

**Irvine Unified School District**  
Irvine, California

**Board of Education**  
**Minutes of Regular Meeting**  
**August 26, 2008**

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**Call to Order**

The Regular Meeting of the Board of Education was called to order by President McNerney at 6:30 p.m., in the District Administration Center, 5050 Barranca Parkway, Irvine, California.

**Roll Call**

Members Present:

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

Members Absent:

None

**Oral Communication**

None

**Closed Session**

The Board adjourned to Closed Session at 6:32 p.m.

**Public Employee Performance Evaluation - Executive Director**

The Board discussed the performance evaluation and contract extension for Executive Director Cara Bergen.

**Reconvene Regular Meeting**

President McNerney reconvened the regular meeting at 7:05 p.m.

**Pledge of Allegiance**

The Pledge of Allegiance to the Flag of the United States of America was led by Member Kuwabara and was followed by a moment of silence.

## **Roll Call**

### **Members Present:**

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

### **Members Absent:**

None

### **Staff:**

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

### **Other Staff:**

Mary Bevernick, Lisa Howell, Barb Petro, Mark Sontag

### **Video Production Services:**

Mike McIntyre, Teleios Services

## **Closed Session Report**

President McInerney reported on the discussion in Closed Session.

### **Public Employee Performance Evaluation - Executive Director**

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, the Board accepted the Superintendent's recommendation to approve a contract extension for Executive Director Cara Bergen, effective July 1, 2008 through June 30, 2009.

## **Approval of Minutes**

On the motion of Member Kuwabara, seconded by Member Huntley-Fenner and carried 5-0, the Board approved the following minutes, as presented:

June 24, 2008 Regular Meeting  
July 1, 2008 Regular Meeting  
July 15, 2008 Special Meeting  
July 15, 2008 Regular Meeting

## **Adoption of the Agenda**

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

- REMOVE      Item 14h - *Change Order No. 1 – Bid Category No. 16-1-Electrical – (OCDE) University High Special Education Facility*
- REMOVE      Item 14j - *Change Order No. 1 – Bid Category No. 2-3 Pavings – (OCDE) University High Special Education Facility*

Items Removed from Consent Calendars for Discussion and Separate Action:

- Item 12d - Special Education Community Advisory Committee (SECAC) New Members*
- Item 12j - Contract Services Action Report*
- Item 12r - Xerox Copier Umbrella Contract*

### ***Special Presentations/Recognitions***

#### **Renewable Energy Resources**

Curriculum Coordinator Mark Sontag reported on the District's participation in the Aspen Accord Conference, held in Oslo, Norway on Aug 1-8, and reviewed the District's energy conservation efforts and curriculum development activities. Science teacher Kathy Marvin reported on the Summer PEAK program, designed to teach students how to use innovative technologies and renewable and sustainable energy sources to lower PEAK energy demands. Craig Perkins, Executive Director of the Energy Coalition was also introduced.

The Board requested staff to convene an energy sub-committee (Members Huntley-Fenner and Parham volunteering) to explore a District master plan and board policy relative to energy efficiency.

#### ***Oral Communication***

Sharon Shelton addressed the Board regarding Phase II site development plans for the Creekside Education Center at Harvard/Barranca.

#### ***Superintendent's Report***

Superintendent Gross reported on current district activities and recognized the WHS 9th grade History Day team for placing second in the Constitutional Rights Foundation's national contest in the area of historical web design, and the District's nomination for the 2008 Annual Achievement Award from the Orange County Arts Association.

Gary Jabara, President and CEO of Mobilitie, LLC, was also recognized for his generous donation of \$50,000 in support of the K-8 math adoption.

### ***Announcements and Acknowledgments***

Members Wallin, Kuwabara and Parham reported on school visits, conference attendance, and meeting participation.

### ***Consent Calendar***

On the motion of Member Wallin, seconded by Member Huntley-Fenner and carried 5-0, the Board took the following action on the amended 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. **Contract for Special Education Related Services**  
Authorized payment for special education related services in an amount not to exceed \$27,377.00.
3. **Payment in Accordance with the Terms of the Settlement Agreement(s)**  
Authorized payment in an amount not to exceed \$34,400.00 in accordance with the terms of the Settlement Agreement(s).
4. **Agreement with Rancho Santiago Community College District Speech-language Pathology Assistant Program**  
Approved the 5 year Agreement with Rancho Santiago Community College District Speech-Language Pathology Assistant Program for the mutual benefit of the students enrolled in the program and the students of Irvine Unified School District.
5. **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.
6. **Agreement with Orange County Superintendent of Schools for Providing Special Education Programs and Services for Individuals with Exceptional Needs**  
Approved the 2008-2009 school year agreement with Orange County Superintendent of Schools for providing special education programs and services for individuals with exceptional needs who are the responsibility of the Irvine Unified School District at county-operated schools.

7. **Purchase Order Detail Report**

*(A copy is attached to and made a part of these minutes.)*

Recommendations:

- 1) Approved the Purchase Order Detail Report dated August 14, 2008 (for the period June 30, 2008) for the year ending June 30, 2008.
- 2) Approved the Purchase Order Detail Report dated August 14, 2008 for the period July 1, 2008 to August 14, 2008.

8. **Check Register Report**

*(A copy is attached to and made a part of these minutes.)*

Ratified issuance of check numbers as listed, representing Board authorized purchase orders, invoices and contracts:

District 75, Irvine Unified School District - Numbers 00121612 through 00122490

District 50, Community Facilities District No. 01-1 - Numbers 00001348 through 00001354

District 44, Community Facilities District No. 86-1 - Numbers 00003754 through 00003771

District 41, Irvine Child Care Project - Numbers 00002236 through 00002245  
Revolving Cash - Numbers 30391 through 30399, and Numbers 30408 through 30470

9. **Claim for Damages #5-2008**

Denied the Claim for Damages on behalf of the named claimants and referred the matter to the District's insurance administrator.

10. **Authorization to Renew Lease of One (1) Relocatable Classroom at Eastshore Elementary School**

Authorized the Deputy Superintendent of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease for one (1) 24' x 40' DSA approved relocatable classroom at Eastshore Elementary School.

11. **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 2008-09/02, as submitted for Employment, Leaves of Absence, Resignations, and Retirements.

12. **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 2008-09/02, as submitted for Employment.

13. **Emergency Permit Requirement – Declaration of Need for Fully Qualified Educators**  
Adopted the “Declaration of Need for Fully Qualified Educators” authorizing the employment of teachers holding emergency permits for the 2008-2009 school year.
14. **Conference Attendance**  
Approved out-of-state conference attendance for Gwen Gross to Colorado Springs, Colorado on November 5-8, 2008 for \$2,150.00.
15. **Field Trips and Excursions**  
Approved the following field trips funded by donations —
- 1) Irvine High School yearbook students to San Diego, California on August 4-7, 2008 for \$2,250.00;
  - 2) Woodbridge High School cross country team to Mammoth, California on August 10-16, 2008 for \$2,970.00;
  - 3) Irvine High School ASB leadership students to Santa Barbara, California on August 12-15, 2008 for \$5,175.00;
  - 4) Irvine Home School 4<sup>th</sup> – 8<sup>th</sup> grade students to Yosemite, California on September 21-24, 2008 for \$4,650.00;
  - 5) Northwood High School cross country students to San Francisco, California on September 26-27, 2008 for \$1,750.00 (*previously approved for September 19-21, 2008 for \$3,750.00*).

### **Consent Calendar Resolution**

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

#### **RESOLUTION NO. 08-09-10: 2008-09 Budget Revisions to Adjust 2007-08 Actual Fund Balance**

Adopted Resolution No. 08-09-10: 2008-09 budget revisions to adjust 2007-08 actual fund balance.

