



**POWAY UNIFIED SCHOOL DISTRICT
MINUTES OF THE BOARD OF EDUCATION
AT A REGULAR MEETING**

November 16, 2009

Morning Creek Elementary School

CLOSED SESSION

President Andy Patapow called the meeting to order at 4:59 p.m. to receive public comment on the closed session agenda items. There were no public comments, and the Board convened to closed session in the staff lounge. The closed session was adjourned at 5:52 p.m., and Board members reconvened in the Morning Creek multipurpose room to begin their regular meeting and relay any reportable action taken during closed session.

REGULAR MEETING

A. PRELIMINARY FUNCTIONS

A-1 Reconvene / Call to Order

The regular meeting of the Board of Education was called to order at 6:01 p.m. by President Andy Patapow.

A-2 Report Out of Closed Session

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Subdivision (b)(1) of Section 54956.9)
Case No: TC-09-29

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION (Subdivision (b)(1) of Section 54956.9) (One case)

CLOSED SESSION: PUBLIC EMPLOYEE COMPLAINT(S)

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: Finalize purchase agreement

In Closed Session, it was moved by Mrs. Ranftle, seconded by Mr. Mangum, that Claim No. TC-09-29 be rejected. *Motion carried unanimously, 5-0.*

In Closed Session, the Board conferred with its negotiator, Deputy Superintendent John Collins, regarding the final price and terms of payment for the purchase of the real property located at 15250 Avenue of Science, San Diego, California. By motion of Mrs. Vanderveen and seconded by Mr. Gutschow, the Board unanimously voted to approve the Second Amendment to Purchase and Sale Agreement, the Third Amendment to Purchase and Sale Agreement, and the final terms of the acquisition of such property as contained in the Purchase and Sale Agreement and the amendments thereto and authorized the Deputy Superintendent, acting for and on behalf of the Poway Unified School District, to accept the grant deed conveying such property. Such Board approval renders the agreement to purchase property final. The final purchase price for such property is \$9,550,000, such purchase price is to be paid in cash at the close of escrow and escrow for such property is

scheduled to close on November 19, 2009. Copies of the Purchase and Sale Agreement and the amendments thereto will be available for inspection during normal business hours in the office of the Superintendent beginning Tuesday, November 17, 2009.

There was no other reportable action taken in closed session.

A-3 Salute to Flag

Rancho Bernardo High School junior Ryan Worden led the salute to the flag.

A-4 Members in Attendance

All Board members were in attendance.

A-5 Welcome to Public

Mrs. Vanderveen welcomed the public and offered instructions on the procedure for addressing the Board during the Public Comments segment of the meeting.

A-6 Approval of Minutes

It was moved by Mr. Mangum, seconded by Mr. Gutschow, that the minutes of the October 19, 2009, Regular Board Meeting be approved as presented. *Motion carried unanimously, 5-0.*

A-7 Approval of Agenda Sequence

D-401 Review and Acceptance of the 2008-2009 Proposition C Financial and Performance Audit of the Poway Unified School District Bond Building Fund

It was moved by Mrs. Vanderveen, seconded by Mr. Gutschow, that agenda item D-401 be considered prior to routine agenda items. *Motion carried unanimously, 5-0.*

A-8 Approval of Consent Calendar

100 – LEARNING SUPPORT SERVICES

- 103 Approval of Agreement for Nonpublic School/Nonpublic Agency Services
- 104 Approval/Ratification of Out-of-State Field Trips
- 105 Adoption of High School Textbook
- 106 Acceptance of Gifts

200 – PERSONNEL SUPPORT SERVICES

- 201 Approval of New Classified Hourly Position of Artist in Residence
- 202 Ratification of Memorandum of Agreement with the County of San Diego for H1N1 Flu Vaccination Clinics
- 203 Approval of Student Teaching Agreement with California State University, Fullerton
- 204 (a) Approval of Certificated Personnel Report No. 05-2010
- (b) Approval of Classified Personnel Report No. 05-2010

300 – BUSINESS SUPPORT SERVICES

- 301 Approval/Ratification of Contractual Services Report No. 04-2010
- 302 Approval of District Revolving Cash Fund and Purchase Card Transactions; Ratification of District Purchase Orders
- 303 Approval of Termination of Contract Awarded to Holsum Bakery, Inc., for Bid No. 1B-2010 and Award of Contract to Galasso's Bakery
- 304 Authorization to Award a Contract for Bid No. 16B-2010 to Purchase Athletic Equipment for Spring Sports
- 305 Approval/Ratification of 2009-2010 Operations Application for K-3 Class Size Reduction Program

- 306 Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders
- 307 Approval of the Williams Settlement Quarterly Report for September 2009
- 308 Ratification of Change Order No. 1 to Contract with Emcor Service, Mesa Energy Systems, Inc.; Acceptance of Project as Complete; and Authorization to File a Notice of Completion for Bid No. 501-09-005 for HVAC Work at Poway High School
- 309 Acceptance of Project as Complete and Authorization to File a Notice of Completion for Bid No. 9B-2010 for the Enhanced Vapor Recovery (EVR) Phase II Project at the Administration Center Transportation Dock
- 310 Acceptance of Project as Complete and Authorization to File a Notice of Completion for the Part of Bid No. 501-08-001 for Flooring at Mesa Verde Middle School

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

500 – COMMUNITY FACILITIES DISTRICT

600 – SUPERINTENDENT’S OFFICE

Mrs. Ranftle asked that agenda item E-306 be pulled for discussion. It was moved by Mr. Mangum, seconded by Mr. Gutschow, that, with the exception of item E-306, the items on the consent calendar be approved as presented. *Motion carried unanimously, 5-0.*

B. REPORTS / PRESENTATIONS / EARLY AGENDA ITEMS

B-1 Student Board Member Reports

Student Board members Lucas Segil from Poway High School, Christina Azar from Del Norte High School, Cameron Mitchell from Westview High School, Sana Marzouq from Rancho Bernardo High School, and Tess Moore from Mt. Carmel High School reported on events and activities at their respective schools. The Student Board member from Abraxas High School was not present.

