

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

 APPROVED

Board of Trustees' Meeting - Minutes
February 05, 2019
5:15 PM - CLOSED SESSION; 6:00 PM - OPEN SESSION

Trustees:

John Briscoe, President
Gina Clayton-Tarvin, Vice President
Jack Souders, Clerk
Patricia Singer, Member
Norm Westwell, Member

Administration:

Carol Hansen, Ed.D., Superintendent
Michael Conroy, Ed.D., Deputy Superintendent, Administrative Services
Felix Avila, Assistant Superintendent, Human Resources
Julianne Hoefler, Ph.D., Assistant Superintendent, Educational Services

A. Call to Order

The Regular meeting of the Board of Trustees was called to order by President John Briscoe at 5:15 p.m.

B. Roll Call

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

C. Agenda Adoption - Regular Board of Trustees' Meeting of February 5, 2019

Passed with a motion by Patricia Singer and a second by Norm Westwell.

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

D. Closed Session

President Briscoe read aloud the items listed under Closed Session. The Board of Trustees moved to Closed Session at 5:18 p.m.

D.1. Government Code Section 54956.9(d)(1): Conference with Legal Counsel - Existing litigation: Appeal of Denial of Sycamore Creek Community Charter School Petition

D.2. Government Code Section 54956.9: Conference with Legal Counsel - Anticipated litigation; significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code Section 54956.9: One Case - Proposition 39 Request from Sycamore Creek Community Charter School

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

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

The Board of Trustees returned to Open Session at 6:02 p.m. There were no Closed Session actions to report.

F. Pledge of Allegiance

President Briscoe led the Pledge of Allegiance.

G. Introductions: None.

H. Minutes

H.1. Regular Board of Trustees' Meeting, January 22, 2019

Passed with a motion by Patricia Singer and a second by Jack Souders.

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

At the conclusion of the vote on the Minutes, a Point of Order was raised by Trustee Clayton-Tarvin, requesting clarification on whether the President would be requiring members to raise their hands to speak during discussion and/or to make operational motions.

President Briscoe advised he will be requiring members to raise their hand or stand to be acknowledged during discussions, and not for making operational motions.

Trustee Westwell raised a Point of Personal Preference, noting that he had previously mentioned to the Board President about having a condition with raising his hand, so he will be standing to be recognized during the meeting.

President Briscoe thanked Trustee Westwell for his comment.

I.1. 6:05 Presentation: Harbour View School Elective Classes

Along with Principal Dr. Joy Harris and teacher Jennifer Van Holt, Harbour View students shared information about the elective classes available at their school. Students showcased their projects as they spoke about the Student Council, Sewing, Robotics, Yarn Craft, Wood Shop, and Drawing electives. The Drama and Yoga electives were highlighted with special student performances.

J. Public Comments: None.

K. Communications

K.1. *Written Communications to the Board: None.

K.2. Board/Committee Reports

K.2.a. Huntington Beach Community Services Commission (HBCSC) Update: Stephanie Green, District Representative, HBCSC

Mrs. Green gave an overview of the topics discussed at the most recent Commission meeting, including groundwater seepage; lake beautification; Oak View Park/KaBOOM! Playground Grant building opportunity; the Park's Secret Garden; and the Tree Society's fundraising efforts. She noted that she volunteered to serve on the Huntington Beach Central Park Committee, and hopes to serve on an upcoming committee whose focus will be on beautifying the lakes.

Mrs. Green responded to questions from the Board members, as well as heard other concerns they would like her to bring up at future meetings.

K.3. Trustees' Communications

Trustee Souders thanked everyone for attending tonight's meeting; commended the Harbour View students on their electives presentation.

Trustee Singer praised the Harbour View staff and students for their presentation.

Trustee Clayton-Tarvin noted how impressed she was with the Harbour View students' electives presentation showcased at tonight's meeting; commented on inappropriate behavior and sexual harassment involving blowing kisses which she encountered from Trustee Westwell in tonight's Closed Session; demanded that this behavior stop, and requested that President Briscoe protect her as a speaker against this type of behavior; asked the other Trustees who were in Closed Session to confirm her statements.

Trustee Westwell raised a Point of Personal Preference, asking to be able to respond since his name was brought up by Trustee Clayton-Tarvin.

President Briscoe ruled that Trustee Westwell could not speak at this time.

President Briscoe noted the importance of the word "achievement" in our new District Blue Print; reminded everyone that the Trustees serve in a volunteer capacity and make decisions in the best interest of students; attended the unveiling of the Safety Mural at Vista View Middle School; attended the PTA/O/SA/SO Presidents' Roundtable meeting; commented on the variety of programs offered by our District, as evidenced by the Harbour View students' electives presentation tonight.

