

5:45 p.m., CLOSED SESSION  
7:00 p.m., REGULAR SESSION

PLACENTIA-YORBA LINDA UNIFIED SCHOOL DISTRICT  
1301 E. Orangethorpe Avenue  
Placentia, CA

Agenda  
Regular Meeting  
Board of Education

5:45 p.m., Tuesday, December 13, 2011  
District Educational Center  
1301 E. Orangethorpe Avenue  
Placentia, CA 92870

A Regular Meeting of the Board of Education of the Placentia-Yorba Linda Unified School District, called by Mr. Eric Padget, President, in accordance with Government Code Sections 54950 et. seq., and Education Code Sections 35140 et seq., is to be held at 5:45 p.m., Tuesday, December 13, 2011 at the District Educational Center, 1301 E. Orangethorpe Avenue, Placentia.

Call to Order \_\_\_\_\_ Time: \_\_\_\_\_

*All documents related to the open session agenda which are provided to all or a majority of the members of the Board of Education are available for public inspection 72 hours prior to the regularly-scheduled Board meeting by contacting the Superintendent's Office at the above-referenced address.*

**CLOSED SESSION**

Adjourn to Closed Session for the purpose of discussing matters expressly authorized by Government Code Sections 3549.1, 54956.8, 54956.95, 54957, and 54957.6 at \_\_\_\_\_p.m.

	<b>Page(s)</b>
1. Public Employment per Personnel Report	51-63
2. Public Employment Discipline/Dismissal/Release	
3. Conference with labor negotiators Dennis M. Smith, Superintendent; Suzette Lovely, Assistant Superintendent, Personnel Services; Doug Domene, Assistant Superintendent, Business Services	
a. CSEA	
b. APLE	
4. Conference with legal counsel—anticipated litigation—significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One or more cases involving state and local funding of the programs of the Placentia-Yorba Linda Unified School District	
5. Conference with legal per Government Code Section 54956.9(a) – Existing Litigation re: Angeles Contractors, Inc. Bid No. 208-1 for Yorba Linda High School New Construction Project, Project No. YLH-9606. Orange County Superior Court, case number, 30-2010-00389798.	
6. Conference with legal per Government Code Section 54956.9(a) – Existing Litigation re: Baker Electric, Inc. Bid No. 207-34 for Yorba Linda High School New Construction Project, Project No. YLH-9606. Orange County Superior Court, case number, 30-2010-00418926.	

**CLOSED SESSION, Continued**

- 7. Conference with legal per Government Code Section 54956.9(a) – Existing Litigation re: Construction Steel Works, Inc. Bid No. 207-39 for Yorba Linda High School New Construction Project, Project No. YLH-9606. Orange County Superior Court, case number, 30-2010-00402743.
- 8. Conference with legal per Government Code Section 54956.9(a) – Existing Litigation re: Doja, Inc.. Bid Nos. 209-1 and 209-2 for Yorba Linda High School New Construction Project, Project No. YLH-9606. Orange County Superior Court, lead case number, 30-2011-00489440.
- 9. Workers' Compensation Claim Number 002817
- 10. Expulsion(s)
  - a. 1206A2
  - b. 1229A1

**REGULAR SESSION**

Reconvene to Regular Session at \_\_\_\_\_ p.m.

**PLEDGE OF ALLEGIANCE** – Judi Carmona

**ROLL CALL**

Members Present \_\_\_\_\_  
 Members Absent \_\_\_\_\_  
 Late Arrivals \_\_\_\_\_  
 Early Departures \_\_\_\_\_

**ORGANIZATION OF BOARD MEMBER POSITIONS**

1. Elect \_\_\_\_\_ as President of the Board of Education for the period December 13, 2011 through December 11, 2012.

Action \_\_\_\_\_ Motion \_\_\_\_\_  
 Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

2. Elect \_\_\_\_\_ as Vice President of the Board of Education for the period December 13, 2011 through December 11, 2012.

