



VISION:
To be a world-class school system.

THE SCHOOL BOARD OF LEE COUNTY
School Board Meeting - MINUTES
(School Board Meeting Room, 2855 Colonial Blvd., Fort Myers, FL)
Tuesday, March 24, 2009

Attending

Dr. Jane E. Kuckel, Board Chair	Dr. James W. Browder, Secretary and District Superintendent
Mr. Steven K. Teuber, J.D., Vice Chair	Mr. Keith B. Martin, Board Attorney
Mr. Robert D. Chilmonik, Member	
Mrs. Jeanne S. Dozier, Member	Mrs. Donna Lesansky, Recording Secretary
Dr. Elinor C. Scricca, Member	

I. Opening Exercises

A. Call to Order

The School Board of Lee County, Florida, met on Tuesday, March 24, 2009, in the School Board Meeting Room for a Regular School Board Meeting. Board Chair Jane Kuckel presided and called the meeting to order at 6:00 P.M.

Motion by Dr. Scricca, seconded by Mr. Teuber, and carried 5-0 to adopt the agenda as the Order of Business.

B. Invocation (Mr. Teuber)

C. Presentation of Colors / Pledge of Allegiance (Mr. Chilmonik)

- District Championship Female Color Guard, Riverdale High School JROTC
 - Cadet Major Michelle Pineda
 - Cadet Major Karan-Marie Rodriguez
 - Cadet Sergeant First Class Itzel Gaona
 - Cadet Second Lieutenant Alyssa Gunn
- First Sergeant Michael Trent, JRTOC Army Instructor

II. Special Presentations

A. Recognitions

1. Annual Lee County and 20th Judicial Circuit Court Mock Trial Competitions (Mrs. Dozier)
 - Eight students from Fort Myers High School
2. 2008 Uncommon Friends "Champion" Teachers of the Year (Mrs. Dozier)
 - Mr. Chuck Ryder, Lee County High Tech Center Central
 - Elvira Couret, Orange River Elementary School

B. Resolutions

1. School Library Media Month: April 2009 (*Dr. Scricca*)
Motion by Dr. Scricca, seconded by Mrs. Dozier, and carried 5-0 to adopt the Resolution proclaiming April 2009 as School Library Media Month.
2. Children's Week: March 29-April 5, 2009 (*Dr. Scricca*)
Motion by Dr. Scricca, seconded by Mr. Teuber, and carried 5-0 to adopt the Resolution proclaiming the week of March 29-April 5, 2009, as Children's Week.
3. Administrative Professionals Week®: April 19-25, 2009 (*Mr. Teuber*)
Motion by Mr. Teuber, seconded by Dr. Scricca, and carried 5-0 to adopt the Resolution proclaiming the week of April 19-25, 2009, as Administrative Professionals Week®.
4. Earth Week: April 20-24, 2009 (*Mr. Teuber*)
Motion by Mr. Teuber, seconded by Mrs. Dozier, and carried 5-0 to adopt the Resolution proclaiming the week of April 20-24, 2009, as Earth Week.

C. Special Presentations to the Board (None)

D. Staff Presentation to the Board

- Environmental Education video presented by Jason Sill, Instructional Television and Video

III. Public Comment

Speakers and the topics they addressed were as follows:

John Traube: budget issues

Sue Jacobse: adequate funding for education

Dr. Kuckel acknowledged the presence of some of the District's art/music teachers, thanked them for attending the meeting, and urged them to contact legislators regarding funding for the District.

Mr. Teuber provided information about some of the items being addressed during the current Legislative Session and the impact on the District of the decisions being made.

IV. Consent Action Items

Mr. Chilmonik requested that Item IV.D.1. be pulled for discussion during the Unfinished Business/Tabled Items portion of the agenda.

Motion by Dr. Scricca, seconded by Mr. Chilmonik, and carried 5-0 to approve the Consent Agenda with the exception of Item IV.D.1.

A. Executive Services – Dr. James W. Browder

1. Approval of minutes of School Board Meetings:
 - March 10, 2009, School Board Action Meeting

B. Academic Services – Dr. Constance Jones

1. Approval of the Implementation Agreement with the AVID Center to provide membership, curriculum and teacher professional development for Lehigh Senior High School, Varsity Lakes Middle School and Lehigh Acres Middle School, at a cost not to

exceed \$23,145.00 for FY 09-10, and authorization for the Superintendent to execute all related documents.

