

**Irvine Unified School District**  
Irvine, California

**Board of Education**  
**Minutes of Regular Meeting**  
**July 14, 2009**

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**Call to Order**

The Regular Meeting of the Board of Education was called to order by President Huntley-Fenner at 5:04 p.m., in the District Administration Center, 5050 Barranca Parkway, Irvine, California.

**Roll Call**

**Members Present:**

Sue Kuwabara, Carolyn McInerney, Mike Parham, Sharon Wallin, Gavin Huntley-Fenner

**Members Absent:**

None

**Oral Communication**

None

**Closed Session**

The Board adjourned to Closed Session at 5:06 p.m.

**Conference with Legal Counsel - Anticipated Litigation**

The Board discussed two anticipated litigation issues and provided direction to staff.

**Reconvene Regular Meeting**

President Huntley-Fenner reconvened the meeting at 7:20 p.m.

**Pledge of Allegiance**

The Pledge of Allegiance to the Flag of the United States of America was led by President Huntley-Fenner and was followed by a moment of silence in memory of former IUSD Board Member Gordon Getchel, who passed away July 12.

### **Roll Call**

#### **Members Present:**

Sue Kuwabara, Carolyn McInerney, Mike Parham, Sharon Wallin, Gavin Huntley-Fenner

#### **Members Absent:**

None

#### **Staff:**

Gwen Gross, Superintendent of Schools  
Lisa Howell, Assistant Superintendent, Business Services  
Cassie Parham, Assistant Superintendent, Education Services  
Terry Walker, Assistant Superintendent, Human Resources  
Lee Brooks, Executive Assistant to the Superintendent

#### **Other Staff:**

Irene Brady, Rhonda DeVaux, Ian Hanigan, Lloyd Linton, Rick Seibert

### **Closed Session Report**

President Huntley-Fenner reported on the discussion in Closed Session.

### **Adoption of the Agenda**

On the motion of Member Wallin, seconded by Member Kuwabara and carried 5-0, the Board adopted the agenda, as presented.

### **Oral Communication**

None

### **Superintendent's Report**

Superintendent Gross reported smooth openings for all Summer School programs with an increase in enrollment at the K-8 level. Year Round schools begin on July 29, with staff returning one day early to a host of staff development activities. Gross announced that One Stop Enrollment services would commence July 27 for families new to Irvine, and that a slight increase in enrollment was anticipated at the elementary level. A State Budget update revealed a continuing pattern of revenue losses with no relief in sight and a renewed focus on how to deal

with school funding under Prop 98.

### **Announcements and Acknowledgments**

All board members waived their reports.

### **Consent Calendar**

On the motion of Member Wallin, seconded by Member Kuwabara and carried 5-0, the Board took the following action on the Consent Calendar:

1. **Payment for Nonpublic School/Agency Services for Special Education Students**  
Approved the individual pupil service contract(s) for disabled student(s) negotiated between the Irvine Unified School District and State Certified Nonpublic Schools/Agencies.
2. **Payment in Accordance with the Terms of the Settlement Agreement(s)**  
Authorized payment in an amount not to exceed \$24,000.00 in accordance with the terms of the Settlement Agreement(s).
3. **Contract for Special Education Related Services**  
Authorized payment for special education related services in an amount not to exceed \$102,663.00.
4. **Request to Waive the California High School Exit Exam as a Requirement for Graduation for Students Receiving Special Education Services**  
Approved request to waive the requirement to pass the California High School Exit Examination as a condition of receiving a diploma of graduation for identified students.
5. **Special Education Community Advisory Committee (SECAC) New Members**  
Approved the new members of the SECAC for the 2009-2010 and 2010-2011 school years.
6. **Submission of the 2009-2010 Consolidated Application, Part 1**  
Approved the electronic submission of the District's 2009-10 Consolidated Application, Part I to the California Department of Education.
7. **Quarterly Report on Complaints Pursuant to Ed. Code 35186(d)**  
For information.
8. **Coalition for Adequate Funding for Special Education**  
Authorized payment to the Coalition for Adequate Funding for Special Education in an amount not to exceed \$1,500.00.

