

Approved by the Charlotte-  
Mecklenburg Board of Education  
November 13, 2007  
Regular Board Meeting



Charlotte, North Carolina

April 24, 2007

**REGULAR MEETING  
of the  
CHARLOTTE-MECKLENBURG BOARD OF EDUCATION**

The Charlotte-Mecklenburg Board of Education held a Regular Board Meeting on April 24, 2007. The meeting began at 4:31 p.m. and was held in Room 414 of the Education Center.

Present: Joe I. White, Jr., Chairperson, Member At-Large;  
Molly Griffin, Vice-Chairperson, (District 5);  
Larry Gauvreau (District 1);  
Vilma D. Leake (District 2); and  
Tom Tate (District 4)

Absent: Kaye McGarry, Member At-Large;  
Trent Merchant, Member At-Large;  
George Dunlap (District 3); and  
Ken Gjertsen (District 6)

Also present at the request of the Board were Dr. Peter Gorman, Superintendent; James G. Middlebrooks, attorney from Helms Mulliss & Wicker, PLLC, representing the Board; and Nancy Daughtridge, Clerk to the Board.

**Upon motion by Mr. Tate, seconded by Ms. Leake, the Board voted unanimously of those present for approval to go into Closed Session for the following purposes:**

- **To consult with the Board's attorneys on matters covered by attorney-client privilege including but not limited to the litigation involving (a) Greg Blackburn; (b) R. L. Casey; and (c) Leandro;**
- **To consider the performance of specific employees as well as the potential terms for hiring new employees; and**
- **To instruct the Board's attorneys and negotiating agents concerning the Board's position in negotiating the price and other material terms of proposed contracts for the acquisition of real estate.**

**The motion was made pursuant to Section 143-318.11(a) of the North Carolina General Statutes.**

Chairperson White reconvened the Regular Board Meeting at 6:20 p.m. in the Board Room of the Education Center. CMS TV Channel 3 televised the meeting.

Present: Joe White, Chairperson, Member At-Large;  
Molly Griffin, Vice Chairperson, (District 5);  
Kaye McGarry, Member At-Large;  
Trent Merchant, Member At-Large;  
Larry Gauvreau (District 1);  
Vilma D. Leake (District 2);  
George Dunlap (District 3);  
Tom Tate (District 4); and  
Ken Gjertsen (District 6)

Absent: There were no absences

Also present at the request of the Board were Dr. Peter Gorman, Superintendent; James G. Middlebrooks, Attorney from Helms Mulliss & Wicker, PLLC, representing the Board; Members of Executive and Senior Staffs; and Nancy Daughtridge, Clerk to the Board.

## I. CALL TO ORDER

Chairperson White called the meeting to order at 6:20 p.m. Chairperson White welcomed everyone to the Board's second meeting of the month which is held in a Work Session format. He said the Board was holding this meeting in the Board Room of the Education Center because there had been a scheduling conflict with Room 267 at the Government Center, and it was pertinent to the discussion items, such as the Bond Referendum, that this meeting be held in the Work Session setting. He apologized for starting the meeting late and noted that the Board had been conducting business in a Closed Session meeting.

### A. Adoption of Agenda

**Ms. Griffin moved, seconded by Ms. McGarry, that the Board approve the adoption of the agenda, and a discussion followed.**

Chairperson White asked that the Board approve adding the two following real estate items from Closed Session to the Consent Agenda:

Add Item II.C. (Recommend approval of land acquisition from multiple property owners for the new Mint Hill High School).

Add Item II.D. (Recommend approval to purchase property that is adjacent to existing property owned by CMS for the new Bailey Road High School).

**Ms. McGarry moved, seconded by Ms. Griffin, that the Board approve adding Consent Items II.C. and II. D. to the agenda, and the Board voted 7-0 to approve the motion. Ms. Leake and Mr. Gjertsen were out of the room at the time of vote.**

**Mr. Dunlap moved, seconded by Ms. McGarry, that the Board approve the adoption of the agenda as amended, and the Board voted 7-0 to approve the motion. Ms. Leake and Mr. Gjertsen were absent at the time of the vote.**

## B. Community Report

- Quarterly Report from the Bond Oversight Committee

Chairperson White called upon Dr. Gorman to introduce the report. Dr. Gorman called upon Eric Davis, Chairman of the Bond Oversight Committee, to present the Bond Oversight Committee's Quarterly Report. Mr. Davis recognized the members of the committee and thanked them for their unique contributions and hard work in serving on the committee. Mr. Davis said the mission of the committee is to identify issues of greatest impact on the CMS facility program based upon input from the Board members, CMS staff, and the public. At this time, we have received input from eight of the nine Board members as well as input from staff and the public. That input led the committee to consider a number of issues that required systemic improvement or immediate attention. Mr. Davis said the committee determined the areas that needed immediate focus, especially in light of the fall Bond Referendum, were as follows:

- Efficiency and effectiveness of financial management.
- Capacity utilization.
- Strategic planning to address facility condition and program changes.
- Transparency and reporting.

