

CAPISTRANO UNIFIED SCHOOL DISTRICT
33122 Valle Road
San Juan Capistrano, CA 92675

BOARD OF TRUSTEES
Regular Meeting

REVISED
7-3-14

July 9, 2014

Open Session 7:00 p.m.

AGENDA

OPEN SESSION AT 7:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA – ROLL CALL

BOARD AND SUPERINTENDENT COMMENTS

ORAL COMMUNICATIONS (Non-Agenda Items)

Oral Communications will occur immediately following Board and Superintendent Comments. The total time for Oral Communications shall be twenty (20) minutes. Individual presentations are limited to a maximum of three (3) minutes per individual.

DISCUSSION/ACTION ITEMS

1. MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 224 FOR JULY 1, 2013 – JUNE 30, 2014:

DISCUSSION/
ACTION
Page 1
EXHIBIT 1

The purpose of this agenda item is to seek approval of the Memorandum of Understanding with the California School Employees Association, Chapter 224 (CSEA) for July 1, 2013 – June 30, 2014. The total fiscal impact of this agreement is approximately \$385,000.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation:

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve the Memorandum of Understanding with CSEA completing negotiations for 2013 – 2014.

Motion by _____ Seconded by _____

RECORDING OF SCHOOL BOARD MEETINGS

In accordance with Board Policy 9324, Board Minutes, all Regular School Board Meetings will be audio recorded.

2. RATIFICATION TO AMENDMENT NO. 1 TO AMENDED AND RESTATED PURCHASE AND SALE AGREEMENT BETWEEN CAPISTRANO UNIFIED SCHOOL DISTRICT AND FOUNDATION FOR AFFORDABLE HOUSING II, INCORPORATED, FOR ALISO VIEJO PROPERTY:

DISCUSSION/
ACTION
Page 3
EXHIBIT 2

This item presents a ratification to Amendment to the Amended and Restated Purchase and Sale Agreement (Amendment) between the Capistrano Unified School District (District) and Foundation for Affordable Housing II, Incorporated (Foundation), relative to the sale of the 2C Liberty Property (Property). In light of the City of Aliso Viejo’s requirement of the District first entering into an agreement with Shea Homes (Shea) relative to the modification of certain CC&R requirements on the Property, before the City will further process the Foundation’s entitlements for senior affordable housing, the Foundation has requested an extension of the due diligence period until July 28, 2014. This Amendment will also connect the non-refundable status of the \$200,000 security deposit to the Due Diligence deadline. The Foundation has deposited in escrow the \$200,000 security deposit. Due to the time constraints connected with the request, the Amendment has been executed on behalf of the District subject to the Board’s ratification and approval, which is now being sought. The Board is likewise considering, as a separate agenda item, an agreement between the District and Shea Homes to modify the restrictions questioned by the City.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees ratify and approve Amendment No. 1 to Amended and Restated Purchase and Sale Agreement between Capistrano Unified School District and Foundation For Affordable Housing II, Incorporated, for Aliso Viejo Property.

Motion by _____ Seconded by _____

3. AGREEMENT TO MODIFY RESTRICTIONS ON THE PROPERTY LOCATED AT 2C LIBERTY IN THE CITY OF ALISO VIEJO BETWEEN THE CAPISTRANO UNIFIED SCHOOL DISTRICT AND SHEA HOMES LIMITED PARTNERSHIP:

DISCUSSION/
ACTION
Page 5
EXHIBIT 3

This item presents the Agreement to modify restrictions imposed on the property at 2C Liberty, Aliso Viejo (Property), California, in order to support entitlements for the Foundation for Affordable Housing II, Incorporated, (Foundation) for senior affordable housing. In association with the Capistrano Unified School District’s (District) agreement to sell the Property to the Foundation, the District is required to secure from Shea Homes (Shea) an agreement to modify certain restrictions on the property that restrict the development of the Property for residential purposes. The Agreement before the Board will modify the applicable restrictions to allow for the development of the Property for affordable senior housing consistent with the plan set forth by the Foundation. The Board’s approval of this Agreement, coupled with approval by Shea, will permit the Foundation to move forward with its entitlements with the City.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees adopt the Agreement to Modify Restrictions on the Property located at 2C Liberty in the City of Aliso Viejo between the Capistrano Unified School District and Shea Homes Limited Partnership.

Motion by _____ Seconded by _____

4. FIRST READING – REVISIONS TO BOARD POLICY 9270, CONFLICT OF INTEREST:

As changes occur in Education Code or precedent-setting lawsuits, it becomes necessary to update policies. Revised Board Policy 9270, *Conflict of Interest*, is to provide the District, the Board, employees, and consultants with up-to-date information to ensure the District meets legal provisions surrounding existing or potential conflicts of interest. There is no financial impact.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, to present information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion in the form listed below. There will be no discussion of these items prior to the time the Board votes on the motion unless members of the Board, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar. The Superintendent and the staff recommend approval of all consent Calendar items.

GENERAL FUNCTIONS

5. SCHOOL BOARD MINUTES:

Approval of the minutes of the June 25, 2014, special Board meeting.

Contact: Jane Boos, Manager, Board Office Operations

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EXHIBIT 5

BUSINESS & SUPPORT SERVICES

6. PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2). The expenditures related to the listed purchase orders and commercial warrants included in this item were previously authorized as part of the District's budget approval process. The purchase orders total \$2,660,545.03 and the commercial warrants total \$3,899,635.45. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board approved by vendor warrants exceeding \$250,000.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

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EXHIBIT 6

INFORMATION/
DISCUSSION

Page 31

EXHIBIT 4

7. **DONATION OF FUNDS AND EQUIPMENT:** Page 77
EXHIBIT 7
 Approval of donations of funds and equipment. A number of gifts have been donated to the District, \$277,376.24 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
8. **INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:** Page 79
EXHIBIT 8
 Approval of the District standardized Independent Contractor, Professional Services, Master Contract, and Field Service Agreements. Due to state budget cuts to schools over the last several years, staff requests contractors to reduce their fees for services by ten percent. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process. The exhibit shows one new agreement totaling \$8,000, eight new agreement ratifications totaling \$1,506,070.87, four extensions to existing agreements totaling \$408,848, one extension ratification to an existing agreement totaling \$19,000, and 11 amendment ratifications to existing agreements totaling \$75,260.95. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District's Board Agendas and Supporting Documentation page.
CUSD Strategic Plan Pillar 2: Safe and Healthy Schools
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
9. **AGREEMENT FOR SPECIAL SERVICES, FISCAL AND MANAGEMENT INFORMATION SERVICES, SCHOOL SERVICES OF CALIFORNIA, INCORPORATED:** Page 227
EXHIBIT 9
 Ratification of the Agreement for Special Services, Fiscal and Management Information Services with School Services of California, to assist the District regarding issues of school finance, legislation, school budgeting, general fiscal issues, and the state-mandated program cost claims process. The contractor will provide services at the rates set forth in the Agreement. Expenditures under this contract are limited to \$3,420, funded by the general fund.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
10. **AWARD BID NO. 1415-01, AUDIO VISUAL EQUIPMENT, VARIOUS VENDORS:** Page 231
EXHIBIT 10
 Approval of the award of Bid No. 1415-01, Audio Visual Equipment to the following vendors: Advantage Imaging Supply, Incorporated; Auditory Instruments, Incorporated; AVES Audio Visual Systems, Incorporated; B&H Foto & Electronics, Corporation; Camcor, Incorporated; EarthWalk Communications, Incorporated; Golden Star Technology, Incorporated dba GST; Pathway Communications, LTD; PC & MacExchange; Pro SLV, Incorporated; School Specialty, Incorporated; Troxell Communications, Incorporated; and Wards Media Technology. This bid updates the standard list of 51 different items of audio visual equipment with current brands and models and sets pricing for the 2014-2015 fiscal year. The total expenditures under this contract are estimated to be \$800,000, depending upon the availability of funds. Audio visual equipment may be funded through many sources, such as gift, site funds, and grants. Due to the size of the contracts, documents will be posted online on the District Board Agendas and Supporting Documentation page.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

