

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

 APPROVED

**Board of Trustees' Meeting - Minutes**

March 06, 2018

5:15 PM - CLOSED SESSION; 6:00 PM OPEN SESSION

**Trustees:**

Jack Souders, President  
John Briscoe, Vice President  
Gina Clayton-Tarvin, Clerk  
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 President Jack Souders at 5:15 p.m.

**B. Roll Call**

Members present: John Briscoe, Gina Clayton-Tarvin, Jack Souders, Norm Westwell

**C. Agenda Adoption - Regular Board of Trustees' Meeting of March 6, 2018**

**Passed** with a motion by Norm Westwell and a second by Gina Clayton-Tarvin.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**D. \* Closed Session**

President Souders read aloud the items listed under Closed Session. The Board of Trustees moved to Closed Session at 5:17 p.m.

**D.1. Government Code Section 54956.8: Conference with Real Property Negotiators -**

**Property:** 4.4 acre parcel of land located at corner of Warner Avenue and Nichols Lane, commonly referred to as the "Wintersburg Property";

**Agency Negotiators:** Carol Hansen, Ed.D., Superintendent, Michael Conroy, Ed.D., Deputy Superintendent;

**Negotiating Parties:** Ocean View School District of Orange County; Rainbow Disposal Co., Inc.; Nichols Street Properties LLC, Republic Services, Inc.; National Trust for Historic Preservation, and Trust for Public Land;

**Under Negotiations: Instruction and authority provided to Negotiators will concern price, terms of payment, and conditions for the District's possible exercise of its option to purchase or right of first refusal to purchase.**

**D.2. Government Code Section 54957.6: Conference with Labor Negotiators - Agency designated representative: Felix Avila, Assistant Superintendent, Human Resources; Employee Organizations: CSEA and OVTA**

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

The Board of Trustees returned to Open Session at 6:01 p.m. There were no Closed Session actions to report.

#### **F. Pledge of Allegiance**

The Pledge of Allegiance was led by President Souders, followed by the District Honor Band performing "The Star Spangled Banner."

**G. Introductions: None.**

#### **H. Minutes**

##### **H.1. Regular Board of Trustees' Meeting, February 20, 2018**

MOTION by Trustee Briscoe and seconded by Trustee Westwell to approve the Minutes as submitted.

Motion by Trustee Westwell and seconded by President Souders to amend the original motion by revising the Minutes to insert the word "Review" before "Need for armed guard at Board meetings" under Trustee Westwell's comments on page 10, Q. - Future Agenda Items.

##### Vote on amendment to the original motion:

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

Trustee Westwell stated for the record that this Board has not completely followed our Board Bylaws or Robert's Rules of Order during past meetings. He has discussed the matter with President Souders and Superintendent Hansen, who have acknowledged these issues and pledged that moving forward, these matters would be addressed. He is pleased with their assurances and would like to move forward.

##### Vote on original motion as amended:

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

## **I. Time Certain**

**I.1. 6:05 p.m. - District Honor Band: Under the direction of Music Teachers Dennis Nicolosi, Marcelo Martinez, and Steve Clar, the District Honor Band will perform three musical selections: "Star Spangled Banner," "Celtic Air and Dance," and "Cedar Valley March."**

The District Honor Band performed the musical numbers under the direction of the music teachers.

**J. Recess: There will be a brief recess to allow the band performers to exit the room.**

The meeting recessed at 6:17 p.m. and reconvened at 6:24 p.m.

## **K. Public Comments**

The following people expressed their concerns with the proposed interim housing for College View students at the Pleasant View site, focusing on the lack of playground equipment, computer labs, and other technology; also concerned with safety issues:

Tom Buntten, parent;  
Blanca Evans, parent;  
Rebecca Bulsombut, parent;  
Anna Graytan, parent;  
Kevin Nolan, parent;  
Jenny Winters, parent;  
Payton Winters, student.

Chuck Johnson, community member, commented on social media remarks made by Trustee Clayton-Tarvin; requested additional information regarding these social media posts so he can investigate their accuracy; urged President Souders to address this matter.

John Briscoe, community member, shared an invocation.

## **L. Communications**

A Point of Order was raised by Trustee Clayton-Tarvin regarding disruption of the meeting.

President Souders advised this matter has been handled, as he asked those persons speaking out to take their seat.

### **L.1. \*\*Written Communications to the Board**

Dr. Hansen advised the following correspondence had been received:

1. Email from Chris Epting, received February 21, 2018;
2. Email from Chris Epting, received February 23, 2018;
3. Email from Chris Epting, received February 23, 2018;

4. Email from Chris Epting, received February 27, 2018;
5. Email from Chris Epting, received February 28, 2018;

Copies of these written communications have been provided to the Board of Trustees and are available for public review.

**L.2. Board/Committee Reports:** None.

### **L.3. Trustees' Communications**

Trustee Briscoe shared information regarding parents' rights under the Williams Act, involving sufficiency of school equipment and materials; reminded everyone that the trustees are all volunteers that work on behalf of the OVSD community; commented on the lack of safe school routes mapping from the City of Huntington Beach for all students in the City; urged staff to request these maps from the City of Westminster and the County of Orange for our students at Westmont and Star View, respectively.

Trustee Westwell noted the Board's decision to make a provisional appointment to fill the vacancy on the Board; shared that he contacted Dr. Ralph Bauer regarding the vacancy, and Dr. Bauer expressed his interest in serving in this capacity; expressed his support of Dr. Bauer as a strong candidate with past experience.

Trustee Clayton-Tarvin thanked the College View parents for voicing their concerns tonight; stated that her top priority is student safety, and she will make sure the best safety measures are put in place to protect and safeguard our children; commented on her past experiences involving student safety while teaching in Hawaiian Gardens; read a message from a fellow teaching colleague who corroborated this information.

President Souders discussed acceptable behavior during debate, but noted that the use of foul language will not be tolerated at Board meetings; explained the available times during the meeting for public communication; shared the Board's desire to provide a safe learning environment for all students; mentioned that applications are being taken for the vacancy on the Board in case anyone is interested in this opportunity; assured the College View parents that their concerns have been heard and will be addressed.

### **L.4. Superintendent's Communication**

Dr. Hansen expressed her appreciation to the District Honor Band for their performance tonight; pleased to attend the District Music Festival last week; shared information regarding the provisional appointment process and timeline for the vacancy on the Board; attended the Legacy of Literacy event at Oak View School where the Assistance League of Huntington Beach donated over 1,500 books to the school; commented on the successful Partnership with Administration and Labor (PAL)<sup>2</sup> OVSD-CSEA Retreat, and thanked Mr. Avila and the planning committee for coordinating this event; appreciated Trustee Clayton-Tarvin briefly attending as well; discussed the District's preparedness involving school safety; appreciated the comments received from the College View parents which will be taken under consideration.

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

**L.6. Employee Associations' Communications (CSEA, OVTA)**

Margaret Friedmann, OVTA President, commended the College View parents for speaking tonight regarding their concerns; congratulated the District Honor Band's students and teachers for their performance tonight; pleased that teacher stipends are being addressed in negotiations; noted the OVSD Employee Banquet will be held on June 1, 2018.

Jason Bozarth, CSEA President, thanked the College View parents for participating in tonight's meeting; thanked the District Honor Band for their performance; discussed Chapter updates, including the PAL<sup>2</sup> Retreat; advised that Elizabeth Carr is the new eBoard Second Vice President; shared plans for the June 1st OVSD Employee Banquet; noted his respect and admiration for Trustee Gaglione and wished him the best in his future endeavors; is confident the Board will fill the vacancy with the appointment of a qualified individual.

**M. Reports**

**M.1. Construction Update - Fencing: Board Direction**

Dr. Conroy narrated a detailed PowerPoint presentation that focused on types of fencing and interior/exterior fencing options. He explained that staff is seeking Board direction regarding the recommendations presented tonight for type and placement of fencing.

Board discussion ensued regarding staff's recommendations. Dr. Conroy and Mr. Kris Meyer, Principal, Ledesma & Meyer Construction Co., Inc., responded to questions from the Board of Trustees.

Emily Anderson, parent, spoke regarding student safety and the need for fencing at the sites.

It was the unanimous consent of the Board of Trustees to direct staff to move forward with the recommendations presented tonight.

**N. Consent Calendar**

**N.1. Administrative Services: Gifts to the District**

**Passed** with a motion by John Briscoe and a second by Gina Clayton-Tarvin.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**N.2. Administrative Services: Purchase Orders for all Funds for February 14, 2018, through February 26, 2018**

**Passed** with a motion by John Briscoe and a second by Gina Clayton-Tarvin.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**N.3. Administrative Services: School District Check Registers from February 7, 2018, through February 20, 2018**

**Passed** with a motion by John Briscoe and a second by Gina Clayton-Tarvin.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**N.4. Educational Services: Listing of Conferences, Meetings, and Workshops**

**Passed** with a motion by John Briscoe and a second by Gina Clayton-Tarvin.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**N.5. Human Resources: Certificated Employee Personnel Activity List - February 7, 2018, through February 20, 2018**

**Passed** with a motion by John Briscoe and a second by Gina Clayton-Tarvin.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**N.6. Human Resources: Classified Employee Personnel Activity List - February 7, 2018, through February 20, 2018**

**Passed** with a motion by John Briscoe and a second by Gina Clayton-Tarvin.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**O. Old Business:** None.