Action \_\_\_\_\_ Motion \_\_\_\_\_  
 Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

3. Elect \_\_\_\_\_ as Clerk of the Board of Education for the period December 13, 2011 through December 11, 2012.

Action \_\_\_\_\_ Motion \_\_\_\_\_  
 Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

**PUBLIC COMMENT ANNOUNCEMENT**

Those audience members wishing to address the board during the Public Comment segment of the agenda are reminded to fill out a public comment form and turn it in prior to the board holding Public Comment. The board’s bylaws do not allow forms to be submitted once the presiding officer has called for Public Comment. Forms are available at the staff desk. A maximum of thirty (30) minutes is set aside for public comment at each meeting; speakers are allowed a maximum of five minutes to address the board on any item(s) within the board’s jurisdiction. Speakers are allowed a maximum of five minutes to address the board in English and/or in their primary language. When translation is requested, up to five additional minutes will be provided for English translation.

Persons with a disability who require a disability-related modification or accommodation, including auxiliary aids, in order to participate in a meeting, and persons who need translation assistance or services, may request such modification, accommodation, or services from the PYLUSD District Office at (714) 985-8400 or by fax at (714) 993-4875. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements.

**MINUTES**

It is the recommendation of the Superintendent of Schools that the Board of Education approve the minutes of the Regular Meeting of November 15, 2011.

Action \_\_\_\_\_  
Ayes \_\_\_\_\_ Noes \_\_\_\_\_

Motion \_\_\_\_\_  
Second \_\_\_\_\_

**RECOGNITIONS/PRESENTATIONS** – An opportunity to honor students, employees, and community members for outstanding achievement. Information regarding district events is also available at each meeting.

- Elisabeth Kaulard, German Teacher, Esperanza High School – 2011 German Embassy Teacher of Excellence Award
- Mike Curran, Baseball Coach, Esperanza High School – National High School Baseball Hall of Fame Inductee, December 2011

**PUBLIC COMMENT** – An opportunity for the public to provide input to the Board of Education. Those wishing to speak about a specific agenda item may do so during the Public Comment segment or when the item is being considered by indicating such on the Request for Public Comment form. If you choose to speak when an item is before the board, your name will be called prior to board consideration. An item not on the agenda must be addressed during the Public Comment segment of the agenda.

**STUDENT BOARD REPORT** – An opportunity for the student board representative to provide a report of activities and events occurring at the district’s high schools.

**SUPERINTENDENT’S REPORT** – An opportunity for the Superintendent to share matters of special interest or importance which are not on the board agenda and/or special presentations of district programs or activities.

- Update on California Budget
- Update on County of Orange Property Tax Action

**APPROVAL OF AGENDA**

Approve the December 13, 2011 Board of Education agenda as recommended by the Superintendent.

Action \_\_\_\_\_  
Ayes \_\_\_\_\_ Noes \_\_\_\_\_

Motion \_\_\_\_\_  
Second \_\_\_\_\_

**CONSENT CALENDAR**

Actions proposed for Consent Calendar (block vote) items are consistent with approved practices of the district and are deemed routine in nature. Since trustees receive board agenda backup information in advance of scheduled meetings, they are prepared to vote with knowledge on the block vote items. Consent Calendar items are voted on at one time, although any such item can be considered separately at a Board member’s request, in which event it will be acted upon subsequent to action on the Consent Calendar. The purchase order master list, warrant registers, and contracts considered at this meeting are available to the board under separate cover.