Mr. Davis said the committee gathered facts and assessed the current situation of each area. Mr. Davis reviewed the committee's findings as follows:

- Efficiency and effectiveness of financial management.
  - The Focus was primarily on the cost of design services.
  - Costs were found to be generally in line with industry standard and on average about 5% of construction costs.
  - Opportunities exist for CMS to lower the cost of design services while maintaining quality.
- Capacity utilization.
  - Benefits exist for using classroom count as the method for evaluating school use for strategy planning, capital planning, and project scoping.
  - The committee analyzed the current state of classroom utilization.
  - Specific action plans are in place for each of the over capacity schools subject to available funding. The plans are captured in the Ten-year Strategic Plan.
- Strategic planning to address facility condition and program changes.
  - Valuable work is being completed and CMS is building the strategic planning necessary to manage a complex network of schools with a broad variety of issues.
- Transparency and reporting.
  - The committee did not complete a thorough evaluation of this item.
  - The committee discussed the quality and quantity of reporting based upon the review of reports that track program performance. While these reports are useful, they do not contain specific measures and they are not easily accessible and understandable by citizens unfamiliar with the design and construction process.

Mr. Davis said the committee suggest the following recommendations:

- Efficiency and effectiveness of financial management.

- The committee recognizes the benefits of using a prototype design and recommend that CMS demonstrate the effectiveness and efficiency of prototype design through reduced design fees on schools that receive the prototype design, allowing for site specific requirements.
- Recommend that CMS document improved production efficiency by comparing the design cycle time of prototype schools to non-prototype schools.
- Recommend CMS develop a set of metrics for measuring architecture and engineering performance and for architecture and engineering criteria.
- Strategy and Planning:
  - Recommend that CMS develop and communicate a series of area strategies across the system for solving issues such as capacity, condition, and changing curriculum and program requirements.
  - Recommend that CMS commit the staff resources necessary to develop and maintain a systematic strategy and planning function.
- Transparency and Reporting:
  - Recommend that CMS increase the level of transparency in its facility reporting.

Mr. Davis said the committee has more work to do and he recognizes there are more opportunities to be evaluated. The committee will continue its work on researching the program management fees, construction costs, identifying additional metrics, and further developing the strategic planning process. Mr. Davis said he would like for the Board to endorse the committee's recommendations.

Board members were invited to make comments and ask questions.

- Ms. McGarry recognized the Bond Oversight Committee for their diligent and hard work. She asked that the Board endorse the committee's recommendations.

**Ms. McGarry moved that the Board endorse the recommendations of the Bond Oversight Committee, seconded by Ms. Griffin, and a discussion followed.**

- Mr. Dunlap expressed concern that the Board was to discuss the report first but now that there is a motion on the floor and it has been seconded, the only thing that can be discussed is endorsing the recommendations. Chairperson White said at this point Ms. McGarry has cut off discussion and he asked Mr. Middlebrooks, General Counsel representing the Board, to clarify the ruling. Mr. Middlebrooks said the Board has a motion on the floor and that must be addressed before discussing the agenda item.

**Ms. Griffin withdrew her second because she would like to discuss the report. Ms. McGarry withdrew her motion at this time and will make the motion later in the meeting when it is relevant.** The Board discussion continued.

- Mr. Dunlap likes the idea of developing a set of metrics for measuring performance. He believes the committee should recommend the metrics to be used and then they should be fully understood by the Board. Mr. Davis said the committee recommends CMS use construction industry standard metrics. Mr. Dunlap asked Mr. Davis for his feedback on the Board's recent action on the selection process for the Program

Management Services contract. Mr. Davis said he participated in the Program Management review and he found it to be an open and fair process that resulted in a firm that he would recommend that CMS use.

- Mr. Gauvreau does not understand why the Board should endorse this report because most of the Board members provided input to be used in the report, the Board created the committee, and the committee is led by CMS staff. Ms. McGarry said perhaps endorse is not the right word. She would like the Board to accept the information and put their blessing on the report. This is saying thank you for the well thought-out information and encourage the committee to move forward. Mr. Gauvreau said there is a difference between endorse, adopt, and accept. He would be glad to accept the information but does not believe there is anything substantive in the report that requires Board action. Mr. Middlebrooks said technically the Board does not need a motion to receive the report because the Board is receiving the report by the mere act of hearing it as part of this meeting. Ms. McGarry said she would like to have a record in the minutes that the Board accepted the report and she would agree to either accept or receive the report.
- Mr. Tate said CMS has been working for some time to develop prototypes for middle and high schools. He asked how much of that work has been completed? Mr. Davis said he is not sure which schools are scheduled to receive the prototype but there are schools in the pipeline planned for using the prototype design. Mr. Tate asked should all schools plan to use the prototype design? Mr. Davis said, yes, all new schools should start with that premise and then be individually sited later because the prototype design will save time and money. Mr. Davis discussed the benefits of working with a number of architecture or design firms.
- Ms. Griffin likes the ideas in the report and hopes the Superintendent will closely review and consider the recommendations. She particularly likes the recommendations under strategy and planning because they could have value to the Board. She likes the recommendation regarding adequate staffing. She knows CMS is already doing some of the suggestions and believes this report will help put a renewed focus on the strategies.
- Mr. Gauvreau asked Mr. Davis to clarify the capacity and school utilization example provided under strategy and planning. He asked is this suggesting consolidation? Mr. Davis said the committee is recommending that CMS use empty classrooms that are available today. That means putting students in those classrooms but each school would need to be analyzed within itself to understand its true capacity and how to tap into that capacity.
- Ms. Leake expressed concern regarding school utilization and capacity issues. She believes if there is space at certain schools students should be transported to those sites.
- Ms. McGarry said regarding the Program Management Services contract and multiplier fee, did the committee agree with not renegotiating that fee? Mr. Davis said professional services are based on qualification of services and not based on fee. Mr. Davis said he participated in the selection process but did not participate in the fee process. Ms. McGarry said in the committee's further review of the program management fees, can those fees be renegotiated down the road? Mr. Davis said there are opportunities to renegotiate the fees such as reducing staffing or renegotiating the multiplier.
- Mr. Dunlap discussed the importance of what can be accomplished and the possibilities

of right sizing schools (making sure the school fits the population assigned to that school). He believes the Board should discuss those options. Mr. Davis said this includes issues beyond facilities. The committee is reviewing this from a facility aspect and how we can tap into the available seating.

**Ms. McGarry moved, seconded by Ms. Griffin, that the Board receive the recommendations of the Bond Oversight Committee, and the Board voted 9-0 to approve the motion.**

## **II. CONSENT ITEMS**

- A. Recommend approval of appointment of administrative personnel.
- B. Recommend approval of construction contract for Cochrane Middle School.
- C. Recommend approval of land acquisition from multiple property owners that is the targeted site for the new Mint Hill High School.
- D. Recommend approval to purchase property that is adjacent to existing property owned by CMS that is the targeted site for the new Bailey Road High School.

Mr. Gauvreau pulled II. A., and a discussion followed. Mr. Dunlap called for a Point of Order. He understands this is under the Consent Agenda but these are the employees of the Superintendent and the only reason to pull this is to discuss some grievance. The Board authorized the Superintendent to select his staff and make these recommendations. Mr. Gauvreau said he has not pulled a personnel item before and he would like to make a point. He would prefer that this not be before the Board at all but North Carolina state statute requires it. Chairperson White said this item has been pulled and the Board will discuss it at the time of the vote. Mr. Middlebrooks, General Counsel representing the Board, noted that state statute is very clear and the duty of the Superintendent is to recommend appointments and the duty of the Board is to elect all principals, teachers, and other school personnel in the administrative unit. He said the Board must take action to approve the Superintendent's hires and recommendations. Ms. Griffin said she would recommend that this item be pulled without discussion so that employees will not be identified. Chairperson White said Mr. Middlebrooks will advise the Board if they are violating the rights of an individual.

**Ms. Griffin moved, seconded by Ms. Leake, that the Board approve the adoption of Consent Items B., C., and D., and the Board voted 9-0 to approve the motion.**

Chairperson White reviewed the two real estate Consent Items that had been added to the agenda.

II.C. Recommend approval to purchase (i) approximately 2.0 acres owned by VEI, II LLC, tax parcel number 137-141-12; (ii) approximately 16.79 acres owned by Frances Investments, Inc., a portion of tax parcel number 137-141-11, and (iii) approximately 49.2 acres owned by Albemarle Road Associates, LLC all or portions of tax parcel number 137-311-02, 137-311-10, 137-311-55, 137-152-01 located in Mint Hill for a purchase price in each contract of \$75,000.00 per acre (less \$75,000.00 for the Frances Investments Inc. property); such approval being subject to the rezoning of properties as provided for in the contracts. This is the targeted area for the new Mint Hill High School.

II. D. (Recommend approval of the purchase of tax parcel numbers 007-121-02, 007-121-06, and 007-121-07 at a purchase price of \$360,000.00. This is the targeted site for the new Bailey Road High School.

Mr. Gauvreau said he would like the contract extension for the Associate Superintendent of Auxiliary Services to be voted upon separately.

**Ms. Griffin moved, seconded by Mr. Dunlap, that the Board approve all other administrative personnel recommendations excluding the contract extension for the Associate Superintendent of Auxiliary Services, and the Board voted 9-0 to approve the motion.**

**Ms. Griffin moved, seconded by Ms. Leake, that the Board approve the contract extension for the Associate Superintendent of Auxiliary Services, and the Board voted 7-2 approve the motion. Chairperson White, Ms. Griffin, Ms. McGarry, Mr. Merchant, Ms. Leake, Mr. Dunlap, and Mr. Tate voted in support of the motion. Mr. Gauvreau and Mr. Gjertsen voted against the motion.**

Dr. Gorman presented the following administrative recommendations:

Contract Extensions:

- Guy Chamberlain, Associate Superintendent for Auxiliary Services.
- Sheila Shirley, Chief Finance Officer.

Appointments:

- Ann Marie Clinton named Director of Extended Day Programs. Ms. Clinton previously served as Executive Assistant in the Curriculum and Instruction Department.
- Eldrenna R. Durham named Director of School Administration and Support Services. Dr. Durham has a Doctor of Education in Educational Leadership, University of Sarasota; a Master of Education in Educational Leadership, University of North Carolina-Charlotte; a Master of Arts in Curriculum and Instruction, Michigan State University; and a Bachelor of Science in Physical Education, Johnson C. Smith University. Ms. Durham previously served as principal at Schweinfurt Middle School in Germany.
- Catherine D. Hammond named Executive Director of Professional Development and Leadership Academy. Dr. Hammond previously served as principal of J.V. Washam Elementary School.
- Shelia Y. Ijames named principal at the Ninth-Grade Academy for the Eight-PLUS Program. Ms. Ijames previously served as Regional Assistant in the Elementary Division.
- Colette M. Jeffries named Director of the After School Enrichment Program. Ms. Jeffries previously served as Executive Coordinator to the Chief Academic Officer.
- Cindy Moss named Director of PreK-12 Math and Science Instruction. Dr. Moss previously served as K-12 Science Curriculum Specialist.
- Jerry Shepardson named Director of Technology Services. Mr. Shepardson previously served as an Instructional Technology Specialist.
- Barbara Ann Temple named Director of Teacher Professional Development. Ms.