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

### **CFD Consent Calendar**

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities Districts No. 86-1 and 04-1, took the

following action on the CFD Consent Calendar:

1. **Authorization to Renew Lease of One (1) Relocatable Classroom at College Park Elementary School**  
Authorized the Deputy Superintendent of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease for one (1) 24' x 40' DSA approved relocatable classroom at College Park Elementary School.
2. **Authorization to Renew Lease of One (1) Relocatable Classroom at Culverdale Elementary School**  
Authorized the Deputy Superintendent of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease for one (1) 24' x 40' DSA approved relocatable classroom at Culverdale Elementary School.
3. **Authorization to Renew Lease of Four (4) Relocatable Classrooms at Northwood High School**  
Authorized the Deputy Superintendent of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease for four (4) 24' x 40' DSA approved relocatable classrooms at Northwood High School.
4. **Authorization to Renew Lease of Four (4) Relocatable Classrooms at Oak Creek Elementary School**  
Authorized the Deputy Superintendent of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease for four (4) 24' x 40' DSA approved relocatable classrooms at Oak Creek Elementary School.
5. **Authorization to Renew Lease of Two (2) Relocatable Classrooms at University High School**  
Authorized the Deputy Superintendent of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease for two (2) 24' x 40' DSA approved relocatable classrooms at University High School.
6. **Authorization to Renew Lease of Twenty-two (22) Relocatable Classrooms for Interim Housing at University High School**  
Authorized the Deputy Superintendent of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease of up to twenty-two (22) 24' x 40' DSA approved relocatable classrooms for interim housing needs at University High School.
7. **Change Order No. 1 – Bid Category No. 9-4-Painting – (OCDE) University High Special Education Facility**  
Approved Change Order No. 1 in the amount of \$196.00 to Hugo Alonso, Inc., Bid Category No. 9-4-Painting (OCDE), at the University High New Classroom Building and Special Education Facility project. The revised contract amount to be \$94,280.00. No change to the completion date.

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8. **Change Order No. 1 – Bid Category No. 9-1-Drywall – (OCDE) University High Special Education Facility**  
Approved Change Order No. 1 in the amount of \$2,349.00 to Performance Contracting, Inc., Bid Category No. 9-1-Drywall (OCDE), at the University High New Classroom Building and Special Education Facility project. The revised contract amount to be \$1,199,567.00. No change to the completion date.
  9. **Change Order No. 1 – Bid Category No. 6-1-Woodwork – (OCDE) University High Special Education Facility**  
Approved Change Order No. 1 in the deductive amount of <\$4,523.00> to Lozano Caseworks, Inc., Bid Category No. 6-1-Woodwork (OCDE), at the University High New Classroom Building and Special Education Facility project. The revised contract amount to be \$110,267.00. No change to the completion date.

### ***Items Removed From Consent Calendars***

#### **Special Education Community Advisory Committee (SECAC) New Members**

Member Huntley-Fenner expressed appreciation to the new members of the Special Education CAC and commended the group for their increased involvement and participation.

On the motion of Member Huntley-Fenner, seconded by Member Kuwabara and carried 5-0, the Board approved the new members of the SECAC for the 2008-2009 and 2009-2010 school years.

#### **Contract Services Action Report**

*(A copy is attached to and made a part of these minutes.)*

Member McInerney requested clarification regarding the need for multiple contracts with Atkinson, Andelson, Loya, Ruud & Romo. The Board discussed the potential benefits and inadequacies relative to in-house counsel vs. contracted legal services.

On the motion of Member Kuwabara, seconded by Member Parham and carried 5-0, the Board approved and/or ratified the Contract Services Action Report 2008-09/02, as submitted.

#### **Xerox Copier Umbrella Contract**

Member Wallin requested clarification regarding the possibility of using restricted funds for this type of contracted service.

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, the Board authorized the Deputy Superintendent of Business Services to execute a contract with Xerox under the California Multiple Award Schedule (CMAS) Contract #3-01-36-003A, Supplement No. 7.



