

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

BOARD OF TRUSTEES
Regular Meeting

August 10, 2016

Closed Session 6:30 p.m.
Open Session 7:00 p.m.

AGENDA

CLOSED SESSION AT 6:30 P.M.

- 1. CALL TO ORDER**
- 2. CLOSED SESSION COMMENTS**
- 3. CLOSED SESSION** (as authorized by law)
 - A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**
Gordon Amerson
Susan Holliday
(Pursuant to Government Code § 54957)

PUBLIC HEARING:

Agenda Item 1: Resolution No. 1617-16 of the Board of Trustees of the Capistrano Unified School District
Ordering Formation of School Facilities Improvement District #2 of the Capistrano Unified School District.

RECORDING OF SCHOOL BOARD MEETINGS

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

OPEN SESSION AT 7:00 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

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.

PUBLIC HEARING

1. **PUBLIC HEARING: RESOLUTION NO. 1617-16 OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT ORDERING FORMATION OF SCHOOL FACILITIES IMPROVEMENT DISTRICT #2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT:** INFORMATION/ DISCUSSION

The Board will conduct a public hearing on adopting Resolution No. 1617-16, A Resolution of the Board of Trustees of the Capistrano Unified School District Ordering Formation of the School Facilities Improvement District #2 of the Capistrano Unified School District. Supporting information is located in Exhibit 5.

CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.

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

Staff Recommendation

It is recommended the Board President open the public hearing, determine if members of the public have submitted requests to speak on the item, and after hearing any speakers, formally close the public hearing.

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

2. **SCHOOL BOARD MINUTES:**
Approval of the minutes for the May 25, 2016 Regular Board Meeting.
Contact: Nicole Perez, Executive Secretary, Board Operations
3. **SCHOOL BOARD MINUTES:**
Approval of the minutes for the June 8, 2016 Regular Board Meeting.
Contact: Nicole Perez, Executive Secretary, Board Operations

Page 1
EXHIBIT 2

Page 17
EXHIBIT 3

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Sorensen	_____	Trustee McNicholas	_____
Trustee Alpay	_____	Trustee Pritchard	_____
Trustee Hatton-Hodson	_____	Trustee Reardon	_____
Trustee Jones	_____	Trustee Hanacek	_____

DISCUSSION ACTION ITEMS

4. **UPDATE ON FINANCINGS FOR COMMUNITY FACILITIES DISTRICTS:** INFORMATION/
Following the information presentation on financing plans for Community Facilities DISCUSSION
Districts on February 24, 2016, the Board will receive an update from the District's Page 29
financial advisor, Government Financial Strategies, on the implementation of the plans. **EXHIBIT 4**
CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.
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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

5. **RESOLUTION NO. 1617-16 OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT ORDERING FORMATION OF SCHOOL FACILITIES IMPROVEMENT DISTRICT #2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT:** DISCUSSION/
Following the adoption of a resolution of intention to form School Facilities ACTION
Improvement District (SFID) #2 at the July 13, 2016 Board meeting, the Board is asked Page 58
to consider a resolution forming SFID #2 (CUSD excluding Rancho Mission Viejo). **EXHIBIT 5**
CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.
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 adopt Resolution No. 1617-16, A Resolution of the Board of Trustees of the Capistrano Unified School District Ordering Formation of School Facilities Improvement District #2 of the Capistrano Unified School District.

Motion by _____ Seconded by _____

6. **RESOLUTION NO. 1617-17 OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION ON NOVEMBER 8, 2016 WITHIN SCHOOL FACILITIES IMPROVEMENT DISTRICT #2 AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH:** DISCUSSION/
Following the adoption of a resolution of intention to form School Facilities ACTION
Improvement District (SFID) #2 at the July 13, 2016 Board meeting, and information/discussion at the July 20, 2016 Board meeting, the Board is asked Page 61
to consider a resolution calling a school bond election within SFID #2 (CUSD excluding Rancho Mission Viejo), and related election documents. **EXHIBIT 6**
CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.
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 adopt Resolution No. 1617-17, A Resolution of the Board of Trustees of the Capistrano Unified School District Ordering a School Bond Election on November 8, 2016 Within School Facilities Improvement District #2 and Authorizing Necessary Actions in Connection Therewith.

Motion by _____ Seconded by _____

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, AUGUST 17, 2016, 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.

President Hanacek called the meeting to order at 5:03 p.m.

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

At 5:03 p.m. the Board recessed to closed session to discuss: Conference with Legal Counsel - Anticipated Litigation; Conference with Legal Counsel - Existing Litigation; Conference with Labor Negotiators; Student Expulsions; and Public Employment and Evaluation of Performance. The regular meeting of the Board reconvened to open session and was called to order by President Hanacek at 7:04 p.m.

Trustee Martha McNicholas teleconferenced into the meeting from the following location:

Courtyard Denver Tech Center, 6565 S. Boston St., Greenwood Village, CO 80111

ROLL CALL:

Present: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, Reardon and Student Advisor Sorensen

Absent: None

The Pledge of Allegiance was led by Trustee, Lynn Hatton-Hodson.

**Pledge of
Allegiance
Permanent
Record**

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

It was moved by Trustee Hatton-Hodson, seconded by Trustee Reardon and motion carried by a 6-1 vote to adopt the Board agenda.

**Adoption of the
Board Agenda**

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

Trustee Alpay ask that the minutes reflect his objection to the Learning in Capo Spotlight Agenda Item.

President Hanacek reported the following action taken during closed session:

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

Agenda Item #3A-1 – Conference with Legal Counsel – Anticipated Litigation

Trustees vote 6-0-1 to approve settlement agreement not to exceed \$92,582.76.

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

ABSENT: Trustee McNicholas

Agenda Item #3A-2 – Conference with Legal Counsel – Anticipated Litigation

Trustees vote 6-0-1 to approve settlement agreement not to exceed \$109,500.

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

Agenda Item #3A-3 – Conference with Legal Counsel – Anticipated Litigation

Trustee voted 6-0-1 to approve the denial to hear the parent complaint.

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

Agenda Item #3B-1 – Conference with Legal Counsel – Existing Litigation
Item pulled by Staff, Trustees did not address this Item.

Agenda Item #3B-2 – Conference with Legal Counsel – Existing Litigation
Trustee Reardon recused himself from the item because of his position as Vice President of New Vista School.

Trustees vote 5-0-1-1 to approve settlement agreement not to exceed \$50,000.

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

Agenda Item #3C – Conference with Labor Negotiators
Trustees gave direction to staff.

Agenda Item #3D-1 – Student Expulsions

Trustees voted 6-0-1 to ratify Student Expulsion Stipulation Agreement, Student Expulsion Case #2016-032.

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

Agenda Item #3D-2 – Student Expulsions

Trustees voted 6-0-1 to ratify Student Expulsion Stipulation Agreement, Student Expulsion Case #2016-033.

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

Agenda Item #3E – Public Employment and Evaluation of Performance
No Reportable Action.

SPECIAL RECOGNITIONS

**Special
Recognitions**

Celebration of Employee Anniversaries

30 Years of Service

Jayne Martin, Principal
Deanna Maass, Teacher
Kathleen Plambeck, Teacher
Susan Rice, Teacher
Jeffrey Signer, Teacher
Ivonne Sims, Teacher
Kellee Sundin, Teacher
Nancy Williamson, Teacher
Steven Yancey, Teacher
Toni Zemel, Food Service Cashier
Carmen Alvarez, Bilingual Community Service Liaison

20 Years of Service

Linda Boyer, Accounting Technician II
Ruben Casas, Custodian II
Brett Ellison, Psychologist
Marcy Hamilton, Teacher
Tracy Kerins, Speech Pathologist
Rosalia Koba, Counselor
Valerie Rigg, Independence Facilitator
Hannah Robert, School Bus Driver
Rodney Turner, Grounds Equipment Operator

Learning in Capo Spotlight

Innovation in Learning: Career pathways to academic and career success. The District's Career and Technical Education (CTE) program offers high school students 28 career pathway opportunities providing the knowledge and skills for students to be prepared for college and careers in high-demand and high-wage industries.

Extra Miler

Brooke Valderrama, Activities Director from San Juan Hills High School is recognized as an "Extra Miler" for her dedication to the safety of the students at San Juan Hills High School.

Superintendent Vital reported on various school visits and the activities of the past two weeks. She visited many schools in the district, including: Niguel Hills Middle School, Moulton Elementary School, Carl Hankey Middle School, Ladera Ranch Elementary, Ladera Ranch Middle School, Bernice Ayers Middle School, Reilly Elementary School, and Wagon Wheel Elementary School.

**Board and
Superintendent
Comments**

Superintendent Vital attended the baseball "End of Season" banquet at Capo Valley High School, a baseball game between San Clemente and San Juan Hills high schools, the Tesoro High School Pops Concert, and the San Clemente Educational Foundation fundraiser benefitting San Clemente High School. She also attended the CUCPTSA End of the Year Celebration and recognized the work of the PTA and they support they provide to students, staff and the District.

President Hanacek announced all speakers will be heard for oral comments.

**Oral
Communications**

The following speakers addressed the Board:

- *Michelle Ploessel-Campbell spoke regarding the Crown Valley Celebration.*
- *Daun Urbanek spoke regarding CA 5-Year Infrastructure.*

PUBLIC HEARINGS

President Hanacek announced the Public Hearing open at 7:46 p.m. to hear: Instructional materials recommended for adoption: Elementary Language Arts, Mandarin Immersion Program, Grade 3-4. CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.

With no public speakers present, President Hanacek declared the Public Hearing closed at 7:47 p.m.

**Immersion
Instructional
Materials
Recommended
for Adoption:
Elementary
Language Arts,
Mandarin
Program, Grade
3-4
Agenda Item 1**

President Hanacek announced the Public Hearing open at 7:47 p.m. to hear: Instructional materials recommended for adoption: Secondary World Language, Grade 9-12. CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.

**Public Hearing:
Instructional
Materials
Recommended for
Adoption:
Secondary World
Language, Grade
9-12**

With no public speakers present, President Hanacek declared the Public Hearing closed at 7:47 p.m.

President Hanacek announced the Public Hearing open at 7:47 p.m. to hear: Instructional materials recommended for adoption: Secondary Science, Grade 10-12. CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.

**Agenda Item 2
Public Hearing:
Instructional
Materials
Recommended for
Adoption:
Secondary
Science, Grade
10-12
Agenda Item 3**

With no public speakers present, President Hanacek declared the Public Hearing closed at 7:47 p.m.

President Hanacek announced the Public Hearing open at 7:48 p.m. to hear: Instructional materials recommended for adoption: Secondary Mathematics, Grade 11-12. CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.

**PUBLIC
HEARING:
Instructional
Materials
Recommended for
Adoption:
Secondary
Mathematics,
Grade 11-12
Agenda Item 4**

With no public speakers present, President Hanacek declared the Public Hearing closed at 7:47 p.m.

President Hanacek announced the Public Hearing open at 7:48 p.m. to hear: Instructional materials recommended for adoption: Elementary Language Arts, Mandarin Immersion Program, Grade K-5. CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.

**Public Hearing:
Instructional
Materials
Recommended for
Adoption:
Elementary
Language Arts,
Mandarin
Immersion
Program, Grade
K-5
Agenda Item 5**

With no public speakers present, President Hanacek declared the Public Hearing closed at 7:48 p.m.

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. President Hanacek asked Trustees for Items they wished to pull from the Consent Calendar.

Trustee Alpay requested to pull Item 6 and abstain from Item 30. Trustee Jones requested to pull Item 17 and Trustee Reardon requested to pull Item 21.

**Items Pulled
from the
Consent
Calendar**

It was moved by Trustee Jones, seconded by Trustee Lynn Hatton-Hodson, and motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar, with the exception of Items 6, 17 and 21.

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

Approval of the Agreements for Consultant Services with Malachied, Inc., DBA The Breakthrough Coach to provide professional development for District leaders.

**Agreements for
Consultant
Services with
Malachied, Inc.
Agenda Item 7
Joint Facilities
Use Agreement,
City of Laguna
Niguel at Crown
Valley
Elementary
School**

Approval of Amendment No. 1 to the Amended and Restated Joint Facilities Use Agreement, City of Laguna Niguel at Crown Valley Elementary School.

**Agenda Item 8
Award of Bid
No. 1516-21,
Bergeson
Elementary
School
Relocatable
Classroom
Project to R.
Jensen Co., Inc.
Agenda Item 9**

Approval of the Award of Bid No. 1516-21, Bergeson Elementary School Relocatable Classroom Project to R. Jensen Co., Inc.

Approval of the Award of Bid No. 1516-24, Service to Collect, Recycle, and Dispose of Solid Waste Districtwide to CR&R, Inc.

**Award of Bid
No. 1516-24,
Service to
Collect, Recycle,
and Dispose of
Solid Waste**

Approval of the Award of Request for Proposal No. 1-1516, E-Rate Multiple Categories to multiple vendors.

**Districtwide to
CR&R, Inc.
Agenda Item 10
Award of
Request for
Proposal No. 1-
1516, E-Rate
Multiple
Categories**

Approval of Charter Facilities Agreement with Orange County Academy of Sciences and Arts (Charter School) to enter into an in-lieu arrangement where the Charter School will occupy the lower portion at Crown Valley Elementary School starting the 2016-2017 school year.

**Agenda Item 11
Approval of
Charter
Facilities
Agreement with
Orange County
Academy of
Sciences and
Arts**

Approval of Commercial Service Agreement with Cox Communications California, LLC. Technical Services is currently in the process of upgrading the District's aging analogue telephone infrastructure.

**Agenda Item 12
Commercial
Service
Agreement with
Cox
Communications
California, LLC**

Approval of donations of funds and equipment.

**Agenda Item 13
Donation of
funds and
equipment**

Approval of the Award of Bid No. 1516-26, Tijeras Creek Elementary School Roof Replacement and Exterior Painting to States Link Construction, Inc.

**Agenda Item 14
Award of Bid
No. 1516-26,
Tijeras Creek
Elementary
School Roof
Replacement
and Exterior
Painting to
States Link
Construction,
Inc.**

Approval of the proposed 2017 Extended-School-Year (ESY) program.

**Agenda Item 15
Extended-
School-Year
program**

Approval of the Maintenance and Support Renewal with Aurea, Inc., which is the new name for the Lyris email Listserv.

**Agenda Item 16
Maintenance
and Support
Renewal with
Aurea, Inc.**

Approval of purchase orders and commercial warrants.

**Agenda Item 18
Purchase Orders
and Warrants**

Approval of the SchoolMessenger Renewal Authorization with Reliance Communications, LLC.

**Agenda Item 19
SchoolMessenger
Renewal
Authorization
with Reliance
Communications
, LLC.**

Approval of the Service Agreement with BrightBytes, Inc. for the purposes of gathering data from parents, students and teachers regarding digital literacy.

**Agenda Item 20
Service
Agreement with
BrightBytes, Inc.**

Approval of the ratification of special education Settlement Agreement Case #2015100409, Settlement Agreement Case #2015100915, Settlement Agreement Case #2015120782, Settlement Agreement Case #2016030067, Settlement Agreement Case #2016030215, Informal Dispute Resolution Case #20160302 and Informal Dispute Resolution Case #20160317.

**Agenda Item 22
Settlement
Agreements
Agenda Item 23**

Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) Third Quarter Report.

**Williams
Settlement
Third Quarter
Report**

Approval of Agreement No. 42631 Quality Rating and Improvement System Block Grant (QRIS) for continuous quality improvement of early education programs.

**Agenda Item 24
Agreement No.
42631 Quality
Rating and
Improvement
System Block
Grant
Agenda Item 25**

Approval to delete Board Policy 6164.6

**Deletion of
Board Policy
6164.6**

Approval of broadening the Course of Study: New Secondary Courses. The following high school courses are proposed for the 2016-2017 course catalog in accordance with Board Policy 6143, *Course of Study*.

**Agenda Item 26
New Secondary
Courses
Agenda Item 27**

Approval of the activity list for employment, separation, and additional assignments of classified employees.

**Resignations/
 Retirements/
 Employment –
 Classified
 Employees
 Agenda Item 28
 Resignations/
 Retirements/
 Employment –
 Certificated
 Employees
 Agenda Item 29
 School Board
 Minutes March
 16, 2016
 Agenda Item 30**

Approval of the activity list for employment, separation, and additional assignments of certificated employees.

Approval of the minutes for the March 16, 2016 Board Workshop.

DISCUSSION/ACTION ITEMS

President Hanacek, recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

The following speakers addressed the Board:

- *Susan Born spoke regarding revising Board code for SB277.*
- *Mark Brown spoke regarding vaccination requirements.*

Following discussion it was moved by Trustee Pritchard, seconded by Trustee Jones, and a motion carried by a 7-0-0 Roll Call vote to approve to revise Board Policy 5165.1, Immunization requirements for school entry to comply with State and Federal laws.

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

President Hanacek recognized Kirsten Vital, Superintendent, to present this item.

The following speakers addressed the Board:

- *Stacy Gwin spoke regarding Mandarin Immersion Program.*
- *Jennifer Macy spoke regarding Mandarin Immersion Program.*
- *Cheri Abracosa-Platte spoke regarding Mandarin Immersion Program.*
- *Michael Pratt spoke regarding Mandarin Immersion Program.*
- *James Devey, PE spoke regarding Mandarin Immersion Program.*
- *Hani Yousef spoke regarding Mandarin Immersion Program.*
- *Joseph Liu spoke regarding Mandarin Immersion Program.*

**Fourth Reading –
 Revisions To
 Board Policy
 5165.1,
 Immunization
 Requirements for
 School Entry
 Agenda Item 38**

**Trustee Request
 to Reconsider
 Revisions to
 Board Policy
 5111.5, Language
 Immersion and
 International
 Baccalaureate
 Admissions
 Agenda Item 40**

- *Lori Djavaherian spoke regarding Mandarin Immersion Program.*
- *Ron Pei spoke regarding Mandarin Immersion Program.*
- *Chi Nguyen spoke regarding Mandarin Immersion Program.*
- *Mari Scott spoke regarding Mandarin Immersion Program.*
- *Susanne Dachgruber spoke regarding Mandarin Immersion Program.*
- *Michael Fox spoke regarding Mandarin Immersion Program.*
- *Juintow Lin spoke regarding Mandarin Immersion Program.*
- *Katie Nichol spoke regarding Mandarin Immersion Program.*
- *Kathryn Go spoke regarding Mandarin Immersion Program.*
- *Michael Smith spoke regarding Mandarin Immersion Program.*
- *Debra Smith spoke regarding Mandarin Immersion Program.*
- *Kendall Smith spoke regarding Mandarin Immersion Program.*
- *Anna Stchrenberger spoke regarding Mandarin Immersion Program.*
- *Lindsey Denison spoke regarding Mandarin Immersion Program.*
- *Skylar Clifford spoke regarding Mandarin Immersion Program.*
- *Riley Go spoke regarding Mandarin Immersion Program.*
- *Cindy Behrens spoke regarding Mandarin Immersion Program.*

Following discussion it was moved by Trustee Reardon, seconded by Trustee Hatton-Hodson, and a motion carried by a 7-0-0 Roll Call vote to approve to reconsider Revisions to Board Policy 5111.5, *Language Immersion and International Baccalaureate Admissions* no sooner than the October 26, 2016 Board meeting and no later than the November 16, 2016 Board meeting. Staff will return with a clear theory of action, program description, and budget for the Mandarin Immersion Program (MIP) that includes the issues raised by the MIP community.