Trustee Westwell raised a Point of Order, stating that he witnessed a Brown Act violation spoken by Trustee Clayton-Tarvin tonight and asked how the President would be handling this matter.

President Briscoe advised that the Brown Act covers portions of Closed Session involving personnel matters, litigation, and contract negotiations. As these matters were not discussed in Open Session by Trustee Clayton-Tarvin, President Briscoe ruled that no Brown Act violation had occurred.

K.4. Superintendent's Communication

Dr. Hansen commented on her visits to various school sites this week, and the high turnout at the recent parent informational nights; thanked Mrs. Green and Mrs. Sheridan for their reports tonight; commended Dr. Conroy and his staff for facilitating the recent Citizens' Oversight Committee meeting; commented on the upcoming Orange County Board of Education's meeting regarding the Sycamore Charter School, and urged support for the OVSD Board's denial decision and affirmation of local control.

K.5. PTA/PTO/PTSA/PTSO Presidents' Roundtable

Leslie Sheridan, Roundtable President, gave an overview of topics discussed at the last Roundtable meeting, including the District brochure and Blue Print; Aeries communication update; modernization/fencing updates; recent and upcoming parent informational meetings; and the importance of showing support of our local District at the County Board meeting where a decision will be made on the Sycamore Charter School appeal.

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

Jason Bozarth, CSEA President, spoke regarding the union's new officers and first Chapter meeting, as well as an informational meeting on union member rights; noted his plans to visit school sites in the future; expressed concern regarding tactics used by Sycamore Charter School to obtain petition signatures and the need to support our Board's denial of the petition at the upcoming County meeting.

Margaret Friedmann, OVTA President, commented on the KaBOOM! Grant for the Oak View Park playground; pleased with the continued collaboration occurring throughout the District with all stakeholders; spoke about the effects of the Janus Decision on the California Teachers' Association (CTA) and OVTA.

L. Reports

L.1. Update on Governor's Proposed Budget

Dr. Conroy narrated a comprehensive PowerPoint presentation, reflecting the Governor's budget proposal and its effect on educational funding. Areas highlighted included Projected State General Fund Revenues; CalSTRS Relief for School Employers, including projected employer contribution rates; Prop 98 and LCFF Funding; Projected COLA Rates; Special Education; and School Facilities.

Dr. Conroy responded to questions from the Board members.

L.2. Construction Update: Measure R Fencing Project

Dr. Conroy narrated a PowerPoint presentation that provided an update on Districtwide fencing projects, including the tentative project timeline and Phase One school site diagrams for Village, Harbour, Hope, Circle, Golden, Lake View Schools.

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

M. Consent Calendar

Prior to consideration of the Consent Calendar, President Briscoe requested a parliamentary ruling on the appropriate gesture for being recognized as a speaker. In his role as Parliamentarian, Clerk Souders advised that per Robert's Rules of Order, a member may be recognized by raise of hand or by standing up. He also noted other areas, including decorum, that are highly stressed in Robert's Rules of Order.

M.1. Administrative Services: Gifts to the District

Passed with a motion by Patricia Singer and a second by Jack Souders.

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

M.2. Administrative Services: Purchase Orders for all Funds for January 11, 2019, through January 24, 2019

Passed with a motion by Patricia Singer and a second by Jack Souders.

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

M.3. Administrative Services: School District Check Registers from January 8, 2019, through January 18, 2019

Passed with a motion by Patricia Singer and a second by Jack Souders.

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

M.4. Educational Services: Listing of Conferences, Meetings, Workshops, and Consultants

Passed with a motion by Patricia Singer and a second by Jack Souders.

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

M.5. Human Resources: Certificated Employee Personnel Activity List - January 9, 2019, through January 22, 2019

Passed with a motion by Patricia Singer and a second by Jack Souders.

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

M.6. Human Resources: Classified Employee Personnel Activity List - January 9, 2019, through January 22, 2019

Passed with a motion by Patricia Singer and a second by Jack Souders.

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

N. Old Business: None.

O. New Business

O.1. Administrative Services: Resolution No. 12:1819 - Resolution Implementing Pre-Qualification of Construction Contractors Under Public Contract Code Section 20111.6 (Action)

Passed with a motion by Patricia Singer and a second by Gina Clayton-Tarvin.

