

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
MAY 23, 2012
EDUCATION CENTER – BOARD ROOM

President Pritchard called the meeting to order at 5:30 p.m. The Board recessed to closed session to: discuss CSEA/CUEA/CUMA/Teamsters negotiations and confer with Legal Counsel regarding Pending Litigation.

Closed session recessed at 6:07 p.m.

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

The Pledge of Allegiance was led by President Pritchard.

Present: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Pritchard, and Student Advisor Ryan Pallas

Absent: Trustee Palazzo

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 Alpay, seconded by Trustee Bryson, and motion carried by a 6-0 vote to adopt the Board agenda.

Adoption of the Board Agenda

- AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Pritchard, and Student Advisor Ryan Pallas
- NOES: None
- ABSENT: Trustee Palazzo
- ABSTAIN: None

President Pritchard reported the following action taken during closed session:

President’s Report From Closed Session Meeting

Agenda Item #3 A – CSEA/CUEA/CUMA/Teamsters Negotiations:

No action was taken. Negotiator Jeff Bristow was not present in closed session for the discussion.

Agenda Item #3 B – Conference with Legal Counsel – Pending Litigation:

Informal Dispute Resolution Case No. 34912

The Board voted 6-0 to approve the settlement agreement in an amount not to exceed \$31,000.

- AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, and Pritchard
- NOES: None
- ABSENT: Trustee Palazzo
- ABSTAIN: None

Superintendent Farley announced this meeting was Student Advisor Ryan Pallas’ last meeting and then presented Ryan with a gift certificate for books on behalf of the Board. Dr. Farley told Ryan he was proud of his accomplishments and he had been an extraordinary student advisor and student.

Board and Superintendent Comments

Student Advisor Ryan Pallas stated being student advisor had been an excellent experience and he is very thankful for all the opportunities this Board has provided him.

Trustee Bryson recognized Kory Veres for his Classified Employee of the Year nomination and thanked him for his service to the Board of Trustees and the District. She also shared she had attended the San Clemente High School dance concert, the Dana Hills High School Achievement Awards, and the Classified Employees of the Year celebration.

DISCUSSION/ACTION

Deputy Superintendent Clark Hampton stated under AB 1200 school districts are required to provide regular updates on the financial condition of the district. After the budget is adopted in June there are two interim reports but if either report is certified as qualified, a third interim report is required. Mr. Hampton provided a PowerPoint presentation updating Trustees on the economic outlook, the Governor's May Revision, and the 2011-2012 Third Interim Report.

Third Interim Report
Agenda Item 1

President Pritchard requested staff provide the Board with a hard copy of the PowerPoint presentation. Mr. Hampton responded he would e-mail the presentation to Trustees and post it on the District website (www.capousd.org).

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried by a 5-1 vote to acknowledge receipt of the financial documents related to the Third Interim Report, and authorize their filing with the Orange County Department of Education, the State Controller's Office, and the State Superintendent of Public Instruction.

AYES: Trustees Alpay, Brick, Bryson, Hatton, Pritchard, and Student Advisor Ryan Pallas
NOES: Trustee Addonizio
ABSENT: Trustee Palazzo
ABSTAIN: None

Trustee Alpay announced he was just informed of the passing of former superintendent Truman Benedict.

Trustee Announcement

Assistant Superintendent Julie Hatchel stated staff is presenting information acquired over the past year regarding the Common Core Standards. Dr. Hatchel stated staff has been working with the Orange County Department of Education to learn what the Common Core Standards implementation will mean for the District. Staff has spent time training with the sites, providing administration with training on how instruction needs to shift, and what it needs to look like as the District prepares for full implementation of the Common Core Standards in two years. Executive Director Deni Christensen presented a PowerPoint overview of the Common Core Standards to the Board. Following the PowerPoint, staff answered Trustee questions.

Common Core State Standards
Agenda Item 2

Trustee Addonizio asked staff to provide an update on the technology plan relative to the Common Core Standards' requirement.

It was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried by a 6-0 vote to accept receipt of the Teamsters contract reopener proposal.

