



Preparing every student to thrive in a global society.

### **Agenda Item Details**

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Meeting	Apr 17, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR
Subject	16.02 Approve Minutes of March 6, 2014, Regular Board Meeting
Access	Public
Type	Action (Consent)
Recommended Action	It is recommended that the Board of Trustees approve the March 6, 2014, Regular Board Meeting minutes as presented.

### **Public Content**

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## **EAST SIDE UNION HIGH SCHOOL DISTRICT**

**Item: 16.02**

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**SUBJECT:** Approve Minutes of March 6, 2014, Regular Board Meeting

Attached are the minutes of the March 6, 2014, 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 March 6, 2014, Regular Board Meeting minutes as presented.

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

**APPROVED**

**APRIL 17, 2014**



### **Executive Content**

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EAST SIDE UNION HIGH SCHOOL DISTRICT

**REGULAR MEETING**

**OF THE**

**BOARD OF TRUSTEES**

**Meeting Held at Education Center – Board Room**

**March 6, 2014**

**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 4:07 p.m. by President Herrera. Vice President Le, Clerk Carrasco, and Member Biehl were present. Member Nguyen arrived at 4:20 p.m.*

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

*President Herrera 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.*

**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**

*Student A:  
Motion by Member Biehl, second by Vice President Le, to approve the expulsion of Student A as modified.*

*Vote: 5/0*

*Student B:*

*Motion by Member Biehl, second by Member Nguyen, to approve the expulsion of Student B.*

*Vote: 5/0*

*Student C:*

*There was no action on Student C.*

*Student D:*

*Motion by Vice President Le, second by Member Nguyen, to approve the stipulated expulsion order of Student D.*

*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 Member Nguyen, second by Vice President Le, to approve/adopt Resolution #2013/2014-16 Authorizing the Non-Reelection of One (1) Special Education Teacher and directing the Superintendent to serve such employee with written notice of their non-reelection.*

*Vote: 5/0*

*Motion by Member Biehl, second by Clerk Carrasco, to approve/adopt Resolution #2013/2014-15 Authorizing the Non-Reelection of Five (5) Probationary Certificated Employees and directing the Superintendent to serve those employees with written notice of their non-reelection no later than March 15, 2014.*

*Vote: 5/0*

*Motion by Vice President Le, second by Member Nguyen, to approve/adopt Resolution #2013/2014-17 Authorizing the Notice of Release to Sixteen (16) Temporary Certificated Employees and directing the Superintendent to serve notice on those employees with written notice of their release.*

*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*

*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 (d)(2) of Government  
Code Section 54956.9**

- *Claim for Damages of J. Sullivan*

*Motion by Member Biehl, second by Clerk Carrasco to approve the claim of J. Sullivan.*

*Vote: 5/0*

- *Claim for Damages of M. Vargas, Johnstone Supply of San Jose*

*Motion by Vice President Le, second by Member Nguyen, to approve the claim of Hartford Insurance as a subrogee for claimants M. Vargas and Johnstone Supply of San Jose*

*Vote: 5/0*

- *Two (2) Potential Cases*

**2.07 Conference with Legal Counsel – Anticipated Litigation  
Initiation of litigation pursuant to subdivision (d)(4) of Government Code  
Section 54956.9**

- *One (1) Potential Case*

**2.08 Conference with Legal Counsel – Existing Litigation  
Existing Litigation Subdivision (a) of Government Code Section 54956.9**

- *One Roe, et al. v. Anthony Loza, East Side Union High School District, Esther Pollack, and Does 1-100; Santa Clara County Superior Court Case No. 112CV234748*

**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 Herrera 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.**

*Item 14.01 was pulled from the agenda. The remainder of the agenda was adopted as presented.*

6. **BOARD SPECIAL RECOGNITION(S)**

**No Items on Calendar Under this Section**

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.**

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

9.01 **Hold Public Hearing at Approximately 6:00 p.m. regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to the East Side Teachers Association - Cari Vaeth, Director, Human Resources**

**Public hearing held**

*Public speaker(s):*

- *Laura Brown*
- *Lynne Johnson*
- *Rosalind Taylor*
- *Marisa Hanson*
- *Tricia Bolster*
- *Elizabeth Haertling*
- *William Hink*
- *Martha Espinoza*
- *Krislynn Duke*
- *Greg Boyd*

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.

Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a gold request form, which is located at the entrance of the Board Room.

*Public speaker(s):*

- *Marisa Hanson, ESTA President – Thank You for Pulling Agenda Item 14.01*

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

No Items on Calendar Under this Section

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

No Items on Calendar Under this Section

13. **BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

**13.01 Discussion and/or Action to Receive and Approve Second Interim Financial Report for Fiscal Year 2013/14 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

*Motion by Member Biehl, second by Vice President Le, to receive and approve the Second Interim Financial Report revisions to the operating budget as presented for fiscal year 2013-2014.*

*Vote: 5/0*

**13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M., Contracts Administration Coordinator**

*Motion by Member Nguyen, second by Member Biehl, to approve the amended Contract(s) for Professional Services at or below \$50,000 as recommended and authorization for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount, plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.*

*Vote: 5/0*

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

- 14.01 Review, Consideration and Adoption of Resolution #2013/2014-18 Authorizing Reduction in Certificated Workforce – Chris D. Funk, Superintendent**

*Item pulled*

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

- 15.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director, Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Member Nguyen, second by Vice President Le, to approve the bond/capital projects contract(s) over \$50,000 (attached).*

*Vote: 5/0*

- 15.02 Discussion and/or Action to Ratify CUPCCAA Informal Bond Project(s) - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Member Biehl, second by Member Nguyen, to ratify the CUPCCAA Informal Bond Project(s) as presented.*

*Vote: 5/0*

## **Consent / Action Calendar Sections 16-20**

All items listed under the Consent/Action Calendar are considered by the Board to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion, unless members of the Board or the Superintendent request specific items to be discussed and/or removed from the Consent/Action Calendar.

Superintendent asserts that the following Business Transactions, Personnel Actions, Maintenance of Records, Approvals and Recommendations requiring Board Action have been carried out to the best of his knowledge in accordance with the law.

*Motion by Vice President Le, second by Member Biehl, to approve the entire consent/action calendar, sections 16-20, as presented.*

Vote: 5/0

**16. Board of Trustees / Superintendent - Consent / Action Calendar**

No Items on Calendar Under this Section

**17. Instructional Services / Student Services - Consent / Action Calendar**

17.01 Approve School Field Trips

**18. Business Services - Consent / Action Calendar**

18.01 Approve Contract(s) for Professional Services At or Below \$50,000

18.02 Approve Memoranda of Understanding

**19. Human Resources - Consent / Action Calendar**

No Items on Calendar Under this Section

**20. Facilities - Consent / Action Calendar**

20.01 Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

20.02 Approve Award of Bids for Bond/Capital Projects

20.03 Amend Final Change Order #1 for Silver Creek High School Restroom Modernization Project, E-055-004 (Zolman Construction & Development, Inc.)

20.04 Approve Notice of Completion for Mt. Pleasant High School Custodial Room Roofing Replacement Project, E-035-803 (Legacy Roofing & Waterproofing, Inc.)



**21. WRITTEN REPORTS/RECOMMENDATION**

**No Items on Calendar Under this Section**

**22. FUTURE AGENDA ITEMS**

**22.01 Opportunity for Board of Trustees to Request Items on Future Agendas**

**Board Vice President Van Le**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>Foreign (Chinese and Vietnamese) Language Classes</b>	<b>TBD</b>	<b>Presentation/Discussion</b>

**22.02 Future Items**

**Board President J. Manuel Herrera & Board Member Frank Biehl**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>PE Credit</b>	<b>September, 2014</b>	<b>Presentation/Discussion</b>

**Board Vice President Van Le**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>Academic Report (Site &amp; Gender)</b>	<b>March, 2014</b>	<b>Presentation/Discussion</b>

## 22.03 Annual Governance Calendar

<b>July</b>
Summer School Program (concludes session)
Summer School Graduation

<b>August</b>
Board Retreat
Expulsion Hearing Panel Committee
First Day of School
Williams Quarterly Report

<b>September</b>
Board Study Session/Workshop
College Night
Conflict of Interest/Board Policy (updates)
Public Hearing and Adoption: Gann Spending Limit
Public Hearing: Sufficiency or Insufficiency of Textbooks
Unaudited Actuals

<b>October</b>
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Superintendent's Annual Evaluation
Williams Quarterly Report

<b>November</b>
Board Study Session/Workshop
Election Orientation for New Board Members

<b>December</b>
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report
Superintendent's Mid-Year Evaluation

<b>January</b>
Audit Report
Board Audit Committee Selections/Appointments
Board Retreat
Financial & Performance Audit Report for Bond Measures
Magnet Night
Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception
Policies & ByLaws (Begin Review by Series)
Sports Recognitions (Fall)
Technology Report
Williams Quarterly Report

<b>February</b>
African American Students Achievement Awards
Audit Committee Charter Amendment(s)
CSBA Delegate Assembly Election
Non-Re-Elects

<b>March</b>
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
March 15 Notices
Safety Plan Goals for Each Site
Second Interim Report
SJPD Secondary Employment Application
Vietnamese Students Achievement Awards

<b>April</b>
Board Study Session/Workshop
Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)
Honor Nights
Migrant Education Awards Night
NSBA Annual Conference
Williams Quarterly Report

<b>May</b>
Board Self-Evaluation
Budget (Preliminary/Draft) Presentation
Employee Recognition Event
Graduations
Honor Nights
Last Day of School
Sports Recognitions (Winter/Spring)

<b>June</b>
Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
Budget Adoption (second June Board Meeting)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capitol Projects
Plan for Expelled Youth (due every three years – 2015)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Summer School Program (session begins)
Superintendent's Annual Evaluation

**23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

**23.01 Board of Trustees**

**Lan Nguyen, Member**

*A few months ago we discussed the possibility of having a Board Study Session in April, I believe April 10. I found out that I have to be away for a conference during April 9-12. I am asking if the Board Secretary can poll the Board for another Study Session date.*

*(J. Manuel Herrera: She has already received that and is in the process of polling for a new date.)*

**Van Le, Board Clerk**

*I would like to say that I was very honored to attend the African American student awards event last week. I attended the event with Board Member Frank Biehl.*

*March 15 will be the Vietnamese students awards recognition event.*

**J. Manuel Herrera, Board Vice President (no comment made)**

**Frank Biehl, Board President**

*I just wanted to have a thank you to Janice Richardson who is a co-leader of our Special Education Advisory Committee. She invited me to attend the Fifth Annual Transition Fair at Evergreen Valley High School. This is for our Post Senior students. A group of parents working with our teachers have done an excellent job of bringing together a whole set of resources that are available in the community for our students as they move beyond the Post Senior Program. It was just wonderful and I appreciate that! I would also like to recognize Dianne Lemke as the person who originally got this all going. I've attended the last couple of years. You have students with special needs and they are doing some wonderful things in our District to assist those students, not only while they are in our schools, but also when they move beyond our schools.*

**Magdalena Carrasco, Board Clerk**

*Next week we will be having our Audit Committee Meeting on the 12<sup>th</sup> of March, which will be Wednesday at 6 PM. All is invited.*

**23.02 Chris D. Funk, Superintendent**

*The main comment that I would like to address tonight is that with the LCAP, we have various meetings scheduled to review and I remind the comment about ESTA wanting to be a part of that. We had a Budget Advisory Committee (BAC) meeting last night where ESTA is invited and did not have any representation present. School Site Council has members on School Site Council for ESTA to participate and any other parents meetings that we have are open to the general public. I encourage any ESTA member to attend and of those meetings. Thank you.*

**24. REPORT CLOSED SESSION ACTION(S)**

**Legal Counsel will report on Closed Session action item(s).**

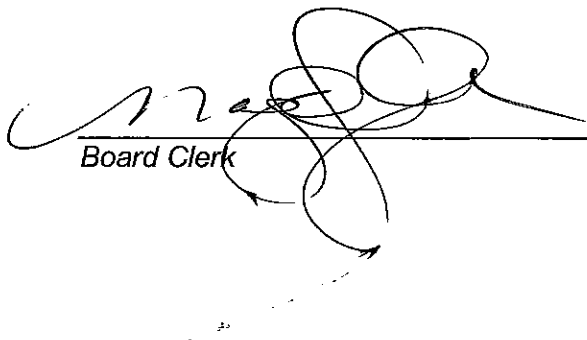
*See section 2.0 for reporting out of Closed Session items.*

