

**Agenda Item Details**

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Meeting Mar 21, 2013 - ESUHSD REGULAR BOARD MEETING - 3:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

Subject 16.27 Approve Minutes of February 14, 2013, Regular Board Meeting

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve February 14, 2013, Regular Board Meeting minutes as presented.

**Public Content**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT****Item: 16.27**

**TO:** Board of Trustees

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

**SUBJECT:** Approve Minutes of February 14, 2013, Regular Board Meeting

Attached are the minutes of the February 14, 2013, Regular Board Meeting for review and approval by the Board of Trustees.

**FISCAL IMPACT:**

None

**FUNDING SOURCE:**

None

**RECOMMENDATION:**

It is recommended that the Board of Trustees approve the February 14, 2013, Regular Board Meeting minutes as presented.

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

**APPROVED****MARCH 21, 2013**

A handwritten signature in blue ink, likely of the Superintendent or a board member.

**Executive Content**

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**EAST SIDE UNION HIGH SCHOOL DISTRICT  
REGULAR MEETING  
OF THE  
BOARD OF TRUSTEES  
Meeting Held at Education Center  
February 14, 2013  
4:00 p.m.**

**1. CALL TO ORDER/ROLL CALL**

**1.01 Roll Call**

*The Regular Meeting of the Board of Trustees was called to order at 4:00 p.m. by President Biehl. Vice President Herrera, Clerk Le and Member Carrasco were present. Member Nguyen arrived at 4:02 p.m.*

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

*President Biehl extended a welcome to everyone, explained the format of the meeting, noted that all Board Meetings are recorded and offered the public to comment on item(s) to be discussed in Closed Session.*

*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 6:15 p.m.) See item 2 on agenda (Closed Session).**

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

**2. CLOSED SESSION**

**2.01 Expulsion(s): A-B**

Student A:

*Motion by Member Nguyen, second by Member Carrasco, to approve the suspended expulsion of Student A with conditions.*

*Vote: 5/0*

Student B:

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

*Vote: 5/0*

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

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

- *Senior Manager of Internal Controls*

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

*Motion by President Biehl, second by Member Nguyen, the Board adopted Resolution #2012/2013-20 Notice of Non-Reelection to District Interns approving the non-re-election of one (1) District Intern and directing the Superintendent to serve that employee with written notice of non-re-election no later than March 15, 2013.*

*Vote: 5/0*

*Motion by President Biehl, second by Clerk Le, to adopt Resolution #2012/2013-21 Notice of Non-Reelection to Probationary Certificated Employees for the non-re-election of twelve (12) probationary certificated employees and directing the Superintendent to serve those employees with written notice of their non-re-election no later than March 15, 2013.*

*Vote: 5/0*

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

Agency Designated Representatives:

*Chris D. Funk, Superintendent*

*Marcus Battle, Associate Superintendent of Business Services*

*Juan Cruz, Assistant Superintendent of Instructional Services*

*Cari Vaeth, Director of Human Resources*

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

Employee Organizations:

*American Federation of Teachers (AFT)*

*California School Employees Association (CSEA)*

*East Side Teachers Association (ESTA)*

Unrepresented Organizations:

*Administrators*

*Managers*

*Confidentials*

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

- *One (1) Potential Case*

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

- *One (1) Potential Case*
- *Motion by Vice President Herrera, second by President Biehl, the Board approved and authorized the filing of a cross complaint in the matter of Pace Supply Corp. v. David P. Howard, et al., if necessary against D. L. Falk.*

*Vote: 5/0*

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

- *PACE Supply Corp. v. David P. Howard, Synergy Mechanical Contractors, Inc., East Side Union High School District, et al., Santa Clara County Superior Court Case No. 112CV237715*

**OPEN SESSION AT APPROXIMATELY 6:15 P.M. – EDUCATION CENTER BOARD ROOM**

**3. PLEDGE OF ALLEGIANCE**

**4. WELCOME AND EXPLANATION TO AUDIENCE**

**Information explaining Board meeting procedures and how citizens can address the Board will be read. Written information is located near the entrance to the Board Room.**

