

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES – REGULAR MEETING  
AUGUST 28, 2013  
EDUCATION CENTER – BOARD ROOM

President Alpay called the meeting to order at 6:00 p.m. The Board recessed to closed session to: confer with Labor Negotiators; discuss Public Employee Appointment/ Employment; discuss Public Employee Discipline/Dismissal/Release; and confer with Legal Counsel regarding Anticipated Litigation.

The regular meeting of the Board reconvened to open session and was called to order by President Alpay at 7:08 p.m.

The Pledge of Allegiance was led by Trustee Hanacek.

Present: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard, and Reardon  
Absent: Trustee Hatton

**A CD of the Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent’s office as a matter of the permanent record. An audio recording of the meeting is available on the District website: [www.capousd.org](http://www.capousd.org)**

**Permanent Record**

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to adopt the Board agenda.

**Adoption of the Board Agenda**

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard, and Reardon  
NOES: None  
ABSENT: Trustee Hatton  
ABSTAIN: None

President Alpay reported the following action taken during closed session:

**President’s Report From Closed Session Meeting**

**Agenda Item #3 A – Conference with Labor Negotiators:**

No action was taken. Attorney Jon Pearl was not present in closed session.

**Agenda Item #3 B – Public Employee Appointment/Employment:**

The Board voted by a 6-0 vote to approve the appointment of Jill Brotherton, Assistant Principal, Las Flores Middle School.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard, and Reardon  
NOES: None  
ABSENT: Trustee Hatton  
ABSTAIN: None

**Agenda Item #3 C – Public Employee Discipline/Dismissal/Release:**

No action was taken.

**Agenda Item #3 D – Conference with Legal Counsel – Existing Litigation:**

The Board voted by a 6-0 vote to approve the settlement agreement.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard, and Reardon  
NOES: None  
ABSENT: Trustee Hatton  
ABSTAIN: None

**Agenda Item #3 E – Conference with Real Property Negotiators:**

The Board gave direction to staff.

Morgan Finelt was recognized for being selected the District’s winner of the Asian Elephant Project contest. Capistrano Valley High School visual arts teacher Kent Baker was recognized for replicating Morgan’s design onto a life-size baby elephant sculpture, which was displayed at Doheny State Beach in Dana Point.

**Special  
Recognitions**

Trustees Bryson and Hanacek congratulated Morgan Finelt for her colorful design and Kent Baker for recreating Morgan’s design onto the larger sculpture. Both Trustees commented that Morgan’s elephant stood out from all the others on display.

**Board and  
Superintendent  
Comments**

Trustee Alpay announced Capistrano-Laguna Beach ROP’s name has been changed to South Coast ROP and he displayed the new logo.

There were no speakers.

**Oral  
Communications**

**DISCUSSION/ACTION**

President Alpay announced the Public Hearing open at 7:20 p.m. regarding instructional materials recommended for adoption: high school world language – AP Spanish Language IV.

**Public Hearing:  
Instructional  
Materials Adoption  
Agenda Item 1**

The following speaker addressed the Board:

- Ezequiel Barragan spoke on behalf of the District’s Advanced Placement Spanish teachers in support of the adoption of these instructional materials.

President Alpay declared the Public Hearing closed at 7:25 p.m.

Assistant Superintendent Michelle Le Patner stated the adoption of *Temas: AP\* Spanish Language & Culture* and *AP\* Spanish Language & Culture Exam Preparation* will be used by all high school AP Spanish IV classes. Dr. Le Patner explained these materials are being brought forward for Board consideration due to the new Spanish IV AP test and curriculum from the College Board this year.

**Instructional  
Materials Adoption  
Agenda Item 2**

It was moved by Trustee Pritchard, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to approve the adoption of *Temas: AP\* Spanish Language & Culture* and *AP\* Spanish Language & Culture Exam Preparation* published by Vista Higher Learning for high school world language – AP Spanish Language IV.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard, and Reardon  
NOES: None  
ABSENT: Trustee Hatton  
ABSTAIN: None

Deputy Superintendent Clark Hampton stated the Board approved refinancing Community Facilities District (CFD) 90-2 Improvement Area 2002-1 (Talega) and 92-1 (Las Flores) earlier this year based on favorable savings projections. The District is also in the final stages of issuing bonds in CFD 2005-1 (Whispering Hills). The agreement related to the Whispering Hills Project and CFD 2005-1, calls for bonds to be sold when 70 dwelling units have closed escrow, which is expected in September. Mr. Hampton introduced President Lori Raineri of Government Financial Strategies Incorporated who provided a PowerPoint presentation with a brief recap of the CFD refinancing results and additional information on the pending CFD 2005-1 bond sale. *(The PowerPoint is posted on the District website: [www.capousd.org](http://www.capousd.org))*