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

O.2. Administrative Services: Substitution for Subcontractor On Westmont Modernization Project 17-301 (Category 12-Glazing and Storefront) (Action)

Passed with a motion by Patricia Singer and a second by Jack Souders.

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

O.3. Educational Services: 2018-2019 Single Plans for Student Achievement for Ocean View School District - Revised Plans for Golden View and Star View Schools to Reflect Title I Funding (Action)

MOTION by Gina Clayton-Tarvin and seconded by Jack Souders to approve.

Trustee Westwell expressed concern with the language in the site plans, as there were no specific goals written in the plans. He suggested language additions to certain portions of the plans to include specific goals.

In response to President Briscoe's questions, Dr. Hansen affirmed that the School Site Councils at both schools wrote and approved the plans, which, by Education Code, cannot be changed without their approval.

Motion by Gina Clayton-Tarvin and seconded by Patricia Singer to Call for the Question.

For clarification purposes, a Roll Call vote was taken on the motion to Call for the Question:

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

Roll Call vote on original motion to approve:

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

O.4. Educational Services: Revised Independent Contractor Agreement Between Ocean View School District of Orange County and TechSmart, Inc. (Action)

MOTION by Gina Clayton-Tarvin, seconded by Patricia Singer, and carried by the following Roll Call vote to approve:

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

At the conclusion of the voting, Trustee Westwell noted he misspoke and his vote should be a nay vote.

President Briscoe requested a ruling from the Parliamentarian regarding changing a vote.

A Point of Order was raised by Trustee Clayton-Tarvin, who requested that the President ask once for aye votes and nay votes instead of calling for a roll call vote every time, noting that a lack of a vote would be counted toward the prevailing side.

President Briscoe also asked for the Parliamentarian's ruling on this matter, and Clerk Souders concurred with Trustee Clayton-Tarvin's explanation that lack of a vote would count toward the prevailing side, and agreed that a roll call vote is not necessary.

Regarding changing of a vote, Clerk Souders advised that a vote can be changed up until the vote is announced. After that, a vote can only be changed by unanimous permission of the assembly.

President Briscoe asked the Trustees if there was interest in permitting this, and there was none.

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 Westwell expressed concern about the downward direction which he feels the District is headed, and a Board that rubber stamps items with a 4-1 vote; talked about comments from a Trustee that are untrue; shared that he had told the Board President of an embarrassing condition he has with raising his hand and middle finger; has been threatened by a Trustee who is bent on causing conflict.

Trustee Souders thanked the Board for the opportunity to use his governance skills as parliamentarian during the meeting; thanked everyone for attending tonight.

Trustee Singer thanked everyone for attending the meeting; stated she does not rubber stamp items, but carefully studies the Board Agenda material prior to a meeting; noted her participation in committees and visits to school sites help her as she keeps her focus on students, and suggested this type of involvement to others; affirmed that the situation reported by Trustee Clayton-Tarvin earlier did occur in Closed Session, specifically blowing of kisses; asked the Trustees to be kind and polite and remember why we are here.

Trustee Clayton-Tarvin noted her attendance at Hope View's Authors' Day, where she heard author Chris Epting's presentation; mentioned that she and Mr. Epting have made amends and are moving forward in a positive manner; visited the Wintersburg Site owned by Republic and is pleased to report that Republic is working with a construction team who is doing pro bono work to stabilize the buildings in current disrepair; attended Oak View Community Meeting where information was relayed to the community regarding the Sycamore Charter School matter; attended High School Information Night at Ocean View High School; wished everyone a happy lunar new year; is looking forward to attending the annual TET Festival at Star View this week; reported that U.S. Representative Harley Rouda has appointed her to serve as a Democratic Party delegate; thanked her colleague for confirming what occurred in Closed Session.

President Briscoe shared that other school districts are visiting our District to view our best practices and programs, and thanked Cabinet for their hard work in making this possible; confirmed the comments made about blowing kisses did occur in Closed Session, as well as the Trustee self-disclosing a disability involving the middle finger when raising his hand, and appreciated that this Trustee stands up to be recognized; stated that blowing kisses was rude; attended Middle School Information Night at Spring View Middle School.

S. * Closed Session (if needed): None.

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

U. Adjournment

Time: 8:50 p.m.

Passed with a motion by Patricia Singer and a second by Jack Souders.

Yes John Briscoe

Yes Gina Clayton-Tarvin

Yes Patricia Singer

Yes Jack Souders

Yes Norm Westwell



Carol Hansen, Ed.D., Superintendent



Jack Souders, Board Clerk

February 19, 2019

Date