

**Fountain Valley School District**  
Superintendent's Office

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

10055 Slater Avenue  
Fountain Valley, CA 92708

September 5, 2019

**MINUTES**

President Collins called the regular meeting of the Board of Trustees to order at 5:30pm.

CALL TO ORDER

The following board members were present:

ROLL CALL

Ian Collins	President
Jeanne Galindo	President Pro Tem
Sandra Crandall	Clerk
Lisa Schultz	Member
Jim Cunneen	Member

**Motion:** Mr. Cunneen moved to approve the meeting agenda.

AGENDA APPROVAL

Second: Mrs. Galindo

Vote: 5-0

There were no requests to address the Board prior to closed session.

PUBLIC COMMENTS

Mr. Collins announced that the Board would retire into Closed Session. Action was not anticipated. The following was addressed:

CLOSED SESSION

- Personnel Matters: *Government Code 54957 and 54957.1*  
Appointment/Assignment/Promotion of employees; employee discipline/dismissal/release; evaluation of employee performance; complaints/charges against an employee; other personnel matters.
- Pupil Personnel: *Education Code 35146*  
Student expulsion(s) or disciplinary matters for violation of Board Policy 5144.1.
- Negotiations: *Government Code 54957.6*

Update and review of negotiations with the FVEA and CSEA Bargaining Units with the Board's designated representative, Cathie Abdel.

- Conference with Real Property Negotiator *Government Code Section 54956.8*

Property: Approximately 12.9 acres of District land improved with approximately 40,073 sq. ft. of facilities located at 9790 Finch Avenue, Fountain Valley, California (former Fred Moiola School Site) ("Property").

Negotiating Parties: Fountain Valley School District, real property negotiators Christine Fullerton, Assistant Superintendent, Business Services and District legal counsel (Seller), and Brookfield Homes Southern California LLC (Buyer).

Under Negotiation: Instruction to negotiators will concern price and terms of payment issues associated with a possible First Amendment to the Agreement for Purchase and Sale and Joint Escrow Instructions for the proposed sale of the identified Property.

- Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of *Government Code section 54956.9*: 1 case

Prior to the Board entering into Closed Session, Mr. Cunneen made the following statement:

“President Collins, I would like to state for the record that I have an attenuated potential conflict of interest regarding the Fred Moiola Property discussion and Agenda Item. Specifically, I am employed by the engineering firm Group Delta Consultants, which has done past business and is currently doing business with Brookfield Homes. Therefore, in an abundance of caution and to

avoid any appearance of impropriety, I will continue to abstain from participating in any motions, discussions, or voting related to this Property transaction. Additionally, I am recusing myself from any and all closed session discussion related to this Property transaction, as well as from the Boardroom before this item is discussed in open session for agendaized board action. I will return when these items have concluded. Thank you.”

Mr. Cunneen returned to the meeting at 6:30pm.

PLEDGE OF ALLEGIANCE

The public portion of the meeting resumed at 6:30pm.

Mrs. Galindo led the Pledge of Allegiance.

**SPECIAL PRESENTATIONS**

Assistant Superintendent, Business, Christine Fullerton and Director, Fiscal Services, Isidro Guerra reviewed for the Board of Trustees the unaudited actuals for the Fountain Valley School District for the fiscal year 2018-19. Mrs. Fullerton began by sharing the District’s Mission Statement. She then provided an overview of the State economy. Following this, Mrs. Fullerton reviewed the 2019-20 adopted State budget. Mr. Guerra then explained unaudited actuals and their place in the budget cycle. He reviewed 2018-19 General Fund revenues, estimated actuals versus unaudited actuals and sources of revenue. In addition, Mr. Guerra shared General Fund expenditures, 2018-19 estimated actuals versus unaudited actuals and expenditure categories. Mrs. Fullerton also provided a summary of the 2018-19 General Fund and a review of other District funds. In closing, she reviewed the timeline going forward.

UNAUDITED ACTUALS FOR FISCAL YEAR 2018-19 (ORAL AND WRITTEN)

**BOARD REPORTS AND COMMUNICATIONS**

Mrs. Schultz did not have a report to share this evening.

Mrs. Galindo’s activities since the last meeting included: 2019 Leadership Advance. She thanked the staff for their preparation for this day, noting that she enjoyed the conversations at her table and in the room.

Mr. Cunneen’s activities since the last meeting included: 2019 Leadership Advance. He thanked staff for their preparation and presentation for the day, noting truly enjoying the day.

Mrs. Crandall thanked our Personnel Department for their countless hours in finding the right individuals to join the FVSD Family. Her activities since the last meeting included: 2019 Leadership Advance, new teacher orientation, Welcome Back breakfast, Summer Harvest final distribution, and double Eagle Scout ceremony.

Mr. Collins’ activities since the last meeting included: 2019 Leadership Advance, Welcome Back breakfast, Kelly Obsborn Memorial Golf Tournament, and new teacher orientation. He thanked his fellow trustees for their service this month.

**PUBLIC COMMENTS**

There were no requests to address the Board of Trustees.

**PUBLIC COMMENTS**

**LEGISLATIVE SESSION**

Mr. Cunneen made the following statement:

“President Collins, I would like to state for the record that I have an attenuated potential conflict of interest regarding the Fred Moiola Property discussion and Agenda Item. Specifically, I am employed by the engineering firm Group Delta Consultants, which has done past business and is currently doing business with Brookfield Homes. Therefore, in an abundance of caution and to avoid any appearance of impropriety, I will continue to abstain from participating in any motions, discussions, or voting related to this Property transaction. Additionally, I am recusing myself from any and all closed session discussion related to this Property transaction, as well as from the Boardroom before this item is discussed in open session for agendaized board action. I will return when these items have concluded. Thank you.”

**ACTION TO APPROVE A FIRST AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS (FORMER FRED MOIOLA SITE)**

Mr. Cunneen left the meeting at 7:05pm.

Motion: Mrs. Crandall moved to 1) approve the “First Amendment to Agreement for Purchase and Sale and Joint Escrow Instructions” between the District and Brookfield Homes Southern California LLC.; 2) delegate authority to the Superintendent, or a designee, to execute the First Amendment, and take any action necessary to effectuate the terms of the Amendment.

Second: Mrs. Galindo

Vote: 4-0 (Absent: Cunneen)

Mr. Cunneen returned to the meeting at 7:09PM.

**Motion:** Mrs. Schultz moved to approve the Consent Calendar.

CONSENT  
CALENDAR

Second: Mr. Cunneen

Vote: 5-0

The Consent Calendar included:

- Board Meeting Minutes from August 8<sup>th</sup> Regular Meeting
- Personnel Items (Employment Functions, Workshops/Conferences, And Consultants)
- Donations
- Warrants
- Purchase Order Listing
- Transfers and Adjustments
- Resolution 2020--01: Gann Amendment Appropriations Limitation
- 2018-19 Capital Facilities Fund / Developer Fees
- Approve The Contract With West Coast Air Conditioning Co., Inc. For HVAC And Modernization At Courreges School Complete And Authorize Staff To File The Appropriate Notices Of Completion
- Approve The Contract With Golden State Paving Co., Inc. For The Asphalt Paving At Courreges Elementary School Complete And Authorize Staff To File The Appropriate Notices Of Completion
- Approve The Contract With Chapman Coast Roofing For The Reroofing Of Plavan Elementary School Complete And Authorize Staff To File The Appropriate Notices Of Completion
- Board Policy 1240 Volunteer Assistance (Second Reading And Adoption)
- Unaudited Actuals For Fiscal Year Ending 2018-19
- Approval Of Contract Between Fountain Valley School District And Kristine Mraz/Be The Change Consulting To Literacy Best Practice At Oka School
- Approve Change Order #1 For The Cox Elementary School Measure O HVAC And Modernization Project
- Approve Change Order #1 For The Fulton Middle School Measure O HVAC And Modernization Project

- Approve Change Order #1 For The Tamura Elementary School Measure O HVAC And Modernization Project
- Approval Of Contract Between Fountain Valley School District And Michelle McHale To Support High Level Reading And Writing Instruction At Tamura School
- Approval Of Contract For One Additional Year Of The Reading Plus Intervention Program At Talbert Middle School
- Submission Of An St Math School Grants Program Scholarship Application To Fund A Portion Of The Cost For ST Math For The FVSD’s 10 Schools
- Non-Public Agency Contracts

Non-Public School/Agency	100% Contract Cost	Effective Dates
Secure Transportation Co., Inc.	\$36,000	8/29/19-6/30/20
Scott Larsen	\$4,000	8/13/19-6/30/20
Olive Crest Academy	\$44,214.06	8/26/19-6/30/20
Oliva Crest NPA	N/A	7/1/19-6/30/20
Olive Crest NPA	\$15,000	8/26/19-1/31/20
Olive Crest Academy	\$2,000	9/6/19-6/30/20
Cornerstone Therapies	\$1,500	9/6/19-6/30/20
Professional Tutors of America, Inc.	N/A	7/1/19-6/30/20
Professional Tutors of America, Inc.	\$1,500	9/6/19-1/31-20
Professional Tutors of America, Inc.	\$3,112.50	9/6/19-12/31/19

**SUPERINTENDENT’S COMMENTS/NEW ITEMS OF BUSINESS**

Dr. Johnson Provided a review of the events since the last Board meeting, noting the great amount of work and accomplishments since August 8<sup>th</sup> including: principals returning, 2019 Leadership Advance, Welcome Back breakfast, new teacher orientation, professional development, completion of construction at Masuda and additional advances in our construction projects, and students returning yesterday. In addition, all sites noted that this is one of the smoothest openings that we have had. In closing, he thanked Mr. Hastie, commending his management of five construction projects in addition to his management of our Maintenance and Operations division.

**ADJOURNMENT**

**Motion:** Mr. Cunneen moved to adjourn the meeting at 7:17PM.

**Second:** Mrs. Galindo

**Vote:** 5-0

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