Temple previously served as a National Board Specialist.

- Mary B. Webb named Executive Director of PreK-12 Curriculum Support Programs. Ms. Webb previously served as Regional Assistant in the High School Division.
- Jerry Winkeljohn named Executive Director of School Improvement. Mr. Winkeljohn previously served as Interim Associate Superintendent for Education Services.

Correction to April 10 personnel appointment:

- Katherine Meads was named Executive Director of ESL Education. She previously served as Director of Second Languages.

### III. ACTION ITEMS

#### A. Recommend approval of the Ten-year Capital Project Plan and the 2007 Funding Request

Chairperson White called upon Dr. Gorman to present the recommendation. Dr. Gorman called upon Maurice Green, Chief Operating Officer; Guy Chamberlain, Associate Superintendent for Auxiliary Services; and Mike Raible, Executive Director for Facilities Planning, to present the recommendations for the Ten-year Capital Project Plan and the 2007 Funding Request. Dr. Gorman said Mr. Raible will present a number of options for the Board's consideration. Staff recommended four options and two other options were requested by different Board members. Mr. Raible reviewed the options.

| Option   | Total Projects | \$\$            |
|--|----------------|-----------------|
| Option 1: The most recent ten-year prioritized project list. The 2007 funding request of the top thirty-three projects.  | 33             | \$402,653,567   |
| Option 2: The ten-year list reprioritized so that the unfunded projects from the 2005 Bond referendum are higher on the list. The 2007 funding request to include the top thirty-three, the unfunded projects from the 2005 Bond Referendum, and the physical education additions for the high schools without auxiliary gyms.   | 50             | \$466,306,425   |
| Option 3: The ten-year list is the same as Option 2. The 2007 funding request totaling one fifth (two years) of the ten-year list including the top thirty-three and unfunded projects from the 2005 Bond Referendum as well as additional projects to reach the total.  | 53             | \$499,781,256   |
| Option 4: The ten-year list is the same as Option 2 but does not include the stadiums, tracks, or fields. The 2007 funding request to reflect one fifth (two years) of the ten-year list including the top thirty-three and the unfunded projects from the 2005 Bond Referendum (not including stadiums, tracks, and fields) as well as additional projects to reach that total. | 50             | \$509,445,216   |
| Option 5: This funding request incorporates all projects that are needed prior to the fourth quarter of 2010. The ten-year list is the same as Option 2 and 3 and includes   | 122            | \$1,445,537,563 |



|   |    |               |
|---|----|---------------|
| physical education facilities, high school stadiums, tracks, and fields.  |    |               |
| Option 6: The ten-year list is the same as Option 1 and includes the physical education facilities and the Garinger High School science labs. | 51 | \$520,990,532 |

Mr. Raible noted that Option 5 included all the projects that need to be completed by 2010 and the funding request for each option does not include escalation costs. The escalation costs are included on the summary sheet for each option. Chairperson White said this will be a discussion on the options and Board members may alter the proposals as they deem appropriate.

**Ms. McGarry moved that the Board adopt Option 1**, and a discussion followed. Ms. McGarry said this scenario aligns with the Martin Committee recommendations and she believes it has the right prioritization to get a Bond passed in November. Chairperson White said this should be an open discussion on all the options but this motion will limit the discussion to the Board adopting Option 1 only. Mr. Gauvreau said he would like to make a substitute motion. Ms. Leake noted that there was not a second to Ms. McGarry’s motion. Several Board members said they would like to be able to discuss all the options. **Ms. McGarry withdrew her motion and said she would like to be able to make the first motion at the appropriate time.** A discussion with Board members followed.

- Mr. Gauvreau suggested that the Board separate the recommendation for the Ten-year Capital Plan and the Funding Request. Mr. Dunlap said he agreed with Mr. Gauvreau. Chairperson White said the motion on the floor will determine how these items will be recommended and voted upon.
- Mr. Gjertsen said he is happy that the language is funding request and not Board request because it is the Board’s responsibility to ask the Board of County Commissioners (BOCC) for what we need and it is the BOCC’s responsibility to decide how to fund that request. Mr. Gjertsen said he requested this report and is surprised that the full amount needed is \$1.4 billion. He said the Board should ask the BOCC for the amount needed rather than consider six options in the \$400 to \$500 million range. He would prefer that the Board present a request to the BOCC for \$1.4 billion with suggestions on how it should be funded; otherwise, the Board is not meeting its responsibility as a Board.
- Ms. Leake has reviewed the options and is concerned about the renovations, the growth, and the fairness in the process. She has listened to the public and that will help her make her decision. She is concerned about the needed renovations at Olympic, Garinger, and Harding University high schools; the renovations needed to enhance education and athletics; and the requirements to provide a safe environment for students and staff. She believes the Board should ask for what we need and should look at the district as a whole rather than dividing it up into their individual districts. At this time, she favors Options 2, 3, and 4 because they embrace growth, renovations, and building new schools.
- Ms. McGarry expressed concern regarding the priority order when the 2005 Bonds failed. She thought the Board had approved the original formula and priority order of the projects and she expressed concern that the formula had changed. Mr. Raible said

staff developed a formula for the priority order but it was not approved by the Board. Board members expressed concern that many of the failed 2005 Bond projects were not on the priority list and staff developed a new formula that added 1,000 points to those projects and that new formula realigned the projects. Ms. McGarry said the public will realize the formula was changed to shift the 2005 projects and she has a problem with moving projects in that manner.

