



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, December 14, 2010

Attending:

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| Mr. Thomas Scott, Chairman | Dr. Lawrence D. Tihen, Secretary and Interim Superintendent |
| Ms. Mary Fischer, M.A., Vice Chairman | Ms. Heather Hawkins, Attorney, School Support |
| Mrs. Jeanne S. Dozier, Member | |
| Dr. Jane E. Kuckel, Member | |
| Mr. Don H. Armstrong, Member | Mrs. Donna Lesansky, Recording Secretary |

I. Opening Exercises

A. Call to Order

The School Board of Lee County, Florida, met on Tuesday, December 14, 2010, in the School Board Meeting Room for a Regular School Board Meeting. Board Chairman Thomas Scott presided and called the meeting to order at 6:05 P.M.

Mr. Scott noted that Agenda Item IV.B.4. had been pulled from the agenda prior to this evening's meeting.

At Mr. Scott's request, Dr. Tihen provided justification for the addition of the Good Cause item. Mr. Scott stated that as presiding officer he determined there is good cause to add the item to the agenda.

Motion by Ms. Fischer, seconded by Mrs. Dozier, and carried 5-0 to adopt the agenda as the Order of Business.

B. Invocation (Ms. Fischer)

C. Presentation of Colors and Pledge of Allegiance (Mr. Armstrong)

- Cadet Captain Justin Torres, Dunbar High School JROTC
- First Sergeant Raymond Hart, Army Instructor, Dunbar High School

II. Special Presentations

A. Recognitions

1. Hispanic American Business Alliance Principals of the Year (Mrs. Dozier)
 - Mrs. Holly Bell, Orange River Elementary School
 - Mr. Steve Hutnik, Alva Middle School
 - Mr. Eric McFee, Cape Coral High School

2. Annual Holiday Greeting Cards: High School Student Artists (*Dr. Kuckel*)
 - Samantha Merritt, Cape Coral High School
 - Andie Kunkel and Brendan O'Brien, Cypress Lake High School
 - Karina Garcia, Cheyene Gillenwater, and Alex Wood, Island Coast High School
 - Amber Dunlap, Lehigh Senior High School
 - Jamie Wilson, North Fort Myers High School

B. Resolutions (None)

C. Acknowledgement (*Ms. Fischer*)

Character Word for December: Kindness/Compassion

D. Special Presentations to the Board (None)

E. Staff Presentation to the Board (None)

III. Public Comment

Speakers and the topics they addressed:

John Traube: incidents that occurred at a recent Board workshop

Steven Teuber: Board Members'/Superintendent's responsibilities with regard to the management of personnel; requests for information by Board Members

Kim Kanefke: programs and placements available for her ESE (autistic) children for the 2011-12 school year

Bob Rushlow, President, Support Personnel Association of Lee County: training for District support staff related to dealing with autistic students

Mark Castellano, President, Teachers Association of Lee County: work of the Instructional Calendar Committee and the benefits of the early start of the 2011-12 school year

Mr. Scott responded to speakers. He stated that during the Board workshop on the TransPar audit, the Board/Superintendent came up with some ideas as to how to address some of the issues; stated that discussion took place at this afternoon's Briefing Meeting regarding requests for information made by Board Members and that the concerns raised by the speaker are being addressed; requested that Dr. Tihen respond to the concerns raised by the speakers with regard to autistic students in the District; thanked the members of the Instructional Calendar Committee for their efforts in developing the 2011-12 school calendar.

IV. Consent Action Items

The following items were pulled by Board Members for discussion during the Unfinished Business/Tabled Items portion of the agenda:

Item IV.D.1. – Removal of Items from Official Property Records (pulled by Mr. Armstrong)

Item IV.D.3. – Budget Amendment Dated October 31, 2010, to Amend the 2010-11 Annual School Budget (pulled by Mr. Scott)

Motion by *Ms. Fischer*, *seconded* by *Dr. Kuckel*, and *carried 5-0* to approve the Consent Agenda with the exception of the pulled items.