**Items of Business**

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

**Public Hearing: JOINT BARGAINING PROPOSAL Compensation and Related Benefits, and Health and Welfare Benefits, California School Employees Association and the Irvine Unified School District**

On the motion of Member Wallin, seconded by Member Huntley-Fenner and carried 5-0, the Board, after holding a public hearing and receiving no comments, adopted the initial joint proposal of the California School Employees Association and the Irvine Unified School District in order to initiate the bargaining process.

**Public Hearing: JOINT BARGAINING PROPOSAL Compensation and Related Benefits, and Health and Welfare Benefits, Irvine Supervisory Association and the Irvine Unified School District**

On the motion of Member Kuwabara, seconded by Member Wallin and carried 5-0, the Board, after holding a public hearing and receiving no comments, adopted the initial joint proposal of the Irvine Supervisory Association and the Irvine Unified School District in order to initiate the bargaining process.

**Public Hearing: RESOLUTION NO. 08-09-11 Statement of Assurance for the Pupil Textbook and Instructional Materials Incentive Program for Year Round Schools (Plaza Vista, Vista Verde, Westpark and Woodbury)**

On the motion of Member Kuwabara, seconded by Member Wallin and carried 5-0, the Board, after holding a public hearing and receiving no comments, adopted Resolution No 08-09-11, Statement of Assurance for the Pupil Textbook and Instructional Materials Incentive Program, Year Round Schools - Grades K-8, Fiscal Year 2008-2009.

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

**Certification of Unaudited Actuals Financial Report – 2007-08**

Deputy Superintendent Medeiros reviewed the components of the 2007-08 Unaudited Actuals Report outlining revenues, expenses and ending balances for the preceding fiscal year. He reiterated the need to remain fiscally cautious due to the lack of a final State Budget and the instability of the economic environment.

On the motion of Member Parham, seconded by Member Wallin and carried 4-0 (Member Kuwabara absent for vote) the Board certified the 2007-08 Unaudited Actuals Financial Report.

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**CFD Items of Business**

**RESOLUTION NO. 08-09-12: Establishing a Capital Project Fund and a Debt Service Fund For Blended Component Units of IUSD CFD No. 09-1**

On the motion of Member Wallin, seconded by Member Kuwabara and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 09-1, adopted Resolution No. 08-09-12, authorizing the establishment of a Capital Project Fund and a Debt Service Fund for blended component units for Community Facilities District No. 09-1.

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

**RESOLUTION NO. 08-09-13: Authorizing the Issuance of Community Facilities District No. 86-1 of the Irvine Unified School Special Tax bonds, Series 2008, in an Aggregate Principal Amount of Not to Exceed \$88,000,000, Authorizing the Execution and Delivery of a Master Agreement for Special Tax Obligations, An Indenture, An Escrow Agreement, a Bond Purchase Agreement and a continuing Disclosure Agreement, Authorizing the Distribution of an Official Statement in Connection Therewith and Authorizing the Execution of Necessary Documents and Certificates and Related Actions**

On the motion of Member Parham, seconded by Member Kuwbara and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 86-1, adopted Resolution No. 08-09-13, authorizing the issuance of Community Facilities District No. 86-1 of the IUSD Special Tax Bonds, Series 2008, in an aggregate principal amount of not to exceed \$88,000,000, authorizing the execution and delivery of a Master Agreement for Special Tax Obligations, an Indenture, an Escrow Agreement, a Bond Purchase Agreement and a continuing Disclosure Agreement, authorizing the distribution of an Official Statement in connection therewith and authorizing the execution of necessary documents and certificates and related actions.

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

**Oral Communication**

None

**Adjourn to Irvine Unified School District Financing Authority Meeting**

On the motion of Member Parham, seconded by Member Wallin and carried 5-0, there being no further Board of Education business, the meeting was adjourned to the IUSD Financing

Authority Meeting at 9:30 p.m.

Carolyn McInerney  
Board President

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