



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

**September 14, 2009**  
Morning Creek Elementary School

**CLOSED SESSION**

President Andy Patapow called the meeting to order at 4:29 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 5:48 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 6:05 p.m. by President Andy Patapow.

**A-2 Report Out of Closed Session**

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 closed session, on a motion by Mrs. Ranftle, seconded by Mrs. Vanderveen, the Board voted unanimously to approve the settlement of TC-10-04.

There was no other reportable action taken in closed session.

**A-3 Salute to Flag**

A third grader from Highland Ranch led the salute to the flag.

President Patapow called for a moment of silence in memory of Clayton Blackburn, a Poway High School sophomore.

**A-4 Members in Attendance**

All Board members were in attendance.

**A-5 Welcome to Public**

Mr. Mangum 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. Vanderveen, that the minutes of the August 17, 2009, Regular Board Meeting and August 24, 2009, Special Board Meeting be approved as presented. *Motion carried unanimously, 5-0.*

**A-7 Approval of Agenda Sequence**

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

It was moved by Mrs. Vanderveen, seconded by Mrs. Ranftle, that agenda items D-301 and D-307 be considered prior to routine agenda items. *Motion carried unanimously, 5-0.*

**A-8 Approval of Consent Calendar**

**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

Revised agenda item E-202(b) was distributed to the Board and Cabinet prior to the beginning of the meeting. Mrs. Vanderveen asked that item E-101 be pulled for discussion. Mrs. Ranftle asked that items E-311 and E-318 be pulled for discussion. It was moved by Mr. Mangum, seconded by Mr. Gutschow, that, with the exception of items E-101, E-311, and E-318, 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 Cameron Mitchell from Westview High School, Lucas Segil from Poway High School, Sana Marzouq from Rancho Bernardo High School, Tess Moore from Mt. Carmel High School, Greg Christensen from Abraxas High School, and Omar Ali from Del Norte High School reported on events and activities at their respective schools.

**B-2 (a) Superintendent’s Briefing**

The following updates on current issues and events were presented:

- The District Teachers of the Year, Classified Employees of the Year, and District Volunteers of the Year who were present were recognized.
- Deputy Superintendent John Collins introduced Bill Bonner, Proposition C Citizens’ Oversight Committee member. Dr. Collins gave a brief update on construction at Canyon View, Deer Canyon, Pomerado, Sundance, Sunset Hills, and Turtleback Elementary Schools and Del Norte High School.

**(b) Student Recognition**

Student accomplishments and awards received were recognized.

**(c) Staff Recognition**

Accomplishments and awards earned by staff members were recognized.

**B-3 Poway Unified School District Teachers of the Year 2009-2010: Arlene Gaspusan, Kris Hizal, Amanda Nobles**

As part of the Superintendent's Briefing in B-2(a), the Teachers of the Year were introduced and President Patapow and Dr. Phillips presented plaques to each of them.

**B-4 Poway Unified School District Classified Employees of the Year 2009: Mary Anne Mease and Christine Gold**

As part of the Superintendent's Briefing in B-2(a), the Classified Employees of the Year were introduced and President Patapow and Dr. Phillips presented plaques to each of them.

**B-5 Poway Unified School District Volunteers of the Year 2008-2009: Wendy DeWildt, Darlene Dunn, Jan McGowan, and Melissa Martinez**

As part of the Superintendent's Briefing in B-2(a), the volunteers were recognized for their efforts during the 2008-2009 school year.

**B-6 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, these items were considered prior to routine 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**

It was moved by Mrs. Ranftle, seconded by Mr. Mangum, that the Board of Education approve the Purchase and Sale Agreement and authorize the Superintendent, or his designee, to execute the necessary documents to complete the transaction. *Motion carried unanimously, 5-0.*

**D-307 Public Hearing to Consider Protest of Assessment of Development Fees for the Cresta Bella Apartment Project**

President Patapow opened a hearing at 6:57 p.m. to hear the appeal by legal counsel representing California Properties Leisure Life and California Properties to the requirement for the payment of development fees on the Cresta Bella Apartment Project. Following the hearing and discussion, it was moved by Mrs. Ranftle, seconded by Mr. Mangum, that the Board deny their appeal to the payment of the development fees. *Motion carried unanimously, 5-0.*

**C. PUBLIC COMMENTS**

Rex Kennemer, Wanda Faust, Carole DeBruin, Josh Nichols, Mark Magulac, and Esther Bloom voiced their support of the Safe Center at Abraxas High School.

