

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

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May 23, 2017

Purchases, Bids, Contracts

The Interim Superintendent RECOMMENDED adoption of the following items:

Numbers 5457 and 5458

Director Knowles moved and Director Anthony seconded the motion to adopt the above-numbered items. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Bradley voting yes, unofficial.

May 23, 2017

RESOLUTION No. 5457

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 the following agreements.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
WestEd	7/1/2017 through 6/30/2018	Personal Services PS 64601	Provide the third and final year of a school- wide, whole-year professional development program to qualify Woodmere Elementary as a QTEL (Quality Teaching for English Learners) Lighthouse School. PPS 46-0525(4)	\$210,000	C. Russo Fund 205 Dept. 5408 Grant G1610

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

No New IGAs

AMENDMENTS TO EXISTING CONTRACTS

No New Amendments

Y. Awwad

May 23, 2017

RESOLUTION No. 5458

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 the following agreements.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
School Bus Consultants	5/24/2017 through 7/31/2017 Option to renew for one one-year term and up to four additional six-month terms.	Personal Services PS XXXXX *	Original term to assess the effectiveness and efficiency of transportation operation and develop a well-defined improvement plan. At its sole discretion, the District may amend the contract to include implementation and leadership of the improvement plan for a term of one year with options to renew for four additional six-month terms. Maximum contract term through 6/30/2020 RFP 2017-2238	Original Term \$60,000 \$900,000 over maximum contract term.	C. Wilton Dept. 5560 Fund 101

* The District is seeking advance authorization of this contract as provided in PPS Public Contracting Rule PPS-45-0200(4)(b)(C) and associated Administrative Directive [8.50.105-AD Purchasing and Contracting Delegation of Authority](#) Section X(4). The parties are finalizing negotiation of contract terms.

Y. Awwad

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Other Matters Requiring Board Approval

The Interim Superintendent RECOMMENDED adoption of the following items:

Numbers 5459 through 5464

During the Committee of the Whole, Director Knowles moved and Director Esparza Brown seconded the motion to adopt Resolution 5459. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Bradley voting yes, unofficial.

During the Committee of the Whole, Director Anthony moved and Director Kohnstamm seconded the motion to adopt Resolution 5460. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Bradley voting yes, unofficial.

During the Committee of the Whole, Director Anthony moved and Director Knowles seconded the motion to adopt Resolution 5461. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Bradley voting yes, unofficial.

During the Committee of the Whole, Director Esparza Brown moved and Director Anthony seconded the motion to adopt Resolution 5462. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Bradley voting yes, unofficial.

Director Knowles moved and Director Anthony seconded the motion to adopt Resolutions 5463 and 5464. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Bradley voting yes, unofficial.

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RESOLUTION No. 5459

Resolution to Adopt Board Policy 8.60.042-P. Bring Your Own Device Policy

RECITALS

- A. In 2013, House Bill (HB) 2426 was passed which created new provisions and amends Oregon Revised Statutes (ORS) 337.120 and (ORS) 343.223. (ORS) 336.840 was written in support of the House Bill and states:
- ORS 336.840 (3) A district school board shall adopt a policy for the use of personal electronic devices that support academic activities and independent communications. The policy must provide that:
- (a) Students may be allowed to use personal electronic devices that support academic activities and independent communications.
- (b) Unless otherwise specifically prohibited by the policy, students may not be denied the opportunity to use a personal electronic device that supports academic and independent communications.
- B. Currently the district is out of compliance with ORS 336.840 which requires school district boards to adopt and implement policies regarding student use of personal electronic devices no later than the 2014-2015 school year.
- C. The Bring Your Own Device (BYOD) policy allows and encourages, but does not require, staff and students to use personal mobile devices on the district wireless network to foster a modern learning environment.
- D. On February 13, 2017, the Business and Operations Committee reviewed and provided edits to the draft.
- E. On March 23, 2017, an updated draft policy was presented to the Business and Operations Committee where they unanimously agreed to move the policy forward to the full Board for approval.
- F. On April 25, 2017, staff presented the first reading to the Board of Policy 8.60.042-P, Bring Your Own Device.
- G. Per District policy, the public comment period was open for 21 days. Comments were shared with staff and with the Board of Education.

