

September 27, 2016

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

INDEX TO THE MINUTES

September 27, 2016

Board
Action
Number

Page

Purchases, Bids, Contracts

5335	Revenue Contracts that Exceed \$150,000 Limit for Delegation of Authority.....	
5336	Expenditure Contracts that Exceed \$150,000 for Delegation of Authority	

Other Matters Requiring Board Approval

5337	Amend Community Use of School Buildings and Facilities Policy.....	
5338	Resolution Calling for Publication of Notice and Authorizing Full Faith and Credit Bonds.....	
5339	Revised Follow-up to Audit on Administrative Compensation	
5340	Minutes.....	
5341	Amendment to Existing Contract.....	

September 27, 2016

Purchases, Bids, Contracts

The Interim Superintendent RECOMMENDED adoption of the following items:

Resolutions 5335 and 5336

Director Rosen moved and Director Kohnstamm seconded the motion to adopt the above numbered items. The motion was put to a voice vote and passed unanimously (6-yes, 0-no) with Director Knowles absent and Student Representative Bradley voting yes, unofficial.

September 27, 2016

RESOLUTION No. 5335

Revenue Contracts that Exceed \$150,000 Limit for Delegation of Authority

RECITAL

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) to enter into and approve all contracts, except as otherwise expressly authorized. Contracts exceeding \$150,000 per contractor 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 REVENUE CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
United Way of Columbia-Willamette	7/1/2016 through 7/20/2017	Revenue R 63622	Preschool Promise grant to support two PreK classrooms at Faubion@Tubman.	\$520,000	H. Adair Fund 205 Grant G1588

NEW INTERGOVERNMENTAL AGREEMENTS / REVENUE (“IGA/Rs”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
North Clackamas School District	7/1/2016 through 6/30/2017	Intergovernmental Agreement-Revenue IGA/R 63383	Columbia Regional Program will provide classroom services to deaf and hard of hearing regionally eligible children.	\$232,625	H. Adair Fund 299 Dept. 5422 Grant S0031

AMENDMENTS TO EXISTING REVENUE CONTRACTS

No Amendments to Existing Revenue Contracts

Y. Awwad

September 27, 2016

RESOLUTION No. 5336

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

RECITAL

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

RESOLUTION

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

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Blackboard, Inc.	10/1/2016 through 6/30/2018	Software and Related Services SW 63206	Provide web-site hosting and support to the District, Virtual Scholars, and Columbia Regional Programming. Software and Hardware Maintenance PPS 47-0288(11)	\$210,000	J. Klein Fund 101 Dept. 5581
Unite Oregon (formerly Center for Intercultural Organizing)	10/1/2016 through 9/30/2018	Personal Services PS 63648	Provide increased infrastructure and staff support for family capacity building around college readiness; organize, facilitate, and implement the parent leadership program; conduct community-based research with families. Direct Negotiation PPS 46-0525(4)	\$200,000	A. Lopez Fund 205 Dept. 5438 Grant G1188

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
David Douglas School District	7/1/2016 through 6/30/2017	Intergovernmental Agreement IGA 63619	Columbia Regional will provide the funding for Contractor to obtain Autism Spectrum Disorder program support and supplementary aides and services including coaching, professional development, technical assistance and consulting for school personnel	\$200,400	H. Adair Fund 205 Dept. 5433 Grant G1630

Y. Awwad

September 27, 2016

Other Matters Requiring Board Approval

The Interim Superintendent RECOMMENDED adoption of the following items:

Resolutions 5337 through 5341

During the Committee of the Whole, Director Anthony moved and Director Kohnstamm seconded the motion to adopt Resolution 5337. The motion was put to a voice vote and passed unanimously (6-yes, 0-no) with Director Knowles absent and Student Representative Bradley voting yes, unofficial.

During the Committee of the Whole, Director Anthony moved and Director Esparza Brown seconded the motion to adopt Resolution 5338. The motion was put to a voice vote and passed unanimously (6-yes, 0-no) with Director Knowles absent and Student Representative Bradley voting yes, unofficial.