**Refunding CFDs  
Special Tax Bonds  
Update  
Agenda Item 3**

Deputy Superintendent Clark Hampton explained at the August 28 Board meeting, Trustee Addonizio asked if the resolution for CFD 87-1 2013-2014 assessment could be modified to remove the 2 percent escalator to the assessment. District legal counsel recommended the Board approve the resolution as presented, request an extension from the County Tax Assessor's Office to submit the resolution, and have a revised resolution brought back to the next meeting without the escalator. The District was granted, by the County Tax Assessor's Office, an extension until August 30 for submitting the final assessment resolution. The impact of no 2 percent escalator on the pay-as-you-go funds available for facilities would be approximately \$211,864 less than with the 2 percent escalator for 2013-2014. If the 2 percent escalator were not utilized for all future years until the 87-1 assessment ends in 2020, the average yearly reduction in pay-as-you-go funds for facilities over the remaining life of the CFD would be about \$882,217. The total pay-as-you-go funds over the remaining 7 years of the CFD would be about \$6.2 million less than if the 2 percent escalator continued.

**Amended  
Resolution CFD  
87-1  
Agenda Item 4**

The following speaker addressed the Board:

- Connie Lee asked the Board to approve this item and relieve the tax burden on Mission Viejo residents.

Following discussion, it was moved by Trustee Addonizio, seconded by Trustee Bryson, to approve the Amended and Restated Resolution No. 1314-03 Authorizing the Levy of Special Taxes in Community Facilities District No. 87-1.

President Alpay made a substitute motion, seconded by Trustee Pritchard, and motion failed for lack of a majority by a 3-3 vote to take no action at this time on Amended and Restated Resolution No. 1314-03 Authorizing the Levy of Special Taxes in Community Facilities District No. 87-1.

ROLL CALL: AYES: Trustees Alpay, Hanacek, and Pritchard  
NOES: Trustees Addonizio, Bryson, and Reardon  
ABSENT: Trustee Hatton  
ABSTAIN: None

Due to the failure of the substitute motion, Trustees voted on the original motion by Trustee Addonizio, seconded by Trustee Bryson, and the motion carried by a 4-2 vote to approve the Amended and Restated Resolution No. 1314-03 Authorizing the Levy of Special Taxes in Community Facilities District No. 87-1.

ROLL CALL: AYES: Trustees Addonizio, Bryson, Hanacek, and Reardon  
NOES: Trustees Alpay and Pritchard  
ABSENT: Trustee Hatton  
ABSTAIN: None

Assistant Superintendent Jodee Brentlinger stated on April 24, 2013, the Board approved classified layoff Resolution No. 1213-40. Since that time, three elementary schools have determined site funds will no longer support existing positions for the upcoming school year. As a result, positions in three service areas have been identified for elimination due to a lack of funds.

**Classified Layoff  
Non-Management  
Employees  
Agenda Item 5**

It was moved by Trustee Reardon, seconded by Trustee Pritchard, and motion carried by a 4-2 vote to approve Resolution No. 1314-14, Classified Layoff Non-Management Employees, in the designated classifications.

AYES: Trustees Alpay, Hanacek, Pritchard, and Reardon  
NOES: Trustees Addonizio and Bryson  
ABSENT: Trustee Hatton  
ABSTAIN: None

It was moved by Trustee Alpay, seconded by Trustee Bryson, and carried by a 6-0 vote to approve revisions to Board Bylaw 9100, *Annual Organizational Meeting*.

**Revisions to Board  
Bylaw 9100  
Agenda Item 6**

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard, and Reardon  
NOES: None  
ABSENT: Trustee Hatton  
ABSTAIN: None

President Alpay asked Trustees for items they wished to pull from the Consent Calendar. Agenda items 8, 20, and 27 were pulled.

**Items Pulled from  
the Consent  
Calendar**

**CONSENT CALENDAR**

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

Minutes of the August 14, 2013, regular Board meeting.

**Minutes  
Agenda Item 7**

Readmission of students from expulsion: Case #2013-001, Case #2013-018, and #2013-037.

**Expulsion  
Readmissions  
Agenda Item 9**

Approval of expunging a student record: Case #2013-083.

**Expunging of  
Expulsion Record  
Agenda Item 10**

Start and dismissal times for the 2013-2014 school year.

**Start/Dismissal  
Times  
Agenda Item 11**

Amendment Number 1 to the Memorandum of Understanding (MOU) with the District and Oxford Preparatory Academy (OPA).

**OPA MOU  
Amendment  
Agenda Item 12**

Purchase orders, warrants, and previously Board-approved bids and contracts as listed.

**Purchase  
Orders/Warrants  
Agenda Item 13**

Donation of Equipment.	<b>Donations Agenda Item 14</b>
Ratification of the District standardized Professional Services and Master Contract Agreements.	<b>Professional Services Agreements Agenda Item 15</b>
Special education Settlement Agreement Case #2013061056.	<b>Informal Dispute Resolution Agreement Agenda Item 16</b>
Ratification of special education Settlement Agreement Case #2013060844 and Informal Dispute Resolution Case #045113.	<b>Informal Dispute Resolution Agreement Agenda Item 17</b>
Resolution No. 1314-15 Authorizing Third-Party Administrator to Change Bank Accounts for Trust Account for Payments Relating to Property and Liability Claims.	<b>Third-Party Administrator Agenda Item 18</b>
Memorandum of Understanding with the Orange County Superintendent of Schools will allow Orange County Department of Education (OCDE) to conduct special education programs and services for eligible District students July 1, 2013, through June, 30, 2014.	<b>MOU with OCDE Agenda Item 19</b>
Agreement for Participation Inside the Outdoors Field Program No. 60045 with Orange County Superintendent of Schools to provide field trips for various schools, as requested by the District.	<b>Participation Agreement with OC Supt. of Schools Agenda Item 21</b>
Agreement for Use of Resident Outdoor Science School Facilities, Supplies, Equipment, and Services No. 60079 with Orange County Superintendent of Schools to provide the Outdoor Science School Program for various schools as requested by the District.	<b>Use of Resident Agreement with OC Supt. of Schools Agenda Item 22</b>
Agreement for Participation Inside the Outdoors School Program No. 60085 with Orange County Superintendent of Schools to provide the Traveling Scientist Programs to various schools, as requested by the District.	<b>Participation Agreement with OC Supt. of Schools Agenda Item 23</b>
Advertise for bids to provide contracted buses and drivers for co-curricular trips, and District sponsored trips when District buses are not available.	<b>Co-Curricular Bus Service Agenda Item 24</b>
Resignations, retirements, and employment of classified personnel.	<b>Resignations/ Retirements/ Employment (Classified Personnel) Agenda Item 25</b>

Resignations, retirements, and employment of certificated personnel.

**Resignations/  
Retirements/  
Employment  
(Certificated  
Personnel)  
Agenda Item 26**

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard,  
and Reardon  
NOES: None  
ABSENT: Trustee Hatton  
ABSTAIN: None

Trustee Bryson thanked the Assistance League of Capistrano Valley for the services they provide for students in the District.

**Assistance League  
Contract  
Agenda Item 8**

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to approve Resolution No. 1314-16, Acceptance of the 2013-2014 Assistance League Contract for Operation School Bell; Kids on the Block; Hands on Literacy; and Links to Learning.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard, and  
Reardon  
NOES: None  
ABSENT: Trustee Hatton  
ABSTAIN: None

Trustee Alpay stated since the name of the Capistrano-Laguna Beach Regional Occupation Program (ROP) has been changed, he would like the contract updated to reflect the new name, South Coast ROP.

**MOU with ROP  
Agenda Item 20**

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried by a 6-0 vote to approve the Memorandum of Understanding (MOU) with the Capistrano-Laguna Beach Regional Occupation Program (ROP) for technical services.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard, and  
Reardon  
NOES: None  
ABSENT: Trustee Hatton  
ABSTAIN: None

Trustee Addonizio asked staff to confirm the exhibit for this item was the actual CUMA agreement. Assistant Superintendent Jodee Brentlinger affirmed it was the agreement.

**CUMA Agreement  
Agenda Item 27**

It was moved by Trustee Pritchard, seconded by Trustee Bryson, and motion carried by a 5-1 vote to approve the Employment Agreement with the Capistrano Unified Management Association (CUMA).

AYES: Trustees Alpay, Bryson, Hanacek, Pritchard, and Reardon  
NOES: Trustee Addonizio  
ABSENT: Trustee Hatton  
ABSTAIN: None

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

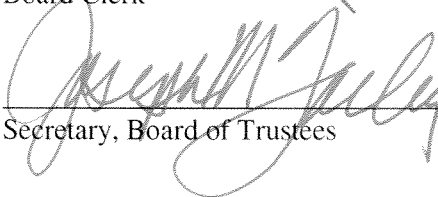
AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard, and Reardon  
NOES: None  
ABSENT: Trustee Hatton  
ABSTAIN: None

President Alpay announced the meeting adjourned at 8:29 p.m.



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Board Clerk



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Secretary, Board of Trustees

*Minutes submitted by Jane Boos, Manager, Board Office Operations*