Sabrina Butler expressed her appreciation for the District's support of the Poway Days Heritage Parade.

**D. ACTION ITEMS**

**D-101 Public Hearing and Approval of Resolution No. 14-2010 entitled "Sufficiency of Instructional Materials for 2009-2010"**

President Patapow opened a public hearing at 8:02 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Mangum, seconded by Mr. Gutschow, that Resolution No. 14-2010, determining that Poway Unified School District has sufficient instructional materials for 2009-2010, be adopted. *Motion carried unanimously, 5-0.*

**D-102 Readmission of Students on Expulsion**

It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that students represented by Case Numbers 2008-2009.03, 2008-2009.06, 2008-2009.11, 2008-2009.21, 2008-2009.38, and 2008-2009.74 be readmitted to the Poway Unified School District. *Motion carried unanimously, 5-0.*

*As approved in agenda item A-7, D-301 was considered prior to routine agenda items.*

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

President Patapow opened a public hearing at 8:03 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Mangum, seconded by Mr. Gutschow, that the Board approve the transfers in 2009-2010 Tier III Categorical funds to the unrestricted general fund. *Motion carried unanimously, 5-0.*

**D-303 Certification of the 2008-2009 Unaudited Financial Report Fund Balances**

It was moved by Mr. Gutschow, seconded by Mrs. Ranftle, that the Board certify the 2008-2009 unaudited actual fund balances. *Motion carried unanimously, 5-0.*

**D-304 Public Hearing and Approval of Resolution No. 10-2010 entitled “Dedication of a Landscape Maintenance Easement at Willow Grove Elementary School”**

President Patapow opened a public hearing at 8:19 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Mangum, seconded by Mrs. Ranftle, that Resolution No. 10-2010, dedicating a landscape easement at Willow Grove Elementary School, be approved. *Motion carried unanimously, 5-0.*

**D-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”**

President Patapow opened a public hearing at 8:20 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that Resolution No. 11-2010, dedicating a right-of-way easement to the City of Poway at Tierra Bonita Elementary School and Twin Peaks Middle School, be approved. *Motion carried unanimously, 5-0.*

**D-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”**

President Patapow opened a public hearing at 8:21 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that Resolution No. 12-2010, dedicating a right-of-way easement to the Olivenhain Municipal Water District at Del Norte High School, be approved. *Motion carried unanimously, 5-0.*

*As approved in agenda item A-7, D-307 was considered prior to routine agenda items.*

*Agenda items E-103, E-311, and E-318 were pulled from the Consent Calendar for discussion and action.*

**E-103 Acceptance of Three Early Mental Health Initiative Grants from the California Department of Mental Health**

It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that the three Early Mental Health Initiative (EMHI) grants awarded by the California Department of Mental Health be accepted. *Motion carried unanimously, 5-0.*

**E-311 Approval/Ratification of Contractual Services Report No. 02-2010**

It was moved by Mrs. Ranftle, seconded by Mr. Gutschow, that Contractual Services Report No. 02-2010 be approved and/or ratified. *Motion carried unanimously, 5-0.*

**E-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”**

It was moved by Mrs. Ranftle, seconded by Mrs. Vanderveen, that Resolution No. 09-2010 be approved, that the lease-build methodology be authorized, and that the Superintendent, or his designee, be authorized to execute lease-build agreements for the renovation of the proposed District Administration Center. *Motion carried unanimously, 5-0.*

**F. FIRST READING ITEMS**

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

This was presented as a first reading, to be presented for action on October 19, 2009.

**G. INFORMATION ITEMS**

There were no Information items discussed.

**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 8:28 p.m.

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Andy Patapow, President

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Penny Ranftle, Clerk

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Donald Phillips, Secretary

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