

WESTSIDE COMMUNITY SCHOOLS ~ DISTRICT 66

Board of Education Meeting Minutes ~ October 17, 2023

The Board of Education of School District 66 was convened in an open and public session on October 17, 2023, at 6:00 p.m. at the District Administration Office - ABC Building - 909 S. 76th Street, Omaha, Nebraska.

Board members present: Beth Morrisette, President
Dana Blakely, Vice President
Meagan Van Gelder, Secretary
Adam Yale, Treasurer
Sarah Rider, Director

Board member absent (excused): Kris Karnes, Treasurer-Elect

Notice of the meeting was given by placing advance notice on the front page of the District's website no less than 48 hours in advance of the scheduled commencement of the meeting as authorized by Board Policy 1220. Notice for this meeting appeared beginning on October 3, 2023, and appeared continuously up through the start of this board meeting. Notice of the meeting was also published in the Daily Record on October 13, 16 and 17, 2023, and on their website. Copies of proof of publication are attached to the official minutes. Notice of this meeting and the availability of the agenda was simultaneously given to all members of the Board of Education and available to anyone at the Board of Education office. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

District Staff in Attendance: Mike Lucas, Mark Weichel, Andrea Haynes, Brian Gabriel, Molly Hurley, Kim De La Cruz, Kami Jessop, Kelcy Tapp, Nick Lesiak, Robert Aranda, Abby Langner.

Others in Attendance*: *Members of the public are not required to identify themselves to attend. Attendee names appearing in these minutes are those who signed a voluntary sign-in sheet.

Ms. Morrisette called the Board of Education Meeting to order at 6:00 p.m. She welcomed those in attendance and confirmed with Ms. Hurley that public notice had been given of the meeting under the Nebraska Open Meetings Act and that a copy of the Nebraska Open Meetings Act was posted at the meeting and on the district website, as required by law. She acknowledged that the meeting had been publicly announced and the agenda was available to any interested parties. Board Meeting attendance is noted above. Ms. Morrisette requested a motion for an excused absence for Ms. Karnes. Mr. Yale moved for approval; Ms. Blakely seconded. Motion carried by unanimous roll call vote. The Pledge of Allegiance was recited.

Approval of Minutes

Ms. Morrisette requested a motion for approval of the minutes from the Board of Education Meeting held on October 2, 2023. Ms. Blakely moved for approval; Mr. Yale seconded. Motion carried by unanimous roll call vote. Dr. Van Gelder abstained.

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Treasurer's Report

Mr. Yale presented the treasurer's report for September 2023 and moved for approval of expenditures in the amount of \$12,288,970; Dr. Van Gelder seconded. Approval of expenditures was passed by unanimous roll call vote. Copies of the September 2023 financial reports (financial statements, general fund disbursement summary and general fund check register) are included in the board documents folder.

Communications

Ms. Elizabeth Power, Director of Communications and Community Engagement, provided an update on the communication plan for keeping our tax payers informed on Phase II projects that includes postcard mailers, emails and text messages, content in school newsletters, exterior signage at neighborhood schools, and messaging through neighborhood associations. She also shared an overview of views and visits to district e-newsletters and social media channels.

Personnel Report

Dr. Haynes presented the personnel report (one certified staff resignation) for board approval. Ms. Rider moved for approval; Dr. Van Gelder seconded. Motion carried by unanimous roll call vote. A copy of the Personnel Report is included in the board documents folder.

Phase II Bond Project: Approval of Hillside Elementary Concept Design

Todd Moeller and Rick Hauptman with Alley Poyner Macchietto Architecture presented the Concept Design for the new Hillside Elementary School for board approval. They reviewed meetings that have been held to date with the Hillside Design Advisory Committee (staff, parents, Project Advocates and district leadership), tours of other district elementary buildings, visioning activities with Hillside students and input received from the Hillside community on what is important for a new Hillside Elementary building. Numerous components were considered in establishing design concepts including safety, accessibility, vehicle and pedestrian access, green spaces and play areas, and topography of the building site. Building concepts that the DAC considered included a one-story design; a two-story linear design and a two-story pod design. The concept design being presented for approval is a two-story pod design situated on the northern edge of the property, with entrance to the parking lot off of 76th Street on the western edge of the property. Board members were invited to preview the concept design package at a meeting on October 12, 2023. Dr. Van Gelder moved for approval; Ms. Rider seconded. Motion carried by unanimous roll call vote. Copies of the Executive Summary and Powerpoint presentation are included in the board documents folder.

Approval of Westside Middle School Concept Design

Matt Wegener and Amanda Schnatz with BVH Architecture presented the Concept Design for the cafeteria expansion project at Westside Middle School for board approval. They reviewed the meetings that have been held to date with the WMS Design Advisory Committee (staff, parents, Project Advocates and district leadership). They also highlighted a number of components that have been key considerations for the project, including wellness and mental health, outdoor views and natural lighting, and flexible and varied seating choices.

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The DAC wants to create a "town-square" cafeteria space that is welcoming and provides an environment where staff and students feel relaxed and can recharge and re-energize. The existing location of the cafeteria provides the best opportunity for a southern expansion that includes floor to ceiling windows and flex space. Additional work that will be completed as part of this project (lower level of cafeteria) includes expanded mechanical space, expanded storage, and replacement of the chiller and other heating and cooling elements in the kitchen. Board members were invited to preview the concept design package at a meeting on October 12, 2023. Mr. Yale moved for approval; Ms. Blakely seconded. Motion carried by unanimous roll call vote. Copies of the Executive Summary and Powerpoint presentation are included in the board documents folder.

Approval of Construction Manager at Risk Delivery Method and CMR Selection Committee for Westgate Elementary School

Mr. Matt Herzog, Principal, Project Advocates, requested board approval to select the Construction Manager at Risk (CMR) construction delivery method for the new Westgate Elementary School project and to appoint the CMR Selection Committee. Ms. Blakely moved for approval to select the construction delivery method of "Construction Management at Risk" under the provisions of the Nebraska Political Subdivisions Construction Alternatives Act, Neb. Rev. Stat. §§ 13-2901, et. seq. (the "Act") for the Westside Community Schools – Westgate Elementary School New School (hereinafter referred to as "the Project"), and hereby direct the Superintendent of Schools, Project Advocates, Owner's Representative for the Projects, and selected school district legal counsel to initiate and carry out all actions necessary to comply with the requirements of the Act, including but not limited to the issuance of a Request for Proposals for the position of Construction Management at Risk for the Project; and to appoint the following persons to the Selection Committee to evaluate the proposals received from firms in response to the request for Proposals for the position of Construction Manager at Risk in accordance with Neb. Rev. Stat. § 13-2910 (must have at least five (5) members):

- (a) Member(s) of the school board: Adam Yale.
- (b) Member(s) of the school administration or staff: Scott Becker, Westgate Elementary Principal.
- (c) The school's architect or engineer: Chris Houston of TACK Architects.
- (d) Any person having special expertise relevant to selection of a construction manager under the Nebraska Political Subdivisions Construction Alternatives Act: Matt Herzog of Project Advocates.
- (e) A resident(s) of the School District other than an individual included in (a) through (d) above: Brent Koster.

Dr. Van Gelder seconded. Motion carried by unanimous roll call vote. Copies of the Executive Summary and CMR Resolution are included in the board documents folder.

Board Resolution for CMR Project at Westside High School

Mr. Nick Lesiak, District In-House Legal Counsel, presented a Board Resolution to ratify board actions previously taken pursuant to the Nebraska Political Subdivision Construct Act and Westside Board of Education Policy 3202 for CMR procurement. Ms. Rider read the following resolution and moved for approval:

WHEREAS, the Board of Education ("Board") of Westside Community Schools (legally known as Douglas County School District 28-0066 and referred to herein as the "School District") believes it to be in the School District's best interest to use the construction manager contract delivery system under the Nebraska Political Subdivisions Construction Alternatives Act ("Act") to complete the Westside High School Life Complex ("Project").