RESOLUTION

The Board of Education hereby adopts Policy 8.60.042-P, Bring Your Own Device.

Y.Awwad

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RESOLUTION No. 5460

District-Wide Cold Water Fixture and Partial Pipe Replacement Project: Exemption from Competitive Bidding and Authorization to Use the Indefinite Delivery/Indefinite Quantity Alternative Contract Method

RECITALS

- A. The Board of Directors of Portland Public Schools ("District") is the Local Public Contract Review Board ("Board") pursuant to ORS 279A.060.
- B. ORS 279C.335(2) authorizes the Board to exempt certain public contracts or classes of contracts from the standard competitive bidding process otherwise required by the Public Contracting Code and Rules upon making certain findings.
- C. The District intends to complete the District-Wide Cold Water Fixture and Partial Pipe Replacement Project ("Fixture/Partial Pipe Replacement Project") utilizing District capital. The Fixture/Partial Pipe Replacement Project has a total budget of approximately \$28.5 million (inclusive of Mechanical Engineering, Water Quality Testing, District staff costs). The Project is more fully described in the Draft Findings dated May 9, 2017 ("Draft Findings"), prepared by staff and presented to the Board pursuant to ORS 279C.335.
- D. Given the complexity of the Fixture/Partial Pipe Replacement Project, staff has determined that use of the Indefinite Delivery/Indefinite Quantity ("ID/IQ") alternative contracting method is the preferred method of project delivery. The basis for this determination is set forth in the Draft Findings.
- E. The Draft Findings specify the cost savings and design, scheduling, operational, safety, and logistical advantages gained through use of the ID/IQ process.
- F. On May 9, 2017, the District issued a public notice in the Portland Business Tribune announcing the District's intent to utilize the ID/IQ Alternative Contracting Method for the Fixture/Partial Pipe Replacement Project. The notice was issued in compliance with ORS 279C.335 and the PPS Public Contracting Rules. The Draft Findings were made available for public review and comment on the date of publication.
- G. The Board held a public hearing on the Draft Findings on May 23, 2017 as required by ORS 279C.335(5).
- H. Staff recommends approval of the exemption from Competitive Bidding and approval of the ID/IQ alternative contracting method for solicitation and completion of the Fixture/Partial Pipe Replacement Project for the reasons set forth in the Draft Findings.

RESOLUTION

- 1. The Board hereby exempts the Fixture/Partial Pipe Replacement Project from competitive bidding requirements as provided in ORS 279C.335 and PPS Public Contracting Rules PPS-49-0145. The Board approves utilization of the ID/IQ Alternative Contracting Method as described in the Draft Findings.
- 2. The exemption granted in Section 1 of this Resolution is based upon the Draft Findings, which the Board adopts and incorporates by reference into this resolution.
- 3. Pursuant to these Findings and decision, the Superintendent or her designee is hereby authorized to conduct a ID/IQ alternative contracting process for the Fixture/Partial Pipe Replacement Project.

Y. Awwad

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RESOLUTION No. 5461

Amendment No. 3 to the 2016/17 Budget for School District No. 1J,
Multnomah County, Oregon

