

**NONCONSENT
ITEM 2**

**ORLANDO, FLORIDA
September 12, 2006**

The School Board of Orange County, Florida, met in public hearing and regular meeting on Tuesday, September 12, 20, at 5:35 p.m. Present were: Jim Martin, Vice Chairman; Joie Cadle, Tim Shea, Judge Richardson Roach, Kathleen B. Gordon and Anne Geiger School Board Members; Henry R. Boekhoff, Chief Financial Officer; Frank Kruppenbacher, General Counsel; and Ronald Blocker, Superintendent.

Karen Ardaman, Chairman, was absent.

Prior to the regularly scheduled board meeting at 5:00 p.m., the board entertained the following special order speakers:

Cheryl Tyndall, 116 Main Street, Windermere, Florida, 34786, addressed the board regarding the district's Extended Day program refusing to accept payment from Community Coordinated Child Care (4C).

At the request of the superintendent, Margaret Gentile, Senior Director, Student Services, explained the operational efficiency of the district for dealing with the flaws of the state and 4C.

Mr. Blocker requested that staff check with the state and get back with Ms. Tyndall.

Dennis Wells, Webb, Wells & Williams, P.A., 280 Wekiva Springs Road, Suite 230, Longwood, Florida, 32779, addressed the board regarding the purchase of the property at the NW corner of Forsythe and Curtis Street. He requested that the district continue negotiations for purchase of the property or the school board authorize eminent domain. He also requested that the district not restrict development of the site.

Marcos Marchena of Marchena & Graham, P.A., presented background information on the issue. He recommended that the board take no action at this time.

The meeting adjourned at 5:20 p.m.

The vice chairman called the board meeting to order at 5:35 p.m.

Adoption of Agenda: Mr. Blocker discussed the following changes to the agenda: an addendum to item 1.1 (Request Approval of Personnel Agenda Dated September 12, 2006, Including the Designation/Creation of Positions to be Filled, the Minimum Job Qualifications for the Positions, Salary Schedules, Appointments and Terminations of Select Personnel) including the resignations in lieu of termination of two teachers with initials ST and CB; a revision to item 8.1 (Request Approval of the Proposed 2007 Legislative Platform); the withdrawal of item 8.8 (Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Pre-Payment of Impact Fees, and Limitations on Receipt of Building Permits or Final Plat – Royce Beck (Bonnemaison) CEA 06-013; Recommendation: A Building Permit or Final Plat, Which Ever Occurs First, Shall not be Received by the Owner Prior to January 1 of the Year in Which Cypress Creek HS and Wyndham Lakes ES Receives Relief, Whichever is Later) and item 11.1 (Request Approval of Board Ruling on Exceptions Filed by Respondent,

Michelle O'Neill, to the Recommended Order Entered June 16, 2006 in Division of Administrative Hearings Case No. 05-4551).

He added that the approval of item 5.1 (Request Approval of the Orange County Public Schools' District List of Major Areas of Interest for High School Students for the 2007-2008 School Year) will include the magnet programs.

The vice chairman found good cause to amend the agenda as requested.

It was moved by Mr. Shea and seconded by Mrs. Geiger that the agenda be adopted.

The motion passed 6-0 (with Mrs. Ardaman absent).

Adoption of Consent Agenda:

1. Human Resources and Executive Services *(Legally Required Board Action)*
 - 1.1 Request Approval of the Personnel Agenda Dated September 12, 2006, Including the Designation/Creation of Positions to be Filled, the Minimum job Qualifications for the Positions, Salary Schedules, Appointments, and Terminations of Select Personnel as Shown Thereon **Addendum**
2. Approve Student Expulsions *(Legally Required Board Action)*
 - 2.1 Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and District Behavior Contracts
3. Approve Grant Applications *(Legally Required Board Action)*
 - 3.1 Request Approval of a Grant Application to the Florida Department of Education to Continue the Boys & Girls Club Mentoring Services Program
 - 3.2 Request Approval of an Application for the 2006-2007 Enhancing Education Through Technology (EETT) Formula Grant
 - 3.3 Request Approval of Submission of an Application to Florida Division of Emergency Management and Approval to Waive Consultant's Competitive Selection Process for Architectural, Engineering and Construction Management Services
4. Approve Education Services Related Items *(Legally Required Board Action)*
 - 4.1 Request Approval of an International Trip for Dr. Phillips High School's Center for International Studies (CIS) Students to go to Japan December 18-28, 2006 (tentative)
 - 4.2 Request Approval of Renewal of Cooperative Agreement With Birth-Education-Training-Acceptance, Inc. (BETA)
 - 4.3 Request Approval of Renewal of Cooperative Agreement With Eckerd Family Youth Alternatives, Inc.
 - 4.4 Request Approval of Renewal of Cooperative Agreement With Pinellas County School Board for Collection of FTE Earned at Eckerd Youth Academy
 - 4.5 Request Approval of Payment for May 2007 Graduation Ceremony Venues That Exceed \$49,999
 - 4.6 Request Approval for Required Trainings of Middle Years International Baccalaureate Programs at Five Middle and Two High Schools for 2006-2007

- 4.7 Request Approval of Adoption of “Hispanic Heritage Month” Declaring September 15 Through October 15 Hispanic Heritage Month in Orange County Public Schools
- 5. Approve Career and Technical Education Issues *(Legally Required Board Action)*
 - 5.1 Request Approval of the Orange County Public Schools’ District List of Major Areas of Interest for High School Students for the 2007-2008 School Year
- 6. Approve ESE and Multilingual Services Issues *(None)*
- 7. Approve Operations Issues *(Legally Required Board Action)*
 - 7.1 Request Approval of Bids to be Awarded – September 12, 2006
 - 7.2 Request Approval of Disposal of Excess Concrete Steps and Ramps
 - 7.3 Request Approval to Purchase From the United States Postal Service as the Sole Source Provider First Class and Bulk Mail Postage
- 8. Approve Business and Finance Functions *(Legally Required Board Action)*
 - 8.1 Request Approval of the Proposed 2007 Legislative Platform
 - 8.2 Request Acceptance of the 2005-06 Annual Financial Report
 - 8.3 Request Approval for Inclusion Under the Health Benefits Trust for Health Insurance Benefits for Fiscal Year 2006–2007 for Certain Non-Employees
 - 8.4 Request Approval of Engagement of Industrial Physical Capacity Services (IPCS) to Conduct Physical Capacity Evaluations as Part of a Pilot Program
 - 8.5 Request Approval of the Renewal of Educator’s Legal Liability Coverage From October 1, 2006 Through September 30, 2007
 - 8.6 Request Approval of Agreement With Cuthill & Eddy LLP, Certified Public Accountants to Perform a Review of the Validity of the Inventory of Fixed Assets
 - 8.7 Request Approval of Capacity Enhancement Agreement 06-011-1, Horizon West Village F, Requiring Pre-Payment of Impact Fees, Prorated Payment Towards the Acceleration of the Construction of a Middle School and Proportionate Share of a High School Through Developer Provided Interest Payments, and OCPS Commencement of Design of the New Middle School. The Developer Will Provide Prorated Share of Interest Payments for the OCPS Construction Loan for the New Middle School (up to \$39 Million in Loan Amount) and New High School (up to \$84.7 Million in Loan Amount) - Metropolitan Estates LLC - A Village F Participant. (Village F at Horizon West Capacity Enhancement Agreement) CEA 06-011-1
 - 8.8 Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Pre-Payment of Impact Fees, and Limitations on Receipt of Building Permits or Final Plat – Royce Beck (Bonnemaison) CEA 06-013; Recommendation: A Building Permit or Final Plat, Which Ever Occurs First, Shall not be Received by the Owner Prior to January 1 of the Year in Which Cypress Creek HS and Wyndham Lakes ES Receives Relief, Whichever is Later **Withdrawn**

