

Approved
Board of Trustees
December 11, 2012

**Agenda Item Details**

Meeting Dec 11, 2012 - ESUHSD ANNUAL ORGANIZATIONAL & REGULAR BOARD MEETING - 4:00 P.M.,
DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 17. ATTACHMENT A - CONSENT CALENDAR

Subject 17.20 Approve Minutes of November 15, 2012, Regular Board Meeting

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve November 15, 2012, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 17.20

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of November 15, 2012, Regular Board Meeting

Attached are the minutes of the November 15, 2012, Regular Board Meeting for review and approval by the Board of Trustees.

FISCAL IMPACT:

None

FUNDING SOURCE:

None

RECOMMENDATION:

It is recommended that the Board of Trustees approve the November 15, 2012, Regular Board Meeting minutes as presented.

Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for

**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center
November 15, 2012
4:00 p.m.**

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Regular Meeting of the Board of Trustees was called to order at 4:02 p.m. by President Biehl. Vice President Martinez-Roach, Clerk Herrera, Member Nguyen and Member Le were present.

1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (Government Code 54957.7)

President Biehl extended a welcome to everyone, explained the format of the meeting, noted that all Board Meetings are recorded and offered the public to comment on item(s) to be discussed in Closed Session.

There were no public speakers.

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session at approximately 6:00 p.m.) See item 2 on agenda (Closed Session).

The Board of Trustees recessed to Closed Session in the Superintendent's Conference Room.

2. CLOSED SESSION

2.01 Expulsion(s): A-F

Student A:

Motion by Vice President Martinez-Roach, second by Member Le, the Board approved the expulsion of Student A.

Vote: 5/0

Student B:

Motion by Vice President Martinez-Roach, second by Clerk Herrera, the Board approved the expulsion of Student B.

Vote: 5/0

Student C:

Motion by Clerk Herrera, second by Member Le, the Board approved the expulsion of Student C.

Vote: 5/0

Student D:

Motion by Member Le, second by Clerk Herrera, the Board approved the expulsion of Student D.

Vote: 5/0

Student E:

Motion by Clerk Herrera, second by Member Le, the Board approved the expulsion of Student E.

Vote: 5/0

Student F:

Motion by President Biehl, second by Vice President Martinez-Roach, the Board approved the suspended expulsion of Student F as modified by the Board.

Vote: 5/0

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

2.03 Public Employment/Public Employee Appointment (Government Code Section 54957)

2.04 Public Employee Discipline/Dismissal/Release (Government Code Section 54957)

Motion by Clerk Herrera, second by Member Nguyen, the Board approved the Settlement Agreement and General Release of Claims between the District and Paul Mansingh. A copy of the Settlement Agreement is on record with the District Office.

Vote: 5/0

2.05 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Juan Cruz, Assistant Superintendent of Instructional Services

Vida Branner, Director of Compensation and Classified Employee Relations

Cari Vaeth, Director of Human Resources

Employee Organizations:
American Federation of Teachers (AFT)
California School Employees Association (CSEA)
East Side Teachers Association (ESTA)

Unrepresented Organizations:
Administrators
Managers
Confidentials

**2.06 Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
of the Government Code**

- *Three (3) Potential Cases*

**2.07 Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9**

- *Two (2) Potential Cases*

Motion by Clerk Herrera, second by Member Nguyen, the Board approved the Settlement Agreement and General Release of Claims between the District and Paul Mansingh. A copy of the Settlement Agreement is on record with the District Office.

Vote: 5/0

OPEN SESSION AT APPROXIMATELY 6:00 P.M. – EDUCATION CENTER BOARD ROOM

3. PLEDGE OF ALLEGIANCE

4. WELCOME AND EXPLANATION TO AUDIENCE

Information explaining Board meeting procedures and how citizens can address the Board will be read. Written information is located near the entrance to the Board Room.

President Biehl extended a welcome to everyone, explained the format of the meeting and noted that all Board Meetings are recorded.

5. ADOPTION OF AGENDA

For consideration by the Board of Trustees.

There were no changes to the agenda.

6. BOARD SPECIAL RECOGNITION(s)

6.01 Patricia Martinez-Roach, Board Vice President

7. **STUDENT BOARD LIAISONS**

No items on calendar under this section.

8. **SPECIAL ORDER OF BUSINESS – OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

8.01 The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.

8.02 **Presentation and Receive Measure G and Measure E Citizens' Bond Oversight Committee Annual Report for 2010-2011 - Cecil W. Lawson, Chairperson of Measure G and Measure E Citizens' Bond Oversight Committee**

Presentation item; Report received

8.03 **Receive the Second Reading and Adoption of Proposed Draft Measure G and Measure E Citizens' Bond Oversight Committee Bylaws – Cecil W. Lawson, Chairperson of Measure G and Measure E Citizens' Bond Oversight Committee, and Chris D. Funk, Superintendent**

Motion by President Biehl, second by Vice President Martinez-Roach, to receive and adopt the second reading of the proposed draft of Measure G and Measure E Citizens' Bond Oversight Committee Bylaws as amended.

