



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Mar 22, 2018 - 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 16.01 Approve Minutes of December 7, 2017, Annual Organizational and Regular Board Meeting

Type Action, Minutes

Recommended Action It is recommended that the Board of Trustees approve the December 7, 2017, Annual Organizational and Regular Board Meeting minutes as presented.

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent


SUBJECT: Approve Minutes of December 7, 2017, Annual Organizational and Regular Board Meeting

Attached are the minutes of the December 7, 2017, Annual Organizational and 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 December 7, 2017, Annual Organizational and Regular Board Meeting minutes as presented.

 [BA_2017_12_07_17_Annual Org_and_Reg_Minutes.pdf \(210 KB\)](#)

APPROVED
Board of Trustees
March 22, 2018



Each student graduates prepared for college and career,
empowered to thrive in a global society.

EAST SIDE UNION HIGH SCHOOL DISTRICT

ANNUAL ORGANIZATIONAL & REGULAR MEETING OF THE

BOARD OF TRUSTEES

Meeting Held at

East Side Union High School District

Board Room

830 N. Capitol Avenue, San Jose, CA 95133

December 7, 2017

4:00 p.m.

1. CALL TO ORDER / ROLL CALL

1.01 Roll Call

Member Frank Biehl called the meeting to order at 4:03 PM.

Present for roll call:

- Member Frank Biehl
- Member J. Manuel Herrera
- Member Pattie Cortese
- Member Van Le
- Member Lan Nguyen

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

Persons wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a speaker request form, which is located at the entrance of the Board Room.

Public speakers:

- Jimmy Negrette (2.05)
- Monica Contreras (2.05)
- Jay Braun (2.05)
- Shawn Dormishian (2.05)
- Kevin Nichols (2.05)
- Jack Hamner (2.05)
- Jethroe Moore, II (2.05)
- Winston Ashby (2.05)
- Steve Crow (2.05)
- Jethroe Moore, II (2.07)
- Rufus H. White (2.07)
- Tyika Mitchell (2.07)
- Rev. Jason Reynolds (2.07)

- Debbie Hill (2.07)
- Jana Taylor (2.07)
- Barbara Z. Dawson (2.07)
- Craig Mann (2.07)
- Rev. Reginald Swilley (2.07)
- Cassandra Holland (2.07)
- Debra Watkins (2.07)

1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session in the Board Room at approximately 6:30 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 Mindfulness Practice

2.02 Expulsion(s)

- **17-18-007**
- **17-18-008**
- **17-18-009**
- **17-18-010**
-
- **Student 17-18-007:**
- Motion by Member J. Manuel Herrera, second by Member Lan Nguyen, to approve the expulsion of student 17-18-007.
-
- Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
- Vote: 5/0; Motion Carries
-
- **Student 17-18-008:**
- Motion by Member Frank Biehl, second by Member Van Le, to approve the expulsion of student 17-18-008.
-
- Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
- Vote: 5/0; Motion Carries
-
- **Student 17-18-009:**
- Motion by Member Frank Biehl, second by Member Lan Nguyen, to approve the expulsion of student 17-18-009.
-
- Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
- Vote: 5/0; Motion Carries
-

- **Student 17-18-010:**
- Motion by Member Van Le, second by Member Pattie Cortese, to approve the expulsion of student 17-18-010.
-
- Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
- Vote: 5/0; Motion Carries

2.03 Public Employee Performance Evaluation (Government Code Section 54957)

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

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

2.06 Conference with Labor Negotiators (Government Code Section 54957.6)

Agency Designated Representatives:

Chris D. Funk, Superintendent

Marcus Battle, Associate Superintendent of Business Services

Cari Vaeth, Associate Superintendent of Human Resources

Glenn Vander Zee, Associate Superintendent of Educational Services

Employee Organizations:

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Administrator Collaborative of East Side (ACES)

Unrepresented Employees:

Administrators

Managers

Confidential Employees

2.07 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. Macy; and,
- Four (4) Potential Cases

2.08 Conference with Legal Counsel – Existing Litigation:

Paragraph (1) of subdivision (d) of Government Code Section 54956.9:

Two (2) Cases

- OAH No. 2016061098; and,
- Case No. 5:16-CV-07329-EJD

OAH No. 2016061098

Motion by Member Frank Biehl, second by Member Pattie Cortese, to approve the settlement agreement and general release, which obligates the District to provide for the placement of a student in a non public school to be relocated from out of the State of California and to provide the student with return transportation. The District will receive a general release of claims in connection with the settlement agreement.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

3. RESUME OPEN SESSION AT APPROXIMATELY 6:30 P.M. - EDUCATION CENTER BOARD ROOM

3.01 Pledge of Allegiance

Presenting the colors are Sergeant First Class Cochrane and the Andrew Hill High School Army JROTC.

4. WELCOME AND EXPLANATION TO AUDIENCE

4.01 Any person may address the Board on any item on the meeting agenda. Information explaining Board meeting procedures and how citizens can address the Board will be read. Persons wishing to address the Board must fill out a speaker request form, which is located at the entrance of the Board Room. Written information is located near the entrance to the Board Room.

President Frank Biehl moved section 5 to the end of the Consent Calendar. Items 11.02, 11.03, 11.04 and 11.05 were pulled from the agenda.

5. ANNUAL ORGANIZATIONAL MEETING

5.01 Nomination and Election of Board Officers: President; Vice President; Clerk (One-Year Term)

Motion #1:

Motion by Member Frank Biehl, second by Member Pattie Cortese, to nominate and elect Member J. Manuel Herrera as President of the Board of Trustees, a one-year term beginning December 7, 2017.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

Motion #2

Motion by Member Lan Nguyen, second by Member Van Le, to nominate and elect Member Cortese as Vice President of the Board of Trustees, a one-year term beginning December 7, 2017.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

Motion #3

Motion by Member J. Manuel Herrera, second by Member Pattie Cortese, to nominate and elect Lan Nguyen as Clerk of the Board of Trustees, a one-year term beginning December 7, 2017.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

5.02 Nomination and Appointment of Two Board Members to Board's Standing Audit Committee: Chairperson and Vice Chairperson (One-Year Term)

Motion #1

Motion by Member Pattie Cortese, second by Member J. Manuel Herrera, to nominate and appoint Member Frank Biehl as Chairperson to the Board's standing Audit Committee, a one-year term beginning December 7, 2017.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

Motion #2

Motion by Member Pattie Cortese, second by Member J. Manuel Herrera, to nominate and appoint Lan Nguyen as Vice Chairperson to the Board's standing Audit Committee, a one-year term beginning December 7, 2017.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

5.03 Nomination and Election of Representative to MetroED Board (Two-Year Term)

Motion by Member Van Le, second by Member Frank Biehl, to nominate and elect J. Manuel Herrera as the Board representative to serve on the MetroED Board for the term January 1, 2018, through December 31, 2019.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

5.04 Nomination and Election of Alternate Representative to MetroED Governing Board (One-Year Term)

Motion by Member Van Le, second by Member Frank Biehl, nominate and elect Pattie Cortese as alternate Board representative to serve on the MetroED Governing Board in the absence of East Side Union High School District's MetroED Governing Board representative for the term January 1, 2018, through December 31, 2018.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

5.05 Nomination of One Member of the Board of Trustees to Vote in the Election of the Santa Clara County Committee on School District Organization

Motion by Member Pattie Cortese, second by Member J. Manuel Herrera, to nominate Frank Biehl as the Board representative to vote in the election of the Santa Clara County Committee on School District Organization who will complete the County Committee election ballot in November 2018.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

5.06 Nomination and Election of Representative to Santa Clara County School Boards Association (One-Year Term)

Motion by Member Frank Biehl, second by Member Van Le, to nominate and elect Member Pattie Cortese as Board representative to serve on the Santa Clara County School Boards Association for the term of January 1, 2018, through December 31, 2018.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

5.07 Nomination and Election of One Member to East Side Alliance Advisory Committee (One-Year Term)

Motion by Member J. Manuel Herrera, second by Member Van Le, to nominate and elect Pattie Cortese as Board representative to serve on the East Side Alliance Advisory Committee for the term January 1, 2018, through December 31, 2018.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

