

**MINUTES OF THE WORK SESSION AND REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
SCHOOL DISTRICT 4J, LANE COUNTY, OREGON**

**October 21, 2009**

The Board of Directors of School District No. 4J, Lane County, Eugene, Oregon, held a work session at 6:00 p.m. and a regular board meeting at 7:30 p.m. on October 21, 2009, at the Education Center, 200 North Monroe Street, Eugene, Oregon. Notice of the meeting was mailed to the media and posted in the Education Center on October 16, 2009, and published in *the Register-Guard* on October 19, 2009.

**ROLL CALL**

**BOARD MEMBERS:**

Craig Smith, Chair  
Beth Gerot, Vice Chair  
Jennifer Geller  
Alicia Hays  
Anne Marie Levis  
Jim Torrey  
Mary Walston

**STAFF:**

George Russell, Superintendent of Schools and District Clerk  
Barbara Bellamy, Chief of Staff and Communications Director  
Susan Fahey, Chief Financial Officer  
Celia Feres-Johnson, Director of Human Resources  
Carl Hermanns, Assistant Superintendent/Chief Academic Officer  
Jon Lauch, Director of Facilities Management  
Sara Cramer, Director of Elementary Services  
K C Clark, Educational Support Services Administrator  
Allan Chinn, Principal, Yujin Gakuen and Corridor

**MEDIA:**

KRVM

**STUDENT REPRESENTATIVES:**

Jenna Careccia, Churchill High School  
Linda Gai, International High School, all campuses  
Sasha Johnson-Freyd, South Eugene High School  
Jennifer Kerfoot, School of Ideas, North Eugene High School

**OTHERS**

Larry Massey, District Architect  
Hugh Prichard, Real Estate Consultant  
Sue Prichard, Real Estate Consultant

## **WORK SESSION ON CIVIC STADIUM**

Board Chair Craig Smith called the work session of the School District 4J Board of Directors to order and led those present in the Pledge of Allegiance.

Superintendent George Russell introduced the topic and those who would make the presentation regarding Civic Stadium. He hoped to have a sense at the end of the work session of the direction the board wished him to proceed with respect to the disposition of Civic Stadium.

Larry Massey, District Architect, used aerial photographs to illustrate the boundaries of the Civic Stadium property. He said the discussion would focus on the large tax lot on which the Civic Stadium facility was located.

Jon Lauch, Director of Facilities Management, provided a historical overview of the property from the point at which the City of Eugene deeded it to the district in 1938 to the present. He noted that a recital in the deed indicated the property was to be used as a recreation area for the school district and the municipality. In 1995, a dispute over the recital was settled when the courts decided that it did not place a restriction on the deed. In 2009, the Eugene Emeralds baseball team terminated their lease of Civic Stadium in order to move to the University of Oregon's new facility.

Mr. Lauch pointed out the three tax lots that comprise the property and illustrated the four-acre portion of the property involved when Civic Stadium was placed on the National Historic Register (NHR) in 2008. He said the largest tax lot, on which the stadium is located, is zoned Public Lands and the other two lots are zoned Low Density Residential (R-1); the Metro Plan suggested the appropriate zoning for all three lots is Medium Density Residential (R-2). He said there are also utility easements on the property, as well as access issues and encroachments from adjacent properties.

In response to a question from Board Member Anne Marie Levis, Mr. Lauch said the historic designation creates both opportunities and restrictions. Grant funds are available for preserving and upgrading the stadium. Any major modifications to the structure would be subject to a review and redevelopment of the property, including demolition of the stadium, requiring a 15-month process to document historic significance and photograph the structure.

Superintendent Russell asked if the restrictions on the property would remain in place if the property was sold. Mr. Massey said they would stay in place as encumbrances on the property.

Mr. Lauch briefly reviewed a marketing analysis of the property conducted in 2007. He said the analysis presumed another use for the property and estimated a list price of \$4.75 million. He suggested a new market analysis be conducted because of changes in the economy and real estate market since the last one was completed.

In response to a question from Ms. Levis, Mr. Massey said a typical development project took two to three years to complete and the 15-month process to document historic significance of the stadium was well within that period. He did not think the historic designation would affect the market value.

Continuing, Mr. Massey referred to the results of a building inspection conducted by the city that looked at plumbing, electrical and structural issues. There were many code violations, including installation of plumbing and electrical apparatus that were installed without building permits.

Mr. Lauch added that some of the improvements completed without a permit were done by the Emeralds and some by the district. The district is requiring the Emeralds to remove the improvements for which they were responsible.