11. RATIFICATION OF CHANGE ORDER NO. 2 – BID NO. 1314-16, CAPISTRANO VALLEY HIGH SCHOOL LUNCH PAVILION AND MUSIC PLAZA:

Page 235
EXHIBIT 11

Ratification of Change Order No. 2 related to the construction of the Capistrano Valley High School lunch pavilion and music plaza. In a previous action, the Board of Trustees delegated to the Superintendent the authority to approve work orders changing the cost of construction contracts, provided the cost does not exceed \$25,000 per individual work order. This change order aggregates various work orders that may consist of additions, deletions, or other revisions that are now being presented to the Board of Trustees for ratification. All such changes in the work are performed under applicable conditions of the change in contract documents. The approved work orders and the resulting change order are shown in the exhibit. The original contract sum was \$1,479,000. The new contract sum including Change Order No. 2 is \$1,513,189.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

12. AGREEMENT FOR FILE TRANSFERS, NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PENNSYLVANIA AND ITS AFFILIATED INSURANCE COMPANIES:

Page 295
EXHIBIT 12

Approval of the Agreement for File Transfers with National Union Fire Insurance Company of Pittsburgh, Pennsylvania and its affiliated insurance companies listed in the Agreement to transfer three claims that exceeded the District's self-insured retention of \$150,000 per claim directly to AIG for adjusting and payment of benefits. The District will no longer pay these claims on behalf of AIG and later seek reimbursement, relieving the District of the administrative duties and costs associated with having Corvel Corporation adjust these claims. The District will reclaim \$581,169 in current and future reserves based on AIG's analysis. Future claims will be transferred directly to AIG once they exceed the District's self-insured retention, freeing up future reserves. The fiscal impact of the Agreement is relief of reserves and saves third-party administrative costs. There are no costs associated with the Agreement.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

13. AWARD REQUEST FOR PROPOSAL NO. 7-1314, PHOTOGRAPHY SERVICES, CREATIVE IMAGES; LIFETOUCH NATIONAL SCHOOL STUDIOS; SUMNER PHOTOGRAPHY AND PUBLISHING, INCORPORATED; AND SOUTH COAST PHOTOGRAPHIC:

Approval of the award of Request for Proposal No. 7-1314, Photography Services to Creative Images; Lifetouch National School Studios; Sumner Photography and Publishing, Incorporated; and South Coast Photographic to provide photography services for middle schools. The District received seven proposals. The vendors were selected based on the company's experience, ability to provide quality photography services, managerial capabilities, and qualifications of staff. Services under this contract are funded by students, parents, and other groups, with no impact to the general fund. The proposals, evaluation criteria, and rating sheets are available in the Purchasing Department for review. For more information, please contact Terry Fluent, Director, Purchasing, at (949) 234-9436.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

14. STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NO. 3-07-70-2382A, GENERAL SERVICES ADMINISTRATION SCHEDULE NO. GS-35F-4545G, INFORMATION TECHNOLOGY GOODS AND SERVICES, AWARDED TO RGB SYSTEMS, INCORPORATED, DBA EXTRON ELECTRONICS, OR THE APPROVED AUTHORIZED DEALERS:

Approval to utilize the State of California Multiple Award Schedule Contract No. 3-07-70-2382A, General Services Administration Schedule No. GS-35F-4545G awarded to RGB Systems, Incorporated, dba Extron Electronics, for the purchase of information technology goods and services, through Extron Electronics, or the approved authorized dealers. The District can utilize such contracts pursuant to California Public Contract Code §§10298, 10299, and 12100 et. seq. without going to bid. The contract prices offered by Extron Electronics have been assessed to be fair, reasonable, and competitive. Staff has determined that it is in the best interest of the District to utilize the contract awarded to Extron Electronics. Annual expenditures utilizing this contract are limited to \$300,000, funded by the general fund. Due to the size of the contract and award documentation, it will be posted online on the District Board Agendas and Supporting Documentation page.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

PERSONNEL SERVICES

15. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:

Page 303
EXHIBIT 15

Approval of the activity list for employment, separation, and additional assignments of classified employees. These positions will be charged to the appropriate fund and are included in the adopted budget.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

16. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:

Page 309
EXHIBIT 16

Approval of the activity list for employment, separation, and additional assignments of certificated employees. These positions will be charged to the appropriate fund and are included in the adopted budget.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

17. INTERNSHIP CONTRACT AGREEMENT WITH BRANDMAN UNIVERSITY:

Page 317
EXHIBIT 17

Approval of Internship Contract Agreement with Brandman University. To meet the growing demand of employing qualified teachers in hard-to-fill areas such as Special Education, Mathematics, Physics, Chemistry, and Foreign Language, Personnel Services has several options for attracting and training high quality candidates. The District has partnered with Brandman University to offer intern teaching programs. During the school year, District teachers are selected to work and support intern credentialing by providing teaching experience through directed fieldwork.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Motion by _____

