

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 28, 2005

- Call to Order The regular meeting of the Board of Education of the Newport-Mesa Unified School District was called to order by the President Serene Stokes, at 4:30 p.m., on Tuesday, June 28, 2005 in the District Education Center, 2985-A Bear Street, Costa Mesa, California.
- Study Session The Board met in a study session in the Boardroom for a presentation by Sharon Popp and Paul Goldfinger, consultants from School Services of California who were retained to evaluate the District's special education program. The report highlighted a mixture of accomplishments, areas needing attention and future goals. Staff followed with an internal report on the district's progress to date, next steps and action plans in alignment with the report.
- Closed Session At 6:05 p.m., President Stokes announced that the Board of Education would convene in Closed Session to address the following items: Conference with labor negotiator, Conference with Legal Counsel-Existing Litigation, Conference with Legal Counsel – Anticipated Litigation, and Public Employee Discipline/Dismissal/Release.
- Recess At 6:45 p.m., the Board took a brief recess.
- Reconvene/Call to Order At 7:03 p.m., President Stokes opened the meeting with a silent invocation and pledge of allegiance led by Board Member Linda Sneen.
- Roll Call Members Present
Serene Stokes, President
Dave Brooks, Vice-President
Linda Sneen, Clerk
Dana Black, Member –absent – attending a conference
Tom Egan, Member
Martha Fluor, Member – absent – attending a conference
Judy Franco, Member
Robert J. Barbot, Secretary
- Administration
Lorri McCune, Assistant Superintendent, Human Resources
Jaime Castellanos, Assistant Superintendent, Secondary Education
Paul Reed, Assistant Superintendent, Business Services
Susan Astarita, Assistant Superintendent, Elementary Education
- Adoption of Agenda Mr. Brooks moved adoption of the agenda as submitted. Mrs. Sneen seconded the motion, and it carried unanimously with a 5/0 vote.
- Community Input Steven Sturgeon, visiting Board member from Hart Union High School District, addressed the Board and formally welcomed Jaime Castellanos as their new superintendent.
- Michelle Graham, parent and community member addressed the Board in support of Principal Dan Diehl and the administration at TeWinkle Intermediate School in response to recent parent complaints and news

articles.

Dr. Barbot commented to Mrs. Graham that no formal complaint from the Office of Civil Rights has been received by the District to date. He noted that the District will welcome the report and that it will be the District's opportunity to take an objective look so the facts come out. He also noted that Principal Diehl has developed a plan to address the concerns raised at the previous Board meeting.

Presentations Board Member Linda Sneen presented certificates to the 2005 Eagle Scout recipients. Each recipient provided a summary of their Eagle project.

Public Hearings At 7:28 p.m., President Stokes opened the public hearing for the 2005/06 All Funds Tentative Budget in accordance with California Education Code Sections 42103 and 42127. Hearing no comments, the public hearing was closed.

At 7:29 p.m., President Stokes opened the public hearing for the 2004/05 SELPA-Wide Annual Service Delivery Plan and the 2004/05 SELPA-Wide Annual Budget Plan in accordance with California Education Code Section 56205(b)(2) and Title 34 Code of Federal Regulations C.F.R. Sections 300.231-300.233. Hearing no comments, the public hearing was closed.

Parent Liaison Report HCPTA President Michele Graham provided an update on current activities and events.

Consent Calendar *Mrs. Franco moved approval of the Consent Calendar as presented. Mr. Brooks seconded the motion, and it carried unanimously with a 5/0 vote (Black/Fluor absent).*

5. Approved ten new individual contracts for a total Individual Education Cost (IEP) of \$114,400.00 through the 2005/06 school year, as established from the Individual Educational Program.
6. Approved five parent reimbursement contracts for a total Individual Education Cost (IEP) of \$34,500.00 through the 2005/06 school year, as established from the Individual Educational Program.
7. Approved forty seven special education master contracts as established from the Individual Educational Program for 2004/05 and 2005/06.
8. Approved the contracts with Arrowhead Ranch Outdoor Science School for participation by Adams, Andersen, California, Lincoln, Mariners, Newport Coast, Newport Elementary, Victoria and Wilson Elementary Schools during the 2005/06 school year.
9. Approved a five-year service contract agreement, renewable annually, with FireMaster Inland Empire for fire extinguisher and fire sprinkler servicing and inspection for the period of July 1, 2005 through June 30, 2010 in an amount not-to-exceed \$18,000.
10. Approved a three-year service contract agreement, renewable annually, with American Classic Sanitation, Inc., for the rental and service of portable toilets, for the period of July 1, 2005 through June 30, 2008, in an amount not-to-exceed \$19,000.
11. Approved an agreement between Newport-Mesa Unified School District and ADvTech Environmental Inc., in an amount not-to-exceed \$75,000 to provide continuing assistance to the District for compliance with OCHCA requirements, perform quarterly ground water well testing and develop bid specifications for future soil and groundwater remediation for the period of July 1, 2005 through June 30, 2006.

12. Approved Amendment #1 to the agreement between Michael Merino Architects and Newport-Mesa Unified School District for architectural services at Newport-Coast Elementary School to perform a parking lot feasibility study at a cost not-to-exceed \$8,250.00 for the period ending September 1, 2005.
13. Approved Amendment #2 to the agreement between tBP Architecture and the Newport-Mesa Unified School District for the period ending June 30, 2006 at a cost not-to-exceed \$15,000.
14. Approved Amendment #1 to the agreement between the Newport-Mesa Unified School District and First American Title Company to perform title searches on district owned property for the period ending June 30, 2005 in an amount not-to-exceed \$19,800.00.
15. Authorized the Assistant Superintendent of Business Services to approve the purchase of Excess Workers' Compensation Coverage from the Continental Casualty Company (CNA) at an annual premium rate of \$.1740 per \$100 of payroll or \$197,176 for the period July 1, 2005 through June 30, 2006.
16. Approved settlement authority for a Stipulation with Award of \$23,800 plus future medical care for Claim No. 01-25590.
17. Approved settlement authority for a Stipulation with Award of \$16,742 plus future medical care for Claim No. 03-31200 and 05-37928.
18. Approved settlement authority to settle Claim No. 01-24989 by a Compromise and Release of \$55,000.
19. Authorized payment of the 2004/05 professional growth awards for classified employees in the amount of \$31,331.00.
20. Authorized payment of the 2004/05 professional growth awards for supervisory and confidential employees in the amount of \$2,952.25.
21. Approved Certificated Employees' Resignation/Termination Register No. 16-05.
22. Approved Certificated Employees' Leave of Absence Register No. 19-05.
23. Approved Classified Employees' Appointment/Reassignment Register No. 20-05.
24. Approved Classified Employees' Resignation/Termination Register No. 20-05.
25. Approved Classified Employees' Leave of Absence Register No. 18-05.
26. Approved Gift Register No. 19-05.
27. Approved Accounting Register No. 19-05.
28. Approved Measure A Accounting Register No. 19-05.
29. Approved Purchasing Report No. 19-05.
 - a. Approved Purchase Order Report covering period June 6, 2005 through June 19, 2005 in the amount of \$562,114.50.
 - b. Approved Travel Approval Request Report covering period June 6, 2005 through June 19, 2005.
 - c. Approved Transfer of Equipment Report covering period June 6, 2005 through June 19, 2005.
 - d. Award Bid/Contract #132-05 ball walls at Harbor View and Woodland Elementary Schools to Arya Construction and ratify the Notice to Proceed to commence work.
 - e. Received report issues by Dan Lau of Danka Enterprises and authorized Apple Computer, Inc., as the sole source provider of Apple Computer, Inc., products and services according to the opinion of consultant Dan Lau, Danka Enterprises.

- f. Authorized permission to advertise for Bid #142-05 shade structures, districtwide, and approve the Assistant Superintendent of Business Services to award the bid, sign a contract, and issue the Notice to Proceed to the lowest qualified bidder.
 - g. Authorized permission to advertise for Bid #143-05 cut stock paper to meet the needs of the District.
 - h. Authorized permission to advertise for roof replacement on Dodge Hall (Building B) at Newport Harbor High School Bid #144-05 and authorize the Assistant Superintendent of Business Services to award to bid to the lowest qualified bidder.
30. Approved Measure A Purchasing Report No. 19-05A.
- a. Approved the Notice to Proceed on Contract #7335-318 for relocation of portable buildings at Wilson Elementary School in the amount of \$59,920.00.
 - b. Approved the Notice to Proceed on Contract #7335-319 for relocation of portable buildings at Killybrooke and Adams Elementary Schools in the amount of \$56,000.00.
 - c. Approved the Notice to Proceed on Contract #7335-321 for relocation of portable buildings at Killybrooke, Adams and College Park Elementary Schools in the amount of \$50,400.00.
 - d. Directed that a Notice of Completion be filed for the work through Contract #113-03 to Cavecche Engineering at Wilson Elementary School – Measure A Modernization in an amount not-to-exceed \$2,740,607.28.
31. Approved Measure A Operations Report No. 19-05.
- a. Approved Change Orders #20, #21 and #22 with Mackone Development for Costa Mesa High School in the amount of \$215,712.00.
32. Approved Independent Contractors' Register No. 20-05.

Adoption of Resolution No. 41-06-05 – Adopting the District's 2005/06 All Funds Tentative Budget

Mr. Brooks moved adoption of Resolution No. 41-06-05, Adopting the District's 2005/06 All Funds Tentative Budget. Mr. Egan seconded the motion.

- Mr. Brooks - yes
- Mr. Egan - yes
- Mrs. Franco - yes
- Mrs. Sneen - yes
- Mrs. Stokes - yes
- Mrs. Black - absent
- Mrs. Fluor – absent

Resolution No. 41-06-05 was adopted by a unanimous 5/0 roll call vote.

Approval of a Memorandum of Understanding for Payment of Special Education Mental Health Services and Approval of An Agreement for Provision of Services

Mrs. Franco moved approval of the Memorandum of Understanding for payment of special education mental health services between the Orange County Department of Education and Orange County School Districts and approval of an agreement for the provision of special education mental health services between the County of Orange, Orange County Department of Education, and special education Local Plan Areas. Mrs. Sneen seconded the motion, and it carried unanimously with a 5/0 vote.

- Adoption of 2004/05 SELPA-Wide Delivery Plan and Budget Mr. Brooks moved adoption of the 2004/05 SELPA-Wide Annual Service Delivery Plan and Annual Budget Plan. Mrs. Franco seconded the motion, and it carried unanimously, with a 5/0 vote.
- Adoption of Resolution 42-06-05 –State Pre-School Programs Mrs. Sneen moved adoption of Resolution No. 42-06-05 Certifying the Board’s approval of Contract No. CPRE-4240 with the California Department of Education for the State Pre-School Programs. Mrs. Franco seconded the motion.
Mr. Brooks - yes
Mr. Egan - yes
Mrs. Franco - yes
Mrs. Sneen - yes
Mrs. Stokes - yes
Mrs. Black - absent
Mrs. Fluor – absent
Resolution No. 42-06-05 was adopted by a unanimous 5/0 roll call vote.
- Approval of Delegation of Authority Mrs. Franco moved approval of the delegation of authority to authorize procedural district personnel and business items to the Superintendent, Assistant Superintendent of Business Services, Assistant Superintendent of Human Resources, Assistant Superintendent of Elementary Education and the Interim Assistant Superintendent of Secondary Education for the period of July 13, 2005 through August 22, 2005. Any actions taken during this period of time will be brought to the Board for ratification at the August 23, 2005 Board meeting. Mrs. Sneen seconded the motion, and it carried unanimously with a 5/0 vote.
- Informal Reports – Superintendent/ Assistant Superintendents/ Board Members Dr. Barbot handed out the action plan prepared by Principal Diehl of TeWinkle. He thanked Jaime Castellanos and Patrick Ryan for their service to the District and noted they would be missed.
Board members reported on various activities and events they had attended during the past two weeks and shared informational items of interest.
- Legislative Report No report.
- CROP Report No report.
- Audience Participation Melissa Hicks, a parent at Lincoln Elementary School addressed the Board and expressed concerns regarding the proposed zone changes and urged the Board not to take action during the summer break on the issue. Dr. Barbot noted that the issues are currently in a study process only and no action is planned by the Board at this time. Any discussion and/or action by the Board will be widely shared with the community so that all constituents have an opportunity to provide input prior to the Board’s action.
- Adjournment At 8:44 p.m., President Stokes adjourned the meeting and noted that the previously calendared Closed Session item “Public Employee Evaluation: Title: Superintendent” would not be held this evening.

Robert J. Barbot, Secretary