

February 15, 2011

**DES MOINES PUBLIC SCHOOLS**  
**REGULAR SCHOOL BOARD MEETING**  
**CITY BOARDROOM — 400 ROBERT D. RAY DRIVE**  
**MINUTES**  
**FEBRUARY 15, 2011**

**PUBLIC FORUM – 5:45 p.m.**

Speaker: Jim Patch, 2803 Stanton

The Board of Directors met in regular session on Tuesday, February 15, 2011, in the city hall boardroom at 400 Robert D. Ray Drive., Patty Link presiding.

Present: Caldwell-Johnson, Gallardo, Murphy, Link, Strong, Woods  
Absent: Boesen

**REGULAR MEETING – 6:00 p.m.**

The Board of Directors met in regular session Tuesday, February 15, 2011, in the city hall boardroom at 400 Robert D. Ray Drive., Patty Link presiding.

Present: Caldwell-Johnson, Gallardo, Murphy, Link, Strong, Woods  
Absent: Boesen

Ms. Strong moved to approve the agenda minus Item No. 12, Award of Asbestos Abatement Work; Hoover High School, at the request of Mrs. Jeanette Woods; second by Murphy.

Aye: Caldwell-Johnson, Gallardo, Murphy, Link, Strong, Woods  
Nay: None  
Absent: Boesen  
The motion carried 5-1

*APPROVAL OF MINUTES OF February 7, 2011*

Ms. Caldwell-Johnson moved approval of the minutes of February 7, 2011; second by Murphy

Aye: Caldwell-Johnson, Gallardo, Murphy, Link, Strong, Woods  
Nay: None  
Absent: Boesen  
The motion carried 6-0.

**DISTRICT RECOGNITIONS 6:05 p.m.**

In the absence of Dr. Sebring, Connie Cook, Associate Superintendent, accepted a check for \$471,930.74 from Prairie Meadows and Polk County for a grant that will be used toward the purchase of updated technology and additional Microsoft licensing.

Julie Stewart, Director of Community Relations; Dr. Andrea McGuire, Prairie Meadows Board of Directors and Polk County Supervisor Angela Connolly presented the check.

**CONSENT ITEMS – 6:10 p.m.**

7. Architect Payments ----- 1

8. Construction Payments ----- 3

9. Approval of Contract ----- 5

10. Award of Contract on Bid ----- 7

11. Final Acceptance of Contracts — Howe, Park Avenue, Mitchell ----- 9

12. Award of Asbestos Abatement Work; Hoover High School ----- 11

13. Award of Bid No. 6289; Mechanical Retrofit; Cowles Montessori School ----- 13

14. Additional Early Retirement ----- 15

15. Personnel Recommendations ----- 17

16. List of Bills for Approval ----- 19

Minutes

Ms. Caldwell-Johnson moved approval of the consent items minus Item No. 12 including payment of bills previously authorized and certified by the secretary and reviewed by her as paid in the amount of \$2,337,814.44 and unpaid bills in the amount of \$3,441,318.05; second by Strong.

Aye: Caldwell-Johnson, Gallardo, Link, Murphy, Strong, Woods  
Nay: None  
Absent: Boesen  
The motion carried 6-0.

**PUBLIC HEARING — 6:12 p.m.**

17. Brody Middle School ----- 21

**OTHER — 6:15 p.m.**

18. Easement to MidAmerican Energy for Underground Electrical Line at  
Brody Middle School ----- 23

19. Easement to MidAmerican Energy for Underground Electrical Line at  
Woodlawn Education Center ----- 25

20. Monitoring Report 2.3 — Financial Condition and Activities for the  
Quarter Ending December 31, 2010 ----- 27

21. Des Moines Public Schools Sales Tax Oversight Committee ----- 29

February 15, 2011

## Pending Board Approval

### **REQUESTS FOR INFORMATION — 6:25 p.m.**

NA

### **CHAIR'S REPORT — 6:28 p.m.**

Ms. Link, who presided over the meeting in her role as the Vice-Chair of the Board, explained that the usual reports by the chair and the superintendent would be waived due to the absences of Ms. Boesen and Dr. Sebring who were both in Colorado attending a conference at the invitation of Secretary of Education, Arne Duncan.

