



Preparing every student to thrive in a global society.

### Agenda Item Details

---

Meeting	Oct 16, 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	16.03 Approve Minutes of September 18, 2014, Regular Board Meeting
Type	Action
Recommended Action	It is recommended that the Board of Trustees approve the September 18, 2014, Regular Board Meeting minutes as presented.

## EAST SIDE UNION HIGH SCHOOL DISTRICT

**Item: 16.03**

**TO:** Board of Trustees

---

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

**SUBJECT:** Approve Minutes of September 18, 2014, Regular Board Meeting

Attached are the minutes of the September 18, 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 September 18, 2014, Regular Board Meeting minutes as presented.

[BA\\_20140918\\_Regular\\_Minutes.pdf \(532 KB\)](#)

**Motion & Voting**

---

It is recommended that the Board of Trustees approve the September 18, 2014, Regular Board Meeting minutes as presented.

Motion by Member Lan Nguyen, second by Member Frank Biehl.

Final Resolution: Motion Carries

Yea: President J Manuel Herrera, Vice President Van Le, Clerk Magdalena Carrasco, Member Lan Nguyen, Member Frank Biehl

A handwritten signature in blue ink, appearing to read "M. Herrera", is written in the right margin of the document.



**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**REGULAR MEETING**

**OF THE**

**BOARD OF TRUSTEES**

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

**September 18, 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 4:05 p.m. by President Herrera. Present for roll call were Vice President Le, Member Nguyen, and Member Biehl. Clerk Carrasco was absent.*

**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.*

*There were no public speakers.*

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

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

**2. CLOSED SESSION**

**2.01 Expulsion(s): *None***

**2.02 Public Employee Performance Evaluation (Government Code Section 54957)**

- *Superintendent*

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

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

**2.05 Conference with Labor Negotiators (Government Code Section 54957.6)**

Agency Designated Representatives:

*Chris D. Funk, Superintendent*

*Marcus Battle, Associate Superintendent of Business Services*

*Juan Cruz, Assistant Superintendent of Educational Services*

*Cari Vaeth, Associate Superintendent of Human Resources*

Employee Organizations:

*American Federation of Teachers (AFT)*

*California School Employees Association (CSEA)*

*East Side Teachers Association (ESTA)*

Unrepresented Organizations:

*Administrators*

*Managers*

*Confidentials*

**2.06 Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (d)(2) of Government  
Code Section 54956.9**

- *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**

- *Two (2) Potential Cases*

*Motion by Member Biehl, second by Member Nguyen, to approve the initiation of litigation. The defendants and other particulars will be disclosed once the action is commenced to any person upon inquiry, unless doing so would jeopardize the District's ability to effectuate service of process on one or more unserved parties or that to do so would jeopardize the ability to conclude existing settlement negotiations to the District's advantage.*

*Vote: 4/0/1, Clerk Carrasco was absent*

**2.08 Conference with Legal Counsel – Existing Litigation  
(Paragraph (1) of subdivision (d) of Section 54956.9)**

- *Swindall v. Eastside Youth Athletic Club, East Side Union High School District, et al. (Santa Clara County Superior Court Case No. 114CV261710)*

*Motion by Member Biehl, second by Vice President Le, to approve a settlement agreement and mutual release of claims between the District and Dorie Swindall in which the District has agreed to pay the sum of \$7,000 to Dorie Swindall in settlement of the action Swindall v. Eastside Youth Athletic Club and East Side Union High School District to include a mutual release of claims and other particulars.*

*Vote: 4/0/1, Clerk Carrasco was absent*

- *Cal-Pacific Construction, Inc. v. East Side Union High School District (Santa Clara County Superior Court Case No. 114CV259895)*

**2.09 Conference with Real Property Negotiators**

Property:	830 N. Capitol Avenue San Jose, CA 95133 (Assessor's Parcel No.: 592-01-024)
District Negotiators:	•Chris D. Funk, Superintendent •Rogelio Ruiz, Legal Counsel
Under Discussion:	Purchase/Exchange/Lease Term

**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.**

*The following agenda items will be heard out of order:*

*Items 11.02, 11.03, 11.04 and 21.03 will be heard after item 8.03.*

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

**6.01 BeautifulDay.org – Jon Talbert and Joanne Glen**

- **Andrew Hill High School & Independence High School**

**6.02 Downtown Doors 2014 Student Visual Arts Winners**

<b>Student</b>	<b>School</b>	<b>Title of Artwork</b>	<b>Teacher(s)</b>
Vanna Luu	Andrew Hill HS	Fall Into Reality	Kim Conroy
Abigail Aspuria	Independence HS	TV: Counterfeit Escapada	Virginia Inglefinger & Brandi Fabricious
Sabrina Nguyen	Piedmont Hills HS	Holding Back the Fire	Ian Tippets & Van Nguyen
McKenna Teehan	Piedmont Hills HS	Opulence	Ian Tippets & Van Nguyen
Hannah Kim	Santa Teresa HS	Untitled	Autumn Juhl & Margie Kelley
Neni Silva	Santa Teresa HS	The Hero Within	Autumn Juhl & Margie Kelley
Ryan Ammar	Santa Teresa HS	Halo	Autumn Juhl & Margie Kelley
Tania Magana	Yerba Buena HS	Elephant Walk	Maria Furman
Tam Vo	Yerba Buena HS	Not Everyone Gets a Ladder	Maria Furman

**7. Student Board Liaisons**

**No Items on Calendar Under this Section**

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

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

**8.02 Presentation of Support Services by ESUHSD Maestros - Veronica Correa-Amador, Angelica Estrella, Claudio Alvaro, Macario Ortiz, Christina Favela, and Ana Karina Parra - ESUHSD Maestros**

*Presentation item; no action taken*

**8.03 Presentation and Discussion of 2014 General Obligation Refunding Bond Sale and Summary of 2002 Measure G General Obligation Bond Program - Marcus Battle, Associate Superintendent of Business Services, and Dale Scott, Financial Advisor, from Dale Scott and Company**

*Presentation item; no action taken*

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

- 9.01 Hold Public Hearing at Approximately 6:30 p.m. for Resolution #2014-2015-03 Regarding the Sufficiency of Textbooks and Instructional Materials per Education Code 60119 - Juan Cruz, Associate Superintendent of Educational Services**

*Public hearing held*

*There were no public speakers on this item.*

- 9.02 Adopt Resolution #2014/2015-03 regarding the Sufficiency of Textbooks and Instructional Materials - Juan Cruz, Associate Superintendent of Educational Services**

*Motion by Member Biehl, second by Vice President Le, to adopt Resolution #2014/2015-03 regarding the Sufficiency of Textbooks and Instructional Materials.*

*Vote: 3/0/2, Member Nguyen was out of the room; Clerk Carrasco was absent*

- 9.03 Hold Public Hearing at Approximately 6:35 p.m. for Resolution #2014/2015-04 regarding the GANN Spending Limit - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

*Public hearing held*

*There were no public speakers on this item.*

- 9.04 Discussion and/or Action to Adopt Resolution #2014/2015-04 Establishing Appropriations for Gann Spending Limit - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

*Motion by Vice President Le, second by Member Biehl, to adopt Resolution #2014/2015-04 Establishing Appropriations for Gann Spending Limit.*

*Vote: 3/0/2, Member Nguyen was out of the room; Clerk Carrasco was absent*

**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.**

**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. 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:*

- *Anthony Mendoza – Improve Schools/Graduation Survey*
- *Abel Aguilar – Improve Schools*
- *Armando Montour-Ortega – Improve School Graduations*
- *Adrian Gutierrez – Improving School*
- *Marisa Hanson – ESTA Concerns*
- *Ted Curtis – Request for Business with District*
- *Jenny Thong – Improving School*
- *Alyssa Aguirre – Representing Foothill High School*

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

- 11.01 Discussion/Receive First Reading of Amended Board ByLaw 9270 Conflict of interest; Revolving Door Policy and 9270 Appendix A Designated Positions/Disclosure Categories – Chris D. Funk, Superintendent, and Rogelio Ruiz, Legal Counsel**

*First reading received*

*Vote: 5/0*

- 11.02 Discussion/Receive First Reading of Revised Board Policy #1220 Citizen Advisory Committees – Chris D. Funk, Superintendent, and Rogelio Ruiz, Legal Counsel**

*First reading received*

- 11.03 Discussion/Receive First Reading of Draft Proposed Recommended Amendments to Citizens' Bond Oversight Committee Bylaws – Chris D. Funk, Superintendent, and Rogelio Ruiz, Legal Counsel**

*First reading received*

- 11.04 Discussion and/or Action regarding Appointment of Members to Measure G, E and I Citizens' Bond Oversight Committee – Frank Biehl, Board Member, Van T. Le, Board Member, and Joshua Barrouse, Chairperson, Measures G, E and I Citizens Bond Oversight Committee**

*Motion by Member Biehl, second by Vice President Le, to appoint Dr. Barry Schimmel (first two-year term) as an At-Large Member, and reappoint Vince Tran (second two-year term) as an At-Large Member to serve on the 2014-2015 Measures G, E, and I Citizens' Bond Oversight Committee.*

*Vote: 4/0/1, Member Carrasco was absent*



**11.05 Discussion and/or Action to Consider Request by Board Clerk Magdalena Carrasco for an Excused Absence from the September 18, 2014, Board Meeting (Education Code Section 35120) – J. Manuel Herrera, Board President**

*Motion by Member Nguyen, second by Member Biehl, to excuse Clerk Carrasco's absence from the September 18, 2014, Board Meeting due to a hardship.*

*Vote: 4/0, Clerk Carrasco was absent*

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

**12.01 Discussion and/or Action to Receive First Reading of Proposed Amendment to Board Policy 5131.6 Alcohol and Other Drugs - Juan Cruz, Associate Superintendent of Educational Services**