Amend as follows:

11. *Amendment of Bylaws*

Current Language:

Any amendment to these Bylaws shall be approved by a majority vote of the Committee.

Amended language:

Subject to approval by the Governing Board of the East Side Union High School District, any amendment to these Bylaws shall be approved by a majority vote of the Committee.

Vote: 5/0

9. **PUBLIC HEARING(S) – OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

9.01 **Hold Public Hearing at Approximately 6:05 p.m. on a Charter School Petition Renewal Submitted by KIPP San Jose Collegiate - Juan Cruz, Assistant Superintendent of Instructional Services, and Kirsten King, Director of Instructional Services**

Public hearing held

- 9.02 Hold Public Hearing at Approximately 6:10 p.m. Regarding Tentative Agreement and Memorandum of Understanding Re: Furlough Days ("MOU") with the California School Employees Association, Chapter 187, July 1, 2012 - June 30, 2013 and Disclosure of Major Provisions of Tentative Agreement (AB1200) - Cari Vaeth, Director, Human Resources and Vida L. Branner, Director of Compensation and Classified Employee Relations**

Public hearing held

- 9.03 Ratify and Approve Tentative Agreement and Memorandum of Understanding Re: Furlough Days ("MOU") with the California School Employees Association, Chapter 187, July 1, 2012 - June 30, 2013 and Disclosure of Major Provisions of Tentative Agreement (AB1200) - Cari Vaeth, Director, Human Resources and Vida L. Branner, Director of Compensation and Classified Employee Relations**

Speaker:

- *Angie Nunn*

Motion by Vice President Martinez-Roach, second by Clerk Herrera, to ratify and approve the tentative agreement and memorandum of understanding regarding Furlough Days ("MOU") with the California School Employees Association, Chapter 187, from July 1, 2012 to June 30, 2013, and the disclosure of major provisions of the tentative agreement (AB1200).

Vote: 5/0

10. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES

Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

Speakers:

- *Filiberto Zamora – Special Education*
- *Marisa Hanson – More Money for Teachers for School Supplies*

11. BOARD OF TRUSTEES/SUPERINTENDENT - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

- 11.01 Receive Second Reading and Adoption of Proposed Amended Board Bylaw #9270 Conflict of Interest Code: Revolving Door Policy and #9270E (Appendix A) Designated Positions/Disclosure Categories – Chris D. Funk, Superintendent**

Motion by Member Le, second by Vice President Martinez-Roach, to receive the second reading and adopt the proposed Board Bylaw #9270 Conflict of Interest Code: Revolving Door Policy and #9270E (Appendix A) Designated Positions/Disclosure Categories.

Vote: 5/0

11.02 Receive Third Reading and Adoption of Proposed New, Amended and Deleted Facilities Use Related Board Policies - Marcus Battle, Associate Superintendent of Business Services, Juan Cruz, Assistant Superintendent of Instructional Services, and Chris. D. Funk, Superintendent

Motion by Member Le, second by Clerk Herrera, to receive the third reading and adopt the proposed new, amended and deleted facilities use related Board Policies.

Vote: 5/0

11.03 Receive and Approve Facilities Usage Fee Schedule and Fair Market Rental Rates - Juan Cruz, Assistant Superintendent of Instructional Services, Marcus Battle, Associate Superintendent of Business Services and Chris D. Funk, Superintendent

Motion by Clerk Herrera, second by Member Le, to receive and approve the Facilities Usage Fee Schedule and Fair Market Rental Rates.

Vote: 5/0

11.04 Authorize/Approve Conference Registration and Hotel Room Expense for Newly Elected Board Member Magdalena Carrasco for CSBA Pre-Conference Events (Orientation for New Board Members) and Conference, November 28 – December 1, 2012 - Chris D. Funk, Superintendent

Motion by Member Le, second by President Biehl, to authorize/approve conference registration and hotel room expenses for newly elected Board Member Magdalena Carrasco for CSBA Pre-Conference Events (Orientation for New Board Members) and Conference, November 28 – December 1, 2012.

Vote: 4/0, Board Vice President Martinez-Roach abstained from vote

11.05 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings - Chris D. Funk, Superintendent

Motion by Member Le, second by Clerk Herrera, to ratify/approve Superintendent's attendance and lawful expenses to conferences/workshops/meetings as presented.