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

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

**Board Action to
Approve the
2017-2018 School
Calendar
Agenda Item 41**

The following speakers addressed the Board:

- *Sally White spoke regarding the calendar.*
- *Michele Ploessel-Campbell spoke regarding the calendar.*
- *Gould Workman spoke regarding the calendar.*
- *Jessica Weaver spoke regarding the calendar.*
- *Lisa Emery spoke regarding the calendar.*
- *Sara Harranek spoke regarding the calendar.*
- *Jenny Bruni spoke regarding the calendar.*
- *Jennifer Keller spoke regarding the calendar.*
- *Julie Beutler spoke regarding the calendar.*

- *Carrie Lerenthal spoke regarding the calendar.*

The item was moved by Trustee Pritchard and seconded by Trustee Alpay to continue discussion on adopting Option C of the 2017-2018 school calendar. The motion was denied by a 2-5-0 Roll Call vote.

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

Discussion continued on Calendar Option B.

Following discussion it was moved by Trustee Reardon, seconded by Trustee Jones, and a motion carried by a 5-2-0 Roll Call vote to approve Option B of the 2017-2018 school calendar and a 2018-19 and 2019-20 school calendar using the same model.

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

President Hanacek, recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

Following discussion it was moved by Trustee Hanacek, seconded by Trustee Pritchard, and a motion carried by a 6-0-1 Roll Call vote to approve the adoption of *Where the Mountain Meets the Moon* written by Grace Lin, published by Little Brown and Company ©2009 and *Starry River of the Sky* written by Grace Lin, published by Little Brown and Company ©2012 as supplemental resources for English Language Arts/Chinese Culture in grade 3 and 4 for the Mandarin Immersion Program.

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

President Hanacek, recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

Following discussion it was moved by Trustee Pritchard, seconded by Trustee Jones, and a motion carried by a 6-0-1 Roll Call vote to approve the adoption of *Happy Chinese, Levels I, II and III*, Cengage Learning ©2003 as supplemental resources for Chinese I and II, grade 9-12.

**Instructional
Materials
Recommended for
Adoption:
Elementary
Language Arts,
Mandarin
Immersion
Program, Grade
3-4
Agenda Item 31**

**Instructional
Materials
Recommended for
Adoption:
Secondary World
Language, Grade
9-12
Agenda Item 32**

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

President Hanacek, recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

Following discussion it was moved by Trustee Reardon, seconded by Trustee Jones, and a motion carried by a 7-0 Roll Call vote to approve the adoption of *Denk Mal*, Vista Higher Learning ©2016 for AP German & German V, grade 9-12.

**Instructional
Materials
Recommended
For Adoption:
Secondary World
Language, Grade
9-12
Agenda Item 33**

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

President Hanacek, recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

Following discussion it was moved by Trustee Reardon, seconded by Trustee Hatton-Hodson, and a motion carried by a 7-0 Roll Call vote to approve the adoption of *Fritz Abenteuer in Amerika*, written by Fabiola Canale, Teacher's Discovery ©2009 and *Briefe an Susie*, written by Fabiola Canale, Teacher's Discovery ©2010 as supplemental readers for German I and II, grade 9-12.

**Instructional
Materials
Recommended
For Adoption:
Secondary World
Language, Grade
9-12
Agenda Item 34**

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

President Hanacek, recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

Following discussion it was moved by Trustee Jones, seconded by Trustee Reardon, and a motion carried by a 7-0 Roll Call vote to approve the adoption of *Active Physics: A Project-based Inquiry Approach, 3rd edition*, It's About Time ©2010 as a supplemental resource for Physics & Conceptual Physics, grades 10-12.

**Instructional
Materials
Recommended
For Adoption:
Secondary
Science, Grades
10-12
Agenda Item 35**

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

President Hanacek, recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

Following discussion it was moved by Trustee Reardon, seconded by Trustee Hatton-Hodson, and a motion carried by a 7-0 Roll Call vote to approve the adoption of *Mathematical Studies SL: Mathematics for the International Student, 3rd edition*, Haese Mathematics ©2012, for the International Baccalaureate program, IB Math Studies, grade 11-12.

**Instructional
Materials
Recommended for
Adoption:
Secondary
Mathematics,
Grade 11-12
Agenda Item 36**

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

President Hanacek, recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

Following discussion it was moved by Trustee Alpay, seconded by Trustee Hatton-Hodson, and a motion carried by a 6-0-1 Roll Call vote to approve the adoption of *MeiZhou Chinese*, MZHY Editors Group ©2007-2014 for the Chinese Language Arts, Mandarin Immersion Program in grade K - 5.

**Instructional
Materials
Recommended for
Adoption:
Elementary
Language Arts,
Mandarin
Immersion
Program, Grade
K-5
Agenda Item 37**

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

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

Item was information only.

Amy Hanacek, Board President recognized Clark Hampton, Deputy Superintendent, Business Services, to present this item.

Item was information only.

**First Reading –
Revisions to
Board Policy
5121.1, Grades/
Evaluation of
Student
Achievement
Agenda Item 39
Options For
Consideration For
Future Facilities
Funding
Agenda Item 47**

President Hanacek recognized Gordon Amerson, Assistant Superintendent, Human Resource Services, to present this item.

Following discussion it was moved by Trustee Reardon, seconded by Trustee Hatton-Hodson, and a motion carried by a 7-0-0 Roll Call vote to approve the

**Recommendation
of Revised
Management,
Supervisory,**

revised Management, Supervisory, Confidential salary schedule for July 1, 2016 – June 30, 2017.

**Confidential
Salary Schedule
Agenda Item 42**

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

President Hanacek recognized Gordon Amerson, Assistant Superintendent, Human Resource Services, to present this item.

**First Reading –
Board Policy
4313,
Management/Sup
ervisory/Confiden
tial Service Days
Agenda Item 43**

Following discussion it was moved by Trustee Alpay, seconded by Trustee Hatton-Hodson, and a motion carried by a 7-0-0 Roll Call vote to approve Board Policy 4313, *Management/Supervisory/Confidential Service Days*.

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

President Hanacek recognized Gordon Amerson, Assistant Superintendent, Human Resource Services, to present this item.

**First Reading –
Board Policy
4315,
Evaluation/Accou
ntability
Agenda Item 44**

Item was continued to a second reading.

President Hanacek, Board President recognized Gordon Amerson, Assistant Superintendent, Human Resource Services, to present this item.

**First Reading –
Board Policy
4351,
Management
Compensation
Agenda Item 45
Recommendation
to Approve
Employment**

Item was continued to a second reading.

President Hanacek recognized Kirsten Vital, Superintendent, to present this item.

**Agreement –
Deputy
Superintendent,
Business and
Support Services,
July 1, 2016 –
June 30, 2020
Agenda Item 46**

Following discussion it was moved by Trustee Alpay, seconded by Trustee Hatton-Hodson, and a motion carried by a 7-0-0 Roll Call vote to approve the *Employment Agreement for the Deputy Superintendent, Business and Support Services*.

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

Items Pulled From Consent Calendar

Following discussion it was moved by Trustee Reardon , seconded by Trustee Alpay and motion carried by 7-0-0 vote to approve the Server Lease Agreement with IDEAL Computer Services, Inc. for the purpose of maintaining an existing HP3000 server and adding a new HP3000 server.

**Server Lease
Agreement with
IDEAL
Computer
Services, Inc.
Agenda Item 21**

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

Following discussion it was moved by Trustee Jones, seconded by Trustee Hatton-Hodson and a motion carried 7-0-0 to approve the Legislative Management – Terms, Conditions and Pricing subscription with Accela, Inc. to provide government meeting management software.

**Legislative
Management –
Terms,
Conditions and
Pricing
subscription
with Accela, Inc.
Agenda Item 17**

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

Following discussion it was moved by Trustee Alpay, seconded by Trustee Hatton-Hodson and a motion carried 7-0-0 to approve the District standardized Independent Contractor, Professional Services, Master Contract, and Field Service Agreements with the exclusion of the proposed agreement with the Woocher law firm.

**Master Contract
Agreements
Agenda Item 6**

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

It was moved by Trustee Alpay, seconded by Hatton-Hodson and motion carried by a 7-0-0 vote to adjourn the meeting.

Adjournment

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

President Hanacek announced the meeting adjourned at 11:41 p.m.

Board Clerk

Secretary, Board of Trustees

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

President Hanacek called the meeting to order at 5:00 p.m.

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

At 5:00 p.m. the Board recessed to closed session to discuss: Conference with Legal Counsel – Anticipated Litigation; Conference with Labor Negotiators; Student Expulsions; Public Employment and Evaluation of Performance; and Public Employee Discipline/Dismissal/Release

The regular meeting of the Board reconvened to open session and was called to order by President Hanacek at 7:03 p.m.

Trustee Gary Prichard Ph.D., teleconferenced into the meeting from the following location: Harvard Graduate School of Education, 13 Appian Way, Cambridge, MA 02138-3703

ROLL CALL:

Present: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, Reardon and Student Advisor Sorensen
Absent: None

The Pledge of Allegiance was led by Elizabeth Sorensen, Student Advisor to the Board of Trustees.

**Pledge of
Allegiance**

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**

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

**Adoption of the
Board Agenda**

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

President Hanacek reported the following action taken during closed session:

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

Agenda Item #3A-1 – Conference with Legal Counsel – Anticipated Litigation

Trustees vote 6-0-1 to approve the rejection of Government Claim: No. LBI 1502383.

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

Agenda Item #3A-2 – Conference with Legal Counsel – Anticipated Litigation

Trustees vote 6-0-1 to approve the rejection of Government Claim: No. LBI 1502305.

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

Agenda Item #3A-3 – Conference with Legal Counsel – Anticipated Litigation

No reportable action.

Agenda Item #3B – Conference with Labor Negotiators

No reportable action.

Agenda Item #3C-1 – Student Expulsions

The Board voted 6-0-1 to ratify Student Expulsion Stipulation Agreement, Student Expulsion Case #2016-036.

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

Agenda Item #3C-2 – Student Expulsions

The Board voted 6-0-1 to ratify Student Expulsion Stipulation Agreement, Student Expulsion Case #2016-037.

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

Agenda Item #3D – Public Employment and Evaluation of Performance

No reportable action.

Agenda Item #3E – Public Employee Discipline/Dismissal/Release

No reportable action.

SPECIAL RECOGNITIONS

**Special
Recognitions**

Celebration of Employee Anniversaries

30 Years of Service

Kelly Bashor, Teacher
Donald Cholodenko, Teacher
Carol Cutkomp, Teacher
Debi Gillan, Elementary School Clerk
Cheryl Wood, Academic Advisor

20 Years of Service

Stephanie Bakovic, Bilingual Elementary School Office Manager
Tim Brooks, Executive Director of Human Resource
Services/Investigations
Tania Clutney, Web Master
Shani Cochrun, Teacher
Ben Dewees, Maintenance Planner
Cherie England, Teacher
Lisa Flotho, Child Development Department
Craig Fransen, Teacher
Jamie Hobson, Teacher
Laurie Lovegreen, Instructional Assistant
Keith Meastas, High School Campus Supervisor
Douglas Opp, Custodian II
Rodrigo Rodriguez, Heat and Air Conditioning Assistant
Linda Ross, District Receptionist

Learning in Capo Spotlight

Jose Pedraza, Principal Kinoshita Elementary:
Preparing for 21st Century careers Kinoshita students have the
opportunity to participate in two outstanding career-building programs,
Future Scientists and Engineers of America (FSEA) and College Bound.

Annual update on the Breakthrough, San Juan Capistrano program
offering high-potential, low-income middle school students the
opportunity to participate in rigorous academic enrichment programs
during the summer and throughout the school year.

Extra Miler

Don Hansen owner and founder of Dana Wharf Sportfishing and Whale
Watching is recognized for his commitment to the children of the
District in making available a premier whale watching experience out of
Dana Point Harbor.

Perfect Attendance

Perfect Attendance Kindergarten through 12th Grade.

The following Students were recognized for perfect attendance:

Jessica Tuma

Adrian Gutierrez

Rachel Yoo

Superintendent Vital reported on various school visits and the activities of the past two weeks. She made visits to Las Flores Elementary, Las Flores Middle School, Chapparel Elementary, Newhart Middle School, Capistrano Connections, Palisades Elementary, San Juan Hills High School – Choir Concert, Vista del Mar Middle School, Wood Canyon Elementary School, and Community Roots Academy.

Superintendent Vital also celebrated the return of Principal for a Day where she recognized Michelle Hart, Executive Director of the CUSD Foundation for an “amazing job” putting together the Principal for a Day event.

President Hanacek announced all speakers will be heard for oral comments.

The following speakers addressed the Board:

- *Kathy Cunningham spoke regarding a student transfer.*
- *Michele Ploessel-Campbell spoke regarding Crown Valley.*

PUBLIC HEARINGS

President Hanacek announced the Public Hearing open at 8:00 p.m. to hear the 2016-2017 Local Control Accountability Plan.

With no public speakers present, President Hanacek declared the Public Hearing closed at 8:00 p.m.

President Hanacek announced the Public Hearing open at 8:01 p.m. to hear the 2016-2017 Budget Adoption.

With no public speakers present, President Hanacek declared the Public Hearing closed at 8:01 p.m.

President Hanacek announced the Public Hearing open at 8:01 p.m. to hear The Special Education Local Plan Area Annual Service Plan and Annual Budget Plan.

**Board and
Superintendent
Comments**

**Oral
Communications**

**Public Hearing:
2016-2017 Local
Control
Accountability
Plan:
Agenda Item 1**

**Public Hearing:
2016-2017
Proposed Budget
Adoption
Agenda Item 2**

**Public Hearing:
2016-2017 Special
Education Local
Plan Area
Annual Service**

With no public speakers present, President Hanacek declared the Public Hearing closed at 8:01 p.m.

**Plan and Annual
Budget Plan
Agenda Item 3**

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.

President Hanacek asked Trustees for Items they wished to pull from the Consent Calendar. Trustee Alpay requested to pull Item 22, Trustee McNicholas requested to pull Item 13, and Trustee Reardon requested to pull Item 20.

**Items Pulled
from the Consent
Calendar**

It was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar, with the exception of Items 13, 20 and 22.

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

Approval of the District standardized Independent Contractor, Professional Services, Master Contract and Field Service Agreements.

**Master Contract
Agreements
Agenda Item 4**

Approval of a five-year agreement with the YMCA of Orange County to continue to provide for the operation of Extended Day Childcare Programs at District elementary and middle school campuses.

**Agreement for
the Operation of
Extended Day
Childcare
Programs with
the YMCA of
Orange County
Agenda Item 5**

Approval of the Subordinate Agreement with the County of Orange, specifically the Sheriff-Coroner Department in support of radiological emergency planning and response activities for San Onofre Nuclear Generating Station, as needed by the District.

**Subordinate
Agreement –
County of
Orange in
Support of
Radiological
Emergency
Planning and**

Approval of the School-Based Medi-Cal Administrative Activities (SMAA) Participation Agreement No. 42818 with Orange County Superintendent of Schools to provide administrative services and required oversight related to Medi-Cal SMAA program reimbursement.

Approval of purchase orders and commercial warrants.

Approval of Extension No. 2 of Bid No. 1415-03, Electrical Supplies and Materials with Consolidated Electrical Distributors, Inc.

Approval of the Extension No. 1 of Bid. No. 1516-05, Fence Repairs and Maintenance with Q Fence and Fabrication, Inc. to provide routine fence preservation and restoration services for all sites within the District.

Approval of Extension No. 1 of Bid No. 1516-04, Weed Abatement Service with E. Stewart & Associates, Inc.

**Response
Activities for San
Onofre Nuclear
Generating
Station Agenda
Item 6
School-Based
Medi-Cal
Administrative
Activities
Participation
Agreement -
Orange County
Superintendent
of Schools
Agenda Item 7
Purchase Orders,
Commercial
Warrants, Bids
and Contracts
Agenda Item 8
Extension No. 2
of Bid No. 1415-
03, Electrical
Supplies and
Materials –
Consolidated
Electrical
Distributors, Inc.
Agenda Item 9
Extension No. 1
of Bid No. 1516-
05, Fence Repairs
and Maintenance
– Q Fence and
Fabrication, Inc.
Agenda Item 10
Extension No. 1
of Bid No. 1516-
04, Weed
Abatement
Service – E.
Stewart &
Associates, Inc.
Agenda Item 11**

Approval of donations of funds and equipment.

**Donation of
Funds and
Equipment
Agenda Item 12**

Approval of Diablo Valley College Academy Support Center Western Academy Support and Training Center Affiliation Agreement to establish an association with Contra Costa Community College District's Diablo Valley College to provide various forms of operational support.

**Academy
Support Center
Western
Academy
Support And
Training Center
Affiliation
Agreement**

Approval of the Single Plans for Student Achievement (SPSA) and Budgets for the 2016-2017 school year.

**Agenda Item 14
Single Plans for
Student
Achievement and
Budgets for
2016-2017**

Approval of the six comprehensive high school principals as league representatives to the California Interscholastic Federation (CIF) for 2016-2017.

**Agenda Item 15
California
Interscholastic
Federation**

Approval of Internship Contract Agreement with the University of Redlands for July 1, 2015 to June 30, 2017.

**Representatives
Agenda Item 16
Internship
Contract**

Approval of the activity list for employment, separation, and additional assignments of classified employees.

**Agreement With
The University
Of Redlands
Agenda Item 17**

Approval of the activity list for employment, separation, and additional assignments of certificated employees.

**Resignations/
Retirements/
Employment –
Classified
Employees**

Approval of the minutes for the April 20, 2016 Special Board Meeting.

**Agenda Item 18
Resignations/
Retirements/
Employment –
Certificated
Employees**

**Agenda Item 19
School Board
Minutes April 20,
2016**

Agenda Item 21

DISCUSSION/ACTION ITEMS

President Hanacek recognized Clark Hampton, Deputy Superintendent, Business and Support Services to present this item.

The following speaker addressed the Board:

- *Sally White spoke regarding the bond. Sally White spoke in favor of a unified bond concept. Her opinion was stated in her individual capacity and not as Capistrano Unified Education Association (CUEA) President.*

This is an information item only and no Board action is necessary.

President Hanacek recognized Clark Hampton, Deputy Superintendent, Business and Support Services to present this item.