### **SUPERINTENDENT'S REPORT — 6:28 p.m.**

NA

### **ADJOURN 6:30 p.m.**

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**Item No. 7**
**Page 1 of 2****Subject: ARCHITECT PAYMENTS****For: ACTION****Contact: BILL GOOD**

(harold.good@dmps.k12.ia.us; 242-8321)

**Attachments: None****Issue:** Payment of architect/engineer invoices.**Superintendent's Recommendation:** The superintendent recommends that the following architect/engineer payments be authorized.

<u>Architect/Engineer/Project</u>	<u>Percent Paid</u>	<u>Estimated Fee</u>	<u>Previous Payments</u>	<u>Current Payment</u>
<b><u>BCDM</u></b>				
Hoover Meredith Complex Architect App. 11 (SWP)	79%	\$299,500.00	\$232,919.00	\$3,537.00
<b><u>Baldwin White</u></b>				
Edmunds Elementary Architect App. 2 (SWP)	36%	\$67,560.00	\$12,577.50	\$11,507.50
<b><u>OPN Architects</u></b>				
North High School- Architect. App. 13 (SWP)	86%	\$959,975.00	\$805,642.52	\$16,209.31
McCombs Middle School Architect App. 1 (SWP)	1%	\$347,500.00	\$0.00	\$4,587.00
<b><u>DLR Group</u></b>				
Cowles Montessori Architect App. 2 (SWP)	64%	\$126,500.00	\$30,360.00	\$50,600.00
<b><u>Shive Hattery</u></b>				
Brody Middle School Architect App. 4 (SWP)	68%	\$113,400.00	\$72,950.00	\$4,400.00
Merrill Middle School Architect App. 2 (SWP)	62%	\$150,000.00	\$36,000.00	\$57,300.00

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**Item No. 7**
**Page 2 of 2****Alvine Engineering**

Woodlawn Ed. Center Architect App. 5 (SWP)	73%	\$140,625.00	\$99,421.88	\$3,796.87
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Harding Middle School Architect App 1 (SWP)	12%	\$219,000.00	\$0.00	\$26,280.00
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**Wells + associates**

Roosevelt Athletic Areas Architect App. 1 (Fundraising / SWP)	26%	\$160,451.00	\$0.00	\$42,359.06
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**Taylor Ohde Kitchell**

Program Management App. No. 122 (LOSST)	95%	\$19,351,769.00	\$18,339,048.37	\$111,289.42
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<b>Total</b>				<b>\$331,866.16</b>
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**Presenters:** None**Background:** None

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**Item No. 8**
**Page 1 of 2****Subject: CONSTRUCTION PAYMENTS****For: ACTION****Contact: BILL GOOD**

(harold.good@dmps.k12.ia.us; 242-8321)

**Attachments: None****Issue:** Payment of contractor invoices.**Superintendent's Recommendation:** The superintendent recommends that the following contractor and supplier payments be authorized.

<u>Contractor</u>	<u>Percent Paid</u>	<u>Estimated Fee</u>	<u>Previous Payments</u>	<u>Current Payment Due</u>
<b><u>Larson &amp; Larson</u></b>				
Roosevelt High School (LOSST) GC App. 21 Sealed Bid No. 5226-09	82%	\$17,859,252.00	\$14,447,080.18	\$ 183,477.30
Central Campus Phase (SWP) GC App. 2 Sealed Bid No. B6220	6%	\$7,781,482.00	\$215,211.04	\$239,145.83
<b><u>Dean Snyder</u></b>				
North High School (SWP) GC App. 5 Sealed Bid No. B6151	37%	\$7,318,119.00	\$1,927,394.20	\$750,220.70
<b><u>Bergstrom Constr.</u></b>				
CC Connector (SWP) GC App. 4 Sealed Bid No. B6179	74%	\$156,936.00	\$101,925.50	\$13,333.25
<b><u>Edge Commercial</u></b>				
Hoover/Meredith (SWP) GC App. 5 Sealed Bid No. B6169	38%	\$2,830,672.00	\$697,104.78	\$371,475.06

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**Item No. 8**
**Page 2 of 2****Cunningham Inc.**

Madison Elem. School (SWP) GC App. 11 Sealed Bid No. B6063	95%	\$2,212,213.00	\$2,097,642.75	\$3,959.60
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**REEP Inc.**

Cowles School (SWP) GC App. 3 Sealed Bid No. B6176	63%	\$277,989.00	\$32,250.03	\$143,345.02
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North Windows (SWP) GC App. 7 Sealed Bid No. B6087	95%	\$905,652.00	\$857,186.01	\$1,720.35
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**Tri City Electric**

