



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

June 22, 2009

Morning Creek Elementary School

CLOSED SESSION

President Andy Patapow called the meeting to order at 4:58 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 6:02 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 6:08 p.m. by President Andy Patapow.

A-2 Report Out of Closed Session

CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN# 274-840-06-00

Agency negotiator: John P. Collins

Negotiating parties: PUSD, CB Richard Ellis, Inc., and Will Gustafson

Under negotiations: Potential Real Property Exchange

There was no reportable action taken in closed session.

A-3 Salute to Flag

President Patapow 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. Gutschow, seconded by Mrs. Ranftle, that the minutes of the May 18, 2009, Regular Board Meeting be approved as presented. *Motion carried 4-0, Member Mangum abstained.*

A-7 Approval of Agenda Sequence

D-403 Review and Receive the Proposition U Bond Building Fund of the Poway Unified School District Financial Audit for the Seven Months Ending January 31, 2009

D-404 Receipt of the Final Proposition U Citizens' Oversight Committee Report and Dissolution of the Committee

D-302 Public Hearing and Approval of Flexibility Transfers from Tier III Categorical Programs to the Unrestricted General Fund

D-301 Public Hearing and Adoption of 2009-2010 Proposed Budget and Approval of Related Criteria and Standards

Deputy Superintendent Collins requested that D-401 be included in the Early Agenda Items. It was moved by Mrs. Vanderveen, seconded by Mr. Gutschow, that agenda items D-401, D-403, D-404, D-302, and D-301 be considered prior to routine agenda items. *Motion carried unanimously, 5-0.*

A-8 Approval of Consent Calendar

100 – LEARNING SUPPORT SERVICES

106 Approval of Resolution No. 93-2009 entitled “Transition Partnership Program Agreement with the California Department of Rehabilitation”

107 Approval to Submit a Waiver to Increase a Special Education Resource Specialist Caseload

108 Approval of 2009-2010 Application for Funding Consolidated Categorical Aid Programs (CCAP), Part I

109 Approval of Nonpublic Schools/Nonpublic Agencies Master Contracts for the 2009-2010 School Year

110 Approval of Agreement for Nonpublic School/Nonpublic Agency Services

111 Approval/Ratification of Out-of-State Field Trip

112 Acceptance of Gifts

200 – PERSONNEL SUPPORT SERVICES

202 Approval of Resolution No. 96-2009 entitled “Authorization to Teach Out of Major or Minor Fields”

203 Approval of the Reestablishment of Classification – District Testing Specialist

204 Approval of New Classification Description – Educational Transcriber

205 Approval of Revised Classified Position Descriptions – Food and Nutrition Supervisor II

206 (a) Approval of Certificated Personnel Report No. 13-2009

(b) Approval of Classified Personnel Report No. 13-2009

300 – BUSINESS SUPPORT SERVICES

303 Approval of Resolution No. 98-2009 entitled “Ratification of Budget Transfers at Close of 2008-2009 School Year”

304 Approval of District Revolving Cash Fund and Purchase Card Transactions; Ratification of District Purchase Orders

305 Approval/Ratification of Contractual Services Report No. 11-2009

306 Approval of Resolution Nos. 86-2009, 87-2009, 88-2009, 89-2009, 90-2009, 91-2009, and 92-2009 Designating Persons Authorized to Act on Behalf of Poway Unified School District

307 Authorization to Award a Contract for Bid No. 8B-2010 District Network Storage Solution

308 Ratification of Award of Bid No. 7B-2009 for Purchase of Athletic Equipment

309 Authorization to Award Bid No. 12B-2009 Uniforms

310 Authorization to Award Bid No. 3B-2010 Replacement of Restroom Partitions at Park Village Elementary School

311 Authorization to Award Bid Nos. 1B-2010 Fresh Bread Products, 4B-2010 Beverages and Snacks, 6B-2010 Fresh Fruits and Vegetables, and 7B-2010 Food Staples and Groceries for the Food and Nutrition Department