- 1. Approve/ratify purchase orders in the following amounts: **(2011/2012)** – General Fund (01), \$635,767.36; Child Development Fund (12), \$5,635.57; Cafeteria Fund (13), \$3,965.12; Building Fund Measure A (Series A) Fund (26), \$40,851.24; Building Fund Measure A (Series B) Fund (27), \$73,563.88; Building Fund Measure A (Series C) Fund (28), \$1,021.06; Building Fund Measure A (Series Q) Fund (29), \$1,290.00; Building Fund Measure A (Series D) Fund (30), \$5,870.00; Building Fund Measure A (Series E) Fund (31), \$25,709.54 1
- 2. Approve warrant listings in the following amounts: Warrant Registers #437201 through 449031 and #596613 through 597113; current year expenditures (October 30, 2011 through November 19, 2011) \$7,298,719.04; total prior year expenditures, \$44,088.81 (2010-2011); payroll registers 4A, \$9,486,836.77 and 4B, 3,574,589.75 2
- 3. Adopt Resolution No. 14 for 2011-12 budget revisions to adjust 2010-11 unaudited actual fund balance and authorizing 2011-12 budget transfers. 5
- 4. Approve the contract with Schools First Federal Credit Union to provide Third Party Administration (TPA) services related to the district’s 403(b) Tax Sheltered Annuity (TSA) Plan and Government 457(b) Deferred Compensation Retirement Plan (DCP). 9
- 5. Approve Addendum 4 to the contract for Bid No. 208-4, Technology Support Services with Microlink Enterprise, Inc., through December 31, 2012. 10
- 6. Approve contractor(s) for Open Field Service Agreement(s). 11
- 7. Accept as complete the project(s) listed and authorize filing Notice(s) of Completion. 12
- 8. Approve renewal of agreement with American Fidelity Assurance Company for Flexible Spending Account services effective January 1, 2012 through December 31, 2012. 13
- 9. Approve authority to settle Workers’ Compensation Claim Number 002817.
- 10. Approve Independent Contractor Agreements – Maintenance and Facilities – as listed in accordance with Board Policy No. 4124, Retention of Consultants. 14

**CONSENT CALENDAR, Continued**

11. Approve Professional Services Agreement for Labor Compliance Services with Golden State Labor Compliance, LLC for Labor Compliance Program auditing services for the Ten (10) Relocatables Classroom Village Project and Tennis Courts and Parking Lot Reconfiguration Project at El Dorado High School. Contract No. 1112-32. Project Nos. ELD-9722-9301-025 and ELD-9722-9301-020. Contract Period November 1, 2011 through June 30, 2012. 15
12. Approve Inspection Services Agreement with Reliant Testing Engineers, Inc. for geotechnical materials and testing services for the Ten (10) Relocatables Classroom Village Project and Tennis Courts and Parking Lot Reconfiguration Project at El Dorado High School. Contract No. 1112-33. Project Nos. ELD-9722-9301-025 and ELD-9722-9301-020. Contract Period October 26, 2011 to July 31, 2012. 17
13. Approve Amendment No. 1 to the site lease, sub lease and construction services agreement for the lease-leaseback project with JRH Construction Company, Inc. for the Administration Modernization Project at Esperanza High School. Contract No. 1011-37. Project No. ESP-9223-9303-030. Purchase Order No. 105140. 19
14. Approve Amendment No. 3 to agreement for architectural services with Donald Krotee Partnership, Inc., for team rooms' portion of the Bradford Stadium Facility Improvement Project at Valencia High School. Project No. VHS-9224-9307-071. Contract No. 1011-16. Purchase Order No. 103685. 21
15. Approve Amendment No. 4 for the agreement for architectural and engineering design services with MVE Institutional, Inc. for the Modernization Project at El Camino High School. Contract No. 0910-51. Project No. ELC-9221-9301-030. Purchase Order No. 008902. 23
16. Approve extension of time to the attached list of contracts. 25
17. Adopt Resolution No. 15 accepting the Annual Developer Fees Report pursuant to Government Code Sections 66001, 66006 and 66008, for the period July 1, 2010 through June 30, 2011. 27
18. Approve Independent Contractor Agreements – Educational Services - as listed in accordance with Board Policy No. 4124, Retention of Consultants. 29
19. Approve special education master contracts, individual service contracts and related services. (Individual service contracts on file.) 32
20. Approve Ruby Drive Elementary School to participate in the Inside the Outdoors Field Program with the Orange County Department of Education. 33
21. Approve contract with Children's Maritime Foundation for extended field trip for Bernardo Yorba Middle School, June 11-12, 2012 to Long Beach, California. 34
22. Approve Request for Delegation of Authority to Superintendent or his designee to enter into contracts for telecommunications, internal connections, basic maintenance and Internet services covered by E-rate discounts. 36