Hoover High School (SWP) GC App. 2 Sealed Bid No. B6221	71%	\$108,586.00	\$48,971.88	\$28,072.74
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**Munro Construction**

Woodlawn Education Center (SWP) GC App. 1 Sealed Bid No. B6238	8%	\$2,037,500.00	\$0.00	\$170,100.35
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**Bergstrom Constr.**

Park Avenue School (SWP) PARTIAL RETAINAGE RELEASE Sealed Bid No. B6066	99%	\$2,436,434.00	\$2,321,382.95	\$99,234.05
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**Reflections Glass**

Woodlawn Education (SWP) GC App. 2 Sealed Bid No. B6200	24%	\$313,819.00	\$33,720.25	\$43,099.60
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<b>TOTAL</b>				<b>\$2,047,183.85</b>
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**Presenters:** None**Background:** None

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**Item No. 9****Page 1 of 1****Subject: APPROVAL OF CONTRACT****For: ACTION****Contact: Mark Mattiussi**  
(mark.mattiussi@dmps.k12.ia.us)**Attachments: None**

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**Contract No. 11-001****Project:** Texas Cooperative Purchasing Network (TCPN)**Contractor:** CDW-G, Fastenal, Komatsu, Lowes Governmental Office Depot, CDW-G, ThyssenKrupp**Background:** TCPN is a nationwide purchasing cooperative designed to be a procurement resource for public agencies. As a registered participant of the program DMPS can access a broad line of competitively solicited contracts which provide quality products and services.

TCPN uses a bidding process that meet or exceeds the DMPS requirements. In many ways, TCPN is similar to an Iowa state contract. Board policy allows for the district's purchasing department to use Iowa state contracts. Legal counsel has advised the purchasing department that Board approval should be sought in order to treat the TCPN alliance in a similar manner. Approval will allow DMPS to use TCPN in the same way as Iowa state contracts.

**Financial:**

Revenues: \$ 0.00

Expenses: \$ 0.00

**Funding Source:** Various**Term:** End of fiscal year**New or Renewal:** New



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**Item No. 10** **Page 1 of 1**

**Subject: AWARD OF CONTRACT ON BID**

**For: ACTION**

**Contact: Todd Liston**

**Attachments: None**

(todd.liston@dmps.k12.ia.us; 242-7832)

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**Issue:** Bids have been advertised, issued and received for various equipment items, supplies, and services as outlined below.

**Superintendent's Recommendation:** The superintendent recommends the contracts as shown below be approved

**Background:** The suggested bid awards and detailed information for each of the bids are as shown below. Where cost comparisons are shown, they are merely a representative sample of the items on the bid, and are not intended to be all inclusive

**A. Bid B6298 New Buses for Transportation FY2011-2012**

Thomas Bus Sales Des Moines, IA	83 Passenger	2 ea. @	\$ 90,738.00
	TOTAL		<u>\$ 181,476.00</u>
Hoglund Bus Marshalltown, IA	65 Passenger	8 ea @	\$ 77,207.00
	TOTAL		<u>\$ 617,656.00</u>
	Total Purchase	10	<u>\$ 799,132.00</u>

**Funding Source:** Funds are provided in: 23DWBUSES 0732

The suggested awards are low bids meeting specifications.

Bids were examined by the purchasing and transportation departments.

A complete tabulation of the bid is available online at  
<http://www.dmps.k12.ia.us/Departments/Purchasing/Bids.aspx>

Seven bids were mailed; three bids were received, and four did not respond.

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**Item No. 11****Page 1 of 1****Subject: FINAL ACCEPTANCE OF CONTRACTS****For: ACTION****Contact: BILL GOOD**

(harold.good@dmps.k12.ia.us : 242-8321)

**Attachments: None**

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**Superintendent's Recommendation:** The Superintendent recommends the Board give final acceptance to the projects listed below and approve final payments to the contractors listed, subject to the conditions and in accordance with the provisions of Chapters 26 and 573 of the Code of Iowa.