312 Authorization for Sale or Disposal of Obsolete and/or Surplus Equipment for the 2009-2010 School Year

313 Approval of Resolution No. 99-2009 entitled “Determining that the Synthetic Turf Project is of Benefit to the Paguay Redevelopment Project Area and that no Other Reasonable Means of Financing this Project are Available”

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

- 405 Authorization to Purchase One Relocatable Building at Sunset Hills Elementary School Without Competitive Bidding Process
- 406 Ratification of Award of Bid No. 501-09-005 to Replace Rooftop Air Conditioning Units in the Training and Gym Locker Rooms and Wrestling Gym HVAC Remodel at Poway High School
- 407 Ratification of Change Orders to Contracts with Peltzer Plumbing, Inc., and Southwest General Contractors, Inc., for Services Rendered in the Modernization of Black Mountain Middle School
- 408 Ratification of Change Orders to Contracts with Miller Environmental, Inc., and Team C Construction, Acceptance of Project as Complete with Respect to Contract with Team C Construction, and Authorization to File a Notice of Completion on Contract No. 502-08-055 with Team C Construction for the Modernization of Rolling Hills Elementary School
- 409 Approval to Reduce Retention to 5 Percent for the Modernization of Sundance Elementary School
- 410 Authorization to Execute Three Seventh Amendments to the Construction Services, Sublease, and Site Lease Agreements for the Modernization of Poway High School
- 411 Authorization to Execute Three First and Second Amendments to the Construction Services, Sublease, and Site Lease Agreements for the Modernization of Sunset Hills Elementary School and Mt. Carmel High School

500 – COMMUNITY FACILITIES DISTRICT

- 501 Approval of Resolution Nos. 59-2009 through 85-2009 and 100-2009 entitled “Establishment of Annual Special Taxes for Community Facilities District Nos. 1, 2, 3, 4, 5, 6, 6 IA-A, 6 IA-B, 6 IA-C, 7, 8 IA-B, 9, 10, 10 IA-A, 10 IA-B, 10 IA-C, 10 IA-D, 10 IA-E, 11 Zone 1, 11 Zone 2, 11 Zone 3, 11 IA-A, 11 IA-B, 11 IA-C, 12, 13, 14, and 14 IA-A”
- 502 Acceptance of Project as Complete and Authorization to File a Notice of Completion on the Construction of Del Norte High School
- 503 Approval of First Amended and Restated Loan Agreement by and Between Poway Unified School District and Community Facilities District No. 6

600 – SUPERINTENDENT’S OFFICE

Revised agenda items E-206(a), E-206(b), and E-305 were distributed to the Board and Cabinet prior to the beginning of the meeting. Board members requested that agenda items E-107, E-109, E-110, E-313, E-406, E-410, and E-411 be pulled for discussion. Dr. Collins asked that E-313 be included as an early agenda item. It was moved by Mrs. Ranftle, seconded by Mr. Gutschow, that agenda item E-313 be included as an Early Agenda Item. *Motion carried unanimously, 5-0.* It was moved by Mrs. Ranftle, seconded by Mrs. Vanderveen, that, with the exception of items E-107, E-109, E-110, E-313, E-406, E-410, and E-411, 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

Due to summer recess, no Student Board members were in attendance.

B-2 (a) Superintendent’s Briefing

The following updates on current issues and events were presented:

- Our students are very impressive as reflected in the sense of pride on their parents’ faces at the graduation and promotion celebrations.

- Deputy Superintendent John Collins gave a brief update on construction at Canyon View, Deer Canyon, Pomerado, Rolling Hills, Sundance, Sunset Hills, and Turtleback Elementary, Black Mountain Middle, and Del Norte High Schools.

(b) Student Recognition

Student accomplishments and awards received were recognized.

(c) Staff Recognition

Accomplishments and awards earned by staff members were recognized.

(d) District Recognition

School awards and honors received were recognized.

(e) Student Awards for Academic Achievement

This was presented as information.