Vote: 5/0

11.06 Discussion, Consideration and/or Action to Reschedule December 6, 2012, Annual Organizational and Regular Board Meeting - Chris D. Funk, Superintendent

Motion by President Biehl, second by Member Nguyen, to reschedule the Decembe 6, 2012, Annual Organizatonal and Regular Board Meeting to December 11, 2012.

Vote: 4/0, Board Vice President Martinez-Roach abstained from vote

12. INSTRUCTIONAL SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/.BOARD DISCUSSION AND/OR ACTION

12.01 Authorization for the District to Apply for the Linked Learning Pilot Grant - Juan Cruz, Assistant Superintendent of Instructional Services

Motion by Clerk Herrera, second by Member Nguyen, to authorize the District to apply for the Linked Learning Pilot Grant.

Vote: 5/0

13. HUMAN RESOURCES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

13.01 Approve Request for Use of Education Code Section 44258.3 - Teachers on Special Assignment Authorizations for the 2012-2013 School Year - Cari Vaeth, Director, Human Resources

Motion by Clerk Herrera, second by Member Le, to approve the request for use of Education Code section 44258.3, Teacher on Special Assignment Authorizations, for the 2012-2013 school year.

Vote: 5/0

13.02 Approve Provisional Internship Permit Requests for Certificated Employee – Cari Vaeth, Director, Human Resources

Motion by Member Nguyen, second by Clerk Herrera, to approve the provisional internship permit requests for certificated employee.

Vote: 5/0

13.03 Adopt/Approve Classified, Classified Management and Certificated Administrative Holiday Schedule for the 2012-2013 School Calendar - Cari Vaeth, Director, Human Resources

Motion by Member Nguyen, second by Member Le, to adopt/approve the Classified, Classified Management and Certificated Administrative Holiday Schedule for 2012-2013.

Vote: 5/0

14. BUSINESS SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

14.01 Discussion and/or Action Regarding 2011/2012 Legal Expenses - Marcus Battle, Associate Superintendent of Business Services

Motion by Member Nguyen, second by President Biehl, to receive the 2011/2012 legal expenses as presented.

Vote: 5/0

14.02 Approve Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Motion by Clerk Herrera, second by Member Nguyen, to approve the contracts for professional services over \$50,000 (copy attached.).

Vote: 5/0

15. FACILITIES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

15.01 Approve Bond/Capital Projects Contracts for Professional Services Over \$50,000 – Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

Motion by Member Nguyen, second by President Biehl, to approve bond/capitol projects contracts for professional services over \$50,000 (attached).

Vote: 5/0

16. ATTACHMENT A – CONSENT CALENDAR ITEMS

Motion by Member Nguyen, second by Clerk Herrera, to approve the entire consent calendar.

Vote: 5/0

16.01 Ratify/Approve Classified Personnel Actions Presented November 15, 2012

16.02 Ratify/Approve Certificated Personnel Actions Presented November 15, 2012

16.03 Ratify/Approve Student Aide Personnel Actions Presented November 15, 2012

16.04 Approve School Field Trips

16.05 Approve Contracts for Professional Services At or Below \$50,000

16.06 Approve Memoranda of Understanding

16.07 Approve Budget Transfers

16.08 Approve Purchase Orders

16.09 Adopt Resolution #2012/2013-10 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

16.10 Accept Warrant Register for the Month of October 2012

16.11 Approve Award of Bid for Bond/Capital Projects

- 16.12 Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000
- 16.13 Approve Notice of Completion for Andrew Hill and Santa Teresa High Schools, Gymnasium Bleacher Replacement Project (Applied Industrial Technologies)
- 16.14 Approve Notice of Completion for William C. Overfelt High School – Leadership Public Schools Alterations to Five (5) Classroom Relocatables and Construction of One (1) Shade Structure Project (Flory Construction)
- 16.15 Approve Notice of Completion for Yerba Buena High School Ten (10) Relocatable Classrooms Project, P-8 through P-17 (East Side Union High School District Self-Performed)
- 16.16 Approve Notice of Completion for Yerba Buena High School One (1) Relocatable Classroom Project (Design Mobile Systems)
- 16.17 Approve Minutes of October 18, 2012, Regular Board Meeting

17. WRITTEN REPORTS/RECOMMENDATIONS

- 17.01 Receive Update to Previously Approved Change Orders for Current Bond Projects Which Exceed the 10% Allowance

Item received

18. FUTURE AGENDA ITEMS

- 18.01 Opportunity for Board of Trustees to request items on future agendas.

