

APPROVED

4-16-13



MINUTES

SPECIAL SCHOOL BOARD MEETING

Tuesday, APRIL 2, 2013 – 5:00 p.m.

Stuart Middle School

575 SE Georgia Ave

Stuart, FL 34994

Members Present

Maura Barry-Sorenson, Chair

Michael Busha

Michael DiTerlizzi

Rebecca Negron

Marsha Powers

Laurie J. Gaylord, Superintendent

Robert Kilbride, Attorney

MCEA: George Bittenbender

AFSCME: Lisa Edwards

Absent

Call to Order by the Chairman and Pledge of Allegiance to the Flag of the United States of America

1. Adoption of the Agenda:

Maura Barry-Sorenson suggested moving up Agenda Item 3.01 to discuss before Agenda Item 2.01.

Motion was made by Michael Busha to approve the recommendation by Maura Barry-Sorenson, seconded by Michael DiTerlizzi; motion carries unanimously 5/0.

Motion was made by Michael DiTerlizzi to Adopt the Agenda, seconded by Rebecca Negron; motion carries unanimously 5/0.

3. Approve Bid / RFP / RFQ Recommendations

3.01 Approval to Piggyback the FL State Contract 973-320-08-1 for Energy Savings from 4/2/13 through 12/31/18. – (P.)Jay Angel was moved up

Jay Angel, Director of Facilities said the approval of the piggyback contract will allow the District to enter into a contract with a preapproved vendor. A purchase order will be provided to the vendor with a Letter of Intent for an Energy Study. This is the first step in the process which will firm up the proposal and enter into an agreement. Mr. Angel responded to questions from the Board.

Motion was made to approve staff's recommendation by Michael Busha, seconded by Rebecca Negron; motion carries unanimously 5/0.

2. Approve New Agreements

- 2.01 Approve Contract Agreement with Attorney Robert L. Kilbride from Fox, Wackeen, Dungey, Beard, Bush, Goldman, Kilbride, Waters & McCluskey, LLP. (P.)

Discussion:

Superintendent, Laurie Gaylord, provided Board members a corrected Legal Services Agreement noting language change *in red* (copy on file). Also provided, was a document including changes to the Proposal language Section 5, Compensation-Fees (copy on file) by Mrs. Gaylord and the language by Mr. Kilbride's firm *in blue*; the hourly rate was significantly different between the two. The Board members understood the rate of payment for services was \$175.00 per hour. Mr. Kilbride stated the intent of the proposal by the firm was to provide the fairest price for service. He agreed to the changes on the Legal Services Agreement by Mrs. Gaylord, and shared he was not involved with the preparation of the Legal Services Contract Agreement. Mr. Kilbride wanted the Board to understand there were two different sets of fees: The School Board shall be billed \$175.00 per hour for attendance by the firm at School Board meetings and workshops. And \$220.00 per hour for all other services performed by Mr. Kilbride and for partners.

Maura Barry-Sorenson stated she was not in attendance at the last Board meeting but understood the Board approved qualifications only. Mr. DiTerlizzi agreed, and stated the next step is to negotiate the contract. Mr. Kilbride added the \$175.00 rate included a half day of his services at the District office. Mr. DiTerlizzi asked Mrs. Gaylord if she anticipated using the higher rate more often. Mrs. Gaylord replied any contact with Mr. Kilbride at his office by email, phone, or the review of contracts would be charged in 6 minute increments at the rate of \$220.00. Marsha Powers asked Mr. Kilbride why it cost more per hour at his office than when on campus. Mr. Kilbride replied the attendance at meetings did not require legal skills.

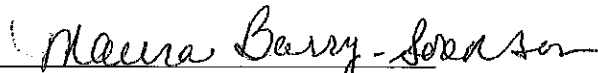
Mr. Kilbride offered to discuss with his firm.


Motion to pull the Agenda Item until the Board reviewed the past 6 months billing was made by Marsha Powers, seconded by Michael Busha, motion carries 4 /1. Rebecca Negron was the dissenting vote.

4. Open to the Public / Board

Comments were heard from the following:
Toby Overdorf, of Christ Fellowship Church

There being no further business, the Special meeting adjourned at approximately 5:50 p.m.


(Chair) Maura Barry-Sorenson


(Secretary) Laurie J. Gaylord

*** Exhibit / Additional Backup Available for Review**