- Mr. Merchant said he has a statement the he would like to read. He was not pleased with any of the options and developed the Option 6 that proposes a middle way. The proposal includes projects at fifty-seven sites throughout the county and growth projects (ten new elementary schools and new classrooms at Bain Elementary School; two new Middle Schools and new classrooms at McClintock Middle School; two new high schools and additional classrooms at Garinger, Harding, Independence, Myers Park, North Mecklenburg, South Mecklenburg, and Vance high schools; and two new pre-K Centers and additional classrooms at JW Grier Elementary School). This option also includes numerous other renovation and upgrade projects. The funding request for this option is \$521 million. This option protects the integrity of the ten-year capital needs analysis. Mr. Merchant reviewed other benefits of this option and he encouraged the Board members to support Option 6.
- Ms. Griffin said all the options have merits but she favors Option 2. She believes Option 6 has merits but is concerned that it does not include many of the 2005 Bond projects and the funding request will be quite large when the escalation costs are factored in. She asked will the actual fund request include the escalation costs? Mr. Raible said, yes. She believes it is important that the Board adopt a funding request that the community will support.
- Mr. Tate said this process from the beginning was subjective and the formula was geared to look more at new capacity rather than renovations. The formula was loaded in the beginning based on best knowledge and it was weighted in a certain way. Mr. Tate said this has been a work in progress and it is a good idea to tweak the formula to include some of the 2005 Bond projects. He said Option 6 may be a good compromise but he favors Option 2. This decision will be an integrity decision by Board members and it should be about the quality of education for all children. He said the Board should ask for what they need. He hopes the majority of the Board will support the same decision because that will show Board unison to the community.
- Mr. Dunlap agreed with Mr. Tate's comments. The Board did not agree to a formula and has been a work in progress that incorporated the concerns of the Board and the public. He likes the idea of asking for what we need but he is realistic and will not support Option 5. Mr. Dunlap said Option 6 is admirable but expressed concern that projects that had been on the priority list for a long time were omitted. He is happy that Garinger High School has made it to the priority list because it has been left out for a long time. Mr. Dunlap favors Option 2 and can live with Option 3.
- Chairperson White liked the concept of the formula from the beginning. He has heard from the public that they wanted more of the 2005 Bond projects on the list and that the process must be fair. He does not mind that the process was adjusted because it made it a fairer process. The focus should be on building new seats and renovating. He favors Option 2 but likes Options 3 and 6. He is concerned that Option 6 eliminated renovations at Myers Park and Olympic high schools. He hopes the majority of the Board will support the recommendation and believes the decision must meet the needs

for as many students as possible.

- Mr. Gauvreau said he is opposed to the \$2.5 billion ten-year strategic plan because it is not a plan and it builds factory schools (39-classroom elementary schools, 54-classroom middle schools, and 2,000 seat high schools) that are not educationally focused. This plan is problematic and will doom the next generation of students. The \$2.5 billion plan misprioritizes spending and is actually a \$3.7 billion plan. The spending in the past ten years has only amounted to \$2 billion. He expressed concern that the proposed plan is too slow to react to the high density growth areas in the county and does not consider methods to utilize the capacity of schools, leasing options, public-private partnerships, and ways to reduce the costs of new construction. Mr. Gauvreau said he may reluctantly support a \$400 million 2007 Bond request but we must remember that the BOCC has just approved the recent \$185 million request from CMS. He said the Board must be fiscally responsible and he believes the voters will vote any request down because it does not build schools in the right area (suburban areas) at the right speed. Mr. Gauvreau recommended a \$400 million Bond request financed by COPs.
- Mr. Gjertsen said the Board should tell the BOCC what our needs are and then suggest a Bond that is a much lower number. He believes until Charlotte has a one-half cent sales tax designated to school construction funding, CMS will not get through its backlog. Mr. Gjertsen favors Option 1 and 6.
- Ms. Leake wants to ensure the Board meets the needs of all children in the district. She discussed the importance of meeting the needs of growth and renovations. She encouraged the Board to focus on the basic needs and well-being of all children.
- Ms. McGarry discussed the importance of having a funding request with the right prioritization and understanding what the taxpayers can bare. The Board's responsibility is to be good stewards of the taxpayers' dollars and keepers of the publics' trust. The Board has discussed cost-cutting measures in construction but nothing has been done in that regard. The Board should take more time to do that and include those reductions in this request. Ms. McGarry said she would support shared facilities because that will save money but she will not support compromises in the classroom. She will support moving the science labs at Garinger High School and the physical education classrooms at the six schools up on the priority list. She will support a Bond package in the \$400 million range and believes having the right prioritization is key to getting the publics' support.
- Mr. Merchant believes Option 1 is not enough and the Board will have to have this same discussion again in two years. Mr. Merchant supports Option 6 because it includes most of the 2005 Bond projects and he reviewed the 2005 projects that it does not include. He reviewed the benefits of Option 6 and encouraged the Board to support it.
- Ms. Griffin asked could the physical education addition become the prototype for the new high schools so that a new auxiliary gym would not be needed? Mr. Raible said that is not part of our new physical education specs but the auxiliary gym specs are part of the new high school gym. Mr. Raible explained how the space of the new gym will be utilized. Ms. Griffin asked if the older schools need an auxiliary gym. Mr. Raible said he believes they need an auxiliary gym. Ms. Griffin believes the auxiliary gyms should be added to the new schools only after they have been added to the older schools but that would not be feasible because they are incorporated in the main gym.