Request(s):

<i>Item</i>	<i>Requestor</i>
<i>Reconciliation of Measure G and Measure E Projects (Presentation)</i>	<i>Board Member Le</i>

- 18.02 Future Items:

Board of Trustees & Administration:

Item	Date (tentative)	Type
<i>Status of Chinese Language Program</i>	<i>February 2013</i>	<i>Written Report</i>

Board Vice President Martinez-Roach:

Item	Date (tentative)	Type
<i>Parent Involvement Plan</i>	<i>December 2012</i>	<i>Presentation on Federal Findings</i>
<i>Child Development Program</i>	<i>August (annually)</i>	<i>Written Report</i>
<i>Special Education Program Costs</i>	<i>January (annually)</i>	<i>Study Session</i>
<i>Social Networking</i>	<i>January 2013</i>	<i>Board Policy Update</i>

Board Member Nguyen:

Item	Date (tentative)	Type
<i>International Baccalaureate (IB) Program</i>	<i>March 2013</i>	<i>Study Session</i>
<i>Review on Procurement and Bidding Process</i>	<i>April 2013</i>	<i>Presentation</i>

19. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

19.01 Board of Trustees

Van Le, Board Member

Patricia and I worked with Superintendent Funk on the Homeless Project. I would like to invite everyone to the event. It will be on Friday, December 7. We will be providing gift cards to our students. We are still working on the event, including the fundraising.

Patricia Martinez-Roach, Board Vice President

The homeless issue has been an issue for many years and is dear to my heart. I understand that we did not get grant funding this year, but hope that next year the District aggressively pursues funding.

J. Manuel Herrera, Board Clerk

I just want to pass out an update on MetroED and highlight three items. Number one, an annual report has been published that summarizes the programs. Number two, we have now formally initiated a search for the new Superintendent. Three, we have contracted with School Services of California for a new funding model for the JPA and we will be going through a very thorough process on that.

Frank Biehl, Board President

I want to wish everyone a Happy Thanksgiving. I look forward to seeing my fellow Board Members at CSBA in San Francisco. We have accomplished a lot this last year. It is time to move forward.

19.02 Chris D. Funk, Superintendent

I want to wish everyone a Happy Thanksgiving. I hope that you take the opportunity to reconnect with your family, loved ones and friends and have a chance to relax. If you do travel, safe travels to everyone.

20. REPORT CLOSED SESSION ACTION(S)

Attorney will report on Closed Session action item(s).


See section 2.0 for reporting out of Closed Session items.

21. ADJOURNMENT

President adjourns the meeting.

The meeting was adjourned at 8:28 PM.

Respectfully submitted,



Board Clerk

Agenda Item Details

Meeting Nov 15, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 14. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 14.02 Approve Contracts for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services as recommended on the attachment.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 14.02

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

SUBJECT: Approve Contracts for Professional Services Over \$50,000

The attached list of Contracts for Professional Services over \$50,000, are being presented for Board review and approval.

FISCAL IMPACT:
As indicated in the attachment


FUNDING SOURCE:
As indicated in the attachment

RECOMMENDATION:
It is recommended that the Board of Trustees approve the contracts for professional services as recommended on the attachment.

[Contracts Over \\$50k 111512.pdf \(29 KB\)](#)

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED November 15, 2012**



M. Battle

**EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services Over \$50,000
Board Meeting of November 15, 2012**

1. Lealta Media Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Donna Bertrand	November 16, 2012 – December 31, 2015	REVENUE CONTRACT	Andrew Hill, Bettina Lopez Evergreen Valley, Ana Lomas Independence, Grettel Castro-Stanley James Lick, Glenn VanderZee Mt. Pleasant, Teresa Marquez Oak Grove, Martha Brazil Piedmont Hills, Traci Williams Santa Teresa, Greg Louie Silver Creek, Adolfo Laguna W. C. Overfelt, Vito Chiala Yerba Buena, Tom Huynh

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve a thirty-eight month Agreement with Lealta Media Inc. (Lealta) for the use of their Bond Rewards fundraising and donations program. The term of the Agreement is November 16, 2012 through December 31, 2015. This is a REVENUE generating Agreement. The estimated annual amount of revenue that any one school site can generate is dependent upon the effort that each school site puts into making the community aware of program and how much the program is utilized.

BondRewards for Education, a nation-wide rewards platform, provides high school's with a fully automated, customized fundraising website. With Bond Rewards for Education, schools have the ability to generate income three different ways: shopping rewards, daily deals, and online donations. Schools earn cash rewards when their families shop online at over 600 national retailers. Student teams and clubs can earn income and strengthen community ties by creating daily deals with local businesses. Using a donation platform as advanced as those found at the college level, schools can now reach out to family members and alumni alike. BondRewards for Education has brought fundraising into the 21st century in the hopes of helping to build a better school.

