

**NEWPORT-MESA UNIFIED SCHOOL DISTRICT**  
Regular Meeting of the Board of Education  
District Education Center  
Roderick H. MacMillian Board Meeting Room  
2985-A Bear Street, Costa Mesa  
June 26, 2007

- Closed Session At 4:37 p.m., President Franco announced that the Board of Education would convene in Closed Session to address Public Employee Evaluation: Title-Superintendent, Student Discipline, Conference with Labor Negotiator, Public Employee Discipline/Dismissal/Release and Public Employee Appointment: Title – Assistant Principal.
- Recess At 6:30 p.m., the Board took a brief recess.
- Reconvene/Call to Order/Roll Call At 7:05 p.m., President Franco called to order the Regular Board meeting with a silent invocation and Pledge of Allegiance led by Trustee Karen Yelsey.

Members Present

- Judy Franco, President
- Martha Fluor, Vice-President
- Dana Black, Clerk
- Dave Brooks, Member
- Michael Collier, Member
- Walt Davenport, Member
- Karen Yelsey, Member
- Jeffrey Hubbard, Ed.D., Secretary

- Adoption of Agenda Mrs. Fluor moved adoption of the agenda as presented. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.
- Community Input No comments.
- Presentation The Board heard a presentation from the Australian Sister City 2006/07 and 2007/08 traveling delegates.
- Parent Liaison Report No report.
- Consent Calendar *Mr. Davenport moved approval of the consent calendar as presented. Mrs. Fluor seconded the motion, and it carried unanimously with a 7/0 vote.*
  - 5. Approved the expulsions of student’s with the following I.D. #'s: 06-48-72, 06-73-72, 06-78-79, and 06-80-39.
  - 6. Approved forty one new individual contracts through the 2007/08 school as established from the Individual Educational Program in the amount of \$658,718.41.
  - 7. Approved nine master contracts with Autism Spectrum Therapies, Children’s Learning Connection, Inc., Children’s Therapy Studio, Cornerstone Therapies, The Reading and Language Center, Speech Pathology Associates, Inc., Devereux Texas Treatment Network, The Prentice School, and the Winstone School and one addendum to an existing contract with PT for Kids through the 2007/08 school year as established from the Individual Educational Program.
  - 8. Approved six parent reimbursement contracts for a total Individual Education Cost (IEP) of \$25,518.00 through the 2007/08 school year, as established from the Individual Educational Program.
  - 9. Approved the Final Compromise and Release Agreement Office of Administrative Hearings (OAH) Case No. N2007040439 in the amount of \$3,500.00 pursuant to the laws of the State of California.
  - 10. Approved submission of Early Intervention for School Success (EISS) Professional Learning Community Implementation Grant for Harper Preschool.

