

Ocean View School District
17200 Pinehurst Lane, Huntington Beach, CA 92647

Board of Trustees' Meeting - Minutes
January 24, 2017
5:00 PM - CLOSED SESSION; 6:00 PM OPEN SESSION

 A blue ink stamp with a checkmark in a box followed by the word "APPROVED" in all caps.

Trustees:

Gina Clayton-Tarvin, President
Jack Souders, Vice President
John Briscoe, Clerk
Joseph Gaglione, Member
Norm Westwell, Member

Administration:

Carol Hansen, Ed.D., Superintendent
Michael Conroy, Ed.D., Deputy Superintendent, Administrative Services
Felix Avila, Assistant Superintendent, Human Resources
Jodee Brentlinger, Assistant Superintendent, Educational Services

A. Call to Order

The Regular meeting of the Board of Trustees was called to order by Vice President Jack Souders at 5:00 p.m.

B. Roll Call

Members present: John Briscoe (arrived at 8:01 p.m.), Joseph Gaglione, Jack Souders, Norm Westwell

Members absent: Gina Clayton-Tarvin

C. Agenda Adoption - Regular Board of Trustees' Meeting of January 24, 2017

Passed with a motion by Norm Westwell and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

D. * Closed Session

Vice President Souders read aloud the items listed under Closed Session. The meeting moved to Closed Session at 5:02 p.m.

D.1. Government Code Section 54956.9(d)(2): Conference with Legal Counsel - Anticipated Litigation: Two cases.

D. * Closed Session (continued)

D.2. Government Code Section 54956.9(a): Conference with Legal Counsel - Existing Litigation: OAH Case No. 2016100610; OAH Case No. 2016101069; and OAH Case No. 2016101066

D.3. Government Code Section 54957.6: Conference with Labor Negotiators - Agency designated representative: Felix Avila, Assistant Superintendent, Human Resources; Employee Organizations: CSEA and OVTA

D.4. Government Code Section 54957: Public Employee Performance Evaluation: Superintendent

E. Return to Open Session/Report of Closed Session Action

The Board of Trustees returned to Open Session at 6:04 p.m. The following actions were taken in Closed Session:

MOTION by Trustee Westwell, seconded by Trustee Gaglione, and carried by the following vote to approve the Settlement Agreement to resolve Special Education Due Process Matter OAH Case No. 2016100610 in the amount of \$6,800.00:

AYES: Gaglione, Souders, Westwell
ABSENT: Briscoe, Clayton-Tarvin

MOTION by Trustee Gaglione, seconded by Trustee Souders, and carried by the following vote to approve the Settlement Agreement to resolve Special Education Due Process Matter OAH Case No. 2016101069 in the amount of \$28,500.00:

AYES: Gaglione, Souders, Westwell
ABSENT: Briscoe, Clayton-Tarvin

MOTION by Trustee Gaglione, seconded by Trustee Westwell, and carried by the following vote to approve the Settlement Agreement to resolve Special Education Due Process Matter OAH Case No. 2016101066 in the amount of \$28,500.00:

AYES: Gaglione, Souders, Westwell
ABSENT: Briscoe, Clayton-Tarvin

F. Pledge of Allegiance

The Pledge of Allegiance was led by Vice President Souders.

G. Introductions

None.

H. Minutes

H.1. Regular Board of Trustees' Meeting, December 13, 2016 - Revised

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

H.2. Regular Board of Trustees' Meeting, January 10, 2017

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

I. Time Certain

I.1. 6:05 p.m. Presentation by College View Students: Under the direction of their teacher, Ms. Kathleen Young, students from College View School will present Act 2 of "Big Words, Strong Words," a play about Martin Luther King, Jr.

College View fifth grade students performed a scene from the play, "Big Words, Strong Words," led by teacher Kathleen Young.

J. Public Comments

None.

K. Communications

K.1. Written Communications to the Board

Dr. Hansen advised that correspondence had been received from Kuma Academy dated January 24, 2017, copies of which were given to the Board and are available to the public.

K.2. Board/Committee Reports: None.

K.3. Trustees' Communications

Trustee Gaglione thanked everyone for attending tonight's meeting; commented on his recent visit at Oak View Preschool with Dr. Hansen, where they interacted with students and animals in the Traveling Nature Exhibit.

K.3. Trustees' Communications (continued)

Vice President Souders attended the City/School Districts' Quarterly meeting with Dr. Conroy, where discussion was held regarding pertinent issues involving neighboring school districts and the City; thanked everyone for attending tonight's meeting; thanked the student performers for their great presentation tonight.

K.4. Superintendent's Communication

Dr. Hansen noted how well the District has weathered the recent rains, and thanked the maintenance crews for taking preventative measures in preparation for the storms; acknowledged the teachers and support staff for managing many rainy day schedules with indoor games and activities for students; shared a list of upcoming District events, including Kindergarten Information Night, Special Board Meeting - Bond Study Session, Cyber Safety Night, Star View Tet Festival, High School Information Night for 8th grade students and families transitioning to high school, and Middle School Information Night for 5th grade students and families transitioning to middle school; urged everyone to check the District's website for further details on these important events.