- 8.9 Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Pre-Payment of Impact Fees, and Limitations on Receipt of Building Permits or Final Plat – Hartkopf Construction Co., Inc. (Marbula) CEA 06-015; Recommendation: the Owner Shall not Receive a Building Permit or Record a Final Plat, Which Ever Occurs First, Prior to January 1 of the Year That Deerwood ES Receives Relief
- 9. Approve Construction Related Issues *(Legally Required By Law)*
 - 9.1 Request Approval of the Certificate of Final Inspection for Boone High School
 - 9.2 Request Approval of Right of Entry Between Orange County School Board and Kerina, Inc. for the Purpose of Going Upon the Proposed Middle School Site to Begin due Diligence and Authorization for Staff to Execute Said Right of Entry
- 10. Approve Change Orders *(None)* *(Board Policy EL11/Legally Require Board Action)*
- 11. Approve Legal/Audit Issues
 - 11.1 Request Approval of Board Ruling on Exceptions Filed by Respondent, Michelle O'Neill, to the Recommended Order Entered June 16, 2006 in Division of Administrative Hearings Case No. 05-4551 **Withdrawn**
- 12. Accept Superintendent's Monitoring Reports *(None)*

In regard to item 8.9 (Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Pre-Payment of Impact Fees, and Limitations on Receipt of Building Permits or Final Plat–Hartkopf Construction Co., Inc. (Marbula) CEA 06-015; Recommendation: the Owner Shall not Receive a Building Permit or Record a Final Plat, Which Ever Occurs First, Prior to January 1 of the Year That Deerwood ES Receives Relief), Julian Coto, Excell Engineering, 122 Wilshire Boulevard, Casselberry, Florida, 32707, addressed the board stating that his client was not in agreement with the capacity enhancement agreement.

Mr. Kruppenbacher requested that the board withdraw this item and have staff review it.

It was moved by Mr. Shea and seconded by Mr. Roach to withdraw item 8.9 (Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Pre-Payment of Impact Fees, and Limitations on Receipt of Building Permits or Final Plat–Hartkopf Construction Co., Inc. (Marbula) CEA 06-015; Recommendation: the Owner Shall not Receive a Building Permit or Record a Final Plat, Which Ever Occurs First, Prior to January 1 of the Year That Deerwood ES Receives Relief).

Mr. Kruppenbacher stated that the item would be put on the agenda after the developer agrees with the agreement.

The motion passed 6-0.

It was moved by Mr. Shea and seconded by Mrs. Gordon that the consent agenda be adopted.

The motion passed 6-0.

Mr. Blocker introduced the following newly appointed administrators: Nina Kuhn, assistant principal, Whispering Oak Elementary; Tashanda Brown-Cannon, principal, Tangelo Park Elementary; Wendy Wagner, principal, Northlake Park Elementary and Cathy Pope, Area Superintendent, North Learning Community.

Highlights: Mrs. Cadle highlighted item 4.7 (Request Approval of Adoption of “Hispanic Heritage Month” Declaring September 15 Through October 15 Hispanic Heritage Month in Orange County Public Schools) by reading the proclamation.

Mrs. Gordon highlighted 8.2 (Request Acceptance of the 2005-06 Annual Financial Report), stating that she was very impressed with the district’s financial achievement.

Approval of Minutes: It was moved by Mr. Shea and seconded by Mrs. Cadle that the following minutes be approved: Nonconsent #1 - July 31, 2006 – Public Hearing; Nonconsent #2 – August 1, 2006 - Agenda Review; Nonconsent #3 – August 1, 2006 - Board Meeting; Nonconsent #4 – August 2, 2006 - Work Session and Nonconsent #5 – August 8, 2006 - Work Session.

Statement of Policy Level the Board Would Like to Agenda for Subsequent Meetings or Work Sessions: Board members discussed the following topics: entire school campus covered by portables and a new school is located two miles away; overcrowding of schools after school begins; a report on how to relocate children and look at the project enrollments of schools that have opened in the last three years.

Committee Reports: Mrs. Geiger reported that the Communications Committee would be submitting a resolution regarding Count Me In to the board at its September 26, 2006 meeting.

At the request of Mrs. Geiger, Barbara Jenkins, Chief of Staff, HR & Executive Services, gave a report on the communication blueprint.

