CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – SPECIAL MEETING
AUGUST 24, 2010
EDUCATION CENTER – BOARD ROOM

President Bryson called the meeting to order at 5:30 p.m. The Board recessed to closed session to: confer with Legal Counsel regarding Existing Litigation (three cases); confer with Legal Counsel regarding a Liability Claim; discuss Student Expulsions (three cases); discuss a Student Denial of Early Readmission; discuss a Student Denial of Readmission; and confer with Labor Negotiators regarding CSEA/CUEA negotiations.

Trustee Lopez-Maddox arrived in closed session at 6:55 p.m.

The Regular Meeting of the Board reconvened to open session and was called to order by President Bryson at 7:00 p.m.

The Pledge of Allegiance was led by Trustee Winsten

Present: Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten

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

Adoption of the Board Agenda

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

President's Report From Closed Session Meeting

President Bryson reported the following action taken during closed session:

Agenda Item #13 A-1 – Conference with Legal Counsel – Existing Litigation: Whispering Hills LLC v. Capistrano Unified School District. No action was taken.

Agenda Item #13 A-2 & 3 - Conference with Legal Counsel – Existing Litigation: City of Mission Viejo v. CUSD and City of Rancho Santa Margarita v. CUSD. No action was taken.

Agenda Item 13 B – Liability: Claim No. 09-74594DP – Webb. The Board voted by a 6-0-1 vote to authorize the settlement of Liability Claim #09-74594DP in the amount of $175,000.

AYES: Trustees Addonizio, Brick, Bryson, Christensen, Palazzo, and Winsten
NOES: None
ABSENT: Trustee Lopez-Maddox

Agenda Item #13 C-1 – C-2 - Student Expulsions: The Board voted by a 6-0-1 vote to expel the following students with staff recommendations: Case #2010-113 and Case #2010-129.

AYES: Trustees Addonizio, Brick, Bryson, Christensen, Palazzo, and Winsten
NOES: None
ABSENT: Trustee Lopez-Maddox

Agenda Item #13 C-3 - Student Expulsion: The Board voted by a 6-0-1 vote to expel the following student by stipulated agreement: Case #2010-100.

AYES:	Trustees Addonizio, Brick, Bryson, Christensen, Palazzo, and Winsten
NOES:	None
ABSENT:	Trustee Lopez-Maddox

Agenda Item #13 D - Student Denial of Early Readmission: The Board voted by a 6-0-1 vote to deny a student early readmission request: Case #2010-042.

AYES:	Trustees Addonizio, Brick, Bryson, Christensen, Palazzo, and Winsten
NOES:	None
ABSENT:	Trustee Lopez-Maddox

Agenda Item #13 E - Student Denial of Readmission: The Board voted by a 6-0-1 vote to deny a student readmission request: Case #2010-137.

AYES:	Trustees Addonizio, Brick, Bryson, Christensen, Palazzo, and Winsten
NOES:	None
ABSENT:	Trustee Lopez-Maddox

Agenda Item 13 F – Negotiations: CSEA: No action was taken.

Board and Superintendent Comments

There were no comments.

Items Pulled from the Consent Calendar

President Bryson asked Trustees for items they wished to pull from the Consent Calendar. No items were pulled.

CONSENT CALENDAR

It was moved by Trustee Addonizio, seconded by Trustee Brick, and motion carried unanimously to approve the following Consent Calendar items:

Minutes
Agenda Item 1

Minutes of the August 3, 2010, Special Board Meeting.

Special Education
Agenda Item 2

Nonpublic school and agency contracts.

Expulsion Readmissions
Agenda Item 3

Readmission of students from expulsion: Case #2010-041 and Case #2010-063.

Course Offerings
Agenda Item 4

2010-2011 Adult and Community Education course offerings.

Outdoor Science
Agenda Item 5

Student participation in Outdoor Science education activities offered by the Orange County Department of Education.

Carl Perkins Application
Agenda Item 6

2010-2011 application for funding through Carl Perkins Career and Technical Education Improvement Act of 2006.

Authorization to enter into a lease/purchase financing agreement with Key Government Finance, Cisco Capital's Financing Partnership.

Lease/Purchase Financing Agreement
Agenda Item 7

Addendum to employment contract of Deputy Superintendent, Business and Support Services.

Salary Reduction
Agenda Item 8

Consulting agreements listing.

Consulting Agreements
Agenda Item 9

Teacher Preparation Pipeline (TPP) program agreement with Saddleback College.

Mentor Program
Agenda Item 10

ROLL CALL:	AYES:	Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten
	NOES:	None
	ABSENT:	None
	ABSTAIN:	None

DISCUSSION/ACTION

Public Hearing: CFD 2005-1
Agenda Item 11

President Bryson announced the Public Hearing open at 7:05 p.m. regarding the approval of Resolution No. 1011-14, consideration of reducing special taxes of Community Facilities District (CFD) 2005-1 (Whispering Hills) hereafter CFD No. 2005-1, termination thereof and initiation of additional proceedings.

President Bryson recognized Deputy Superintendent Ron Lebs who stated that this item is asking the Board to terminate the current public hearings and commence with a new series of public hearings related to Whispering Hills. Mr. Lebs then introduced Attorney Alex Bowie to explain the procedure and next steps. Mr. Bowie provided background information on the public hearings. Mr. Bowie stated Trustees have a choice to terminate the proceedings and wait for another petition or show good faith and reinstate the proceedings by calling a new Public Hearing for the October 12, 2010, Board meeting.

President Bryson asked the Clerk of the Board if any written comments had been received. Trustee Brick responded none were received. President Bryson asked if there was anyone who wished to address the Board. There being no one to address the Board, President Bryson stated for the record, "protests have not been filed by a majority of the property owners within CFD No. 2005-1" and then declared the Public Hearing closed at 7:08 p.m.

It was moved by Trustee Winsten, seconded by Trustee Addonizio, and carried unanimously to approve Resolution No. 1011-14, entitled "Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills) ("CFD No. 2005-1") Terminating Proceedings for the Consideration of Altering the Special Taxes of CFD No. 2005-1 Pursuant to Landowner Petition and Pursuant to Government Code Section 53331 Initiating Proceedings for Consideration of Altering the Rate and Method of Apportionment of CFD No. 2005-1 and Reducing the Levy of Special Taxes of CFD No. 2005-1."

ROLL CALL	AYES:	Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten
	NOES:	None
	ABSENT:	None
	ABSTAIN:	None

CVHS Theater
Agenda Item 12

President Bryson recognized Superintendent Farley to introduce this item. Dr. Farley commented that this action to seek bids has been a long time coming and is an exciting opportunity for the high school and the community.

The following speakers addressed the Board:

- *Brian Skalsky, Carol Bennett, Emily Tucker, and Mayor Trish Kelley spoke in support of moving forward with building the Capistrano Valley Performing Arts Theater.*

Trustees Christensen and Winsten directed staff to review and accelerate the proposed timeline for this project.

Following discussion, it was moved by Trustee Addonizio, seconded by Trustee Lopez-Maddox, and carried unanimously to approve authorization to advertise Bid No. 1011-06 for the Capistrano Valley High School Performing Arts Theater.

The meeting adjourned at 7:24 p.m.

Jack R. Brick

Board Clerk

Joseph M. Farley

Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations