



Grand Canyon Unified School District #4

Tuesday, October 5, 2021

6:00 p.m.

Special Meeting

Meeting Minutes

Minutes are recorded as annotations of the agenda, as indicated in gray background and left paragraph bars (bars have been added because the gray background may not copy).

This meeting will be conducted online and telephonically

Pursuant to A.R.S. 38-431.02, notice is hereby given to the public that the Governing Board of the Grand Canyon Unified School District #4 will convene for a Special Meeting. The Meeting will be held Tuesday, October 5, 2021, at 6:00 p.m.

Please click the link below to join the meeting:

<https://us06web.zoom.us/j/88284012606>

Or One tap mobile :

US: +12532158782,,88284012606# or +13462487799,,88284012606#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 720 707 2699 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656

Webinar ID: 882 8401 2606

International numbers available: <https://us06web.zoom.us/j/88284012606>

The Governing Board reserves the right to move into Executive Session for discussion and consideration of employment, assignment, promotion, demotion, salaries, etc., and/or legal advice with its attorneys for any item listed on the agenda, in person or telephonically, pursuant to A.R.S. 38-431.03(A)(1) or (A) (3). **All items on the agenda may be discussed or considered at this meeting.**

AGENDA

1. OPENING ITEMS

A. CALL TO ORDER

Motion by: Ms. Kathryn Morris
At: 6:05 PM
Motion: Call to Order
Second: Mr. Donny Cone
Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	Yes
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

B. ROLL CALL

Board members present:

Ms. Kathryn Morris (Board President)

- Mr. Kevin Hartigan
- Ms. SuZan Pearce – Board Member Pearce was initially in attendance; however as a result of poor phone reception at her location she was forced to exit the on-line meeting. Votes are noted as Not Available (NA)
- Mr. Donny Cone
- Mr. Daniel Hendrix

District staff members present:

- Tosca Henry, JD, Legal Counsel
- Shonny Bria, Ph. D., Superintendent
- Mr. Thomas O’Connor, Program Director, Acting Board Secretary

Public Members on the Panel

- Ms. Clarinda Vail, Tusayan Mayor
- Ms. Charlie Gail Hendrix, Tusayan Town Manager
- Mr. Pete Shearer, former school board member and member of the Tusayan Property Deisgn team

C. APPROVAL OF THE AGENDA

Motion by: Ms. Kathryn Morris
 At: 6:08 PM
 Motion: Approval of the Agenda as presented.
 Second: Mr. Kevin Hartigan

Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

2. OPEN CLASSROOM LOCATED ON THE DISTRICT'S TUSAYAN PROPERTY

A. PRESENTATION AND QUESTIONS ANSWERED BY MS. CLARINDA VAIL, MAYOR, AND MS. CHARLIE GAIL HENDRIX, TUSAYAN TOWN MANAGER

B. DISCUSSION REGARDING THE OPEN CLASSROOM

Note: The following are notes taken by the recorder with the intention of describing the general nature of the discussion and flow of topics. They are NOT, and should not be interpreted as direct transcription of the discussion.

Mayor Vail:

- The mayor began the discussion with an appreciation for the opportunity to continue the discussion with the School Board.
- She answered a question which had been asked by school personnel: What is the size of the structure? Answer: 50'x86'

Town Manager, Charlie Gail Hendrix:

- Ms. Hendrix displayed an image of the original concept design and noted with annotations the following:
 - The planned structure is the same size as the approved structure.¹
 - Embellishments like the stonework covering support member will be added at a later phase, but the underlying exoplay structure is the same as in the original concept.
 - The basic structure is a prefab structure, primarily constructed off-site.
- ADA compliance is required as part of the contract. The floor surface will be compacted crushed rock, and will be inspected for ADA compliance.
- The Town is expecting a "Greatest Maximum Price" from the builder to the Council later this month.
- The Town would like to get attorneys (Town and School) together to work out some specific details.

¹ When referring to "the approved" structure, plan, etc., the speaker is referring to the concept design presented by the Town to the School Board, and approved by the School Board on August 19, 2020.

- The Town has the funds to compete the initial phase of the project. Investments have matured and the Town has the liquidity to move forward.

Mayor Vail:

- Pointed out that one member of the design team has resigned, and the Town needs to appoint a new member.

Ms. Hendrix :

- Noted that the Town is committed to obtain all required county building permits.
- Noted also that they are working with the Forest Service to ensure compliance.

Dr. Bria:

- Our primary interest is to not trigger the revisionary clause of the land grant. It is thus important to ensure that any structure meets the minimum criteria for a classroom as defined by the Arizona Administrative Code. There are some minimum requirements which must be met.

Mayor Vail:

- Just received the Email Dr. Bria shared with the School Board members and Ms. Hendrix, and was reviewing in real time.

Ms. Hendrix ::

- The deed allows for collaborative purposes “in support of education.”
- We understand the school’s perspective, but the Town holds the perspective that the property also has a community use based on this phrase in the deed.

Board Member Morris:

- She understood that there was a Forest Service meeting in May of 2018 where the expectation that any further development of the property needed to be clearly in support of education.

Dr. Bria:

- Discussed the referenced May 2018 meeting at the Forest Service headquarters in Williams.
- Dr. Bria also discussed the possibility of adding the outdoor classroom space to the school foot print. Doing so would clearly identify the space as a classroom, and defend against actions to invoke the revisionary clause.
- There is a downside to including this space in the school square footage. Assuming the school student population will grow at some future time, the Arizona School Facilities Board (SFB) might look at the school square footage in reference to the minimum requirements per student and determine not to fund new construction.

Board Member Morris:

- Ms. Morris pointed out that the school is looking at this as a long term investment for the school, even if paid for by the Town, and so these are critical decisions, we need to explore the possibility of unintended consequences.
- New drawings and implementation plans for the structure, beyond the original design which was approved by the Board in August of 2020, have not been made available. We cannot make critical decisions without that information.

Board member Hartigan:

- Without documents, we cannot make decisions. He would like to see a Gantt chart, showing the implementation plan for the proposed staged implementation in the future.

Mayor Vail:

- Agree we need to respond back to the school with your requested information.
- There are valid concerns that we all need to beware of.
- Would like to invite board members to town meetings.
- Blueprints for modified design are approximately 90% complete.
- Will be able to get back to school after the next Council meeting.

Dr. Bria:

- The District does not expect the Town to deliver everything; for example, the requirement to provide computing devices and internet. Last year the District provided devices to all students. We don't expect the Town to provide these. We can also provide hotspots to meet the requirement of internet access. We do need availability of electricity however.

Ms. Hendrix :

- Ms. Hendrix speculated that maybe the advantage of calling the structure a ramada is that we can get out of some of those classroom requirements.
- All documents are posted to public agenda and made available for public review.
- This includes drawings/ blueprints, though updates have not been approved by the Council yet.
- Not making new concept drawings because end result will be the same.

Board Member Hartigan:

- I appreciate the web site, but again, without an official proposal, we don't have sufficient information to make a decision.

Mayor Vail:

- We are hearing a request for a timeline for phasing in the whole project.
- The Town should be able to provide that after the next council meeting.

Board Member Morris:

- Need to make sure ADA "for schools" is met, which is different than other ADA requirements.
- Concerned that the size may affect other construction on site.
- Question about location change? Isn't this different from prior discussions?

Board Member Hartigan:

- There was discussion in the past about a smaller ramada to the east of the basketball courts.
- The current proposal appears to be in the same location as that approved in August.

Mr. Pete Shearer:

- Mr. Shearer expressed concerns about violation of the aviation easement if roll-up sides are put on the building.

Mayor Vail:

- Deed documents were just recently sent to the Town.
- We are reviewing, this is good due diligence.

Mr. Shearer:

- The Town and School worked together for 8 years to obtain the property, and have worked to maintain a shared understanding with the school since.

Board Member Morris:

- Ms. Morris asked for clarification from the Town about what they need from the school.

Mayor Vail:

- What assurances do you need from the town, for example water, electricity etc.

Ms. Hendrix :

- The Town is moving forward with the project.
- We began this project a while ago (way back).
- At this point, we have school approval as of August 2020.
- We are working to obtain our approved guaranteed maximum price.
- We have come in a show of solidarity. Price is not higher, so it doesn't trigger the 30% variance clause of the IGA.
- We would like a prioritized list and order of added amenities.

3. EXECUTIVE SESSION

- A. Executive session pursuant to ARS 38-431.03(A)(3) and/or (A)(4) for consultation with the attorney for the District for legal advice and/or discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation regarding the IGA with the Town of Tusayan for improvements to District land.

Motion by: Ms. Kathryn Morris

At: 7:21 PM

Motion: Enter into executive session pursuant to ARS 38-431.03(A)(3) and/or (A)(4) for consultation with the attorney regarding the IGA with the Town of Tusayan for improvements to District land. Include Mr. O'Connor for consultation.

Second: Mr. Kevin Hartigan

Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

4. RECONVENE TO REGULAR SESSION

Motion by: Ms. Kathryn Morris
 At: 8:39 PM
 Motion: Reconvene to Regular Session.
 Second: Mr. Kevin Hartigan
 Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

Board may take action on the item(s) discussed in Executive Session 3.A.

The Board gave directions to the school attorney to reach out to the Town attorney to obtain information as discussed in Executive Session.

5. ADJOURNMENT

Motion by: Ms. Kathryn Morris
 At: 8:40 PM
 Motion: Adjourn.
 Second: Mr. Kevin Hartigan
 Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

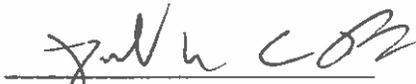
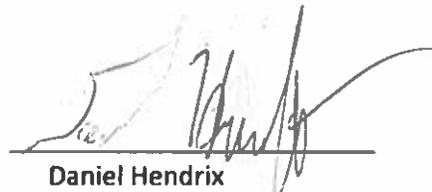
Motion passes

Respectfully Submitted By,



Board Secretary

Date 10.30.21


Kathryn Morris
Board President
Suzan Pearce
Vice President/Board Clerk
Donny Cone
Board Member
Daniel Hendrix
Board Member
Kevin Hartigan
Board Member