A. Executive Services – Dr. Lawrence D. Tihen

1. Approval of minutes of School Board Meetings:
 - November 4, 2010, School Board Organizational Planning Meeting
 - November 16, 2010, School Board Action Meeting

B. Academic Services – Dr. Constance Jones

1. Approval of two grant proposals, one related agreement, and one contract renewal with Lee County Health Department at no additional cost to the District. Approval authorizes the Superintendent to execute related documents, and to approve normal and customary accounting, bookkeeping, and payroll processes to maintain continuity of federal and state grant expenditures during fiscal year changes and other technical transitions. Any processes so approved by the Superintendent will represent best practices, and will conform to funding agency regulations.
2. Approval of the new Affiliation Agreements with Hope Healthcare Services and Lehigh Regional Medical Center for the Licensed Practical Nursing Program located at the Hendry Campus of Edison College effective March 1, 2011. There is no cost to the District for these Agreements.
3. Approval of the School Improvement Plans submitted by the 92 schools and special centers for the 2010-2011 school year.
4. ~~Approval of the purchase of adult ESOL textbooks and related materials from Pearson Longman at a total price of \$30,621.94; and authorization for the Superintendent to execute all necessary documents.~~ Pulled from the agenda prior to the meeting.

C. Administrative Services

1. Approval to change the authorized signers on the Internal Fund Accounts at Spring Creek Elementary, Franklin Park Elementary, and Curriculum and Staff Development Center with two signatures required on these accounts, one of which must be administrative; and authorization for the Superintendent to execute related documents.
2. Approval of the agreement with the YMCA of the Palms for the period August 23, 2010 through August 24, 2011, to transport students from Bonita Elementary to the Bonita YMCA location to participate in the Century Community Learning Center Program at no cost to the District.

D. Business Services

1. Approval to remove from the Official Property Records, 288 items listed on the report titled Property Records Assets Retirement 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 October 31, 2010.
3. Approval of the Budget Amendment dated October 31, 2010 to amend the 2010-11 annual school budget. Pulled for discussion during the Unfinished Business/Tabled Items portion of the agenda.
4. Approval to award Bid No. B106912GM to EMP Pizza, Inc. d/b/a Domino's Pizza, Mione Pizza, LLC d/b/a Domino's Pizza, NPC International, Inc. d/b/a Pizza Hut, OSP, Inc. d/b/a Papa John's Pizza, PJ Fort Myers, Inc. d/b/a Papa John's Pizza, Ro Ho Ho, Inc. d/b/a Papa John's Pizza, Sheer Pizza, Inc. d/b/a Domino's Pizza and Team St. Pete d/b/a Domino's Pizza for pizza service for Lee County schools for the period beginning December 14, 2010 through December 13, 2011, at an estimated annual expenditure of \$300,000 and authorization for the Superintendent to execute all necessary documents.
5. Approval to award Bid No. B106908RL for fertilizer, herbicides, insecticides and pesticides to Diamond R. Fertilizer Co., Inc., J.C. Ehrlich Co., Inc., John Deere

Landscapes, Univar USA, Inc. and Winfield Solutions dba Pro Source One, as outlined on the bid tabulation having submitted the lowest responsive bids for the period of December 14, 2010 through December 13, 2011, at an estimated annual expenditure of \$95,000 and authorization for the Superintendent to execute all documents.