During the Committee of the Whole, Director Esparza Brown moved and Director Kohnstamm seconded the motion to adopt amended Resolution 5339. The motion was put to a voice vote and passed by a vote of 4-2 (4-yes, 2-no [Anthony, Rosen]), with Director Knowles absent and Student Representative Bradley voting yes, unofficial.

During the Committee of the Whole, Director Buel moved and Director Anthony seconded the motion to amend Resolution 5339 by adding the following language to Resolution No. 1 ...the Superintendent may authorize, "*in positions requiring technical or financial skills or required knowledge*", salaries outside of the current salary schedule The motion was put to a voice vote and passed by a vote of 4-2 (4-yes, 2-no [Anthony, Rosen]), with Director Knowles absent and Student Representative Bradley voting yes, unofficial.

Director Rosen moved and Director Kohnstamm seconded the motion to adopt Resolution 5340. The motion was put to a voice vote and passed unanimously (6-yes, 0-no) with Director Knowles absent and Student Representative Bradley voting yes, unofficial.

Director Anthony moved and Director Kohnstamm seconded the motion to adopt Resolution 5341. The motion was put to a voice vote and passed unanimously (6-yes, 0-no), with Director Knowles absent and Student Representative Bradley voting yes, unofficial.

September 27, 2016

RESOLUTION No. 5337

Amend Community Use of School Buildings and Facilities Policy.

RECITAL

- A. The 2012 Board-adopted Long Range Facility Plan states that “school facilities and grounds will be inclusive and central to the communities and neighborhoods they serve and open and accessible to all for community use;”
- B. Portland Public Schools (PPS), through its Civic Use of Buildings program, makes its facilities and grounds available for the community when not in instructional use and the community has utilized approximately 2,200,000 hours of facility and ground use in FY 2014-2015;
- C. The Community Use of School Buildings Policy outlines the direction, priority of uses and general requirements for a program that manages the non-instructional use of PPS facilities and grounds and this policy and related administrative directives have not been amended since 2002;
- D. PPS charges registration, room and custodial fees for selected community use of its facilities and grounds but has not revised its fees in at least 10 years;
- E. PPS has reviewed peer school and parks districts for general requirements and fee parity for community use of facilities and grounds.

RESOLUTION

- 1. Policy 3.30.010-P is amended to reiterate PPS’ commitment to providing facilities and grounds to the public during non-instructional hours for community use and to direct the Superintendent to implement ADs with specific procedures
- 2. Administrative Directives 3.30.011 AD and 3.30.012 – AD are amended to govern procedures and rules for reserving spaces, including requirements for security, insurance, custodian coverage, priority use, rental rates, subletting restrictions and district decision-making authority.

Y. Awwad / S. King

September 27, 2016

RESOLUTION No. 5338

Resolution Calling for Publication of Notice and
Authorizing Full Faith and Credit Bonds

RECITALS

- A. Portland Public Schools, Multnomah County, Oregon also known as Multnomah County School District 1J (the "District") is authorized to issue revenue bonds for a public purpose by ORS 287A.150 and related provisions of ORS 287A (collectively, the "Act"), which state that those bonds may be payable from all or any portion of the "revenue" of the District, as defined in ORS 287A.001(17); and,
- B. ORS 287A.001(17) defines "revenue" to mean all fees, tolls, excise taxes, assessments, property taxes and other taxes, rates, charges, rentals and other income or receipts derived by a public body or to which a public body is entitled; and,
- C. The District desires to issue revenue bonds under the Act that are secured by all lawfully available funds of the District and a pledge of the District's full faith and credit and taxing power, as permitted by ORS 287A.315, to finance up to \$10 million for projects that improve schools or remediate environmental, health or safety concerns, including architectural and engineering pre-design related to work at Benson, Lincoln, Madison and Kellogg, Environmental Health and Safety (EHS) Assessments – Districtwide, Americans with Disabilities Act (ADA) Transition Plan updates, and other projects that remediate environmental, health or safety concerns (collectively, the "Projects"); and,
- D. ORS 287A.150 and related provisions of the Act permit the District to authorize revenue bonds by publishing a notice describing the revenue bonds. Unless at least five percent of the District's electors sign and file a petition to refer the bonds to an election within sixty days after the notice is published, the District may issue the revenue bonds described in the notice; and,
- E. The District is permitted to refund outstanding borrowings under ORS 287A.360-380; and,
- F. The District's Board of Education (the "Board") adopts this resolution to authorize the revenue bonds described in the notice that is attached to this resolution as Exhibit A, to authorize refunding revenue bonds, and to delegate to the District staff the authority to sell and issue those bonds.