Mr. Massey reviewed a document entitled *Civic Stadium Needs Projection: Preliminary Estimate*, copies of which were provided to the board. He thanked construction trade members of the Eugene Chamber of Commerce who compiled the capital needs estimate at no cost to the district. He said a detailed breakdown of the estimated cost of \$10 million was provided in the board packet.

Mr. Lauch noted the changes to the district's cash flow with the Emeralds leaving Civic Stadium. He listed the current uses for the property and the financial impact from loss of lease revenue and assumption of maintenance, insurance and utility costs. He stressed that the costs associated with grounds and building maintenance does not mean an increase in expenses to the district, but rather a shift of current resources from other facilities to Civic Stadium. Implications of disposition through sale or ground lease include receipt of revenue from sale or lease and avoidance of the ongoing costs of ownership. He estimated loss of rental revenue for current uses other than the Emeralds at approximately \$85,000 and said upgrades of approximately \$700,000, including lighting, to the South Eugene High School varsity baseball facility would be necessary if the school's team no longer had access to Civic Stadium.

Mr. Lauch identified the following interested parties:

- Save Civic Stadium Committee – interested in a short term lease in order to move forward;
- YMCA – seeking property to replace aging facility on Hilyard Street;
- St. Vincent de Paul Society – interested in some or all of the property;
- City of Eugene – long-term transportation issue related to routing traffic between downtown and South Eugene; and
- Various private developers.

In response to a question from Ms. Levis, Mr. Lauch said the district would need to lease the property to another tenant for \$70,000, require the tenant to be responsible for maintenance and liability insurance, and allow the district to use the stadium for high school baseball and parking in order to avoid any revenue loss or additional expense.

Sue Prichard, Real Estate Consultant, stated that there were always buyers, but current economic conditions limited the number of buyers and suppressed the market. She stated that taking some time to decide whether or not to sell the property would work in the district's favor.

Hugh Prichard, Real Estate Consultant, noted that there had been recent sales in the neighborhood for substantially more money than the district's current appraisal and recommended obtaining a new evaluation of the property's price.

Ms. Levis asked if the historic designation would deter potential buyers. Ms. Prichard replied that it could deter some buyers concerned with going against the public's sentiment to save the property. She said the district could also consider selling a portion of the site.

In response to Mr. Smith, Mr. Prichard agreed that few buyers would be interested in using the stadium; the best sale price was based on land value and he did not feel that developers would be concerned with the 15-month historic documentation period because it was much shorter than the overall time required for development.

Board Member Jim Torrey stated that it was in the district's best interest to establish a price for the property based on highest and best use. He said the community expects the district to provide an opportunity, such as a limited duration lease with purchase option at the established price, to those who want to preserve Civic Stadium. He felt those organizations would not have the ability to raise funds to purchase the property without that lease period.

Mr. Prichard observed that it could be difficult to lease a building with code violations which prevent it from being occupied. A lessee would need to be willing to work with that situation.

Ms. Prichard pointed out that the two smaller tax lots north of the 20<sup>th</sup> Avenue platted roadway are zoned R-1 and designated to become R-2 in the Metro Plan. She confirmed with the City of Eugene that separating and selling those parcels would not necessitate a development plan for the entire site. Selling those lots would result in some immediate revenue for the district and R-2 property is currently in the highest demand in Eugene. She cautioned that there are issues related to 20<sup>th</sup> Avenue and access that could have some affect on the value of the lots or require the district to make some improvements.

Superintendent Russell said he is interested in feedback from the board about short-term and long-term options and whether the district should initiate an update to the property appraisal at this time. He does not want the district to rush into a decision that would restrict options for disposition of the property, taking resources needed to support educational programs.

Mr. Prichard remarked that a ground lease is an unlikely option and advised against pursuing it in the current market. Selling a portion of the property is a good option. Offering the entire site for sale could result in trade offers and interesting options for the district to consider. He agreed with Superintendent Russell that it is not the best time to rush into a decision to sell and it seems reasonable to consider interim strategies such as a short-term lease with purchase options.

Ms. Prichard said the district would need to define short-term.

Mr. Torrey said the challenge would be to determine a lease time that would give an organization a reasonable amount of time to attempt to purchase the property, while satisfying the district's obligation to be a good steward of its assets by obtaining the highest and best price for the property.

Board Member Jennifer Geller said the board should have an updated valuation on the property and more detailed information on what interested parties were proposing as well as the timeframes involved.

Ms. Levis stated the district could not ignore the community's emotional attachment to Civic Stadium, but agreed with Ms. Geller that more specific information was needed from the parties interested in preserving the stadium. She said sale time for the property has been estimated at two to three years which should give an organization the necessary time to arrange financing.