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 items A-7 and A-8, these items were considered prior to routine agenda items.*

D-401 Approval of Resolution No. 101-2009 entitled “Directing and Authorizing Actions to Provide for Levy and Collection of *Ad Valorem* Taxes for General Obligation Bonds of School Facilities Improvement District No. 2002-1 of the Poway Unified School District, 2002 Election, Series A, General Obligation Bonds of School Facilities Improvement District No. 2002-1 of the Poway Unified School District, 2002 Election, Series B, General Obligation Bonds of School Facilities Improvement District No. 2002-1 of the Poway Unified School District, 2002 Election, Series C, and General Obligation Bonds of School Facilities Improvement District No. 2007-1 of the Poway Unified School District, 2008 Election, Series A, in Fiscal Year 2009-2010, and Taking Related Actions”

It was moved by Mr. Mangum, seconded by Mrs. Ranftle, that Resolution No. 101-2009 be approved. *Motion carried unanimously, 5-0.*

Agenda item E-313 was pulled from the Consent Calendar for discussion and action as an Early Agenda Item.

E-313 Approval of Resolution No. 99-2009 entitled “Determining that the Synthetic Turf Project is of Benefit to the Paguay Redevelopment Project Area and that no Other Reasonable Means of Financing this Project are Available to Poway Unified School District”

It was moved by Mr. Gutschow, seconded by Mrs. Vanderveen, that Resolution No. 99-2009, determining that the Synthetic Turf Project is of benefit to the Paguay Redevelopment Project Area and that no other reasonable means of financing this project are available to Poway Unified School District, be approved and that the Board authorize the Superintendent, or his designee, to undertake amendments to the Joint-Use Agreement with the City of Poway to reflect the synthetic turf conversion and execute the documents necessary to complete the Synthetic Turf Project at Valley Elementary School and Meadowbrook Middle School. *Motion carried unanimously, 5-0.*

D-403 Review and Receive the Proposition U Bond Building Fund of the Poway Unified School District Financial Audit for the Seven Months Ending January 31, 2009

It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that the Proposition U Bond Building Fund of the Poway Unified School District financial audit for the seven months ending January 31,

2009, be accepted by the Superintendent, or his designee, on behalf of the Poway Unified School District. *Motion carried unanimously, 5-0.*

D-404 Receipt of the Final Proposition U Citizens' Oversight Committee Report and Dissolution of the Committee

President Patapow and Dr. Phillips presented plaques to Chrissa Corday, Andy Berg, Lee Dulgeroff, and John Sturla in recognition of their service on the Proposition U Citizens' Oversight Committee. Committee members William Bonner, George Hawkins, and Gerald Ricks were unable to attend the meeting.

It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that the Board receive the final Proposition U Citizens' Oversight Committee (COC) Report and dissolve the committee. *Motion carried unanimously, 5-0.*

D-302 Public Hearing and Approval of Flexibility Transfers from Tier III Categorical Programs to the Unrestricted General Fund

Revised agenda item D-302 was distributed to the Board and Cabinet prior to the beginning of the meeting. President Patapow opened a public hearing at 7:19 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Gutschow, seconded by Mrs. Ranftle, that the 2009-2010 Proposed Budget and Related Criteria and Standards be approved. *Motion carried unanimously, 5-0.*

D-301 Public Hearing and Adoption of 2009-2010 Proposed Budget and Approval of Related Criteria and Standards

President Patapow opened a public hearing at 7:58 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Gutschow, seconded by Mrs. Vanderveen, that the Board approve the transfers in 2008-2009 Tier III Categorical funds listed to the unrestricted general fund. *Motion carried unanimously, 5-0.*

C. PUBLIC COMMENTS

David Brown requested that his son's high school transcript reflect the advanced, out-of-district courses he has completed with the grades on the 5-point scale.

