

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

September 14, 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 4:30 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 – THREATENED LITIGATION (Subdivision (b)(1) of Section 54956.9)
TC-10-04

CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS
(Position(s): classroom teacher / program specialist / probationary-temporary certificated employee / administrative employee)

CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR
Agent Negotiator: Bill Chiment
PFT, CSEA, SEIU

CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 15250 Avenue of Science, San Diego, CA (APN# 313-381-14)
Agency negotiator: John P. Collins, Deputy Superintendent, PUSD
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 – **Jeff Mangum**
6. Approval of Minutes
7. Approval of Agenda Sequence
8. Approval of Consent Calendar

B. REPORTS / PRESENTATIONS / EARLY AGENDA ITEMS

1. Student Board Member Reports
2. Superintendent's Reports
 - (a) Superintendent's Briefing
 - (b) Student Recognition
 - (c) Staff Recognition
3. Poway Unified School District Teachers of the Year 2009-2010: Arlene Gapusan, Kris Hizal, Amanda Nobles
4. Poway Unified School District Classified Employees of the Year 2009: Mary Anne Mease and Christine Gold
5. Poway Unified School District Volunteers of the Year 2008-2009: Wendy DeWildt, Darlene Dunn, Jan McGowan, and Melissa Martinez
6. Board Member Reports

EARLY AGENDA ITEMS

- D-301 Purchase and Sale Agreement By and Between LBA Realty Fund-Holding Co. I, LLC, a Delaware Limited Liability Company as Seller, and Poway Unified School District, a School District as Purchaser, for 15250 Avenue of Science, San Diego, California, 92128
- D-307 Public Hearing to Consider Protest of Assessment of Development Fees for the Cresta Bella Apartment Project

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 Public Hearing and Approval of Resolution No. 14-2010 entitled “Sufficiency of Instructional Materials for 2009-2010”
- 102 Readmission of Students on Expulsion

200 – PERSONNEL SUPPORT SERVICES

300 – BUSINESS SUPPORT SERVICES

- 301* Purchase and Sale Agreement By and Between LBA Realty Fund - Holding Co. I, LLC, a Delaware Limited Liability Company as Seller, and Poway Unified School District, a School District as Purchaser, for 15250 Avenue of Science, San Diego, California, 92128
- 302 Public Hearing and Approval of Flexibility Transfers from Tier III Categorical Programs to the Unrestricted General Fund
- 303 Certification of the 2008-2009 Unaudited Actual Financial Report Fund Balances
- 304 Public Hearing and Approval of Resolution No. 10-2010 entitled “Dedication of a Landscape Maintenance Easement at Willow Grove Elementary School”
- 305 Public Hearing and Approval of Resolution No. 11-2010 entitled “Dedication of an Easement to the City of Poway at Tierra Bonita Elementary School and Twin Peaks Middle School”
- 306 Public Hearing and Approval of Resolution No. 12-2010 entitled “Dedication of an Easement to the Olivenhain Municipal Water District at Del Norte High School”
- 307* Public Hearing to Consider Protest of Assessment of Development Fees for the Cresta Bella Apartment Project

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

500 – COMMUNITY FACILITIES DISTRICT

600 – SUPERINTENDENT’S OFFICE

E. ACTION/CONSENT ITEMS

100 – LEARNING SUPPORT SERVICES

- 103 Acceptance of Three Early Mental Health Initiative Grants from the California Department of Mental Health
- 104 Approval of Agreement for Nonpublic School/Nonpublic Agency Services
- 105 Approval/Ratification of Out-of-State Field Trip
- 106 Acceptance of Gifts

200 – PERSONNEL SUPPORT SERVICES

- 201 Approval of Variable Term Waiver Request – Jill Haverly
- 202 (a) Approval of Certificated Personnel Report No. 03-2010
- (b) Approval of Classified Personnel Report No. 03-2010

300 – BUSINESS SUPPORT SERVICES

- 308 Authorization to Award Bid No. 11B-2010 and Sign a Contract(s) for Purchase of Winter Athletic Apparel
- 309 Authorization to Award Bid No. 12B-2010 and Sign a Contract(s) for Purchase of Winter Athletic Equipment
- 310 Authorization to Award Bid No. 13B-2010 and Sign a Contract(s) for Purchase of Musical Instruments

- 311 Approval/Ratification of Contractual Services Report No. 02-2010
- 312 Ratification of Award of Bid No. 8B-2010 District Network Storage Solution
- 313 Ratification of Award of Bid No. 9B-2010 Enhanced Vapor Recovery Phase II Upgrade
- 314 Approval of Resolution No. 13-2010 entitled “Authorization to Purchase Goods and Services for the 2009-2010 School Year through the Western States Contracting Alliance (WSCA) Contract”
- 315 Approval of District Revolving Cash Fund and Purchase Card Transactions; Ratification of District Purchase Orders
- 316 Approval of Resolution No. 08-2010 entitled “Certification of the Actual Appropriation Limit for 2008-2009 and Adoption of the 2009-2010 Gann Limit”
- 317 Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders
- 318 Approval of Resolution No. 09-2010 entitled “Authorizing the Execution of Pre-Construction Services, Site Lease, Sublease, and Construction Services Agreements for the Renovation of the Proposed District Administration Center”
- 319 Approval to Enter into an Agreement for an Energy Efficiency Program at Westview High School
- 320 Approval of Resolution No. 15-2010 entitled “Declaration of Intention to Dedicate Landscape Maintenance Easement at Del Norte High School”

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

- 401 Ratification of Change Orders to Contracts with K&Z Cabinet Co., Inc., Solpac, Inc., dba Soltek Pacific, and Southwest General Contractors, Inc.; Acceptance of Project as Complete; and Authorization to File Notices of Completion on with Respect to Contract Nos. 503-08-010 and 509-08-010 with Southwest General Contractors, Inc., for the Modernization of Black Mountain Middle School

500 – COMMUNITY FACILITIES DISTRICT

600 – SUPERINTENDENT’S OFFICE

- 601 Approval of Revised Board Policy Section 1.1 – Mission Statement

F. FIRST READING ITEMS

100 – LEARNING SUPPORT SERVICES

- 107 Proposed Adoption of New High School Courses – First Reading

200 – PERSONNEL SUPPORT SERVICES

300 – BUSINESS SUPPORT SERVICES

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

500 – COMMUNITY FACILITIES DISTRICT

600 – SUPERINTENDENT’S OFFICE

G. INFORMATION 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

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

The next **regularly** scheduled Board Meeting will be held on **Monday, October 19**, at **6:00 p.m.** at Morning Creek Elementary School, 10925 Morning Creek Drive South, San Diego.