11. Approved acceptance of the Local School Readiness Initiative Grant from Children and Families Commission of Orange County for the grant period of 7/1/07-6/30/09 in the amount of \$175,100.00.
12. Approved the Memorandum of Understanding with the Orange County United Way for Harper Preschool to participate in the United Way Success by Six Star-Quality Rating System Project as a Star-Quality partner.
13. Approved the Agreement between Newport-Mesa Unified School District and the Orange County Department of Education for Medi-Cal Administrative Activities for the period of July 1, 2007 through June 30, 2008.
14. Approved the Agreement between Magdalena Enterprises, Inc., and the Newport-Mesa Unified School District to provide construction inspection services for portable classrooms as referenced in an amount not-to-exceed \$27,000.00.
15. Approved participation in the California Energy Commission's Bright Schools Program. The District will look at all appropriate funding opportunities to take advantage of identified saving measures, provided they are economically feasible and fall within the District's economic criteria for selecting projects.
16. The Board of Education agreed that it is in the best interest of the Newport-Mesa Unified School District to approve the acquisition of network system components, network maintenance services, and approved with a motion, an agreement with Sunesys to purchase high bandwidth services and with the Orange County Department of Education to provide Internet services. The Board of Education approved the selection of vendors to provide the designated products and services under the Federal E-Rate program as listed.
17. Approved Amendment #1 between California School Management Group, Inc., and the Newport-Mesa Unified School District for the term July 1, 2006 through June 30, 2008 in an amount not-to-exceed \$87,000.
18. Approved the renewal of the ground lease between the Newport-Mesa Unified School District and the Orange County Head Start, Inc. at Parsons School site and Rea Elementary School.
19. Approved Amendment #3 to the lease agreements between Newport-Mesa Unified School District and the Child Development Centers at Newport Heights Elementary School and Woodland Elementary Schools.
20. Approved the renewal of the ground lease agreement between the Newport-Mesa Unified School District and Ability First at Paularino Elementary School.
21. Approved Amendment #6 to the ground lease agreement between Newport-Mesa Unified School District and the Orange County Department of Education at Costa Mesa High School for the period of July 1, 2007 through June 30, 2008.
22. Approved Amendment #11 to the ground lease agreement between Newport-Mesa Unified School District and the Central Orange Coast YMCA at Harbor View Elementary School and Mariners Elementary School.
23. Approved Amendment #5 to the lease agreement between Newport-Mesa Unified School District and the Boys and Girls Club at Rea Elementary School for the period of July 1, 2007 through June 30, 2008.
24. Approved the restated and amended lease agreement between Newport-Mesa Unified School District and the Coastline Regional Occupational Program at Presidio for the period of July 1, 2007 through June 30, 2008.
25. Approved Amendment #2 to the Orange County Teachers Federal Credit Union Master Automated Teller Machine Site License and Service Agreement.
26. Approved the purchase of Excess Workers' Compensation Coverage from Arch Insurance Company through Wexford at an annual premium rate of \$.1659 per \$100 of payroll at \$234,081 for the period of July 1, 2007 through June 30, 2008.
27. Authorized the Deputy Superintendent to enter into a contract with LPA, Inc., Architects for a feasibility study regarding the upgrading of athletic fields at three high schools.
28. Approved the agreement between the Newport-Mesa Unified School District and Day Wireless Systems for radio tower site rental at Santiago Peak for the purpose of relocating the District's two way radio transmission equipment.
29. Approved a consulting agreement between the Newport-Mesa Unified School District and American Homeland Solutions to facilitate district-wide, all-staff emergency preparedness and response trainings for the 2007/08 school year. Funding for these services will be

- provided through the federally funded ASK grant.
- 30. Approved Amendment #2 between Newport-Mesa Unified School District and Loskot Consulting Services in an amount not-to-exceed an additional \$6,000. Total for this agreement will be \$33,000.
- 31. Approved the agreement between Newport-Mesa Unified School District and Vavrinek, Trine, Day & Co., LLP., for the purposes of providing special accounting and consulting services related to Prop. 39 audit for Measure F at the hourly rates and terms set forth in the agreement in an amount not-to-exceed \$2,500.
- 32. Approved the agreement between the Newport-Mesa Unified School District and the California School Board’s Associate for the purpose of providing a two-day Board Governance Workshop in an amount not-to-exceed \$1,750.00 plus reasonable expenses for the contract period of March 15, 2007 through June 30, 2007.
- 33. Approved the District/University/Internship/Field Placement Agreement between the Newport-Mesa Unified School District and Alliance International University per the terms of the contract.
- 34. Approved the 2007/08 Declaration of Need for Fully Qualified Educators.
- 35. Approved the Professional Growth Awards to participants in the classified employees bargaining unit in the amount \$35,881 for fiscal year 2006/07.
- 36. Approved Professional Growth Awards to participants in the supervisory and confidential employee groups in the amount of \$4,475.75 for fiscal year 2006/07.
- 37. Approved Certificated Employees' Leave of Absence Register No. 20-07.
- 38. Approved Certificated Employees’ Resignation/Termination Register No. 18-07.
- 39. Approved Certificated Employees’ Appointment/Reassignment Register No. 20-07.
- 40. Approved Classified Employees’ Resignation/Termination Register No. 19-07.
- 41. Approved Classified Employees’ Appointment/Reassignment Register No. 19-07.
- 42. Approved Classified Employees’ Leave of Absence Register No. 19-07.
- 43. Approved Gift Register No. 19-07.
- 44. Approved Accounting Register No. 19-07.
- 45. Approved Measure A Accounting Register No. 19-07.
- 46. Approved Purchasing Report No. 19-07.
- 47. Approved Purchasing Report Measure A & F No. 19-07A/F.
- 48. Approved Independent Contractors Register No. 20-07.
- 49. Approved Student Trip Register No. 18-07.

Introduction of  
New Assistant  
Principal

The Board welcomed new Assistant Principal of TeWinkle Intermediate School Ariana Garcia.

Public input on  
the Joint  
Reopener  
Proposal for the  
Collective  
Bargaining  
Agreement  
between Newport-  
Mesa Unified  
School District  
and the California  
School  
Employees  
Association,  
Chapter 18 for the  
School Years of  
2006/07 and  
2007/08

President Franco opened the public input on the Joint Reopener Proposal for the Collective Bargaining Agreement between Newport-Mesa Unified School District and the California School Employees Association, Chapter 18 for the School Years of 2006/07 and 2007/08. No comments were received and the public input was closed.

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**ADOPTED MINUTES  
June 26, 2007**

- Approval of 2007/08 Consolidated Application for Funding Categorical Programs, Part 1 Mr. Brooks moved approval of the 2007/08 Consolidated Application for Funding Categorical Programs, Part 1. Mr. Collier seconded the motion, and it carried unanimously with a 7/0 vote.
- Adoption of Resolution No 32-06-07 of the Board of Education of the Newport-Mesa Unified School District Determining to Participate Jointly with the City of Costa Mesa in a Master Plan Feasibility Study for the Athletic Fields at Costa Mesa High School, TeWinkle Intermediate School and California and Davis Elementary Schools. Mr. Davenport seconded the motion.  
Mrs. Fluor moved adoption of Resolution No. 32-06-07 of the Board of Education of the Newport-Mesa Unified School District Determining to Participate Jointly with the City of Costa Mesa in a Master Plan Feasibility Study for the Athletic Fields at Costa Mesa High School, TeWinkle Intermediate School and California and Davis Elementary Schools. Mr. Davenport seconded the motion.  
Mrs. Franco - yes  
Mrs. Fluor - yes  
Mrs. Black - yes  
Mr. Brooks - yes  
Mr. Collier - yes  
Mr. Davenport – yes  
Mrs. Yelsey - yes
- Resolution No. 32-06-07 was adopted by a unanimous roll call vote.
- Discussion item – Newport-Mesa Unified School District Facilities Use Fees Tim Marsh provided background on the District’s current facilities use policy and associated fees. In September of 2006, staff brought before the Board a revised policy, rule and regulation and fee schedule for approval. The changes are in line with the Civic Center Act and took effect in January of 2007. All users were notified in November of the pending changes. The policy clearly defines user groups, non-profits and other categories and all applicable costs. The District recoups costs directly related to the operations of the pools and facilities and established from a survey, the District charges significantly lower fees than neighboring school districts. In April, 2007, the Board received a Board Policy Agenda Request Form 1420 from community member Mike Draganza also a user of a District pool requesting that the Board review their policy and eliminate or greatly reduce the fees.  
Mr. Draganza addressed the Board in support of his request that the fees be reduced or eliminated due to financial hardships they placed on the group’s users. Community member Tom Cain also addressed the Board in support of Mr. Draganza’s request. The Board discussed the item, however, took no formal action on the item at this time.
- Discussion Item – Newport-Mesa Unified School District Proposed Sound Block Wall at the South End of Estancia High School in Accordance with the Stadium Tim Marsh provided background on the District’s proposed sound block wall project at Estancia High School in accordance with the Environmental Impact Report for the construction of the new stadium. In May, 2007, the Board received a Board Policy Agenda Request Form 1420 from community member Tim Sandefer requesting that the Board review the placement of the sound wall on the field at Estancia High School.  
Mr. Sandefer addressed the Board in support of his concerns about the placement of the wall. Audience members Dan Harbs and Dan Hitt also addressed the Board in opposition to the placement of the sound wall the full length of the field. After hearing all concerns and statements from Board and staff, Dr. Hubbard requested that staff review the Environmental Report and request a legal

