

**ORANGE UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION • SPECIAL MEETING**

**District Education Center  
1401 North Handy Street • Orange, California  
Special Meeting**

**Tuesday • May 14, 2013 •  
5:30 P.M.**

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**MINUTES**

**1. CALL MEETING TO ORDER**

The Board of Education met for a special closed session meeting on Tuesday, May 14, 2013, at the Education Center, 1401 North Handy Street. Board President Tim Surridge called the meeting to order at 5:36 p.m.

**2. ESTABLISH QUORUM**

A quorum was established with the following Board members present: Deligianni, Ledesma, Moffat, Ortega, Singer, and Wayland.

**3. PLEDGE OF ALLEGIANCE**

Mr. Surridge invited everyone to join together in reciting the Pledge of Allegiance.

**4. ADOPTION OF AGENDA**

**Motion No. 1**

It was moved by Mr. Wayland, seconded by Mr. Ledesma, and carried by a vote of 7-0 to adopt the agenda.

**5. PUBLIC COMMENT ON AGENDA ITEM**

**Speakers**

The following individuals spoke in opposition to the development of the Peralta Property and against extending the Exclusive Negotiating Agreement.

1. Margy Costello
2. James (No last name given)
3. Eric Duff
4. Jan Myers
5. Carl Cullings
6. Ron Pughe
7. Allan Ghidella
8. Kathleen Nagy
9. Rick Weiland
10. Carry Skinner
11. Curt Larsen
12. Kelly Todak

13. Jim Dinwiddie
14. Kathleen Tobkin
15. Shelly Maynard (yielded her time to Kathleen Tobkin)
16. Maria Cante
17. Massiel Alvarado
18. William Snyder
19. Jo Snyder
20. Angel Cante
21. David Riley
22. Mike Ristig

## **6. ACTION ITEM**

### **A. Orange Unified School District - Peralta Site**

District and Developer, FF Realty LLC, entered into an Exclusive Negotiating Agreement (“ENA”) dated November 15, 2012, with respect to development of certain real property located at 2190 North Canal Street, in the City of Orange, California, known generally as the Peralta School Site (the “Peralta Site”). The term of the ENA will expire on May 15, 2013. The First Amendment to the ENA would amend the ENA to extend the expiration of its term to July 31, 2013 in order to allow continued negotiations with the Developer.

#### **Motion No. 2**

It was moved by Mr. Ledesma, seconded by Mr. Ortega to amend the ENA to extend the expiration of its term to July 31, 2013 in order to allow continued negotiations with the Developer.

#### **Discussion**

Dr. Deligianni commented that she lives in the area, has seen an increase in traffic, including a fatality, and is concerned about overcrowding. She noted that being voted into office to represent Area 3, she represents her constituents’ voice and would vote against extending the ENA.

Mrs. Moffat reiterated that she is very much opposed to the project. She noted that Fairfield has not performed and she has concerns because this should be the “easy part.” There are many complicated processes to go through in the future. She added that there are better uses for the Peralta property and commented on the needs and possibilities. She believes that the Board will be well served by voting no and reissuing a different RFP that better serves the needs of the District.

Mr. Wayland stated that he has concerns that Fairfield needs additional time. His challenge to the Board is to convince him why it took six months to move this project forward.

Mr. Ledesma commented on the long and difficult process that has taken place with this project. Because of the high visibility of this project, the Board took steps to work with a financial analyst, and a legal firm. It has taken a long time to come to an agreement due to negotiations and Fairfield having to work with the District’s mode of protection and negotiations. He added that the Board has been very aggressive in its negotiations with Fairfield.

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Mrs. Singer stated that this proposal is the “wrong way to go.” She did not think this was a lucrative deal. Aside from the financial reason, she noted, one must look at solutions two ways: the intangible and the tangible value. She thinks that the bad will that this project will bring to the community is more expensive than this project will ever be.

Mr. Ortega stated that contrary to what is being said, the District is focusing on education as illustrated by the presentations from the Educational Services Department. He added that the District is also focusing on facilities noting that any revenue stream that came from the surplus properties will go to renovating OUSD facilities. The District’s focus is education and facilities.

Mr. Surridge stated that the OUSD surplus properties provide opportunities within the District if they are leveraged in a way that maximizes their return. The Board decided that the monies that come from these properties will be dedicated to the investment of our facilities. There is an increasing number of needs for the campuses and the level to provide these needs is profound.

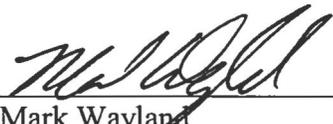
Discussion ensued among the Board members regarding facilities needs.

**Motion No. 2** carried by a vote of 4-3 to amend the ENA to extend the expiration of its term to July 31, 2013 in order to allow continued negotiations with the Developer. The roll call vote was as follows:

|            |     |
|------------|-----|
| Ortega     | Yes |
| Wayland    | Yes |
| Deligianni | No  |
| Moffat     | No  |
| Surridge   | Yes |
| Singer     | No  |
| Ledesma    | Yes |

## 7. ADJOURNMENT

By call of the Chair, the special meeting of May 14, 2013, adjourned 7:23 p.m.

  
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Mark Wayland  
Clerk of the Board