RECITALS

- A. On June 21, 2016 the Board of Education ("Board"), by way of Resolution No. 5290, voted to adopt an annual budget for the Fiscal Year 2016/17 as required under Local Budget Law.
- B. Board Policy 8.10.030-AD, "Budget Reallocations – Post Budget Adoption," establishes the guidelines to ensure consistent and detailed communication on fiscal issues between the Superintendent and the Board.
- C. Oregon Local Budget Law, ORS 294.471, allows budget changes after adoption under prescribed guidelines.
- D. On December 13, 2016 by way of resolution No. 5374, the Board voted to amend the annual budget for the Fiscal Year 2016/17. Amendment No. 1 moved Qualified Zone Academy Bond resources and requirements from Fund 438 to Fund 420, and updated the budget to include resources, requirements and debt service for a \$5M Full Faith and Credit Obligation and a \$10M Full Faith and Credit Obligation in Fund 420.
- E. On March 21, 2017 by way of resolution No. 5433, the Board voted to amend the annual budget for the Fiscal Year 2016/17. Amendment No. 2 revised beginning fund balances to reflect the FY 2015/16 financial statements of the District; adjusted the program allocation for funds to more accurately reflect intended expenditures, adjusted the appropriation levels as needed, made corrections for technical errors that occurred during budget development, and adjusted revenues and resources for known or expected significant changes.
- F. This resolution is to enable the Board to approve Amendment No.3 to the annual budget for the Fiscal Year 2016/17, and is allowed under ORS 294.471 guidelines, which state that the budget may be amended at a regular meeting of the governing body.
- G. Expenditures in Fund 101 – General Fund will be changed by less than 10% under this amendment. Local budget law does not require a public hearing on changes to fund expenditures that are less than 10%.
- H. The Superintendent recommends approval of this resolution.

RESOLUTION

1. The Board hereby amends budgeted expenditure appropriation levels as summarized by Fund and Appropriation Level in Attachment A for the fiscal year beginning July 1, 2016.

Interim CFO/R. Dutcher

May 23, 2017

**ATTACHMENT "A" TO RESOLUTION No. 5461
Amendment 3 for the 2016/17 Budget
Schedule of Changes in Appropriations and Other Balances**

Fund		Current	Change	Amended
General Fund	100s	\$ 604,905,161	\$ -	\$ 604,905,161
Special Revenue	200s	56,449,535	-	56,449,535
Debt Service	300s	99,240,434	-	99,240,434
Capital Projects	400s	310,333,405	-	310,333,405
Internal Service	600s	8,110,085	-	8,110,085

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RESOLUTION No. 5462

Budget Committee Approval of the FY 2017/18 Budget and
Imposition of Property Taxes

RECITALS

- A. Oregon Local Budget Law, Oregon Revised Statute (ORS) 294.426, requires the Budget Committee of Portland Public Schools (District) 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 ask questions about and comment upon the budget document.
- B. On April 4, 2017, the Budget Committee received the Superintendent's budget message and Proposed Budget document for fiscal year 2017/18.
- C. On April 11, April 25, and May 9, 2017, the Budget Committee held advertised public hearings to discuss and receive public comment on the Proposed Budget.
- D. Oregon Local Budget Law, ORS 294.431, requires submission of the budget document to the Tax Supervising Conservation Commission (TSCC) by May 15 of each year. ORS 294.431 allows taxing jurisdictions to request an extension of the submission date.
- E. The District requested, and the TSCC authorized, extending the submission date to no later than May 23, 2017.
- F. The Board of Education (Board) appointed a Community Budget Review Committee (CBRC) to review the Proposed Budget and current year expenditures of the existing Local Option Levy. The CBRC acts in an advisory capacity to the Board.
- G. On April 25, 2017, the Budget Committee received testimony and a report on the current year Local Option Levy expenditures and testimony and recommendations from the CBRC.
- H. Oregon Local Budget Law, ORS 294.428 requires that each legal jurisdiction's Budget Committee approve a budget and specify the *ad valorem* property tax amount or rate for all funds.
- I. It is noted that \$0.5038 per \$1,000 of assessed value of the Permanent Rate Tax Levy, (commonly known as the "Gap Tax") and the entirety of the Local Option Tax Rate Levy are excluded from State School Fund calculations.
- J. ORS 457.010(4)(a)(D) provides the opportunity for a school district to be excluded from urban renewal division of tax calculations 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, property tax revenue from said increase is excluded from local revenues. The District will notify the county assessors of the rate to be excluded for the current fiscal year not later than July 15.
- K. Portland Public Schools has a statutory rate limit that is in excess of the \$4.50 limitation that includes an increase under section 11 (5)(d), Article XI of the Oregon Constitution.

RESOLUTION

1. The Budget Committee commends the superintendent for developing a budget that is responsive to the priorities affirmed by the board this year.
2. The Budget Committee approves the budget as summarized in Attachment "A".
4. The Budget Committee approves the budget for the fiscal year 2017/18 in the total amount of \$1,587,755,079.
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 \$1.9900 per \$1,000 of assessed value for local option tax for operations;
 - c. In the amount of \$124,300,000 for exempt bonds.

And that these taxes are hereby imposed and categorized for tax year 2017/18 upon the assessed value of all taxable property within the district.

Taxes are hereby imposed and categorized as for tax year 2017/18 upon the taxable assessed value of all taxable property in the District, as follows:

	Education Limitation	Excluded from Limitation
Permanent Rate Tax Levy	\$5.2781/\$1,000 of assessed valuation	
Local Option Rate Tax Levy	\$1.9900/\$1,000 of assessed valuation	
Bonded Debt Levy		\$124,300,000

6. The Budget Committee further resolves that \$0.5038 per \$1,000 of taxable assessed value is excluded from division of tax calculations, as the Permanent Rate Tax Levy attributable to the increase provided in section 11 (5)(d), Article XI of the Oregon Constitution (such increase is a result of the expiring Gap Tax Levy).
7. The Budget Committee directs submittal of this approved budget to the TSCC by May 23, 2017 in accordance with ORS 294.431, under the extension as granted by the TSCC.

R. Dutcher

May 23, 2017

**ATTACHMENT "A" TO RESOLUTION NO. 5462
2017/18 Approved Budget**

Schedule of Appropriations and Other Balances

Fund	Appropriations						Contingency	Ending Fund Balance	Fund Total
	Instruction	Support Services	Enterprise & Community Services	Facilities Acquisition & Construction	Debt Service	Transfers Out			
Fund 101	\$ 336,304,344	\$ 249,672,359	\$ 1,880,476	\$ -	\$ -	\$ 5,915,375	\$ 23,514,287	\$ -	\$ 617,286,841
Fund 201	9,000,000	-	-	-	-	-	-	4,095,969	13,095,969
Fund 202	-	-	20,382,388	-	-	-	-	1,707,452	22,089,840
Fund 205	51,296,668	29,320,656	2,879,574	-	-	-	-	-	83,496,898
Fund 225	-	-	-	-	-	-	-	17,070,884	17,070,884
Fund 299	12,394,722	3,324,818	183,602	-	-	749,881	-	-	16,653,023
Fund 307	-	-	-	-	2,708,168	-	-	-	2,708,168
Fund 308	-	-	-	-	46,874,326	-	-	3,980	46,878,306
Fund 320	-	-	-	-	1,859,707	-	-	625,000	2,484,707
Fund 350	-	-	-	-	116,238,631	-	-	2,288,317	118,526,948
Fund 404	-	-	-	22,904,981	-	625,000	-	-	23,529,981
Fund 407	-	1,319,500	-	-	-	-	-	-	1,319,500
Fund 420	-	2,700,000	-	300,000	-	-	-	-	3,000,000
Fund 435	-	-	-	2,694,273	-	-	-	-	2,694,273
Fund 438	-	4,750	-	2,997,937	-	-	-	-	3,002,687
Fund 445	-	-	-	4,248,699	-	-	-	-	4,248,699
Fund 450	-	786,266	-	183,094,895	-	-	412,397,494	-	596,278,655
Fund 470	-	-	-	4,263,800	-	-	-	-	4,263,800
Fund 601	-	3,783,702	-	-	-	-	5,342,198	-	9,125,900
Total	\$ 408,995,734	\$ 290,912,051	\$ 25,326,040	\$ 220,504,585	\$ 167,680,832	\$ 7,290,256	\$ 441,253,979	\$ 25,791,602	\$ 1,587,755,079