It was moved by Trustee Reardon, seconded by Trustee Hatton Hodson, and motion carried by a 7-0 Roll Call vote to adopt Resolution No. 1516-64, A Resolution of the Board of Trustees of the Capistrano Unified School District Declaring School Facilities Needs with the following amendment to strike section 3.

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

**Funding School
Facilities with a
Potential General
Obligation Bond
Measure
Agenda Item 25**

**Resolution No.
1516-64, a
Resolution of the
Board of
Trustees of the
Capistrano
Unified School
District Declaring
School Facilities
Needs
Agenda Item 23**

President Hanacek recognized Clark Hampton, Deputy Superintendent, Business and Support Services to present this item.

It was moved by Trustee Reardon, seconded by Trustee Alpay, and motion carried by a 7-0 Roll Call vote to adopt Resolution No. 1516-65, A Resolution of the Board of Trustees of the Capistrano Unified School District Establishing School Facilities Minimum Standards.

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

**Resolution No.
1516-65, a
Resolution of the
Board of
Trustees of the
Capistrano
Unified School
District
Establishing
School Facilities
Minimum
Standards
Agenda Item 24**

President Hanacek recognized Clark Hampton, Deputy Superintendent, Business and Support Services to present this item.

It was moved by Trustee Reardon, seconded by Trustee Hatton Hodson, and motion carried by a 6-0-1 Roll Call vote to adopt Resolution No. 1516-63,

**Resolution No.
1516-63, Position
on Assembly Bill
1666
Agenda Item 26**

Position on Assembly Bill 1666.

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

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services to present information on this item.

This is an information item only and no Board action is necessary.

President Hanacek recognized Clark Hampton, Deputy Superintendent, Business and Support Services, who will provide information on this item.

This is an information item only and no Board action is necessary.

President Hanacek recognized Clark Hampton, Deputy Superintendent, Business and Support Services to present this item.

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Alpay, and motion carried by a 5-0-2 vote to adopt Resolution No. 1516-62, Authorization of Temporary Interfund Transfers.

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

President Hanacek recognized Mark Miller, Assistant Superintendent, SELPA, Special Education Services, to present this item.

Following discussion, it was moved by Trustee Hatton-Hodson seconded by Trustee Hanacek, and motion carried by a 6-0-1 vote to approve the 2016-2017 Special Education Local Plan Area Annual Service Plan and Annual Budget Plan.

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

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services to present information on this item.

This is an information item only and no Board action is necessary.

**2016-2017 Local
Control
Accountability
Plan Update
Agenda Item 27
2016-2017
Proposed Budget
Adoption Agenda
Item 28**

**Resolution No.
1516-62,
Authorization of
Temporary
Interfund
Transfers
Agenda Item 29**

**Special
Education Local
Plan Area
Annual Service
Plan and Annual
Budget Plan
Agenda Item 30**

**Educator
Effectiveness
Expenditure Plan
Agenda Item 31**

Trustee Jones made a motion to waive the time limitation for the meeting to continue on past the 11:00 p.m. hour, seconded by Trustee Hatton-Hodson motion carried 6-0-1.

**Waive Time
 Limitation for
 the Meeting to
 Continue Past the
 11:00 p.m. Hour**

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, and Reardon

NOES: None

ABSENT: Trustee Pritchard

President Hanacek recognized Gordon Amerson, Assistant Superintendent, Human Resource Services, to present this item.

**Board Action to
 Adopt District's
 Initial Proposal
 to Capistrano
 Unified
 Education
 Association for
 2016-2017
 Negotiations
 Agenda Item 32**

Following discussion, it was moved by Trustee Alpay seconded by Trustee McNicholas, and motion carried by a 6-0-1 vote to adopt the District's initial proposal to CUEA.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, and Reardon

NOES: None

ABSENT: Trustee Pritchard

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services, to present this item.

**Board Policy
 5181, Section 504
 of the
 Rehabilitation
 Act
 Nondiscriminatio
 n for Students
 with Disabilities
 Agenda Item 33**

Following discussion, it was moved by Trustee Jones, seconded by Trustee Alpay, and motion carried by a 6-0-1 vote to approve Board Policy 5181, *Section 504 of the Rehabilitation Act Nondiscrimination for Students with Disabilities*.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, and Reardon

NOES: None

ABSENT: Trustee Pritchard

President Hanacek recognized Gordon Amerson, Assistant Superintendent, Human Resource Services, to present information on this item.

**Second Reading –
 Board Policy
 4351,
 Management
 Compensation
 Agenda Item 34**

This item was continued.

ITEMS PULLED FROM CONSENT CALENDAR

Trustee McNicholas requested clarification on the Item.

**Memorandum of
 Understandings
 With Saddleback
 Valley Unified**

Following discussion, it was moved by Trustee McNicholas seconded by Trustee Reardon and motion carried by a 6-0-1 vote to approve the

Memorandum of Understandings with Saddleback Valley Unified School District (SVUSD) for the purpose of implementing special education services and programs.

**School District
Agenda Item 13**

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

Following discussion, it was moved by Trustee Alpay, seconded by Trustee McNicholas and motion carried by a 6-0-1 vote to approve minutes for the April 13, 2016 Regular Board Meeting with the addition of language stating Trustee Reardon recused himself from Closed Session Item 3A-2.

**School Board
Minutes April 13,
2016
Agenda Item 20**

Trustee Reardon recused himself due to his position as Vice President of the Board of New Vista School.

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

Following discussion, it was moved by Trustee Jones seconded by Trustee Reardon and motion carried by 6-0-1 Roll Call vote to approve the School Board Meeting Schedule for January through June, 2017. Regular Board meetings are held on the second and fourth Wednesday of each month.

**School Board
Meeting Schedule
for January
through June
2017
Agenda Item 22**

Trustee Alpay requested that staff review the policy and reference codes to ensure we follow legal guidelines for adopting regular meetings to the Board Meeting Schedule.

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

It was moved by Trustee Reardon, seconded by Trustee Jones and motion carried by a 6-0-1 vote to adjourn the meeting.

Adjournment

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

President Hanacek announced the meeting adjourned at 11:20 p.m.

Board Clerk

Secretary, Board of Trustees

Minutes submitted by Nicole Perez, Executive Secretary, Board Operations

Capistrano Unified School District

Update on Financings for our Community Facilities Districts



Government Financial Strategies

Presented by Keith Weaver
August 10, 2016

Tonight's Agenda

◆ CFDs with bond activity this year:

<u>Community Facilities District</u>	<u>Bond Timing</u>
87-1 (Mission Viejo/Aliso Viejo)	September 2016
90-1 (Coto de Caza)	
90-2 (Talega)	July 2016
90-2, Improvement Area No. 2002-1 (Talega)	
92-1 (Las Flores)	
98-1A (Pacifica San Juan)	June 2016
98-1B (Pacifica San Juan)	
98-2 (Ladera)	
2004-1 (Rancho Madrina)	
2005-1 (Whispering Hills)	August 2016

◆ Summary and Next Steps



◆ "Pacifica San Juan"
CFD 98-1A and 98-1B



Process Using GFOA Best Practices

- ◆ Government Finance Officers Association (GFOA) has 24 best practices on debt management.
- ◆ Guided by these best practices:



▶ A negotiated sale was selected as the sale method.



▶ Competitive RFP process was used to select the underwriter/bank with whom we negotiated.

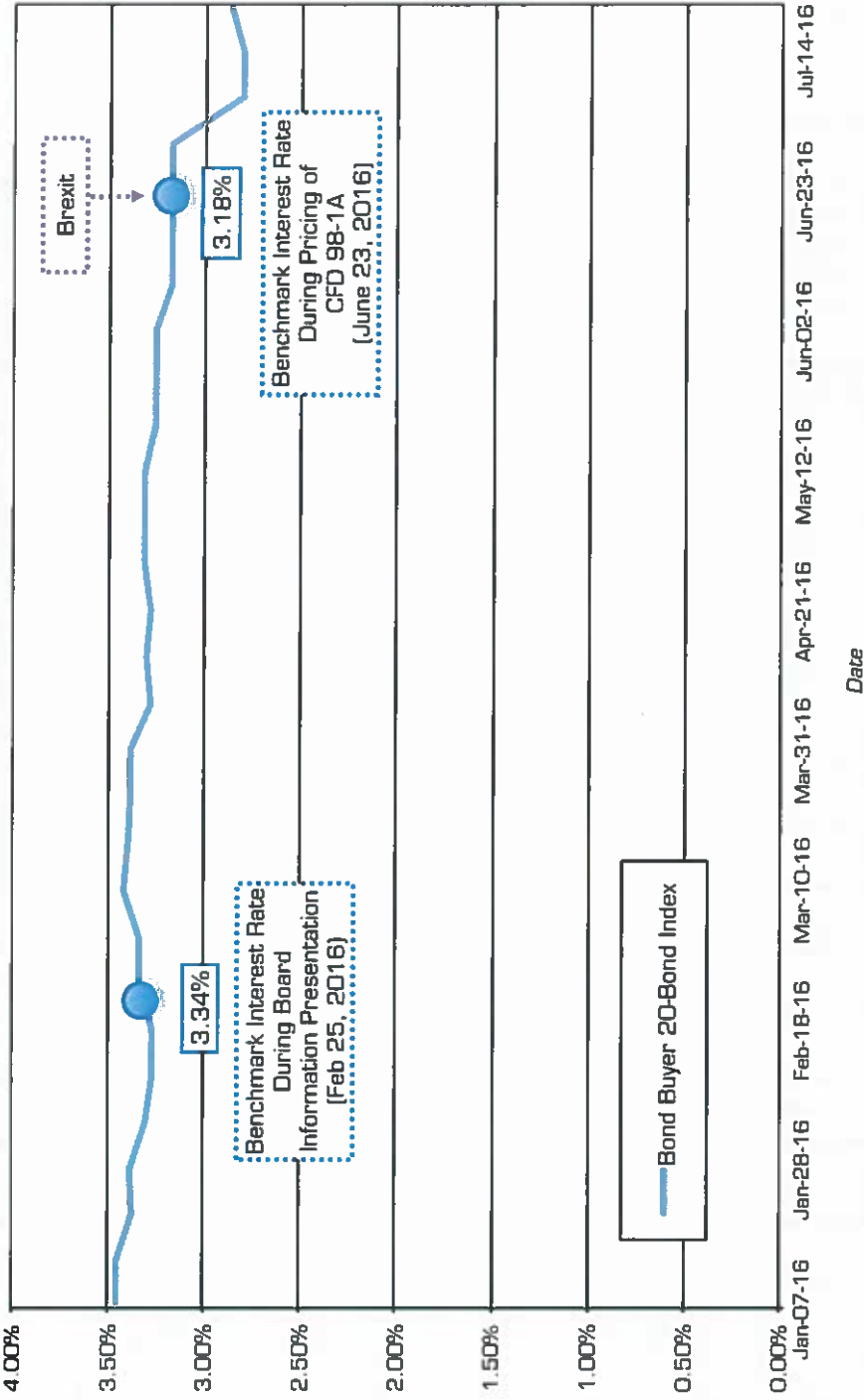


▶ Competitive RFP process was used to select bond counsel and disclosure counsel.



Benchmark Interest Rate

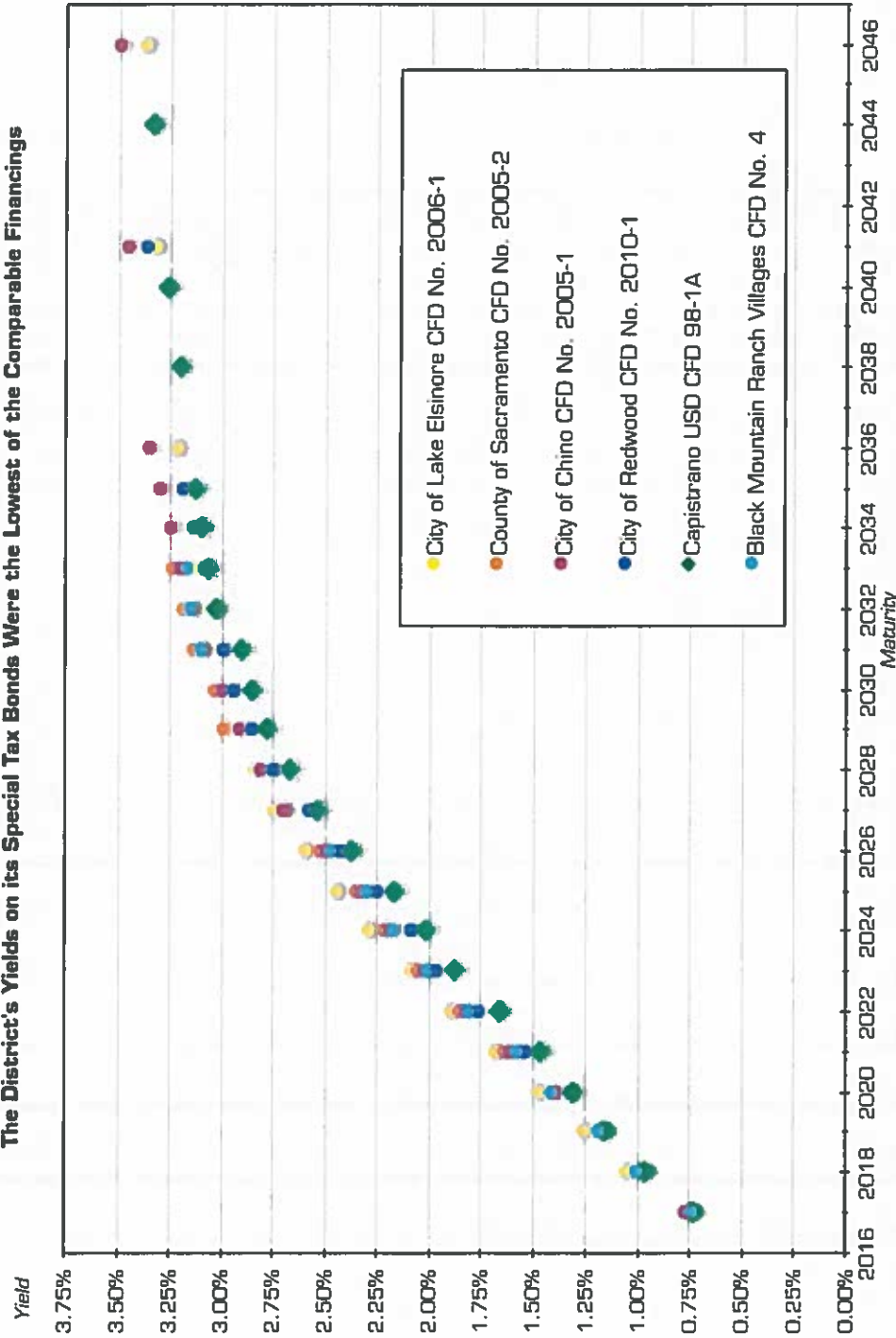
The Benchmark Municipal Bond Interest Rate Moved Down Slightly Since the Information Presentation to the Board



Notes: The 20-Bond Index consists of 20 general obligation bonds that mature in 20 years and is compiled every Thursday. The average rating of the 20 bonds is roughly equivalent to Moody's Investors Service's Aa2 rating and Standard & Poor's Rating Service AA.

Comparison to Similar Financings

The District's Yields on its Special Tax Bonds Were the Lowest of the Comparable Financings



The comparable financings were Special Tax Bonds with similar credit quality, and sold between May 25, 2016 through June 23, 2016.

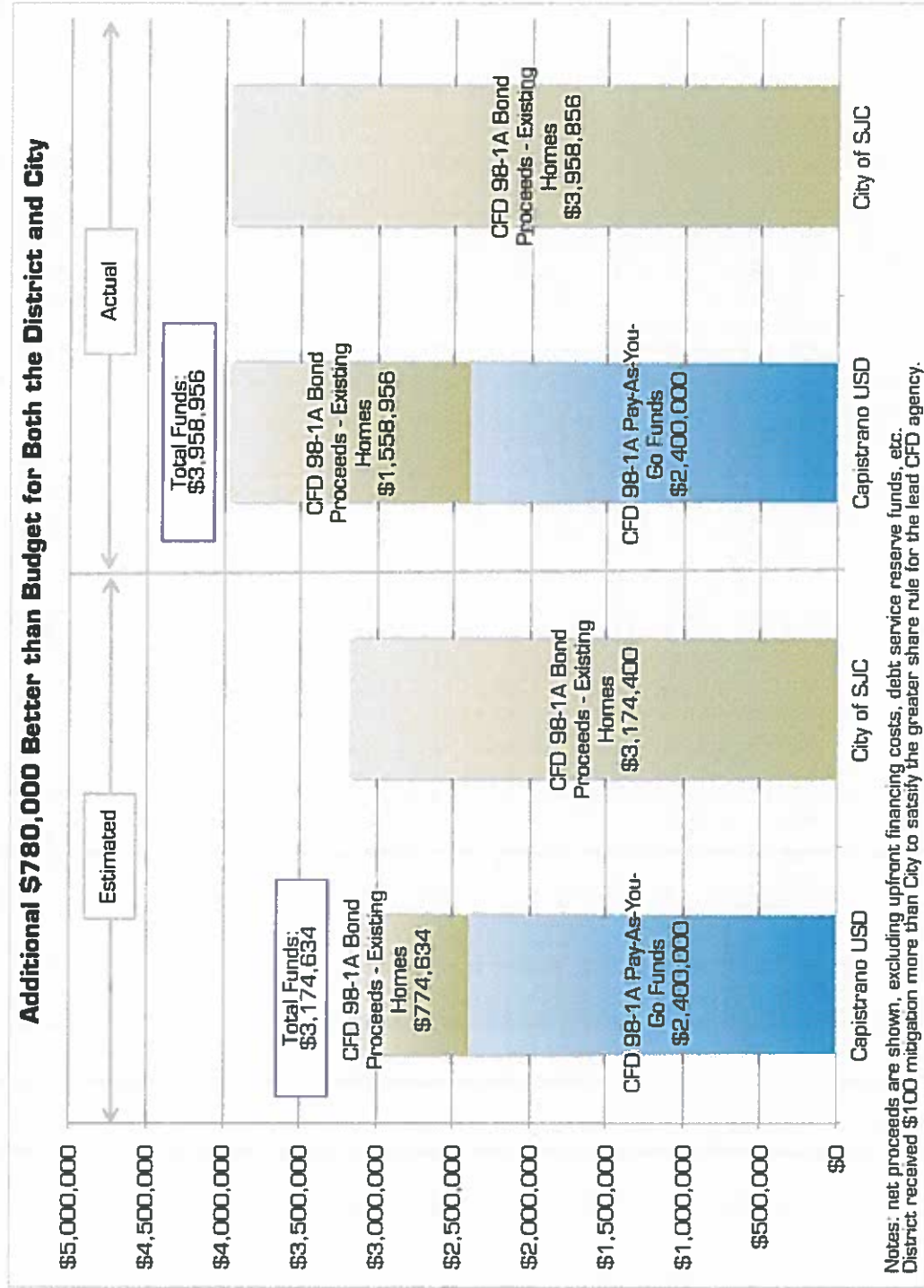
Comparison Against Budget

	<u>Budget</u>	<u>Actual</u>	<u>Difference</u>
Bond Issuance Amount	\$4,805,000	\$6,375,000	\$1,570,000
Upfront Costs	(\$421,823)	(\$419,005)	\$2,818
Debt Service Reserve	(\$434,143)	(\$438,182)	(\$4,039)
Mitigation Funds	\$3,949,034	\$5,517,812	\$1,568,778

