

**POWAY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
REGULAR BOARD MEETING
AGENDA**

August 17, 2009



**Morning Creek Elementary School
Multipurpose Room
10925 Morning Creek Drive South – San Diego, CA 92128**

REGULAR MEETING BEGINS AT 6:00 P.M.

NOTE: At 4:00 p.m., there will be an open session to allow for public comment on the closed session agenda items, followed immediately by a closed session in the Morning Creek staff lounge.

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9
(Two cases)

CLOSED SESSION: PUBLIC EMPLOYEE COMPLAINT(S)

CLOSED SESSION: CONFERENCE WITH AND/OR RECEIPT OF ADVICE FROM LEGAL COUNSEL – PENDING LITIGATION (Subdivision (b)(1) of Section 54956.9)
Case No: TC-09-13

CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: a two-story office building on approximately 4.52 acres located at 15250 Avenue of Science, San Diego, CA. (APN# 313-381-14)

Agency negotiators: John P. Collins, Deputy Superintendent, PUSD; Warren Diven, Legal Counsel, Best Best & Krieger; Mike Moser, Senior Vice President, CB Richard Ellis; Jed Stirnkorb, Senior Vice President, CB Richard Ellis

Negotiating Parties: PUSD and LBA Realty Fund - Holding Co., I, LLC

Under Negotiations: Seeking authorization to accept seller's offer and finalize purchase agreement

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications, or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Governing Board, please contact the office of the District Superintendent at (858) 679-2550 [13626 Twin Peaks Road, Poway]. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with the meeting in appropriate alternative formats for persons with a disability.

Written materials relating to an item on this agenda that are distributed to the Poway Unified School District Board of Education within 72 hours before it is to consider the item at its regularly scheduled meeting will be available for public inspection at 13626 Twin Peaks Road, Poway, during normal business hours. Such written materials will also be made available on the district website [www.powayusd.com], subject to staff's ability to post the documents before the regularly scheduled meeting.

A. PRELIMINARY FUNCTIONS

1. Call to Order 6:00 p.m.
2. Report Out of Closed Session
3. Salute to Flag
4. Members in Attendance
5. Welcome to Public – **Todd Gutschow**
6. Approval of Minutes
7. Approval of Consent Calendar

B. REPORTS / PRESENTATIONS

1. Student Board Member Reports
2. Superintendent’s Briefing
3. Board Member Reports

C. PUBLIC COMMENTS

The public is cordially invited to participate in this meeting of the Board of Education. Item “C” is placed on the agenda for the purpose of providing visitors with an opportunity to address the Board. If there are concerns regarding specific individuals, it is preferred that the speaker refrain from naming them publicly in order to respect their privacy. The Board will accept and review any written material that would provide more specific information.

The Brown Act (Government Code) states that Board members may not engage in a discussion of non-agenda items or issues raised during public comments except to ask clarifying questions, make a brief announcement, make a brief report on his or her own activities, or to refer the matter to staff. The law does not permit Board action or extended discussion of any item not on the agenda.

Requests to speak during Agenda Item C will be granted only if a Speaker Slip is given to the Clerk of the Board of Education before Item C comes up in the agenda.

D. ACTION ITEMS

100 – LEARNING SUPPORT SERVICES

- 101 Ratification of Student Discipline
- 102 Ratification of Stipulated Agreements for Student Expulsions
- 103 Readmission of Students on Expulsion

200 – PERSONNEL SUPPORT SERVICES

- 201 Approval of Resolution No. 05-2010 entitled “Resolution Regarding the Elimination or Reduction in Hours of the Classified Positions as Contained within Exhibit ‘A’; Corresponding Layoff of Classified Employees”

300 – BUSINESS SUPPORT SERVICES

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

- 401 Approval of Resolution No. 06-2010 entitled “Authorizing an Application for Qualified School Construction Bond Allocation Authorized Under the American Recovery and Reinvestment Act of 2009, Declaring Intent to Issue District Securities as Qualified School Construction Bonds, and Approving Certain Related Actions”