*First reading received*

**12.02 Presentation, Discussion and/or Action regarding Support Services for Foster Youth - Juan Cruz, Associate Superintendent of Educational Services, and Jennifer Klassen, Coordinator of Student Services**

*Presentation item; no action taken*

**12.03 Presentation, Discussion and/or Action regarding Student Disciplinary Actions, Suspensions, and Expulsions- Juan Cruz, Associate Superintendent of Educational Services**

*Presentation item; no action taken*

*Public speaker:*

- *Dr. Roxanne Marachi*

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

**13.01 Presentation, Discussion and/or Action to Accept the Unaudited Actual Financial Report for Fiscal Year 2013/2014 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

*Motion by Member Biehl, second by Vice President Le, to approve and accept the Unaudited Actual for the 2013/2014 fiscal year report as presented with permission to proceed with any additional final year-end adjustments that may be necessary.*

*Vote: 4/0/1, Clerk Carrasco was absent*

**13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Assistant Director of Capital Accounting and Purchasing, and Donna Bertrand, C.P.M., Contracts Administration Coordinator**

*Motion by Member Biehl second by Member Nguyen, to approve the contract(s) for professional services over \$25,000 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, 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.*

*Vote: 4/0/1, Clerk Carrasco was absent*

**13.03 Discussion/Receive First Reading of Proposed New, Amended and Deleted 3000 - Business and Noninstructional Operations Board Policy Series - Marcus Battle, Associate Superintendent of Business Services**

*First reading received*

*Member Biehl stated that the first reading is not clear on having the Board approve the budget development process. The Board already approves the calendar, but it is the process that needs to be approved by the Board; administration recommends and the Board approves. For example, what groups are you meeting with to include in the budget development process. Once the process is approved, it is the Board who takes responsibility for it. He requested that language be included in Board Policy that states the Board approved the budget development process.*

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

**14.01 Discussion and/or Action to Approve Provisional Internship Permit Request for a Certificated Employee - Cari Vaeth, Associate Superintendent of Human Resources**

*Motion by Vice President Le, second by Member Biehl, to approve the provisional internship permit request for a certificated employee as specified.*

*Vote: 4/0/1, Clerk Carrasco was absent*

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

**15.01 Presentation, Discussion and/or Action of Summer Short-Term Staffing Outcome- Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Construction, Maintenance and Facilities, Julie Kasberger, Director of General Services, and Randy Phelps, Director of Information Technology**

*Presentation item only; no action taken*

**15.02 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 of Capital Accounting and Purchasing, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Member Nguyen, second by Member Biehl, 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.*

*Vote: 4/0/1, Clerk Carrasco was absent*

**15.03 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 Purchasing, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Member Biehl, second by Vice President Le, to ratify the CUPCCAA informal projects as presented.*

*Vote: 4/0/1, Clerk Carrasco was absent*

**15.04 Discussion and/or Action to Award a Site and Facilities Lease Agreements for Independence High School Performing Arts Center – Building F Lease Leaseback Project with McCarthy Building Companies (Project No. E-065-003)- Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance & Facilities, André Bell, Assistant Director of Capital Accounting and Purchasing, Janice Unger, Capital Projects Purchasing Manager**

*Motion by Vice President Le, second by Member Biehl, to award a Lease Leaseback Site and Facilities Lease Agreements with McCarthy Building Companies, Inc., for the Independence High School Performing Arts Center – Building F Lease Leaseback project in an amount not to exceed \$9,461,006.00.*

*Vote: 4/0/1, Clerk Carrasco was absent*

## **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 Member Biehl, second by Member Nguyen, to approve the entire consent/action calendar, sections 16-20, as presented.*

*Vote: 4/0, Member Carrasco was absent*

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

**16.01 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/ Workshops/Meetings**

**16.02 Approve Minutes of August 21, 2014, Regular Board Meeting**

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

**17.01 Approve School Field Trips**

**17.02 Approve Amended Expulsion Hearing Committee Personnel for 2014-2015**

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

**18.01 Approve Award of Bids and Request for Proposals**

**18.02 Ratification of Contract(s) for Professional Services At or Below 25,000**

**18.03 Approve Memoranda of Understanding**

**18.04 Approve Purchase Orders**

**18.05 Approve Change Orders to Purchase Orders**

**18.06 Accept Report of Credit Card Purchases for Statement Dated July 22, 2014**

**18.07 Approve Budget Transfers**

**18.08 Accept Warrant Register for the Month of August 2014**

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

**19.01 Ratify/Approve Classified Personnel Actions Presented September 18, 2014**

**19.02 Ratify/Approve Certificated Personnel Actions Presented September 18, 2014**

**19.03 Ratify/Approve Student Aide Personnel Actions Presented September 18, 2014**

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

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

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

**20.03 Approve Amended Final Change Order #1 for the W.C. Overfelt High School New Security Cameras in Building C & E Project, E-040-006 (Angotti & Reilly, Inc.)**