She believes academics should come before athletics but it is frustrating that the older schools will continue to have needs while the new school needs are being met. She favors Option 2 because it is fairer to some of the older schools.

- Mr. Tate clarified that Option 2 includes the physical education facilities that were not included in the 2005 Bond package. Mr. Raible said that is correct.
- Mr. Dunlap expressed concern that Option 6 eliminates projects in several districts but adds \$65.7 million in projects to Districts 1 and 2. He discussed the fairness of the process and noted that projects were added because they were worthy of being added. Mr. Dunlap said the point is we need schools and this process will provide new schools.

Dr. Gorman said he has spent many hours discussing the needs with the Board members. He said it is clear that Board members have different opinions and there is not an easy solution to make every one happy. He believes if a coalition could come together it will have a stronger chance of being successful. He encouraged the Board to unite at the dais to show consensus of the Board because that will be a positive example to the public. He noted that the \$400 million dollar request recommended by the Martin Committee came out prior to the report on the actual needs of CMS. He suggested that any funding request to the BOCC should include a preamble that states CMS has a \$1.4 billion in actual needs over the next ten-years because the law states the Board should ask for what they need. Dr. Gorman commended staff for creating a subjective system to prioritize the needs. He said it is important to keep promises and the process incorporated some of the 2005 Bond projects. He said we must shift gears and discuss possibilities because, at this point, there is not a coalition among the Board. He asked the Board if they would be comfortable with a plan that received a 5-4 vote. He said regardless of the plan decided upon by the Board, he will talk to the public about needs because that will be universal. He will support the plan and he hopes the majority of the Board will join him because this will also shape 2009, 2011, and 2013. He hopes the ghosts of 2005 will not be repeated. He said the Board has eloquently stated their points and he encouraged them to start a coalition to move forward for the needs of every one.

- Chairperson White asked Mr. Raible to explain what Option 3 included that Option 1 did not. Mr. Raible said it has a new elementary school (Johnston Oehler Road), a new Pre-K center, and additions/renovations at Newell Elementary School. Chairperson White clarified that Option 3 included new seats and renovations at a request of approximately \$500 million. Chairperson White asked what is included in Option 3 that is not included in Option 6? Mr. Raible said Option 3 is structured to provide all the 2005 Bond projects at a higher priority. Chairperson White said it also includes the physical education facilities at Myers Park and Olympic high schools. He asked does it include the physical education additions at six schools? Mike Raible said Option six added an elementary school but lost several projects. Chairperson White said he is looking for a compromise. He asked the Board to consider Option 3.
- Ms. McGarry said she would like to make a motion. Board members said they would like to discuss this item further prior to a motion being made. Ms. McGarry said for Option 3 the actual cost including the inflation costs will be approximately \$570 million opposed to \$499 million. Ms. McGarry said she would be willing to start with Option 1 and add the five physical education classrooms (\$4.5 million) and the science labs at Garinger High School (\$11.8 million). She asked what would be the total cost

of Option 1 with adding those items and escalation costs? Mr. Raible said he would have to calculate this. Ms. McGarry said she would like a funding request at around \$400 million. She would support eliminating some of the top thirty-three projects and adding the physical education classrooms and the science labs only at Garinger High School. She asked what is the cost for just the science labs at Garinger High School? Mr. Raible said he does not have that amount broken out but the majority of that project is for the science labs. Ms. Leake expressed concern that this proposal did not include any of the 2005 Bond projects.

- Mr. Dunlap said part of the breaking point of Option 6 is that it does not include the 2005 Bond projects. He proposed that the Board consider altering Option 6 by adding the HVAC at Hawthorne Middle School (#63 at approximately \$4.1 million), tracks and fields at Garinger High School (#67 at approximately \$1.3 million), stadiums at Olympic High School (#68 at approximately \$5 million), renovations at Myers Park High school (#71 at approximately \$9.2 million), and omitting the physical education facilities at Myers Park High School (#7 at \$2.9 million) because that would be included in adding #71. Mr. Raible said the cost of Option 6 with the additions and deletion would be \$534,242,875. Ms. McGarry said this does not include the escalations costs and the actual amount would be close to \$610 million. Mr. Raible said the \$2.9 million for the physical education facilities at Myers Park High School (#7) must be an add-in because it is part of the project and that revised total would be \$537,142,875.

Mr. Dunlap requested a five minute recess. Chairperson White recessed the Regular Board meeting at 9:20 p.m. Chairperson White reconvened the Regular Board meeting at 9:30 p.m.

The Board continued the discussion on Mr. Dunlap's alternative proposal to Option 6. Mr. Raible said the total had been recalculated and the revised total would be \$540,734,732. Ms. McGarry asked what is the cost with escalation? Mr. Raible said the inflation costs would be approximately \$80 million for a total of \$620,734,732. Mr. Dunlap said this cost is a stretch because many Board members wanted a funding request under \$500 million. Mr. Dunlap said Ms. Griffin has a proposal to present that deserves merit. Ms. Griffin said she is concerned that her proposal would also be too costly. Mr. Merchant would like to continue to build on Mr. Dunlap's alternate proposal to Option 6. He suggested that the Board add the stadium at Olympic High School (#68 at approximately \$5 million) and the renovations at Myers Park High School (#71 at approximately \$9.2 million) to Option 6 but offset those costs by eliminating other projects. Mr. Merchant asked Mr. Raible to explain the renovations at Park Road Elementary School (#49 at approximately \$12.7 million). Mr. Raible said this project is fifteenth in terms of priority. The renovation is a complete top to bottom up-fit that would result in no additional renovations for the next thirty years and it includes a new roof and windows, plumbing, HVAC, electrical, ceiling replacement, and classroom lighting. Mr. Merchant asked if the school was at capacity? Mr. Raible said this is a full magnet school and that controls its capacity. Mr. Merchant asked if this was a strong magnet? Dr. Gorman said this is a very strong and popular magnet. Mr. Dunlap expressed concern that this does not include the track at Garinger High School (#67 at \$1.3 million). He suggested that the HVAC at Hawthorne (approximately \$4.1 million) be omitted to offset the cost of the track as this would result in a net gain of approximately \$2.8 million. Guy Chamberlain, Associate Superintendent for Auxiliary Services, said he would not recommend eliminating the HVAC