9. **Purchase Order Detail Report**  
*(A copy is attached to and made a part of these minutes.)*
  - 1) Approved the Purchase Order Detail Report dated July 1, 2009, for the period June 11, 2009 to June 30, 2009, for the year ending June 30, 2009;
  - 2) Approved the Purchase Order Detail Report dated July 1, 2009 for the period July 1, 2009.
  
10. **Check Register Report**  
Ratified issuance of check numbers as listed, representing Board authorized purchase orders, invoices and contracts:
  - District 75, Irvine Unified School District - Numbers 00132779 through 00133458
  - District 44, Community Facilities District No. 86-1 - Numbers 00003957 through 00003962
  - District 41, Irvine Child Care Project - Numbers 00002347 through 00002356
  - Revolving Cash - Numbers 31690 through 31764
  
11. **Contract Services Action Report**  
*(A copy is attached to and made a part of these minutes.)*  
Approved and/or ratified the Contract Services Action Report 2009-10/01, as submitted.
  
12. **Piggy Back Authorization - Purchase of Public Safety Radio Equipment**  
Authorized the purchase of public safety radio equipment for IUSD using Santa Ana Unified School District Bid # 33-09.
  
13. **Piggy Back Authorization – Purchase of Supplies**  
Authorized the purchase of supplies for IUSD using Placentia-Yorba Linda Unified School District Bid # 209-4.
  
14. **Retention of Construction Management Services for Deerfield Elementary School Expanded Modernization Project**  
Authorized the Assistant Superintendent/CFO of Business Services to enter into a contract with the firm of C.W. Driver for the Modernization project at Deerfield Elementary School.
  
15. **Classified Personnel Action Report**  
*(A copy is attached to and made a part of these minutes.)*  
Approved and/or ratified the Classified Personnel Action Report 2009-10/1, as submitted for Employment.
  
16. **Certificated Personnel Action Report**  
*(A copy is attached to and made a part of these minutes.)*  
Approved and/or ratified the Certificated Personnel Action Report 2009-10/1, as submitted for Employment, Leaves of Absence, and Retirement.

17. **Salary and Benefits Settlement with the Irvine Supervisory Association for 2008-2009**  
Ratified the settlement with the Irvine Supervisory Association for 2008-2009.
18. **Student Teacher Agreements**  
Approved the Student Teacher Placement Agreements with the named institutions and the Irvine Unified School District.
19. **Gifts**  
*(A copy is attached to and made a part of these minutes.)*  
Accepted gifts to the District, as listed.
20. **Conference Attendance**  
Approved out-of-state conference attendance for staff, as follows –
  - 1) Gwen Gross to Stockholm, Sweden July 31 - August 8, 2009;
  - 2) Linda O’Neal to Arlington, VA August 8 -12, 2009;
  - 3) Gwen Gross to Chicago, IL November 3 - 6, 2009.
21. **Field Trips and Excursions**  
Approved the following field trips funded by donations —
  - 1) University High School girls varsity basketball team to San Diego, California, on July 16-19, 2009 for \$1,200.00;
  - 2) Northwood High School pep squad to Aliso Viejo, California, on July 23-26, 2009 for \$26,910.00;
  - 3) Irvine High School ASB students to Los Angeles, California, on August 24-26, 2009 for \$4,248.00;
  - 4) University High School cross country team to Palo Alto, California, on September 25-27, 2009 for \$4,200.00;
  - 5) Woodbridge High School marching band to Las Vegas, Nevada, on November 6-8, 2009 for \$50,000.00.

### **Consent Calendar Resolutions**

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, the Board took the following action on the Consent Calendar Resolutions:

#### **RESOLUTION NO. 09-10-10: Signature Authorization & Submission of the 2009-10 Workability 1 Contract**

Adopted Resolution No. 09-10-10 approving signature authorization and the submission of the 2009-10 Workability I Contract to the California Department of Education for middle and high school students receiving special education services.