**21. WRITTEN REPORTS/RECOMMENDATION**

**21.01 Receive Update to Previously Approved Allowance for the Current Andrew Hill High School New Building 100 Classroom Modernization**

*Item received*

**21.02 Receive from Santa Clara County Office of Education the Approval Letter for the 2014-15 Adopted Budget**

*Item received*

**21.03 Update on Summit Public Schools: Rainier Charter School Mini Campus Modernization at Mt. Pleasant High School**

*Item received*

*Public speakers:*

- *Lupe Trujillo*
- *Daisy*
- *Crystal Speed*

**22. FUTURE AGENDA ITEMS**

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

**Board Member Frank Biehl**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>Establish Task Force to Review Schools' Start Times</b>	<b>TBD</b>	<b>Discussion/Action</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>January, 2015</b>	<b>Presentation/Discussion</b>

**Board Vice President Van Le**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>Child Nutrition Services: Meals</b>	<b>October 16, 2014</b>	<b>Presentation/Discussion</b>
<b>Failed Courses</b>	<b>Quarterly</b>	<b>Report</b>

**Board Member Frank Biehl**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>Review of Board Policy regarding Alcohol</b>	<b>October 16, 2014</b>	<b>Discussion/Action</b>
<b>No Child Left Behind (NCLB) and Magnet Program Transfer Requests</b>	<b>November, 2014</b>	<b>Report</b>

**Board Member Lan Nguyen**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>International Baccalaureate (IB) Program</b>	<b>November, 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
Receive Annual Developer Fees 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
Latino Student Awards
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, Board Member**

*No report/comments*

**Van Le, Board Vice President**

*I would like to thank the staff for working so hard on the reports that the Board requests.*

*I plan to visits the schools.*

*I asked a student at Independence High School what would they like to change at your school and she said the bathroom lockers did not work. She told me this a couple of weeks ago and I just want to share her statement with administration.*

**Magdalena Carrasco, Board Clerk (absent)**

**Frank Biehl, Board Member**

*I had the opportunity to go to College Night at Independence High School. I arrived exactly on time at 6 PM and I could not find a legal spot in the parking lot. It was packed! I was very impressed! I had the opportunity to look around for about an hour to meet with parents, students, etc. who were there. It was well organized. I was really excited about what was happening there. I was very impressed with the very little marketing that the District did and the significant effect that had on the number of people that were participating. I am very excited about what is happening. Our children want to go to college and their parents want them to go there too. They had the opportunity to figure out all the nuances on how to do that. It was impressive.*

**J. Manuel Herrera, Board President**

*No report/comments*

**23.02 Chris D. Funk, Superintendent**

*No report/comments*

**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 9:38 p.m.*

*Respectfully submitted,*

A handwritten signature in black ink, consisting of a cursive 'M' followed by several overlapping loops and a long horizontal stroke extending to the right.

*Board Clerk*



Preparing every student to thrive in a global society.

### Agenda Item Details

Meeting	Sep 18, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED AGENDA
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 \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Assistant Director of Capital Accounting and Purchasing, and Donna Bertrand, C.P.M., Contracts Administration Coordinator
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

**Item: 13.02**

**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 Purchasing, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

**SUBJECT:** Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) 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 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.

[9-18-2014 Contracts over \\$25k.pdf \(122 KB\)](#)

### **Motion & Voting**

---

It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as recommended 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.

Motion by Member Frank Biehl, second by Member Lan Nguyen.

Final Resolution: Motion Carries

Yea: President J Manuel Herrera, Vice President Van Le, Member Lan Nguyen, Member Frank Biehl

Not Present at Vote: Clerk Magdalena Carrasco

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Contract(s) for Professional Services Over \$25,000**  
 Board Meeting of September 18, 2014; Item 13.02

**1. America's Business Leaders**

<b>Reviewed by</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Donna Bertrand	October 1, 2014 – February 28, 2015	\$35,500.00  Santa Clara County Office of Education Grant	District Wide  Juan Cruz, Associate Superintendent of Educational Services

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees approve the Agreement with America's Business Leaders for the purpose of providing IMPACT! Youth Empowerment Program to ESUHSD.

The IMPACT! Youth Empowerment Program is a two tier student leadership development program. Tier 1 is an eight module, research base leadership development program designed to create a team of young leaders in the field of service learning. Tier 2 is a student lead leadership program allowing peer-to-peer development. The purpose of the program is to inspire, teach, and empower each participant to become a contributing member of society by channeling their energies into positive efforts that benefit their families, schools, and communities; by developing a consciousness for social change.

ESUHSD has received funding from Santa Clara County Office of Education to fund this program.

