



**CONEJO VALLEY UNIFIED SCHOOL DISTRICT**  
**South Building Board Room**  
**1400 E. Janss Rd., Thousand Oaks, CA 91362**

**BOARD OF EDUCATION SPECIAL MEETING**  
**Tuesday, January 31, 2017**

## MINUTES

### CALL TO ORDER – CLOSED SESSION

Call to Order: President Dunn called the meeting to order at 6:01 p.m. He announced that there were 11 speaker cards submitted.

The 1<sup>st</sup> speaker, Michael Wolpert, spoke in support of Carden Conejo School.  
The 2<sup>nd</sup> speaker, Bob Fleming, spoke about the amended lease and Carden Conejo School.  
The 3<sup>rd</sup> speaker, Cindy Goldberg, spoke about the impact of the lease agreement on CVUSD.  
The 4<sup>th</sup> speaker, Carol Mayeda, yielded her time to Rocky Capobianco.  
The 5<sup>th</sup> speaker, Rocky Capobianco, spoke about aligning the Board's decision with the District's goals.  
The 6<sup>th</sup> speaker, Susan Schulte, spoke about the Board's responsibility to public school students.  
The 7<sup>th</sup> speaker, Diane Gehart, spoke about the Board's moral and ethical obligation to all students.  
The 8<sup>th</sup> speaker, Mary Anne Van Zayle, stated that the Board's responsibility is not to Carden.  
The 9<sup>th</sup> speaker, Laura McLean, spoke in support of CVUSD students.  
The 10<sup>th</sup> speaker, Cathy Carlson, spoke about what is allowed to be discussed in Closed Session.  
The 11<sup>th</sup> speaker, Marcine Solarez, asked the Board not to undermine CVUSD students.

President Dunn announced that the Board would convene into Closed Session at 6:23 p.m., where the following item was discussed:

- A. Conference with real property negotiators, pursuant to Government Code §54956.8**  
**Property: 975 Evenstar Avenue, Westlake Village, CA 91361. Agency negotiator: Dr. Ann Bonitatibus, Superintendent. Negotiating parties: Mr. Bob Fleming and Mrs. Holly Fleming, Carden Westlake Village, Inc. (successor in interest to Carden Junior School, Inc.). Under negotiation: price and terms of payment.**

The Closed Session ended at 6:56 p.m.

### REGULAR SESSION

#### OPENING PROVISIONS

Call to Order and Roll Call: President Dunn called the meeting to order at 7:01 p.m.  
Board Members present: President Mike Dunn, Vice President John Andersen, Dr. Betsy Connolly, and Sandee Everett. Board Member absent: Mrs. Pat Phelps.  
Administration present: Dr. Ann Bonitatibus, Superintendent; Robert Iezza, Deputy Superintendent, Instructional Services; Mark McLaughlin, Assistant Superintendent, Human Resources; Dr. Victor Hayek, Assistant Superintendent, Business Services; and Hyonchin Im-Turner, Executive Administrative Assistant.

### ACTION ITEMS – GENERAL

#### Comments from the Public

President Dunn began Public Comments. There were 7 speaker cards submitted.

- The 1<sup>st</sup> speaker, Bob Fleming, thanked the Board for his time to speak before Closed Session.
- The 2<sup>nd</sup> speaker, Ryan Rubino-Faden, declined to speak as submitted.
- The 3<sup>rd</sup> speaker, Cindy Goldberg, yielded her time to Kristen Eaton.
- The 4<sup>th</sup> speaker, Kristen Eaton, declined to speak as submitted.
- The 5<sup>th</sup> speaker, Carol Mayeda, yielded her time to Rocky Capobianco.
- The 6<sup>th</sup> speaker, Rocky Capobianco, spoke about the Board's important decision on crafting an agreement that will align with district goals.
- The 7<sup>th</sup> speaker, Kathy Swindle, spoke about her concerns with the lease agreement terms.

**Business Services**

**B. Approval of an amendment to the lease with Carden Westlake Village, Inc. (successor in interest to Carden Junior School, Inc.) for the real property located at 975 Evenstar Avenue, Westlake Village, CA 91361.**

Vice President Andersen made the motion to approve; seconded by Mrs. Everett. President Dunn asked if there was any discussion. The Board then began to ask questions amongst each other and then to staff. Mrs. Everett asked if there is interest in the Carden property by any other parties (there was not) and if there is a plan to use it for CVHS. Dr. Bonitatibus explained what would happen if the property were available to the District. Dr. Connolly spoke about her concern with the lease terms and suggested that a Waiver of Subrogation be added to the insurance policy. President Dunn spoke about a petition in support of Carden. Vice President Andersen asked staff about the Joint Power of Attorney and voiced his concerns about the lack of a Waiver of Subrogation. Jacquelyn Ruffin, CVUSD's legal counsel, was asked to answer the Board's questions at the podium. Mr. Fleming was then asked to answer the Board's questions at the podium. Ms. Ruffin reminded the Board that Mr. Fleming's legal counsel was not present. Vice President Andersen asked Mr. Fleming if he was aware of the Board wanting to add the Waiver of Subrogation to the lease, to which Mr. Fleming acknowledged his awareness. Motion carried 3-1, with President Dunn, Vice President Andersen and Mrs. Everett voting yes and Dr. Connolly voting no.

**ADJOURNMENT**

President Dunn adjourned the Open Session at 8:01 p.m. **The next regularly-scheduled Board meeting will be Tuesday, February 7, 2017, 4:15 p.m. Discussion Session, 5:00 p.m. Closed Session, and 6:00 p.m. Open Session** at the CVUSD South Building Board Room, 1400 E. Janss Road, Thousand Oaks.

January 31, 2017

Date

  
Clerk

January 31, 2017

Date

  
Superintendent