#### **RESOLUTION NO. 09-10-18: Contract Submission California Department of**

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**Rehabilitation/American Recovery & Reinvestment Act 2009 Contract**

Adopted Resolution No. 09-10-18 approving signature authorization and submission of the California Department of Rehabilitation/American Recovery & Reinvestment Act 2009 Contract for the purpose of developing employment related skills for transition age youth with disabilities.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

***CFD Consent Calendar***

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board, acting as the governing body of Community Facilities District Nos. 86-1 and 07-1, took the following action on the CFD Consent Calendar:

1. **Change Order No. 1 – Bid Category No. 09-4 Painting – Stonegate Elementary School**  
Approved Change Order No. 1 in the amount of \$4,213.00 to C.T. Georgiou Painting Company, Bid Category No. 9-4 Painting, at the Stonegate Elementary School project. The revised contract amount to be \$220,213.00. No change to the completion date.
2. **Change Order No. 4 – Bid Category No. 16-1 Electrical – Stonegate Elementary School**  
Approved Change Order No. 4 in the amount of \$19,351.00 to Gilbert & Stearns, Inc., Bid Category No. 16-1 Electrical, at the Stonegate Elementary School project. The revised contract amount to be \$2,080,860.00. No change to the completion date.
3. **Change Order No. 5 – Bid Category No. 06-1 Rough Carpentry – Stonegate Elementary School**  
Approved Change Order No. 5 in the amount of \$567.00 to Four Point Builders, Inc., Bid Category No. 06-1 Rough Carpentry, at the Stonegate Elementary School project. The revised contract amount to be \$2,650,155.00. No change to the completion date.
4. **Change Order No. 4 – Bid Category No. 09-1 Drywall/Plaster/Fireproofing/Acoustical – Stonegate Elementary School**  
Approved Change Order No. 4 in the amount of \$1,522.00 to Caston Plastering and Drywall, Inc., Bid Category No. 09-1 Drywall/Plaster/Fireproofing/Acoustical, at the Stonegate Elementary School project. The revised contract amount to be \$2,123,537.00. No change to the completion date.
5. **Change Order No. 4 – Bid Category No. 15-2 Plumbing – Stonegate Elementary**

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**School**

Approved Change Order No. 4 in the amount of \$13,315.00 to Empyrean Plumbing, Inc., Bid Category No. 15-2 Plumbing, at the Stonegate Elementary School project. The revised contract amount to be \$674,129.00. No change to the completion date.

6. **Change Order No. 5 – Bid Category No. 03-2 Site Concrete/AC Paving – Stonegate Elementary School**

Approved Change Order No. 5 in the amount of \$871.00 to Toby B. Hayward, Inc., Bid Category No. 03-2 Site Concrete/AC Paving, at the Stonegate Elementary School project. The revised contract amount to be \$2,215,690.00. No change to the completion date.

7. **Change Order No. 4 – Bid Category No. 16-1 Electrical – (IUSD) University High New Classroom Building**

Approved Change Order No. 4 in the deductive amount of <\$11,181.00> to Gilbert & Stearns, Inc., Bid Category No. 16-1 Electrical (IUSD), at the University High New Classroom Building and Special Education Facility project. The revised contract amount to be \$606,009.00. No change to the completion date.

8. **Change Order No. 2 – Bid Category No. 16-1 Electrical – (OCDE) University High Special Education Facility**

Approved Change Order No. 2 in the deductive amount of <\$173,756.00> to Gilbert & Stearns, Inc., Bid Category No. 16-1 Electrical (OCDE), at the University High New Classroom Building and Special Education Facility project. The revised contract amount to be \$1,192,924.00. No change to the completion date.

9. **Notice of Completion – Bid Category No. 16-1 Electrical – (OCDE) University High Special Education Facility**

Accepted Gilbert & Stearns, Inc., Bid Category No. 16-1 Electrical (OCDE) project at University High School New Classroom Building and Special Education Facility as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.