**Selection Process**

N/A

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the Agreement with America's Business Leaders for the purpose of providing IMPACT! Youth Empowerment Program for the contract term of October 1, 2014, through February 28, 2015, in the amount of \$35,500.00; and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

**2. Franklin McKinley School District-College Connection Academy**

<b>Reviewed by</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Julie Kasberger Marcus Battle Donna Bertrand	June 1, 2014 – June 30, 2015	\$33,000.00  (estimated annual revenue)	Education Center  Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify the Inter-Agency Agreement with Franklin McKinley School District-College Connection Academy (FMSD-CCA) for the purpose of providing lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the Child and Adult Care Food Program (CACFP) "At Risk".

ESUHSD will represent the FMSD-CCA as the Child Nutrition Program "Sponsor" and will claim reimbursement from the California Department of Education for all meals serviced to children enrolled in the FMSD-CCA. Reimbursement will be claimed at the rate of one breakfast/lunch/snack/supper per child per day, only for complete meals/snacks counted at the point of service, and according to each child's eligibility category. ESUHSD will also provide other duties as the "Sponsor" such as perform the required daily and monthly edit checks, verification process with notification to FMSD-CCA of its findings, and conduct the free and reduced-price application process.

This agreement is required by the California Department of Education and there is no expiration date. The agreement is permanent but either party may terminate the agreement for cause upon ten days written notice. The notice of termination shall be provided in writing to the California Department of Education, Nutrition Services Division.

**Selection Process**

N/A

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the Inter-Agency Agreement with Franklin McKinley School District-College Connection Academy (FMSD-CCA) for the purpose of providing lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the CACFP "At Risk" for the contract term of July 1, 2014, until the contract is terminated; and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

**3. KIPP: San Jose Collegiate**

<b>Reviewed by</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Julie Kasberger Marcus Battle Donna Bertrand	June 1, 2014 – June 30, 2015	\$62,000.00  (estimated annual revenue)	Education Center  Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify the Inter-Agency Agreement with KIPP: San Jose Collegiate for the purpose of providing lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the Child and Adult Care Food Program (CACFP) "At Risk".

ESUHSD will represent the KIPP: San Jose Collegiate as the Child Nutrition Program "Sponsor" and will claim reimbursement from the California Department of Education for all meals serviced to children enrolled in KIPP: San Jose Collegiate. Reimbursement will be claimed at the rate of one breakfast/lunch/snack/supper per child per day, only for complete meals/snacks counted at the point of service, and according to each child's eligibility category. ESUHSD will also provide other duties as the "Sponsor" such as perform the required daily and monthly edit checks, verification process with notification to KIPP: San Jose Collegiate of its findings, conduct the free and reduced-price application process.

This Agreement is required by the California Department of Education and there is no expiration date. The agreement is permanent but either party may terminate the agreement for cause upon ten days written notice. The notice of termination shall be provided in writing to the California Department of Education, Nutrition Services Division.

**Selection Process**

N/A

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the Inter-Agency Agreement with KIPP: San Jose Collegiate for the purpose of providing, lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the CACFP "At Risk" for the contract term of July 1, 2014, until the contract is terminated; and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

#### 4. ACE Charter High

Reviewed by	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julie Kasberger Marcus Battle Donna Bertrand	June 1, 2014 – June 30, 2015	\$95,000.00  (estimated annual revenue)	Education Center  Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify the Inter-Agency Agreement with ACE Charter High for the purpose of providing, lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the Child and Adult Care Food Program (CACFP) "At Risk".

ESUHSD will represent the ACE Charter High as the Child Nutrition Program "Sponsor" and will claim reimbursement from the California Department of Education for all meals serviced to children enrolled in the ACE Charter High. Reimbursement will be claimed at the rate of one breakfast/lunch/snack/supper per child per day, only for complete meals/snacks counted at the point of service, and according to each child's eligibility category. ESUHSD will also provide other duties as the "Sponsor" such as perform the required daily and monthly edit checks, verification process with notification to ACE Charter High of its findings, and conduct the free and reduced-price application process.

This Agreement is required by the California Department of Education and there is no expiration date. The agreement is permanent but either party may terminate the agreement for cause upon ten days written notice. The notice of termination shall be provided in writing to the California Department of Education, Nutrition Services Division.

#### Selection Process

N/A

#### RECOMMENDATION

It is recommended that the Board of Trustees ratify the Inter-Agency Agreement with ACE Charter High for the purpose of providing lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the CACFP "At Risk" for the contract term of July 1, 2014, until the contract is terminated; and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

#### 5. Santa Clara County Office of Education – Special Education Division

Reviewed by	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julie Kasberger Marcus Battle Donna Bertrand	June 1, 2014 – June 30, 2015	\$44,000.00  (estimated annual revenue)	Education Center  Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify the Inter-Agency Agreement with Santa Clara County Office of Education-Special Education Division (SCCOE) for the purpose of providing lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the Child and Adult Care Food Program (CACFP) "At Risk".

