

Agenda Item Details

Meeting Jun 11, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

Subject 16.19 Approve Minutes of April 16, 2013, Regular Board Meeting

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the April 16, 2013, Regular Board Meeting minutes as presented.

Public Content

EAST SIDE UNION HIGH SCHOOL DISTRICT**Item: 16.19**

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

SUBJECT: Approve Minutes of April 16, 2013, Regular Board Meeting

Attached are the minutes of the April 16, 2013, 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 April 16, 2013, Regular Board Meeting minutes as presented.

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES**

APPROVED**June 11, 2013**

A handwritten signature in blue ink, likely of the Superintendent, Chris D. Funk.

Executive Content

**EAST SIDE UNION HIGH SCHOOL DISTRICT
REGULAR MEETING
OF THE
BOARD OF TRUSTEES
Meeting Held at Education Center
April 16, 2013
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 4:04 p.m. by President Biehl. Vice President Herrera, Clerk Le, Member Nguyen and Member Carrasco 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.

Public Speaker:

- *Elizabeth M. Thauberger-Boggs, Andrew Hill High School 100 Building*

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-D

Student A:

Motion by Vice President Herrera, second by Member Nguyen, to approve the expulsion of Student A.

Vote: 4/1, Clerk Le voted No

Student B:

Motion by Member Carrasco, second by Vice President Herrera, to approve the expulsion of Student B, but suspending the expulsion second semester.

Vote: 5/0

Student C:

Motion by President Biehl, second by Clerk Le, to approve the expulsion of Student C, but suspending the expulsion second semester.

Vote: 5/0

Student D:

Motion by Vice President Herrera, second by Member Nguyen, to approve the expulsion of Student D.

Vote: 5/0

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

- *Superintendent*

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

- *Senior Manager of Internal Controls*

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

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

Cari Vaeth, Director of Human Resources

Vida Branner, Director of Compensation and Classified Employee Relations

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**

- *Claim for Damages of Cal-Pacific Construction, Inc.*

Motion by President Biehl, second by Vice President Herrera, to approve the rejection of claim for damages of Cal-Pacific Construction, Inc.

Vote: 5/0

- *One (1) Potential Case*

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

- *One (1) Potential Case*

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 Winter Sports

Evergreen Valley High School:

- **Girls' Basketball, Santa Teresa Division**
- **Boys' Basketball, Santa Teresa Division**
- **Boys' Soccer, Santa Teresa Division**

Mt. Pleasant High School:

- **Boys' Soccer, Mt. Hamilton Division**

Oak Grove High School:

- **Wrestling, Mt. Hamilton Division**

Piedmont Hills High School:

- **Boys' Basketball, Mt. Hamilton Division**
- **Girls' Soccer, West Valley Division**

Santa Teresa High School:

- **Girls' Soccer, CCS Champions**

Boys' Wrestling BVAL Champions:

- **Alvin Nguyen, Silver Creek, 108**
- **Jordan Pierce, Oak Grove, 134**
- **Jacob Thalin, Santa Teresa, 140**
- **Gordan Chace, James Lick, 172**
- **Patricio Munoz, James Lick, 222**
- **Nicholas Bernardo, Oak Grove, 185**
- **Lai Saechao, W. C. Overfelt, 195**

Girls' Wrestling State and CCS Champions:

- **Jasmine Mendoza, W. C. Overfelt, State and CCS Champion, 138**
- **Crystal Soto, W. C. Overfelt, CCS Champion, 154**

7. Student Board Liaisons

7.01 Foothill High School

- **Natasha Butler, Student Representative**
- **Angelica Noriega, Student Representative**
- **Aaron Fuentes, Student Representative**
- **Allison Washington, Student Representative**
- **Davianna Pelayo, Student Representative**

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 Discussion and/or Action to Approve Use of Board Discretionary, Measure I Bond Funds for Educare Facility – Juan Cruz, Assistant Superintendent of Instructional Services

- *Dr. John Porter, Superintendent – Franklin-McKinley School District*
- *Dennis Cima, Silicon Valley Leadership Group*

Motion by Member Carrasco, second by Vice President Herrera, to authorize Administration and Legal Counsel to proceed with negotiations for a ground lease transaction at the planned ECSV site for the construction of a portion of the proposed ECSV facility on Franklin-McKinley School District property, and related agreements.

Vote: 5/0

8.03 Presentation and/or Discussion regarding Suicide Prevention and Mental Health Services – Lan Nguyen, Board Member, and Victor Ojakian, Board Chair, Santa Clara County Mental Health Board

Speaker:

- *Carla Holtzclaw, Chair – Family, Children Adolescent Subcommittee, SCC Mental Health Board*

Presentation item only; no action taken

8.04 Discussion and/or Action to Approve Final Proposition 39 Facilities Offer and Form of Facilities Use Agreement with KIPP Bay Area Schools Charter - Marcus Battle, Associate Superintendent of Business Services, and Rogelio M. Ruiz, Esq., Legal Counsel

Motion by Vice President Herrera, second by Member Carrasco, to authorize Administration to negotiate with and submit to KIPP a final facilities offer for facilities at the High School site, including a proposed Facilities Use Agreement in accordance with the District's standard form subject to subsequent ratification by the Board.

Vote: 5/0

8.05 Presentation and/or Discussion of KIPP San Jose Collegiate Measure E Bond Request - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, Tom Ryan, KSJC Principal, and Tracy Hanna, Director of Growth, KIPP

Presentation item only; no action taken.

8.06 Discussion and/or Action of Measure E Distribution for KIPP San Jose Collegiate Charter School - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities

Motion by Clerk Le, second by Vice President Herrera, to approve distribution of furniture, fixtures and equipment, funded by Measure E bond funds, to KIPP in an amount not to exceed \$122,830.

Vote: 5/0

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

No Items on Calendar Under this Section

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 agendaize 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.

There were no public speakers under this section.

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

11.01 Discussion and/or Action regarding Salary and Employment Contract for Senior Manager of Internal Controls - Frank Biehl, Board President

Motion by President Biehl, second by Member Nguyen, to approve the employment contract for the Senior Manager of Internal Controls with an annual compensation of \$135,000 (\$11,250/month for twelve equal installments).

Vote: 5/0

11.02 Presentation and Discussion regarding School Supplies - J. Manuel Herrera, Board Vice President, and Chris D. Funk, Superintendent

Speaker:

- *Marisa Hanson, ESTA President*

Presentation item only; to be on June Board meeting agenda for further discussion and/or action.

11.03 Discussion and/or Action to Receive Second Reading and Adoption of Amended Audit Committee Charter - Lan Nguyen, Audit Committee Vice Chair, and Magdalena Carrasco, Audit Committee Vice Chair

Motion by Member Nguyen, second by Vice President Herrera, to receive the second reading and adopt the amended Audit Committee Charter.

Vote: 5/0

11.04 Discussion and/or Action to Receive Second Reading and Adoption of Amended Board ByLaw #9250 Remuneration, Reimbursement and Other Benefits – Chris D. Funk, Superintendent

Motion by President Biehl, second by Vice President Herrera, to receive and adopt the second reading of amended Board ByLaw #9250 Remuneration, Reimbursement and Other Benefits.

Vote: 5/0

11.05 Adopt Resolution #2012/2013-28 In Support of Retaining Adult Education in K-12 – Frank Biehl, Board President

Speaker:

- *Christopher Davis, AFT President*

Motion by Vice President Herrera, second by Clerk Le, to adopt Resolution #2012/2013-28 in Support of Retaining Adult Education in K-12.

Vote: 5/0

11.06 Adopt Resolution #2012/2013-29 in Support of Senate Constitution Amendment 3 (SCA3) Authored by Senators Mark Leno, Jerry Hill and Fran Pavley – Frank Biehl, Board President

Motion by President Biehl, second by Vice President Herrera, to adopt Resolution #2012/2013-29 in Support of Senate Constitutional Amendment 3 (SCA 3) Authored by Senators Mark Leno, Jerry Hill and Fran Pavley.

Vote: 5/0

11.07 Discussion and/or Action to Reschedule June 13, 2013, Regular Board Meeting to June 11, 2013 - Frank Biehl, Board President

Motion by President Biehl, second by Clerk Le, to approve the amendment to the 2013 Regular Board Meeting Calendar. Amendment is as follows:

- *Change June 13, 2013, Board Meeting to June 11, 2013*

Vote: 5/0

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

12.01 Discussion and/or Information of Safety Emergency Procedures - Juan Cruz, Assistant Superintendent of Instructional Services

For information only; no action taken.

