

# **A G E N D A**

## **NEWPORT-MESA UNIFIED SCHOOL DISTRICT**

Regular Meeting of the Board of Education to  
"Conduct the District's Business in Public"  
Roderick H. MacMillian Board Meeting Room  
District Education Center, 2985-A Bear Street, Costa Mesa

**March 22, 2005**

❖ **CLOSED SESSION 4:00 P.M.**

*Education Center – Superintendent's Office Conference Room*

**1. Student Discipline**

(Pursuant to Education Code §35146, §48918(c))

**2. Conference With Labor Negotiator**

N-MUSD Representative – Lorri McCune  
Employee Organization – CSEA, N-MFT, N-MAA, Supervisors/Confidential  
(Pursuant to Government Code §54957.6)

**3. Conference with Legal Counsel – Existing Litigation**

Significant exposure to litigation pursuant to Government Code §54956.9(a)  
(disclosure will jeopardize existing settlement negotiations)

**4. Conference With Real Property Negotiator**

Property: 600 Irvine Avenue, Newport Beach, Ca.  
Negotiator: Paul Reed, Assistant Superintendent, Business Services  
(Pursuant to Government Code §54956.8)

❖ **STUDY SESSION 5:00 P.M.**

*SIMC Library*

- 1. Update on Implementation of School Performance Plans for Student Achievement***
- 2. Presentation – National Council on Alcoholism and Drug Dependence – Juvenile and Alcohol Drug Education (JADE) and Second Chance Programs***

❖ **RECESS 6:00 P.M.**

*Education Center – Superintendent's Conference Room*

❖ **RECEPTION 6:30 P.M.**

*Education Center – Courtyard*

***The Board will host a reception to honor the Harbor Council PTA Reflections Program Student Award Recipients prior to the presentation.***

❖ **PRESENTATION 6:45 P.M.**

*Education Center - Roderick H. MacMillian Board Meeting Room*

***Recognition of Harbor Council PTA Reflections Program -  
Top Five 4<sup>th</sup> District PTA Individual Division Award Recipients***

❖ **REGULAR MEETING 7:00 P.M.**  
*Education Center - Roderick H. MacMillian Board Meeting Room*

Persons in the audience during the meeting of the Board of Education are asked not to talk during presentations or the meeting. If conversation with another person needs to take place, please do so outside the Board Room so as not to disrupt others or the meeting.

**PRESENTATIONS AND PUBLIC COMMENTS.** Any person wishing to speak on any item on the agenda will be granted three minutes at the time the item appears on the agenda, or in the case of a non-agenda item, may do so under Community Input or Audience Participation. Prior to addressing the Board, a card (located on the table at the rear entrance) must be completed and given to the Superintendent's executive assistant. Persons addressing the Board are asked to do so from the podium and microphone provided for that purpose in order to get the comments on the official video taped record.

1. **CALL TO ORDER.** The meeting was called to order by the presiding Chairperson, \_\_\_\_\_, at \_\_\_\_\_ p.m.

❖ **PRELIMINARY**

2. **OPENING CEREMONIES.** The meeting will open with a silent invocation, followed by a Pledge of Allegiance to the Flag.

3. **ROLL CALL:**

- \_\_\_\_\_ Serene Stokes, President
- \_\_\_\_\_ Dave Brooks, Vice-President
- \_\_\_\_\_ Linda Sneen, Clerk
- \_\_\_\_\_ Dana Black, Member
- \_\_\_\_\_ Tom Egan, Member
- \_\_\_\_\_ Martha Fluor, Member
- \_\_\_\_\_ Judy Franco, Member
- \_\_\_\_\_ Robert J. Barbot, Superintendent
- \_\_\_\_\_ Dana Cabico, Student Board Member, CMHS
- \_\_\_\_\_ Gwendolyne Martinez, Student Board Member, CMHS(alternate)
- \_\_\_\_\_ Heidi Schultheis, Student Board Member, NHHS
- \_\_\_\_\_ Elle Erpenbeck, Student Board Member, NHHS(alternate)
- \_\_\_\_\_ Samantha Price, Student Board Member, CdmHS
- \_\_\_\_\_ Dana Lujan, Student Board Member, CdmHS
- \_\_\_\_\_ Kathryn Kulczyk, Student Board Member, EHS
- \_\_\_\_\_ Vivian Sanchez, Student Board Member, BBHS
- \_\_\_\_\_ Jocelyn Holmes, Student Board Member, BBHS (alternate)
- \_\_\_\_\_ Brandon Ayou, Student Board Member, MCHS
- \_\_\_\_\_ Sandra Wilkinson, Student Board Member, MCHS

4. **ADOPTION OF AGENDA.** Recommendation is made that the agenda be adopted as submitted. ACTION  
Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ Vote \_\_\_\_\_

❖ **WRITTEN COMMUNICATIONS**

❖ **COMMUNITY INPUT**

*Comment cards are requested to be completed prior to addressing the Board.*

This is an opportunity for the public to address the Board. Depending upon the nature of the presentations, the Board President or Superintendent may respond or the President may call upon Board members for brief comments, questions of clarification, provide a reference to staff or other resources for factual information, or request the Superintendent to report back to the Board at a subsequent meeting concerning the matter.