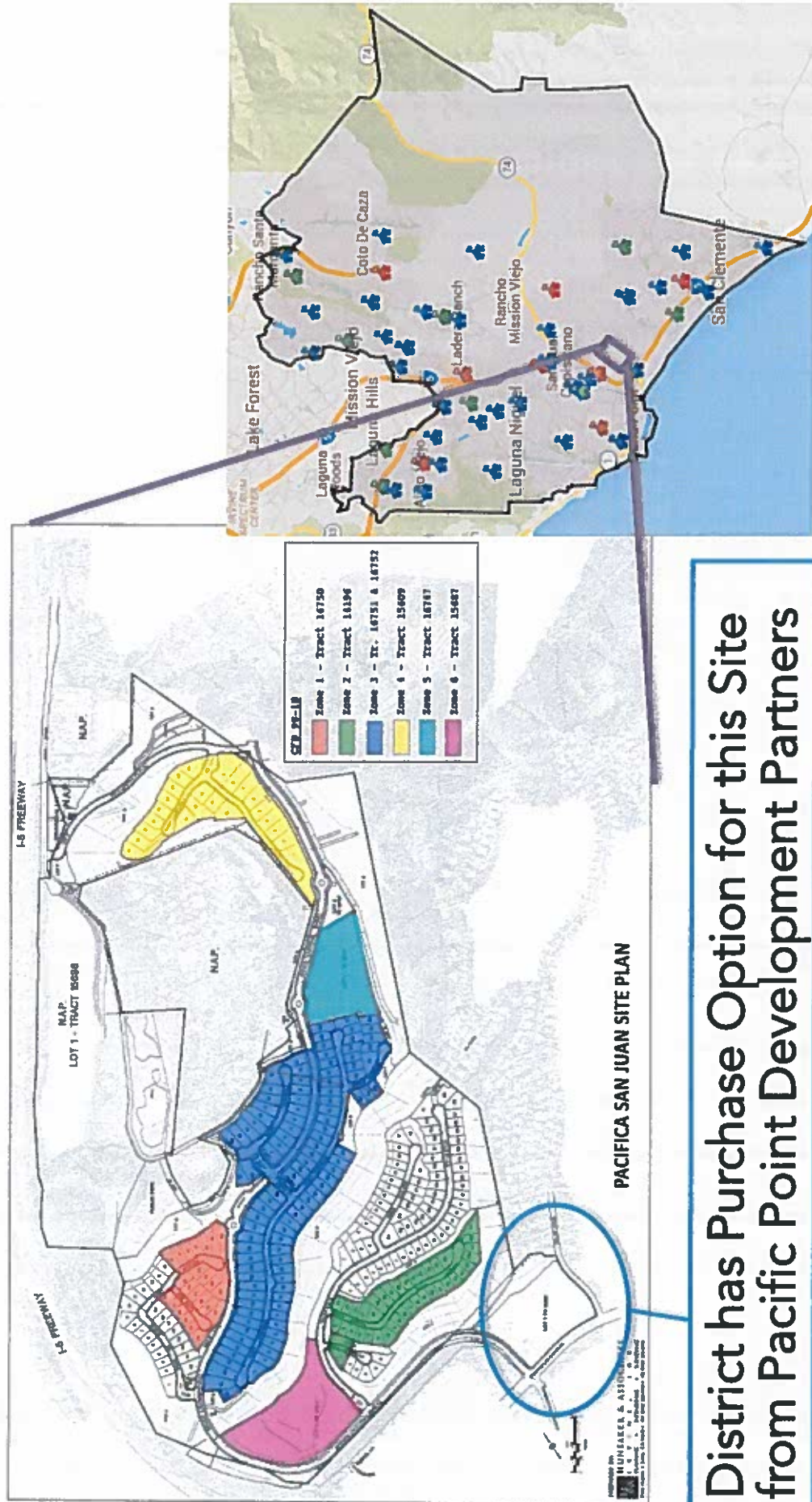
- ✓ The District and the City of San Juan Capistrano will receive over 30% more funds than originally budgeted.

Note: upfront costs include underwriter's discount, costs of issuance (financial advisor, bond counsel, disclosure counsel, general counsel, special tax consultant, trustee, etc.), capitalized interest, and original issue discount.

Allocation of Mitigation Funds



Pacifica San Juan Site



District has Purchase Option for this Site
from Pacific Point Development Partners

Potential Facilities

◆ Schools that serve the CFD:



**HAROLD AMBUEHL
ELEMENTARY SCHOOL**



Palisades School
Home of the Waves!



**MARCO FORSTER
MIDDLE SCHOOL**

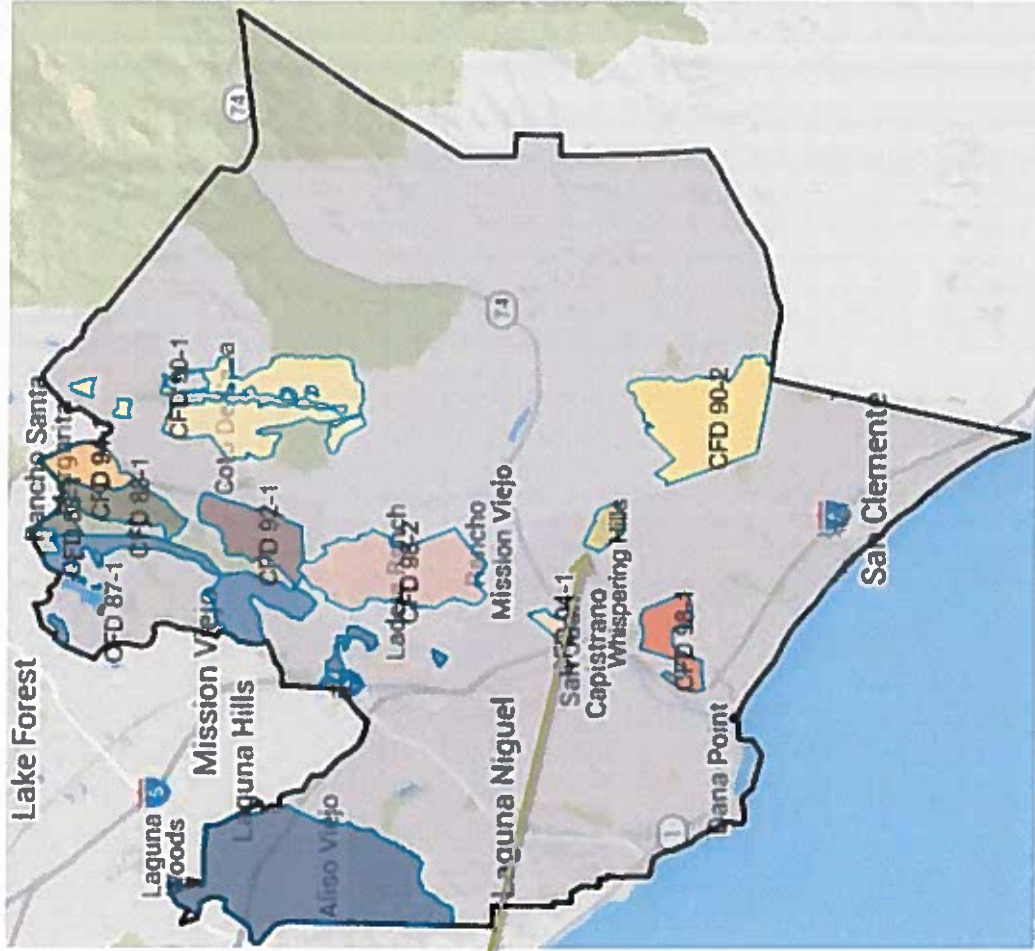


**SAN JUAN HILLS
HIGH SCHOOL**

◆ City infrastructure: street, water, sewer, and other improvements

Next Agenda Item

◆ "Whispering Hills" CFD 2005-1

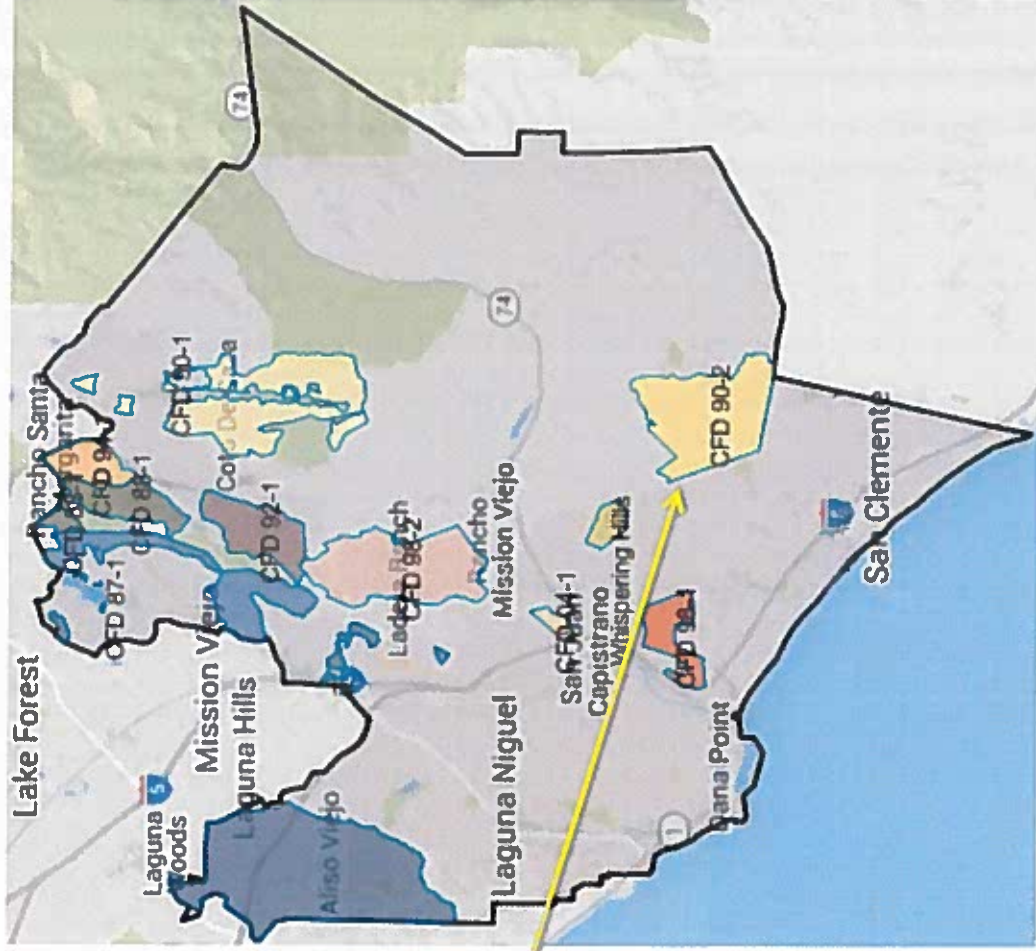


Whispering Hills Update

- ◆ Per the Mitigation Agreement, bonds are to be issued once the developer, Woodbridge Pacific Group, has closed escrow on 135 of the 140 developed homes.
- ◆ Woodbridge Pacific Group closed escrow on the 135th home on July 29.
- ◆ Bonds are expected to be priced in August, and closed in September.
- ◆ An information presentation to the Board will follow.

Next Agenda Item




◆ "Talega"
CFD 90-2



Process Using GFOA Best Practices

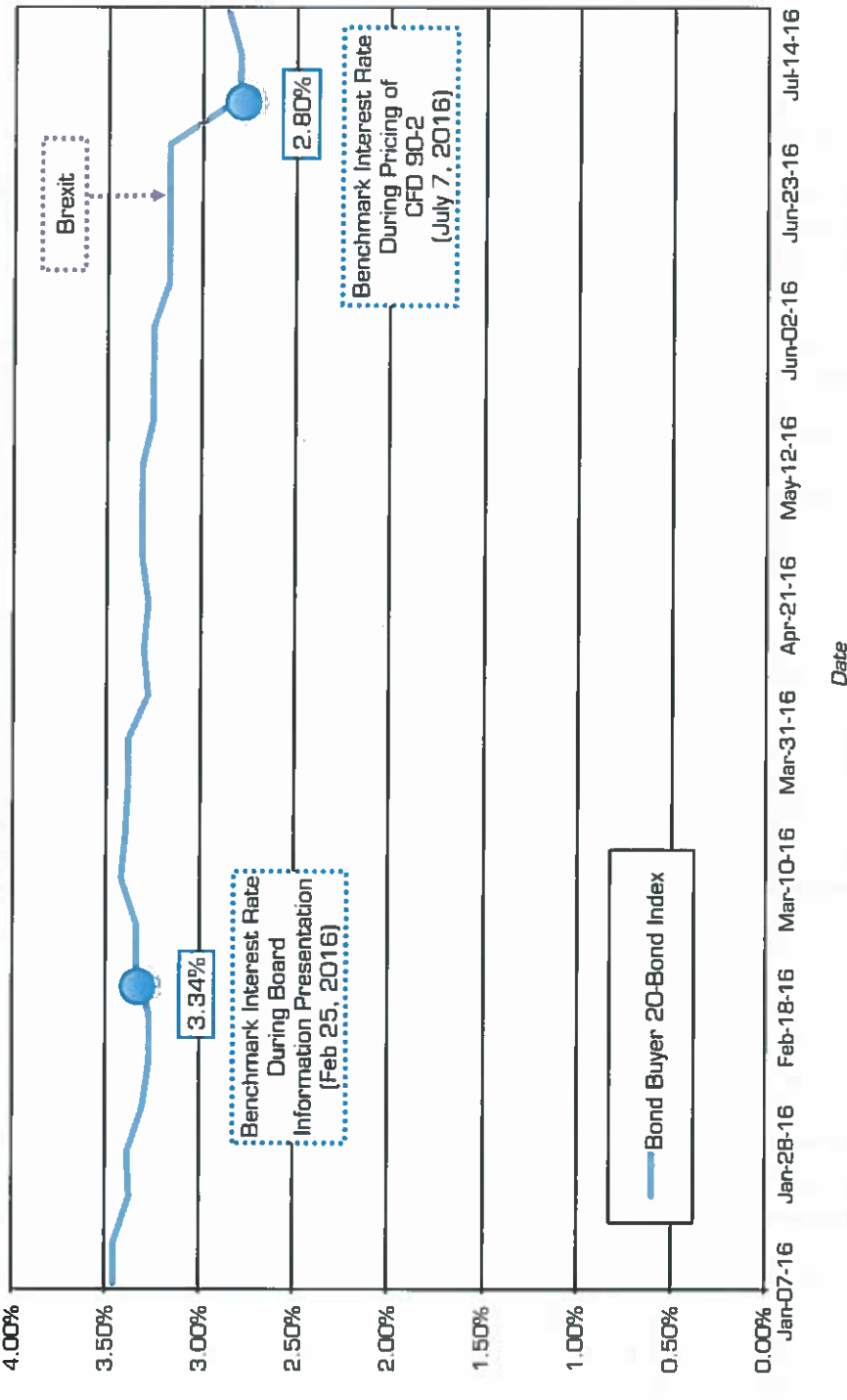


◆ Guided by best practices as published by the Government Finance Officers Association (GFOA):

- ▶ A competitive sale was selected as the sale method. 
- ▶ Competitive bid process was used to select the underwriter/bank. 
- ▶ Competitive RFP process was used to select bond counsel and disclosure counsel. 

Benchmark Interest Rate

The Benchmark Municipal Bond Interest Rate Moved Down Fairly Significantly Since the Information Presentation to the Board



Notes: The 20-Bond Index consists of 20 general obligation bonds that mature in 20 years and is compiled every Thursday. The average rating of the 20 bonds is roughly equivalent to Moody's Investors Service's Aa2 rating and Standard & Poor's Rating Service AA.