**SCHOOL:** Howe Elementary School - Student Drop Off – Bid No. B6064

**CONTRACTOR:** PG Construction, Inc.

**CONTRACTED AMOUNT:** \$ 236,768.00

**CONTRACT BALANCE:** \$ 11,838.40

**SCHOOL:** Howe Elementary School - Mechanical Retrofit – Bid No. B6065

**CONTRACTOR:** Brockway Mechanical & Roofing Co.

**CONTRACTED AMOUNT:** \$ 1,419,795.00

**CONTRACT BALANCE:** \$ 70,174.17

**SCHOOL:** Park Avenue Elementary School - Mechanical Retrofit – Bid No. B6066

**CONTRACTOR:** Bergstrom Construction Inc.

**CONTRACTED AMOUNT:** \$ 2,436,434.00

**CONTRACT BALANCE:** \$ 15,817.00

**SCHOOL:** Mitchell Education Center - Mechanical Retrofit – Bid No. B6086

**CONTRACTOR:** Munro Construction Co.

**CONTRACTED AMOUNT:** \$ 1,318,825.00

**CONTRACT BALANCE:** \$ 65,941.2

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**Item No. 12**
**Page 1 of 1**
**Subject: AWARD OF ASBESTOS ABATEMENT WORK —  
HOOVER HIGH SCHOOL**
**For: ACTION**
**Contact: BILL GOOD**

(harold.good@dmps.k12.ia.us : 242-8321)

**Attachments: None**


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**Issue:** Award of purchase order for asbestos abatement work at Hoover High School.

**Superintendent's Recommendation:** The superintendent recommends a purchase order for the Base Bid be awarded to Robinson Brothers Environmental in the amount of \$69,317.

**Presenters:** None. Bill Good will be present to answer any questions.

**Background:** This project is under the statewide penny funding.

- **Base Bid:** Removal of asbestos in areas affected by the current contract for the renovation of office, kitchen and cafeteria areas of Hoover High School.

District quotes were received on February 4, 2011. The results are as follows:

Company	Quote
Robinson Brothers Envir. Waunakee, WI	\$ 69,317
ESA, Inc N. Sioux City, SD	\$82,480
ICM, Ltd. Des Moines, IA	\$145,600
Mid-Iowa Environmental Des Moines, IA	\$78,600

**Funding Source:** Statewide Penny (Students First Program)

Minutes

Mrs. Jeanette Woods requested this item be voted on individually, saying that she intended to oppose the contract on the grounds that she feels it's not appropriate to award projects funded by local tax revenues to out-of-state contractors.

Mr. Murphy moved the approval of Item No. 12, Award of Asbestos Abatement Work; Hoover High School; second by Strong.

Aye: Caldwell-Johnson, Gallardo, Link, Murphy, Strong

Nay: Woods:

Absent: Boesen

Motion carried 5-1

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**Item No. 13**
**Page 1 of 1**
**Subject: AWARD OF BID NO. B6289 — MECHANICAL RETROFIT  
COWLES MONTESSORI SCHOOL**
**For: ACTION**
**Contact: BILL GOOD**

(harold.good@dmps.k12.ia.us : 242-8321)

**Attachments: None**


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**Issue:** Award of contract for the mechanical retrofit project for Cowles Montessori School.

**Superintendent's Recommendation:** The superintendent recommends a contract for the base bid be awarded to the lowest responsive / responsible bidder, Rochon Corp. of Iowa, Inc. in the amount of \$1,816,000.00.

**Presenters:** None. Bill Good will be present to answer any questions.

**Background:** This is an improvement project utilizing the State Wide Penny funding. A window replacement contract has previously been awarded for Cowles.

- **Base Bid:** This work includes a new mechanical system including air conditioning, new fire sprinklers, new fire alarm, new electrical service, new lighting, and other energy savings and building security improvements.

The district received bids on February 10, 2011. The results are as follows:

Bidder	Base Bid
Rochon Corp. Urbandale, IA	\$1,816,000
Edge Commercial Grimes, IA	\$2,040,608
Bergstrom Constr. DM, IA	\$2,067,000

**Funding Source:** Statewide Penny (Students First Program)

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**Item No. 14**

**Page 1 of 1**

**Subject: ADDITIONAL EARLY RETIREMENT**

**For: ACTION**

**Contact: Twyla Woods/Patricia Schroeder**

**Attachments: None**

(twyla.woods@dmps.k12.ia.us; 242-7972/patricia.schroeder@dmps.k12.ia.us; 242-8527)

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**Issue:** An additional early retirement offering.

**Superintendent's Recommendation:** The superintendent recommends the Board approve an additional early retirement opportunity for this year for employees eligible under the current plan, to run from February 28, 2011, through March 11, 2011.

**Background:** Currently we have 97 certified staff and administrators approved for early retirement effective at the end of this year.

Providing additional time for eligible employees to apply for early retirement may provide the district with further savings opportunities.

The additional opportunity will be available to the first 20 eligible employees according to district seniority as determined by the Chief of Staff & Student Affairs.

**Item No. 15****Page 1 of 2****Subject: PERSONNEL RECOMMENDATIONS****For: ACTION****Contact: Twyla Woods****Attachments: None**

(twyla.woods@dmps.k12.ia.us; 242-7679)

**Superintendent's Recommendation:** The superintendent recommends the Board approve the following personnel recommendations:

**Background:****ELECTIONS - GENERAL EDUCATION**

Name	Class	Step	Effective Date	Amount
McCright, Joseph	6	6	02/02/11	\$50,392

BIS from School for International Training and PhD from University of Cincinnati, Cincinnati, OH; Address/Johnston, IA; Merrill/Spanish

**RESIGNATION**

Name	School, Position	Effective Date	Reason
Fisher, Diana	Leave of absence	02/02/11	Personal
Garneau, Marie	Leave of absence	02/07/11	Personal
Harmon, Emma	Capitol View, Multicategorical	03/15/11	Personal
Hines, Janet	Leave of absence	02/02/11	Personal
Holmes, Mary	Leave of Absence	06/17/11	Personal
House, Molly	Curriculum, Secondary Literacy Coordinator	02/04/11	Personal
Myer, Ellen	Leave of absence	02/02/11	Personal
Parker- Bamsey, Jannine	Leave of Absence	02/03/11	Personal
Phillips, Krystyna	Leave of Absence	02/02/11	Personal
Ruppe-Brown, Sherry	Leave of Absence	02/02/11	Personal
Strait, Sandra	Leave of Absence	02/02/11	Personal
Ward, JoAnn	Leave of absence	02/02/11	Personal

**REGULAR RETIREMENT**

Name	School	Position	Effective Date
Niffenegger, Barbara E.	McKee Education Center	Vice Principal	06/20/11

**COACHING DIFFERENTIAL**

School	Name	Position	Effective Date	Amount
Brody	Smothers, Sara	Girls Middle Track	03/05/11	\$1,428
Brody	Hanson, Eric	Boys Middle Track	03/05/11	\$1,428
Callanan	Croat, Felicity	Girls Middle Track	03/05/11	\$1,428
Callanan	Keeling, Frederick	Boys Middle Track	03/05/11	\$1,428
East	Jack, Adam	Head Boys Track	02/14/11	\$4,568
East	Schoon, Greg	Assistant Boys Track	02/14/11	\$2,599
East	Beckwith, Jacob	Assistant Boys Soccer	03/14/11	\$2,599
East	Kannapel, Chris	Assistant Boys Track	02/14/11	\$2,599
	Goodrell	Girls Middle Track	03/05/11	\$1,428

**Item No. 15****Page 2 of 2**

Goodrell	Surprenant, Scot	Boys Middle Track	03/05/11	\$1,428
Harding	Leib, Steve	Girls Middle Track	03/05/11	\$1,428
Harding	Gregory, Amanda	Boys Middle Track	03/05/11	\$1,428
Hiatt	Hiesterman, Gerald	Girls Middle Track	03/05/11	\$1,428
Hiatt	Christensen, Nick	Boys Middle Track	03/05/11	\$1,428

**COACHING DIFFERENTIAL – continued**

Hoyt	Filkins, Donovan	Girls Middle Track	03/05/11	\$1,428
Hoyt	Stoelk, Marty	Boys Middle Track	03/05/11	\$1,428
McCombs	Frost, David	Girls Middle Track	03/05/11	\$1,428
McCombs	Dyer, Tricia	Boys Middle Track	03/05/11	\$1,428
Meredith	Colemon, Victor	Girls Middle Track	03/05/11	\$1,428
Merrill	Luft, Marty	Girls Middle Track	03/05/11	\$1,428
Merrill	Grier, Elizabeth	Boys Middle Track	03/05/11	\$1,428
Weeks	Vollstedt, Dan	Girls Middle Track	03/05/11	\$1,428
Weeks	Smyth, Angel	Boys Middle Track	03/05/11	\$1,428

**COACHING RESIGNATION**

School	Name	Position	Effective Date
East	Wells, Phil	Assistant Boys Track	02/03/11
East	Beall, Scott	Assistant Boys Soccer	02/03/11
East	Green, Sr. Mel	Assistant Boys Track	02/03/11
East	Ferguson, Phil	Head Boys Track	02/03/11

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**Item No. 16**

**Page 1 of 1**

**Subject: LIST OF BILLS FOR APPROVAL**

**For: ACTION**

**Contact: Patricia Schroeder**

(patricia.schroeder@dmps.k12.ia.us; 242-8527)

**Attachments: None**

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**Issue:** A list of bills will be furnished to the Board of Directors at the Board meeting for approval. The secretary will be glad to furnish information as requested on any of these items. Prior to the meeting, one member of the board will have checked this list with the invoices.