500 – COMMUNITY FACILITIES DISTRICT

- 501 Public Hearing and Approval of Resolution No. 01-2010 entitled “Approving a School

Facilities Needs Analysis, Adopting Alternative School Facility Fees in Compliance with California Education Code Section 17620 and Government Code Sections 65995.5, 65995.6, 65995.7, and 6600 *et seq.*, and Making Related Findings and Determinations”

600 – SUPERINTENDENT’S OFFICE

601 Approval of 2010 Regular Board Meeting Dates

E. ACTION/CONSENT ITEMS

100 – LEARNING SUPPORT SERVICES

- 104 Approval of Renewal of License Agreement for ENCORE Software
- 105 Approval of Resolution No. 04-2010 entitled “Authorization of a Continuing Contract with the California State Department of Education to Provide Child Development Services”
- 106 Approval of Memorandum of Understanding with Community Development Institute – Head Start of North San Diego County
- 107 Approval of Regional Occupational Program (ROP) Master Contract
- 108 Approval of Agricultural Vocational Education Incentive Grant Application
- 109 Adoption of Middle School Supplemental Textbooks
- 110 Adoption of High School English Language Development (ELD) Support Course
- 111 Adoption of New High School Course
- 112 Approval of Agreement for Nonpublic School/Nonpublic Agency Services
- 113 Acceptance of Gifts

200 – PERSONNEL SUPPORT SERVICES

- 202 Approval of Student Teaching Agreements with San Diego State University, Azusa Pacific University, University of Redlands, and University of the Pacific/Speech Therapy
- 203 Approval of Provisional Internship Permit – Diane McCutcheon
- 204 (a) Approval of Certificated Personnel Report No. 01-2010
(b) Approval of Classified Personnel Report No. 01-2010

300 – BUSINESS SUPPORT SERVICES

- 301 Ratification of Award of Bid No. 1B-2010 Fresh Bread Products to Holsum Bakery, Inc.
- 302 Ratification of Award of Bid No. 4B-2010 Beverages and Snacks to A&R Wholesale Distributors, Inc.
- 303 Ratification of Award of Bid No. 6B-2010 Fresh Fruits and Vegetables to American Produce Distributors
- 304 Ratification of Award of Bid No. 7B-2010 Food Staples and Groceries
- 305 Authorization to Award a Contract for Bid No. 9B-2010 Enhanced Vapor Recovery Phase II Upgrade
- 306 Authorization to Award a Contract for Bid No. 10B-2010 Fencing
- 307 Approval/Ratification of Contractual Services Report No. 01-2010
- 308 Approval of the Williams Settlement Quarterly Report for July 2009
- 309 Approval of District Revolving Cash Fund and Purchase Card Transactions; Ratification of District Purchase Orders
- 310 Approval of Resolution No. 03-2010 entitled “Declaration of Intention to Dedicate an Easement to the City of Poway at Tierra Bonita Elementary School and Twin Peaks Middle School”
- 311 Approval of Resolution No. 02-2010 entitled “Declaration of Intention to Dedicate Landscape Maintenance Easement at Willow Grove Elementary School”

- 312 Authorization to Award Contract for RFP #8-1-09 Storm Water Maintenance to Provide Inspections and Maintenance Service for Storm Drains at Stone Ranch, Monterey Ridge, and Midland Elementary Schools, and Westview and Del Norte High Schools
- 313 Approval of Resolution No. 07-2010 entitled “Declaration of Intention to Dedicate an Easement to Olivenhain Municipal Water District at Del Norte High School”