Mrs. Cadle, as chairman of the Legislative Committee, thanked board members for approving the legislative plan.

Mrs. Gordon reported that the Superintendent’s Evaluation Committee had distributed the evaluation notebooks to each board member and reminded everyone to adhere to the specific timeframe.

Mrs. Cadle stated that she could share dates with any board members interested in mentoring newly elected school board members. This is a part of the Florida School Boards Association. She added that she serves on the board development committee and would be attending the Council of Great City Schools along with Mrs. Geiger and Mr. Blocker.

Mr. Roach reported that the Share Vision Conference was in its eighth year and would be held on October 11, 2006 at Jones High.

Mr. Martin reported that the Budget Committee had scheduled meetings to review the budget.

Information and Future Meeting Dates: Mr. Blocker announced the following upcoming meetings:

September 18, 2006	4:30 p.m.	Work Session – Charter School Applications
September 19, 2006	4:30 p.m.	Work Session – Unitary Status CANCELED
September 26, 2006	5:30 p.m.	School Board Meeting

The meeting recessed at 6:30 p.m. and reconvened at 7:03 p.m.

Public Hearing - Request Adoption of Millage to Support 2006-07 Final Budget: At the request of Henry Boekhoff, Chief Financial Officer, presented an overview of the millage and 2006-2007 final budget.

It was moved by Mr. Shea and seconded by Mrs. Gordon that

WHEREAS Section 200.065(2)(f)(1), Florida Statutes, requires that the School Board adopt a total millage to support the final budget, and notify the Property Appraiser of its action; and

WHEREAS the 2006-07 final budget is based upon a total millage of 7.169 mills, which represents an increase in the rolled-back rate by 8.86% as computed pursuant to Section 200.065(1), Florida Statutes;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Orange County, Florida, that the Board does hereby adopt the following total millage to support the final budget for the 2006-07 fiscal year:

	<u>2006-07</u>
Required Local Effort	4.954
Basic Discretionary	.510
Supplementary Discretionary	.205
Capital Improvement	<u>1.500</u>
Total	7.169

BE IT FURTHER RESOLVED that the Superintendent immediately inform the Orange County Property Appraiser of the action of the School Board in the manner prescribed by law.

The motion passed 6-0.

Public Hearing - Request Adoption of the 2005-06 Final Budget: The vice chairman opened the floor for public input and the following speakers addressed the board regarding Edgewater High School:

- Dustin Gaston, 6234 Brookhill Circle, Orlando, Florida, 32810
- Keith Thomas, 1920 Elizabeth Avenue, Orlando, Florida, 32804
- Michael Carr, 204 W. Spruce Street, Orlando, Florida, 32804
- Joe Nisbett, 1133 Bryn Mawr Street, Orlando, Florida, 32804
- Linda Nguyen, 3854 N. Lake Orlando Parkway, Orlando, Florida, 32808
- Leza Tellam, P.O. Box 540789, Orlando, Florida, 32834
- Kathleen Skambis, 715 Vassar Street, Orlando, Florida, 32804

There was discussion by board members and the superintendent.

It was moved by Mr. Shea and seconded by Mrs. Cadle that the 2006-07 Budget for the General Fund for \$1,445,353,732 be approved.

The motion passed 6-0.

It was moved by Mr. Shea and seconded by Mrs. Gordon that the 2006-07 Budget for the Special Revenue Fund for \$59,256,106 be approved.

The motion passed 6-0.

It was moved by Mrs. Gordon and seconded by Mr. Shea that the 2006-07 Budget for the Debt Service Fund for \$93,884,921 be approved.

The motion passed 6-0.

It was moved by Mr. Roach and seconded by Mrs. Cadle that the 2006-07 Budget for the Capital Projects Fund for \$1,459,539,514 be approved.

The motion passed 6-0.

It was moved by Mr. Shea and seconded by Mrs. Gordon that the 2006-07 Budget for the Internal Service Fund for \$158,844,417 be approved.

The motion passed 6-0.

The meeting adjourned at 8:43 p.m.

Chairman

Secretary

dmm