Tonight provides Board of Trustee authorization for Lealta to begin working with all 11 schools to implement the Bond Rewards program should they choose to implement the program at their school site.

Lealta will work with each individual school for the actual implementation and will provide at no cost customized marketing materials.

Selection Process

Not Applicable

RECOMMENDATION

It is recommended that the Board of Trustees approve a thirty-eight month Agreement with Lealta Media Inc., for the use of their BondRewards fundraising and donations program. The term of the Agreement is November 16, 2012 through December 31, 2015; and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis.

2. Peninsula Sports, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz George Sanchez Donna Bertrand	August 1, 2012 – June 30, 2017	\$65,000.00 (estimated annual expenditure) \$200 per team, per level, per school General Fund/Athletics	Andrew Hill, Bettina Lopez Evergreen Valley, Ana Lomas Independence, Grettel Castro-Stanley James Lick, Glenn VanderZee Mt. Pleasant, Teresa Marquez Oak Grove, Martha Brazil Piedmont Hills, Traci Williams Santa Teresa, Greg Louie Silver Creek, Adolfo Laguna W. C. Overfelt, Vito Chiala Yerba Buena, Tom Huynh

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve the ratification of a five year Agreement with Peninsula Sports, Inc. (PSI) for the provision of Sports Officials. The contract term of the Agreement is August 1, 2012 through June 30, 2017. The estimated annual expenditure is \$65,000.00. This estimated amount is based on the actual amount spent in 2011-12 school year. The annual dollar amount may vary depending on the number of sporting events they are officiated by school.

PSI supply sports officials to California high schools in Santa Clara County, Monterey County, San Benito County and Santa Cruz County. The various athletic leagues which are all members of the Central Coast Section (CCS) of the California Interscholastic Federation (CIF) negotiated with PSI to continue officiating sporting events at the same rates as they had been charging for the past five years with no increase for the next five years. Therefore, PSI will maintain their rate of \$200 per team, per level, per school the same for the entire duration of the contract term (five years). There will be no charge for any league tournament or end of the year tournament. However, any tournament that is held off the campus of a school lasting more than one day and/or any tournament consisting of more than 50 games must be negotiated in advance with PSI.

Selection Process

No solicitation process took place for this service. ESUHSD must contract with CCS approved Sports Officials.

RECOMMENDATION

It is recommended that the Board of Trustees approve the ratification of a five year Agreement with Peninsula Sports, Inc. (PSI), for the provision of Sports Officials with the contract term of August 1, 2012 through June 30, 2017 in an estimated annual amount of \$65,000.00; and to delegate authority to the Superintendent or designee to amend said contract on an as needed basis, including funding.

Agenda Item Details

Meeting	Nov 15, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	15. FACILITIES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	15.01 Approve Bond/Capital Projects Contracts Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager
Access	Public
Type	Action, Discussion
Recommended Action	It is recommended that the Board of Trustees approve the Bond/Capital Projects contracts as recommended on the attachment.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**Item: 15.01
Amended**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

SUBJECT: Approve Bond/Capital Projects Contracts Over \$50,000

The attached list of Bond/Capital Projects Contracts over \$50,000 is being presented for Board review and approval.

FISCAL IMPACT:

As indicated in the attachment

FUNDING SOURCE:

As indicated in the attachment

RECOMMENDATION:

It is recommended that the Board of Trustees approve the Bond/Capital Projects contracts as recommended on the attachment.

[Bond Capital Projects Contracts Over \\$50k.pdf \(37 KB\)](#)

[Contracts Over \\$50K Amended.pdf \(37 KB\)](#)

Executive Content

Last Modified by Betty Banderas on November 16, 2012

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES**
APPROVED November 15, 2012
M. Battle

**EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contracts over \$50,000
Board Meeting of November 15, 2012**

1. Bruce Flynn & Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Marcus Battle Janice Unger	August 19, 2010 to October 18, 2012	\$ 27,000.00 (Increased amount) Measure E	James Lick High School/ Facilities Glenn VanderZee, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve change order #1 to Purchase Order #103211 for additional DSA project inspection services required for the James Lick High School New Two Story Classroom Building 500 Project, (Project No.: E-030-001).

This change order #1 is for additional funding required due to delays in construction and extensions of time. Original proposal was based on construction duration of fourteen (14) months. The project is currently in its sixteenth (16) month of construction. This increase will cover all final invoicing through October 18, 2012 (termination contract date, Board approved October 18, 2012).

