

BOARD OF TRUSTEES
Special Meeting Minutes
April 23, 2009
Immediately Following the Conclusion of the Regular Meeting

1. CALL TO ORDER–ROLL CALL

President Katherine H. Smith called the special meeting of the Anaheim Union High School District Board of Trustees to order at 7:43 p.m.

Present: Katherine H. Smith, president; Thomas "Hoagy" Holguin, clerk, Brian O'Neal, assistant clerk; Anna L. Piercy and Jordan Brandman, members; Joseph M. Farley, superintendent; Tim Holcomb, deputy superintendent; Dianne Poore and Russell Lee-Sung, assistant superintendents.

Absent: Dave Cowen and Fred Navarro, assistant superintendents.

2. ADOPTION OF AGENDA

On the motion of Mr. O'Neal duly seconded and unanimously carried, the Board of Trustees adopted the agenda.

3. PUBLIC COMMENTS, OPEN SESSION

There were no requests to speak.

4. ITEM OF BUSINESS

Additional Information Concerning Developer Fee Deferral Requests

On the motion of Mr. O'Neal and duly seconded, following discussion, the Board of Trustees authorized the superintendent to waive certain school facilities impact fees as described below.

Action was taken at a previous meeting of the Board of Trustees to implement a program to defer payment of school facilities impact fees on residential developments. The action intended to defer the collection of certain school fees until certificates of occupancy, or final inspections, are approved by the local municipality. This action would have mirrored action taken by the city of Anaheim. At the meeting, the board approved a resolution and supporting documents that included deferral procedures, deferral applications, and a memorandum of understanding between the district and the city of Anaheim. Staff was specifically directed to return to the board before making any revisions to the resolution or supporting documents.

City of Anaheim representatives informed district staff that it opposed portions of the memorandum of understanding related to indemnification. As a result of this opposition, district representatives and legal counsel have been developing an alternative to indemnification that will be presented at the May 14, 2009, board meeting.

In the meantime, however, representatives from a homebuilder have indicated that they wish to defer the impact fees now on projects that they hope to take through the permit process, as soon as possible. Given the directive about bringing any changes to these processes back to the Board of Trustees, the superintendent discussed an option for such a deferral for developers to use now.

Additional information on this item was presented at the meeting. This item's exhibit included a document that summarizes the proposed short-term authority for the superintendent to waive some of the impact fee requirements until the memorandum of understanding with the city of Anaheim is approved. The exhibit also included the original resolution and the supportive documents referenced above. The vote follows.

Ayes: Trustees Piercy, Brandman, O'Neal, and Holguin

Noes: Trustee Smith

5. **ADJOURNMENT**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees adjourned the meeting at 7:50 p.m.

Approved _____
Clerk, Board of Trustees