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Project	opinion about the placement of the wall and mitigating factors. This item will come back to the Board at the end of summer for further review and action.
Realignment / Reapportionment of Trustee Areas	<p>Trustee Fluor requested an opportunity to review existing trustee areas pursuant to submission of a Board Policy No. 1420 Agenda Request Form. Staff previously researched legal requirements for making changes and additional research was requested to provide a summary of current demographic and registered voters data relative to the Newport-Mesa Unified School District's seven trustee areas. It is recommended that the Board of Education review the information submitted and provide further direction to staff as deemed appropriate.</p> <p>The Board concurred that the trustee areas should be further reviewed and a study should be completed. Mrs. Fluor suggested the establishment of a committee. The Board requested that the Superintendent set a study session for sometime in the Fall of 2007 to begin the review and that Board members Fluor, Yelsey and Franco would establish a sub-committee to begin a review.</p>
Adoption of Resolution No.33- 06-07, Certifying Board of Education Approval of Contract #CPRE-7245 with The California Department of Education for Fiscal Year 2007/08 for the State Preschool Program	<p>Mrs. Fluor moved adoption of Resolution No. 33-06-07, Certifying Board of Education Approval of Contract #CPRE-7245 with The California Department of Education for Fiscal Year 2007/08 for the State Preschool Program. Mr. Brooks seconded the motion.</p> <p>Mrs. Franco - yes Mrs. Fluor - yes Mrs. Black - yes Mr. Brooks - yes Mr. Collier - yes Mr. Davenport – yes Mrs. Yelsey - yes</p> <p>Resolution No. 33-06-07 was adopted by a unanimous roll call vote.</p>
Set the Summer Board Meeting Schedule	<p>Mrs. Fluor moved approval to set the summer board meeting schedule. Mrs. Black seconded the motion, and it carried unanimously with a 7/0 vote.</p> <ul style="list-style-type: none"><li>▪ Proceed with the regularly scheduled meeting dates of July 10 and August 28, 2007.</li><li>▪ Cancel the regularly scheduled meetings of July 24 and August 14, 2007.</li><li>▪ Authorize the Board President to call additional special Board meetings, if needed.</li><li>▪ Schedule an additional closed session on July 12, 2007 at 4:00 p.m. for the purpose of Superintendent Evaluation.</li></ul>
Approval of Authorize Delegation of Authority	<p>Mrs. Black moved approval to authorize delegation of authority to the Superintendent, Deputy Superintendent, and Assistant Superintendent's for the period of July 11, 2007 through August 27, 2007. Mr. Davenport seconded the motion, and it carried unanimously with a 7/0 vote.</p>
Superintendent/ Assistant Superintendent's Reports	<p>The Superintendent and Assistant Superintendents provided reports on various items of interest.</p>
Board Members Reports	<p>Board members provided reports on their recent attendance at events and activities and shared information of interest to other Board members.</p>
Legislative Report	<p>No report.</p>
CROP Report	<p>No report.</p>

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Audience Participation	No comments.
Recited Actions Taken in Closed Session	In a prior session, the Board took action to approve the release of two interim administrators effective June 30, 2007 by a vote of 7/0.
Permanent Record	A DVD of the Board meeting discussions is on file in the Superintendent's Office as a matter of the permanent record.
Adjournment	At 9:55 p.m. President Franco adjourned the meeting.

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Jeffrey C. Hubbard, Secretary