Original Purchase Order \$159,300.00 + Change Order #1 \$27,000.00 = new Purchase Order Total \$186,300.00.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve change order #1 to Purchase Order #103211 for final compensation for DSA project inspection services with **Bruce Flynn & Associates** for the James Lick High School New Two Story Classroom Building 500 Project, (Project No.: E-030-001).

2. FieldTurf USA, Inc. (CMAS – Piggyback) – Athletic Facility Improvement Projects at Independence, Mt. Pleasant, W.C. Overfelt, Evergreen Valley and Silver Creek High Schools

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Marcus Battle Janice Unger	May 11, 2012 – November 30, 2016	\$ 1,268.11 (Increased amount) Fund 35 – School Facilities	Independence, Mt. Pleasant, W.C. Overfelt, Evergreen Valley & Silver Creek High Schools/Facilities Grettel Castro-Stanley, Teresa Marquez, Vito Chiala, Ana Lomas & Adolfo Laguna, Principals Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve change order #2 to Purchase Order #203075 for the Athletic Facility Improvement Projects at Independence, Mt. Pleasant, W. C. Overfelt, Evergreen Valley and Silver Creek High Schools, (Project No.: G-065-201, G-035-201, G-040-201, F-035-075-001, G-055-201).

This change order #2 is requested to add shot put at Evergreen Valley High School.

Original Purchase Order \$2,752,733.00 + Change Order #1 \$39,560.00 (\$9,890.00 per field, Board Approved 9/20/12) + Change Order #2 \$1,268.11 = the new Purchase Order total for \$2,793,561.11.

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve change order #2 to Purchase Order # 203075 with **FieldTurf USA, Inc.** in an amount of \$1,268.11 for the Athletic Facility Improvement Projects at Independence, Mt. Pleasant, W.C. Overfelt, Evergreen Valley and Silver Creek High Schools, (Project No.: G-065-201, G-035-201, G-040-201, F35-075-001, G-055-201).

3. Furman & Associates, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Marcus Battle Janice Unger	November 16, 2012 through close out	\$85,920.00 (estimate not to exceed) Measure E	Santa Teresa High School/Facilities Greg Louie, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into an agreement for Class-3 DSA required project inspection services with **Furman & Associates, Inc.** for the Santa Teresa High School Modernization of Buildings 100, 200, 700, 1300, and 1400 Project, (Project No.: E-070-003).

Selection Process

The ESUHSD Administration solicited the firms on the “Measure E & G Pre-Approved Inspector of Record Firms (IOR) List” which was approved by the Board of Trustees on June 21, 2012 (RFQ-18-11-12). The District received eight (8) proposals from consultants in the pool. After careful review of each proposal submitted, District staff based their recommendation on demonstrated competence and qualifications to perform the service and achieve fair and reasonable fees.

RECOMMENDATION

It is recommended that the Board of Trustees enter into and approve an Agreement with **Furman & Associates, Inc.** in an amount not to exceed \$85,920.00 for the provision of Class-3 DSA required project inspection services for Santa Teresa High School Modernization of Buildings 100, 200, 700, 1300, and 1400 Project, (Project No.: E-070-003).

4. MatriScope Engineering Laboratories, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Marcus Battle Janice Unger	May 11, 2012 – June 30, 2013 (no change)	\$36,540.00 (not to exceed increased amount) Measure E	Mt. Pleasant High School/Facilities Teresa Marquez, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve change order #1 to Purchase Order #203123 – Amendment No. 01 for the Mt. Pleasant High School Gym Modernization – Increment 2 Project, (Project No.: E-035-002).

The change order #1 is issued to increase the purchase order due to additional DSA required special material testing and inspection services required for the duration of construction.

Original Purchase Order Amount \$16,250.00 + Change Order #1 \$36,540.00 = new Purchase Order Total \$52,790.00

RECOMMENDATION

It is recommended that the Board of Trustees approve change order #1 to Purchase Order #203123 with **MatriScope Engineering Laboratories, Inc.** in an amount not to exceed \$36,540.00 for the Mt. Pleasant High School Gym Modernization – Increment 2 Project, (Project No.: E-035-002).

5. Spencer Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Marcus Battle Janice Unger	October 17, 2011 – through project closeout	\$18,000.00 (fixed fee increased amount) Measure E	Yerba Buena High School/Facilities Tom Huynh, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #2 to Purchase Order #201138 and Amendment #2 to Work Authorization #2 for the Yerba Buena High School Modernize Ceramics Portion of Building 1000 Project, (Project No.: E-060-005).

This change order #2 is issued to add scope to work authorization #2 to include a new digital arts classroom with Level 2 improvements in lieu of the ceramics studio in Building 1000 and Level 1 improvements, consisting of new interior finishes and replacement of light fixtures, for the library in Building 100.