2. Approval of the revised School Advisory Council Membership of Mirror Lakes Elementary School.

C. Administrative Services – Mr. Michael McNerney (None)

D. Business Services

1. Approval to remove from the Official Property Records, 54 items listed on the attached spreadsheet report titled Property Records by Bar Code/Tag number. Pulled for discussion during the Unfinished Business/Tabled Items portion of the agenda.
2. Approval of the Monthly Budget Report for the period ending December 5, 2008.
3. Approval of the Budget Amendment Dated December 5, 2008 to amend the 2008-09 annual school budget.
4. Approval to accept the Audit Report for the School District of Lee County for the fiscal year ended June 30, 2008.
5. Approval of Bid No. B096761JM for mobile storage containers & trailers to: Marsten THG Modular d/b/a Work Space Plus as primary vendor for rental of one door containers and secondary vendor for purchase of one door containers and Rice Intermodal, Inc. as secondary vendor for rental of one door containers and primary vendor for purchase of all containers and rental of 2 door containers at an estimated annual expenditure of \$40,000 beginning March 24, 2009 through March 23, 2010, with renewal options for two additional one-year periods upon the written agreement of the vendor and the Board and authorization for the Superintendent to execute all documents.
6. Approval of Bid No. B096765JM for restroom fixtures (hygienic) to: AmSan Florida for item 10; Florzone Services Inc. for items 8, 11 & 12; W.W. Grainger, Inc. for items 1-5, 7, 9 & 14 and Pyramid II, Inc. for items 6, 13, & 14 at an estimated annual expenditure of \$200,000 beginning March 24, 2009 through March 23, 2010, with renewal options for two additional one-year periods upon the written agreement of the vendor and the Board and authorization for the Superintendent to execute all documents.
7. Approval of Bid No. B096763LO for concrete finishing & block work to Gulf Paving Co., Inc. at an estimated annual expenditure of \$650,000 beginning March 24, 2009 through March 23, 2010, with renewal options for two additional one-year periods upon the written agreement of the vendor and the Board and authorization for the Superintendent to execute all documents.
8. Approval to award Bid No. B096768LO for water line replacement (re-piping inside buildings) at Lehigh Acres Middle School to Gulfpoint Construction Co., Inc. having the lowest response and meeting specifications for a total price of \$119,000 and authorization for the Superintendent to execute all necessary documents
9. Approval of RFP No. R086752SW awarded to Public Risk Associates, Inc. d/b/a Public Risk Insurance Agency to provide property and casualty insurance consulting and brokering services at no cost to the District for a three-year period beginning April 1, 2009 through March 31, 2012, with renewal options for one additional two-year

period upon written agreement of the proposer and the School Board and authorization for the Superintendent to execute all documents.

10. Approval to piggy-back Broward County Schools Bid No. 26-112R for the purchase of locks, keys and related hardware awarded to multiple vendors through September 30, 2009 at an estimated expenditure of \$75,000 and authorization for the Superintendent to execute all documents.
11. Approval to piggy-back Bid No. 09/01-04-0120 for tire and related services with Florida Sheriffs Association and the Florida Association of Counties awarded to various dealers/distributors throughout the state of Florida through February 28, 2011, at an estimated annual expenditure of \$445,000 and authorization for the Superintendent to execute all documents.
12. Approval to piggy-back Polk County Schools Bid No. 088-PSC-0508 for the purchase of auto, truck & bus parts/service and linen service awarded to multiple vendors through June 30, 2009 at an estimated expenditure of \$30,000 and authorization for the Superintendent to execute all documents.
13. Approval to renew Bid No. B076523SW for healthy vending machines for the Food and Nutrition Services Department to Brady Distributing Company, for the period of April 3, 2009 through April 2, 2010 pursuant to the same terms and conditions as previously approved by the Board at an estimated annual expenditure of \$30,000 and authorization for the Superintendent to execute all documents.
14. Approval of purchase orders in the total amount of \$500,348.57; and authorization for the issuance of the ten (10) purchase orders as described.
15. Approval of Amendment Number 5 to the agreement with Computer Associates International, Inc. extending the term of the license agreement for two years to March 30, 2011; the annual maintenance fee expenditure of \$158,729.00 in FY09, the annual maintenance fee expenditure of \$140,981.74 in FY10; and authorization for the Superintendent to execute related documents.

E. Human Resources – Dr. Gregory Adkins

1. Approval of the general personnel recommendations including administrative, certificated, support and substitute staff, annual reappointment, and correction to an item previously approved by the Board.
2. Approval of the contract with Total Administrative Service Corporation to provide Flex Plan Administrative Services for the three-year period April 1, 2009, through March 31, 2012, with two additional one-year extensions. The estimated cost for the April 1, 2009, through March 31, 2010, plan year is \$78,000.

F. School Support Services – Mr. William Moore

1. Approval to award Bid #CS249 for Trafalgar Middle School HVAC Work to Air Mechanical & Service Corp. in the amount of \$442,875.00 plus an amount not to exceed \$20,000.00 for contingency, if required, at the District's discretion and authorization for the Superintendent to execute all necessary documents.
2. Approval to award Bid #CS251 for Emergency Generator Supply and Installation for Dunbar, North Fort Myers and South Fort Myers High Schools to J.L. Wallace, Inc. in the amount of \$1,086,605.00 plus an amount not to exceed \$20,000.00 for contingency,

if required, at the District's discretion and authorization for the Superintendent to execute all necessary documents.