D. ACTION ITEMS

D-101 Public Hearing and Approval of Submission of a Petition Request for the Adoption of Alternative Instructional Materials in Special Education Using Lottery Funds

President Patapow opened a public hearing at 8:27 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that the Board approve a petition request for submission to the State Board of Education requesting that the District be allowed to adopt alternative instructional materials for severely disabled special education students. *Motion carried unanimously, 5-0.*

D-102 Approval of 2009-2010 Revision of Local Education Agency Plan (LEAP)

It was moved by Mrs. Ranftle, seconded by Mr. Mangum, that the 2009-2010 revision of the PUSD Local Education Agency Plan (LEAP) be approved. *Motion carried unanimously, 5-0.*

D-103 Ratification of Student Discipline

Dr. Mel Robertson asked that Case No. 2008-2009.68 not be considered in the action. It was moved by Mrs. Ranftle, seconded by Mr. Gutschow, that, based upon the Board's review of the Findings of Fact and Recommendations submitted by administrative hearing panels, the action on the recommendations presented regarding Case Nos. 2008-2009.51, 2008-2009.52, 2008-2009.53, and 2008-2009.59 be ratified. *Motion carried unanimously, 5-0.*

D-104 Ratification of Stipulated Agreements for Student Expulsions

It was moved by Mr. Mangum, seconded by Mrs. Ranftle, that the Board of Education approve and ratify the stipulated agreements for expulsion in Case Nos. 2008-2009.55, 2008-2009.56, 2008-2009.57, 2008-2009.61, 2008-2009.62, and 2008-2009.66. *Motion carried unanimously, 5-0.*

D-105 Readmission of Students on Expulsion

It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that students represented by Case Nos. 2008-2009.08, 2008-2009.14, 2008-2009.15, and 2008-2009.24 be readmitted to the Poway Unified School District. *Motion carried unanimously, 5-0.*

D-201 Approval of Resolution No. 97-2009 entitled “Resolution Regarding the Elimination or Reduction in Hours of the Classified Positions as Contained Within Exhibit “A”; Corresponding Layoff of Classified Employees”

Karen Carlson, Christopher Sinclair, John Kayser, Ernest Yaggi, Fred Felipe, and Hilarion Espe voiced their opposition to the elimination of the Operations Supervisor position.

Mike Cooper and Viola Maker submitted written statement indicating their opposition to the elimination of the Operations Supervisor position, but chose not to address the Board individually.

Revised agenda item D-201 was distributed to the Board and Cabinet prior to the beginning of the meeting. It was moved by Mr. Gutschow, seconded by Mrs. Ranftle, that the Board approve Resolution with its attached exhibit as presented. *Motion carried unanimously, 5-0.*

As approved in agenda item A-7, D-301, D-302, and D-401 were considered prior to routine agenda items.

D-402 Approval of Resolution No. 94-2009 entitled “Authorizing the Execution and Delivery by the District of a First Supplemental Indenture and a First Amendment to Lease Agreement in Connection with the Substitution of a Reserve Surety for the Poway Unified School District Public Financing Authority Lease Revenue Bonds, Series 2008, and Authorizing Related Actions”

It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that Resolution No. 94-2009 be approved and the appropriate legal agreement be amended. *Motion carried unanimously, 5-0.*

As approved in agenda item A-7, D-403 and D-404 were considered prior to routine agenda items.

Agenda items E-107, E-109, E-110, E-406, E-410, and E-411 were pulled from the Consent Calendar for discussion and action.

E-107 Approval to Submit a Waiver to Increase a Special Education Resource Specialist Caseload

It was moved by Mrs. Ranftle, seconded by Mr. Gutschow, that submission of request for a waiver to increase a Resource Specialist’s caseload for the remained of the 2008-2009 school year be approved. *Motion carried unanimously, 5-0.*

E-109 Approval of Nonpublic Schools/Nonpublic Agencies Master Contracts for the 2009-2010 School Year

It was moved by Mr. Gutschow, seconded by Mrs. Vanderveen, that the Master Contracts for Nonpublic Schools and Nonpublic Agencies be approved for the 2009-2010 school year. *Motion carried unanimously, 5-0.*

E-110 Approval of Agreement for Nonpublic School/Nonpublic Agency Services

It was moved by Mrs. Vanderveen, seconded by Mr. Gutschow, that the Superintendent, or his designee, be authorized to sign and forward the appropriate documents to the County Superintendent to reflect the placement of students in nonpublic schools/nonpublic agencies. *Motion carried unanimously, 5-0.*

E-406 Ratification of Award of Bid No. 501-09-005 to Replace Rooftop Air Conditioning Units in the Training and Gym Locker Rooms and Wrestling Gym HVAC Remodel at Poway High School