RESOLUTION

Section 1. Revenue Bonds Authorized under the Act. The District hereby authorizes the issuance of a principal amount of revenue bonds that is sufficient to provide net proceeds of up to \$10 million to pay for costs of the Projects, plus additional amounts that are required to pay costs related to the bonds. The District estimates that the total principal amount of revenue bonds required for this purpose will not exceed \$10.3 million. The revenue bonds authorized by this section shall be issued and sold in accordance with the Act and Section 2 of this resolution

- A. The bonds authorized by this Section 1 shall be payable from all lawfully available funds of the District and shall be secured by the District's full faith and credit and taxing power within the limitations of Article XI, Sections 11 and 11b of the Oregon Constitution as permitted by ORS 287A.315.
- B. No bonds authorized by this Section 1 may be sold and no purchase agreement for any of those bonds may be executed until at least sixty (60) days after publication of the Notice of Revenue Bond Authorization, which is attached to this resolution as Exhibit A (the "Notice"). The Notice shall specify the

September 27, 2016

last date on which petitions may be submitted, and shall be published in at least one newspaper of general circulation in the District in the same manner as are other public notices of the District. If petitions for an election, containing valid signatures of not less than five percent (5%) of the District's electors, are received within the time indicated in the Notice, the question of issuing the bonds authorized by this Section 1 shall be placed on the ballot at the next lawfully available election date. If such petitions are received, the bonds authorized by this Section 1 shall not be sold until the question of issuing the bonds is approved by a majority of the electors of the District who vote on that question.

Section 2. Delegation. When the District is authorized to sell the bonds described in Section 1 of this resolution, the District may also sell those bonds pursuant to this Section 2. The Chief Financial Officer or his designee (each of whom is referred to in this resolution as a "District Official") may, on behalf of the District and without further action by the Board:

- A. Issue the revenue bonds authorized by Section 1 of this resolution and bonds to refund the revenue bonds authorized by Section 1 of this resolution (collectively, the "Bonds") in one or more series, which may be sold at different times.
- B. Structure each series of Bonds as financing agreements, notes, or bonds.
- C. Subject to the limits in this resolution, establish the final principal amounts, maturity schedules, interest rates, redemption terms, payment terms and dates, and other terms for each series of the Bonds.
- D. Select one or more commercial banks or other investors and negotiate the sale of any series of the Bonds with those commercial banks or investors.
- E. Finalize the terms of, execute, and deliver bond declarations, financing agreements, bond purchase agreements or other documents that describe the terms of each series of the Bonds. The documents may also contain covenants for the benefit of the owners.
- F. Issue any qualifying series of Bonds as "tax-exempt bonds" bearing interest that is excludable from gross income under the Internal Revenue Code of 1986, as amended, (the "Code") and enter into covenants for the benefit of the owners of those series to maintain the excludability of interest on those series from gross income under the Code.
- G. Issue any series of Bonds as "taxable bonds" bearing interest that is includable in gross income under the Code.
- H. Designate any series of Bonds as a qualified tax-exempt obligation pursuant to Section 265(b)(3) of the Code, if applicable.
- I. Execute any documents and take any other action in connection with the Bonds that the District Official finds will be advantageous to the District.