Mr. Prichard said it would be very beneficial if the district could resolve any community issues related to preservation of the stadium prior to putting the property on the market.

Mr. Smith determined there was consensus that the district should not remain the owner of Civic Stadium and to direct the superintendent to explore options for preventing losses in the General Fund in the short-term.

Superintendent Russell clarified that he would focus on the parameters for a short-term lease as the district is not at a point to make a decision on selling the property. He said issues to be considered with a short-term lease include:

- Duration and conditions of a lease;
- Revenue expectations; and
- Property to be included in a lease – stadium only, full site, or site less parcels that would be sold.

Mr. Torrey stated that a lease should specify what the lessee would be responsible for in terms of ongoing maintenance. The district also should decide whether it would be responsible for improvements necessary to address code violations or make that the tenant's responsibility. He is concerned about the liability associated with the facility becoming an attractive nuisance. He asked whether funds from the sale of the property could be used for district operations.

Superintendent Russell said the board's current policies require that proceeds from the sale of property be used to meet capital and facilities needs, but the board could change that policy to allow the funds to be used for operations.

Mr. Smith summarized that the board's discussion indicated that the district should not own the property in the long-term; in the short-term, the board wants to explore options to minimize the loss of revenue and expenses associated with maintaining the facility, either empty or with minimal use, which could include a lease.

Board Member Alicia Hays encouraged the board to consider the needs of district sports teams who currently use the facility when it examines options.

Mr. Smith adjourned the work session at 7:27 p.m.

## **CALL TO ORDER – REGULAR BOARD MEETING**

Mr. Smith called the regular meeting of the School District 4J Board of Directors to order.

## **AGENDA REVIEW**

There were no changes to the agenda.

## **INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT**

Superintendent Russell reported on participation at the recent Wallace Foundation conference and showed a short video entitled, *A Principal's Story*, highlighting leadership initiatives supported by Wallace grant funding over the past ten years. He said U.S. Secretary of Education Arne Duncan spoke at the conference and reinforced the Obama administration's commitment to moving the school improvement agenda forward. He anticipated strong competition for the federal funds available under the Race to the Top initiative. He said copies of the video were available for loan to those wishing to view the longer version.

## COMMENTS BY STUDENT REPRESENTATIVES

Sasha Johnson-Freyd, South Eugene High School, reported that Homecoming was scheduled for the following week. She was proud that students organized a very successful blood drive for the Lane Memorial Blood Bank.

Jenna Careccia, Churchill High School, said leadership had begun a Community 101 program in partnership with Liberty Bank. She said the bank would donate \$5,000 for the school to give to non-profit organizations if leadership raised at least \$1,000. She hoped that clubs within the school would help achieve the fundraising goal. Oregon Safe Schools was conducting a GLBTQ training session on October 24-25 to help improve safety for those individuals in the school environment.

Linda Gai, International High School, all campuses, reported that new student government members were inaugurated with a root beer float party. An International Study Abroad Fair was scheduled for October 22 at Sheldon High School which was open to all Lane County students and families who are interested in hosting a foreign exchange student. She said some IHS students would spend spring break on the island of Guadeloupe in the east Caribbean Sea, organizing a community service project and gaining greater proficiency in French.

Jennifer Kerfoot, School of Ideas, North Eugene High School, reported students are working on building sustainable, systemic change in the North Eugene community. She said the school constitution is being revised to incorporate the small schools model and staff is looking at changes to the block schedule model. She said freshmen will be presenting a Holocaust memorial project on November 3 and invited the board and public to attend.

## ITEMS RAISED BY THE AUDIENCE

Mr. Smith stated that speakers would have three minutes each. He said speakers could offer objective comments or criticism about district operations, but the board would not hear complaints about individual district personnel. There is a process in place for filing a complaint against an individual through the superintendent's office.

**Deb Donning**, parent of a Churchill High School student, expressed concern and disappointment that the dance team coach at Churchill had been replaced without notifying team members and their parents or discussing the matter with them.

**Terri Williamson**, West 15<sup>th</sup> Avenue, Eugene, indicated that she had filed complaints against the previous Churchill High School dance team coach in March 2008 and July 2009 and urged that the coach not be reinstated.

**Roger Brocksmith**, McKinley Court, Eugene, parent of a Churchill High School student, expressed concern and disappointment that the dance team coach at Churchill had been replaced without notifying team members and their parents or discussing the matter with them.

**David McCreary**, Hawthorne Avenue, Eugene, expressed concern and disappointment that the dance team coach at Churchill had been replaced without notifying team members and their parents or discussing the matter with them. He said he had assisted the dance team coach for the past 11 years and urged that she be reinstated.