5.08 Nomination and Election of One Alternate Member to East Side Alliance Advisory Committee (One-Year Term)

Motion by Member J. Manuel Herrera, second by Member Pattie Cortese, to nominate and elect Van Le as Board representative to serve as the alternate member on the East Side Alliance Advisory Committee for the term January 1, 2018, through December 31, 2018.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

5.09 Nomination and Election of Two Members to District's Budget Advisory Committee (One-Year Term)

Motion by Member Lan Nguyen, second by Member Van Le, to nominate and elect Frank Biehl and J. Manuel Herrera as Board representatives to serve on the District's Budget Advisory Committee for the term July 1, 2018, through June 30, 2019.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

5.10 Nomination and Election of One Alternate Member to District's Budget Advisory Committee (One-Year Term)

Motion by Member J. Manuel Herrera, second by Member Pattie Cortese, to nominate and elect Lan Nguyen as Board representative to serve as the alternate member on the District's Budget Advisory Committee for the term July 1, 2018, through June 30, 2019.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

5.11 Appointment of Board Secretary (One-Year Term)

Motion by Member Frank Biehl, second by Member Pattie Cortese, to appoint Superintendent Chris D. Funk as Board Secretary for the term January 1, 2018, through December 31, 2018.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

6. SHORT BREAK

6.01 The Board will take a short break to allow for the rotation of new Board Officers.

7. ADOPTION OF AGENDA

7.01 The Superintendent and/or Board Member(s) may request that items be removed from the agenda for consideration and/or carried to a future Board meeting for consideration and/or action, and/or that that the Board take action in a regular meeting on a subject not listed on the published agenda on an emergency basis or other basis allowed by law. (Gov. Code 54954.2)

See section 4: President Frank Biehl moved section 5 to the end of the Consent Calendar. Items 11.02, 11.03, 11.04 and 11.05 were pulled from the agenda.

8. BOARD SPECIAL RECOGNITION(S)

8.01 Santa Teresa High School Marching Band & Color Guard

- **Winners of the 2017 Marine Corps Fleet Week Band Challenge**

9. STUDENT BOARD LIAISON(S) (5 minutes each school)

9.01 Calero High School

- **Teresa Liu, Calero Adult Transition Program
Tommy Ortega, Student Body President, Calero High School**

10. SPECIAL ORDER OF BUSINESS - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

10.01 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.

10.02 Presentation, Discussion and/or Action to Receive and Approve the First Interim Financial Report for Fiscal Year 2017/2018 - Marcus Battle, Associate Superintendent of Business Services, and Silvia Pelayo, Director of Finance

Public speakers:

- Paul Kilkenny
- Mehdi Panahi
- Emily Davis
- Greg Adler
- Heather McMillin
- Jenny Ludwig
- Virginia Yenter
- Rachel Subega
- Marisa Hanson, ESTA President

Motion by Member Lan Nguyen, second by Member J. Manuel Herrera, to approve the positive certification of the First Interim Financial Report to the operating budget as presented for fiscal year 2017/2018 based on a continuation of the Board Adopted reduction in force resolution as presented on June 22, 2017.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

11. PUBLIC HEARING(S) - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

11.01 Hold a Public Hearing at Approximately 6:50 p.m. on a Charter Renewal Petition Submitted by Escuela Popular del Pueblo for Escuela Popular Center for Training and Careers - Glenn Vander Zee, Associate Superintendent of Educational Services

Hold Public Hearing to consider the level of support for the renewal petition submitted by Escuela Popular del Pueblo for Escuela Popular Center for Training and Careers

Public hearing held.

Speakers:

- Claudia Reyes
- Nigel T. Gully
- Otto Ramirez
- Julia Ornelas

11.02 Hold Public Hearing at Approximately 6:55 p.m. Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2018-2019: From East Side Union High School District to California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources

Item pulled from the agenda.

11.03 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Contract Reopeners for 2018-2019: From East Side Union High School District to California School Employees Association, Chapter 187 - Cari Vaeth, Associate Superintendent of Human Resources

Item pulled from the agenda.

