

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
JUNE 26, 2013
EDUCATION CENTER – BOARD ROOM

President Alpay called the meeting to order at 6:00 p.m. The Board recessed to closed session to confer with Labor Negotiators and discuss Student Expulsions.

The regular meeting of the Board reconvened to open session and was called to order by President Alpay at 7:00 p.m.

The Pledge of Allegiance was led by Tesoro High School Principal Dan Burch.

Present: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon

A CD of the Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent's office as a matter of the permanent record. An audio recording of the meeting is available on the District website: www.capousd.org

Permanent Record

Prior to the adoption of the agenda, President Alpay announced Consent Item 9 was being pulled from the agenda and will be brought back to a future meeting.

President Announcement

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by a 7-0 vote to adopt the Board agenda.

Adoption of the Board Agenda

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

President Alpay reported the following action taken during closed session:

President's Report From Closed Session Meeting

Agenda Item #3 A – Conference with Labor Negotiators:

No action was taken.

Agenda Item #3 B1 through B4 – Student Expulsions:

The Board voted 7-0 to expel the following students by stipulated agreement:
Case #2013-062, #2013-066, #2013-073, and #2013-081.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Hanacek, Pritchard, and Reardon
NOES: None

Chief Communications Officer Marcus Walton announced Madeline Hannah who was to be recognized for K-12 Perfect Attendance would be recognized at the July 10 Board meeting.

Special Recognitions

Tesoro High School teachers Cheryl Despalmes and Cathy Olinger were recognized for saving the life of a student by performing CPR until paramedics arrived to transport the student to the hospital. Teacher Keith Hancock who also assisted was unable to attend the meeting.

Trustee Bryson shared she had met with Daniel Stetson, President and CEO of the Ocean Institute, and Kajsa James who invited students to visit the Ocean Institute and also provided brochures for Trustees on the summer adventures at the Institute. Trustee Bryson also met with James Irvine Swinden, President of the Irvine Museum, who provided 56 art books for District schools and offered to reimburse the District for bus fees so fourth and fifth grade students can tour the museum. Trustee Bryson also thanked Assistant Superintendent Julie Hatchel for her assistance in implementing the Elephant Parade project.

Board and Superintendent Comments

Dr. Farley acknowledged Dan Burch, who is retiring on June 30, for his leadership at Tesoro High School.

There were no speakers.

Oral Communications

DISCUSSION/ACTION

President Alpay announced the Public Hearing open at 7:21 p.m. regarding the 2013-2014 Final Budget.

**Public Hearing: 2013-2014 Final Budget
Agenda Item 1**

The following speaker addressed the Board:

- *Dawn Urbanek expressed her disappointment bargaining unit contracts were not completed prior to the 2013-2014 fiscal year budget being presented to the Board for adoption.*

President Alpay declared the Public Hearing closed at 7:23 p.m.

Deputy Superintendent Clark Hampton presented a PowerPoint of the 2013-2014 fiscal year budget beginning with information on the state budget, followed by information on the Local Control Funding Formula, District budget, attendance history and projections, multi-year projection, unrestricted funds/restricted funds, and other potential budget impacts. (The PowerPoint is available for viewing on the District website at www.capousd.org).

**2013-2014 Final Budget
Agenda Item 2**

Following discussion, it was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 6-1 vote to adopt and approve the 2013-2014 Budget.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon

NOES: Trustee Addonizio

Deputy Superintendent Clark Hampton stated staff presented information on refinancing bonds at the May 22 Board meeting. Since that meeting two bonds have been identified that would meet a three percent savings threshold. Interest rates are increasing, so if the three percent threshold can't be met then staff wouldn't refinance. Adoption of Resolution No. 1213-52, authorizes the District to refinance CFD 90-2. Agenda Item 4 represents CFD 92-1, which is the other qualifying bond. Mr. Hampton introduced Lori Raineri of Government Financial Strategies Incorporated to answer Trustee questions.

**CFD 90-2
Refinancing
Agenda Item 3**

Following discussion, it was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried unanimously to approve Resolution No. 1213-52, Resolution of the Board of Trustees of the Capistrano Unified School District Acting as the Legislative Body of Community Facilities District No. 90-2 of the Capistrano Unified School District Authorizing the Issuance of Series 2013 Special Tax Refunding Bonds of Improvement Area 2001 of Community Facilities District No. 90-2 in the Not to Exceed Amount of \$48,000,000, Approving a Fiscal Agent Agreement, Approving Escrow Arrangements, Approving Certain Documents, Making Related Findings and Determinations, and Taking Other Action in Connection Therewith.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

It was moved by Trustee Pritchard, seconded by Trustee Addonizio, and motion carried unanimously to approve Resolution No. 1213-53, Resolution of the Board of Trustees of the Capistrano Unified School District Acting as the Legislative Body of Community Facilities District No. 92-1 of the Capistrano Unified School District, Authorizing the Issuance of Series 2013 Special Tax Refunding Bonds of Community Facilities District No. 92-1 the Not to Exceed Amount of \$18,000,000, Approving a Fiscal Agent Agreement, Approving Escrow Arrangements, Approving Certain Documents, Making Related Findings and Determinations, and Taking Other Action in Connection Therewith.

