

**SCHOOL FACILITIES BOARD  
August 19, 2003  
Phoenix, Arizona**

The School Facilities Board held a board meeting at the Arizona State Capitol, Grand Canyon Room, 1700 West Washington, Phoenix, Arizona. The meeting began at approximately 10:00 A.M. Minutes are provided in the order in which they appeared on the agenda, though they may have occurred out of order at the meeting.

<u>Members Present</u>	<u>Guests Present-Speakers</u>
Conley, Patrice by phone	Spencer Smith
Granillo, Peter	John Hinderaker
Keenan, Brooks by phone	Sherrylyn Young
McGee, Kate by phone	Janice Tvedt
Van Sittert, Logan, Chair	Kris Tvedt
Vaughan, G. Keith by phone	Doug Hughes
Wicks, Michael by phone	Don McBride
Wright, John, Vice-Chair	Bob Rudolph
Vicki Salazar, Superintendent's Representative (non-voting)	Dave Moser
	Michael Bellinfante
	Denise Ryan, TVUSD Superintendent Representative Linda Gray
<u>Members Absent</u>	
None	
<u>Staff Present</u>	
William Bell, Executive Director	
Edward Boot, Deputy Director	
Tim Brand, Facilities Deputy Director	
Candy Cooley, Deputy Director of MIS	
Judith Darknall, Assistant Attorney General	
Deborah Dominguez, Executive Assistant	
Dave Young, Land Specialist	
Kristen Landry, Public Information Officer	

Welcome

Logan Van Sittert welcomed the School Facilities Board.

- I. Call to Order  
The Board Chair, Logan Van Sittert, called the meeting to order at approximately 10:00 A.M.
  
- II. Roll Call  
There were 8 Board Members present at this meeting, including Vicki Salazar of ADE, a non-voting member.

III. Consideration of Request for Land or Real Property Purchase, Lease, or Donation, including requests from:  
a & b: Steps I,II,III  
Tanque Verde Unified

Bill Bell provided information regarding this item. Keith Vaughan asked if the board had already approved Steps I and II. Bill Bell commented that I and II was done as a part of the original process, but the judge required the district to start the process again which included I and II. Kate McGee asked why this decision was necessary to comply with the judge's ruling. Judith Darknall stated that the trial court found everything following the previous site selection process was void and said the district must start all over again. The district had to select a site, come to the SFB, and acquire Steps II and III approval before it could proceed to condemnation and acquire title. The district has selected a new site and now they are requesting the board approve steps II and III so they can acquire title.

Brooks Keenan moved that the Board go into Executive Session at approximately 10:15am. John Wright seconded. Motion passed on an 8-0 voice vote. Executive Session concluded at 10:35am.

Brooks Keenan moved that the Board accept Staff recommendation to approve Tanque Verde Unified School District's request for a high school site (project number 100213000-9999-202L) subject to final Board approval.

Keith Vaughan stated the postponement until a recall election concerns him and the board should make their vote today.

John Wright asked if the staff is confident the district held a site selection process for the site under consideration. Bill Bell confirmed that staff is satisfied with the district's selection. John Wright asked where the payment of severance damages falls into this discussion. Bill Bell stated the payment of severance damages is not part of Steps II and III. Judith Darknall confirmed that item is part of the appeal process. John Wright asked if he could amend the motion to have final approval come back to the board. Brooks Keenan, maker of the motion, and Pat Conley amended their motion.

John Wright stated that the comments and emails that have been circulated do not do justice to the board or the procedures the board has in place and is disappointed in the way the discussion and argument has taken place. He added it is the obligation of the SFB to respond to a majority vote of a governing board.

Pat Conley seconded. Motion passed on a 7-1 roll call vote with Kate McGee against.

Kate McGee explained she voted against the motion because she felt the clarity of local control issues would be achieved in November. She recommends the new school approval process included additional due diligence and the M&O impact. She felt the severance damages would come back to the board, and that is an issue she is uncomfortable with. She also stated that state and community

resources are finite and to go forward with any kind of approval does not recognize those as being limited.

IV. Public Comment:

Spencer Smith-attorney for Tanque Verde Unified

John Hinderaker-Attorney for Tanque Verde Coalition

John Wright asked staff if their analysis of usable acres contradicts the district's analysis. Dave Young said there is no contradiction. John Wright asked if staff verifies ADM prior to construction. Candy Cooley confirmed that staff checks ADM prior to the commencement of construction.

Sherrylyn Young-TVUSD Board President-in support of Steps II and III

Brooks Keenan asked if enrollment has been effected. Ms. Young stated that yes, the uncertainty has caused many parents to take their children out of 9<sup>th</sup> grade at TVUSD and put them into high school at TUSD. District is looking at a shortfall of \$400,000 if they do not have a high school. Keith Vaughan asked what the square footage of the plan is. Ms. Young stated the school was built for 650 students. The number was then lowered by the SFB to the low 500s and once the 500 number was met, the district could add more classroom space.

Janice Tvedt-in support of high school

Kris Tvedt-in support of high school

Doug Hughes- in support of high school

Kate McGee asked about allegations that the members of the board would convert this new school into a charter school. Mr. Hughes stated that this is an important issue and if something happens, the community should have a charter school. He said the board would not take a public school and turn it into a private charter.

Don McBride-against high school

Bob Rudolph-against high school

Peter Granillo asked what the distance between the new school and Sabino High School is. Mr. Rudolph stated that it is 1.9 miles.

Dave Moser-against high school

Michael Bellinfante- against steps II and III

Denise Ryan-Tanque Verde Superintendent in support of high school

Representative Linda Gray-encouraged the Board to wait until recall election prior to making a decision.

John Wright asked how the philosophy of local control would work with the Board's interference with the governing board's decision to build a high school based on the education interests of their children. Representative Gray stated the decision was made several years ago and now several factors have changed. Logan Van Sittert asked Representative Gray how she would advise the board in that we have laws that we must obey and rules that might go contrary to the advise she gave. Representative Gray said that there is conflict in that the board is awarding construction, but enrollment is not determined until after the process begins. She added that the board needs to examine the financial viability of schools being opened. Pat Conley stated that the board continuously reviews enrollment throughout the new construction process. She also said that this item is only for approval of the land and should construction be cancelled, the board can resell the land. Pat Conley asked how the SFB can hold off until an election for one particular school district. Representative Gray stated that the board has more information on this district than any other and this has been a very different situation. Pat Conley asked why we are looking at the enrollment of an adjacent school district. Representative Gray stated that there is a quality education at the high school TVUSD high school students currently attend.

Adjournment

There being no further business Board Chair, Logan Van Sittert, adjourned the meeting at approximately 11:35 A.M.

Approved by the School Facilities Board on \_\_\_\_\_, 2003

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Logan Van Sittert, Chair