Teamsters Contract Reopener Proposal
Agenda Item 3

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Pritchard, and Student Advisor Ryan Pallas
NOES: None
ABSENT: Trustee Palazzo
ABSTAIN: None

Deputy Superintendent Clark Hampton stated over the last few years interest rates have been declining and when this happens it is important and prudent for school districts to look at the possibility of refinancing any outstanding debts or bonds. At the January 9, 2012, Board meeting, Trustees approved Government Financial Services, Incorporated to provide financial advisor services for determining the potential savings through refunding of the 2002 COP and Measure A GO bonds. Mr. Hampton introduced President Lori Raineri of Government Financial Strategies Incorporated who provided a review of the analysis prepared by the company. The presentation included a review of the District's debt and refinancing candidates, data on the potential savings to the District and taxpayers, recommendations, and next steps for the District.

**COP/Measure A
Bonds
Agenda Item 4**

Deputy Superintendent Clark Hampton explained Newhart Middle School's multipurpose room (MPR) was not designed with the same standard as other District middle schools and is not adequate to accommodate the types of events typical for middle schools; therefore, a project was established, budgeted, and architects hired to design a solution. Mr. Hampton stated this item presents for approval a construction contract for \$798,532 to Construct 1 One, Corporation.

**Newhart MS
Agenda Item 5**

Trustee Addonizio requested staff provide an overall budget for this project to assist Trustees with monitoring the total costs of the project.

It was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 6-0 vote to approve and award Bid No. 1112-14 Newhart Middle School MPR Remodel Project in the amount of \$798,532 to Construct 1 One, Corporation, funded by CFD 87-1 and State Facilities Program Modernization Funds.

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Pritchard,
and Student Advisor Ryan Pallas
NOES: None
ABSENT: Trustee Palazzo
ABSTAIN: None

Superintendent Farley stated one of the specific goals given to him by Trustees last year was revisiting the decision to withdraw the District's membership in the California School Boards Association (CSBA). This item provides Trustees the opportunity to discuss CSBA membership for the 2012-2013 school year.

**CSBA Membership
Agenda Item 6**

The following speaker addressed the Board:

- Gail Benda spoke of the benefits of belonging to CSBA and encouraged the Board to renew its membership.

Following discussion, it was moved by Trustee Addonizio, seconded by Trustee Pritchard, and motion carried by a 5-1 vote to reject District membership in the California School Boards Association.

AYES: Trustees Addonizio, Alpay, Brick, Hatton, Pritchard, and
Student Advisor Ryan Pallas
NOES: Trustee Bryson
ABSENT: Trustee Palazzo
ABSTAIN: None

It was moved by Trustee Alpay, seconded by Trustee Hatton, and motion carried by a 5-1 vote to approve the revisions to Board Bylaw 9220, *Board of Trustees Elections*.

**Board Bylaw
Revision
Agenda Item 7**

AYES: Trustees Alpay, Brick, Bryson, Hatton, Pritchard, and Student Advisor Ryan Pallas
 NOES: Trustee Addonizio
 ABSENT: Trustee Palazzo
 ABSTAIN: None

President Pritchard asked Trustees for items they wished to pull from the Consent Calendar. Agenda item 22 was pulled.

Items Pulled from the Consent Calendar

Trustee Alpay, Bryson, and Hatton announced they would abstain from voting on the May 9, 2012, special Board meeting minutes because they did not attend the meeting. Due to the absence of Trustee Palazzo at this meeting there was a lack of a quorum for the vote; therefore, the May 9, 2012, special Board meeting minutes will be brought back to the June 11, 2012, Board meeting for approval.

Trustee Abstentions

Trustee Hatton announced she was abstaining from voting on the May 14, 2012, regular Board meeting minutes only as she was absent from the meeting.*

CONSENT CALENDAR

It was moved by Trustee Alpay, seconded by Trustee Addonizio, and motion carried by a 6-0-(*) vote to approve the following Consent Calendar items:

Minutes of ~~the May 9, 2012, special Board meeting minutes~~ and the May 14, 2012, regular Board meeting.

**Minutes
Agenda Item 8**

Petition to waive California Education Code §60851(a) and Board Policy 6162.52 – California High School Exit Examination: Case #1112-031 through #1112-033.

**CAHSEE Waiver
Agenda Item 9**

Agreement to refer students to alternative community and correctional schools and services for July and August 2012.

**Agreement to Refer Students
Agenda Item 10**

Consolidated Application and Reporting System Data Collections, May 25, 2012, and June 30, 2012.

**Consolidated Application and Reporting System
Agenda Item 11**

Six comprehensive high school principals as league representatives to California Interscholastic Federation (CIF) for 2012-2013.

**CIF Representatives
Agenda Item 12**

Donation of funds and equipment.