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**Item No. 17****Page 1 of 1****Subject: BRODY MIDDLE SCHOOL****For: PUBLIC HEARING/ACTION****Contact: BILL GOOD**

(harold.good@dmps.k12.ia.us : 242-8321)

**Attachments: None**

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**Issue:** Approval of the plans and specifications for work at Brody Middle School. Publication for the Public Hearing was included in the Des Moines Register on February 4, 2011.

**Superintendent's Recommendation:** The superintendent recommends the Board approve the plans and specifications prepared by Larrison & Associates for the window replacement package for Brody Middle School.

**Presenters:** None. Bill Good will be present to answer any questions.

**Background:** This project will replace the exterior windows and certain exterior doors at Brody Middle School. The project will improve energy efficiency and natural lighting in the classrooms.

A copy of the plans and specifications is available for review at the District's Operations Center at 1917 Dean Avenue.

**Funding:** State Wide Penny (Students First Program)

Minutes

Ms. Link opened the public hearing. There being no speakers she closed the public hearing and asked Connie Cook to introduce the matter.

Mr. Murphy moved approval of the plans and specifications; second by Caldwell-Johnson.

Aye: Caldwell-Johnson, Gallardo, Link, Murphy, Strong, Woods

Nay: None

Absent: Boesen

The motion carried, 6-0.

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**Item No. 18****Page 1 of 1****Subject: EASEMENT TO MIDAMERICAN ENERGY FOR UNDERGROUND  
ELECTRIC LINE EASEMENT AT BRODY MIDDLE SCHOOL****For: ACTION****Contact: Bill Good**

(harold.good@dmps.k12.ia.us; 242-8321)

**Attachments: None**

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**Issue:** MidAmerican is requesting an underground electric line easement at Brody Middle School, 2501 Park Avenue, legally described as follows:

A 10-foot wide BY 185-foot long underground electric line easement, more or less, as generally depicted on Exhibit "A", attached hereto and made a part hereof; said electric line easement being situated on the following described property: Part or the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section 17, Township 78 North, Range 24, West of the 5<sup>th</sup> P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa.

**Superintendent's Recommendation:** The superintendent recommends the Board approve the resolution to hold a public hearing for the purpose of granting an underground electric line easement to MidAmerican Energy for \$1.

#### RESOLUTION

**WHEREAS**, the Board of Directors of the Des Moines Independent Community School District (the "District") desires to grant an underground electric easement to MidAmerican Energy for \$1.00. The area subject to the easement is 2501 Park Avenue and is legally described as follows:

A 10-foot wide BY 185-foot long underground electric line easement, more or less, as generally depicted on Exhibit "A", attached hereto and made a part hereof; said electric line easement being situated on the following described property: Part or the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section 17, Township 78 North, Range 24, West of the 5<sup>th</sup> P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa.

**WHEREAS**, it is appropriate to publish a Notice of the proposed sale and of the hearing and to receive and consider objections and petitions.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Des Moines Independent Community School District:

Section 1. That this Board shall set a public hearing on the proposed sale for March 8, 2011 at 6:00 o'clock p.m. in the Des Moines City Hall Council Chambers at 400 Robert D. Ray Drive, Des Moines, Iowa 50309.

Section 2. That the Secretary is authorized and directed to prepare, publish, and distribute the Notice of Hearing.

Minutes

Ms. Caldwell-Johnson moved to approve the Easement; second by Murphy.

Aye: Caldwell-Johnson, Gallardo, Link, Murphy, Strong, Woods

Nay: None

Absent: Boesen

The motion carried, 6-0.