However, in compliance with Board Policy and the Ralph M. Brown Act, the Board is not permitted to take action on non-agenda items. If appropriate, consistent with Board Policy, three or more members of the Board may direct the Superintendent to schedule an item for a future Board agenda.

**REASONABLE ACCOMODATION FOR ANY INDIVIDUAL WITH A DISABILITY.** Any individual with a disability who requires reasonable accommodation to participate in a Board meeting, may request assistance by contacting the Superintendent's Office at 2985-A Bear Street, Costa Mesa, Ca. 92626. Phone #: 714-424-5031 – Fax #: 714-424-5018.

When addressing the Board, please state your name and address for the record.

❖ **PARENT LIAISON REPORT**

❖ **STUDENT BOARD MEMBER REPORTS**

❖ **CONSENT CALENDAR**

All items listed under the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion. There will be no discussion of these items prior to the time the Board votes on the motion unless members of the Board, staff or the public request specific items to be discussed and/or removed from the Consent Calendar. Public requests of items to be discussed and/or removed should be submitted in writing prior to the Board's consideration of the Consent Calendar.

5. It is recommended that the Board of Education approve sixteen new individual contracts for school year 2004/05 in the amount of \$44,678.00 as established from the Individual Educational Program.
6. It is recommended that the Board of Education approve five parent reimbursement contracts for school year 2004/05 in the amount of \$67,766.05 as established from the Individual Educational Program.
7. It is recommended that the Board of Education approve the Addenda to the Master Contracts with Cornerstone Therapies and Pediatric Therapy Services of Orange County, Inc., as established from the Individual Educational Program.
8. It is recommended that the Board of Education approve the Special Education Final Settlement Agreement and Release - United States District Court Case No.CV04-4767-RSWL in the amount of \$24,500.00 pursuant to the laws of the State of California.
9. It is recommended that the Board of Education approve the Special Education General Release and Settlement Agreement SEHO Case No. SN04-01710 in the amount of \$22,525.50 pursuant to the laws of the State of California.

10. It is recommended that the Board of Education approve acceptance of the First 5 Special Needs Project Demonstration Site Grant for the Learning, Early Intervention, and Parent Support (LEAPS) Project for Pomona Elementary School for the grant period of December 1, 2004 through November 30, 2008 in the amount of \$1,154,786.00.
11. It is recommended that the Board of Education approve Amendment #4 to the Agreement for Owner's Representative for Measure A Projects between the Newport-Mesa Unified School District and Tom Holtom for the period April 1, 2005 through March 30, 2006 at an annual amount of \$177,496.
12. It is recommended that the Board of Education authorize renewal of agreement with SchoolDude.Com, the internet based work order and facilities permit data system used by the District, with two new additional components for the period ending April 29, 2006 in the amount not-to-exceed \$36,781.00.
13. It is recommended that the Board of Education authorize the Assistant Superintendent of Business Services to enter into a Settlement Agreement with Class Leasing Inc./Modtech.
14. It is recommended that the Board of Education approve the STRS Post-Retirement Earning Limitation Exemption Request for Gail Robertson at Estancia High School effective February 14, 2005 through June 24, 2005.
15. Approval is recommended of Certificated Employees Appointment/Reassignment Register No. 13-05.
16. Approval is recommended of Certificated Employees' Leave of Absence Register No. 14-05
17. Approval is recommended of Certificated Employees' Resignation/Termination Register No. 11-05.
18. Approval is recommended of Classified Employees' Appointment/Reassignment Register No. 14-05.
19. Approval is recommended of Classified Employees' Leave of Absence Register No. 13-05.
20. Approval is recommended of Classified Employees' Resignation/Termination Register No. 14-05.
21. Approval is recommended of Gift Register No. 13-05.
22. Approval is recommended of Accounting Register No. 13-05.
23. Approval is recommended of Measure A Accounting Register No. 13-05.
24. Approval is recommended of Purchasing Report No. 13-05.
  - a. Purchase Order Report covering period February 28, 2005 through March 13, 2005 in the amount of \$749,090.21.
  - b. Travel Approval Request Report covering period February 28, 2005 through March 13, 2005.
  - c. Transfer of Equipment Report covering period February 28 2005 through March 13, 2005.
  - d. Renewal of Contract #110-04 for excavation, curbs and drywells-districtwide, with S. Parker Engineering, Inc., for year two of a five year period, for the period of April 27, 2005 through April 26, 2006.
  - e. Renewal of Contract #114-04 for lease, lease/purchase or purchase of DSA approved relocatable buildings –districtwide- Groups A and C, with Modular Structures International, Inc., for year two of a five year period, for the period of April 27, 2005 through April 26, 2006.