**25. ADJOURNMENT**

**President adjourns the meeting.**

*The meeting was adjourned at 7:36 p.m.*

*Respectfully submitted,*

  
Board Clerk

APPROVED

March 6, 2014

*M. Hutton***Agenda Item Details**

**Meeting** Mar 06, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

**Category** 13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

**Subject** 13.02 Discussion and/or Action to Approve the Contract(s) 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 Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

**Public Content****EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 13.02  
Amended**

**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 to Approve the Contract(s) for Professional Services Over \$50,000

It is recommended that the Board of Trustees approve the Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

**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 Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or

(iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

[Contracts Over \\$50K 2014 0306 Amended.pdf \(28 KB\)](#)

[Contracts Over \\$50K 2014 0306.pdf \(25 KB\)](#)

[13.02 Contracts Over 50k Original.pdf \(174 KB\)](#)

### **Executive Content**

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Last Modified by Betty Banderas on March 3, 2014

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Contract(s) for Professional Services Over \$50,000**  
 Board Meeting of March 6, 2014

**1. Crime Alert (RATIFICATION) (SINGLE SOURCE)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Randy Phelps Anthony Revelo Marcus Battle Donna Bertrand	June 1, 2013 – May 31, 2018	\$150,000.00 estimated annual expenditure  General Fund	Education Center/ Information Technology  Randy Phelps, Director

East Side Union High School District (ESUHSD) is requesting that the Board of Trustees ratify the contract with Crime Alert for the provision of monitoring services of ESUHSD’s alarm, fire, CCTV, and video verification protective devices District-wide. The contract term is a five-year term of June 1, 2013, through and including May 31, 2018. The estimated annual expenditure is approximately \$150,000. That amount can vary depending upon the call frequency and number of events per site per year.

**Selection Process**

Crime Alert has been the alarm monitoring company for ESUHSD for more than eight (8) years. Administration is requesting the Board of Trustees to again approve Crime Alert as a “Single Source” vendor for the remaining time on the contract. We have been working to modernize, improve and respond to the new demands and challenges around safety and security that the District now faces. In addition to existing and age old challenges, we have also introduced new services and are introducing new solutions and vendors into our environment. Therefore, it is the opinion of staff to maintain needed continuity and stability in the monitoring service while we advance our systems. Based on past performance and the relationship with this vendor, it is practical to engage in a single source relationship through the end of this contract in 2018. Their expertise, reliability, and knowledge of our sites and staff provide a level of security and stability that we need during a period of significant change. While no solicitation process took place for this contract, we have scanned the vendors engaged in this type of work and found that the relative values are consistent with the costs we are incurring.

Administration plans to do a formal Request for Proposal in early 2018.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the contract with and approve the single source justification for Crime Alert for the provision of monitoring services of ESUHSD’s alarm, fire, CCTV, and video verification protective devices District-wide for the period of June 1, 2013, through and including May 31, 2018. Authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of: (a) \$25,000.00, or (b) ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract. The estimated annual expenditure is approximately \$150,000.

**2. Silicon Valley Community Foundation (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Chris D. Funk Donna Bertrand	October 1, 2013 -- September 30, 2016	Up to \$400,000.00 over the life of the Grant  Silicon Valley Common Core Initiative Grant	Education Center/ Superintendent  Chris D. Funk, Superintendent

East Side Union High School District (ESUHSD) is requesting that the Board of Trustees ratify the acceptance of the conditional grant of up to \$400,000.00 from the Silicon Valley Community Foundation for the Silicon Valley Common Core Initiative; and to approve authorization for the Superintendent and/or designee to execute any contracts and/or memoranda of understanding as needed for the purpose of implementation of the grant activities as stated in the Silicon Valley Common Core Initiative Proposal (dated August 12, 2013). The proposal submitted by the East Side Alliance of School Districts lists East Side Union High School District as the LEA over the grant. The term of the grant is October 1, 2013, through September 30, 2016.

