

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF SPECIAL MEETING  
AUGUST 10, 2016  
EDUCATION CENTER – BOARD ROOM

President Hanacek called the meeting to order at 6:01 p.m.

**Call to Order/  
Adjourn to Closed  
Session**

At 6:01 p.m. the Board recessed to Closed Session to discuss: Conference with Legal Counsel - Anticipated Litigation;

At 7:11 p.m. the Board reconvened to Open Session.

**President's  
Report from  
Closed Session  
Meeting**

President Hanacek reported the following action taken during Closed Session:

**Agenda Item #3A:**

No Reportable Action.

President Hanacek read the following statement:

“On August 9, 2016 the school district received correspondence that alleged violations of law by the District and district staff. Pursuant to *Government Code Section 54954.2(b)(2)* there is a need to take immediate action and that the need for action came to the attention of the school district subsequent to the agenda being posted related to this correspondence. I ask for a motion to add to tonight's Closed Session agenda Initiation of Litigation – One Case.”

It was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 6-1 Roll Call vote to add Initiation of Litigation – One Case to the Closed Session agenda.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones,  
McNicholas, and Pritchard.  
NOES: Trustee Reardon  
ABSENT: None

The Board recessed to Closed Session at 7:17 p.m.

**Adjourned to  
Closed Session**

The Board reconvened to Open Session at 7:56 p.m.

President Hanacek called for any speakers who would like to comment on the Closed Session item Initiation of Litigation – One Case. The following speaker addressed the Board:

**Oral  
Communications**

- *Dawn Urbanek spoke regarding the addition of Closed Session Item #3B.*

The Board recessed to Closed Session at 7:57 p.m.

**Adjourned to  
Closed Session**

The Board reconvened to Open Session at 7:59 p.m.

President Hanacek reported the following action taken during Closed Session:

**Agenda Item #3B:**

**President's  
Report from  
Closed Session  
Meeting**

The Board voted in Closed Session to initiate litigation against Frank Ury and Tony Beall. The Board also voted to direct staff to request the Orange County District

Attorney and California Attorney General to investigate whether the City of Mission Viejo or the City of Rancho Santa Margarita has misused public funds to influence the outcome of an election. The vote of the Board was 6-1.


**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](http://www.capousd.org)** **Permanent Record**

It was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to adjourn the special meeting. **Adjournment**

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones,  
McNicholas, Pritchard and Reardon  
NOES: None  
ABSENT: None

President Hanacek announced the special meeting adjourned at 8:02 p.m.

  
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Board Clerk

  
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Secretary, Board of Trustees

*Minutes submitted by Nicole Perez, Executive Secretary, Board of Trustees*