6. Approval to award Bid No.B106918SW for replacement seat foam to Matthews Buses, Inc. for Item 5A line d and Item 5B line d and to Reliatex, Inc. for all line items except Item 5A line d and Item 5B line d, for the period of December 14, 2010 through December 13, 2011, at an estimated annual expenditure of \$40,000 and authorization for the Superintendent to execute all documents.
7. Approved to increase the estimated expenditure for Bid No. B086745JM for fencing supplies for maintenance stock, awarded to US Wholesale Pipe & Tube, Inc. by \$125,000, increasing the total estimated expenditure to \$200,000 for the period December 9, 2010 to December 8, 2011 and authorization for the Superintendent to execute all necessary documents.
8. Approval of the virtual tape system for disaster recovery in the amount of \$70,800, and authorization for the Superintendent to execute related documents.
9. Approval to piggy-back Hernando County Bid No 05-480-12RN for classroom instructional materials, supplies and equipment catalog discounts, specifically for the lease of existing duplicating machines, for the period of January 1, 2011 through June 30, 2011, at an estimated expenditure of \$100,000 and authorization for the Superintendent to execute all documents.
10. Approval to piggy-back Seminole County Public Schools Bid No. 103132 for physical education supplies and equipment catalog discount awarded to multiple vendors from December 14, 2010 through June 30, 2011, at an estimated expenditure of \$65,000 and authorization for the Superintendent to execute all documents.
11. Approval of the purchase requisitions in the total amount of \$546,986.11 and authorization for the issuance of the eighteen (18) purchase orders as described.
12. Approval to renew Bid No. B096816JM for electrical supplies to HD Electrical Supply as primary vendor for items 1-3 and 5-13, and Mayer Electrical Supply as primary vendor for item 4 and secondary vendor for items 1-3 and 5-13, for the first renewal period of December 8, 2010 through December 7, 2011 at an estimated annual expenditure of \$500,000, pursuant to the same terms and conditions as previously approved by the Board and authorization for the Superintendent to execute all documents.
13. Approval to renew Bid No. B096836JM for automotive/equipment filters to Parts Depot, Inc., Sam Galloway Ford and Total Truck Parts, Inc., for the first renewal period of December 8, 2010 through December 7, 2011 at an estimated annual expenditure of \$69,000, pursuant to the same terms and conditions as previously approved by the Board and authorization for the Superintendent to execute all documents.
14. Approval to award Bid No. B106890SW for HVAC filter replacement program to Pure Air Filter Sales & Service for the period of December 14, 2010 through December 13, 2011, at an estimated annual expenditure of \$287,647.23 and authorization for the Superintendent to execute all documents.

E. Human Resources – Dr. Gregory Adkins

1. Approval of the general personnel recommendations including certificated, support and substitute staff, out-of-field appointments, and annual reappointments.
2. Approval to renew the voluntary disability insurance plan offered by UNUM Life Insurance Company of America for the one-year period April 1, 2011, through March 31, 2012, at no cost to the District.
3. Approval of the renewal agreement with Minnesota Life Insurance Company to provide District-paid basic life insurance for regular full-time employees for the period April 1, 2011, through March 31, 2014, at an estimated cost of \$570,000 per year. Employee-paid supplemental and dependent term life insurance coverages are available through payroll deduction and retiree coverage is available through direct billing.
4. Approval of the agreement with EAP Consultants, Inc. to provide Employee Assistance Program (EAP) services to School District employees and their eligible dependents for the one-year period April 1, 2011, through March 31, 2012, at an estimated cost of \$140,000.
5. Approval to reclassify of the position of Clerk Typist to Accounting Clerk, at High Tech North.
6. Approval of the revised job description for the position of Master Teacher for Curriculum.

F. School Support Services – Mr. William Moore

1. Approval of the \$27,320 expenditure to replace leased portables (\$7,320-knockdown and return of existing portables) with District owned portables (\$20,000 to disconnect/reconnect utilities) at Lehigh Acres Middle School and authorization for the Superintendent to execute all necessary documents.

V. Unfinished Business/Tabled Items

Item IV.D.1. – Removal of Items from Official Property Records.

Motion by Mr. Armstrong and seconded by Dr. Kuckel to accept the Superintendent's recommendation that the Board approve the removal from the Official Property Records, 288 items listed on the report titled Property Records Asset Retirement by Bar Code/Tag Number.

Mrs. Campbell [Executive Director, Financial Services] and Dr. Tihen responded to Mr. Armstrong's questions regarding previously removed items and a recovery program to provide computers to District's students.

Motion carried 5-0.

Item IV.D.3. – Budget Amendment Dated October 31, 2010, to Amend the 2010-11 Annual School Budget.

Motion by Dr. Kuckel and seconded by Mrs. Dozier to accept the Superintendent's recommendation that the Board approve the Budget Amendment dated October 31, 2010, to amend the 2010-11 annual school budget.

Dr. Ami Desamours [Executive Director of Budget] responded to Mr. Scott's request for the rationale behind the reduction in salaries by over \$2 million in the Instructional Services budget.

Motion carried 5-0.

VI. Superintendent's Recommendations

A. Good Cause

1. Agreement with Florida School Boards Association, Inc. to Conduct Superintendent Search.

Motion by Ms. Fischer, seconded by Mrs. Dozier, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the agreement with the Florida School Boards Association, Inc., to perform services to conduct a search for the Superintendent of Schools, at a cost not to exceed \$6,000.

B. Approval of the 2011-12 Instructional Calendar.

Motion by Mrs. Dozier, seconded by Dr. Kuckel, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the 2010-2011 Instructional Calendar as presented.

C. Application for Charter School Status for Edison Leadership and Preparatory Academy.

Motion by Mrs. Dozier, seconded by Mr. Armstrong, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the application for charter school status with Edison State College-Lee Campus for a K-8 school to be called Edison Leadership and Preparatory Academy.

D. Application for Charter School Status for Cape Coral Preparatory and Fitness Academy.

Motion by Dr. Kuckel, seconded by Mrs. Dozier, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the application for charter school status with Cape Coral Preparatory and Fitness Academy, Inc. for a K-8 school to be called Cape Coral Preparatory and Fitness Academy.

E. Application for Charter School Status for Richard Milburn Academy South.

Motion by Ms. Fischer, seconded by Mrs. Dozier, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the application for charter school status with Richard Milburn Academy of Florida, Inc. for a 9-12 school to be called Richard Milburn Academy South.

F. Application for Charter School Status for Mavericks High of Lee County.

Motion by Mrs. Dozier, seconded by Mr. Armstrong, and carried 5-0 to accept the Superintendent's recommendation that the Board deny the application for charter school status from New Alternative Education High School of Lee County, Inc. for a high school to be called Mavericks High of Lee County and adopt the Executive Summary as the notice of specific reasons for denial to be provided to the applicant.

Mrs. Dozier requested that District staff work with charter school applicants to fully explain the process and reasons for denial.

G. Application for Charter School Status for Innovations Middle Charter School.

Motion by Mrs. Dozier, seconded by Dr. Kuckel, and carried 5-0 to accept the Superintendent's recommendation that the Board deny the application for charter school status from Innovations Educational Services, Inc. for a middle school to be called Innovations Middle Charter School and adopt the Executive Summary as the notice of specific reasons for denial to be provided to the applicant.

H. Increase Annual Expenditure RFQ. No. R106866LO – Microbial Remediation, Lead Abatement, and Certification in RRP.

Motion by Ms. Fischer, seconded by Mrs. Dozier, and carried 5-0 to accept the Superintendent's recommendation that the Board approve increasing the estimated expenditure for RFQ No. R106866LO for microbial remediation, asbestos abatement and lead abatement, awarded to American Management Resource Corp., FreshAire Solutions of SWFL and Percon Abatement, Inc. by \$1,000,000, increasing the total estimated expenditure to \$2,500,000 through April 19, 2011; and authorize the Superintendent to execute all necessary documents.

I. Ranking of Civil Engineers for East Zone Middle School "LL."

Motion by Ms. Fischer, seconded by Mr. Armstrong, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the ranking of Civil Engineering firms to provide services for East Zone Middle School "LL" as follows: (1) TKW Consulting Engineers, Inc., (2) Exceptional Engineering, Inc., (3) David Douglas Associates, Inc., (4) HSA Engineers & Scientists, and authorization for the Superintendent to execute all necessary documents. In addition, in the event negotiations with the top ranked firm are not successful, the Board authorize proceeding with negotiation and execution of a contract according to the final ranking.

J. Resolution Authorizing Execution of Amended and Restated Schedule 2006A, First Amendment to Series 2006A Ground Lease, First Amendment to Series 2004 Supplemental Trust Agreement, Series 2005A Supplemental Trust Agreement and Series 2006A Supplemental Trust Agreement.