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

- 402 Authorization to Execute Three First Amendments to the Construction Services, Sublease, and Site Lease Agreements for the Modernization of Deer Canyon, Canyon View, and Turtleback Elementary Schools
- 403 Authorization to Execute Three Second Amendments to the Construction Services, Sublease, and Site Lease Agreements for the Modernization of Meadowbrook Middle School
- 404 Authorization to Execute Three Third Amendments to the Construction Services, Sublease, and Site Lease Agreements for the Modernization of Valley Elementary School
- 405 Acceptance of Projects as Complete and Authorization to File Notices of Completion on the Contracts with Echo Pacific Construction, Inc., for Modernization of Pomerado, Sundance, and Sunset Hills Elementary Schools
- 406 Ratification of Award of Agreements to Repair HVAC System at Rolling Hills Elementary School
- 407 Approval to Reduce Retention to 5 Percent; Acceptance of Projects as Complete; and Authorization to File Notices of Completion for Contracts with Echo Pacific Construction, Inc., for Modernization of Turtleback Elementary School, and with Barnhart, Inc., a Heery International Company, for Modernization of Canyon View and Deer Canyon Elementary Schools

500 – COMMUNITY FACILITIES DISTRICT

600 – SUPERINTENDENT’S OFFICE

F. FIRST READING ITEMS

100 – LEARNING SUPPORT SERVICES

200 – PERSONNEL SUPPORT SERVICES

300 – BUSINESS SUPPORT SERVICES

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

500 – COMMUNITY FACILITIES DISTRICT

600 – SUPERINTENDENT’S OFFICE

- 602 Proposed Revision of Board Policy Section 1.1 – Mission Statement – First Reading

G. INFORMATION ITEMS

100 – LEARNING SUPPORT SERVICES

200 – PERSONNEL SUPPORT SERVICES

300 – BUSINESS SUPPORT SERVICES

- 314 Annual Investment Policy Review and Quarterly Disclosure of Local Agency Investments for Poway Unified School District

315 Report on 2008-2009 Attendance Rates

316 Enrollment Report No. 11/2008-2009

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

500 – COMMUNITY FACILITIES DISTRICT

502 Annual Investment Policy Review and Quarterly Disclosure of Local Agency Investments for Community Facilities District Nos. 1 through 14

600 – SUPERINTENDENT’S OFFICE

H. NEW BUSINESS – BOARD MEMBERS

I. CORRESPONDENCE

J. CLOSED SESSION

Closed Session: STUDENT DISCIPLINE

Consideration and/or deliberation of student discipline matters

Closed Session: CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION

(Subdivision (b)(1) of Section 54956.9)

Closed Session: PUBLIC EMPLOYEES: Discipline / Dismissal / Release / Non-Reelection / Resignation

Closed Session: CONFERENCE WITH AND/OR RECEIPT OF ADVICE FROM LEGAL COUNSEL – PENDING LITIGATION: Significant exposure to litigation pursuant to subdivision (a) of Government Code Section 54956.9

Closed Session: CONFERENCE WITH LABOR NEGOTIATOR

Agent Negotiator: Bill Chiment
PFT, CSEA, SEIU

Closed Session: DISCUSSION(S) / ACTION(S) PURSUANT TO Government Code Section 54956.95

Closed Session: PUBLIC EMPLOYEE APPOINTMENT / EMPLOYMENT

Closed Session: PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS

(Position(s): classroom teacher / program specialist / probationary-temporary certificated employee / administrative employee)

Closed Session: PUBLIC EMPLOYEE COMPLAINT(S)

Closed Session: PUBLIC EMPLOYEE GRIEVANCE(S)

K. ADJOURNMENT / NEXT MEETING

There will be a **special** Board Meeting to conduct regular quarterly Superintendent’s performance review on **Monday, August 24**, at **6:30 p.m.**, in Conference Room B-1 at the Administration Center, 13626 Twin Peaks Road, Poway.

The next **regularly** scheduled Board Meeting will be held on **Monday, September 14**, at **6:00 p.m.** at Morning Creek Elementary School, 10925 Morning Creek Drive South, San Diego.