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**Item No. 19.**
**Page 1 of 1**

**Subject: EASEMENT TO MIDAMERICAN ENERGY FOR UNDERGROUND ELECTRIC LINE EASEMENT AT WOODLAWN EDUCATION CENTER**

**For: ACTION**

**Contact: Bill Good**

(harold.good@dmps.k12.ia.us; 242-8321)

**Attachments: None**

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**Issue:** MidAmerican is requesting an underground electric line easement at Woodlawn Education Center, 4000 Lower Beaver, legally described as follows:

A 10-foot wide by 50-foot long underground electric line easement, more or less, as generally depicted on Exhibit "A", attached hereto and made a part hereof; said electric line easement being situated on the following described property: Part of the West Half of the Southeast Quarter (W1/2SE1/4) of Section 20, Township 79 North, Range 24, West of the 5<sup>th</sup> P.M. now included in and forming a part of the City of Des Moines, Polk County, Iowa.

**Superintendent's Recommendation:** The superintendent recommends the Board approve the resolution to hold a public hearing for the purpose of granting an underground electric line easement to MidAmerican Energy for \$1.

#### RESOLUTION

**WHEREAS**, the Board of Directors of the Des Moines Independent Community School District (the "District") desires to grant an underground electric easement to MidAmerican Energy for \$1.00. The area subject to the easement is Woodlawn Educational Center 4000 Lower Beaver Avenue and is legally described as follows:

A 10-foot wide by 50-foot long underground electric line easement, more or less, as generally depicted on Exhibit "A", attached hereto and made a part hereof; said electric line easement being situated on the following described property: Part of the West Half of the Southeast Quarter (W1/2SE1/4) of Section 20, Township 79 North, Range 24, West of the 5<sup>th</sup> P.M. now included in and forming a part of the City of Des Moines, Polk County, Iowa.

**WHEREAS**, it is appropriate to publish a Notice of the proposed sale and of the hearing and to receive and consider objections and petitions.

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Section 1. That this Board shall set a public hearing on the proposed sale for March 8, 2011 at 6:00 o'clock p.m. in the Des Moines City Hall Council Chambers at 400 Robert D. Ray Drive, Des Moines, Iowa 50309.

Section 2. That the Secretary is authorized and directed to prepare, publish, and distribute the Notice of Hearing.

#### Minutes

Ms. Strong moved to approve the easement; second by Caldwell-Johnson.

Aye: Caldwell-Johnson, Gallardo, Link, Murphy, Strong, Woods

Nay: None

Absent: Boesen

The motion carried, 6-0.

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**Item No. 20****Page 1 of 1****Subject: MONITORING REPORT FOR MANAGEMENT LIMITATION 2.3 –  
FINANCIAL CONDITION AND ACTIVITIES FOR THE QUARTER ENDING  
DECEMBER 31, 2010****For: ACTION****Contact: Patricia Schroeder****Attachment: 11-006**

(patricia.schroeder@dmps.k12.ia.us; 242-8527)

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**Issue:** Board Governance Policy 3.4 — Monitoring Superintendent Performance - includes a schedule that requires a quarterly monitoring report on Management Limitation 2.3 – Financial Condition and Activities.

**Superintendent's Recommendation:** The superintendent recommends the board receive, discuss and take action on the quarterly monitoring report for Management Limitation 2.3 – Financial Condition and Activities for the quarter ending December 31, 2010.

**Background:** The Management Limitation 2.3; Financial Condition and Activities monitoring report is included as Attachment 10-043. This report covers the quarterly period from October 1, 2010 to December 31, 2010, unless otherwise stated.

Management Limitation 2.3 states: With respect to actual ongoing condition of the district financial resources, the Superintendent shall not cause or allow the development of fiscal jeopardy, or a material deviation of actual expenditures from the Board's Ends priorities.

Accordingly, the superintendent shall not:

1. Fail to provide quarterly summaries of the financial condition of the district.
2. Fail to settle district payroll obligations and payables in a timely manner.
3. Fail to implement prudent competitive quoting procedures for all facility improvement projects in an amount that meets or exceeds the competitive quote threshold as established by Iowa law.
4. Fail to implement prudent competitive bidding procedures for all facility improvement projects in the amount of \$100,000 or more.
5. Fail to implement prudent competitive procedures, including but not limited to RFPs, for purchasing products and securing contractual and professional services.
6. Obligate the district to contracts or expenditures greater than \$25,000.
7. Acquire, lease or dispose of real property.
8. Invest funds in securities contrary to state law.
9. Allow tax payments or other governmental ordered payments or filings to be overdue or inaccurately filed.