11.04 Hold Public Hearing at Approximately 7:00 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/CTA/NEA - Cari Vaeth, Associate Superintendent of Human Resources

Item pulled from the agenda.

11.05 Discussion and/or Action Regarding the Proposed Adoption of the Initial Proposal for Successor Contract: From East Side Union High School District to the East Side Teachers Association/CTA/NEA - Cari Vaeth, Associate Superintendent of Human Resources

Item pulled from the agenda.

12. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

12.01 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. Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a speaker request form, which is located at the entrance of the Board Room. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.

Public speakers:

- Julio Pardo, CSEA President
- Marisa Hanson, ESTA President

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

13.01 Discussion and/or Action to Adopt Proposed Amendment to 2017-2018 Board Meeting Calendar - Frank Biehl, Board President

Motion by Member Frank Biehl, second by Member Pattie Cortese, to amend the 2017-2018 Board Meeting Calendar, specifically the addition of a Study Session on January 11, 2018.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

13.02 Presentation, Discussion and/or Action regarding Update on Parcel Tax - Jared Boigon, TBWBH

Presentation item; no action taken

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

14.01 Presentation, Discussion and/or Action regarding Charter Schools - Glenn Vander Zee, Associate Superintendent of Educational Services

Presentation item; no action taken

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

15.01 Discussion and/or Action to Approve Formal Bid (RFB-01-17-18) with Colligo Systems, LLC and Enter Into a Contract Service Agreement and Purchase Order for the Districtwide Network Equipment (Switch Upgrade) Project - Marcus Battle, Associate Superintendent of Business Services, Randy Phelps, Chief Technology Officer, and Janice Unger, Director, Purchasing and Capital Accounting

Motion by Member Frank Biehl, second by Member J. Manuel Herrera, to approve administration's recommendation to enter into a contract service agreement and purchase order with Colligo Systems, Inc., for the District wide Network Equipment (Switch Upgrade) Project to provide new CISCO products and installation services for an amount not to exceed \$4,614,333.19 and to authorize Administration to execute change orders in accordance with Board Policy 3312.1 if needed.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

15.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

Motion by J. Manuel Herrera, second by Member Lan Nguyen, to approve the contract(s) for professional services over \$25,000 as presented and authorize 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, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

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

No Items on Calendar under this Section

17. FACILITIES/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

17.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, General Purchasing Manager

Motion by Member Lan Nguyen, second by Member J. Manuel Herrera, to approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

Consent / Action Calendar Sections 18-22

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 Member Lan Nguyen, second by Member Pattie Cortese, to approve the entire consent calendar as presented.

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le
Vote: 5/0; Motion Carries

18. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR

18.01 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings

18.02 Approve Minutes of September 19, 2017, Regular Board Meeting

18.03 Approve Minutes of September 28, 2017, Board Study Session/Workshop

19. EDUCATIONAL SERVICES / STUDENT SERVICES - CONSENT/ACTION CALENDAR

19.01 Ratify/Approve School Field Trips

19.02 Approve Amendment to School Attendance Review Board (SARB) Representatives for 2017-2018 School Year

20. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

20.01 Approve Award of Bids and Request for Proposals for General Purchasing

20.02 Approve Purchase Orders Dated November 1, through November 27, 2017

20.03 Ratify/Approve Change Orders to Purchase Orders

20.04 Ratify/Approve CUPCAA Informal General Purchasing Project(s)

20.05 Adopt Resolution #2017/2018-13 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546

20.06 Approve Budget Transfers for the Month of October, 2017

20.07 Accept Warrant Register for the Month of October, 2017

20.08 Adopt Resolution #2017/2018-14 Authorized Signatures

21. HUMAN RESOURCES - CONSENT/ACTION CALENDAR

21.01 Ratify/Approve Classified Personnel Actions Presented December 7, 2017

21.02 Ratify/Approve Certificated Personnel Actions Presented December 7, 2017

21.03 Ratify/Approve Student Aide Personnel Actions Presented December 7, 2017

22. FACILITIES/BOND - CONSENT/ACTION CALENDAR

22.01 Approve Award of Bids and Request for Proposals for Bond/Capital Projects

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

22.03 Ratify CUPCAA Informal Bond Project(s)

22.04 Approve Qualified Professional Service Providers

23. WRITTEN REPORTS/RECOMMENDATIONS

No Items on Calendar under this Section

24. FUTURE AGENDA ITEMS

24.01 Opportunity for Board of Trustees to Request Items on Future Agendas

The following items were requested for placement as future agenda items:

- Member Pattie Cortese:
 - Recycling Program Report

24.02 Future Items

Pattie Cortese, Board Clerk

Item	Date (tentative)	Type
Teen Parents •Education •Support	January / February 2018	Presentation/Discussion
Burns Institute	January, 2018 Study Session	Presentation/Discussion
Substitutes	January, 2018	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Type
Grading Policy	February 3, 2018	Report
Alternative Schools	February 13, 2018	Presentation/Discussion

24.03 Annual Governance Calendar

<p>July:</p> <ul style="list-style-type: none"> •Summer School Program (concludes session) •Summer School Graduation <p>August:</p> <ul style="list-style-type: none"> •Board Members' Expenses Report (Apr/May/June) •Expulsion Hearing Panel Committee •First Day of School •Superintendent's Annual Evaluation •Williams Quarterly Report <p>September:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •College Night •Conflict of Interest Board Policy (updates) •Public Hearing and Adoption: Gann Spending Limit •Public Hearing: Sufficiency/Insufficiency of Textbooks •Receive Annual Developer Fees Report •Unaudited Actuals <p>October:</p> <ul style="list-style-type: none"> •Bond Program Presentation •Solar Energy Presentation •Student Achievement Presentation •Williams Quarterly Report <p>November:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •Board Members Expenses' Report (July/Aug/Sept) •Board Study Session/Workshop •Election Orientation for New Board Members <p>December:</p> <ul style="list-style-type: none"> •Annual Organizational Board Meeting •CSBA Annual Conference •Election Orientation for New Board Members •End of First Semester •First Interim Report <p>January:</p> <ul style="list-style-type: none"> •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 •Master Business Relationship Agreement between ESUHSD and MetroED •Policies & ByLaws (Begin Review by Series) •Sports Recognitions (Fall) •Technology Report •Williams Quarterly Report 	<p>February:</p> <ul style="list-style-type: none"> •African American Students Achievement Awards •Audit Committee Charter Amendment(s) •Board Members' Expenses Report (Oct/Nov/Dec) •CSBA Delegate Assembly Election •IPC Annual Presentation •Non-Re-Elects •Safety Plan Goals for Each Site •State of the District <p>March:</p> <ul style="list-style-type: none"> •Academic Success Analysis Biannual Presentation •Cesar Chavez Writing, Art & Multi-Media Awards Luncheon •Latino Student Awards Recognition Ceremony •March 15 Notices •NSBA Annual Conference (<i>March or April</i>) •Second Interim Report •SJPD Secondary Employment Application •Superintendent's Mid-Year Evaluation •Vietnamese Students Achievement Awards <p>April:</p> <ul style="list-style-type: none"> •Board Study Session/Workshop •Form 700 – Statement of Economic Interests Due to Santa Clara County (filing) •Honor Nights (April/May) •Migrant Education Awards Night •Williams Quarterly Report <p>May:</p> <ul style="list-style-type: none"> •Asian American/Pacific Islander History Month Poster & Essay Contest Awards/Celebration •Board Members' Expenses Report (Jan/Feb/Mar) •Board Self-Evaluation •Board Study Session/Workshop •Budget (Preliminary/Draft) Presentation •Employee Retiree & Recognition Event •Graduations •Honor Nights (April/May) •Last Day of School •Preliminary Review of Proposed LCAP <p>June:</p> <ul style="list-style-type: none"> •Annual Consolidated Program Application (CONAPP) •Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting) •Budget Adoption (second June Board Meeting) •Budget Advisory Committee: Nominate/Appoint Board Reps (2) & Alternative Board Rep (1) -- (2-yr term, fiscal year) •Employee Retirement Celebration •ESTA Safety Survey •International Student Program Annual Presentation •Master Contracts for Capital Projects •Plan for Expelled Youth (due every 3 years; due 2018) •Safety Plan Assessment for Each School •Single Plan for Student Achievement (SPSA) Each School •Sports Recognitions (Winter/Spring) •Summer School Program (session begins)
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25. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