Which Banks Bid

HSE & CO

**Chicago,
Illinois**

**Bank of America
Merrill Lynch**

**New York,
New York**

**New York,
New York**

Morgan Stanley

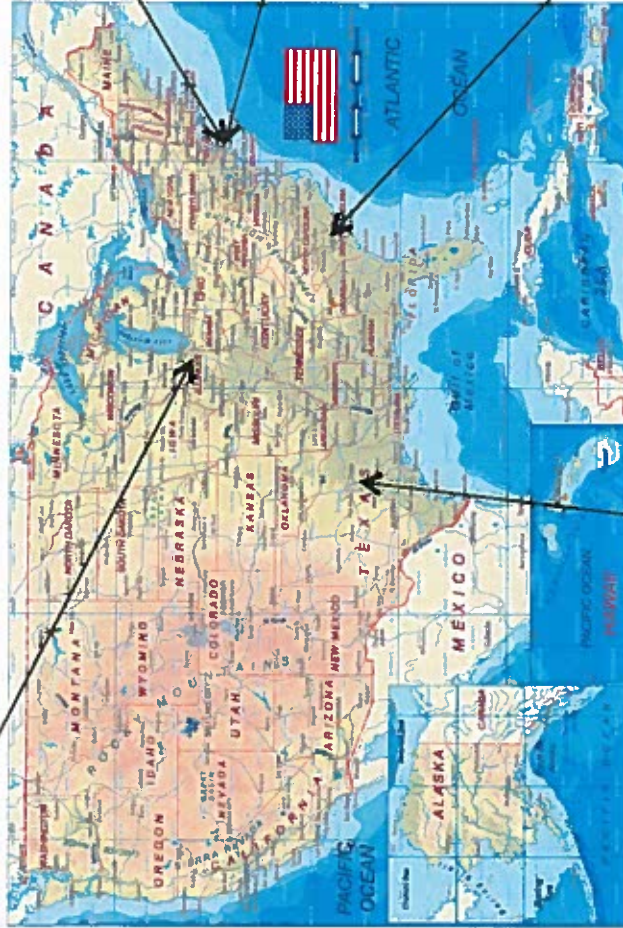
HilltopSecurities



**Dallas,
Texas**

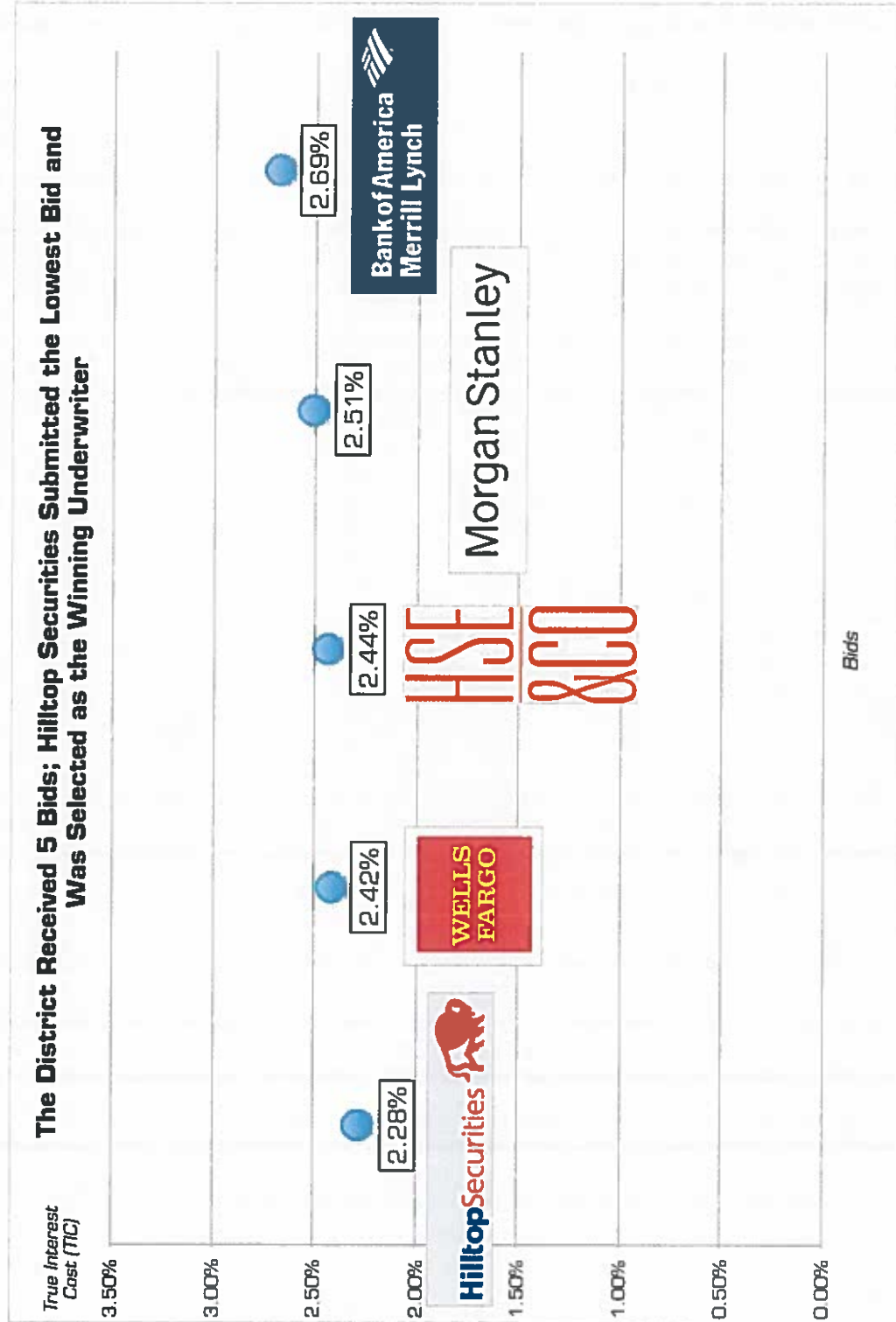
**WELLS
FARGO**

**Charlotte,
North Carolina**

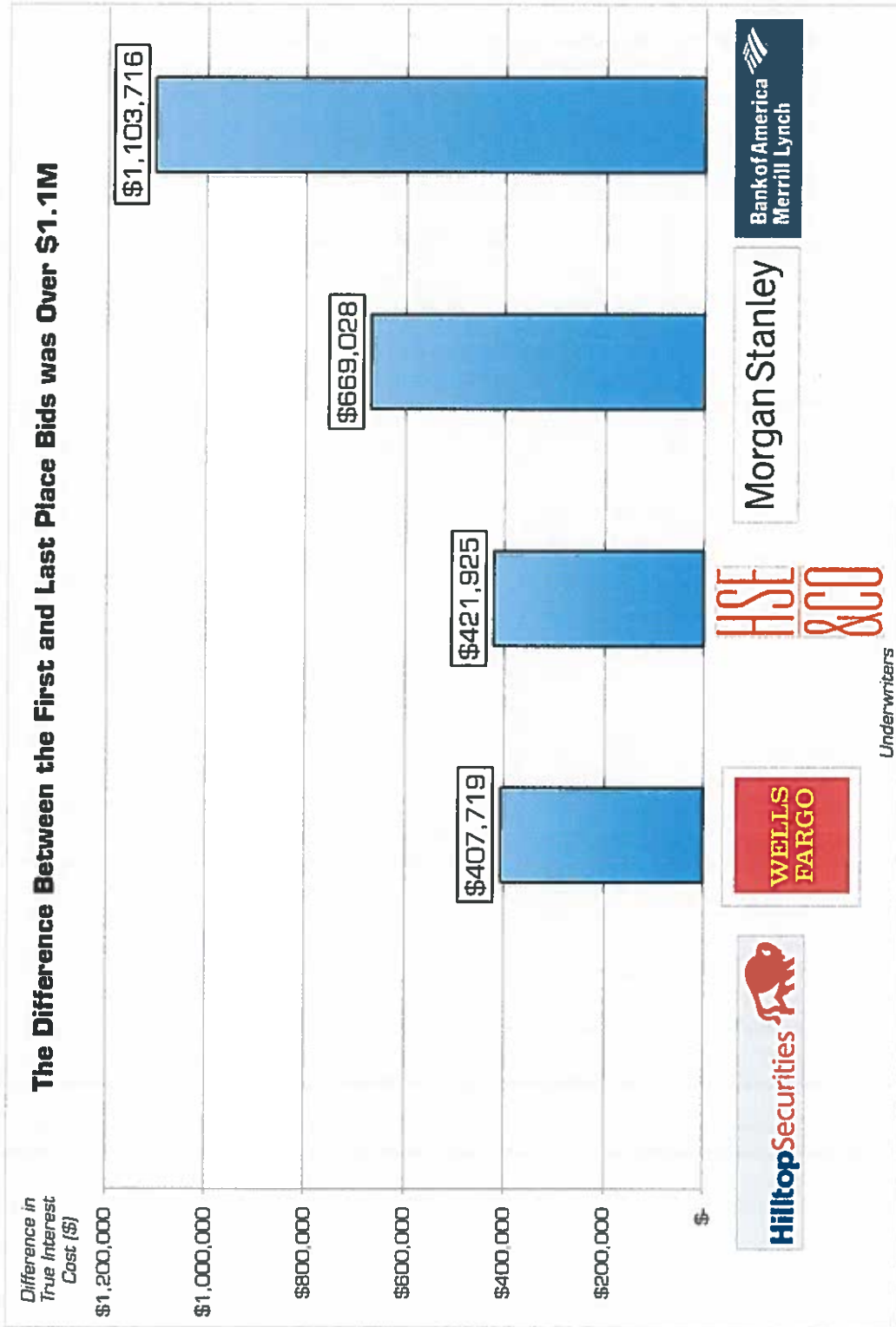


Note: location represents bidder's location.