On August 12, 2013, the East Side Alliance of School Districts submitted a proposal to the Silicon Valley Community Foundation for the Alliance to receive a grant to support its Silicon Valley Common Core Initiative Proposal. On November 25, 2013, ESUHSD received notification of the Grant award of up to \$400,000.00 over the term of the grant to support the development of a coordinated CCSS (Common Core State Standards) implementation plan that focuses on professional development, instructional material, assessments and communication to stakeholders. The plan will be based on forming a governance and operational structure, developing a gap analysis, building learning communities and piloting coordinated programs.

As part of the proposal it was stated the ESUHSD would be the lead agency. ESUHSD will need to issue contracts and/or memoranda of understanding expeditiously on an as needed basis in order to accomplish the goals of the grant. Administration is requesting delegation of authority to execute such contracts and/or memoranda of understanding during the term of the grant period.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the acceptance of the conditional grant of up to \$400,000.00 from the Silicon Valley Community Foundation for the Silicon Valley Common Core Initiative Proposal submitted by the East Side Alliance of School Districts in which East Side Union High School District will be the LEA over the grant; and, to authorize the Superintendent and/or designee to execute contracts and/or memoranda of understanding as needed for the purpose of implementation of the grant activities as stated in the Silicon Valley Common Core Initiative Proposal (dated August 12, 2013). The grant term is October 1, 2013, through September 30, 2016.



**ORIGINAL****Agenda Item Details**

Meeting Mar 06, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 13.02 Discussion and/or Action to Approve the Contract(s) 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 attached Contract(s) for Professional Services over \$50,000 as presented 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: 13.02**

**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:** Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000

The attached Contract(s) for Professional Services over \$50,000 are being presented for Board review and 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 attached Contract(s) for Professional Services over \$50,000 as presented and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[Contracts Over \\$50K 2014 0306.pdf \(25 KB\)](#)

**Executive Content**

**Agenda Item Details**

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Meeting Mar 06, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the attached Contract(s) for Professional Services over \$50,000 as presented 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**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 13.02**

**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:** Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$50,000

The attached Contract(s) for Professional Services over \$50,000 are being presented for Board review and 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 attached Contract(s) for Professional Services over \$50,000 as presented and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[Contracts Over \\$50K\\_2014\\_0306.pdf \(25 KB\)](#)

**Executive Content**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Contract(s) for Professional Services Over \$50,000**  
 Board Meeting of March 6, 2014

**1. Crime Alert (RATIFICATION) (SINGLE SOURCE)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Randy Phelps Anthony Revelo Marcus Battle Donna Bertrand	June 1, 2013 – May 31, 2018	\$150,000.00 estimated annual expenditure  General Fund	Education Center/ Information Technology  Randy Phelps, Director

East Side Union High School District (ESUHSD) is requesting that the Board of Trustees ratify the contract with Crime Alert for the provision of monitoring services of ESUHSD's alarm, fire, CCTV, and video verification protective devices District-wide. The contract term is a five-year term of June 1, 2013, through and including May 31, 2018. The estimated annual expenditure is approximately \$150,000. That amount can vary depending upon the call frequency and number of events per site per year. Authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term which do not exceed 10% of the total annual amount of the contract.

**Selection Process**

Crime Alert has been the alarm monitoring company for ESUHSD for more than eight (8) years. Administration is requesting the Board of Trustees to again approve Crime Alert as a "Single Source" vendor for the remaining time on the contract. We have been working to modernize, improve and respond to the new demands and challenges around safety and security that the District now faces. In addition to existing and age old challenges, we have also introduced new services and are introducing new solutions and vendors into our environment. Therefore, it is the opinion of staff to maintain needed continuity and stability in the monitoring service while we advance our systems. Based on past performance and the relationship with this vendor, it is practical to engage in a single source relationship through the end of this contract in 2018. Their expertise, reliability, and knowledge of our sites and staff provide a level of security and stability that we need during a period of significant change. While no solicitation process took place for this contract, we have scanned the vendors engaged in this type of work and found that the relative values are consistent with the costs we are incurring.