## **P. New Business**

### **P.1. Board Member Vacancy - Appointment of Board Subcommittee per Board Bylaw 9223 (Action)**

MOTION by Trustee Briscoe to approve appointment of Board Subcommittee per Board Bylaw 9223.

Trustee Westwell raised a Point of Order, noting the need for names of nominees before voting to approve them.

President Souders advised that further information would be forthcoming to address this Point of Order.

Substitute motion by Trustee Clayton-Tarvin and seconded by Trustee Briscoe to approve the appointment of Jack Souders and John Briscoe to serve on the Board Subcommittee per Board Bylaw 9223.

Trustee Westwell expressed his interest in serving on this subcommittee.

Trustee Clayton-Tarvin reiterated her support of Jack Souders and John Briscoe to serve on the subcommittee.

Motion by John Briscoe and seconded by Gina Clayton-Tarvin to Call the Previous Question:

#### Vote on Calling the Previous Question:

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

#### Vote on substitute motion to approve the appointment of Jack Souders and John Briscoe to serve on the Board Subcommittee per Board Bylaw 9223:

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

### **P.2. Review of Board Governance Practices (Information)**

Received for information.

President Souders discussed his purpose for agendaizing this matter, and thanked Trustee Westwell for bringing certain governance issues to his attention. He referenced Robert's Rules of Order and explained the role of the president is to make sure the meeting runs smoothly, to protect the speaker who has the floor, and to remain impartial during debate. He highlighted the following operational procedures which he will follow

at Board meetings: 1) To recognize speakers on the Board, the President will say the speaker's name, followed by the words, "You have the floor"; 2) Trustees may speak as many times as they wish on an item, with a ten minute time limit each time they speak; 3) Trustee comments will be confined to the merits of the question, and trustees will not attack each other's motives; 4) All trustees' remarks will be addressed through the Chair; 5) Trustees will avoid using each other's names when discussing a motion; and 6) Trustees will raise their hand fully when they wish to speak, in recognition of the authority of his/her position.

Board discussion ensued regarding versions of Robert's Rules of Order, including the 11th edition as the latest version which the Board will follow per Board Bylaws; and the chair as the presiding officer who interprets the rules and makes final rulings on procedural matters.

Trustee Westwell thanked President Souders for addressing Board governance and taking proactive measures to mitigate future issues.

### **P.3. \*\*Administrative Services: 2017-2018 Second Interim Report (Action)**

MOTION by Trustee Clayton-Tarvin and seconded by Trustee Briscoe to approve.

Trustee Westwell expressed concern with the minimum 3% reserve, steady declining enrollment, deficit spending, and unfunded liabilities. He noted he will be voting against this matter as he feels the trending forecast does not look positive for the District's financial future. Reading from Board Bylaw 9000 regarding the Board's fiduciary responsibility, he noted that he is not seeing the problem addressed with a responsibly defined fiscal budget that reduces expenses.

At this time, Dr. Conroy gave a PowerPoint presentation that focused on 2nd Interim Budget Assumptions; Multi-Year Projections; General Fund Revenue and Expenses; Encroachment; Ending Fund Balance; and Cash Flow Projections. He outlined the challenges ahead for the District, as well as next steps in the process. He recommended that the Board approve the 2nd Interim Budget as presented, indicating a positive certification.

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

Board discussion ensued regarding employee benefits; declining enrollment; pension rates; income enhancements; paid bus ridership; statutory requirements; COLA; labor negotiations; and current ways the budget problem is being addressed.

Trustee Clayton-Tarvin thanked Dr. Conroy for his informative presentation; stated that she understands he is doing the best he can with the numbers he is working with; expressed confidence in Dr. Conroy and his staff.

As Trustee Westwell began speaking, Trustee Clayton-Tarvin raised a Point of Order, noting that Trustee Westwell has used his allotted ten minutes of speaking time.



President Souders clarified that each trustee may speak as many times as he/she wishes, but each time is limited to ten minutes. He referenced information in Robert's Rules of Order regarding special dispensations for smaller boards, as well as speaker information in the Board's Governance Handbook. There is also the option to vote to extend debate.

Trustee Westwell expressed his appreciation to Dr. Conroy and his staff for their hard work; also understands the financial challenges the District is facing, and knows the fiscal services staff is working in the best interest of the District.

President Souders clarified with staff the consequences of passing or not passing the budget tonight.

Motion by Trustee Clayton-Tarvin and seconded by President Souders to change the limits for debate to allow each trustee two times to speak on a motion, with a five minute limit each time, which would apply only to the remainder of tonight's meeting.