- f. Renewal of Contract #131-04 for Professional Asbestos Abatement Services, time and material- districtwide, with Universal Abatement Services, Inc., for year two of a five year period, for the period of June 8, 2005 though June 7, 2006.
  - g. Approval of Use of Contract #12-04 for instructional supplies for warehouse stock with Santa Ana Unified School District –Office Depot Business Services Division.
  - h. Authorize permission to advertise and award for Bid #126-05, Windows computers, laptops, file servers, peripherals, and supplies to meet the needs of the District.
  - i. Award of Bid/Contract #117-05 Plumbing repair and replacement – time and material – districtwide to Issacs Plumbing.
  - j. It is recommended that the Board of Education approve the replacement acquisition of a copier and its lease through Kyocera Mita for the District’s purchasing department.
  - k. It is recommended that the Board of Education approve the replacement acquisition of a copier and its lease through Kyocera Mita for Andersen Elementary School.
25. Approval is recommended of Purchasing Report – Measure A No. 13-05A.
- a. Authorize permission to advertise Bid #123-05 Corona del Mar High School Measure A Modernization and authorize the Superintendent or his designee to award the contract to the lowest responsible and qualified bidder.
  - b. Authorize permission to advertise Bid #124-05 Newport Elementary School Measure A Modernization and authorize the Superintendent or his designee to award the contract to the lowest responsible and qualified bidder.
  - c. Authorize permission to advertise Bid #125-05 Estancia High School Measure A Modernization and authorize the Superintendent or his designee to award the contract to the lowest responsible and qualified bidder.
  - d. Direct that a Notice of Completion be filed for the work through Contract #105-03 to Cavecche Engineering, Inc., at Kaiser Elementary School in an amount not-to-exceed \$5,260,000.00.
26. Approval is recommended of Measure A Operations Report No. 14-05.
- a. Approval of Change Order #1- Pan Pacific Plumbing and Mechanical – Newport Harbor High School in the amount of \$13,851.90.
  - b. Approval of Change Order #1 – Western Group, Inc- Adams Elementary School in the amount of \$59,474.93.
  - c. Approval of Change Order #1 – SMC Construction Company- California Elementary School in the amount of \$8,642.36.
  - d. Approval of Change Order #1 – Mackone Development for Newport Harbor High School in the amount of \$35,542.95.
  - e. Approval of Change Order #18 and #19 - Allied e Corporation for Davis Elementary School in the amount of \$67,028.00.
  - f. Approval of Amendment #12 to the agreement with Ninyo and Moore to perform geotechnical services at Newport Harbor High School in an amount not-to-exceed \$8,200.00.
  - g. Approval of Amendment #6 to the agreement with Kleinfelder, Inc., to perform materials testing services in an amount not-to-exceed \$107,020.00.
  - h. Approval of Amendment #1 to the agreement with PS Martin, Inc., to perform construction inspection services at Adams Elementary School in an amount not-to-exceed \$82,000.00.
  - i. Approval of Amendment #5 to the agreement with HMC Architects to perform additional services at College Park Elementary School in the amount of \$5,800.00.
27. Approval is recommended of Independent Contractors’ Register No. 14-05.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

Vote \_\_\_\_\_

❖ **INFORMAL REPORTS**

- 28. Superintendent**
- 29. Assistant Superintendents**
- 30. Board Members**
- 31. Legislative Representative**
- 32. CROP Report**

❖ **AUDIENCE PARTICIPATION**

*Comment cards are requested to be completed prior to addressing the Board. If no cards are received prior to audience participation, the Board Clerk will omit the reading of the Brown Act statement and the Board President will adjourn the meeting.*

This is an opportunity for the public to address the Board. Depending upon the nature of the presentations, the Board President or Superintendent may respond or the President may call upon Board members for brief comments, questions of clarification, provide a reference to staff or other resources for factual information, or request the Superintendent to report back to the Board at a subsequent meeting concerning the matter. However, in compliance with Board Policy and the Ralph M. Brown Act, the Board is not permitted to take action on non-agenda items. If appropriate, consistent with Board Policy three or more members of the Board may direct the Superintendent to schedule an item for a future Board agenda.

When addressing the Board, please state your name and address for the record.

**33. ADJOURNMENT, \_\_\_\_\_ p.m.**

**ACTION**