project at Hawthorne because that school has the worst air conditioning system in the district and is a major maintenance item. Mr. Dunlap would like to have the track at Garinger High School included in the funding request. Mr. Gjertsen asked if this project would be a candidate for the performance contract work? Mr. Chamberlain said, yes. Staff will be interviewing three candidate firms in the near future and that project could be included on the list. Ms. Leake said she is holding off on the electrical project at Olympic High School (#62 at approximately \$562,000). Mr. Dunlap said we could save money and be more cost efficient by completing more of the renovations at the older schools to eliminate costly maintenance repairs. Ms. Griffin said she is supportive of the Pre-K Program but would like to know staff's opinion on delaying the two Pre-K centers (#42 Pre-K Center at approximately \$8.8 million and #34 new Pre-K Center [Mallard Creek/Vance/Garinger] at approximately \$8.8 million). Mr. Raible explained and noted that one of the main purposes of the two centers is to pull Pre-K classes out of the existing schools to allow for more capacity for the elementary students. Mr. Dunlap suggested that CMS consider right sizing existing schools to free up space and using that space for a Pre-K Center. Mr. Raible said from a planning perspective this has been done. There are three Pre-K Centers north of downtown that are very close in proximity and it has resulted in our youngest customers having to travel the farthest to get to those centers. It is important to have those centers close to where they are really needed. Mr. Dunlap asked what would be the cost of Option 6 adding in the tracks at Garinger High School? Dr. Gorman asked Mr. Dunlap if he was eliminating the project at Park Road as Mr. Merchant suggested? Mr. Dunlap and Chairperson White said it would be hard to make that decision because it is a productive elementary school. Mr. Raible said Option 6 including the \$1.3 million track and field at Garinger High School would cost approximately \$540 million. Ms. McGarry said this does not include escalation costs. Mr. Gjertsen asked if staff had reviewed opportunities to lease facilities for Pre-K Centers rather than building new. Mr. Raible said leasing is an option but it would be difficult to find existing facilities that meet the requirements and it would be costly to make the needed renovations to the those facilities. Staff would be glad to pursue this option if the Board wishes. Chairperson White said he has reviewed the list and there are not many projects that he could eliminate especially when taking the priorities into consideration. Mr. Dunlap asked if it would be possible to ask the County to do the land Bonds (#11 site acquisition) which has previously been done because that could reduce the request by \$30 million? Mr. Chamberlain said Harry Jones, County Manager, would be agreeable to this option because he advocated that CMS put the full \$80 million in real estate needs on the 2005 Bond Referendum but that amount was reduced to \$35 million. Mr. Dunlap said the County could lump this amount with the Park and Recreation Bonds. Mr. Chamberlain said that is correct. Going forward, CMS could work with the Parks and Recreation Department to collectively find sites that could be used as joint-use. Dr. Gorman asked Mr. Dunlap if his proposal eliminated the land site acquisitions and added the HVAC at Hawthorne, tracks at Garinger, stadium at Olympic, and the renovations at Myers Park for a total of \$510,734,732. Mr. Dunlap replied, yes. Ms. McGarry suggested an alternative proposal to Option 6. She suggested deleting the land acquisition of \$30 million and only including the projects through #38 and the science labs at Garinger High School (#51 at approximately \$11.8 million) for a total of approximately \$399 million plus the inflation costs. Ms. McGarry asked what would be the escalation costs on this proposal? Mr. Chamberlain said approximately \$53 million for a total of \$452 million. Ms. McGarry believes that dollar amount and the priority of the projects would be agreeable.

**Upon motion by Mr. Dunlap that the Board approve a funding request to the Board of County Commissioners for \$510,734,732 to include the projects in Option 6 excluding the land acquisition of \$30 million (#11) and adding projects #63 (HVAC at Hawthorne Middle School at approximately \$4.1 million), #67 (tracks and fields at Garinger High School at approximately \$1.3 million), #68 (stadium at Olympic High School at approximately \$5 million), and #71 (renovations at Myers Park High School at \$9.2 million), seconded by Mr. Merchant, and a discussion followed.**

Ms. Leake asked if the motion included project #62 (electrical at Olympic High School). Chairperson White said this does not include that project because it was not included in Option 6. Ms. McGarry asked what would be the escalation costs for this motion. Mr. Raible said approximately \$80 million.