Member Le suggested that a standard template be developed for schools to use.

12.02 Discussion and/or Action to Approve the Coordinated Early Intervening Services (CEIS) Plan - Juan Cruz, Assistant Superintendent of Instructional Services and Toby Hopstone, Director of Special Services

Motion by President Biehl, second by Clerk Le, to approve the Coordinated Early Intervening Services (CEIS) Plan.

Vote: 5/0

12.03 Discussion and/or Action to Approve Appointment of the Carl D. Perkins Advisory Board Members - Juan Cruz, Assistant Superintendent of Instructional Services, and Rich Uribe, Director of Adult Education and Career Services

Motion by Vice President Herrera, second by President Biehl, to approve the appointment of the Carl D. Perkins Advisory Board Members.

Vote: 5/0

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

13.01 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to California School Employees Association, Chapter 187 - Cari Vaeth, Director, Human Resources; and Vida L. Branner, Director of Compensation and Classified Employee Relations

Speaker:

- *Angie Nunn, CSEA President*

Motion by President Biehl, second by Vice President Herrera, to adopt the District's initial proposal to the California School Employees Association, Chapter 187.

Vote: 5/0

13.02 Discussion and/or Action Regarding the Approval of the Proposed Revised Certificated Job Description for Athletic Director - Cari Vaeth, Director, Human Resources

Speaker:

- *Angie Nunn, CSEA President*

Motion by Clerk Le, second by Vice President Herrera, to approve the proposed revised certificated job description for Athletic Director.

Vote: 5/0

13.03 Discussion and/or Action Regarding the Proposed Classified Management Job Description and Salary Range for Senior Project Manager - Cari Vaeth, Director, Human Resources

Speaker:

- *Angie Nunn, CSEA President*

Motion by Vice President Herrera, second by President Biehl, to approve the proposed job description and salary range for Senior Project Manager.

Vote: 5/0

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

- 14.01 Presentation, Discussion and/or Action on the Plan for District Wide Copiers - Marcus Battle, Associate Superintendent of Business Services, Donna Bertrand, C.P.M., Contracts Administration Coordinator, and Randy Phelps, Director of Information Technology**

Motion by President Biehl, second by Member Nguyen, to approve administration to re-issues an RFP to replace much of the District's old owned copiers with new leased copiers and maintenance agreements and to acquire the best value proposal to stay current with technology.

Vote: 5/0

- 14.02 Presentation on General Purchasing and Bidding Process (Non-Bond Program) - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator**

Presentation item only; no action taken

- 14.03 Discussion and/or Action to Delegate Authority to the Superintendent or Designee to Dispose of Surplus/Obsolete Equipment/Furniture Items per Education Code Sections 17545 and 17546 - Marcus Battle, Associate Superintendent, Business Services and Donna Bertrand, C.P.M. Contracts Administration Coordinator**

Motion by Vice President Herrera, second by President Biehl, approve authorization for the Superintendent and/or designee to dispose of surplus furniture and equipment as needed and to provide the Board of Trustees with a list and resolution of the items on a quarterly basis for ratification. The term of this delegation is April 17, 2013 through August 31, 2015. For clarification, it must be noted that Administration is requesting delegation of authority to dispose of low value items, to donate or to conduct a public auction, not a private sale.

Vote: 4/0, Member Carrasco out of room

- 14.04 Discussion and/or Action of 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 President Biehl, second by Member Le, to approve the Contracts for Professional Services over \$50,000 (copy attached).

Vote: 4/0, Member Carrasco out of room

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

15.01 Discussion and/or Action of Bond/Capital Projects Contracts Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

Motion by Member Nguyen, second by Clerk Le, to approve the Bond/Capitol Projects Contracts over \$50,000 (copy attached).

Vote: 4/0, Member Carrasco out of room

16. ATTACHMENT A – CONSENT CALENDAR ITEMS

Motion by Vice President Herrera, second by Member Nguyen, to approve the entire consent calendar as presented.