ESUHSD will represent the SCCOE as the Child Nutrition Program "Sponsor" and will claim reimbursement from the California Department of Education for all meals serviced to children enrolled in the SCCOE. Reimbursement will be claimed at the rate of one breakfast/lunch/snack/supper per child per day, only for complete meals/snacks counted at the point of service, and according to each child's eligibility category. ESUHSD will also provide other duties as the "Sponsor" such as perform the required daily and monthly edit checks, verification process with notification to SCCOE of its findings, and conduct the free and reduced-price application process.

This Agreement is required by the California Department of Education and there is no expiration date. The agreement is permanent but either party may terminate the agreement for cause upon ten days written notice. The notice of termination shall be provided in writing to the California Department of Education, Nutrition Services Division.

**Selection Process**

N/A

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the Inter-Agency Agreement with Santa Clara County Office of Education-Special Education Division (SCCOE) for the purpose of providing lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the CACFP "At Risk" for the contract term of July 1, 2014, until the contract is terminated; and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

**6. Luis Valdez Leadership Academy**

<b>Reviewed by</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Julie Kasberger Marcus Battle Donna Bertrand	June 1, 2014 – June 30, 2015	\$95,000.00  (estimated annual revenue)	Education Center  Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify the Inter-Agency Agreement with Luis Valdez Leadership Academy (LVLA) for the purpose of providing lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the Child and Adult Care Food Program (CACFP) "At Risk".

ESUHSD will represent the LVLA as the Child Nutrition Program "Sponsor" and will claim reimbursement from the California Department of Education for all meals serviced to children enrolled in the LVLA. Reimbursement will be claimed at the rate of one breakfast/lunch/snack/supper per child per day, only for complete meals/snacks counted at the point of service, and according to each child's eligibility category. ESUHSD will also provide other duties as the "Sponsor" such as perform the required daily and monthly edit checks, verification process with notification to LVLA of its findings, and conduct the free and reduced-price application process.

This Agreement is required by the California Department of Education and there is no expiration date. The agreement is permanent but either party may terminate the agreement for cause upon ten days written notice. The notice of termination shall be provided in writing to the California Department of Education, Nutrition Services Division.

**Selection Process**

N/A

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the Inter-Agency Agreement with Luis Valdez Leadership Academy (LVLA) for the purpose of providing lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the CACFP "At Risk" for the contract term of July 1, 2014, until the contract is terminated; and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

**7. Downtown College Prep**

<b>Reviewed by</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Julie Kasberger Marcus Battle Donna Bertrand	June 1, 2014 – June 30, 2015	\$95,000.00  (estimated annual revenue)	Education Center  Julie Kasberger, Director

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify the Inter-Agency Agreement with Downtown College Prep for the purpose of providing lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the Child and Adult Care Food Program (CACFP) "At Risk".

ESUHSD will represent the Downtown College Prep as the Child Nutrition Program "Sponsor" and will claim reimbursement from the California Department of Education for all meals serviced to children enrolled in the Downtown College Prep. Reimbursement will be claimed at the rate of one breakfast/lunch/snack/supper per child per day, only for complete meals/snacks counted at the point of service, and according to each child's eligibility category. ESUHSD will also provide other duties as the "Sponsor" such as perform the required daily and monthly edit checks, verification process with notification to Downtown College Prep of its findings, conduct the free and reduced-price application process.

This Agreement is required by the California Department of Education and there is no expiration date. The agreement is permanent but either party may terminate the agreement for cause upon ten days written notice. The notice of termination shall be provided in writing to the California Department of Education, Nutrition Services Division.

**Selection Process**

N/A

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify the Inter-Agency Agreement with Downtown College Prep for the purpose of providing lunch under the National School Lunch Program, Breakfast under the School Breakfast Program, Snacks under the Meal Supplements in the National School Lunch Program, and Supper under the CACFP "At Risk" for the contract term of July 1, 2014, until the contract is terminated; and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

**8. Shane Safir**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Teresa Marquez Juan Cruz Donna Bertrand	August 4, 2014 – May 29, 2015	\$30,000  MAA	Mt. Pleasant  Teresa Marquez, Principal

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve a Contract Services Agreement with Shane Safir.

The Consultant will provide executive coaching, leadership team development, and three all-staff professional learning sessions at Mt. Pleasant High School. All material prep for retreats and Department Chair meetings will be coordinated by the school. The Agreement for the Superintendent, the Consultant will provide the following services: Board development including study sessions, board retreat, mid-year reflection, and executive coaching as needed.



**Selection Process**

No selection process took place for this service.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the Agreement with the Shane Safir for the provision of Consultation Services as outlined above for the contract term of August 4, 2014, through May 29, 2015, for the amount of \$30,000; and to execute change orders in accordance with Board Policy 3312.1.