25.01 Board of Trustees:

- **Frank Biehl, Member**
- **J. Manuel Herrera, Member**
- **Pattie Cortese, Member**
 - **Board Audit Committee**
- **Lan Nguyen, Member**
- **Van Le, Member**
 - **MetroED**

25.02 Chris D. Funk, Superintendent

26. REPORT CLOSED SESSION ACTION(S)

26.01 Legal Counsel will Report on Closed Session Actions

27. ADJOURNMENT

27.01 President Adjourns the Meeting

The meeting was adjourned at 12:26 AM by Member J. Manuel Herrera

Respectfully submitted,



Board Clerk



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Dec 07, 2017 - ESUHS D ANNUAL ORGANIZATIONAL & REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	15. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	15.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager
Type	Action, Discussion
Recommended Action	It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 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, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Janice Unger, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager

SUBJECT: Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000

The attached contract(s) for professional services over \$25,000 are being presented for Board review and approval and to authorize administration to amend said contracts in accordance with Board Policy 3312.1.

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 over \$25,000 as presented and authorize 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, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

 [2017 1207 Contracts Over \\$25000.pdf \(86 KB\)](#)

Motion & Voting

Motion by J. Manuel Herrera, second by Member Lan Nguyen, to approve the contract(s) for professional services over \$25,000 as presented and authorize 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, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

Motion by J Manuel Herrera, second by Lan Nguyen.

Final Resolution: Motion Carries

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of December 7, 2017

1. Flex Tech Alliance dba NextFlex

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Francine Brissey	August 1, 2017 – June 29, 2018	\$70,000.00/ Career Technical Education	District Wide/ Career Services/ Tim Nguyen

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve the contract with the NextFlex. The NextFlex program is designed for 9, 10, 11, and 12 grade students in any class topic (Engineering, English, Economics, Robotics, etc.). The program employs a project-based learning approach to immerse students in entrepreneurship, technology, and the education and career pathways that lead into high tech/advanced manufacturing.

Selection Process

NextFlex has been working with San Jose City College and Evergreen Valley College to help get students college credits for their program. This contract will be a formalized program resulting in outreach efforts to Independence and W.C. Overfelt High Schools.

Recommendation

It is recommended that the Board of Trustees approve the contract with NextFlex in the total amount of \$70,000.00 for the term of August 1, 2017, through June 29, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

2. The Miri Center – Change Order (CO) No. 01

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	July 1, 2017 – June 30, 2018	Original: \$25,000.00 CO No. 01: \$70,000.00 Total: \$95,000.00	Special Services/ Instructional Services/ Barbara Moore

Contract Request

East Side Union High School District (ESUHSD) administration is requesting the Board of Trustees to approve Change Order No. 01 with The Miri Center. The change order is being made to reflect an increase in services.

Selection Process

Continuing Relationship

Recommendation

It is recommended that the Board of Trustees approve Change Order No. 01 with The Mire Center in the total amount of \$95,000.00 for the term of July 1, 2017, through June 30, 2018.



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Dec 07, 2017 - ESUHSD ANNUAL ORGANIZATIONAL & REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 17. FACILITIES/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 17.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, General Purchasing Manager

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, 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; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

-  [2017 1207 Contract Over \\$50K.pdf \(116 KB\)](#)
-  [Attachment A.pdf \(733 KB\)](#)

Motion & Voting

Motion by Member Lan Nguyen, second by Member J. Manuel Herrera, to approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

Motion by Lan Nguyen, second by J Manuel Herrera.

Final Resolution: Motion Carries

Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting December 7, 2017

1. Gonsalves & Stronck Construction Company, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Janice Unger	May 9, 2016 to October 24, 2016 (no change)	\$60,000.00 (not to exceed final amount) Measure E	W.C.Overfelt High School/Facilities Vito Chiala, Principal Julio Lucas, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Change Order No. 08 to Purchase Order 603408 for the increase to extend general conditions cost for general contractor for the W.C. Overfelt Building J (L) Modernization Project (E-040-004).