Administration plans to do a formal Request for Proposal in early 2018.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the contract with and approve the single source justification for Crime Alert for the provision of monitoring services of ESUHSD's alarm, fire, CCTV, and video verification protective devices District-wide for the period of June 1, 2013, through and including May 31, 2018. The estimated annual expenditure is approximately \$150,000; and, to authorize the Superintendent and/or designee to execute amendments to the contract that may be needed during the term which do not exceed 10% of the total annual amount of the contract.

**2. Silicon Valley Community Foundation (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Chris D. Funk Donna Bertrand	October 1, 2013 – September 30, 2016	Up to \$400,000.00 over the life of the Grant  Silicon Valley Common Core Initiative Grant	Education Center/ Superintendent  Chris D. Funk, Superintendent

East Side Union High School District (ESUHSD) is requesting that the Board of Trustees ratify the acceptance of the conditional grant of up to \$400,000.00 from the Silicon Valley Community Foundation for the Silicon

Valley Common Core Initiative; and to approve authorization for the Superintendent and/or designee to execute any contracts and/or memoranda of understanding as needed for the purpose of implementation of the grant activities as stated in the Silicon Valley Common Core Initiative Proposal (dated August 12, 2013). The proposal submitted by the East Side Alliance of School Districts lists East Side Union High School District as the LEA over the grant. The term of the grant is October 1, 2013, through September 30, 2016.

On August 12, 2013, the East Side Alliance of School Districts submitted a proposal to the Silicon Valley Community Foundation for the Alliance to receive a grant to support its Silicon Valley Common Core Initiative Proposal. On November 25, 2013, ESUHSD received notification of the Grant award of up to \$400,000.00 over the term of the grant to support the development of a coordinated CCSS (Common Core State Standards) implementation plan that focuses on professional development, instructional material, assessments and communication to stakeholders. The plan will be based on forming a governance and operational structure, developing a gap analysis, building learning communities and piloting coordinated programs.

As part of the proposal it was stated the ESUHSD would be the lead agency. ESUHSD will need to issue contracts and/or memoranda of understanding expeditiously on an as needed basis in order to accomplish the goals of the grant. Administration is requesting delegation of authority to execute such contracts and/or memoranda of understanding during the term of the grant period.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the acceptance of the conditional grant of up to \$400,000.00 from the Silicon Valley Community Foundation for the Silicon Valley Common Core Initiative Proposal submitted by the East Side Alliance of School Districts in which East Side Union High School District will be the LEA over the grant; and, to authorize the Superintendent and/or designee to execute contracts and/or memoranda of understanding as needed for the purpose of implementation of the grant activities as stated in the Silicon Valley Common Core Initiative Proposal (dated August 12, 2013). The grant term is October 1, 2013, through September 30, 2016.

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**Agenda Item Details**

Meeting Mar 06, 2014 - ESUHS D REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject 18.01 Approve the Contract(s) 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 attached Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

**Public Content**

**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**Item: 18.01  
Amended**

**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 Contract(s) for Professional Services At or Below \$50,000

The attached Contracts for Professional Services at or below \$50,000 being recommended for Board approval and authorization is being requested for the Superintendent and/or designee to execute amendments to the Contracts that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

**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 attached Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

[Contract Under \\$50K\\_2014 0306.pdf \(17 KB\)](#)[18.01 Contracts Under 50k Original.pdf \(101 KB\)](#)

### **Executive Content**

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*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 March 3, 2014

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Professional Contract(s) Services At or Below \$50,000**  
 Board Meeting of March 6, 2014

Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1. Carmeghi & Blum Associates, Inc.	Chris Funk Marcus Battle Linda da Silva Donna Bertrand	March 7, 2014 – June 30, 2014	\$10,000.00  General Fund	Educational Center  Chris D. Funk, Superintendent	To provide property appraisals for District and related sites.
2. The Regents of the University of California/ Puente Project	Bettina Lopez Teresa Marquez Vito Chiala Juan Cruz Donna Bertrand	July 1, 2013 – June 30, 2014	\$13,800.00  (REVENUE )	Andrew Hill, Bettina Lopez  Mt. Pleasant, Teresa Marquez  W.C. Overfelt, Vito Chiala	<b>REQUEST FOR RATIFICATION</b>  ESUHSD and Puente shall work together to provide a program for educationally disadvantaged students at each of the 3 schools through the use of the Puente Program offered by The Regents of the University of California.

**Original**

**Agenda Item Details**

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Meeting Mar 06, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject 18.01 Approve the Contract(s) 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 Contract(s) for Professional Services at or below \$50,000 as recommended on 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**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**Item: 18.01**

**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 Contract(s) for Professional Services At or Below \$50,000

The attached list of Contract(s) for Professional Services at or below \$50,000 is/are being presented for Board review and approval as recommended on 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.

**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 Contract(s) for Professional Services at or below \$50,000 as recommended on 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\\_2014\\_0306.pdf \(16 KB\)](#)

**Executive Content**

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**Agenda Item Details**

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Meeting Mar 06, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject 18.01 Approve the Contract(s) 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 Contract(s) for Professional Services at or below \$50,000 as recommended on 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**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 18.01**

**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 Contract(s) for Professional Services At or Below \$50,000

The attached list of Contract(s) for Professional Services at or below \$50,000 is/are being presented for Board review and approval as recommended on 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.

**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 Contract(s) for Professional Services at or below \$50,000 as recommended on 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 2014 0306.pdf \(16 KB\)](#)

**Executive Content**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Professional Contract(s) Services At or Below \$50,000**  
 Board Meeting of March 6, 2014

	<b>Contractor Name</b>	<b>Reviewed By</b>	<b>Contract Period</b>	<b>Cost/ Funding</b>	<b>School/Dept. Manager</b>	<b>Purpose</b>
1.	Carneghi & Blum Associates, Inc.	Chris Funk Marcus Battle Linda da Silva Donna Bertrand	March 7, 2014 – June 30, 2014	\$10,000.00  General Fund	Educational Center  Chris D. Funk, Superintendent	To provide property appraisals for District and related sites.
2.	The Regents of the University of California/ Puente Project	Bettina Lopez Teresa Marquez Vito Chiala Juan Cruz Donna Bertrand	July 1, 2013 – June 30, 2014	\$13,800.00  (REVENUE )	Andrew Hill, Bettina Lopez  Mt. Pleasant, Teresa Marquez  W.C. Overfelt, Vito Chiala	<b>REQUEST FOR RATIFICATION</b>  ESUHSD and Puente shall work together to provide a program for educationally disadvantaged students at each of the 3 schools through the use of the Puente Program offered by The Regents of the University of California.

## BOARD OF TRUSTEES

APPROVED

March 6, 2014


**Agenda Item Details**

Meeting Mar 06, 2014 - ESUHS D REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 20. FACILITIES - CONSENT/ACTION CALENDAR

Subject 20.01 Approve Bond/Capital Projects Contract(s) 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 Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and Authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

**Public Content**

## EAST SIDE UNION HIGH SCHOOL DISTRICT

**Amended  
Item: 20.01**

**TO:** Board of Trustees

**FROM:** Chris D. Funk, Superintendent

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

**SUBJECT:** Approve Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

The attached lists the Bond/Capital Projects Contracts for Professional Services at or below \$50,000 being recommended for Board approval and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

**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(s) for Professional Services at or below \$50,000 as recommended in the attachment and Authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do

not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount plus all approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract.

[Contracts under \\$50K Final.pdf \(113 KB\)](#)

[Contracts under \\$50K Original Memo.pdf \(79 KB\)](#)

## **Executive Content**

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Last Modified by Elicia Gaska on March 3, 2014

**Agenda Item Details**

Meeting Mar 06, 2014 - ESUHS D 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 to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director, Capital Accounting, 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(s) as presented.

**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, Linda da Silva, Director of Construction, Maintenance and Facilities, André Bell, Assistant Director of Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager

**SUBJECT:** Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000

The attachment for the Bond/Capital Projects Contract(s) 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(s) as presented.

[Contracts Over \\$50k Final.pdf \(137 KB\)](#)

[Attachment A 9.02.pdf \(481 KB\)](#)

[Attachment B 14.04.pdf \(334 KB\)](#)

[Attachment C 16.13.pdf \(1,097 KB\)](#)

**Executive Content**

**EAST SIDE UNION HIGH SCHOOL DISTRICT  
BOARD OF TRUSTEES  
APPROVED  
March 6, 2014**