---

**9. University of California at Santa Cruz-Educational Partnership Center (CAL-SOAP) (RATIFICATION)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Juan Cruz Donna Bertrand	August 14, 2014 – August 13, 2015	\$ 106,500 Total Amount - \$ 26,625 Per Site  EIA	Juan Cruz, Associate Superintendent of Educational Services  James Lick High School Kelly Daugherty, Principal  Andrew Hill High School Bettina Lopez, Principal  Yerba Buena High School Tom Huynh, Principal  W.C. Overfelt High School Vito Chiala, Principal

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to ratify a Contract Services Agreement with The Regents of the University of California on behalf of San Jose Cal-SOAP for the provision of academic support and to increase student achievement and prepare students to pursue and succeed in postsecondary education for the term of August 14, 2014, through and including August 13, 2015, for the provision of academic support in a total cost of \$106,500.

Contractor will provide the following efforts to support the above outcomes:

1. High quality outreach services and leverage all funding and program opportunities;
2. Integrate direct service programs with school wide efforts and align with the school objectives;
3. Assign one trained outreach counselor to provide direct services to students and school staff;
4. Utilize trained undergraduate academic interns to provide direct services to the above listed ESUHSD Schools' students; and
5. A high school appropriate college awareness program through multiple formats.

**Selection Process**

No solicitation process took place for this service.

**RECOMMENDATION**

It is recommended that the Board of Trustees ratify a Contract Services Agreement with The Regents of the University of California on behalf of San Jose Cal-SOAP for the term August 14, 2014, through August 13, 2015, in the total amount of \$106,500; and authorize Administration to execute change orders in accordance with Board Policy 3312.1.

---

**10. Landscape Pest Control Services, Inc.**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Chris D. Funk Juan Cruz Donna Bertrand	July 1, 2014 – June 30, 2015  (no change)	\$20,000  (increase amount)	Education Center/District Wide  Linda DaSilva, Director  John Lawrence, Assistant Director

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to approve an increased to the board approved Contract Services Agreement with Landscape Pest Control Services, Inc.

At the May 15, 2014, Board of Trustee's meeting the Board approved Administrations request to enter into contract with Landscape Pest Control Services to provide pest control services to all sites at ESUHSD. The primary purpose was to eradicate ground squirrels at many of our schools sites. Administration had contract with several companies in the past with no luck. It was the intention of Administration to try this company out to see if they could do a better job.

Landscape Pest Control Services has now been performing for ESUHSD for several months with great satisfaction. Due to the improvements at the three sites that they were used at, Administration would like to expand their services to all sites experiencing ground squirrel problems and other pest control issues.

**Selection Process**

No selection process took place for this service. Several contractors were used in an effort to control ESUHSD's ground squirrel problems with no success.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve the increase to the Agreement with Landscape Pest Control Services, Inc. in the amount of \$20,000; all other terms and conditions remain unchanged.

---



Preparing every student to thrive in a global society.

### Agenda Item Details

---

**Meeting** Sep 18, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED AGENDA

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

**Subject** 15.02 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 of Capital Accounting and Purchasing, and Janice Unger, Capital Projects 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

**Item: 15.02**

**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 Purchasing, 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; 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.

[Contracts Over \\$50K Final.pdf \(126 KB\)](#)

**Motion & Voting**

---

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.

Motion by Member Lan Nguyen, second by Member Frank Biehl.

Final Resolution: Motion Carries

Yea: President J Manuel Herrera, Vice President Van Le, Member Lan Nguyen, Member Frank Biehl

Not Present at Vote: Clerk Magdalena Carrasco

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Contract(s) for Services over \$50,000**  
**Board Meeting of September 18, 2014 - Item 15.02**

**1. Williams Scotsman – Purchase Agreement for Multiple Units**

<b>Reviewed by</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Linda da Silva Janice Unger André Bell Marcus Battle	N/A	\$236,511.26 (not to exceed)  Fund 25	Mt. Pleasant High School/Facilities  Teresa Marquez, Principal  Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to purchase out right the fourteen (14) relocatable classrooms at Mt. Pleasant High School that have previously been contracted on a month-to-month rental agreement.

The cost to rent the units is approximately \$65,868 annually. In the past, the District elected not to purchase the buildings because the buildings were intended as interim housing, and it was not prudent to include the classrooms in permanent facilities inventory in order to maximize eligibility for State Facilities Program funding for new construction. With the passage of the Measure I Bond and an associated potential need for continued interim housing, projected other future needs for classrooms, and indications that lawmakers are planning to make changes to the State Facilities Program that include re-base lining facilities inventory, it is now in the District's best interest to purchase the buildings.

**Selection Process**

N/A

**RECOMMENDATION**

It is recommended that the Board of Trustees authorize for staff to enter into a purchase agreement for fourteen (14) relocatable classrooms at Mt. Pleasant High School with **Williams Scotsman** for an amount not to exceed \$236,511.26.



Preparing every student to thrive in a global society.

### Agenda Item Details

Meeting	Sep 18, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED AGENDA
Category	18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR
Subject	18.02 Ratification of Contract(s) for Professional Services At or Below 25,000
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 \$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 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

### Item: 18.02

**TO:** Board of Trustees

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

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, André Bell, Assistant Director of Capital Accounting and Purchasing, and Donna Bertrand, C.P.M., Contracts Administration Coordinator

**SUBJECT:** Ratification of Contract(s) for Professional Services At or Below 25,000

The attached lists the General Purchasing Contracts for Professional Services at or below \$25,000 being recommended for Board ratification.