**CFD 92-1
Refinancing
Agenda Item 4**

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Superintendent Farley stated Board President Alpay requested Trustees be provided an opportunity to discuss site conditions and needs at San Clemente High School, including short-term and long-term improvements, modernization, and construction projects. In the exhibit, Trustees were given a memorandum detailing San Clemente High School projects in progress or recently completed, building interests, modernization and renovation, maintenance, and funding.

**Report of Site
Conditions/Needs
at SCHS
Agenda Item 4a**

Following discussion, Trustees directed staff to prioritize immediate needs, including those relating to safety; explore the possibility of building a new pool at the site; explore options concerning the upper campus; open discussions with the City of San Clemente regarding a performing arts center; and incorporate energy generating strategies into any work implemented, as appropriate. Staff will return to the Board for formal authorization for any of these activities.

Assistant Superintendent Julie Hatchel stated at the January Superintendent's Forum, Dr. Farley made a commitment to parents the District would form a safety task force to evaluate school safety and security concerns. A task force comprised of Board members, school administration and faculty, District administration, parents, law enforcement agencies, fire officials, mental health experts, and community members met to identify concerns, recommend options for consideration, prioritize options, and assist with policy development. Dr. Hatchel introduced Executive Director Mike Beekman who presented a report on the findings of the Safety Task Force.

**School Safety Task
Force Report
Agenda Item 5**

Following discussion Dr. Farley stated staff would move forward to implement as many of the recommendations as possible over the next few years and he would keep Trustees informed of the progress.

Superintendent Farley explained Rancho Mission Viejo's initial plans are progressing for the K-8 campus so it is appropriate to begin the school name selection process. Dr. Farley explained Board policy states the Board of Trustees will form a committee of the Board to develop school names for Board consideration and approval.

**Naming New
School
Agenda Item 6**

Following discussion, it was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried unanimously to refer the naming of the new Rancho Mission Viejo K-8 school to a study session for the entire Board.

Deputy Superintendent Clark Hampton stated the current contract will reach its bid limit but due to changes to the Public Contract Code, which allows a new process for competitive negotiation versus competitive bid for technology, telecommunications, related equipment, software and services due to the highly specialized and unique nature of the products, the contract will not be extended. The competitive negotiation allows the District to consider, in addition to price, factors such as vendor financing, performance reliability, standardization, life cycle cost, delivery timetables, support logistics, and similar factors in the award of contracts. Mr. Hampton stated the adoption of this resolution will begin the process for the award of the contract to the qualified bidder whose proposal meets the evaluation standards and is most advantageous to the District. The recommendation for award would be brought back to the Board of Trustees after the selection process concludes.

**Mass Notification System
Agenda Item 7**

Following discussion, it was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried unanimously to approve Resolution No. 1213-50, Approval of Mass Notification System Request for Proposals Process.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

President Alpay explained it was time for the Superintendent's annual evaluation by the Board of Trustees. President Alpay requested each Trustee provide him with written comments by July 10 and he will prepare the Superintendent's evaluation, using their comments, for the July 24 Board meeting. Trustees will receive a copy of last year's evaluation to assist them.

**Protocol for Superintendent Evaluation
Agenda Item 8**

President Alpay asked Trustees for items they wished to pull from the Consent Calendar. Agenda items 15, 18, and 23 were pulled.

Items Pulled from the Consent Calendar

CONSENT CALENDAR

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by a 7-0 vote to approve the following Consent Calendar items:

~~Memorandum of Understanding with the City of Dana Point and the District for the School Intervention Program and intervention consultant at Dana Hills High School.
This item was pulled prior to the adoption of the agenda.~~

**DHHS Intervention Program and Consultant MOU
Agenda Item 9**

Readmission of a student from expulsion: Case #2012-088.

**Expulsion Readmission
Agenda Item 10**

Expunging of expulsion record: Case #2013-033.