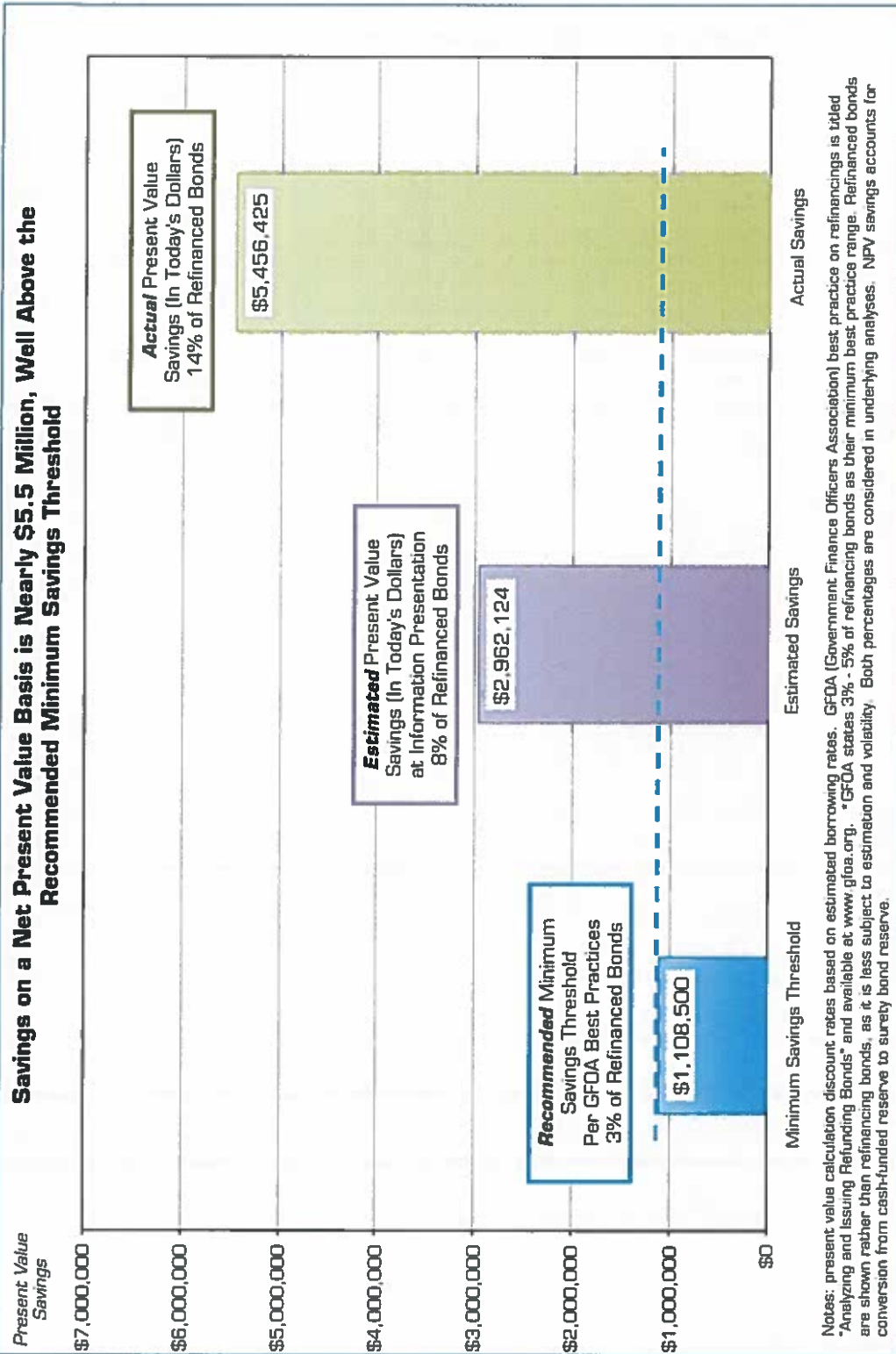
Bid Results



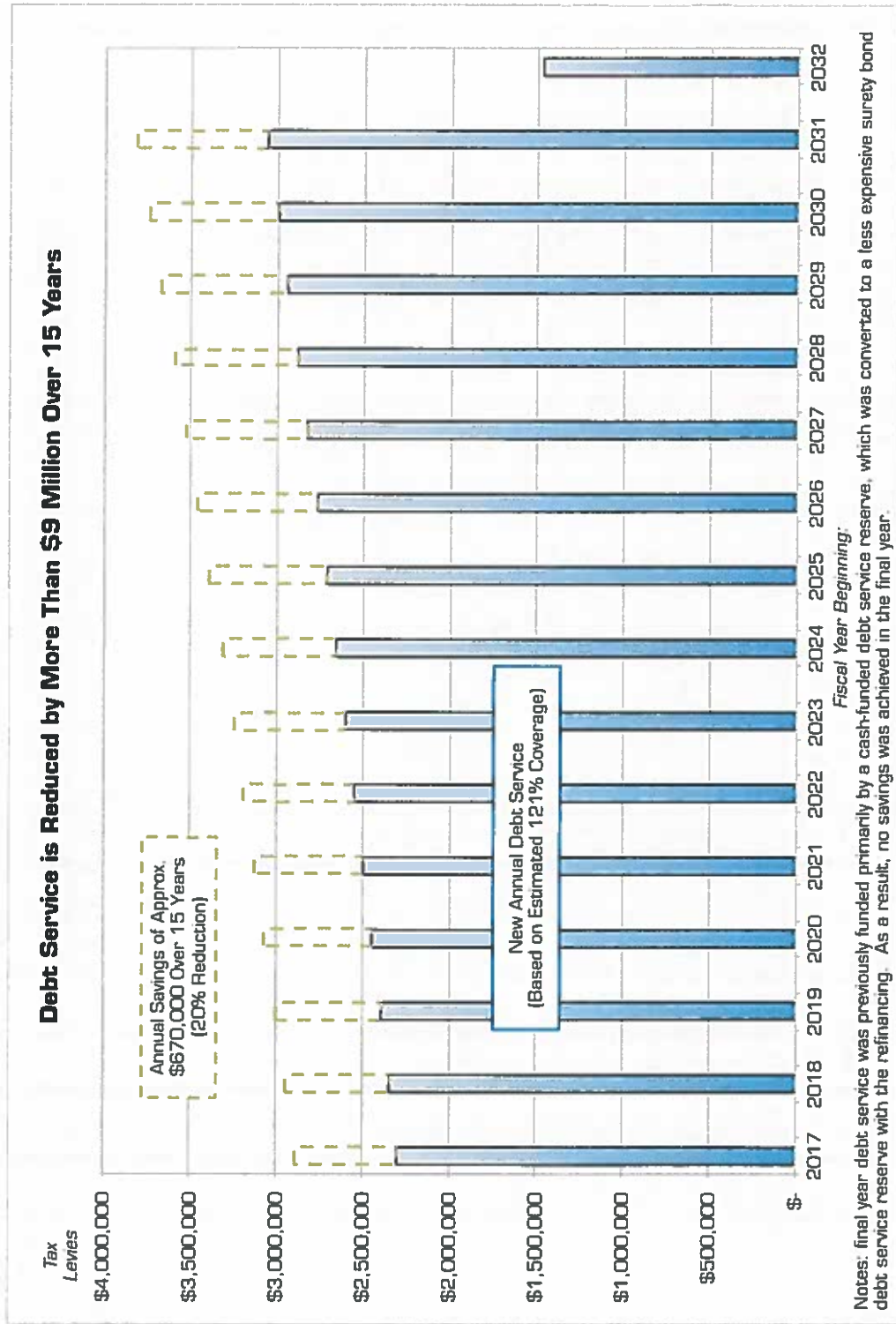
Differences in Bids



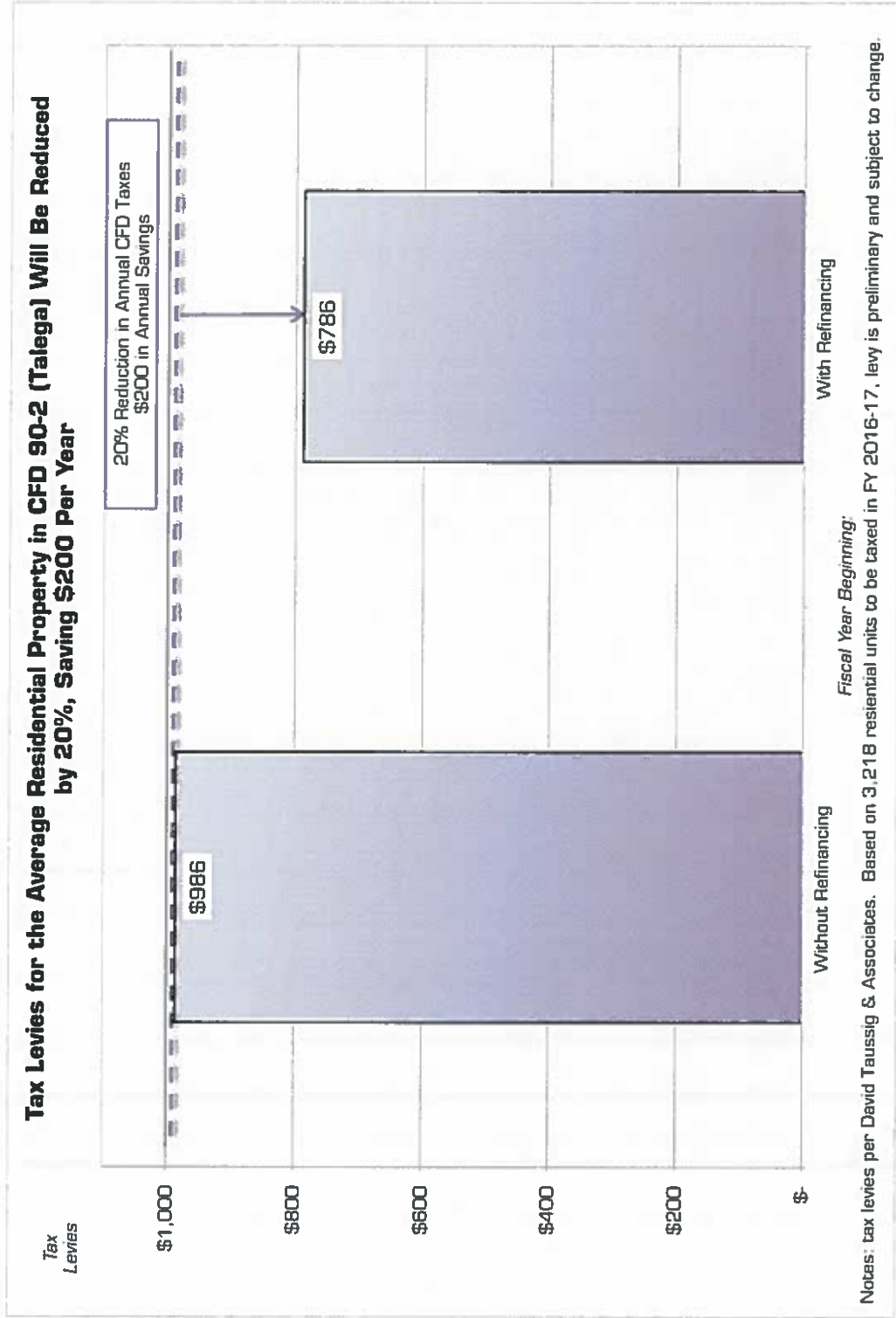
Comparison to NPV Savings Benchmark



\$9M of Debt Service Savings

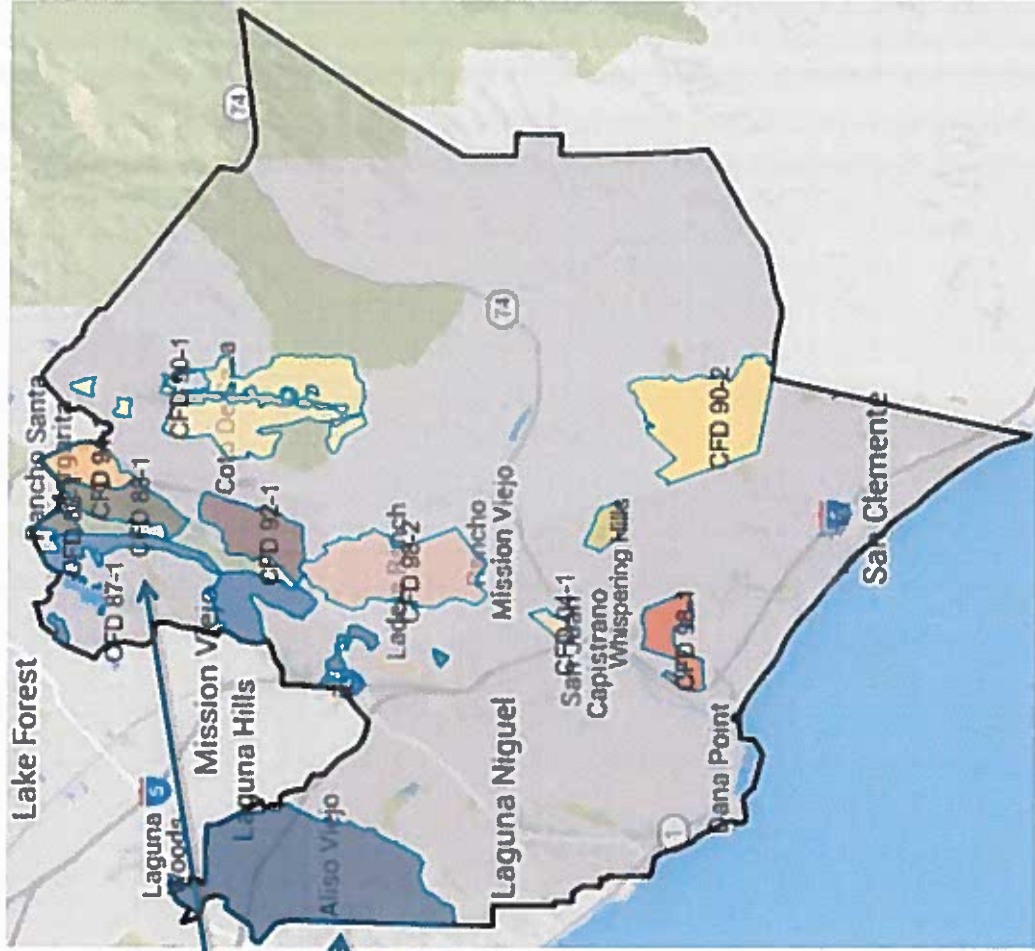


20% Average Tax Levy Savings

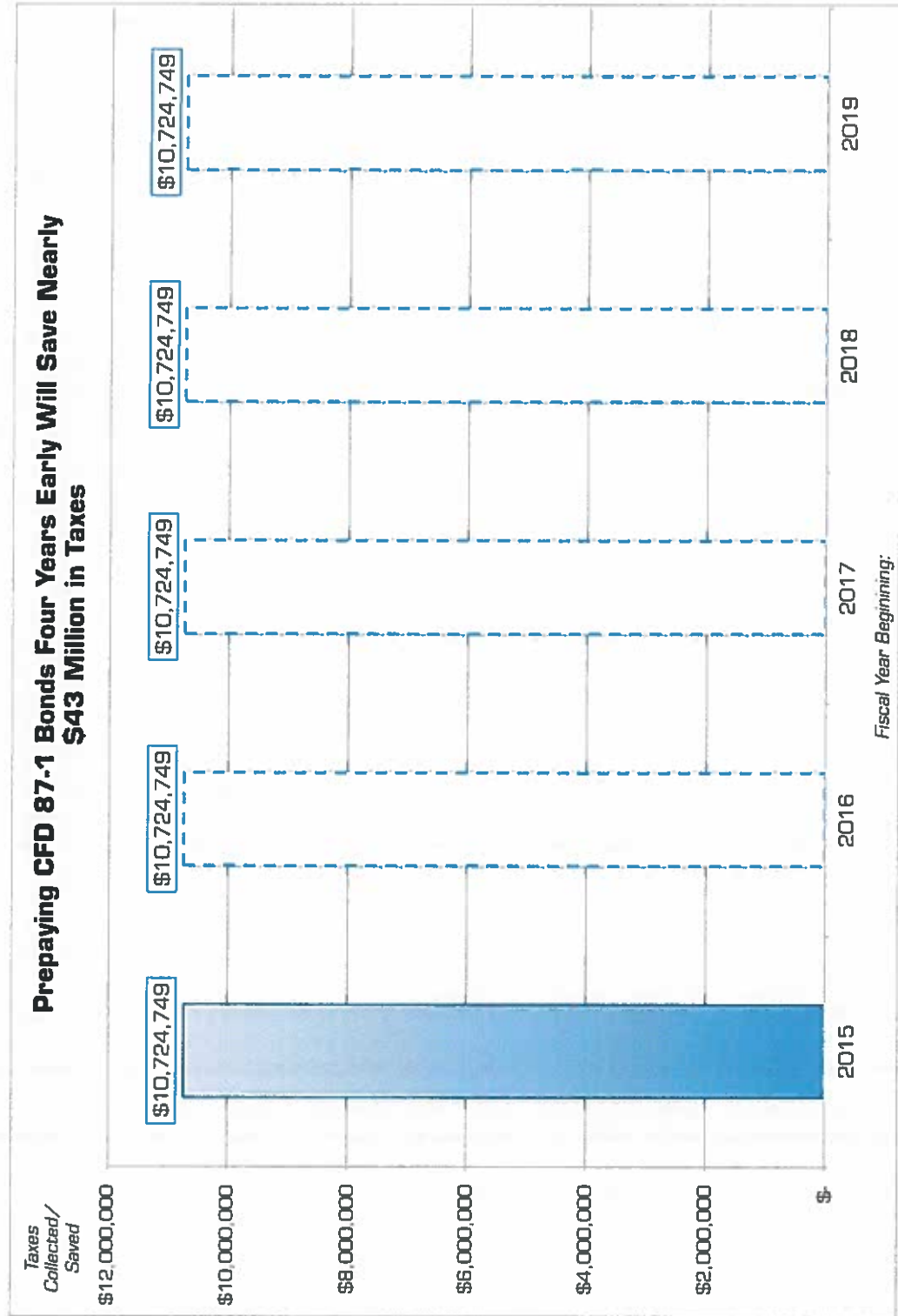


Next Agenda Item

◆ "Mission Viejo/Aliso Viejo" CFD 87-1



CFD 87-1 Prepayment



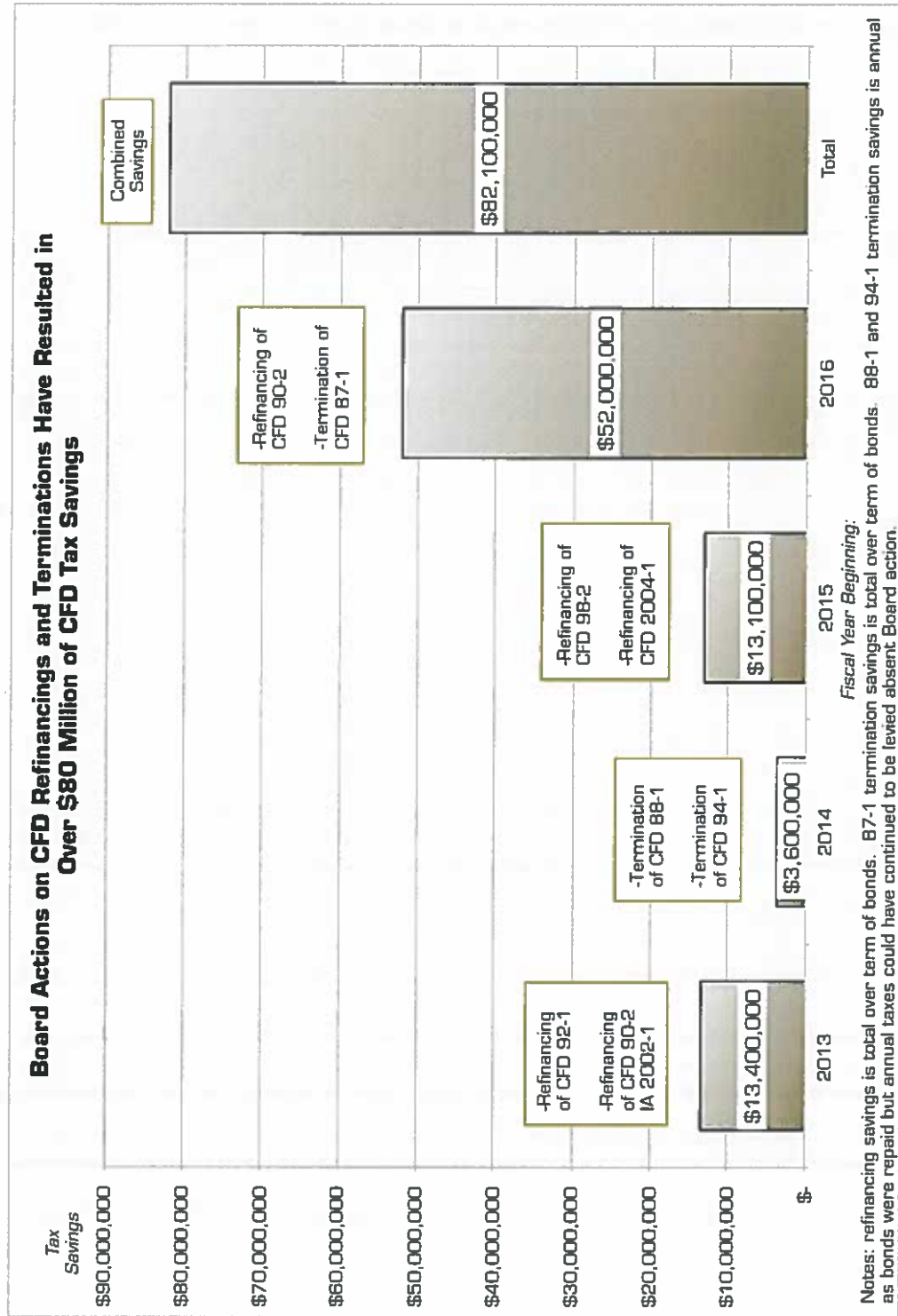
Final Agenda Item

◆ Summary

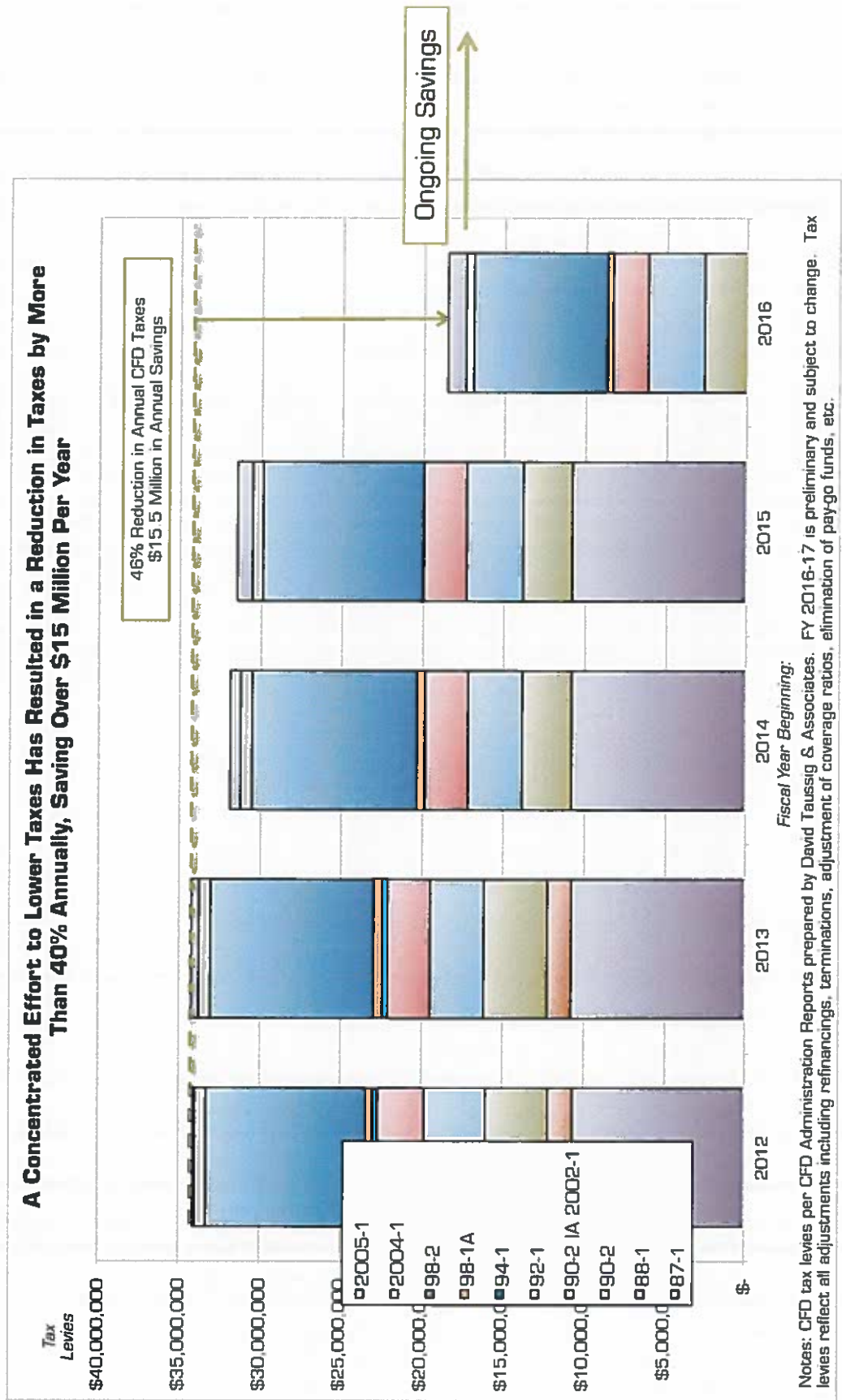
◆ Next Steps



Savings from Refinancings & Terminations



Annual CFD Tax Reductions



Fiscal Stewardship

Average Tax Levy for Residential Properties						
CFD	2012	2013	2014	2015	2016	
87-1	\$424	\$426	\$428	\$428	\$0	
88-1	\$568	\$553	\$0	\$0	\$0	5 Yr Change (\$424) -100%
90-2	\$1,082	\$1,104	\$849	\$933	\$786	(\$568) -100%
90-2 IA 2002-1	\$2,140	\$1,869	\$1,876	\$1,916	\$1,905	(\$296) -27%
92-1	\$1,398	\$1,316	\$1,314	\$1,315	\$1,075	(\$235) -11%
94-1	\$448	\$457	\$0	\$0	\$0	(\$323) -23%
98-1A	\$4,424	\$4,827	\$4,923	\$87	\$3,559	(\$448) -100%
98-2	\$1,254	\$1,280	\$1,286	\$1,250	\$1,039	(\$865) -20%
2004-1	\$5,733	\$5,847	\$5,847	\$5,347	\$3,936	(\$215) -17%
2005-1	\$7,047	\$6,156	\$7,502	\$7,917	\$8,127	(\$1,797) -31%
						\$1,080 15%

Notes: per David Taussig & Associates. FY 2016-17 tax levies are preliminary and subject to change.
There is no tax levy for 98-1B in FY 2016-17 because no building permits were issued prior to January 1, 2016.

✓ 9 out of 10 CFDs have had tax levy reductions.
Annual savings range from 11% to 100%.
(2005-1 Whispering Hills is still developing and issuing bonds).

Transparency and Accountability

- ◆ The District has taken additional steps to further enhance transparency and accountability, including:
 - ▶ Separate, independent CFD Audits
 - ▶ CFD Audit Reports, CFD Administration Reports, and CFD Fiscal Status Reports are now available on the District website
 - ▶ In process with development of a CFD Citizens' Oversight and Advisory Commission
 - ▶ In process with development of CFD Project Expenditure Reports



Next Steps

- ◆ August 17th Board Meeting:
 - ▶ Information update on CFD Commission
 - ▶ Resolutions on Eliminating CFD Pay-As-You-Go Taxes
 - ▶ Resolutions Establishing FY 2016-17 CFD Tax Levies
- ◆ Future Board Meeting:
 - ▶ Update on Whispering Hills Bonds



RESOLUTION NO. 1617-16

RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT ORDERING FORMATION OF SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT

WHEREAS, the Board of Trustees ("Board") of the Capistrano Unified School District ("District") is committed to maintaining the District's high quality of education; and

WHEREAS, 30% of the District's schools are over 40 years old, 70% are over 20 years old, and nearly all schools need repairs and improvements to meet current District and State of California standards; and

WHEREAS, the District must repair, construct, acquire or equip classrooms, sites, and facilities to maintain and improve their safety and security, and help ensure that all students have access to updated 21st century classrooms, labs and school facilities; and

WHEREAS, the District has prepared a Facility Master Plan with periodic cost updates and solicited stakeholder and community input on school facility needs from parents, teachers, staff, and the community; and

WHEREAS, the Board is authorized pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution (also known as "Proposition 39") and Education Code section 15100 et seq. to order elections for the purpose of submitting to the electors in the District the question of whether bonds shall be issued and sold for the purpose of raising money the construction, reconstruction, improvement, rehabilitation, or replacement of school facilities, including the furnishing and equipping of such school facilities, and the acquisition or lease of real property for such school facilities; and

WHEREAS, further, Education Code Section 15300 et seq. ("SFID Law") provides an additional method for financing facilities that will benefit a specific area within the District, and permits the District to seek authorization to issue Proposition 39 general obligation bonds within an area designated as a "school facilities improvement district" ("SFID"), such bonds to be paid from *ad valorem* property taxes levied upon property within the boundaries of the SFID; and

WHEREAS, on July 13, 2016, the Board adopted a Resolution No. 1617-02 entitled "Resolution of the Board of Trustees of the Capistrano Unified School District of Intention to Form a School Facilities Improvement District" ("Resolution of Intention"), stating its intention to form School Facilities Improvement District No. 2 ("SFID No. 2") of the District pursuant to the SFID Law; and

WHEREAS, the Resolution of Intention identified the territory within the District to be included within SFID No. 2 by reference to a boundary map that was made available for public review at the District office; and

WHEREAS, the Resolution of Intention identified and set August 10, 2016 as the date for a public hearing to be held on the formation of SFID No. 2; and

WHEREAS, in accordance with the Resolution of Intention, notice of such public hearing was published on July 26, 2016 and August 2, 2016 in the *Orange County Register*, pursuant to Section 6066 of the California Government Code; and

WHEREAS, on August 10, 2016, the Board conducted the public hearing, during which time the testimony of all interested persons was heard on the formation of SFID No. 2, including any persons owning lands within the District, or in proposed SFID No. 2.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Capistrano Unified School District as follows:

Section 1. All of the above recitals are true and correct.