K.5. PTA/PTO/PTSA/PTSO Presidents' Roundtable: None.

K.6. Employee Associations' Communications (CSEA, OVTA)

Jason Bozarth, CSEA President, commented on the influx of charter school petitions; mentioned that the voters have approved a bond measure for our public schools and entrusted the District to use these funds for the education of students at our District's schools, and not charter schools.

Margaret Friedmann, OVTA President, recently attended the OVTA Rep Council meeting where all schools were represented, and discussion focused on negotiations; reiterated the importance of attracting, recruiting, and retaining quality educators, and is looking forward to positive, fair negotiation sessions in the future.

L. Reports**L.1. Governor's Proposed Budget Update**

Dr. Conroy narrated a PowerPoint presentation as he reviewed the current state economy and growth impact on K-12 education in California; Proposition 98; the continued evolution of the Local Control Funding Formula (LCFF); re-establishment of apportionment deferrals; and multi-year projections. He discussed operational challenges in the District based on revenues versus costs, and the upcoming budget timelines at the state and local levels.

Dr. Conroy responded to questions from the Board of Trustees.

M. Consent Calendar

M.1. Administrative Services: Gifts to the District

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

M.2. Administrative Services: Payroll Check Registers from December 11, 2016, through January 10, 2017

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

M.3. Administrative Services: Purchase Orders for all Funds for January 3, 2017, through January 12, 2017

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

M.4. Administrative Services: School District Check Registers from December 14, 2016, through January 9, 2017

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

M.5. Educational Services: Listing of Conferences, Meetings, Workshops, and Consultants

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

M.6. Human Resources: Certificated Employee Personnel Activity List - December 14, 2016, through January 10, 2017

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

M.7. Human Resources: Classified Employee Personnel Activity List - December 14, 2016, through January 10, 2017

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

N. Old Business

N.1. Superintendent's Office: Approve/Deny Charter Petition for Kuma Academy Charter School and if Denied, Adopt Resolution No. 21:1617 Effectuating that Action (Action)

The following people spoke in favor of the Kuma Academy Charter School Petition:

Chrysti Polito, parent;
Joi Vutpakdi, parent;
Felicia Menjivar, parent/community member.

The following people spoke in opposition of the Kuma Academy Charter School Petition:

Jason Bozarth, staff member;
Robert Stoner, staff member;
Debbie Choing, staff member;
Joan Ashley, staff member;
Marie Schools, staff member;
Nancy Day, staff member;
Michele McRae, staff member;
Margaret Friedmann, staff member.

N.1. Superintendent's Office: Approve/Deny Charter Petition for Kuma Academy Charter School and if Denied, Adopt Resolution No. 21:1617 Effectuating that Action (Action) (continued)

MOTION to adopt Resolution No. 21:1617, Denying the Charter Petition for Kuma Academy Charter School.

Passed with a motion by Joseph Gaglione and a second by Jack Souders.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

N.2. Superintendent's Office: Proposed Additions/Revisions to Board Bylaws Series 9000: Board Bylaw/Administrative Regulation/Exhibit 9310 - Policy Manual (Second Reading) (Action)

MOTION to approve the Proposed Additions/Revisions to Board Bylaws Series 9000: Board Bylaw/Administrative Regulation/Exhibit 9310 - Policy Manual. The vote was as follows:

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
No	Norm Westwell

Vice President Souders advised that because three affirmative or nay votes from the Board are needed to take action on an item per Education Code Section 35164, this item will be returned for consideration at the February 7, 2017, Board of Trustees' meeting.

No action taken.

N.3. Superintendent's Office: Proposed Additions/Revisions to Board Bylaws Series 9000: Board Bylaw 9311 - Board Policies (Second Reading) (Action)

Passed with a motion by Joseph Gaglione and a second by Jack Souders.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

N.4. Superintendent's Office: Review of Board Bylaw and Administrative Regulation 9323 - Meeting Conduct and Order of Business (Second Reading) (Information)

Dr. Hansen explained the new revision regarding abstentions in this Board Bylaw.

Received for information.

O. New Business

O.1. Administrative Services: Addition of National Council of Teachers of Mathematics to the Annual Professional Organization Memberships Listing for 2016-2017 (Action)

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.2. Administrative Services: Change Order to Construction Contract for Montgomery Hardware Company (Action)

Passed with a motion by Norm Westwell and a second by Jack Souders.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.3. Administrative Services: Change Order to Construction Contract for Spec Construction Co., Inc. (Action)

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.4. Administrative Services: Change Order to Construction Contract for Spec Construction Co., Inc. (Action)

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.5. Administrative Services: Change Orders to Construction Contracts for Inland Building Construction Companies, Inc. (Action)

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.6. Administrative Services: Change Orders to Construction Contracts for Inland Building Construction Companies, Inc. (Action)

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.7. Administrative Services: Change Orders to Construction Contracts for Paul C. Miller Construction Co., Inc. (Action)