It was moved by Mrs. Vanderveen, seconded by Mrs. Ranftle, that the award of Bid No. 501-09-005 to Emcor/Mesa Energy Systems, Inc., in the amount of \$314,985, to replace rooftop air conditioning units in the training and gym locker rooms and wrestling gym HVAC remodel at Poway High School. *Motion carried unanimously, 5-0.*

E-410 Authorization to Execute Three Seventh Amendments to the Construction Services, Sublease, and Site Lease Agreements for the Modernization of Poway High School

It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that the Superintendent, or his designee, be authorized to sign the three Seventh Amendments to the Construction Services, Sublease, and Site Lease Agreements for the modernization of Poway High School. *Motion carried unanimously, 5-0.*

E-411 Authorization to Execute Three First and Second Amendments to the Construction Services, Sublease, and Site Lease Agreements for the Modernization of Sunset Hills Elementary School and Mt. Carmel High School

It was moved by Mrs. Ranftle, seconded by Mr. Gutschow, that the Superintendent, or his designee, be authorized to sign the three First and Second Amendments to the Construction Services, Sublease, and Site Lease Agreements for the modernization of Sunset Hills Elementary School and Mt. Carmel High School. *Motion carried unanimously, 5-0.*

F. FIRST READING ITEMS

F-113 Proposed Adoption of New High School Course – First Reading

This was presented as a first reading, to be presented for action on August 17, 2009.

F-114 Proposed Adoption of High School English Language Development (ELD) Support Course – First Reading

This was presented as a first reading, to be presented for action on August 17, 2009.

F-115 Proposed Adoption of Middle School Supplemental Textbook – First Reading

Revised agenda item F-115 was distributed to the Board and Cabinet prior to the beginning of the meeting. This was presented as a first reading, to be presented for action on August 17, 2009.

G. INFORMATION ITEMS

G-314 Enrollment Report Nos. 9/2008-2009 and 10/2008-2009

These reports were presented as information.

H. NEW BUSINESS – BOARD MEMBERS

Mrs. Ranftle requested that when revised agenda items are submitted to the Board prior to the beginning of the meeting, the differences are highlighted to make the changes more apparent.

I. CORRESPONDENCE

There was no correspondence presented.

J. CLOSED SESSION

There were no additional items discussed in Closed Session.

K. ADJOURNMENT

The meeting of the PUSD Board of Education was adjourned at 9:29 p.m.

M. PUSD CAPITAL FACILITIES FINANCING CORPORATION

The meeting of the Poway Unified School District Capital Facilities Financing Corporation was called to order at 9:29 p.m. by President Andy Patapow.

M-1 Poway Unified School District Capital Facilities Financing Corporation – Annual Meeting and Approval of Officers

It was moved by Mr. Gutschow, seconded by Mrs. Vanderveen, that the officers of the Poway Unified School District Board of Education be approved as officers of the Poway Unified School District Capital Facilities Financing Corporation, the Superintendent shall be the Executive Director and Secretary of the Corporation, and the Deputy Superintendent shall be the Treasurer of the Corporation. *Motion carried unanimously, 7-0.*

The meeting of the PUSD Capital Facilities Financing Corporation was adjourned at 9:32 p.m.

L. PUSD PUBLIC FINANCING AUTHORITY

The meeting of the Poway Unified School District Public Financing Authority was called to order at 9:32 p.m. by President Andy Patapow.

L-1 Approval of Resolution No. 95-2009 entitled “Authorizing the Execution and Delivery by the Authority of a First Supplemental Indenture and a First Amendment to Lease Agreement in Connection with the Substitution of a Reserve Surety for the Poway Unified School District Public Financing Authority Lease Revenue Bonds, Series 2008, and Authorizing Related Actions”

It was moved by Dr. Collins, seconded by Mr. Gutschow, that Resolution No. 95-2009 be approved and the appropriate legal agreements be amended. *Motion carried unanimously, 7-0.*

The meeting of the PUSD Public Financing Authority was adjourned at 9:34 p.m.

Andy Patapow, President

Penny Ranftle, Clerk

Donald Phillips, Secretary

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