Motion by Mrs. Dozier, seconded by Ms. Fischer, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the Resolution authorizing the execution of Amended and Restated Schedule 2006A, the First Amendment to Series 2006A Ground Lease, the First Amendments to Series 2004 Supplemental Trust Agreement, Series 2005A Supplemental Trust Agreement and Series 2006A Supplemental Trust Agreement in order to transfer unused proceeds remaining in the 2004 Acquisition Account and the 2005A Acquisition Account to the Series 2006A Acquisition Account to provide funds for the lease purchase financing of a new elementary school, and to add such project as a Series 2006A Facility Site and Series 2006A Facility under the Series 2006A Ground Lease and 2006A Lease.

K. Resolution/Certificates of Participation, Series 2011A.

Motion by Mrs. Dozier, seconded by Dr. Kuckel, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the Resolution authorizing the issuance of Certificates of Participation, Series 2011A in an aggregate principal amount not to exceed \$27,009,000 for the purpose of financing certain educational facilities under the Master Lease Program and the execution and delivery of certain documents in connection with the issuance of the Series 2011A Certificates.

L. Resolution/Issuance of Certificates of Participation, Series 2010, for the Purpose of Refunding of a Portion of Certificates of Participation, Series 2002A.

Motion by Ms. Fischer, seconded by Mrs. Dozier, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the Resolution authorizing the issuance of Certificates of Participation, Series 2010, in an aggregate principal amount not to exceed \$30,000,000 for the purpose of refinancing certain educational facilities under

the Master Lease Program through the refunding of a portion of the Series 2002A Certificates in a private placement sale to a financial institution, and the execution and delivery of certain documents in connection with the issuance of the Series 2010 Certificates.

At 7:15 P.M., Mr. Scott recessed the School Board Meeting to allow for a meeting of the Lee County School Board Leasing Corporation.

At 7:24 P.M., Mr. Scott reconvened the School Board Meeting.

VII. Attorney's Recommendations – Ms. Heather Hawkins (None)

VIII. Public Hearing (None)

IX. Other Business

A. Board Members' Comments/Reports

Mr. Armstrong: addressed a speaker's comments regarding his recent request for information on staff members.

Dr. Kuckel: none.

Mrs. Dozier: reminded the Board about tomorrow's [December 15th] Legislative Delegation Meeting at Edison State College and extended an open invitation for anyone to attend.

Ms. Fischer: thanked the representatives from the financial organizations for coming to this evening's meetings and for taking the time to meet individually with the three new Board Members; wished everyone a happy holiday.

Mr. Scott: expressed happy holiday wishes to all.

B. Attorney's Comments/Reports (None)

C. Superintendent's Comments/Reports

Dr. Tihen: commended everyone who worked on the class size issue for a job well-done; informed Mr. Rushlow that the District is conducting some training on dealing with autistic children and offered to share the details with him; acknowledged the complexity of his last three recommendations and thanked the Board for supporting the financial matters of the District.

D. Next Scheduled Meetings of the Board:

- January 11, 2011, 2:30 P.M., School Board Student Hearings (*closed to the public*)
- January 11, 2011, 2:30 P.M.*, School Board Briefing Meeting (**Immediately following the Student Hearings and a School Board Special Meeting, if one is scheduled*)
- January 11, 2011, 6:00 P.M., School Board Action Meeting

X. Adjournment

Motion by Mrs. Dozier, seconded by Mr. Armstrong, and carried 5-0 to adjourn the December 14, 2010, School Board Meeting.

The meeting adjourned at 7:30 P.M.

Thomas Scott, Board Chairman

ATTEST:

Lawrence D. Tihen, PhD, Secretary and District Interim Superintendent

An audio-visual recording of this meeting has been produced to provide a verbatim record of the proceedings and may be viewed on the School District's Website at www.leeschools.net/stream Members of the public wishing to obtain a copy of the recording of this or any meeting of the School Board must make a request through the District's Communications Department at (239) 337-8327.