Passed with a motion by Norm Westwell and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.8. Administrative Services: Change Orders to Construction Contracts for R.J. Daum Construction Company (Action)

Passed with a motion by Norm Westwell and a second by Jack Souders.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.9. Administrative Services: File Notice of Completion: Danny Letner, Inc./dba Letner Roofing Co. on Restroom Modernizations, Fire Alarm Upgrades, Roofing, and Abatement Projects - 14-225 (Action)

Passed with a motion by Norm Westwell and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.10. Administrative Services: File Notice of Completion: Spec Construction Co., Inc. on ADA Site Package A Project - OVSD-15-246-2 (Action)

Passed with a motion by Norm Westwell and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.11. Administrative Services: File Notice of Completion: Inland Building Construction Companies, Inc. on ADA Site Package B Projects - OVSD-15-246-3 (Action)

Passed with a motion by Norm Westwell and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.12. Administrative Services: File Notice of Completion: Spec Construction Co., Inc. on New Signage Project - OVSD-15-246-4 (Action)

Passed with a motion by Norm Westwell and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.13. Administrative Services: File Notice of Completion: Various Contractors on Hope and Oak ADA Upgrades Project - OVSD-15-246-1 (Action)

Passed with a motion by Norm Westwell and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.14. Administrative Services: File Notice of Completion: Various Contractors on Lake View Reconstruction Project - 14-225-3 (Action)

Passed with a motion by Norm Westwell and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.15. Administrative Services: Independent Contractor Agreement Between Ocean View School District of Orange County and Dieli Murawka Howe (DMH), Inc. (Action)

MOTION to approve the Independent Contractor Agreement between Ocean View School District of Orange County and Dieli Murawka Howe (DMH), Inc. The vote was as follows:

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
No	Norm Westwell

Vice President Souders advised that because three affirmative or nay votes from the Board are needed to take action on an item per Education Code Section 35164, this item will be returned for consideration at the February 7, 2017, Board of Trustees' meeting.

No action taken.

O.16. Administrative Services: Ratification of Independent Contractor Agreement Between Ocean View School District of Orange County and Whittaker Planning Services (Action)

Passed with a motion by Joseph Gaglione and a second by Jack Souders.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.17. Administrative Services: Resolution No. 18:1617 - Establishing an Independent Citizens' Bond Oversight Committee and Approving Bylaws for Measure R (Action)

Dr. Hansen and Dr. Conroy responded to questions from the Board of Trustees regarding this matter.

Passed with a motion by Joseph Gaglione and a second by Jack Souders.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.18. Administrative Services: Resolution No. 19:1617 - Approving a Debt Issuance and Management Policy in Accordance with S.B. 1029 (Action)

Passed with a motion by Jack Souders and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.19. Educational Services: 2016-2017 Professional Tutors of America, Inc. Independent Contractor Agreement (Action)

Passed with a motion by Norm Westwell and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.20. Educational Services: Independent Contractor Agreement Between Ocean View School District of Orange County and Grupo Crecer at Oak View School (Action)

Passed with a motion by Jack Souders and a second by Joseph Gaglione.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.21. Educational Services: 2016-2017 Mad Science of Orange County Independent Contractor Agreement (Action)

Passed with a motion by Joseph Gaglione and a second by Norm Westwell.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

O.22. Superintendent's Office: Proposed Additions/Revisions to Board Policies and Administrative Regulations Series 6000: Instruction - Board Policy/ Administrative Regulation 6145.5: Student Organizations and Equal Access (First Reading) (Information)

Received for information.

O.23. Superintendent's Office: Resolution No. 22:1617 Remuneration for Trustee Gina Clayton-Tarvin - January 10, 2017, Regular Board of Trustees' Meeting (Action)

Passed with a motion by Joseph Gaglione and a second by Jack Souders.

Absent	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell

P. Any Other Public Communications to the Board of Trustees: None.

Q. Future Agenda Items (As requested by Board Members): None.

R. Board of Trustees' Roundtable

Trustee Gaglione thanked those who spoke tonight regarding the excellent programs we have in our District for all students.

Vice President Souders expressed his appreciation to those speakers who supported the Districts' programs; thanked staff for the work done that resulted in many of the change orders reflecting unused cash allowances.

Dr. Conroy acknowledged the work of Jim Choate, Director, Maintenance, Operations, and Facilities, and Ledesma & Meyer Construction Company, Inc., who oversee the projects.

S. * Closed Session (if needed)

Time: 7:50 p.m.

The Board of Trustees moved to Closed Session to continue discussion of items previously announced under Closed Session.

T. Return to Open Session/Report of Closed Session Action

The Board of Trustees returned to Open Session at 9:05 p.m. There were no Closed Session actions to report.

U. Adjournment

Time: 9:06 p.m.

Passed with a motion by Jack Souders and a second by Joseph Gaglione.

Yes	John Briscoe
Absent	Gina Clayton-Tarvin
Yes	Joseph Gaglione
Yes	Jack Souders
Yes	Norm Westwell



Carol Hansen, Ed.D., Superintendent



John Briscoe, Board Clerk

2/8/2017

Date