Section 2. The Board hereby orders the formation of SFID No. 2 for the purposes and within the boundaries described in the Resolution of Intention.

Section 3. The School Facilities Improvement District is hereby designated "School Facilities Improvement District No. 2 of the Capistrano Unified School District" ("SFID No. 2").

Section 4. The estimated cost of carrying out the purpose described in the Resolution of Intention, namely, financing school facilities improvement project consisting of the construction, reconstruction, improvement, rehabilitation, or replacement of school facilities in SFID No. 2, including the furnishing and equipping of such school facilities, and the acquisition or lease of real property for such school facilities, for the benefit of the area of land within SFID No. 2, is \$889,000,000, including costs incidental to the issuance of bonds.

Section 5. The map ("Boundary Map") showing the exterior boundaries of SFID No. 2, and specifically identifying property located within the District that is not located within SFID No. 2, is on file with the Board and in the office of the School District Superintendent. The Superintendent or Deputy Superintendent, Business and Support Services, or a designee thereof, is hereby directed to file, or cause to be filed, a copy of the Boundary Map with the Orange County Registrar of Voters with any approved order of bond election. If a bond measure within SFID No. 2 is successful, the Superintendent or Deputy Superintendent, Business and Support Services, or a designee thereof, is hereby further directed to file the Boundary Map with the County Auditor, County Assessor, the County Superintendent of Schools, the State Board of Equalization and any other required local or State agency, by no later than December 1, 2016, with a certified copy of this Resolution, the Boundary Map, a legal description of SFID No. 2, and any other documents required by Section 54902 of the Government Code.

Section 6. The officers, employees and agents of the District are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

Section 7. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 10th day of August, 2016, by the following vote of the Board of Trustees of the Capistrano Unified School District:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Clerk of the Board of Trustees

President of the Board of Trustees

RESOLUTION #1617-17

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT
ORDERING A SCHOOL BOND ELECTION ON NOVEMBER 8, 2016
WITHIN SCHOOL FACILITIES IMPROVEMENT DISTRICT #2
AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the Board of Trustees ("Board") of the Capistrano Unified School District ("District"), within the County of Orange, California is authorized pursuant to Education Code Section 15300 et seq. to form a school facilities improvement district ("SFID") around a designated area of land within District boundaries and thereafter to order an election within the SFID and designate the specifications thereof, pursuant to Sections 5304 and 5322 of the California Education Code ("Education Code");

WHEREAS, on July 13, 2016, the Board approved Resolution No. 1617-02 Declaring Intention to Form School Facilities Improvement District No. 2 of the Capistrano Unified School District;

WHEREAS, on July 26, 2016 and August 2, 2016, Resolution No. 1617-02 was duly published in the Orange County Register, providing notice to local residents of the District's intention to form School Facilities Improvement District No. 2 of the Capistrano Unified School District ("SFID No. 2"), and notifying the public of a hearing to be held on August 10, 2016 on the question of forming SFID No. 2 for the purpose of funding capital improvements within SFID No. 2; and

WHEREAS, on August 10, 2016, the Board held a duly noticed public hearing regarding formation of SFID No. 2, at which time all interested persons were heard on all matters set forth in Resolution No. 1617-02; and

WHEREAS, on August 10, 2016, after closing the public hearing, the Board adopted Resolution No. 1617-16 Ordering the Formation of School Facilities Improvement District No. 2 of the Capistrano Unified School District; and

WHEREAS, the District must repair, construct, acquire or equip classrooms, sites, and facilities to make them more safe and secure and help ensure that students have access to 21st century classrooms, labs and school facilities;

WHEREAS, the District received community input on facilities and funding from the Community Committee on School Classrooms and Campus Facilities, which developed a consensus report presented to the Board of Trustees, and additional community input from public opinion information research;

WHEREAS, passing a bond measure provides a source of local funding to maintain and improve this community's local school facilities;

WHEREAS, a bond measure will exclusively benefit local schools within SFID No. 2 and no funds can be taken away by the State or other school districts, and by law, no money can be used for administrator salaries or pensions;

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of SFID No. 2 of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified;

WHEREAS, pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution (also known as "Proposition 39"), Section 15100 et seq. and 15300 et seq. of the Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a fifty-five percent (55%) vote of qualified electors voting on a proposition for that purpose, provided certain accountability measures are included in the proposition;

WHEREAS, the Board deems it advisable to submit such a bond proposition to the electors within SFID No. 2 to be approved by fifty-five percent (55%) of the votes cast;

WHEREAS, such a bond election must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election, as required by Section 15266 of the Education Code, and on November 8, 2016, a general election is scheduled to occur throughout the District;

WHEREAS, pursuant to Section 15270 of the Education Code, as applied to bonds of school facilities improvement districts under Section 15350 of the Education Code, if the measure is approved by the voters in SFID No. 2, bonds may only be issued if the tax rate levied to meet the debt service requirements would not exceed sixty dollars (\$60) per year per one hundred thousand dollars (\$100,000) of taxable property when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution; the current estimated and projected tax rate is described in the Tax Rate Statement contained in **Exhibit C** hereto;

WHEREAS, Section 9400 *et seq.* of the California Elections Code requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election;

WHEREAS, in the judgment of the Board, it is advisable to request that the Orange County Registrar of Voters ("County Registrar") act as the election official and call an election and submit to the registered voters of the District the full ballot proposition as detailed below, in coordination with each other as necessary; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election.

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Trustees of the Capistrano Unified School District as follows:

Section 1. Specifications of Election Order. Pursuant to Sections 5304, 5322, 15100 *et seq.*, 15300 *et seq.* and Section 15340 of the Education Code, an election shall be held within the District on November 8, 2016, for the purpose of submitting to the registered voters of SFID No. 2 of the District the full ballot proposition contained in **Exhibit B** ("Full Ballot Text"), which Full Ballot Text is hereby approved. The County Registrar shall provide for the performance of its duties in accordance with Education Code section 5303.

Section 2. Abbreviation of Proposition. Pursuant to Section 13247 of the California Elections Code and Section 15122 of the Education Code, the Board hereby

directs the County Registrar to use the abbreviation of the Full Ballot Text that is attached hereto as **Exhibit A**.

Section 3. Voter Pamphlet. The County Registrar is hereby requested to reprint the Full Ballot Text in its entirety in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. In the event the Full Ballot Text is not reprinted in the voter information pamphlet in its entirety, the County Registrar is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

"The above statement is an impartial analysis of Measure ____.
If you desire a copy of the measure, please call the Orange
County Registrar of Voters at _____ and a copy will be
mailed at no cost to you."

Section 4. Accountability Measures. Pursuant to legal requirements, and as specified in the Full Ballot Text, the Board certifies that the District:

- (a) Has evaluated the facilities needs of the District and, as required by law, has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in the Full Ballot Text;
- (b) Will establish an independent Citizens' Bond Oversight Committee to ensure that bond proceeds are expended only for the school facilities projects described in the Bond Project List, in accordance with Education Code section 15278 et seq.;
- (c) Will conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List;
- (d) Will conduct or cause to be conducted an annual independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects described in the Bond Project List; and
- (e) Shall take all actions to establish an account in which proceeds of the sale of the bonds will be deposited, and to cause a report to be filed with the Board no later than each January 1 identifying proceeds received and expended in the past fiscal year and the status of any project funded or to be funded with bond proceeds. The first report shall be due no later than January 1 of the first year after which bonds have been issued and proceeds spent.

Section 5. Orange County Taxpayer Association Criteria. In its capacity as stewards of public funds, the Board will develop and implement a fiscally responsible, accountable and transparent bond program, conducted in accordance with the following principles and actions:

- (a) There is a clear need to build and modernize facilities, as documented by the Facilities Master Plan and individual school site plans.

- (b) The Bond Project List describes specifically how bond funds will be spent. The District shall additionally seek input from the community with regard to the priorities and timing for the implementation of construction projects.
- (c) The District shall spend bond funds solely to meet capital facility needs. More specifically, bonds will pay for construction and modernization of school facilities, including safety improvements. The District shall not spend bond money on routine annual maintenance, operations, or teacher and administrator salaries and benefits.
- (d) The facilities will have useful lives at least as long as the term of the bonds. The term of each bond series is planned for 25 years, and the average useful life of the facilities projects being financed is expected to be at least as long, so that taxpayers are not paying taxes on debt outstanding after bond-financed projects and equipment have become obsolete. Bond funds will not be used to pay for computers and computing devices, vehicles, audio-visual aids, or other devices that will become obsolete while the bond debt is outstanding.
- (e) Bonds will be issued incrementally, in multiple series, consistent with the District's projected construction expenditure plans, and taking into account estimated interest rates.
- (f) Interest rates on the bonds will be no higher than the market rates for municipal bonds, measured at the time of sale. The District intends to sell the bonds via competitive bid to ensure that it obtains the lowest rates available in the market, consistent with published best practices.
- (g) The District will set aside funds annually from the General Fund into a special reserve for the purpose of meeting future construction, deferred maintenance and other major repair needs. Over the planned ten year period of the bond program, the special reserve will meet or exceed the recommended savings of 2 percent to 4 percent of the value of the Bonds issued (\$18 million - \$35 million in total, or approximately \$1.8 million to \$3.5 million per year);
- (h) The District will budget at least 2 percent of its operating budget towards the routine annual maintenance of facilities;
- (i) The District will maintain a level of reserve equal to at least 2-3 percent of General Fund expenditures for economic uncertainties, such reserves to be funded by general fund dollars and not bond funds;
- (j) The District will have an annual outside, independent financial and performance audit conducted on bond proceeds and expenditures;
- (k) The Board will appoint a Citizens' Bond Oversight Committee, composed of local community members, who shall verify that bond proceeds are spent in accordance with the District's bond project list. The Citizen's Bond Oversight Committee shall meet all requirements of Education Code section 15278-15282 with regard to its membership, duties, activities and responsibilities to the public, and no employee, official, vendor, contractor or consultant of the District be appointed to said Committee.

- (l) Projects to be funded will be eligible for State of California matching funds, if available. Preliminarily, the District estimates that projects to be funded will be eligible for nearly \$230,000,000 in State of California matching funds, assuming that the State Facilities Program continues to be funded by state bond measures. The District shall pursue such funds as available.
- (m) The District plans to build and modernize its facilities via competitive bid and requiring prevailing wage in accordance with applicable law, and does not plan to enter into a Project Labor Agreement.

Section 6. Required Vote. Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the State Constitution, the above proposition shall become effective upon the affirmative vote of at least fifty-five percent (55%) of those voters voting on the proposition.

Section 7. Request to County Officers to Conduct Election/Cost of Election. The County Registrar is hereby requested, pursuant to section 5322 of the California Education Code, to take all steps to call and hold the election in accordance with law and these specifications. The District will reimburse the Registrar and the County for costs associated with the election as required by law.

Section 8. Consolidation of Election and Canvass of Vote.

(a) Pursuant to Section 10418 of the Elections Code, the election shall be consolidated with the election on November 8, 2016.

(b) The Board of Supervisors of Orange County is authorized and requested to canvass the returns of the election, as necessary, pursuant to Section 10411 of the California Elections Code.

Section 9. Delivery of Order of Election to County Officers. The Clerk of the Board is hereby directed to deliver or cause to be delivered, no later than August 12, 2016, (which date is 88 days prior to the date set for the election), one copy of this Resolution to the County Registrar with the completed Tax Rate Statement (in substantially the form attached hereto as **Exhibit C**), completed and signed by the Superintendent or her designee, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of Orange County.

Section 10. Ballot Arguments. The members of the Board are hereby authorized to prepare and file with the County Registrar a ballot argument in favor of the proposition contained in Section 1 hereof, within the time established by the County Registrar.

Section 11. Further Authorization. The members of this Board, the Superintendent, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this Resolution, including modification of the Full Ballot Text, the ballot measure summary or Tax Rate Statement if he or she determines such modifications are necessary and in the District's best interests. Any such modifications shall be ratified thereafter by the Board.

Section 12. Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this day, August 10, 2016, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

President of the Board of Trustees of the
Capistrano Unified School District

Attest:

Clerk of the Board of Trustees of the
Capistrano Unified School District

EXHIBIT A

SUMMARY OF BALLOT MEASURE

To upgrade neighborhood schools by repairing outdated classrooms; improving science, technology, engineering, and math labs; ensuring fire/drinking water safety; removing asbestos; replacing leaky roofs; upgrading safety/security; repairing, constructing, and equipping educational facilities to prepare students for college/vocational/military careers, shall School Facilities Improvement District #2 of the Capistrano Unified School District issue \$889 million in bonds at legal interest rates, requiring an independent citizens' oversight committee, annual independent audits, no funds for administrator or teacher salaries/benefits, and all funds used locally?

Bonds—YES _____

Bonds--NO _____

EXHIBIT B

SCHOOL FACILITIES IMPROVEMENT DISTRICT NO. 2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT BOND PROPOSITION FULL BALLOT TEXT

By approval of this measure by at least fifty-five percent (55%) of the registered voters voting thereon, School Facilities Improvement District No. 2 ("SFID No. 2") of the Capistrano Unified School District shall be authorized to issue and sell bonds of up to \$889 million in aggregate principal amount to provide financing for the specific school facilities projects located within SFID No. 2 and listed below in the Bond Project List, subject to all of the accountability safeguards specified herein.

KEY FINDINGS

The Capistrano Unified School District is committed to continuing a strong, high-quality educational program for the students in all of its local public schools and to attracting and retaining quality staff by providing safe and secure schools that are equipped to support changing educational needs, methods and standards.

Through this process, the Capistrano Unified School District Board of Trustees determined that the District's schools located within SFID No. 2 require repairs and upgrades, including updates to facilities to meet current health, safety, fire, and earthquake standards. Specifically, as further described in the Bond Project List, the Board of Trustees desires in summary to:

- Provide schools with urgently needed repairs;
- Keep schools safe, clean and secure;
- Replace outdated utility and energy systems;
- Upgrade classrooms, labs, science and vocational training rooms to better prepare students for college and careers;
- Improve and expand access to 21st century technology in the classroom and in student support facilities.

ACCOUNTABILITY MEASURES

The provisions in this section are included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Section 15264 *et seq.* of the California Education Code).

Evaluation of Needs. The Board of Trustees has evaluated the facilities needs of the District, and has identified projects to finance from a local bond measure at this time. As required by law, the Board of Trustees has certified that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Independent Citizens' Oversight Committee. The Board of Trustees shall establish an independent Citizens' Oversight Committee in accordance with Education Code sections 15278-15282 and applicable Board policy, to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. The committee shall be

established within sixty (60) days of the date when the Board of Trustees enters the results of the election in its official minutes.

School Facilities and Finance Advisory Committee. The Superintendent shall establish a School Facilities and Finance Advisory Committee as an administrative advisory committee in accordance with Board Policy 1220, to provide input, advice and recommendations on topics pertaining to school facilities and finance, including the implementation of the general obligation bond program. The committee is planned to include regional representation from school families throughout the District. The details for committee membership, representation, terms, appointment and similar details shall be determined by the Superintendent.

School Family Regional Committees. The Superintendent shall also establish school family regional committees by high school boundary, with representation from each school within the high school boundary, local stakeholder groups and organizations. The regional committees shall collaborate with the School Facilities and Finance Advisory Committee to provide input, advice and recommendations on school facilities and finance within their particular high school boundary. The details for committee membership, representation, terms, appointment and similar details shall be determined by the Superintendent.

Annual Performance Audit. The Board of Trustees shall conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List.

Annual Financial Audit. The Board of Trustees shall conduct or cause to be conducted an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects described in the Bond Project List.

Annual Report to Board. Upon approval of this measure and the sale of any bonds approved, the Board of Trustees shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent shall cause a report to be filed with the Board of Trustees no later than January 1 of each year, commencing on the first January 1 after bonds have been issued and proceeds spent, stating (1) the amount of bond proceeds received and expended in the past fiscal year, and (2) the status of any project funded or to be funded from bond proceeds. The report may be incorporated into the annual budget, annual financial report, or other appropriate routine report to the Board.

BOND PROJECT LIST

This Bond Project List, which is an integral part of this proposition, describes the specific projects the District proposes to finance with proceeds of the bonds.

Proceeds from the sale of bonds authorized by this measure shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities as described on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including teacher and administrator salaries or benefits, and other school operating expenses.

In order to meet all identified facility needs, the District intends to complete projects using a combination of funding sources. These sources may include District funds, development impact fees, state funds (if available), and other available funds. While the District is eligible to receive State-matching funds and intends to aggressively pursue State funding that becomes available, approval of the measure does not guarantee that all of the proposed projects will be funded beyond the local revenues generated by the measure. Some of the projects listed on the Bond Project List may require state matching funds, and in the absence of such funding, the District may not be able to complete some of the projects.