B-2 (a) Superintendent’s Briefing

The following updates on current issues and events were presented:

- The video produced to clarify the District’s Hate and Harassment policy was presented to the Board.
- Dr. Phillips and Dr. Collins discussed the potential \$17 million shortfall in the PUSD 2010-2011 budget, assuming there are no additional funding cuts from the State. Budget priorities will continue to support college readiness and focus on student learning, and attempt to maintain staff when possible. This is the third year of severe budget cuts with economic projections not anticipating funding reinstated to pre-recession levels until 2014-2015.

(b) Staff Recognition

Accomplishments and awards earned by staff members were recognized.

(c) District Recognition

School awards and honors received were recognized.

B-3 Board Member Reports

Board members reported on their activities and events attended in the previous month.

EARLY AGENDA ITEMS – *As approved in agenda item A-7, this item was considered prior to routine agenda items.*

D-401 Review and Acceptance of the 2008-2009 Proposition C Financial and Performance Audit of the Poway Unified School District Bond Building Fund

It was moved by Mr. Mangum, seconded by Mrs. Ranftle, that the 2008-2009 Proposition C Financial and Performance Audit of the Poway Unified School District Bond Building Fund be accepted by the Superintendent, or his designee, on behalf of the Poway Unified School District. *Motion carried unanimously, 5-0.*

C. PUBLIC COMMENTS

Lisa Rodman asked for the criteria for hand sanitizers being used by the District relative to the H1N1 flu virus. [Mr. Chiment stated that hand sanitizer needed to be at least 62% alcohol-based.]

D. ACTION ITEMS

D-101 Ratification of Student Discipline

It was moved by Mr. Mangum, seconded by Mr. Gutschow, that, based upon the Board's review of the Findings of Fact and Recommendations submitted by administrative hearing panel, the action of the recommendations presented regarding Case Nos. 2009-2010.06, 2009-2010.07, 2009-2010.08, 2009-2010.11, and 2009-2010.12 be ratified. *Motion carried unanimously, 5-0.*

D-102 Ratification of Stipulated Agreements for Student Expulsions

It was moved by Mrs. Vanderveen, seconded by Mr. Gutschow, that the Board of Education approve and ratify the stipulated agreements for expulsion in Case Nos. 2009-2010.03, 2009-2010.10, 2009-2010.13, 2009-2010.15, 2009-2010.16, 2009-2010.17, 2009-2010.18, and 2009-2010.19. *Motion carried unanimously, 5-0.*

As approved in agenda item A-7, D-401 was considered prior to routine agenda items.

D-601 Approval of December 14, 2009, Board Meeting as the Annual Organizational Meeting of the Board

It was moved by Mrs. Ranftle, seconded by Mr. Mangum, that the Board approve December 14, 2009, as the date to conduct its annual organizational meeting. *Motion carried unanimously, 5-0.*

D-602 Approval of Resolution No. 24-2010 entitled “Resolution to Deny the Petition to Establish the Global Tides Charter School in Poway Unified School District”

It was moved by Mr. Gutschow, seconded by Mrs. Vanderveen, that Resolution No. 24-2010, “Resolution to Deny the Petition to Establish the Global Tides Charter School in Poway Unified School District,” be approved. *Motion carried unanimously, 5-0.*

Agenda item E-306 was pulled from the Consent Calendar for discussion and action.

E-306 Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders

It was moved by Mrs. Ranftle, seconded by Mr. Mangum, that the quarterly ASB and Student Council Financial Reports and ASB purchase orders be ratified. *Motion carried unanimously, 5-0.*

F. FIRST READING ITEMS

F-107 Proposed Adoption of High School Chinese Textbook and Student Workbook – First Reading

This was presented as a first reading, to be presented for action on December 14, 2009.

F-108 Proposed New Board Policy Section 3.43 and Administrative Procedure Section 3.43.1 –After School Education and Safety (ASES) Before/After School Programs – First Reading

This was presented as a first reading, to be presented for action on December 14, 2009.

G. INFORMATION ITEMS

G-311 Enrollment Report No. 2/2009-2010

This report was presented as information only.

G-312 Annual Investment Policy Review and Quarterly Disclosure of Local Agency Investments for Poway Unified School District

This report was presented as information.

G-501 Annual Investment Policy Review and Quarterly Disclosure of Local Agency Investments for Community Facilities District Nos. 1 through 14

This report was presented as information only.

H. NEW BUSINESS – BOARD MEMBERS

There was no business discussed under this item.

I. CORRESPONDENCE

There was no correspondence presented.

J. CLOSED SESSION

There were no additional items discussed in Closed Session.

K. ADJOURNMENT

The meeting was adjourned at 7:44 p.m.

Andy Patapow, President

Penny Ranftle, Clerk

Donald Phillips, Secretary

mc