Y. Awwad

September 27, 2016

Exhibit A
Notice of Bond Authorization

NOTICE IS HEREBY GIVEN that the Board of Portland Public Schools, Multnomah, Clackamas and Washington Counties, Oregon also known as Multnomah County School District 1J (the "District") adopted Resolution No. 5338 on September 27, 2016, authorizing the issuance of bonds in one or more series to finance up to \$10 million for projects that improve schools or remediate environmental, health or safety concerns, including architectural and engineering pre-design related to work at Benson, Lincoln, Madison and Kellogg, Environmental Health and Safety (EHS) Assessments – Districtwide, Americans with Disabilities Act (ADA) Transition Plan updates, and other projects that remediate environmental, health or safety concerns (collectively, the "Projects").

The bonds will be secured by all lawfully available funds of the District and a pledge of the District's full faith and credit and taxing power, as permitted by ORS 287A.315. The bonds will not be general obligations of the District, and neither the authorization nor issuance of the bonds described in this notice will authorize the District to levy any taxes.

The bonds will be issued in an estimated aggregate principal amount of not more than \$10.3 million. Bond proceeds may be used solely to finance the Projects and to pay costs of issuance.

If written petitions requesting an election on the issuance of the bonds, signed by not less than five percent (5%) of District's electors, are filed with the Superintendent's Office at District's offices on or before [insert date that is 60 days after the notice publication date], the question of issuing the bonds shall be placed on the ballot at the next lawfully available election date.

District's offices are located at 501 N. Dixon Street, Portland, Oregon 97227, and a copy of the resolution authorizing the bonds is available from the Superintendent's Office at that address. The bonds will be issued and sold under ORS 287A.150 and related statutes; this Notice is published pursuant to ORS 287A.150(4).

RESOLUTION No. 5339

Revised Follow-up to Audit on Administrative Compensation

RECITALS

- A. On July 28, 2015 the Board of Education passed Resolution No. 5126, calling for an audit of administrative compensation to determine whether PPS has adequate processes and procedures in place to guide the Superintendent in determining compensation for all employees and to review whether the processes and procedures are being followed.
- B. As part of the original resolution, the Superintendent was “to freeze any further ‘market adjustments’ until the Board has had a chance to review the information and an independent auditor’s analysis is completed and the Board has set parameters for any future increases.”
- C. Talbot, Korvola and Warwick completed two phases of this compensation audit and presented them to the Audit Committee in February 2016 and July 2016.
- D. At its meeting on August 4, 2016, the Board of Education outlined the following exceptions where the Superintendent can adjust non-represented employee salaries:
 - a. To counter an offer for an employee who is being recruited by another organization
 - b. To correct incorrect salary placements at time of hire
 - c. To address promotional opportunities that align with market
 - d. To equalize salaries of existing employees with placement of new employees’ salaries in the same classification based on market

RESOLUTION

- 1. Until the compensation philosophy and new salary schedule are adopted by the Board of Education, the Superintendent may authorize, in positions requiring technical or financial skills or required knowledge, salaries outside of the current salary schedule in order to make offers aligned with market to recruit the best employees to the District.
- 2. All other salary adjustments and placements beyond the salary range of the classification will require Board approval.

September 27, 2016

RESOLUTION No. 5340

Minutes

The following minutes are offered for adoption:

September 6 and September 19, 2016

RESOLUTION No. 5341

Amendment to Existing Contract

Contractor	Contract Amendment Term	Contract Type	Description of Services	Amendment Amount, Contract Total	Responsible Administrator, Funding Source
CH2M Hill Engineers, Inc.	9/28/2016 through 6/30/2017	Engineering Services ENG 63178 Amendment 1	Districtwide assessment of operations and maintenance water distribution system. Phase 2. Emergency Declaration PPS-46-0110 (28)	\$561,085 \$811,085	Y. Awwad Fund 191 Dept. 5591 Project F1203

Y. Awwad