WHEREAS, the Board previously adopted Policy 3202 - Construction Management at Risk;

WHEREAS, the Westside Community Schools Foundation, Inc., (the "Foundation") as the agent of the School District, published a request for proposals ("RFP"), which included all content and criteria required by School District Policy and applicable law, in a newspaper of general circulation within the School District at least 30 days prior to the deadline for receiving and opening proposals;

WHEREAS, at the September 5, 2023 meeting of the School District's Board of Education (the "Board"), the Board adopted a resolution designating the Construction Management at Risk method of delivery for the Project and appointing the Selection Committee to review and evaluate proposals from Construction Managers for the Project;

BE IT THEREFORE RESOLVED that the Board ratifies and affirms the RFP as issued by the Foundation;

BE IT FURTHER RESOLVED that the School District has evaluated and ranked each proposal on the basis of best meeting the criteria in the RFP and has taken into consideration the recommendation of the Construction Manager at Risk Selection Committee and hereby adopts that recommendation.

BE IT FURTHER RESOLVED that the School District will attempt to negotiate a construction management at risk contract with the highest ranked construction manager and may enter into a construction management at risk contract after these negotiations.

Ms. Blakely seconded. Resolution was passed by unanimous roll call vote. Copies of the Executive Summary and resolution are included in the board documents folder.

Approval of CMR Contract for Westside High School Addition and Renovation Project

Mr. Herzog presented the CMR Contract for the Westside High School addition and renovation project for Board approval. A Request for Qualifications for CMR was publicly advertised and posted to the District website on August 3, 2023. Seven firms submitted Statements of Qualifications on September 7, 2023. Four firms were selected to interview with the CMR Selection Committee that was approved by the Board of Education on September 5, 2023. The Selection Committee conducted interviews on September 14, 2023, and chose The Weitz Company as the CMR for the project. The Board approved this selection at their board meeting on September 18, 2023, along with a *Notice to Proceed* letter that authorized The Weitz Company to begin preconstruction services immediately while the CMR contract was being finalized. Tonight the CMR contract is being presented for approval. The contract was prepared with assistance from KSB School Law, PC, LLO and Project Advocates. The Weitz Company made no modifications to the District standard contract. This will be the same CMR form of agreement utilized for the Phase II bond projects. A future amendment establishing the Guaranteed Maximum Price (GMP) will be presented to the Board of Education for approval prior to starting the work. Mr. Yale moved for approval; Dr. Van Gelder seconded. Motion carried by unanimous roll call vote. Copies of the Executive Summary and the contract are included in the board documents folder.

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Computer Science and Technology Annual Curriculum Report

Ms. Kim De La Cruz, Director of Secondary Teaching and Learning, presented an update to the board regarding computer science and technology curriculum and recent changes to the Legislature's Computer Science and Technology Education Act (LB1112), which was passed in April 2022. The Teaching and Learning team began working in the summer of 2022 to determine what courses currently offered at WHS would meet the state's graduation requirement and how current courses might be modified to meet the criteria outlined in the Act. In February 2023 the Board approved a revision to Policy #5230 (Graduation Requirements) to reflect these changes to course requirements. In June 2023, Governor Pillen signed LB705, delaying implementation for one year. Ms. De La Cruz reported that we will move forward with revisions to course modifications at the high school and also expand Computer Science and Technology toolbox work to determine relevant course sequence in grades K-8. Copies of the Executive Summary and powerpoint presentation are included in the board documents folder.

Graduation Requirements and Revisions to Policy 5230

Ms. De La Cruz presented revisions to Policy 5230 - Graduation Requirements (Class of 2025 and Beyond) - for board consideration and discussion. The revisions are reflected under course requirements for *Business, Computer Science and Technology*, as well as the addition of *Free Application for Federal Student Aid (FAFSA)*. For the FAFSA graduation requirement (included in LB705; referenced in Ms. De La Cruz's previous report), students will need to complete the FAFSA application. Forms are to be provided by the NE Department of Education, and there will be opt-out options available for this requirement. Ms. De La Cruz will present these revisions to the board for approval at the Board of Education meeting on November 6, 2023. A copy of the Executive Summary and redline copy of Policy 5230 are included in the board documents folder.

Board Policies for Approval (#5112)

Mr. Lesiak requested approval of new policy #4105 - Behavioral and Mental Health Training; and revisions to existing policy #4280 - Drug and Alcohol-Free Workplace. Both policies were previously presented for discussion and consideration by the Board on October 2, 2023. Dr. Van Gelder moved for approval of policy 4105; Ms. Rider seconded. Motion carried by unanimous roll call vote. Ms. Rider moved for approval of policy 4280; Ms. Blakely seconded. Motion carried by unanimous roll call vote. Copies of each policy and the Executive Summary are included in the board documents folder.