Vote: 4/0, Member Carrasco out of room

16.01 Ratify/Approve Classified Personnel Actions Presented March 21, 2013

16.02 Ratify/Approve Certificated Personnel Actions Presented March 21, 2013

16.03 Ratify/Approve Student Aide Personnel Actions Presented March 21, 2013

16.04 Approve School Field Trips

16.05 Approve Award of Bids

16.06 Approve Contracts for Professional Services Under \$50,000

16.07 Approve Memoranda of Understanding

16.08 Approve Budget Transfers

16.09 Approve Purchase Orders

16.10 Approve Change Orders to Purchase Orders

16.11 Accept Report of Credit Card Expenses for Statements Dated February 22, 2013

16.12 Adopt Resolution #2012/2013-27 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

16.13 Accept Warrant Register for the Month of February 2013

16.14 Approve Award of Bids for Bond/Capital Projects

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

- 16.16 Approve Final Change Order #1 for the W.C. Overfelt High School New Security Cameras in Building C & E Project, E-040-006 (Angotti & Reilly, Inc.)
- 16.17 Approve Notice of Completion for the W.C. Overfelt High School New Security Cameras in Building C & E Project, E-040-006 (Angotti & Reilly, Inc.)
- 16.18 Approve Final Change Order #2 for the Athletic Facility Improvement Project at Independence, Mt. Pleasant, W.C. Overfelt, and Silver Creek High Schools, G-065-201, G-035-201, G-040-201, and G-055-201 (O.C. Jones & Sons, Inc.)
- 16.19 Approve Notice of Completion for the Athletic Facility Improvement Project at Independence, Mt. Pleasant, W.C. Overfelt, and Silver Creek High Schools, G-065-201, G-035-201, G-040-201, and G-055-201 (O.C. Jones & Sons, Inc.)
- 16.20 Approve Final Change Order #1 for the Evergreen Valley High School Synthetic Turf & All-Weather Track Resurfacing Project, FD35-075-001 (O.C. Jones & Sons, Inc.)
- 16.21 Approve Notice of Completion for the Evergreen Valley High School Synthetic Turf & All Weather Track Resurfacing Project, FD35-075-001 (O.C. Jones & Sons, Inc.)
- 16.22 Approve Notice of Completion for the Independence, Mt. Pleasant, W.C. Overfelt, Silver Creek and Evergreen Valley High Schools Synthetic Turf & All Weather Track Resurfacing Project, G-065-201, G-035-201, G-040-201, G-055-201 and FD35-075-001 (Fieldturf USA, Inc.)
- 16.23 Approve Board Members Attendance to SVEF Grade 8 Algebra and the New Common Core Standards: Getting the Facts Straight! Forum
- 16.24 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings
- 16.25 Approve Minutes of February 2, 2013, Special Board Meeting/Retreat
- 16.26 Approve Minutes of February 14, 2013, Special Board Meeting
- 16.27 Approve Minutes of February 14, 2013, 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

- 17.02 Receive Facilities Planning & Construction, Maintenance & Operations Report (90-Day Report)

Item received

18. FUTURE AGENDA ITEMS

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

Request(s):

Item	Requestor
Suspended Expulsions and Guidelines for Panel Recommendations	<i>Board President Frank Biehl</i>

18.02 Future Items:

Board Clerk Van Le:

Item	Date (tentative)	Type
Public Relations Budget	April 25, 2013	Board Study Session

19. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

19.01 Board of Trustees

Van Le, Board Clerk

I visited several schools: Independence, Santa Teresa, Silver Creek, Mt. Pleasant, Evergreen Valley, and Andrew Hill. I would like to thank all the Principals, Associate Principals and Teachers for taking the time to show me their school and classes. I visited Pegasus High School, which I believe is at a great location. I will be visiting more schools next week, including the Adult Education Program.

I attended two of the Superintendent's Strategic Planning sessions. One was with the ASB students. There was a lot of good work out of that meeting. I can't wait to see the report from the Strategic Planning meetings.

I attended a Special Education event at Mt. Pleasant High School. It was a great event. We need to provide more events such as this one for our special education students. The special education students throughout the district met in the morning at Mt. Pleasant High School, had lunch and there was some dancing. It seemed so very joyful.

Lan Nguyen, Board Member

I am thrilled that we have a Senior Manager of Internal Controls.

Our next Audit Committee Meeting is scheduled for this Thursday at 6 PM. You are welcome to attend.

Magdalena Carrasco, Board Member

I had an opportunity to attend the NSBA Conference this weekend, which I thought was very good. I brought back materials to share with you.

J. Manuel Herrera, Board Vice President

I passed out information to share with you regarding MetroED. One item in the report is that we have been conducting a search for a Superintendent. Current Superintendent Paul Hay is retiring at the end of this school year. I want to acknowledge the ESHSD MetroED alternate, Lan Nguyen, who did the heavy lifting in this process. Due to scheduling conflicts, I could not be at the meeting for the screening of the application. Lan took care of that as the alternate. Again, due to scheduling conflicts, I could not be at the full day of interviews and Lan carried the ball and participated in coming to a decision. At tomorrow night's meeting at MetroED, we will be one step closer with a Board decision to offer to a candidate. There will be a changing of the guard in management at MetroED with the hiring of the new Superintendent.

Frank Biehl, Board President

It was at NSBA this weekend as well. I saw a fabulous presentation on the Common Core and the challenges that lie ahead of us. William Daggett put it on and he was fabulous. He has a conference he is sponsoring in Washington, D.C., in late June or late July. We may want to send a couple of folks there. The conference was good. It was worth the whole conference just to see his presentation.

19.02 Chris D. Funk, Superintendent

At our next Study Session on April 25, which will be around Strategic Planning, you will receive three documents. One will be the revised Climate Survey. We were able to add another 1,000 students to the survey and another several hundred parents who took the survey. We will have that analysis of that survey. We will also have an executive summary of all the data we collected at the 15 community conversations and the 6 focus group meetings that we've held. Staff will bring forward a discussion/recommendation around our vision, mission and core values. My goal is to give you a copy of the survey, executive summary and the recommendation on Tuesday, prior to the meeting, so that you have a little time to review it. The second agenda item is to bring forward a recommendation around public relations and community relations.

20. REPORT CLOSED SESSION ACTION(S)

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

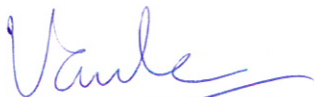
See section 2.0 for reporting out of Closed Session items.

21. ADJOURNMENT

President adjourns the meeting.

The meeting was adjourned at 10:18 p.m.

Respectfully submitted,



Board Clerk

Agenda Item Details

Meeting Apr 16, 2013 - 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 14.04 Discussion and/or Action of 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: 14.04

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: Discussion and/or Action of Contracts for Professional Services Over \$50,000

The attached list of Contracts for Professional Services under \$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.pdf \(32 KB\)](#)

Executive Content

Last Modified by Betty Banderas on April 8, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES**

APPROVED

APRIL 16, 2013



EAST SIDE UNION HIGH SCHOOL DISTRICT
Contracts for Professional Services over \$50,000
Board Meeting of April 16, 2013

1. Beacon School

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	September 1, 2012 – August 31, 2013 (no change)	\$200,000.00 (increased amount) Special Education-Tuition	Special Education Services Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to Purchase Order #301295 with Beacon School for the provision of non-public school (NPS) services for special education students. This change order is needed to pay for additional ESUHSD Special Education Students who needed to be placed into this program.

All educational services shall be consistent with the master contract and specified services per the students' Individual Education Program (IEP) which will be incorporated into the Contract Services Agreement.

ESUHSD's relationship with Beacon School, an NPS, goes back many years. Beacon was on the ground floor of assisting ESUHSD with offering services to a growing population of students with the classification of Emotional Disturbance (ED). Starting at Oak Grove High School and eventually expanding to Independence, Mt. Pleasant and Andrew Hill High Schools, Beacon worked on first establishing the transitional ED classroom and then therapeutic ED classrooms. Having this established relationship facilitates giving students with emotional disturbances the appropriate continuum of services both in the comprehensive setting and in the more restrictive off campus setting of an NPS. Additionally, Beacon School is extremely proactive in returning students to ESUHSD's comprehensive campuses when appropriate.

Original Agreement/Purchase Order Amount approved on August 23, 2012 680,000.00 + Change Order #1 in the amount of \$200,000.00 = New Purchase Order Amount of \$880,000.00.

Selection Process

ESUHSD has single sourced this vendor based on the complexity of building a long term relationship that benefits both ESUHSD and the students.

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #301295 with Beacon School in an increased amount of \$200,000.00. All other terms and conditions remain the same.

2. Brightstar Care

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Toby Hopstone Juan Cruz Donna Bertrand	August 14, 2012 – August 31, 2013 (no change)	\$57,000.00 (Increased Amount) Special Education	District Wide/Special Education Toby Hopstone, Director of Special Education

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Amendment #1 to the Contract Services Agreement with Brightstar Care (Change Order #1 to Purchase Order #301149). Brightstar Care provides specific nursing care to ESUHSD Special Education Students as designated in the student's IEP plan.

Originally when this Agreement came to the Board for approval there was only one ESUHSD Special Education student who required special services under this agreement; a nurse to administer insulin injections and to check the student twenty minutes after the injection. However, since that time several other Special Education students have either been transferred into the District or have developed a need for specialized nursing services. Therefore, Special Education has requested an increase to the Agreement in order to provide the necessary services to these ESUHSD students that will be in accordance with their IEPs.

Original Agreement/Purchase Order Amount approved on August 23, 2012 18,500.00 + Amendment #1/Change Order #1 in the amount of \$57,000.00 = New Agreement/Purchase Order Amount of \$75,500.00.

Selection Process

At the time the original agreement was sought several agencies were contacted however, only Brightstar Care had the licensed staff available that could perform the critical services ESUHSD needed.

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment #1 to the Contract Services Agreement (Purchase Order 301149) with Brightstar Care in an amount of \$57,000.00.

3. Santa Clara County Office of Education

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz George Sanchez Donna Bertrand	July 1, 2013 – June 30, 2014	\$341,300.00 (estimated annual expenditure) General Fund	Education Center/ Student Services George Sanchez, Coordinator

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to enter into an Agreement with the Santa Clara County Office of Education for the provision of community school services.

Reason for the Purchase of Outside Services

Due to the Santa Clara County Office of Education’s lack of sufficient resources, the ESUHSD must contribute to the per allotment amount of \$3,413 per student in attendance for 180 days. For the 2013-2014 school year, ESUHSD will be designated 100 allotments.

Selection Process

There was no competitive solicitation done for this service.

The Santa Clara County Office of Education operates community schools which provide services for students of school districts throughout Santa Clara County.

RECOMMENDATION

It is recommended that the Board of Trustees approve a Contract Services Agreement with the Santa Clara County Office of Education for the contract term July 1, 2013 through and including June 30, 2014 for the provision of Community School Services for East Side Union High School District.

4. Spectrum Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Juan Cruz Toby Hopstone Donna Bertrand	September 1, 2012 – August 31, 2013 (no change)	\$150,000.00 (amount of increase) Special Education-Tuition	Special Education Services Toby Hopstone, Director of Special Services

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to approve Change Order #1 to Purchase Order #301299 with Beacon School for the provision of non-public school (NPS) services for special education students. This change order is needed to pay for additional ESUHSD Special Education Students who needed to be placed into this program.

All educational services shall be consistent with the master contract and specified services per the students' Individual Education Program (IEP) which will be incorporated into the Contract Services Agreement.

Due to the specialized educational services required to appropriately serve students who present severe, unique emotional and/or developmental disabilities including mental retardation, autistic spectrum disorder, mood, disruptive behavior, anxiety and psychotic disorders residing in the ESUHSD, Spectrum Center is a NPS offering such services that meet the widely, varying needs of this unique group of students.

Original Agreement/Purchase Order Amount approved on August 23, 2012 for \$598,772.00 + Change Order #1 in the amount of \$150,000.00 = New Purchase Order Amount of \$748,772.00.

Selection Process

There was no competitive solicitation done for this type of service.

There is a determination made by the IEP team that ESUHSD is not currently able to meet particular students' educational needs. Recommendations are then presented at the students' IEP meeting. Referrals to Spectrum Center are made at the students' IEP meetings by the District's Program Specialists after consultation with the District's Special Services Coordinator.

Spectrum Center is an NPS that offers specialized educational services for this unique group of ESUHSD students. The vendor pool for these specialized services is very small especially locally.

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #301299 with Spectrum Center, Inc. in an increased amount of \$150,000.00. All other terms and conditions remain the same.

Agenda Item Details

Meeting Apr 16, 2013 - 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 Discussion and/or Action of Bond/Capital Projects Contract 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 contract as recommended in the attachment.

Public Content**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 15.01**

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: Discussion and/or Action of Bond/Capital Projects Contract Over \$50,000

The attachment for the Bond/Capital Projects Contract 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 contract as recommended in the attachment.

[Bond Capital Projects Contract Over \\$50K.pdf \(128 KB\)](#)

Executive Content

Last Modified by Vangie Avila on April 2, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES****APPROVED****APRIL 16, 2013**

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract for Services over \$50,000
Board Meeting of April 16, 2013

1. Beals Martin, Inc.

Reviewed by:	Project Name and Number	Fiscal Impact/ Funding Source	School/Department/ Manager
Linda da Silva Janice Unger Marcus Battle	Independence High School Title IX Interior Modernization E-065-002	\$ 8,077.64 not-to-exceed (increased amount) Measure E	Independence High School/ Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities

On May 10, 2011 (Board Item 12.03), the Board awarded a construction contract in the amount of \$1,512,724.00 to Beals Martin, Inc. (Purchase Order #200202) (see attachment Item 1).

This change order #1 is for additional contract authorization for scope changes related to unforeseen conditions revealed during the course of construction, for owner-initiated additional work, and for contractor-initiated additional fees for construction work unclearly or incorrectly shown on the construction documents. Representative examples of those items include:

- Repair existing drywall
- Install additional access doors
- Added door flanges, doors and door buttons
- Add power to wash fountain in both boys' and girls' locker room
- Add sheet metal as closure of existing wall louver at new team locker room

Original Contract Amount	\$1,512,724.00
Previously Authorized Change Order #	\$0.00
Contract Amount Prior to This Change Order	\$1,512,724.00
Requested Change Order #1	\$8,077.64
Revised Contract Amount	\$1,520,801.64

RECOMMENDATION: It is recommended that the Board of Trustees approve Change Order #1 to the construction contract with Beals Martin, Inc. for Independence High School Title IX Interior Modernization Project, (Project No.: E-065-002).

Agenda Item Details

Meeting Apr 16, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

Subject 16.08 Approve Contracts for Professional Services Under \$50,000

Access Public

Type Action (Consent)

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: 16.08**

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 Under \$50,000

The attached list of Contracts for Professional Services under \$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.

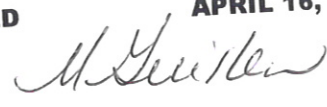

[Contract under \\$50k.pdf \(22 KB\)](#)

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 April 8, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES
APPROVED APRIL 16, 2013**



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

Board Meeting of April 16, 2013

Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1 Bel-Aire Productions, Inc.	Martha Brazil Juan Cruz Donna Bertrand	May 29, 2013 – May 30, 2013	\$1,050.00 General Fund	Oak Grove High School Martha Brazil, Principal	To provide all necessary equipment for sound reinforcement for graduation commencement. Services include all labor to set up, operate, and remove the sound equipment.
2. Jerome P. Dixon	Ana Lomas Juan Cruz Donna Bertrand	April 29, 2013 – May 2, 2013	\$300.00 Professional Development	Evergreen Valley High School Ana Lomas, Principal	To provide a guest presentation on "Juvenile Justice and Racial Profiling" on three occasions: April 29, April 30 th , and May 1, 2013.
3. School Link Technology	Julie Kasberger Marcus Battle Donna Bertrand	April 17, 2013 – June 30, 2016	No Cost to ESUHSD	Education Center/Child Nutrition Services Julie Kasberger, Director	To provide My Lunch Money software. This program will allow ESUHSD parents to set up on-line account for updating and managing their child's meal expenses. Parents will have the ability to access their child's account, deposit funds and conveniently maintain their student's lunch account on-line. Parents will be charges a nominal "transaction fee" of \$1.95 per transaction.
4. Snider and Associates	Marcus Battle Donna Bertrand	June 7, 2013 – December 31, 2013	\$4,000.00 (not-to-exceed) General Fund	Education Center/ Business Services Marcus Battle, Associate Superintendent	To provide facilitation and consultation to the Division of Business Services by assisting the Division in developing a district wide strategic plan for delivery of Business Services.
5. Teacher Math, LLC	Marlow Viehweg Teresa Marquez Juan Cruz Donna Bertrand	February 2013 – March 2013	Revenue contract – Revenue varies depending on school and teacher's participation	Mt. Pleasant High School Teresa Marquez, Principal	REQUEST FOR RATIFICATION Teachers will participate in a national research that will lend insight into the characteristics affecting teacher effectiveness. Teachers and the school will receive small stipends for their participation in the study.