3. Approval of the Certification of Facilities Data certifying that the educational facilities inventory data for the District contained in the Florida Inventory of School Houses (FISH) is current and accurate as of March 24, 2009 pursuant to applicable statutes and rules.
4. Approval of the Interlocal Agreement with Lee County for Sidewalk Construction at G. Weaver Higgs Elementary School at an estimated cost to the District of \$12,500.00.

V. Unfinished Business/Tabled Items

Item IV.D.1.: Approval to remove from the Official Property Records, 54 items listed on the attached spreadsheet report titled Property Records by Bar Code/Tag Number.

Motion by Mr. Chilmonik and seconded by Mr. Teuber to accept the Superintendent's recommendation that the Board approve the removal from the Official Property Records, 54 items listed on the spreadsheet report titled Property Records by Bar Code/Tag Number.

In response to Mr. Chilmonik's request, Dr. Browder addressed the surplusing of 54 buses.

Motion carried 5-0.

VI. Superintendent's Recommendations

A. Good Cause (None)

B. Interlocal Agreement with the Lee County Clerk of Courts for Auditing Services.

Motion by Mrs. Dozier, seconded by Mr. Teuber, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the Interlocal Agreement with the Lee County Clerk of Courts for Auditing Services for a one-year period unless extended by mutual agreement of the parties.

C. Renewal of RFQ No. R076528LO – Microbial Remediation.

Motion by Mrs. Dozier, seconded by Mr. Teuber, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the renewal of RFQ No. R076528LO for microbial remediation to American Management Resources Corp., FreshAire Solutions of SWFL, and Percon Abatement, Inc. for the final renewal period of April 3, 2009 through April 2, 2010 pursuant to the same terms and conditions as previously approved by the Board at an estimated annual expenditure of \$1,500,000; and authorize the Superintendent to execute all documents.

D. Renewal of Bid No. B086662VR – Computer Hardware, Software, Peripherals, Audio Video Equipment and Accessories.

Motion by Mr. Chilmonik and seconded by Dr. Scricca to accept the Superintendent's recommendation that the Board approve the renewal of Bid No. B086662VR for Computer Hardware, Software, Peripherals, Audio Video Equipment and Accessories to twenty-four vendors for the period of April 22, 2009 through April 21, 2010 at the same terms and conditions as previously approved by the Board at an estimated annual expenditure of \$10,000,000; and authorize the Superintendent to execute all documents.

Mr. Chilmonik stated that he would be unable to support this recommendation because he felt that it was too large an expenditure at this time.

Motion carried 4-1, with Mr. Chilmonik casting the vote in opposition to the Motion.

E. Ranking of Architects for Three Oaks Elementary School Mechanical and Electrical Upgrade.

Motion by Mrs. Dozier, seconded by Mr. Teuber, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the following ranking of Architectural firms to provide services for Three Oaks Elementary School Mechanical and Electrical Upgrade: (1) SchenkelShultz, Inc.; (2) Reynolds Smith & Hills, Inc.; (3) Harvard Jolly, Inc.; (4) Gora McGahey; and authorize the Superintendent to execute all necessary documents. In the event negotiations with the top ranked firm are not successful, authorize proceeding with negotiation and execution of a contract according to the final ranking.

F. Ranking of Construction Managers for Three Oaks Elementary School Mechanical and Electrical Upgrade.

Motion by Dr. Scricca, seconded by Mrs. Dozier, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the following ranking of Construction Management firms to provide services for Three Oaks Elementary School Mechanical and Electrical Upgrade: (1) Gulfpoint Construction Company, Inc.; (2) W.G. Mills, Inc. of Fort Myers, (3) Lodge Construction, Inc.; (4) Kraft Construction Company, Inc; and authorize the Superintendent to execute all necessary documents. In the event negotiations with the top ranked firm are not successful, I recommend authorize proceeding with negotiation and execution of a contract according to the final ranking.

G. Total Project Cost for Three Oaks Elementary School Mechanical and Electrical Upgrade.

Motion by Dr. Scricca, seconded by Mrs. Dozier, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the total project cost of \$3,500,000.00 for Three Oaks Elementary School Mechanical and Electrical Upgrade; and authorize the Superintendent to execute all necessary documents.

H. Ranking of Construction Managers for Villas Elementary School Window, Plumbing, Cabinet Replacement and New P.E. Building.

Motion by Mrs. Dozier, seconded by Mr. Teuber, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the following ranking of Construction Management firms to provide services for Villas Elementary School Window, Plumbing, Cabinet Replacement and New P.E. Building: (1) Lodge Construction, Inc.; (2) W.G. Mills, Inc. of Fort Myers; (3) Kraft Construction Company, Inc.; (4) Gates Butz Institutional Construction, LLC; (5) Wright Construction Group, Inc; and authorize the Superintendent to execute all necessary documents. In the event negotiations with the top ranked firm are not successful, authorize proceeding with negotiation and execution of a contract according to the final ranking.

I. Total Project Cost for Villas Elementary School Window, Plumbing, Cabinet Replacement and New P.E. Building.

Motion by Dr. Scricca, seconded by Mr. Teuber, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the total project cost of \$2,500,000.00 for Villas Elementary School Windows, Plumbing, Cabinet Replacement and New P.E. Building; and authorize the Superintendent to execute all necessary documents.

VII. Attorney's Recommendations – Mr. Keith Martin (None)

VIII. Public Hearing

Dr. Browder presented his recommendation for this evening's Public Hearing item.

A. Adoption of Policy 1.061, Evaluation of the Superintendent and School Board Attorney.

Dr. Kuckel recessed the Board Meeting and opened the Public Hearing at 7:09 P.M. She asked if anyone would like to address the Board regarding the one item on the agenda for Public Hearing.

There being no requests to address the Board, Dr. Kuckel closed the Public Hearing and reconvened the Board Meeting at 7:10 P.M.

A. Adoption of Policy 1.061, Evaluation of the Superintendent and School Board Attorney.

Motion by Mr. Chilmonik and seconded by Dr. Scricca to accept the Superintendent's recommendation that the Board approve the adoption of Policy 1.061, Evaluation of the Superintendent and School Board Attorney, to establish a process for evaluation of the performance of the Superintendent and School Board Attorney.

Mr. Chilmonik stated that he would be unable to support this recommendation because he does not agree with the elimination of the highest and lowest ratings prior to calculating the composite Board evaluation score.

Motion carried 4-1, with Mr. Chilmonik casting the vote in opposition to the Motion.

IX. Other Business

A. Board Members' Comments/Reports

Mr. Chilmonik: thanked the art/music teachers for attending the meeting; expressed his support of the arts; explained his reasoning for supporting a referendum to shift capital funds to operating; stated his concern regarding impending personnel cuts; provided a packet to Mrs. Dozier in response to her previous request for e-mail communication between him and former Board Auditor Julie Nieminski.

Mrs. Dozier: thanked the art/music teachers for attending the meeting; observed that the annual Pride & Patriotism event is a way to showcase and celebrate the arts in Lee County schools; urged everyone to contact/continue to contact state legislators regarding adequate funding for Lee County; requested of Dr. Browder that he address budget issues, including the exchange of capital funds for operating, during his comments.

Dr. Scricca: thanked the teachers who have involved their students in prior Pride & Patriotism events and announced that this year's event is scheduled for November 10th.

Mr. Teuber: stated that he would wear his heart pin during his visits with legislators in Tallahassee this week.

Dr. Kuckel: addressed the issue of Board Members wearing caps and gowns at this year's graduation ceremonies in light of the fact that the vendor can no longer provide them free

of charge. *It was the consensus of the Board that this matter be addressed at a future Briefing Meeting.*

B. Board Attorney's Comments/Reports (None)

C. Superintendent's Comments/Reports

Dr. Browder: announced that the District received a Homeless Assistance Grant; (*in response to Mrs. Dozier's request*) provided information on a referendum option and how it would impact the District; stated that moving capital funds to operating is something that he would consider recommending to the Board as the District moves forward; stated that it is time to demand that the state do what is mandated in the State Constitution, which is to live up to its "paramount duty...to make adequate provision for the education of all children..."; stated that he supports the arts but that he has the responsibility to present a balanced budget to the Board; stated that the District stands to lose approximately 80 positions in art/music for the 2009-2010 school year.

D. Next Scheduled Meetings of the Board:

- April 21, 2009, 2:30 p.m., School Board Briefing Meeting (*immediately following Student Hearings and/or Special Board Meeting, if scheduled*)
- April 21, 2009, 6:00 p.m., School Board Action Meeting

X. Adjournment

Motion Dr. Scricca, seconded by Mr. Teuber, and carried 5-0 to adjourn the March 24, 2009, School Board Meeting.

The meeting adjourned at 7:35 P.M.

Jane E. Kuckel, PhD, Board Chair

ATTEST:

James W. Browder, Ed.D., Secretary and District Superintendent

An audio/visual tape of this meeting has been produced to provide a verbatim record of the proceedings. Members of the public may obtain a copy of the tape of any meeting by making a request for such through the Communications Department and paying the actual cost of copying the tape. Members of the public may view any Board meeting tape at the Communications Department at no cost. Anyone wishing to view a Board meeting tape should contact the Communications Department at 337-8327 to make such a request.