10. **Notice of Completion – Bid Category No. 16-1 Electrical – (IUSD) University High New Classroom Building**

Accepted Gilbert & Stearns, Inc., Bid Category No. 16-1 Electrical (IUSD) project at University High School New Classroom Building and Special Education Facility as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.

11. **Receive Bids/Award Contract – Bid Package #3.2 Playground Asphalt Paving Overlay – Santiago Hills Elementary School Modernization Project**

- 1) Approved the withdrawal of NPG Corporation and Haitbrink Asphalt Paving, Inc.
- 2) Rejected the bids of bidders indicated to be non-responsive.

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- 3) Authorized the Assistant Superintendent/CFO of Business Services to enter into contract with the lowest qualified and responsive bidder for Bid Package #3.2 Playground Asphalt Paving Overlay for the Santiago Hills Elementary School Modernization project.
12. **Retention of Construction Management Services for the Woodbridge High School Pool Project**  
Authorized the Assistant Superintendent/CFO of Business Services to enter into a contract for Construction management services with the firm of C.W. Driver for the pool project at Woodbridge High School.

**Items of Business**

*(Written reports were included with the agenda and are on file in the District Office.)*

**PUBLIC HEARING: RESOLUTION NO. 09-10-11 Confirming a Diagram and the Levy of Assessments for the Irvine Unified School District Recreation Improvement and Maintenance District for Fiscal Year 2009-10**

On the motion of Member Kuwabara, seconded by Member Parham and carried 5-0, the Board, after holding a public hearing and receiving no comments, adopted Resolution No. 09-10-11, confirming a diagram and the levy of assessments for fiscal year 2009-10, in connection with the Irvine Unified School District Recreation Improvement and Maintenance District pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, and as provided by Article XIID of the California Constitution.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**RESOLUTION NO. 09-10-17: Eliminating Positions and Ordering Layoffs in the Classified Service due to Lack of Work and/or Lack of Funds**

On the motion of Member Parham, seconded by Member McInerney and carried 5-0, the Board adopted Resolution No. 09-10-17 Eliminating Positions and Ordering Layoffs in the Classified Service due to Lack of Work and/or Lack of Funds, thereby authorizing the Superintendent or designee to identify the individuals within these classifications for layoff and to proceed with the reduction in force process.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**CFD Items of Business**



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**RESOLUTION NO. 09-10-03: Levying Special Taxes Within CFD No. 86-1 for Fiscal Year 2009-2010**

On the motion of Member Parham, seconded by Member Kuwabara and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 86-1, adopted Resolution No. 09-10-03 authorizing and providing for the levying of special taxes within Community Facilities District No. 86-1 for fiscal year 2009-2010.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**RESOLUTION NO. 09-10-04: Levying Special Taxes Within CFD No. 01-1 for Fiscal Year 2009-2010**

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 01-1, adopted Resolution No. 09-10-04 authorizing and providing for the levying of special taxes within Community Facilities District No. 01-1 for fiscal year 2009-2010.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**RESOLUTION NO. 09-10-05: Levying Special Taxes Within CFD No. 04-1 for Fiscal Year 2009-2010**

On the motion of Member McInerney, seconded by Member Wallin and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 04-1, adopted Resolution No. 09-10-05 authorizing and providing for the levying of special taxes within Community Facilities District No. 04-1 for fiscal year 2009-2010.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**RESOLUTION NO. 09-10-06: Levying Special Taxes Within CFD No. 04-2 (Improvement Area A) for Fiscal Year 2009-2010**

On the motion of Member Kuwabara, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 04-2, adopted Resolution No. 09-10-06 authorizing and providing for the levying of special taxes within Community Facilities District No. 04-2 (Woodbury) Improvement Area A for fiscal year 2009-2010.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

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**RESOLUTION NO. 09-10-07: Levying Special Taxes Within CFD No. 04-2 (Improvement Area B) for Fiscal Year 2009-2010**