Original Purchase Order was approved for \$56,000.00.00 + Change Order #1 \$2,900.00 (Board approved 2/16/12) + Change Order #2 \$18,000.00 = the new Purchase Order total of \$76,900.00

Selection Process

N/A

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #2 to Purchase Order # 201138 and Amendment #2 to Work Authorization #2 with **Spencer Associates** for a fixed fee of \$18,000.00 for the Yerba Buena High School Modernize Ceramics Portion of Building 1000 Project, (Project No.: E-060-005).



BOARD OF TRUSTEES
APPROVED November 15, 2012

M. Y. Miller

Agenda Item Details

Meeting Nov 15, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. ATTACHMENT A - CONSENT CALENDAR

Subject 16.05 Approve Contracts for Professional Services At or Below \$50,000

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.05

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

SUBJECT: Approve Contracts for Professional Services At or Below \$50,000

The attached list of Contracts for Professional Services at or below \$50,000, is being recommended for Board approval and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

FISCAL IMPACT:

As indicated in the attachment

FUNDING SOURCE:

As indicated in the attachment

RECOMMENDATION:

It is recommended that the Board of Trustees approve the contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[Contract Under \\$50k 111512.pdf \(33 KB\)](#)

Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from

the consent agenda at the request of any board member.

Last Modified by Betty Banderas on November 5, 2012

**EAST SIDE UNION HIGH SCHOOL DISTRICT
PROFESSIONAL CONTRACT SERVICES At or Below \$50,000**

Board Meeting of November 15, 2012

	Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1.	Clarissa L. Abram Moore	Martha Brazil Jennifer Casel Juan Cruz Donna Bertrand	August 3, 2012 – August 7, 2012	\$4,000.00 Title I	Oak Grove High School Martha Brazil, Principal	REQUEST FOR RATIFICATION Consultant conducted a four-hour training for "Flash Judgments" workshop facilitators on August 3, 2012 and conducted two "Flash Judgments" workshops (1 ½ hour each) for incoming ninth graders on August 7, 2012.
2.	Document Tracking Services (DTS)	Kirsten King Juan Cruz Donna Bertrand	November 1, 2012 – October 31, 2013	\$4,720.00 Accountability Report Card	Education Center/ Instruction/Testing Kirsten King, Director	REQUEST FOR RATIFICATION License and Document Tracking Services Agreement. The following are standard documents to be used in conjunction with the license: 2012 School Accountability Report Card; 2012 Single Plan for Student Achievement; Bully Incident Reporting Systems; and others to be identified as needed.
3.	Ford and Bonilla LLC	Chris D. Funk Donna Bertrand	December 3, 2012 – June 30, 2013	\$30,000.00 General Fund	Education Center Chris D. Funk, Superintendent	Consultant will provide comprehensive effort to facilitate stakeholder input into the District's reassessment of future priorities and its efforts to identify strategic partnership opportunities to best advance those priorities. Such tasks will include but not limited to, the coordination of intimate meetings with the Board of Trustees and key administrators; formation of a committee of District leaders, key stakeholders and community leaders to update the District's vision and mission statement; organization of town hall meetings; and the development of strategic goals and objectives. Payment will be made in two installments: \$15,000.00 on 12/07/2012 and \$15,000.00 on 5/31/2013.
4.	Hanover Research Council. LLC	Chris D. Funk Donna Bertrand	November 16, 2012- December 31, 2013	\$30,000.00 General Fund	Education Center Chris D. Funk Superintendent	Membership in Hanover Research will run through May 31, 2013 with the first installment of \$15,000.00 payable on November 16, 2012. If ESUHS has the funding and chooses to continue with the membership a second installment of \$15,000.00 will be made on or around January 1, 2013 which will extend the membership through December 31, 2013. The membership entitles