**Donations
Agenda Item 13**

Lease/purchase financing agreement with Key Government Finance, Cisco Capital’s financing partner, for data storage and video conference equipment services and support.

**Lease/Purchase Financing Agreement
Agenda Item 14**

Amendment to special education Informal Dispute Resolution agreement case #5711.

**Amendment to Informal Dispute Resolution Agreement
Agenda Item 15**

Extension of School Bus Service Agreement No. I09100045 to provide school bus inspections, servicing, maintenance, repair, parking, and school bus driver training services for buses owned by Santa Margarita Catholic High School.	Extension of Agreement Agenda Item 16
Award of bid for weed abatement services to E. Stewart and Associates, Incorporated.	Weed Abatement Agenda Item 17
Agreement with the County of Orange Juvenile Court Work Program Services to provide weed abatement services on District slopes and grounds.	Agreement with OC Juvenile Court Work Program Agenda Item 18
Extension of Bid No. 1011-01 for asphalt paving, sealcoating, and repair to be provided by Ben's Asphalt, Incorporated.	Extension of Agreement Agenda Item 19
Award of bid for plumbing services to Pacific Plumbing Company of Santa Ana.	Plumbing Services Agenda Item 20
Extension of Consultant Agreement No. C1011064 for general legal services, as required by the District, provided by Stutz, Artiano, Shinoff & Holtz APC.	Extension of Agreement Agenda Item 21
Utilization of the County of Orange Master Agreement No. MA-017-10011795 for the purchase of office supplies from Staples Contract & Commercial, dba Staples Advantage, as needed, under the same terms and conditions of the public agency's contract.	Office Supplies Piggyback Bid Agenda Item 23
Resignations, retirements, and employment of classified personnel.	Resignations/ Retirements/ Employment (Classified Personnel) Agenda Item 24
Resignations, retirements, and employment of certificated personnel.	Resignations/ Retirements/ Employment (Certificated Personnel) Agenda Item 25
Payment to District master teachers who supported a student teacher during the 2011 fall and 2012 spring semester.	Master Teacher Payments Agenda Item 26
ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Pritchard, and Student Advisor Ryan Pallas NOES: None ABSENT: Trustee Palazzo ABSTAIN: None*	

*Trustee Hatton abstained from voting on the May 14, 2012, Board meeting minutes only prior to the vote on the Consent Calendar items.

Trustee Bryson asked staff for clarification on the per-hour-fee charge in the Professional Services Agreement with Dr. Perry David Passaro. Assistant Superintendent Sara Jocham stated for this Independent Educational Evaluation (IEE) the parents had the opportunity to select an assessor of their choice. Since the rate is within the professionally accepted norm the District must agree to the fee as part of the IEE process. Trustee Bryson stated she has a standing request for a 10 percent reduction on all consulting contracts due to the stresses the District is experiencing and asked staff to contact Dr. Passaro and request he reduce his hourly fee. Dr. Farley assured Trustee Bryson staff would telephone Dr. Passaro regarding a 10 percent reduction in his fee. When asked if this item could be continued until Dr. Passaro had been contacted regarding the rate reduction, Mrs. Jocham stated the contract needed to be approved at this meeting as Dr. Passaro may have begun his services due to the legal time constraints in the settlement agreement for the IEE.

It was moved by Trustee Bryson, seconded by Trustee Alpay, and motion carried by a 6-0 vote to approve ratification and approval of the District standardized Professional Services Agreements.


AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Pritchard,
and Student Advisor Ryan Pallas
NOES: None
ABSENT: Trustee Palazzo
ABSTAIN: None

Trustee Alpay adjourned the meeting in memory of former superintendent and San Clemente icon Truman Benedict by reading a statement of Mr. Benedict's service to the District and San Clemente community.

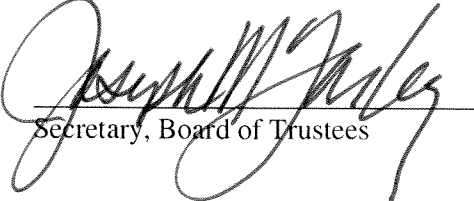
It was moved by Trustee Alpay, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to adjourn the meeting.

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Pritchard,
and Student Advisor Ryan Pallas
NOES: None
ABSENT: Trustee Palazzo
ABSTAIN: None

President Pritchard announced the meeting adjourned at 8:46 p.m.



Board Clerk



Secretary, Board of Trustees