**Ms. McGarry made a substitute motion that the Board approve Option 6 but include only the projects through #38, delete the land acquisitions (#11 at \$30 million), and add the science labs at Garinger High School (#51 at approximately \$11.8 million) for a total cost of \$452 million which includes \$53 million in escalation costs, seconded by Mr. Gauvreau, and a discussion followed.**

Ms. Leake expressed concern that this motion excludes the projects at West Mecklenburg and Olympic high schools, new elementary schools, new Pre-K Centers, and the renovations at Hawthorne Elementary School. Ms. McGarry said her motion meets the needs of what the community can afford and holds the Board at the recommended funding request of approximately \$400 million. Mr. Merchant said our needs are greater than what is in this motion and he would not be able to support it. Ms. McGarry said we are in a different frame and must do what the community can bare. She said the timing is not good to go beyond what has been recommended.

**The Board voted 1-8 and the substitute motion failed. Ms. McGarry voted in support of the substitute motion. Chairperson White, Ms. Griffin, Mr. Merchant, Mr. Gauvreau, Ms. Leake, Mr. Dunlap, Mr. Tate, and Mr. Gjertsen voted against the substitute motion.**

The Board discussed Mr. Dunlap's original motion. Mr. Tate asked should the Board request the site acquisitions from the County in a separate motion? Mr. Middlebrooks, General Counsel for the Board, stated this is part of Mr. Dunlap's motion and that goes separately. Mr. Tate noted that Mr. Dunlap's motion deletes the funding but does not ask for it separately. Chairperson White asked Mr. Dunlap if this was part of his motion. Mr. Dunlap said, yes, and Mr. Merchant agreed. The revised motion is as follows.

**Upon motion by Mr. Dunlap that the Board approve a funding request to the Board of County Commissioners for \$510,734,732 to include the projects in Option 6 excluding the land acquisition of \$30 million (#11) and adding projects #63 (HVAC at Hawthorne Middle School at approximately \$4.1 million), #67 (tracks and fields at Garinger High School at approximately \$1.3 million), #68 (stadium at Olympic High School at approximately \$5 million), and #71 (renovations at Myers Park High School at \$9.2 million), the site acquisitions will be requested to the Board of County Commissioners separately, and seconded by Mr. Merchant.**

Mr. Gauvreau expressed concern that this does not address the \$2.5 billion ten-year capital improvement plan because it was not part of the motion. Chairperson White said at this point, that is not part of the motion. Mr. Gjertsen said he appreciates the efforts to work with Proposal 6. He has been focused on what is the project and where does it fit. He supports this motion because it addresses this concern. Mr. Merchant agreed. He asked how would the site acquisition funding request be handled? Mr. Chamberlain asked Norm Gundel, member of the Citizens' Capital Budget Advisory Committee (CCBAC), if the committee would recommend that the CCBAC would go forward with a separate request. Mr. Gundel said the decision has not been made but the committee is discussing that option. Ms. McGarry asked if the CCBAC has made a recommendation for a potential Bond amount. Mr. Chamberlain said, no. Mr. Gjertsen asked if this was a two-year or three-year package? Chairperson White said it would be a two-year package. Mr. Chamberlain explained the process and noted that it would depend on what the BOCC authorized to sell. Dr. Gorman said the motion does not include a preamble that states the capital needs funding required through 2010 is \$1.4 billion. Mr. Dunlap and Mr. Merchant agreed that this should be included in the motion. The revised motion is as follows:

**Upon motion by Mr. Dunlap that the Board approve a funding request to the Board of County Commissioners (BOCC) for \$510,734,732 to include the projects in Option 6 excluding the land acquisition of \$30 million (#11) and adding projects #63 (HVAC at Hawthorne Middle School at approximately \$4.1 million), #67 (tracks and fields at Garinger High School at approximately \$1.3 million), #68 (stadium at Olympic High School at approximately \$5 million), and #71 (renovations at Myers Park High School at \$9.2 million), and the site acquisitions will be requested to the BOCC separately. The funding request will include a preamble that states the CMS capital needs required through 2010 are \$1.4 billion. The motion was seconded by Mr. Merchant, and a discussion followed.**

Mr. Gjertsen said the annual request by the Board to the BOCC will not match the actual funding required to fund the capital projects through the next ten years. He believes something else must take place other than the annual request to the BOCC. He encouraged the Board to address this issue soon.

**The Board voted 7-2 to approve the original motion as revised. Chairperson White, Ms. Griffin, Mr. Merchant, Ms. Leake, Mr. Dunlap, Mr. Tate, and Mr. Gjertsen voted in support of the motion. Ms. McGarry and Mr. Gauvreau voted against the motion.**

Chairperson White asked the Board if they would like to take action on the ten-year capital project plan because it is an item on the agenda. Mr. Dunlap asked that this be tabled until a later date. Board members did not object to this request. Ms. McGarry said she would agree but she would like this discussed as quickly as possible so the potential cost reductions can be reflected in the projects of the motion.

B. Recommend approval of the Sustainability Program with the Broad Institute/Center for Reform of School Systems

Chairperson White said this is the recommended approval for the Board to continue its Reform



Governance work with the Broad Institute and Center for Reform of School Systems.

**Ms. McGarry moved, seconded by Ms. Griffin, that the Board approve the Sustainability Program with the Broad Institute and Center for Reform of School Systems, and the Board voted 9-0 to approve the motion.**

#### **IV. REPORTS/INFORMATION ITEMS**

There were no Report Items on the agenda.

#### **ADJOURNMENT**

**Mr. Dunlap moved, seconded by Ms. McGarry, and by consensus, the Board agreed to adjourn the meeting.**

The Regular School Board Meeting adjourned at 10:15 p.m.

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Chairperson, Joe. I. White, Jr.

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Clerk to the Board, Nancy Daughtridge