							Administration to request research on any topic, as well as the right to ask Hanover to expedite work of particular urgency. The first topic of work will be to complete a climate survey.
5.	Jazmine S. Garcia	Vito Chiala Juan Cruz Donna Bertrand	November 16, 2012 – June 30, 2013	\$6,000.00 Small Learning Community	W. C. Overfelt High School Vito Chiala, Principal	Consultant will conduct follow-up study of students as required by the Smaller Learning Communities grant and will prepare the required reports. The study will include student surveys and National Student Clearinghouse required data.	
6.	Malika Communications Group	Vida Branner Marcus Battle Donna Bertrand	November 16, 2012 – June 30, 2013	\$10,000.00 General Fund	Education Center/ Business Services Vida Branner, Director	Consultant will provide on-line video remote interpreting services.	
7.	North Bay Pensions	Karen Poon Marcus Battle Donna Bertrand	November 16, 2012 – January 31, 2013	\$3,900.00 General Fund	Education Center/ Business Services Karen Poon, Director of Finance	Consultant to provide services in connection with the calculation of the liabilities of ESUHSD's retiree health benefits program, and the amounts to be recorded on our financial statements under GASB Statement 45.	
8.	Santa Clara County Construction Careers Association (S4CA)	Tom Huynh Juan Cruz Donna Bertrand	November 16, 2012 – June 30, 2013	\$10,000.00 California Partnership Academy	Yerba Buena High School Tom Huynh, Principal	Contractor will coordinate the required industry components for the Construction Academy including development of academy/pathway outcomes, assessment, and academy team; conduct three student transition guidance workshops; assist students with completing transition applications and scholarship applications; recruit industry mentors for academy and magnet; coordinate academy and magnet internships; coordinate academy and magnet linkages to postsecondary education; and coordinate academy and magnet industry partnerships.	
9.	Santa Clara County Office of Education (SCCOE)	Kirsten King Juan Cruz Donna Bertrand	September 1, 2012 – June 30, 2013	(\$2,000.00) ESUHSD has a credit due to an overpayment. This amount will be applied. No	District Wide/ Instructional Services Kirsten King, Director	REQUEST FOR RATIFICATION SCCOE will assist ESUHSD in building capacity among Subject Area Coordinators (SACs) and Department Chairs in their efforts to support teachers developing students' literacy skills across content areas. SCCOE will do this by providing the facilitator for professional developments that will take place at designated ESUHSD locations	

				throughout 2012-13. SCCOE and ESUHSD will share responsibility for providing the materials for the professional developments.
			further monies will be due to SCCOE	

Agenda Item Details

Meeting	Nov 15, 2012 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	16. ATTACHMENT A - CONSENT CALENDAR
Subject	16.12 Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000
Access	Public
Type	Action (Consent)
Recommended Action	It is recommended that the Board of Trustees approve the Bond/Capital Projects contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 16.12**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

SUBJECT: Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000

The attached list of Bond/Capital Projects Contracts for Professional Services at or below \$50,000, is being recommended for Board approval and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

FISCAL IMPACT:

As indicated in the attachment

FUNDING SOURCE:

As indicated in the attachment

RECOMMENDATION:

It is recommended that the Board of Trustees approve the Bond/Capital Projects contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[Bond Capital Projects Contracts At or Below \\$50k.pdf \(23 KB\)](#)

Executive Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Last Modified by Vangie Avila on October 30, 2012

EAST SIDE UNION HIGH SCHOOL DISTRICT**BOARD OF TRUSTEES****APPROVED November 15, 2012**

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOND/CAPITAL PROJECTS PROFESSIONAL CONTRACT SERVICES At or Below \$50,000

Board Meeting of November 15, 2012

A. BOND / FACILITIES

	Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1.	Consolidated Engineering Laboratories, (CEL)	L. da Silva M. Battle J. Unger	N/A	\$ 4,390.16 (Not to exceed) Measure E	W.C. Overfelt High School/Facilities Vito Chiala, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Material testing & special inspection services were performed by Consolidated Engineering Laboratories for the W.C. Overfelt High School Building C & E Modernization Project, (E-040-001). District has obligation to pay three (3) invoices that total \$4,390.16. This amount is over the original purchase order. Original PO #102221 was Board approved January 20, 2011 for \$39,000.00. The contracted work for this vendor is now completed.
2.	Construction Testing Services, Inc. (CTS)	L. da Silva M. Battle J. Unger	November 16, 2012 – through project closeout	\$21,300.00 (estimate not to exceed) Measure E	Santa Teresa High School/Facilities Greg Louie, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide material testing and special inspection services for the Santa Teresa High School Modernization of Buildings 100, 200, 700, 1300 & 1400 Project, (E-070-003).
3.	Musson Theatrical	L. da Silva M. Battle J. Unger	November 16, 2012 – June 30, 2013	\$ 2,850.00 (estimate not to exceed) Measure E	Independence High School/Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Survey, evaluate and report on the rigging systems in terms of current/typical practices and CAL-OSHA product standards for the Independence High School Theatre Modernization Building F Project, (E-065-003). Services requested by design architect. The information will be applied to the current modernization design.

4.	Northern California Fire Protection Services, Inc.	L. da Silva M. Battle J. Unger	November 16, 2012 – June 30, 2013	\$955.00 (estimate not to exceed) Measure E	Independence High School/Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Perform a five (5) year test as required by the State of California Fire Marshall per NFPA 25 2006 California edition (as amended by CCR, Title 19) to the existing fire sprinkler system and components for the Independence High School Theatre Modernization Building F Project , (E-065-003).
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