On the motion of Member McInerney, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 04-2, adopted Resolution No. 09-10-07 authorizing and providing for the levying of special taxes within Community Facilities District No. 04-2 (Woodbury) Improvement Area B for fiscal year 2009-2010.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**RESOLUTION NO. 09-10-08: Levying Special Taxes Within CFD No. 06-1 for Fiscal Year 2009-2010**

On the motion of Member Kuwabara, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 06-1, adopted Resolution No. 09-10-08 authorizing and providing for the levying of special taxes within Community Facilities District No. 06-1 (Portola Springs) for fiscal year 2009-2010.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**RESOLUTION NO. 09-10-09: Levying Special Taxes Within CFD No. 07-1 for Fiscal Year 2009-2010**

On the motion of Member Parham, seconded by Member McInerney and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 07-1, adopted Resolution No. 09-10-09 authorizing and providing for the levying of special taxes within Community Facilities District No. 07-1 (Stonegate) for fiscal year 2009-2010.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**PUBLIC HEARING: Formation of Irvine Unified School District Community Facilities District No. 09-1**

President Huntley-Fenner opened the public hearing and Mr. Greg Harrington, Partner, Orrick, Herrington and Sutcliffe explained the formation of IUSD CFD No. 09-1. After receiving no public input, the public hearing was closed.

**RESOLUTION NO. 09-10-12: Formation of the Irvine Unified School District Community Facilities District No. 09-1, Authorizing the Levy of a Special Tax Within the District and Establishing an Appropriations Limit for the District**

On the motion of Member Kuwabara, seconded by Member McInerney and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 09-1, adopted

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Resolution No. 09-10-12, Formation of IUSD CFD No. 09-1, Authorizing the Levy of a Special Tax within the District and Establishing an Appropriations Limit for the District.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**RESOLUTION NO. 09-10-13: Deeming it Necessary to Incur Bonded Indebtedness Within the Irvine Unified School District Community Facilities District No. 09-1**

On the motion of Member McInerney, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 09-1, adopted Resolution No. 09-10-13, Deeming it Necessary To Incur Bonded Indebtedness within the IUSD CFD No. 09-1.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**RESOLUTION NO. 09-10-14: Calling Special Election for the Irvine Unified School District Community Facilities District No. 09-1**

On the motion of Member McInerney, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 09-1, adopted Resolution No. 09-10-14, Calling Special Election for the IUSD CFD No. 09-1.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**RESOLUTION NO. 09-10-15: Authorizing the Execution and Delivery of a CFD Dissolution Agreement and Related Actions**

On the motion of Member McInerney, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 09-1, adopted Resolution No. 09-10-15, Authorizing the Execution and Dissolution Agreement and Related Actions for the IUSD CFD No. 09-1.

AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**RESOLUTION NO. 09-10-16: Declaring Results of Special Election and Directing Recording of Notice of Special Tax Lien**

On the motion of Member McInerney, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 09-1, adopted Resolution No. 09-10-16, Declaring Results of the Special Election (4634 "Yes" votes out of 4634 Qualified Landowners) and Directing Recording of Notice of Special Tax Lien for the IUSD CFD No. 09-1.

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AYES: Members Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner  
NOES: None  
ABSENT: None

**FIRST READING: Ordinance No. 09/10-1 Levying Special Taxes Within Irvine Unified School District Community Facilities District No. 09-1**

Acting as the governing body of Community Facilities District No. 09-1, Member Wallin made a motion, seconded by Member Parham, to approve the staff recommendation.

On an amended motion by Member Wallin, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 09-1, waived the first reading of Ordinance No. 09/10-1 into the record.

On the motion of Member Wallin, seconded by Member McInerney and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 09-1, scheduled for second reading and adoption Ordinance No. 09-10-1 Levying Special Taxes within IUSD CFD No. 09-1 at the meeting of July 28, 2009.

***Oral Communication***

None

***Adjournment***

On the motion of Member Parham, seconded by Member Kuwabara and carried 5-0, there being no further Board of Education business, the meeting was adjourned at 7:43 p.m.

Gavin Huntley-Fenner, Ph.D.  
Board President

Gwen E. Gross, Ph.D.  
Superintendent of Schools