Agenda Item Details

Meeting	Apr 16, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	16. CONSENT/ACTION CALENDAR
Subject	16.17 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: 16.17**

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 \(25 KB\)](#)

**EAST SIDE UNION HIGH SCHOOL DISTRICT
BOARD OF TRUSTEES**

APPROVED**APRIL 16, 2013**
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 April 8, 2013

EAST SIDE UNION HIGH SCHOOL DISTRICT
BOND/CAPITAL PROJECTS PROFESSIONAL CONTRACT SERVICES At or Below \$50,000
 Board Meeting of April 16, 2013

A. BOND / FACILITIES

Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1. ANLA Associates, Inc.	L. da Silva M. Battle J. Unger	April 17, 2013 through project closeout	\$3,000 (not to exceed) School Facilities Fund (35)	Education Center/Facilities Chris D. Funk, Superintendent Linda da Silva, Director of Construction, Maintenance & Facilities	Provide landscape architectural services in preparing a landscape design and construction documents for the driveway entry to the Education Center Offices. Work shall include new planting and irrigation on each side of the driveway entrance off North Capitol Avenue and replacing the existing monument sign with a new sign.
2. BAGG Engineers	L. da Silva M. Battle J. Unger	April 17, 2013 through project closeout	\$50,000 (not to exceed) Measure E	Andrew Hill High School/Facilities Bettina Lopez, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide geotechnical observation and testing services for the Andrew Hill High School Temporary Modular Utilities and Main Bldg. 100 Projects (E-025-003). Consultant's proposal is based on scope of services on a time and expense basis. Administration is requesting an additional allowance of \$24,641.00 to be managed by the District should unforeseen conditions arise which would require further inspection and testing service fees and/or processing of closeout.
3. NetXPerts, Inc.	L. da Silva M. Battle J. Unger	April 17, 2013 through project completion	\$37,338.75 (not to exceed) Measure E	District Wide/IT Department/Facilities R. Phelps, Director of IT Department Linda da Silva, Director of Construction, Maintenance & Facilities	The purchase for goods and services are for the following: 1) Phonemail upgrade to allow us to decommission the exchange mail server servers reducing costs and needless redundancy, this will also provide unified communications integrated with our current email and groupmail solution (Google). 2) Complete the NOC (network operations center) virtualization and reduction of servers project which will reduce costs and put into service our nimble servers. 3) Complete a trade of telephones that were not going to be utilized for wireless access points which we could

						use to extend our wireless project closer to true build out. Staff requested quotes from three vendors and NetXPerts, Inc. submitted the lowest responsive quote.
4.	Salas O'Brien	L. da Silva M. Battle J. Unger	April 17, 2013 through September 25, 2014	\$45,400.00 (not to exceed) Measure G	Santa Teresa High School/Facilities Greg Louie, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide Electrical Engineering services for the Sports Field Lighting Project at Santa Teresa High School. Staff requested proposals from three firms and Salas O'Brien submitted the responsive proposal that meets the District's requirement.
5.	Sandis Civil Engineers, Surveyors, Planners	L. da Silva M. Battle J. Unger	April 17, 2013 through project completion	\$4,000.00 (not to exceed) Measure E	Independence High School/Facilities Grettel Castro-Stanley, Principal Linda da Silva, Director of Construction, Maintenance & Facilities	Provide Utility Surveying Services for the Independence High School Theatre Modernization Project (E-065-003). Staff solicited a quote from the District's pool of Topographic/Boundary consultants.