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Minutes

Ms. Caldwell-Johnson moved to approve the Monitoring Report 2.3; second by Strong.

Aye: Caldwell-Johnson, Gallardo, Link, Murphy, Strong, Woods

Nay: None

Absent: Boesen

The motion carried, 6-0.

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**Item No. 21****Page 1 of 3****Subject: DES MOINES PUBLIC SCHOOLS STATEWIDE PENNY TAX  
OVERSIGHT COMMITTEE****For: DISCUSSION****Contact: BILL GOOD**

(harold.good@dmps.k12.ia.us: 242-8321)

**Attachments: 11-007**

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**Issue:** Potential continuation of the Des Moines Public Schools Oversight Committee for the current Statewide Penny tax.

**Superintendent's Recommendation:** The superintendent recommends the Board discuss a proposal to continue with a statewide penny tax oversight committee.

**Presenters:** None. Bill Good and Brian Millard will be available to answer questions.

**Background:** Following the passage of the local option sales tax on November 23, 1999, the Board established an oversight committee on June 30, 2000, to report on an annual basis regarding the following issues:

1. Confirm that funds are being expended for infrastructure needs in accordance with Board action.
2. Review the district's progress in identifying the general infrastructure need of all schools.
3. Confirm that a district-wide preventive maintenance policy has been adopted and implemented.

The local option sales and services tax ended June 30, 2010, with the new statewide penny program beginning July 1, 2010. The oversight committee has provided valuable review and input from a community perspective. The Board agreed by consensus to consider possible modifications to the oversight committee that will enable it to continue its work with regard to the statewide penny tax now that the local option tax has lapsed.

#### Minutes

Ms. Strong questioned whether it was advisable to allow oversight committee members to serve indefinitely.

Mr. Murphy said that historically it's been difficult to find good candidates willing to offer their service on such committees. The thinking in allowing for unlimited terms was that if people are doing a good job and willing to continue they should be allowed to.

Ms. Strong asked if expired terms would automatically rollover or come before the Board for renewal.

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Mr. Murphy said he envisions that the committee's membership would only come back to the Board's attention, once the original members have been appointed, in the event that a member needed to be replaced.

Mrs. Woods thought that as terms expired they should be subject to renewal by the Board.

Mr. Murphy said it is the Board's prerogative at this stage to provide for that if it so desires.

Ms. Strong advocated for Board approval of term renewals.

Ms. Caldwell-Johnson said the committee should be constituted so as to accurately represent the community geographically and demographically.

Ms. Strong suggested that more explicit language be added to the committee's charter to make clear that Board members are free to recommend members to the Board Chair who then would make appointments subject to Board approval. She said that Board members will be able to ensure balance within the committee through people they recommend for appointment.

Mr. Murphy said there had been an emphasis up to now on making sure that there was some expertise in architecture, construction and finance on the oversight committee since its charge had been to oversee disbursement of funds for school construction and renovation. He wondered if adding other criteria to the membership mix now might be difficult given the proposed size of only five members for a re-established body.

Ms. Strong acknowledged the importance of germane backgrounds on such a committee and suggested that whatever membership criteria the Board decides to emphasize should be clearly spelled out. She asked for input from Mr. Good, the district's Director of Operations.

Mr. Good said many times people without directly relevant backgrounds ask better questions and bring fresh perspectives to committees like this. He thinks it's helpful to have maybe one member with some appropriate expertise but placed greater emphasis on the committee's role in maintaining a transparent relationship between the district and the community.

Ms. Caldwell-Johnson picked up on the notion of transparency and said with that in mind that term limits for committee members might make sense in terms of broadening the district's base within the community over time.

Ms. Strong agreed and suggested a maximum of three consecutive three-year terms for any one committee member.

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Ms. Caldwell-Johnson thought that idea struck a balance between providing for some continuity in the committee's work and refreshing its makeup on a regular basis.

There was a consensus in favor of amending the oversight committee structure to provide for a limit of three consecutive three-year terms for any one member and to require that there be at least one member at all times with an architectural/engineering background.

Ms. Caldwell-Johnson moved approval for the formation of a statewide penny tax oversight committee in accordance with the proposal as amended by the Board at its regular meeting on February 15, 2011; second by Strong.

Aye: Caldwell-Johnson, Gallardo, Link, Murphy, Strong, Woods

Nay: None

Absent: Boesen

The motion carried, 6-0.