**Fiscal Impact:**

As presented in the attachment

**Funding Source:**

As presented 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 \$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 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.

[9-18-14 Prof Serv Contract under \\$25K.pdf \(111 KB\)](#)

**Motion & Voting**

---

It is recommended that the Board of Trustees ratify the bond/capital projects contract(s) for professional services at or below \$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 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 Member Frank Biehl, second by Member Lan Nguyen.

Final Resolution: Motion Carries

Yea: President J Manuel Herrera, Vice President Van Le, Member Lan Nguyen, Member Frank Biehl

Not Present at Vote: Clerk Magdalena Carrasco

Professional Services Contracts Under \$25,000 for Ratification

Board Meeting of September 18, 2014; Item 18.02

Consultant	Contract Period	Contract Amount	Contract Number	Location of Services	Description of Services	Date Contract Assigned
Community Matters	8/25/2014 - 8/30/2015	\$0.00	N/A	Oak Grove	Safe School Ambassadors (SSA) program. A grant from Kaiser Permanente South will be paying for this program.	August 25, 2014
County of Santa Clara, Department of Alcohol & Drug Services (DADS)	7/1/2014 - 6/30/2016	\$0.00	N/A	Foothill	DADS will provide licensed or license-eligible counselors to provide substance abuse and behavioral health assessment, diagnosis, and treatment planning as appropriate.	August 26, 2014
Google Inc.	7/9/2014 - 7/8/2015	\$20,843.74	500895	District Wide	One year license Agreement for access to Google Applications.	August 27, 2014
National University	August 21, 2014 - August 18, 2019	No cost	N/A	District Wide	Internship Credential Program Agreement	August 15, 2014
San Jose State University (SJSU) Research Foundation on behalf of San Jose State University MESA Schools Program	8/1/2014 - 6/30/2015	\$24,000.00	500966	Andrew Hill Independence Mt. Pleasant W.C. Overfelt Piedmont Silver Creek Santa Teresa Yerba Buena	This is the ESUHSD's contribution for SJSU's MESA Schools Program at the sites listed. SJSU will provide program services including the following: science, technology, engineering, and Math (STEM) hands-on workshops; MESA day preliminary competitions at SJSU; MESA day regional competitions; career & College Explorations; Student leadership; teacher math/science training; MESA academic plan; MESA academic plan; Industry connections; and parent engagement activities.	August 29, 2014
Thomas M. Graber Electrical	8/6/2014 - 6/30/2014	\$9,350.00	500892	Education Center	Provide electrical services to install UCS power for 5 new racks as per the requirements provided in the quote.	August 27, 2014





Preparing every student to thrive in a global society.

**Agenda Item Details**

---

Meeting	Sep 18, 2014 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED AGENDA
Category	20. FACILITIES - CONSENT/ACTION CALENDAR
Subject	20.01 Ratification of 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 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 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**

**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:** Ratification of 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 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 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.

[Prof Serv Contract under \\$50K -Ratified-F2.pdf \(102 KB\)](#)

**Motion & Voting**

---

It is recommended that the Board of Trustees ratify 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 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 Member Frank Biehl, second by Member Lan Nguyen.

Final Resolution: Motion Carries

Yea: President J Manuel Herrera, Vice President Van Le, Member Lan Nguyen, Member Frank Biehl

Not Present at Vote: Clerk Magdalena Carrasco

**East Side Union High School District  
Construction Related Professional Services Contracts under \$50,000 for Ratification  
Board Meeting of September 18, 2014 - Item 20.01**

Project Number & Name	Project Description	Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
(I-030-001) JLHS Bldg. 200/300 Integrated Classroom	Deep clean existing carpet in classrooms	500566	8/12/14 to completion	Heaven's Best Carpet Cleaning	\$2,880.00	8/12/2014
(I-030-001) JLHS Bldg. 200/300 Integrated Classroom	Final cleaning and waxing of floors and windows	500634	8/18/14 to completion	S.J. General Building Maintenance	\$6,500.00	8/18/2014
(I-030-001) JLHS Bldg. 200/300 Integrated Classroom	Moving teacher cartons, furnishings back into modernized classrooms	500563	8/07/14 to completion	Mont/Rose Moving Systems, Inc.	\$4,936.00	8/7/2014
(I-089-009) MPHS Bldgs. 1201-1223 MiniCampus Mod	Provide DSA IOR Services	500942	8/27/14 to completion	Furman & Associates, Inc.	\$7,350.00	8/28/2014
(I-030-001) JLHS Bldg. 200/300 Integrated Classroom	Relocate furniture from storage containers after construction and move to Independence HS library.	500924	8/26/14 to 8/31/14	Mont/Rose Moving Systems, Inc.	\$6,284.00	8/27/2014