Water Savings			Comments
								Electricity (kWh)	Natural Gas (Therms)	Fuel Oil (Gallons)	
Valves	Replace and repair heating valves in all buildings District-wide. Many heating valves are old, leak, or do not function. This will improve heating system control and thermal comfort in classrooms/buildings. It will also improve energy efficiency by eliminating overheating in classrooms, especially during the shoulder seasons.	All eligible (95)	\$1,907,500	\$167,274	11.4	5	Energy	809,505	44,273	25,073	Labor-intensive Scalable (1 - 100 Sites) Noticeable occupant/classroom impact Not eligible for 1149
BESC HVAC Improvements & HVAC/Lighting Control System Upgrades	BESC currently ranks 2nd (behind Benson HS) in total annual utility costs. The HVAC equipment at BESC is old and inefficient. It malfunctions frequently causing occupant discomfort and wasted energy/water. The BESC lighting control system is a DOS-based computer program that operates erratically and is cumbersome to program/schedule. This measure includes replacing the lighting control system and replacing/upgrading some of the HVAC equipment as recommended by an Energy Trust audit (including Data Center improvements). This measure will improve the energy and water consumption of the BESC and allow maintenance personnel to focus more on school operation.	BESC (1)	\$1,320,200	\$122,505	10.8	20	Energy Water	1,328,938	31,969	887,600	Not eligible for 1149; Administrative buildings often overlooked in energy funding Large additional O&M benefits (Maintenance staff spend a lot of time with this equipment, would like to focus on SCHOOLS)
Energy Management System Upgrade	Upgrade District's Delta Controls Energy Management System infrastructure. This system is used to schedule and control boilers, ventilation fans, and other HVAC equipment. 75% of our sites are operated on a DOS-based computer system that is not web-accessible. The 25% that are web-accessible do not have any kind of graphics package to easily navigate and view system status information. Upgrading the system infrastructure would allow for better control, monitoring and troubleshooting of equipment, providing energy savings and reducing maintenance costs and trips to sites. It would allow staff to see all district sites on one screen, instead of connecting to most sites individually, which takes nearly an entire day (7587 sites at about 5 min per site = 6.5 hours)	All eligible, except for George Beaumont Rosa Parks (92)	\$515,645	\$63,637	6.2	12	Energy	404,753	22,136	12,566	Scalable (1 - 97 Sites) Large additional O&M benefits Not eligible for 1149
Exterior Lighting Upgrades	Upgrade exterior lighting fixtures to energy-efficient, full or partial cut-off. Replace timeclocks and/or photocells or (if feasible) connect to Energy Management System. to EMS so outside lights can be controlled with a programmed schedule. In many cases exterior lighting is poorly designed, not providing light directed to where needed. Exterior lighting control is also limited and often non-functional, resulting in lights on 24/7. These upgrades would provide light more effectively and efficiently in areas where it is needed and enhance the ability to control lights and reduce run time.	All (100)	\$621,100	\$45,660	18.0	20	Energy	507,330			Labor-intensive Scalable (1 - 100 Sites) Public perception (dark night sky, lights on 24/7)
Plumbing Fixture Upgrades	Replace old plumbing fixtures (sinks, faucets, toilets, urinals) and/or install water conservation devices (aerators, flush valves). New china only where necessary or cost-effective. This would (conservatively) reduce water use in buildings by more than 25%. For example, many of District toilets are 3.5 gal/flush, new ones are 1.3 gal/flush or less (55% savings)	All eligible, except for George Beaumont Rosa Parks Forst Park (91)	\$2,615,000	\$427,500	6.6	15	Water			35,530,000	Scalable (1 - 96 Sites) Educational (dual-flush toilets) Not eligible for 1149

**2010 Recovery Zone Energy and Water Conservation Projects  
Exhibit A to Resolution No. 4275**

Project	Description	# of Buildings	Cost	Annual Savings	Payback (yrs)	Life (yrs)	Type	Energy & Water Savings			Comments	
								Electricity (kWh)	Natural Gas (Therms)	Fuel Oil (Gallons)		Water (Gallons)
Kitchen Refrigeration & Equipment Upgrades	Upgrade and replace existing kitchen refrigeration and food service equipment, including: replacing single pass compressors in walk-ins with new air-cooled compressors, where feasible; replacing critical condition existing air-cooled walk-ins with more efficient units; replacing existing reach-ins, ovens, and uninsulated warmers with new Energy Star qualified units. This measure will improve the energy efficiency of our kitchen equipment/refrigeration and eliminate the maintenance problems associated with equipment that is beyond its useful life. Converting from water-cooled to air-cooled refrigeration, where feasible, will stop a steady stream of water running the drain the drain and have a huge impact on water/sewer savings.	All eligible sites where measure applies (95)	\$1,265,450	\$ 139,515	9.1	15	Energy Water	70,050	3,900	10,322,400	Scalable (1 - 60 Sites) Not eligible for 1149	
Exit Lights	Replace compact-fluorescent (and any remaining incandescent) exit signs with LED	All eligible (95)	\$376,050	\$28,359	13.3	20	Energy	315,097			Labor-intensive Scalable (1 - 100 Sites) Fire Life Safety	
Irrigation Redesign & Control	Redesign and replace six remaining old quick coupler irrigation systems. Install remote-accessible irrigation controller for all large field sewer charges, where applicable. This measure will improve water consumption for irrigation on fields by about 30%, and even more for quick coupler-systems which are operated by hand. It will provide central control of systems instead of visiting each site and/or relying on other staff to monitor water use. (PPS frequently receives phone calls in the summer from concerned citizens that irrigation has been left running overnight.) It will take advantage of the sewer submetering program that the City of Portland offers for irrigation connected to a regular meter.	Wilson (2) Jefferson Franklin Jackson Roosevelt	\$300,000	\$49,991	6.0	20	Water			3,740,000	Labor-intensive Public perception (water left on all weekend sometimes, fields flooded) Additional O&M benefits (irrigation systems are full of leaks) Not eligible for 1149	
Boiler Upgrades/Conversions	Replace old P3300 oil burners with high-efficiency natural gas or dual-fuel burner. Convert to natural gas.	Top-priority (4): Peninsula Ainsworth Stephenson Boise-Eliot	\$280,000	\$37,600	7.4	20	Energy	(92,000)		74,000	Scalable (1 - 48 Sites). Could do all 48 oil sites. Public perception (carbon emissions) Top-maintenance priority	
Window Weatherization & Sealing	Scrape, repubty, caulk repair existing wood sash windows. This measure will weatherize and seal the existing windows to prevent leaks. Tightening the overall building envelope will reduce heat loss, thereby improving the energy efficiency.	Top priority (6): Franklin daVinci Dunway Benson Roosevelt Gray Lent BESC	\$700,000	\$34,000	20.6	10	Energy		25,000	4,500	Labor-intensive Scalable (1 - 100 Sites) Top-maintenance priority Not eligible for 1149	
<b>Totals</b>			<b>\$10,300,945</b>	<b>\$1,135,041</b>	<b>9.1</b>			<b>3,435,673</b>	<b>35,278</b>	<b>116,109</b>	<b>50,490,000</b>	

**RESOLUTION No. 4276**

Service Payments

The Board of Education approves the following service payments:

<b><i>Payee</i></b>	<b><i>Description</i></b>	<b><i>Period</i></b>	<b><i>Amount</i></b>
Council of Great City Schools	Annual Dues	2010-2011	\$33,947
Oregon School Boards Association	Annual Dues	2010-2011	\$18,940

*J. Patterson*