Trustee Westwell disagreed with limiting debate in this fashion.

Motion by Trustee Briscoe to Call the Previous Question. Prior to the vote on this matter, a Point of Order was raised by Trustee Westwell, who indicated the need for a second to the motion.

President Souders asked for a second to the motion, and Trustee Clayton-Tarvin made the second.

Vote on Calling the Previous Question:

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

Vote on motion to limit debate to allow each trustee two times to speak on a motion, with a five minute limit each time:

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

Vote on original motion to approve:

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

**P.4. Administrative Services: Independent Contractor Agreement Between Ocean View School District of Orange County and Strack for "As Needed" Pupil Transportation (Action)**

**Passed** with a motion by John Briscoe and a second by Norm Westwell.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**P.5. Educational Services: Agreement with Ocean View School District of Orange County for Speech Language Pathology Services (Action)**

**Passed** with a motion by John Briscoe and a second by Norm Westwell.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**P.6. Educational Services: Cal200 v. San Francisco USD, et al., End of Semester Report (Information)**

Received for information.

**P.7. Educational Services: Independent Contractor Agreement between Ocean View School District of Orange County and CGI Professional Development (Action)**

**Passed** with a motion by Gina Clayton-Tarvin and a second by John Briscoe.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**P.8. Human Resources: Proposed Ocean View School District Calendar For 2018-2019 (Action)**

**Passed** with a motion by Jack Souders and a second by John Briscoe.

Yes John Briscoe  
Yes Gina Clayton-Tarvin  
Yes Jack Souders  
Yes Norm Westwell

**P.9. Human Resources: Public Hearing on the Initial Re-Openers For Negotiations Between California School Employees Association and Its Chapter #375 and Ocean View School District for the 2017-2018 School Year (Public Hearing)**

President Souders opened the Public Hearing at 9:32 p.m. There being no one present wishing to address the Board on this matter, the Public Hearing was closed at 9:33 p.m.

**Q. Any Other Public Communications to the Board of Trustees**

Chris Epting, community member, read a statement addressing recall remarks made earlier by Trustee Clayton-Tarvin; commented on recent social media posts by Trustee Clayton-Tarvin regarding himself running for the OVSD Board of Trustees in November; noted this was untrue, and asked that she retract her remarks within 24 hours on the District's website.

Chuck Johnson, community member, apologized for his earlier outburst; mentioned his investigation into Trustee Clayton-Tarvin's remarks regarding safety issues she experienced with her students in Hawaiian Gardens, as he feels these comments are untrue.

Jason Bozarth, staff member, questioned whether certain public comments are related to education and this District.

**R. Future Agenda Items (As requested by Board Members)**

Trustee Westwell:

- Review concerns expressed by College View parents regarding lack of playground equipment and computer labs at the interim housing site of Pleasant View;
- Review property development in our District.

**S. Board of Trustees' Roundtable**

Trustee Briscoe commented on a large donation of collapsible bicycles to the District by Kiwanis member Mike Grumet; noted the District is working on a program to make our District a user-friendly place for students to ride their bikes to school, including safe school routes to follow; mentioned the upcoming Kiwanis Adult Spelling Bee fundraiser that will benefit the Huntington Beach Children's Foundation and area schools.

Trustee Westwell attended the Robert Mayer Leadership Academy last month and will be attending the next event in a few weeks.

Trustee Clayton-Tarvin attended the successful PAL<sup>2</sup> Event; thanked the Honor Band students and teachers for tonight's performance; attended and spoke at a recent gun sense rally and women's history month rally; looking forward to the upcoming OVSD-Optimists' Oratorical Contest for our middle school students; pleased to hear about the plans for this year's OVSD Employee Banquet; stated that everything she has posted about her experience in Hawaiian Gardens is true, and quoted her fellow school colleague who substantiated her statements.

President Souders thanked everyone for attending tonight's meeting; noted he will be participating in the Kiwanis Adult Spelling Bee with his fellow trustees; excited about the collapsible bicycle donation; looking forward to attending the OVSD Employee Banquet; thanked his fellow trustees for working together tonight.

**T. \* Closed Session (if needed):** None.

**U. Return to Open Session/Report of Closed Session Action:** n/a

**V. Adjournment**

Time: 9:51 p.m.

**Passed** with a motion by John Briscoe and a second by Gina Clayton-Tarvin.

Yes John Briscoe

Yes Gina Clayton-Tarvin

Yes Jack Souders

Yes Norm Westwell



\_\_\_\_\_  
Carol Hansen, Ed.D., Superintendent



\_\_\_\_\_  
Gina Clayton-Tarvin, Board Clerk

Date

3/30/18