On April 21, 2016, (Item No. 20.03) the Board of Trustees awarded a construction agreement with Gonsalves & Stronck Construction Company, Inc. in the amount of \$2,961,170.

On September 22, 2016, (Item No. 20.03) the Board of Trustees ratified Change Order No. 01 to Purchase Order 603408 for the increase amount of \$17,387.

Internal Change Order No. 02 on September 14, 2016, EP/CL was overstated and needed correction. No change in contract amount.

On December 8, 2016, (Item No. 21.02) the Board of Trustees ratified Change Order No. 03 to Purchase Order 603408 for the increase amount of \$20,835.

On February 16, 2017, (Item No. 20.03) the Board of Trustees ratified Change Order No. 04 to Purchase Order 603408 for the increase amount of \$18,454.

On February 16, 2017, (Item No. 20.03) the Board of Trustees ratified Change Order No. 05 to Purchase Order 603408 for the increase amount of \$25,048.

On June 22, 2017, (Item No. 20.03) the Board of Trustees ratified Change Order No. 06 to Purchase Order 603408 for the increase amount of \$38,979.

On August 17, 2017, (Item No. 20.04) the Board of Trustees ratified Change Order No. 07 to Purchase Order 603408 for the increase amount of \$43,897.

Change Order No. 08 is for PCO No. CPE#245R1 and PCO No. CPE#019. To date total change order percentage = 7.6%. **(See Attachment A)**

Original Contract Amount	\$2,961,170.00
Previous Change Order Amounts	\$164,600.00
Contract Amount Prior to this Change Order	\$3,125,770.00
Change Order No. 08	\$60,000.00
Revised Contract Amount	\$3,185,770.00

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. 08 to Purchase Order 603408 for the increase to extend general conditions cost for the project with **Gonsalves & Stronck Construction Company, Inc.** for the Building J (L) Modernization Project at W.C. Overfelt High School in the increased amount of **\$60,000.00** and authorize Administration to execute change orders in accordance with Board Policy 3312.1.



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting Dec 07, 2017 - ESUHS D ANNUAL ORGANIZATIONAL & REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 22. FACILITIES/BOND - CONSENT/ACTION CALENDAR

Subject 22.02 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

Type Action

Recommended Action It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as presented and authorize 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 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

EAST SIDE UNION HIGH SCHOOL DISTRICT

TO: Board of Trustees

FROM: Chris D. Funk, Superintendent

PREPARED BY: Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, Capital Projects Purchasing Manager

SUBJECT: Ratify 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 ratification.

Fiscal Impact:
As indicated in the attachment

Funding Source:
As indicated in the attachment

Recommendation:
It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as presented and authorize 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 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

[2017 1207 Prof Serv Contracts Under \\$50K.pdf \(63 KB\)](#)

Motion & Voting

Motion by Member Lan Nguyen, second by Member Pattie Cortese, to ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as presented and authorize 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 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

Motion by Lan Nguyen, second by Pattie Cortese.
Final Resolution: Motion Carries
Yea: Frank Biehl, J Manuel Herrera, Pattie Cortese, Lan Nguyen, Van Le

East Side Union High School District
 Capital Projects Professional Services Contracts under \$50,000
 Board Meeting of December 7, 2017

Project Number / Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-050-601 / OG New Student Center & Quad Reno	Consultant to provide asbestos inspection and sampling for Building "A" exterior walls and soffit. Includes Field Technician time, asbestos sample collection, laboratory analysis and a final written report.	801566 / CP2292	November 6, 2017 through project completion	Hazmat Doc Environmental Consulting and Management Services	\$1,900.00	11/6/2017
E-060-009 / YB Concession/Restroom Bld	Contractor shall furnish all materials, labor and equipment to provide a complete post construction cleaning service including cleaning of all floors, wall surfaces, toilet partitions, fixtures, kitchen equipment, and roll-up concession doors for the Yerba Buena High School	801671 / CP2275	November 15, 2017 through project completion	Tri County Building Management	\$990.00	11/15/2017