The primary types of facilities projects to be funded by the bond measure, guided by the Facilities Master Plan, the Board-adopted facilities minimum standards, and community input, include, without limitation, the following:

- Health, Safety and Security Improvements
- Americans with Disabilities Act (ADA) Compliance
- Repairs and Renovations to Classrooms and Buildings
- Basic Infrastructure and Utility Upgrades
- Career and Technical Education Facilities
- 21st Century Learning Spaces
- Construction and Renovation of Science and Computer Labs
- Classroom Construction and Replacement of Aging Portable/Temporary Classrooms
- Performing Arts Centers and Classrooms
- Physical Education Facilities and Outdoor Classrooms

Notwithstanding the capital facilities priorities, projects on the Bond Project List may be completed at any and all school sites and facilities within SFID No. 2 where such project is determined by the Board to be necessary, and projects are authorized to be performed at each and all of the District's schools and sites within SFID No. 2 to benefit school campuses and educational programs, including charter schools, that may be operating on such campus, including without limitation (in alphabetical order):

- | | |
|---|--|
| 1. Aliso Niguel High School | 5. Bathgate Elementary School |
| 2. Aliso Viejo Middle School | 6. Benedict Elementary School |
| 3. Arroyo Vista Elementary School/Middle School | 7. Bernice Ayer Middle School |
| 4. Barcelona Hills Elementary School Site (housing Oxford Preparatory Charter School) | 8. Bridges Community Day High School (including Adult Transition Program campus) |
| | 9. Cal Prep/Fresh Start |

- | | |
|---|---|
| 10. Canyon Vista Elementary School | 31. Las Palmas Elementary School |
| 11. Carl Hankey Elementary School/Middle School | 32. Marblehead Elementary School |
| 12. Capistrano Valley High School | 33. Marco Forster Middle School |
| 13. Castille Elementary School | 34. Marion Bergeson Elementary School |
| 14. Chaparral Elementary School | 35. Moulton Elementary School |
| 15. Clarence Lobo Elementary School | 36. Niguel Hills Middle School |
| 16. Concordia Elementary School | 37. Oak Grove Elementary School |
| 17. Crown Valley School Site (housing Community Roots Academy and Orange County Academy of Sciences and Arts Charter Schools) | 38. Oso Grande Elementary School |
| 18. Dana Hills High School | 39. Palisades Elementary School |
| 19. Del Obispo Elementary School | 40. Regional Occupation Program/College and Career campus |
| 20. Don Juan Avila Elementary School/Middle School | 41. R.H. Dana Elementary School/Dana Exceptional Needs Facility |
| 21. Fred Newhart Newhart Middle School | 42. Phillip Reilly Elementary School |
| 22. Foxborough School Site (housing Journey Charter School) | 43. San Clemente High School |
| 23. George White Elementary School | 44. San Juan Elementary School |
| 24. Harold Ambuehl Elementary School | 45. San Juan Hills High School |
| 25. Hidden Hills Elementary School | 46. Serra High School (including Adult Education Center) |
| 26. John S. Malcom Elementary School | 47. Shorecliffs Middle School |
| 27. Kinoshita Elementary School | 48. Tesoro High School |
| 28. Ladera Ranch Elementary School/Middle School | 49. Tijeras Creek Elementary School |
| 29. Laguna Niguel Elementary School | 50. Viejo Elementary School |
| 30. Las Flores Elementary School/Middle School | 51. Vista Del Mar Elementary School/Middle School |
| | 52. Wagon Wheel Elementary School |
| | 53. Wood Canyon Elementary School |

Additional sites may include the locations of student and educational support services, such as student transportation, food service, maintenance and operations facilities, excluding the Education Center (District Office).

Plans for specific projects at specific schools additionally include the following:

REPAIRS / UPGRADES / IMPROVEMENTS

A large number of aging school facilities require varying degrees of updates to infrastructure and utility systems, repair or replace leaky roofs, and comprehensive facility modernization. The level of renovation/modernization required at each campus depends upon the age and condition of the existing facility.

- **ALL SCHOOL SITES** – Renovation of student services facilities at older campuses to accommodate staff and student needs. Renovation/expansion of existing restrooms per the Uniform Plumbing Code. Comprehensive modernization of the older campuses, including the repair/replacement of building systems, roofing, covered walkways, structural repairs, upgraded technology infrastructure, HVAC systems, and interior/exterior finishes. Improvement of interior classroom environment with natural daylighting, acoustic control, and HVAC upgrades/repairs. Construction and renovation at sites with existing historical buildings will maintain the characteristics of their historical period and surrounding community. For example, renovation at Las Palmas ES will consist in part of reconstruction of the buildings built prior to 1933 in compliance with The Secretary of the Interior's Standards for the Treatment of Historical Properties.
- **HIGH SCHOOLS** – Comprehensive modernization of older buildings at all high schools. Renovation of science classrooms, existing band and music rooms, gymnasium, and food services at Aliso Niguel HS. Renovation of student services, food services, and locker rooms at Capistrano Valley HS. Renovation of multi-purpose/physical education facility at Junipero Serra HS. Renovation of Triton Center, auto shops, digital photo lab, dance room, locker room, multi-purpose/physical education facility at San Clemente HS. Renovation/replacement of multi-purpose room, restroom facilities, snack bar, swimming pool and aquatic facility at Dana Hills HS. Pools will be renovated/built substantially to USA Swimming standards where possible. Renovation of music, choral, drama and locker rooms at Tesoro HS.
- **MIDDLE SCHOOLS** – Renovation of multi-purpose room at Vista Del Mar MS, Bernice Ayer MS, and Newhart MS. Renovation of science room and computer lab at Vista Del Mar MS. Remodeling of student services area at Aliso Viejo MS. Renovation of library/media center and restroom facilities at Bernice Ayer MS and Don Juan Avila MS.
- **ELEMENTARY SCHOOLS** –Remodeling/expansion of kindergarten classrooms to meet California State Department of Education (CDE) standards. Renovation and/or expansion of existing library/media centers typical at older elementary schools. Renovation of kitchen at Crown Valley ES. Creation of new nurse's office through renovation of existing building and remodeling of existing studio at John S. Malcom ES. Renovation of multi-purpose building at Laguna Niguel ES and Moulton ES. Renovation of library/media centers at R.H. Dana ES & ENF, Don Juan Avila ES, Marian Bergeson ES, Clarence Lobo ES, Las Palmas ES, Concordia ES, Tijeras Creek ES, San Juan ES, Palisades ES, Harold Ambuehl ES, Wagon Wheel ES, Carl Hankey ES, and Castille ES. Replacement of operable walls with permanent construction at classrooms in Truman Benedict ES. Renovation of kindergarten classrooms at Oso Grande ES, Laguna Niguel ES, Chaparral ES,

<p>Arroyo Vista ES, and Las Palmas ES. Provide RSP room at Chaparral ES. Enlarge classrooms at Laguna Niguel ES that are smaller than 960 square feet. Remodel music classroom at Kinoshita ES. Renovate kitchen at Las Palmas ES.</p>
<p align="center">FIRE SAFETY / ADA / SECURITY / IMPROVEMENTS</p> <p>Update fire/life/safety systems and improve ADA accessibility and security at all school sites. Modernize security systems, emergency communication systems, door hardware and perimeter fencing. Retrofit older school buildings for earthquake safety. Remove hazardous materials from school sites.</p> <ul style="list-style-type: none"> • ALL SCHOOL SITES – Renovation of sites and buildings to improve ADA accessibility per the Division of State Architect (DSA) requirements. Fire access roads shall be modified to meet the requirements of the Orange County Fire Department current codes. The width and turn-around radius for all fire access roads will be modified as necessary per code. Improve circulation and security to separate specialty programs that utilize the school site during regular hours. Make structural repairs at various school sites. Upgrade individual classroom door hardware to allow rapid securing of all classrooms in an emergency. Secure the perimeter of each campus to control access of all visitors to the site. • COMMUNICATION SYSTEMS – Renovate, upgrade, and/or replace existing communications, internet, intrusion alarm, telephone, public address, surveillance and other security systems at all sites as necessary.
<p align="center">21st CENTURY LEARNING / SUSTAINABLE ENVIRONMENT FACILITIES IMPROVEMENTS</p> <p>Renovate existing classrooms to support a 21st century learning environment. Classrooms shall be configured for flexibility, wireless technology, and capability to promote project-based learning and a collaborative learning environment.</p> <ul style="list-style-type: none"> • ALL SCHOOL SITES – Modernize, upgrade, renovate, re-configure, construct, and expand facilities to support 21st century educational practices. Create acoustical separation between all classrooms at older school sites. Classrooms smaller than the minimum State Department of Education standard of 960 square feet shall be enlarged. Improve acoustical separation between spaces where required. Renovation of Library/Media Centers at all older campuses to accommodate the latest technology infrastructure requirements and collaborative work spaces. Upgrade or provide wireless accessibility for all areas of each campus. • NEW STATE STANDARDS – Renovation of existing classrooms to support and encourage collaboration, communication, critical thinking and problem solving, creativity and innovation, and civility.

REPLACEMENT OF AGING MODULAR CLASSROOMS

The District has a large number of aging modular classrooms that need to be demolished. These older buildings will be replaced with permanent construction or new modular classrooms.

- ALL SCHOOL SITES – Build new classroom buildings with proportionate restroom facilities, circulation, and support facilities to replace the oldest modular buildings. Provide new covered walkways connecting new classrooms to existing core campus. Projects will also include required fire/life/safety, ADA, and structural improvements as defined by DSA.

EXPANSION & ADDITION OF NEW FACILITIES

Equity of facilities needs to be addressed to offer a comparable educational experience for all students throughout the District. There is a greater need for facility expansions and additions at the older campuses.

- ALL SCHOOL SITES – Install new shade structures and courtyard space at older school sites. Construct new restroom facilities where existing number of fixtures does not comply with the Uniform Plumbing Code. Increase high school parking areas/spaces as modular classrooms are replaced by two-story permanent construction. Expand student services facilities at most old school sites.
- HIGH SCHOOLS – Build new/expanded library/media center at Aliso Niguel HS, Junipero Serra HS, San Clemente HS, and Dana Hills HS. Construct new student services building at San Clemente HS. Build new auxiliary gymnasium at Dana Hills HS. Construct new dance room, locker room expansion, and weight room at Aliso Niguel HS. Construct new performing arts center at Aliso Niguel HS, Tesoro HS, Dana Hills HS, and San Clemente HS, consistent with existing HS performing arts centers built in the District over the past ten years. Add new instrument storage at Tesoro HS. Build new adult student services facilities at Junipero Serra HS. Expand food services facilities at San Clemente HS, Tesoro HS, and Capistrano Valley HS. Expand and build new bleachers at Tesoro HS, Capistrano Valley HS, Dana Hills HS and San Clemente HS. Expand and build new locker room, team room, and offices at Dana Hills HS, San Clemente HS and Tesoro HS. Construct new aquatic facility at San Clemente HS to include long course pool to USA Swimming standards. Renovate/replace pool at Dana Hills HS.
- MIDDLE SCHOOLS – Build new multi-purpose/physical education facility at Don Juan Avila MS, Bernice Ayer MS, Shorecliffs MS, Niguel Hills MS, Marco Forster MS, Ladera Ranch MS, Arroyo Vista MS, Vista Del Mar MS, Newhart MS, and Aliso Viejo MS. Create new food services area at Shorecliffs MS and Newhart MS. Expand to adequate size or construct new lunch shelters at all middle schools as required. Expand student services facility at most older school sites. Expand existing or add new library/media center at Newhart MS, Shorecliffs MS, Niguel Hills MS. Construct new music room at Niguel Hills MS, Marco Forster MS, Newhart MS, and Shorecliffs MS. Construct new fitness room/weight room at Bernice Ayer MS, Las Flores MS, Vista Del Mar MS, Shorecliffs MS, and Newhart MS. Build new science rooms at Bernice Ayer MS. Build new locker room and P.E. classroom at Marco Forster MS, Niguel Hills MS, and Bernice Ayer MS. Add dance room and weight room at Shorecliffs MS and Don Juan Avila MS. Install new decomposed granite track at athletic field at all middle school sites. Build choral room at Vista Del Mar MS.

Expand computer lab at Vista Del Mar MS.

- **ELEMENTARY SCHOOLS** – Expand multi-purpose rooms at Laguna Niguel ES, Castille ES, Viejo ES, Moulton ES, and Truman Benedict ES to accommodate school capacity. Add new multi-purpose facility and kitchen at Las Palmas ES, Ladera Ranch ES, Harold Ambuehl ES, Las Flores ES, Palisades ES, and Marian Bergeson ES. Add new food services addition at Kinoshita ES and Harold Ambuehl ES. Build new/expanded student services facility at most older school sites. In some cases, new modular classrooms will be added to sites to address current capacity needs. Build new/expanded library/media center at Philip J. Reilly ES, Wagon Wheel ES, Del Obispo ES, Crown Valley ES, Tijeras Creek ES, San Juan ES, Harold Ambuehl ES, George White ES, Marblehead ES, Hidden Hills ES, Moulton ES, Clarence Lobo ES, R.H. Dana ES & ENF, and Truman Benedict ES. Construct new music classrooms at Oak Grove ES, Carl Hankey ES, Harold Ambuehl ES, Castille ES, Hidden Hills ES, John S. Malcom ES. Add additional kindergarten classrooms at Oak Grove ES, Bathgate ES, Carl Hankey ES, Viejo ES, Crown Valley ES, Ladera Ranch ES, Harold Ambuehl ES, Tijeras Creek ES, Chaparral ES, Del Obispo ES, San Juan ES, Arroyo Vista ES, Concordia ES, Palisades ES, Clarence Lobo ES, George White ES, Truman Benedict ES, Moulton ES, and R.H. Dana ES & ENF. Expand or construct adequate lunch shelters at Marian Bergeson ES and Wood Canyon ES. Build new multi-purpose/physical education facility at Carl Hankey ES. Install new play equipment and create improved play and athletic areas at several older elementary schools. Install new modular restroom at Hidden Hills ES. Build new music room/outdoor amphitheater at Harold Ambuehl ES and Chaparral ES.

MISCELLANEOUS IMPROVEMENTS

Additional site and building improvements will be required at all campuses depending upon the scope of work defined and discovery revealed during the construction document phase of each project.

- **GENERAL SITE IMPROVEMENTS** – Improve and enlarge play areas to meet CDE standards. Play surfaces at some sites need to be replaced or improved. Install new play equipment at various sites. New basketball courts where required at both middle and high schools. Repair/replace site utilities as necessary. Provide adequate parking for staff and visitors where possible. Improve existing concrete walkways where damaged to improve accessibility. Undersized kindergarten play areas will be enlarged and improved. Turf areas will be expanded and renovated at sites where existing conditions are substandard. Site drainage issues will be improved to address storm water management and erosion control. Upgrade both electrical service and low voltage systems at site as required.
- **SPECIFIC SITE IMPROVEMENTS** – Add new tennis courts at Aliso Niguel HS. Add new school entry at Viejo ES. Install steel shade structure at Las Flores MS. Add new concrete stairs at Hidden Hills ES. Build new trash enclosure at Moulton ES, Ladera Ranch ES and Wagon Wheel ES. Create new courtyard, Relocate tennis courts, elevator, and added parking at Dana Hills HS. Create new courtyard with lights at Tesoro HS and Shorecliffs MS. Expand bleachers at Capistrano Valley HS, Dana Hills HS, and San Clemente HS. Construct new student quad at Aliso Niguel HS. Create new outdoor amphitheater at Harold Ambuehl ES. Build new baseball field at San Juan Hills HS.
- **CONSTRUCTION STAGING** – The contractor's use of the site for the placement of a

temporary office, staff parking, and storage of materials will necessitate the need to replace and repair site work when the project is completed.

- **OTHER COSTS** – Unforeseen conditions revealed during construction, renovation, and modernization. These include utilizes not discovered in the site survey or as-built drawings, structural damage due to dry rot, or other unknown conditions.
- **STUDENT SUPPORT FACILITIES** – construction, reconstruction, rehabilitation, replacement, equipping, and/or furnishing of facilities for student and educational support services, such as student transportation, food service, maintenance, and operations facilities, excluding the Education Center.
- **TEMPORARY FACILITIES** – Temporary facilities required to support the construction phase of each project will be determined as the scope of work is finalized. The demolition and replacement/relocation of utilities, landscape and irrigation, and hardscape will be necessary to accommodate the campus improvements.

Listed projects, repairs, improvements, rehabilitation projects and upgrades will be completed only as feasible, and the listing of projects does not imply a particular prioritization among such improvements. Listed projects may be completed at any and all District schools, sites and education buildings where such project is determined necessary. Decisions regarding the scope, final size and location, timing, prioritization or other facets of project implementation will be made solely by the Board of Trustees by subsequent action, with input from the School Facilities and Finance Committee and School Family Regional Committees of the District. Where terms such as “renovate,” “upgrade,” and “improve” are used in the Bond Project List, the Board of Trustees shall determine the best method for accomplishing the project’s objective. For any listed project involving renovation or modernization of a building or the major portion of a building, the District may proceed with new replacement construction instead (including any necessary demolition), if the District determines that replacement and new construction is more practical than renovation, considering the building’s age, condition, expected remaining life, comparative cost, and other relevant factors. In addition, where feasible, projects may be completed in partnership with other agencies on a joint use basis using bond proceeds.

Each project is assumed to include its share of costs of bond issuance, architectural, engineering, and similar planning costs, construction management, bond project staff and consultants, staff development and training expenses associated with learning construction techniques and approaches, new bond-funded equipment and systems, and a customary contingency for unforeseen design and construction costs. In addition to the projects listed above, the Bond Project List also includes payment of the costs of preparation of all facilities planning and project implementation studies, feasibility and assessment reviews, master planning, environmental studies, permit and inspection fees, and temporary housing and relocation costs for dislocated programs or activities caused or necessitated by construction projects.

The final cost of each project will be determined as plans are finalized and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Necessary site preparation/grading/restoration may occur in connection with new construction, modernization, renovation or remodeling, including ingress and egress, removing, replacing or installing irrigation, utility lines, trees

and landscaping, relocating fire access roads, and acquiring any necessary easements, leases, licenses, or rights of way to the property.

ADDITIONAL SPECIFICATIONS

No Administrator or Teacher Salaries or Benefits. Proceeds from the sale of Bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including administrator and teacher salaries and benefits, and other school operating expenses, consistent with legal requirements.

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Section 15100 of the California Education Code, and all the enumerated purposes shall constitute the specific single purpose of the bonds and proceeds of the bonds shall be spent only for such purpose.

Other Terms of the Bonds. The bonds may be issued and sold in several series, and in accordance with a financing plan determined by the Board of Trustees pursuant to requirements of law. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum and with a maximum term not exceeding the statutory maximum, provided that the weighted average maturity of bonds sold will not exceed one hundred twenty percent (120%) of the average useful life of the projects being financed or as otherwise provided by state or federal tax law. The District will not seek any reimbursement for any expenditures incurred prior to the election and bond issuance.

EXHIBIT C

TAX RATE STATEMENT

An election will be held within the boundaries of School Facilities Improvement District No. 2 of the Capistrano Unified School District ("School District") on November 8, 2016 to authorize the sale of up to \$889,000,000 in bonds to finance facilities as described in the proposition. If the bonds are approved, the School District expects to sell the bonds in multiple series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property located within the School District. The following information is provided in compliance with Sections 9400-9404 of the California Elections Code.

1. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 4.18 cents per \$100 (\$41.81 per \$100,000) of assessed valuation in fiscal year 2017-18.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 4.29 cents per \$100 (\$42.93 per \$100,000) of assessed valuation in fiscal year 2025-26.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 4.29 cents per \$100 (\$42.99 per \$100,000) of assessed valuation in fiscal year 2032-33.
4. The best estimate of total debt service, including principal and interest, which would be required to be repaid if all the bonds are issued and sold is \$1,839,767,626. This estimate results in a debt service to principal ratio of 2.07 to 1, which is nearly half of the maximum allowed by State law. The estimate is based on assumptions regarding future interest rates and the term, timing, structure, and amount of each bond issue.

Voters should note that the estimated tax rate is based on the ASSESSED VALUE of taxable property on the County of Orange official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

The foregoing information is based upon the District's projections and estimates, which are not binding upon the District. The actual tax rates, debt service and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and interest rates at the time of sale, and actual assessed valuations over the term of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on the need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Signed: _____
Kirsten Vital, Superintendent
Dated: August 10, 2016