**Sheila Lewellen**, Dumas Drive, Eugene, head dance coach at Thurston High School, commended the work of the previous dance coach and urged that she be allowed to continue to coach the team.

**Julia Bowlin**, Gimpl Way, Eugene, parent of a Churchill High School student, expressed concern and disappointment that the dance team coach at Churchill had been replaced without notifying team members and their parents or discussing the matter with them.

**Terry Goodman**, Westleigh Street, Eugene, parent of a Churchill High School student, expressed concern and disappointment that the dance team coach at Churchill had been replaced without notifying team members and their parents or discussing the matter with them. She asked that the prior coach be reinstated and compensated for a period of two or three years to allow the new coach to make a successful transition.

**Desiree' Peppers**, Rhine Way, Eugene, a member of the Churchill High School dance team, expressed concern and disappointment that the dance team coach at Churchill had been replaced without notifying team members and their parents or discussing the matter with them. She asked to have the prior coach reinstated and allowed to continue as an assistant coach through the current school year. She had been suspended for wearing a shirt asking that the dance team coach be brought back and threatened with loss of her transfer.

**Jan Phaigh**, Hawthorne Avenue, Eugene, stated that she had been the head dance team coach at Churchill High School for the last 15 years. She was concerned with the administration's threats and intimidation of dance team members who questioned the change in coaches.

**Gordon Peppers**, Rhine Way, Eugene, parent of a Churchill High School student, expressed concern and disappointment that the dance team coach at Churchill had been replaced without notifying team members and their parents or discussing the matter with them. He objected to efforts to silence the voices of students who spoke out on the matter and urged intervention to establish a compromise that would resolve the matter. He said the situation was a teachable moment for students.

## **COMMENTS BY EMPLOYEE GROUPS**

There were no comments.

## **ITEMS FOR INFORMATION**

### **Receive an Update on the Yujin Gakuen Traffic Issues**

Mr. Lauch described the traffic problems he had observed at Yujin Gakuen Elementary School at dismissal time. He has seen no problems with the traffic flow at Corridor Elementary School, which uses the parking lot east of the school. He said staff had explored options for mitigating traffic problems on site at the Yujin Gakuen end of the school without building a new driveway.

Sara Cramer, Director of Elementary Services, said that Allan Chinn, Yujin Gakuen/Corridor Principal, discussed traffic and parking with the site council and there was agreement that the problems could be resolved if all parties followed the rules for picking up and dropping off students. Ms. Cramer distributed a flyer entitled *Student Pick-Up/Drop-Off Changes* that explained to parents the procedures that would be implemented to address traffic problems.

She said the changes would become effective October 26 and staff would be outside the school to assure that drivers were following the procedures. She said Mr. Chinn felt the changes were the most workable solution to traffic problems.

Mr. Torrey expressed concern with the traffic problems between the North Eugene High School campus and River Road. He asked if traffic engineers from the City of Eugene could be enlisted to work with district staff to determine what solutions might be available. Mr. Lauch said the district had worked with the city on a number of occasions and has been seeking assistance in addressing the traffic problems at Yujin Gakuen. He was not certain if there was an engineering solution to the traffic problems on Silver Lane; perhaps staggered dismissal times at North Eugene would mitigate them somewhat.

Mr. Lauch emphasized that there are no traffic problems associated with student drop-off at Yujin Gakuen and no problems on early release days.

Superintendent Russell related that the city's traffic engineer had previously studied traffic problems in the vicinity of North Eugene High School and concluded there were no solutions to traffic congestion in that area. He said it might be worthwhile to ask the traffic engineer to take another look.

Ms. Levis indicated she was pleased that a traffic solution at Yujin Gakuen would not require the district to spend capital funds. She added that the district's connection with Safe Routes to Schools, an organization working on alternate transportation solutions, should be helpful in dealing with the issue.

Board Vice Chair Beth Gerot agreed with Ms. Levis. She asked if the start and ending times of the schools within North Eugene could be staggered to mitigate the traffic congestion.

Ms. Kerfoot concurred that the traffic problems at North Eugene are serious and she stated that staggering start and ending times could help.

## **CONSENT GROUP – ITEMS FOR ACTION**

### **Approve the Purchase of School Buses**

On June 21, 2006, the board approved a one year contract with an opportunity for four annual extensions with Western Bus Sales, Inc. for the purchase of school buses. The contract is currently in its fourth year.

Five wheelchair-equipped, special needs buses are due to be replaced this year and all buses are past the standard ten year replacement schedule and have high mileage. The price for each bus is \$112,494 for a total purchase price of \$562,470, with the net cost to the district lower because of the anticipated trade-in of retired buses. Fleet funds will be used to fund the purchase and the superintendent recommended purchasing five 42 passenger buses from Western Bus Sales, Inc. for a total of \$562,470.

### **Approve Board Meeting Minutes**

The superintendent recommended approval of the minutes from the September 2 and September 16, 2009 regular board meetings. Copies of minutes were included in the board packet.

## **Approve Personnel Items**

The superintendent recommended approval of the personnel items included in the board packet. Those covered employment, resignations, and other routine personnel matters.

**MOTION:** Ms. Gerot, seconded by Ms. Geller, moved to approve the consent items.

**VOTE:** The motion passed unanimously; 7:0.

## **ITEMS FOR ACTION**

### **Adopt the 2009-10 and 2010-11 Superintendent's Goal Statement and Establish the Criteria for the 2009-10 Annual Evaluation**

Superintendent Russell provided an overview of the item. He said the criteria for his annual evaluation has typically consisted of the superintendent and board's goals, the terms of his contract, the position description and a self-evaluation. He said the goal statement had gone through several revisions and he drew the board's attention to the change that extends the timeline for the goal related to assessing resources needed to support elementary, middle and high school students not on track to graduate. He said the modifications incorporate the changes discussed by the board and captures the reality of the current economic climate.

**MOTION:** Ms. Levis, seconded by Board Member Mary Walston, moved to adopt the 2009-10 and 2010-11 Superintendent's Goal Statement and Establish the Criteria for the 2009-10 Annual Evaluation.

**VOTE:** The motion passed unanimously, 7:0.

### **Approve Revisions to Board Policy LBE, Public Charter Schools**

KC Clark, Educational Support Services Administrator, explained that revisions to Board Policy LBE clarify the state laws that apply to charter schools and require charter schools to maintain sound financial management systems. Additional recommended revisions include more closely aligning policy with statutory language and the Oregon School Board Association's (OSBA) sample policy, shortening the timeframe for the district's charter renewal process and correcting minor technical and formatting errors. She said the No Child Left Behind (NCLB) highly qualified status applies to charter schools in the same way it applies to the district's licensed and non-licensed teachers.

Superintendent Russell asked how NCLB highly qualified status is monitored by charter schools. Ms. Clark said that is part of the district's charter school review.

**MOTION:** Ms. Hays, seconded by Ms. Walston, moved to approve revisions to Board Policy LBE, Public Charter Schools.

**VOTE:** The motion passed unanimously; 7:0.

## **COMMENTS AND COMMITTEE REPORTS BY INDIVIDUAL BOARD MEMBERS**

Ms. Levis reported that the Eugene Education Fund (EEF) Kick-off event was well attended and a record amount of funds had been raised. She commended EEF staff for organizing the event. She noted she has passed the halfway mark in her goal to visit all 4J schools. She asked the board to consider a contribution to the United Way campaign.

Ms. Gerot stated she had attended an OSBA regional meeting and a Quality Education Commission meeting. She said the Governor's office provided an update on educational reform that would include a review of education service districts and regional delivery systems. The Race to the Top work group held its final meeting and a draft of recommendations would be posted on the Oregon Department of Education website on October 23. She said the recommendations would go through a series of reviews before being presented to the governor and ODE. She appreciated the opportunity to participate in the effort.

Mr. Torrey was impressed by a presentation at ATA demonstrating the ability to use technology to reach out to middle school students on complex math issues. He remarked that the district would not be able to count on federal stimulus funds beyond the next few years and wondered if there was a way to determine the actual return on investment when technology is used in instruction, such as the ability to have more students in the classroom.

Ms. Geller thanked Ms. Gerot for serving on the Race to the Top work group. She announced that Stand for Children was holding a community meeting on October 24 to discuss how schools are funded in Oregon.

Ms. Walston reported on her visits to schools and said she is looking forward to the OSBA meeting in Portland. She noted that United Way campaign pledges could be designated for specific organizations, including EEF.

Mr. Smith commented that a newspaper article by Lane County Assessor Anette Spickard on property taxes was very informative.

## **ADJOURN**

Mr. Smith adjourned the meeting at 8:50 p.m.

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George Russell  
Superintendent

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Craig Smith  
Board Chair

(Recorded by Lynn Taylor)

### **Attachments to Official Minutes:**

1. Civic Stadium Materials
2. Personnel Action Items
3. Final Superintendent's Goal Statement for 2009-10 and 2010-11
4. Board Policy LBE – Public Charter Schools