**Expunging Student Record
Agenda Item 11**

June 30, 2013, Consolidated Application and Reporting System (CARS) Data Collections.	CARS Data Collections Agenda Item 12
Purchase orders, warrants, and previously Board-approved bids and contracts as listed.	Purchase Orders/Warrants Agenda Item 13
Donation of Equipment.	Donations Agenda Item 14
Ratification of special education Informal Dispute Resolution Agreement Case #055413.	Informal Dispute Resolution Agreements Agenda Item 16
Ratification of special education Settlement Agreement Case #2013030198 and second amendment to Informal Dispute Resolution Case #050711.	Special Education Settlement Agreements Agenda Item 17
Resolution No. 1213-51, Education Protection Act.	Education Protection Act Agenda Item 19
Renewal of the Use of Facilities Lease Agreement with the District and Community Roots Academy at Wood Canyon Elementary School for the 2013-2014 school year.	Lease Agreement with Community Roots Academy Agenda Item 20
RFP No. 3-1314 to advertise for proposals for a mass notification system.	Mass Notification System RFP Agenda Item 21
Agreement for the Operation of an After School Enrichment, Activities, and Camps Program with the South Orange County Community College District.	ABC Program Agenda Item 22
Declaration of surplus items listed and described as surplus, and the approval of the public and private disposition of the surplus items in accordance with Education Code §§17545-17546 and Board Policy 3270.	Declaration of Surplus Items Agenda Item 24
Amendment to Agreement Bid No. 1112-05 for electrical supplies and materials with Consolidated Electrical Distributors, increasing the not-to-exceed amount to \$150,000 annually for additional supplies and materials required for projects throughout the District.	Agreement Amendment – Electrical Supplies and Materials Agenda Item 25
Award of Bid No. 1314-02 for frozen food products to A & R Wholesale Distributors, Incorporated.	Award of Bid – Frozen Food Products Agenda Item 26
Extension of Bid No. 1213-03 for paper and plastic products to be provided by P & R Paper Supply Company, Incorporated.	Extension of Bid – Paper and Plastic Products Agenda Item 27

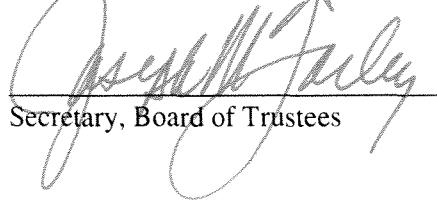
Extension of Bid No. 1112-03 for bakery products to be provided by Gold Star Foods.	Extension of Bid – Bakery Products Agenda Item 28
Resignations, retirements, and employment of classified personnel.	Resignations/ Retirements/ Employment (Classified Personnel) Agenda Item 29
Resignations, retirements, and employment of certificated personnel.	Resignations/ Retirements/ Employment (Certificated Personnel) Agenda Item 30
Acceptance of Williams Settlement Third Quarter School Accountability Report Card Verification Report.	Williams Settlement Agenda Item 31
<p>ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon</p> <p>NOES: None</p> <p>ABSENT: None</p> <p>ABSTAIN: None</p>	
Trustee Bryson pulled the item to thank staff for continuing to ask contractors to reduce their fees by ten percent due to state budget cuts to schools.	Professional Services Agreements Agenda Item 15
It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried unanimously to approve the ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements.	
Trustee Reardon asked staff if it was customary to deny claims or if there was a process to settle the case. Assistant Superintendent Jodee Brentlinger responded once the claim is denied it goes to litigation. The District doesn't have an in-house attorney to negotiate on its behalf prior to litigation. Dr. Farley added the District does try to resolve an issue, if possible, before a claim is filed.	Government Claim Denial Agenda Item 18
It was moved by Trustee Reardon, seconded by Trustee Bryson, and motion carried unanimously to approve the denial of Claim 13-11379 DP filed against the District.	
Trustee Reardon stated the security language in the contract is not very specific and asked if the District has developed more specific and rigorous language that can be addressed in the contract. Executive Director Susan Holliday stated an addendum to the contract has information about the District's network security protocol covering what measures must be in place to protect the confidential private information of students. This vendor has agreed to the terms and will modify their contract to meet District security terms.	Independent Contractor Agreement Agenda Item 23
It was moved by Trustee Reardon, seconded by Trustee Addonizio, and motion carried unanimously to approve the Independent Contractor Agreement for Special Services with Controltec, Incorporated to provide installation and support for the CenterTrack software program for tracking enrollment, tuition, and state program attendance reporting for the Early Childhood Programs Department.	

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried **Adjournment** unanimously to adjourn the meeting.

President Alpay announced the meeting adjourned at 9:33 p.m.



Board Clerk



Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations