

**Agenda Item Details**

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Meeting Apr 21, 2011 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 14. ATTACHMENT A - CONSENT CALENDAR

Subject 14.15 Approve Minutes of February 17, 2011, Regular Board Meeting

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the February 17, 2011, Regular Board Meeting minutes as presented.

**Public Content**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 14.15**

**TO:** Board of Trustees

**FROM:** Dan Moser, Superintendent

**SUBJECT:** Approve Minutes of February 17, 2011, Regular Board Meeting

Attached are the minutes of the February 17, 2011, 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 February 17, 2011, Regular Board Meeting minutes as presented.

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

**APPROVED AS AMENDED****April 21, 2011***M. Muller***Administrative Content**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT  
REGULAR MEETING  
OF THE  
BOARD OF TRUSTEES**  
Meeting Held at the Education Center -- Board Room  
February 17, 2011  
4:00 p.m.

**AMENDED**

**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 Nguyen. Vice President Biehl, Clerk Le and Member Martinez-Roach were present. Member Herrera arrived at 4:06 p.m.*

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

*President Nguyen 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 regarding Closed Session items.*

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

*The Board of Trustees recessed to Closed Session.*

**2. CLOSED SESSION**

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

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

- *Associate Superintendent of Business Services*
- *Associate Superintendent of Human Resources and Instructional Services*

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

*Motion by Vice President Biehl, second by Member Herrera, to adopt Resolution #2010/2011-26 Authorizing Release of Temporary Certificated Employee and directing the Superintendent to serve that affected employee with written notice of release under Education Code Section 44954 no later than May 26, 2011.*

*Motion by Member Herrera, second by Clerk Le, to adopt Resolution #2010/2011-27 Authorizing the Notice of Non-Reelection and non-re-election of six (6) probationary certificated employees and directing the Superintendent to serve the affected employees with written notice of non-re-election no later than March 15, 2011.*

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

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

Agency Designated Representatives:

*Dan Moser, Superintendent*

*Cathy Giammona, Associate Superintendent of Human Resources and Instruction*

*Vida Branner, Director of Compensation and Classified Employee Relations*

Employee Organizations:

*American Federation of Teachers (AFT)*

*California School Employees Association (CSEA)*

*East Side Teachers Association (ESTA)*

**2.06 Conference with Legal Counsel – Existing Litigation**

**Subdivision (a) of Section 54956.9 of the Government Code: Two (2) Cases**

- *Kinetics Mechanical Services, Inc. vs. East Side Union High School District, Santa Clara County Superior Court, Case No. 109CV141312*
- *Geraldine Forte vs. East Side Union High School District, U.S. District Court for the Northern District of California, San Jose Division, Case Number CV 10-01368 HRL*

**2.07 Conference with Legal Counsel – Anticipated Litigation**

**Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code:**

- *Claim of Bruce Flynn Associates, Inc. and Bruce Flynn and One (1) Other Potential Case*

**2.08 Conference with Real Property Negotiators**

<i>Property:</i>	<i>ESUHSD Educational Center, or portion thereof 830 N. Capitol Avenue San Jose, CA 95133</i>
<i>District Negotiators:</i>	<i>Dan Moser, Superintendent Rogelio Ruiz, Legal Counsel Real Estate Representatives Sam Swan, Bob Hunt and Andre Hunt</i>
<i>Negotiating Parties:</i>	<i>ESUHSD, Santa Clara Development Company, and Other Parties To Be Determined</i>
<i>Under Negotiation:</i>	<i>Price and Terms</i>

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

**5. CONSIDERATION OF PROPOSED AMENDMENTS TO AGENDA**

**For consideration by the Board of Trustees.**

*Request by Superintendent Moser to pull items 9.10 and 9.11.*

*Motion by Member Martinez-Roach, second by Vice President Biehl, to pull items 9.10 and 9.11.*

*Vote: 5/0*

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

**6.01 2011 California Association of International Baccalaureate (IB) World Schools Exemplary Educator of the Year**

- *Dave Johnson*

**6.02 Haiti Earthquake Relief Efforts**

- *Victoria Duran*
- *Stephanie Nguyen*
- *Jennifer Duran*
- *Julisa Garcia*

**7. STUDENT BOARD LIAISONS**

**7.01 Katha Joshipura, ASB President – Independence High School**

**7.02 Samya Abdela, ASB Supreme Court Chief Justice – Silver Creek High School**

**8. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD OF TRUSTEES**

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

Speakers:

- Dolores Young - Transportation
- Eric Carranza – Transportation
- Carmen Vidrio – Event Thanks
- Gladys Palko – Event Thanks
- Julio Pardo – Valdes Institute
- Jon Reinke – Measure G and Measure E CBOC

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

- 9.01 **Conduct a Public Hearing at Approximately 6:30 p.m. on a Charter School Renewal Submitted by Latino College Preparatory Academy – Cathy Giammona, Associate Superintendent of Human Resources and Instruction, and Kirsten King, Director of Instructional Services**

*Public hearing held.*

Speakers:

- Priscilla Castro
- Jennifer Loera
- Daniel Claro
- April Ramirez
- Dr. Tony Monreal
- Miguel Baldoni
- Carolina Monroy
- Marimonte Noara

- 9.02 **Board Audit Committee Update, Discussion and/or Action - Frank Biehl, Audit Committee Chair and Patricia Martinez-Roach, Audit Committee Vice Chair**

***Audit Committee Chair Frank Biehl***

*We have extended the deadline for applications to become a member of the Board Audit Committee to February 28 and we have scheduled our first meeting of the year to be on April 16. Vice Chair Patricia Martinez-Roach do you have anything to add?*

***Audit Committee Vice Chair Patricia Martinez-Roach***

*I think it is important that we explain to the audience why we are meeting until the 16<sup>th</sup> of April.*

***Audit Committee Chair Frank Biehl***

*The reason is that we wanted to extend the deadline for one additional month to make sure that we had a variety of applicants to choose from. That was a strategic decision. The other reason is that in the audit cycle last year, when we first met, our meeting was in April. That seemed to work. It did not seem imperative that we meet the first week in March. We had originally scheduled for March 5. We have determined that the Board is going to have a continuation of their Retreat that day and, so, strategically, we moved the Audit Committee Meeting to the 16<sup>th</sup> of April and we extended the deadline for people to apply.*

**Audit Committee Vice Chair Patricia Martinez-Roach**

*I have been recruiting really hard and it has been difficult. I don't know if we need to bring back the qualification criteria. It exclusively only qualifies members with an accounting background. I think we need to reconsider that as a point and maybe one of the members does not have an accounting background. It seems to be discouraging a lot of people that I talk to.*

**Audit Committee Chair Frank Biehl**

*It actually does not say that. It says collectively the Committee needs to have that background. It is not a requirement for one individual who is applying. Maybe we need to work on the wording so that people are not discouraged. The other thing I would hope is that if we get a surplus of applications for this particular Committee, that some of them might be steered toward our Citizens' Bond Oversight Committee, which we also need to expand to make sure we have appropriate representation throughout the community.*

**Audit Committee Vice Chair Patricia Martinez-Roach**

*I think that is a good idea.*

**9.03 Discussion and/or Action regarding Impact of Governor's Proposed State Budget Plan – Dan Moser, Superintendent**

*Presentation on the impact of the Governor's proposed State budget plan by Superintendent Dan Moser.*

**9.04 Adopt Resolution #2010/2011-24 to Support Placing a Revenue Extension Measure on the Ballot – Frank Biehl, Board Vice President, and Dan Moser, Superintendent**

*Motion by Member Herrera, second by Member Martinez-Roach, to adopt Resolution #2010/2011-24 to Support Placing a Revenue Extension Measure on the Ballot.*

*Vote: 5/0*

**9.05 Receive and Adopt Second Reading of Board By Law #9100 Organization – Dan Moser, Superintendent**

*Motion by Member Herrera, second by Vice President Biehl, to adopt the second reading of Board By Law #9100 Organization.*

*Vote: 4/1, Member Martinez-Roach voted No*

*Member Martinez-Roach voted "No" because she feels there should be a fair rotation of officers.*

**9.06 Discussion, Consideration and/or Action to Amend 2011 Regular Board Meeting Calendar – J. Manuel Herrera, Board Member**

*Motion by Vice President Biehl, second by Member Herrera, to adopt the amended 2011 Regular Board Meeting Calendar. The August 18, 2011, Board meeting has been moved to August 30, 2011.*

*Vote: 5/0*

**9.07 Approve Board Members' Attendance and Lawful Expenses to CSBA's Masters in Governance, CSBA's Institute for New and First Term Board Members and the California Standards for the Teaching Profession (CSTP) Summit – Dan Moser, Superintendent**

*Motion by Member Martinez-Roach, second by Member Herrera, to approve Board Members' attendance and lawful expenses to CSBA's Masters in Governance, CSBA's Institute for New and First Term Board Members and the California Standards for the Teaching Profession (CSTP) Summit.*

*Vote: 5/0*

**9.08 2011 California School Boards Association (CSBA) Delegate Assembly Election – Dan Moser, Superintendent**

*Motion by Member Herrera, second by Vice President Biehl, to nominate the following candidates to the 2011 California School Boards Association (CSBA) Delegate Assembly Election:*

- *Albert Gonzalez*
- *Esau Herrera*
- *Patricia Martinez-Roach*
- *Mary Noel*
- *George Sanchez*

*Vote: 5/0*

**9.09 Opening of Sealed Proposals Received by District for Proposed Cellular and Wireless Communication Antenna Sites and District Facilities per Board Resolution #2010/2011-18 – Dan Moser, Superintendent**

*Clerk Le opened the following sealed proposal received by the District for proposed cellular and wireless communication antenna sites and District facilities:*

- *T-Mobile Wireless for Calero Community School*

**9.10 Adopt Resolution #2010/2011-25 Intention to Exchange Real Property - Dan Moser, Superintendent**

*Item pulled.*

**9.11 Approve Real Property Exchange Agreement – Dan Moser, Superintendent**

*Item pulled.*

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

**10.01 Approve CAHSEE Local Waivers for Special Education Students – Cathy Giammona, Associate Superintendent of Human Resources and Instruction, and Kirsten King, Director of Instructional Services**

*Motion by Member Martinez-Roach, second by Member Herrera, to approve the CAHSEE local waivers for Special Education students.*

*Vote: 5/0*

**10.02 Approve Consolidated Program Application (Con App) Part II for 2010-2011 – Cathy Giammona, Associate Superintendent of Human Resources and Instruction, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education**

*Motion by Member Martinez-Roach, second by Member Herrera, to approve the Consolidated Program Application (Con App) Part II for the 2010-2011 school year.*

*Vote: 5/0*

**10.03 Approve 2011 Summer School Program - Cathy Giammona, Associate Superintendent of Human Resources and Instruction, and Tim Nguyen, Coordinator of English Language Learners Supplementary Education**

*Motion by Vice President Biehl, second by Member Herrera, to approve the 2011 Summer School Program.*

*Vote: 5/0*

**10.04 Accept 2011-2012 Comprehensive School Safety Plans – Cathy Giammona, Associate Superintendent of Human Resources and Instruction, and George Sanchez, Coordinator of Student Services**

*Speaker:*

- *Marisa Hanson, ESTA President*

*Motion by Member Herrera, second by Clerk Le, to accept the 2011-2012 Comprehensive School Safety Plans as presented. The Comprehensive School Safety Plans for Foothill, James Lick and Andrew Hill High Schools will be presented to the Board for acceptance at their Board meeting of March 24, 2011.*

*Vote: 5/0*

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

***No items on calendar under this section.***



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

**12.01 Award/Acceptance of Proposals to Lease District Sites for Cellular and Wireless Communication Antenna Purposes per Board Resolution #2010/2011-18 – Dan Moser, Superintendent**

*Motion by Member Herrera, second by Vice President Biehl, to accept the proposal from T-Mobile Wireless.*

*Vote: 4/1, Member Martinez-Roach voted No*

*Member Martinez-Roach voted “No” due to the unknown health hazards.*

**12.02 Adopt Resolution #2010/2011-23 Approving Authorized Signatures – Dan Moser, Superintendent**

*Motion by Member Herrera, second by Vice President Biehl, to adopt Resolution #2010/2011-23 Approving Authorized Signatures.*

*Vote: 5/0*

**12.03 Acceptance of Donations, Grants and Awards – Dan Moser, Superintendent**

*Motion by Vice President Biehl, second by Member Herrera, to accept the donations, grants and awards as presented.*

*Vote: 5/0*

**12.04 Approve Contracts for Professional Services at or below \$50,000 – Dan Moser, Superintendent**

*Motion by Vice President Biehl, second by Clerk Le, to approve the contracts for professional services at or below \$50,000 as presented (copy attached).*

*Vote: 4/0, Member Martinez-Roach abstained from vote*

*Member Martinez-Roach abstained from the vote because she feels uncomfortable voting on this item.*

**12.05 Approve Contracts for Professional Services over \$50,000 – Dan Moser, Superintendent**

*Motion by Member Herrera, second by Vice President Biehl, to approve the contracts for professional services over \$50,000 as presented (copy attached).*

*Vote: 5/0*

**12.06 E-Rate Update – Dan Moser, Superintendent**

*Speaker:*

- *Bill Masching*

*Superintendent Dan Moser provided the Board of Trustees an update on E-Rate.*

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

**13.01 Status of the Measure G and E Bond Programs - June Francis Rono, Ph.D., Director of Facilities and Planning**

*Presentation on the status of the Measure G and E Bond Programs by Dr. June Francis Rono, Director of Facilities and Planning.*

**14. ATTACHMENT A – CONSENT CALENDAR ITEMS**

*Items 14.03 and 14.05 were pulled from the consent calendar for discussion. Motion by Member Martinez-Roach, second by Member Herrera, to approve the remainder of the consent calendar.*

*Vote: 5/0*

**14.01 Ratify/Approve Classified Personnel Actions Presented February 17, 2011**

**14.02 Ratify/Approve Certificated Personnel Actions Presented February 17, 2011**

**14.04 Approve School Field Trips**

**14.07 Approve Purchase Orders Presented February 17, 2011**

**14.08 Approve Change Orders to Purchase Orders Presented February 17, 2011**

**14.09 Approve Memoranda of Understanding**

**14.10 Accept Warrant Register for the Month of January 2011**

**14.11 Approve Change Order #1 for Title IX Scoreboard Projects at Independence, James Lick and Piedmont Hills High Schools (Robert A. Bothman, Inc.)**

**14.12 Approve Change Order #1 for Foothill High School Buildings B, C, and E Modernization Project (Beals Martin, Inc.)**

**14.13 Approve Minutes of January 20, 2011, Regular Board Meeting**

Items pulled for discussion from the Consent Calendar for discussion, consideration and/or by the Board of Trustees.

**14.03 Ratify/Approve Student Aide Personnel Actions Presented February 17, 2011**

*Speaker:*

- *Julio Pardo*

*Motion by Vice President Biehl, second by Member Herrera, to ratify/approve the student aide personnel actions presented on February 17, 2011.*

*Vote: 5/0*

**14.05 Approve Award of Bid**

*Motion by Member Herrera, second by President Nguyen, to approve award of bid as presented.*

*Vote: 4/0, Vice President Biehl recused himself due to a conflict of interest*

**15. WRITTEN REPORTS/RECOMMENDATIONS**

**15.01 Response to Santa Clara Civil Grand Jury regarding Fire and Burglar Detection Systems Survey**

*Report received*

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

**16.01 Board of Trustees**

**Lan Nguyen, Board President**

*There are two issues I would like the Board to discuss. The first is about the Board development of the Board agenda. The second is the Board Retreat.*

*Board Members have expressed whether we can restructure the agenda in a way that flows better and is more effective so that people who want to speak about a particular item can speak directly to it rather than having public members who come and speak to an item not on the agenda and those discussions take a long period of time, while there are people who come to speak to a particular item and have to wait a long time. I would like the Board to think about those two items.*

**Frank Biehl, Board Vice President**

**MetroED:**

*The MetroED Board voted for the following candidates to the CSBA Delegate Assembly:*

- *Michael Gipe, Saratoga*
- *Albert Gonzalez, Santa Clara*
- *Patricia Martinez-Roach, East Side*
- *Mary Noel, Oak Grove*
- *George Sanchez, Franklin-McKinley*

*They adopted a resolution, which is similar to the resolution we adopted tonight in support of the ballot measure to extend taxes.*

*They voted to distribute \$905,000 of excess property taxes to the JPA districts and East Side shares about \$310,000 and that check should arrive in about a couple of weeks.*

*CCOC has an Open House on March 25. If you have not had a chance to go over there and take a look at what they are doing lately, it would be a great opportunity. I have information on that if you would like to attend and I can give that to you after the meeting.*

*For my report, I recently visited several schools: Overfelt, Piedmont, Santa Teresa, Evergreen Valley and Mt. Pleasant with Van Le -- Apollo, Independence and Pegasus. I will in the next month finish up the rest of the schools by the end of March. I went to the Frank S. Greene Science Fair Awards Banquet represented by the African American Association of Educators. They did a great job. I also went to the African American student recognitions, along with two Board Members.*

*What I like about both of those activities is that there were students making the presentation and I think they did a good job. I want to point out that the Mt. Pleasant Calculus Club had a banquet for the first time to raise money to cover the cost of their extra booklets and testing that they do for their AP Program. They tried to raise an extra \$285 per a student for that program. They did a fabulous job. It was students and they were fabulous organizers.*

**Van Le, Board Clerk**

*I visited Piedmont Hills High School and Mt. Pleasant High School. I plan to visit another site next week with Superintendent Dan Moser. I attended the graduation ceremony for San Jose Job Corps. It was last month at the Fairgrounds. It was really impressed by all the students that graduated. I also attended the African American student recognition event with a couple of Board Members. Also, I will be attending the First Term and New Board Members Workshop in Bakersfield.*

**Patricia Martinez-Roach, Board Member**

*I attended the Black Student Union meeting with the African American Student Advocates. They had an amazing turnout. Students were there too; it was not just the parents. My usual monthly meetings with parents and students continue to be my highlight being on this Board.*

*I wanted to bring to the Board's attention that we need to do a recognition for some amazing women who have been working very hard in the sidelines, the Latino moms. We need to recognize them for the efforts they are doing.*

*About the business for our District, I am interested in getting an update about the FCMAT recommendations that were supposed to get at some point. I wanted to know where we are with that. There were many recommendations and it has been a couple of years. I know we will be discussing this in our Audit Committee Meeting, but I wanted to give a friendly reminder.*

**J. Manuel Herrera, Board Member**

*I just want to say thank you to my colleagues for accommodating me and working with me on the August Board meeting.*

**16.02 Dan Moser, Superintendent**

*I wanted to compliment the Math and Science Teachers at Overfelt. I had the privilege of observing what they call a Professional Learning Community Meeting (PLC). The teachers who have really taken charge in leading discussions amongst their colleagues about instruction. My compliments to the Overfelt team in making tremendous improvements on what is their part of the learning equation. Well done!*

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

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

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

**18. ADJOURNMENT**

**President adjourns the meeting.**

*President Nguyen adjourned the meeting at 11:12 p.m.*

*Respectfully submitted,*

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Board Clerk



**Agenda Item Details**

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Meeting Feb 17, 2011 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 12. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 12.04 Approve Contracts for Professional Services at or below \$50,000 - Dan Moser, Superintendent

Access Public

Type Action, Discussion

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

**Public Content**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 12.04**

**TO:** Board of Trustees

**FROM:** Dan Moser, Superintendent

**PREPARED BY:** Business Services Division

**SUBJECT:** Approve Contracts for Professional Services at or below \$50,000

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

**FISCAL IMPACT:**  
As indicated in the attachment

**FUNDING SOURCE:**  
As indicated in the attachment

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

[12.04 Contracts under \\$50k 2-17-11.pdf \(35 KB\)](#)

**Administrative Content**

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**Executive Content**

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East Side Union High School District  
**Approved**  
**Board of Trustees**  
February 17, 2011 *M. Guiller*



# Item: 12.04

## EAST SIDE UNION HIGH SCHOOL DISTRICT PROFESSIONAL CONTRACT SERVICES at or Below \$50,000 Board Meeting of February 17, 2011

### A. SCHOOL SITES/EDUCATION CENTER

	Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1	911 ETC, INC.	M. Cage D. Moser D. Bertrand	July 1, 2010 – February 10, 2011	\$7,501.60 Operations/Plant Security	Education Center Mac Cage	To provide PSAP Data Base support (emergency 911 system).  No solicitation process took place for this service. This contract has been terminated as the new phone system recently purchased will now be able to take over this need for the ESUHSD.
2	Bruce Flynn & Associates	D. Moser D. Bertrand	December 11, 2009 – March 30, 2011	\$4,868.00 (increase amount) School Facilities Fund	District Wide John Lawrence	To issue change order #1 to purchase order #001961 and Amendment #1 to the contract. Change Order/Amendment #1 is issued to add additional schools to the scope and to increase amount by \$4,868.00 to pay for the additional costs for the added scope.  Original Purchase Order \$96,096.00 + Change Order #1 \$4,868.00 = New Purchase Order/Contract Total \$100,964.00.
3	Campbell Union High School	C. Hersom C. Giammona D. Bertrand	August 1, 2010 – June 30, 2011	\$30,263.00 Special Day Class	Education Center Special Education Carole Hersom	To pay for Inter-District Transfer costs for student attending Prospect High School for 2010-11 School Year per student's IEP requirements. ESUHSD will pay off of a purchase order and from the documented approved invoices.
4	Enders Abdu	R. Uribe C. Giammona D. Bertrand	September 7, 2010 – January 31, 2011	\$22,100.00 Transportation – Special Education	Education Center Special Education Richard Uribe	Provided transportation for two ESUHSD special education students.  No solicitation process was conducted for this service as ESUHSD was responsible for providing this service for these students and at the time this arrangement was made for immediate resolution to the need. The need now has been rolled into ESUHSD's transportation department's scheduling/route system and will be handled in accordance with the policies and procedures of the transportation department.

5	CoreDialogue Barry Smith, Founder	D. Moser D. Bertrand	January 20, 2011 – F	\$1,816.80 (increase amount)  Governing Board	Education Center Office of the Superintendent  Dan Moser	To issue change order #1 to purchase order #XXX. Change Order #1 is issued to add mileage to the scope for the Board Retreat on January and to add an additional day and the associated costs and increase amount by \$158.40 to pay for approved mileage.  Original Purchase Order \$2,500.00 + Change Order #1 \$1,816.80 = New Purchase Order Total \$2,658.40.
6	Infinity Communicati ons & Consulting, Inc.	M. Cage D. Bertrand D. Moser	January 30, 2011 – January 29, 2012	\$1,000.00  Operations/Plant Security	Education Center Information Technology  Mac Cage	Provide guidance in the ERATE application process; assist with resolving ERATE compliance issues and to provide other consultation as needed.
7	Laurie Boswell	R. Ibarra C. Giammona D. Bertrand	February 28, 2011	\$840.00  Professional Development Program	Education Center Staff Development  Robert Ibarra	To provide water safety instructions and certification for 12 physical education teachers. Cost is \$70.00 per teacher.
8	Les Ettinger	M. Cage D. Moser D. Bertrand	July 1, 2010 – June 30, 2011	\$3,900.00  Operations/Plant Security	District Wide Information Technology  Mac Cage	To issue an annual agreement for the rental of the repeater at Red's Acres. Includes antenna, A/C power and emergency power as needed district wide.
9	San Jose/ Evergreen Valley College District	C. Vaeth C. Giammona D. Bertrand	July 1, 2010 – June 30, 2011	\$10,000.00 (REVENUE)  Tech Prep	Education Center Career Services  Cari Vaeth	ESUHSD will use the funds to pay for faculty overload to complete Tech Prep Project.
10	San Jose/ Evergreen Valley College District	D. Moser D. Bertrand	January 1, 2011 – February 28, 2011	\$1,166.00  Title I	Education Center  Dan Moser	To pay a portion of the grant writing for the Summer 2011 Project between San Jose/Evergreen Valley College, Franklin McKinley, and ESUHSD.  ESUHSD will pay this vendor off of a purchase order since the contract was done through the College District and ESUHSD is only being requested to pay the portion ESUHSD agreed to contribute to the grant writing effort.



**B. FACILITIES**

	<b>Contractor Name</b>	<b>Reviewed By</b>	<b>Contract Period</b>	<b>Cost/Funding</b>	<b>School/Dept Manager</b>	<b>Purpose</b>
1	Cleary Consultants, Inc.	J. Unger J. Rono D. Moser D. Bertrand	February 18, 2011 – April 15, 2011	\$ 8,200.00 Measure E	Overfelt Adult Ed Facilities  Cari Vaeth June Rono, PhD.	To provide geotechnical testing and report preparation for the Overfelt Adult Education Facility Increment 2 – Modular Building.  Proposals were solicited from five vendors and six submitted responsive and responsible proposals. Cleary Consultants was selected based on their proposed fees and ability to meet ESUHSD's timelines. (RFP-13-10-11)
2	Owens Hill Consulting	J. Unger J. Rono D. Moser D. Bertrand	February 18, 2011 – August 19, 2011	\$ 13,000.00 (not to exceed) Measure E	Calero High Instruction Facilities  Kirsten King June Rono, PhD.	To provide CEQA compliance consulting services required for the Calero High School Modernization project.  Proposals were solicited from six vendors and three submitted responsive and responsible proposals. Owens Hill Consulting was selected based on their proposed fees and ability to meet ESUHSD's timelines. (RFP-12-10-11)

**Agenda Item Details**

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Meeting Feb 17, 2011 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 12. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

Subject 12.05 Approve Contracts for Professional Services over \$50,000 - Dan Moser, Superintendent

Access Public

Type Action, Discussion

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

**Public Content**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 12.05**

**TO:** Board of Trustees

**FROM:** Dan Moser, Superintendent

**PREPARED BY:** Business Services Division

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

The Contracts for Professional Services over \$50,000, are being recommended for Board approval and to delegate authority to the Superintendent or designee to amend said contract and purchase orders on an as needed basis, including funding.

[12.05 Contracts Over 50k 2-17-11.pdf \(32 KB\)](#)

**Administrative Content**

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**Executive Content**

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East Side Union High School District  
**Approved**  
**Board of Trustees**  
February 17, 2011 

**EAST SIDE UNION HIGH SCHOOL DISTRICT  
Contracts for Professional Services over \$50,000  
Board Meeting of February 17, 2011**

**1. North Valley School**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Carole Hersom Cathy Giammona Donna Bertrand	November 15, 2010 – August 31, 2011	\$21,710.36 (estimated annual expenditure) Tuition – Special Education  \$2,055.00 (estimated annual expenditure) Transportation	Education Center Special Education  Carole Hersom

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with North Valley School for the provision of non-public school services for a special education student. Educational services shall be consistent with the master contract and specified services per the student's Individual Education Program Plan (IEP).

Due to the specialized educational services required to appropriately serve this emotionally disturbed (ED) student residing in the ESUHSD, North Valley School is a non public school (NPS) offering such services to meet the unique needs of this student.

The determination has been made that ESUHSD cannot meet the student's educational needs and that North Valley School's unique program is appropriate for that individual student.

**Selection Process**

North Valley School was selected due to this student's residential placement by another agency in Lodi, CA. This school provides educational services for students with severe emotional disturbances. Since this student is a resident of our District, the District is responsible for the educational component. Therefore, no solicitation process can take place for this service.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve a Contract Services Agreement with North Valley School for the contract term November 15, 2010 through and including August 31, 2011 for the provision of non-public school services for a Special Education student.

**2. Rebekah Children's Services**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Carole Hersom Cathy Giammona Donna Bertrand	July 1, 2010 - June 30, 2011	\$63,630.00 (estimated annual expenditure)  Tuition – Special Education	Education Center Special Education  Carole Hersom

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to enter into a Contract Services Agreement with Rebekah Children's Services for the provision of non-public school services for special education students. Educational services shall be consistent with the master contract and specified services per the students' Individual Education Program (IEP).

Due to the specialized educational services required to appropriately serve emotionally disturbed (ED) students residing in the ESUHSD, Rebekah Children's Services is a non public school (NPS) offering such services to meet the unique needs of these students. The determination has been made that



ESUHSD cannot meet the students' educational needs and that Rebekah Children's Services unique program is appropriate to serve these individual students.

**Selection Process**

Rebekah Children's Services was selected due to the students' residential placement by another agency in Gilroy, CA. This school provides educational services for students with severe emotional disturbances. Since these students are residents of our District, the District is responsible for the educational component. Therefore, no solicitation process can take place for this service.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve a Contract Services Agreement with Rebekah Children's Services for the contract term July 1, 2010 through and including June 30, 2011 for the provision of non-public school services for Special Education students in this specialized placement.

**3. Safe Trans Transportation**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Julie Kasberger Dan Moser Donna Bertrand	August 25, 2009 - June 30, 2011 (extended term)	\$409,100.00 (Increase Amount)  Transportation	Education Center Transportation  Julie Kasberger

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to issued Change Order #3 to Purchase Order #000657 with Safe Trans Transportation for the provision of Transportation Services for ESUHSD's Special Education Students.

At the June 22, 2010 and November 18, 2010 Board meetings the Board approved ESUHSD Administration to extend the purchase order through September 30, 2010 and then through January 31, 2011 and increase funding accordingly. The extensions were and are still needed to provide temporary assistance in covering routes as needed by the ESUHSD's Transportation Department.

There are currently 64 routes needed to transport 534 ESUHSD special education students to and from 38 schools. The district maintains 43 special education pupil buses, two passenger vans and 3 cars. There are 42 ESUHSD certified school bus drivers, zero certified substitute drivers and four van drivers that transport students. Of the 42 ESUHSD certified school bus drivers four are unable to drive a school bus at this time. The district has hired six new school bus drivers, but there have been three resignations and two substitutes have quit working for the district. The district does not have the equipment or drivers to cover 22 routes making it necessary to contract services.

The total purchase order amount if the Board of Trustee approves this change order will be as \$1,538,098.94 (Original purchase order \$445,444.63 + change order #1 \$276,474.31 + change order #2 \$407,080.00 + change order #3 \$409,100.00). The term of the PO is August 25, 2009 through and including June 30, 2011. The anticipated expenses for SafeTrans for the 2010-11 school year is \$924,512.01.

**Selection Process**

The selection process was completed by previous leadership and was intended to go out to bid this last summer 2010. However, due to other priorities the bidding was not able to take place at this time. It is the intention of the ESUHSD to do a formal solicitation process prior to June 30, 2011.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve Change Order #3 to Purchase Order #000657 with Safe Trans Transportation for the provision of Transportation Services for ESUHSD's Special Education Students.

**2. Vavrinek, Tine, Day & Co., LLP**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Karen Poon Dan Moser Donna Bertrand	July 1, 2010- June 30, 2012	\$57,500.00  General Fund	Education Center Business Services  Karen Poon

East Side Union High School District (ESUHSD) Administration is requesting authorization from the Board of Trustees to issue a new contract with Vavrinek, Tine, Day & Co., LLP for the provision of annual auditing services for the audit period ending June 30, 2011.

**Selection Process**

The selection process was completed by previous leadership. It is the intention of the ESUHSD to do a formal solicitation process in November 2011. The performance of this vendor has been satisfactory.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve a contract with Vavrinek, Tine, Day & Co., LLP for the provision of annual auditing services for the audit period ending June 30, 2011.