May 23, 2017

RESOLUTION No. 5463

A Resolution Regarding Depository Banks
for the Funds of the Portland Public School District (School District No. 1-J, Multnomah County, Oregon)

RECITALS

- A. On June 14, 2016, the Board of Education (“Board”) passed Resolution No.5286, supplementing and/or modifying Resolution No. 5202 for District Officer authorizations regarding depository banks.
- B. The District desires to supplement and/or modify Resolution 5286 as provided below;

RESOLUTION

- 1. “RESOLVED that any one of the following of the District’s officers [*designated titles only*]; and in their absence as the Superintendent/CEO designates

Deputy Chief Executive Officer _____, **Chief Operating Officer** _____,
Chief Financial Officer _____, **Deputy Chief Financial Officer** _____,

(each such designated officer an “Officer”), is individually authorized to: (a) open or close one or more deposit and/or securities accounts (the "Accounts") with any depository institution qualified by the Oregon State Treasurer under Oregon Revised Statutes (O.R.S.) 295 (herein after called "Bank") which account shall be in the name of the District; (b) execute and deliver in the District’s name such agreement(s) regarding the Accounts and the services related thereto as Bank may from time to time require; (c) authorize and execute transactions on the Accounts, including, without limitation, (i) signing checks and other instruments withdrawing funds from the Accounts, (ii) requesting funds transfers by Bank to and from the Accounts, (iii) entering into arrangements for the processing of automated clearing house (“ACH”) debit entries and/or ACH credit entries to and from the Accounts, and (iv) endorsing on behalf of the District, and otherwise negotiating, checks and other items payable to the District; (d) incur overdrafts and other obligations in the Accounts at Bank in connection with any of the products, services, or activities authorized by these resolutions;

- 2. RESOLVED that any one of the following of the District’s officers [*designate titles only*];

Director of District Financial Services _____, **Financial Operations Manager** _____,

(each such designated officer a “Limited Officer”), is authorized to: i) request funds transfers by Bank to and from the Accounts, (ii) enter into arrangements for the processing of automated clearing house (“ACH”) debit entries and/or ACH credit entries to and from the Accounts.

- 3. RESOLVED, that each Officer and each Limited Officer is individually authorized to designate one or more District officials (each such designated official, an “Official”) to: (a) sign checks withdrawing funds from their respective school checking Accounts, including those payable to cash; and (b) issue and release stop payments on checks drawn on their respective school checking Accounts.

- 4. RESOLVED, that the District is authorized to enter into any other arrangements, agreements and documents with respect to any Bank’s deposit and treasury management products and services, in such form and on such terms and conditions as may be agreed to by an Officer signing such

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agreements and documents, after appropriate Board of Education approval is obtained, if necessary;

5. RESOLVED, that except to the extent provided otherwise in any agreement between the District and Bank, the District authorizes Bank to rely on any act or communication, including telephone, wire or electronic communication, purporting to be done by any Officer, Limited Officer or Official of the District if such reliance is in good faith, and the District shall be bound to Bank by any such act or communication relied on by Bank in good faith;
6. RESOLVED, that these resolutions are in addition to, and not by way of limitation on, other resolutions, if any, of the District in favor of Bank, and that the authority conferred by these resolutions shall be deemed retroactive and any and all acts authorized by these resolutions performed prior to the passage of these resolutions are hereby approved and ratified as the official acts and deeds of the District; and
7. RESOLVED, that each of these resolutions shall continue in full force and effect until Bank has received express written notice of its rescission or modification by a resolution duly adopted by the District's Board of Education and certified by a Secretary or Deputy Clerk of the District."

Y. Awwad

RESOLUTION No. 5464

Minutes

The following minutes are offered for adoption:

May 9, 2017