**CONSENT CALENDAR, Continued**

- 23. Approve *Single Plan for Student Achievement* for Bernardo Yorba Middle, Brookhaven, Bryant Ranch, El Camino Real High, El Dorado High, Esperanza High, Fairmont, Glenknoll, Golden, Kraemer Middle, La Entrada, Lakeview, Linda Vista, Mabel Paine, Melrose, Morse, Rio Vista, Rose Drive, Ruby Drive, Sierra Vista, Topaz, Travis Ranch, Tuffree Middle, Tynes, Valadez Academy, Valencia High, Van Buren, Wagner, Woodsboro, Yorba Linda High, and Yorba Linda Middle schools. 38
- 24. Approve/ratify extended field trips as listed in accordance with Board Policy No. 6153, Field Trips. 40
- 25. Accept gifts as listed, such action being in compliance with Education Code Section 41032, and direct the Superintendent to send letters of appreciation. 47
- 26. Approve the Stipulated Expulsion Agreement between the Placentia-Yorba Linda Unified School District and the parents of 1206A2.
- 27. Approve the Findings of Fact and recommendation of the Administrative Panel which found that 1229A1 violated Section 48900(c) of the California Education Code.
- 28. Approve the Career Guidance Specialist Agreement with North Orange County Regional Occupational Program for the 2011-12 school year. 49
- 29. Approve the Reverse Link Agreement with North Orange County Regional Occupational Program for the 2011-12 school year. 50
- 30. Approve Classified Personnel Report. 51
- 31. Approve Certificated Personnel Report. 57

Approve the above listed recommendations.

Action \_\_\_\_\_  
Ayes \_\_\_\_\_ Noes \_\_\_\_\_

Motion \_\_\_\_\_  
Second \_\_\_\_\_

**GENERAL FUNCTIONS**

- 1. Revise Board Bylaw 9322.2, *Public Comment*, first reading. 64  
Action \_\_\_\_\_ Motion \_\_\_\_\_  
Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_
- 2. Revise Board Bylaw 9250.1, *Conflict of Interest Code*, Exhibit A, first reading. 67  
Action \_\_\_\_\_ Motion \_\_\_\_\_  
Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_
- 3. Review Board Bylaw 9230, *Compensation of Board Members*. 71  
Action \_\_\_\_\_ Motion \_\_\_\_\_  
Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

**GENERAL FUNCTIONS, Continued**

- 4. Adopt the 2012 Board of Education Meeting Schedule. 74

Action \_\_\_\_\_ Motion \_\_\_\_\_  
 Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

- 5. Elect \_\_\_\_\_ as the district’s representative to the Orange County School Boards Association Political Action Group Effort (PAGE); elect \_\_\_\_\_ as the alternate.

Action \_\_\_\_\_ Motion \_\_\_\_\_  
 Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

- 6. Elect \_\_\_\_\_ as the district’s nominating representative to the Orange County Committee on School District Organization; elect \_\_\_\_\_ as the alternate.

Action \_\_\_\_\_ Motion \_\_\_\_\_  
 Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

- 7. Elect \_\_\_\_\_ as the district’s representative to the North Orange County Regional Occupational Program; elect \_\_\_\_\_ as the alternate.

Action \_\_\_\_\_ Motion \_\_\_\_\_  
 Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

**BUSINESS AND FINANCIAL**

- 1. Accept the annual independent audit report for the 2010-2011 fiscal year. 76

Action \_\_\_\_\_ Motion \_\_\_\_\_  
 Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

- 2. Approve “Positive Certification” of Placentia-Yorba Linda Unified School District’s ability to meet its financial obligations. 77

Action \_\_\_\_\_ Motion \_\_\_\_\_  
 Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

- 3. Adopt Resolution No. 16 to determine and find the District Performing Arts Center at El Dorado a substantially complex project and to increase the statutory minimum retention amounts, pursuant to Public Contract Code Section 7201. 81

Action \_\_\_\_\_ Motion \_\_\_\_\_  
 Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Second \_\_\_\_\_

**COMMUNICATIONS AND BOARD REPORT**

1. Communications: Documents addressed to board members which relate to the district or public education and are submitted as official communications to the district.
2. Board Report: Board member discussion relative to conferences, workshops, meetings, school visitations and activities, and adjunct assignments, etc.

Any other topics will be discussed at the agenda item(s).

**ADJOURNMENT**

Time: \_\_\_\_\_

Action \_\_\_\_\_  
Ayes \_\_\_\_\_ Noes \_\_\_\_\_

Motion \_\_\_\_\_  
Second \_\_\_\_\_

**NEXT SCHEDULED MEETING**

January 10, 2012