Seconded by _____

ROLL CALL:

Trustee Addonizio _____

Trustee Hatton-Hodson _____

Trustee Bryson _____

Trustee Pritchard _____

Trustee Hanacek _____

Trustee Reardon _____

Trustee Alpay _____

NOTE: BY USING A ROLL CALL VOTE FOR THE CONSENT CALENDAR, IT WILL MEET THE NEED FOR ACTION ITEMS WHICH REQUIRE A SIMPLE MOTION OR ROLL CALL VOTE.

ADJOURNMENT

Motion by _____

Seconded by _____

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS WEDNESDAY, JULY 23, 2014, 7:00 P.M. AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM, 33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA

For information regarding Capistrano Unified School District, please visit our website: www.capousd.org

INSTRUCTIONS FOR PRESENTATIONS TO THE BOARD BY PARENTS AND CITIZENS PRESENT AT THIS MEETING

We are pleased you can be with us at this meeting, and we hope you will return often. Your visit assures us of continuing community interest in our schools.

The members of the Board of Trustees of this District are locally elected state officials, who serve four-year terms of office, and who are responsible for the educational program of our community from grades kindergarten through twelve. They are required to conduct programs of the schools in accordance with the State of California Constitution, the State Education Code, and other laws relating to schools enacted by the Legislature, and policies and procedures which this Board adopts.

The Board is a policy-making body whose actions are guided by the school district's Mission and Goals. Administration of the District is delegated to a professional administrative staff headed by the Superintendent.

The agenda and its extensive background material are studied by each member of the Board for at least two days preceding the meeting. Board Members can call the administrative staff for clarification on any item, and many of the items on the agenda were discussed by the Board during previous meetings. These procedures enable the Board to act more effectively on agenda items than would otherwise be possible.

WHAT TO DO IF YOU WISH TO ADDRESS THE BOARD OF TRUSTEES

ITEMS ON THE AGENDA. Any person may address the Board concerning any item on the agenda and may, at the discretion of the Board, be granted three (3) minutes to make a presentation to the Board at the time a specific item is under discussion. However, the time assigned for individual presentations could be fewer than three (3) minutes depending upon the total number of speakers who wish to address a specific agenda topic. Prior to the opening of the meeting, a Request to Address the Board card (located in the foyer) should be completed and submitted to the Secretary of the Board. The total time devoted to presentations to the Board shall not exceed twenty (20) minutes, unless additional time is granted by the Board. All presentations shall be heard by the Board prior to the formal discussion of the agenda topic under consideration. Once an agenda item has been opened for public comment, no additional "Request to Address the Board of Trustees" cards shall be accepted for that topic.

ORAL COMMUNICATIONS (Non-Agenda Items). Citizens may address the Board on any item not appearing on the agenda. Individual presentations are limited to three (3) minutes per individual, with twenty (20) minutes in total being devoted for this purpose, but could be less if there are a large number of Oral Communication speakers. Legally, the Board may not take action on items raised by speakers under Oral Communications. However, at its discretion, the Board may refer items to the administration for follow-up or place topics on a future Board agenda.

PUBLIC HEARINGS. Anytime the Board schedules a separate public hearing on any given topic, it shall not hear speakers on that topic before the public hearing, except as to the scheduling of the hearing, nor shall it hear speakers after the hearing, except as to changes in the policy or recommended actions which are directed at the time of the hearing.

CLOSED SESSION. In accordance with Education Code §35146 and Government Code §54957, the Board may recess to Closed Session to discuss personnel matters which they consider inadvisable to take up in a public meeting.

REASONABLE ACCOMMODATION

In order to help ensure participation in the meeting of disabled individuals, appropriate disability-related accommodations or modifications shall be provided by the Board, upon request, in accordance with the Americans with Disabilities Act (ADA). Persons with a disability who require a disability-related accommodation or modification, including auxiliary aids and services in order to participate in a Board meeting, shall contact the Superintendent or designee in writing by noon on the Friday before the scheduled meeting. Such notification shall provide school district personnel time to make reasonable arrangements to assure accessibility to the meeting.