Approval of 2024 Caucus Committee

Mr. Lesiak advised that this agenda item for approval would need to be tabled due to two of the five board members present requesting to abstain from voting. Both board members have expressed their intent to run (for their board seats that expire on May 31, 2024) in writing to Dr. Lucas. In the interest of complete transparency, they have requested to be excused from the vote to approve the 2024 Caucus Committee. This action item will be postponed until a date can be identified for a quorum of the Board to convene. A copy of the Executive Summary is included in the board documents folder.

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Public Comment - There were no requests for public comment.

Board Member Representation / Legislative Updates / Announcements

Ms. Morrisette reviewed recent activities and events attended by board members that include numerous school building visits, Bond Phase II community, design advisory and concept design review meetings, Board Sub-Committee on American Civics meeting on October 3rd, WE-SIDE Steering Committee meeting on October 4th, and Bond Oversight Committee meeting on October 9th.

November 6, 2023	Board of Education Meeting - ABC Building - 6:00 p.m.
November 7, 2023	Community Forum - WHS - 6:30 p.m.
November 13, 2023	Bond Oversight Committee - ABC Building - 6:00 p.m.
Nov. 15-17, 2023	NASB / NASA State Education Conference - CHI Center
November 20, 2023	Board of Education Meeting - ABC Building - 6:00 p.m.
Nov. 22-24, 2023	Thanksgiving Break (No School; District Offices Closed 11/23 and 11/24)

There being no further business, Ms. Morrisette adjourned the meeting at 7:37 p.m.



Meagan Van Gelder, Secretary, Board of Education

WESTSIDE COMMUNITY SCHOOLS

Notice is hereby given of a Board of Education Meeting for the Westside Community School District 66, Douglas County, in the State of Nebraska, to be held **Tuesday, October 17, 2023 at 6:00 p.m.** at the District Office, 909 S. 76th St., Omaha, NE. The agenda, continually kept current, is available at the District Office. The meeting is open to the public.

10/13, 10/16, 10/17

ZNEZ

**THE DAILY RECORD
OF OMAHA**
JASON W. HUFF, Publisher
PROOF OF PUBLICATION

UNITED STATES OF AMERICA,
The State of Nebraska,
District of Nebraska,
County of Douglas,
City of Omaha

} ss.

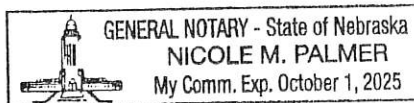
JASON W. HUFF and/or JOSIE CHARRON, being duly sworn, deposes and say that they are the PUBLISHER and/or MANAGING EDITOR of THE DAILY RECORD, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, and a general circulation in Sarpy, Lancaster, Cass and Dodge Counties, printed in Omaha, in said County of Douglas, Nebraska for more than fifty-two weeks last past; that the printed notice here-to attached was published in THE DAILY RECORD, of Omaha, for 3 consecutive weeks on:

10/13/23

10/16/23

10/17/23

That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of Nebraska.



Publisher's Fee

\$31.87

Additional Copies

\$ _____

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Total \$31.87

Jason W. Huff

Subscribed in my presence and sworn to before
me this OCTOBER 17 2023

Nicole M. Palmer
Notary Public in and for Douglas County, State
of Nebraska

Board of Education Meeting
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WESTSIDE COMMUNITY SCHOOLS PROOF OF PUBLICATION

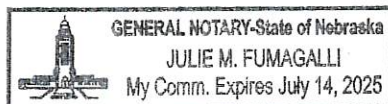
The undersigned hereby certifies that a Notice of Board Meeting, a copy of which is attached hereto, was placed on the home page of the website of Westside Community Schools (www.westside66.org) beginning on October 3, 2023 and that it appeared there continuously up through the time of the scheduled board meeting.

Name Kemi Sedivy

Title Communications: Graphics

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

Before me, a Notary Public, qualified in and for said County and State, personally came Tim Sedberry, known to me to be the identical person, and signed the foregoing instrument, and acknowledged the execution of this document to his or her voluntary deed.



Notary Public