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

**5. ADOPTION OF AGENDA**

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

*There were no changes to the agenda.*

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

**6.01 Fall Sports:**

**Mt. Pleasant High School:**

- **Girls' Tennis, West Valley Division**

**Oak Grove High School:**

- **Football, Mt. Hamilton Division**

**Piedmont Hills High School:**

- Boys' Cross Country, Santa Teresa Division
- Boys' Water Polo, Santa Teresa Division

**Santa Teresa High School:**

- Girls' Tennis, Santa Teresa Division

**7. STUDENT BOARD LIAISONS**

**7.01 James Lick High School**

- Kaithlynn Sarmiento, ASB President
- Claire Pham, President - Environmental Club
- John Duque, Member - Environmental Club
- Marco Friaz, Member - Environmental Club
- Christen Nguyen, Member - Environmental Club
- Angie Taloyo, Member - Environmental Club

**7.01 Silver Creek High School**

- Alexandra Schmitt, ASB President
- Zaire Thomas, ASB Vice President
- Kimberly Ha, ASB Secretary
- Kenny Phung, ASB Treasurer
- Soma Mathur, ASB Spirit Leader

**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.**

*The Board heard item 9.01 after item 8.02.*

- 8.02 Educare Presentation - Jolene Smith, Chief Executive Officer - First 5, Tim McClary, Deputy Superintendent – Franklin-McKinley School District, Dennis Cima, Senior Vice President – Silicon Valley Leadership Group, and Deborah Barnes, Child Development Administrator**

*Presentation item; no action taken*

- 8.03 Presentation of ESUHSD Demographic Analysis and Enrollment Projection Study - Marcus Battle, Associate Superintendent of Business Services, and Cheryl King and Jamie Iseman from Jack Schreder & Associates**

*Presentation item; no action taken*

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

- 9.01 **Hold Public Hearing at Approximately 6:20 p.m. on a Charter School Renewal Petition from Escuela Popular/Center for Training and Careers Family Learning Center - Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services**

*Public hearing held*

*Speakers:*

- *Jessica Aguirre*
- *Maria Fausto*
- *Raul Medrano*
- *Judith Palacios*
- *Arturo Zambrano*
- *Carlos Alcala*
- *Ricardo Cavallera*

- 9.02 **Hold Public Hearing at Approximately 6:25 p.m. - Regarding the Proposed Adoption of the Amended Initial Proposal for Successor Contract: From East Side Union High School District to East Side Teachers Association - Cari Vaeth, Director, Human Resources**

*Public hearing held*

- 9.03 **Hold Public Hearing at Approximately 6:30 p.m. - Receive and Sunshine the Initial Proposal for Successor Contract: From East Side Teachers Association to East Side Union High School District - Cari Vaeth, Director, Human Resources**

*Public hearing held*

*Speaker:*

- *Marisa Hanson, ESTA President*

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

**Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.**

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

*Speaker:*

- *Marisa Hanson, ESTA President – Supplies for Teachers and Reduction in Copiers*

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

**11.01 Discussion and/or Action to Receive Second Reading and Adoption of Board Policy #7121 Stadium Lighting and Amplified Sound System - Chris D. Funk, Superintendent**

*Motion by Vice President Herrera, second by Clerk Le, to receive and adopt the second reading of Board Policy #7121 Stadium Lighting and Amplified Sound System.*

**11.02 Discussion and/or Action to Receive and Accept the Santa Teresa High School Stadium Lighting and Stadium Use Mitigation Plan – Chris D. Funk, Superintendent**

*Speakers:*

- *Julie Bounds*
- *Patrick Dill*
- *Jeff Francisco*
- *Jon Reinke*
- *Laura Lewis*

*Motion by Vice President Herrera, second by Member Nguyen, to receive and accept the Santa Teresa High School Stadium Lighting and Stadium Use Mitigation Plan.*

*Vote: 5/0*

**11.03 Discussion and/or Action to Augment Site Improvement/Deferred Maintenance Initiative Funding for Stadium Lighting at Santa Teresa High School - Chris D. Funk, Superintendent**

*Motion by President Biehl, second by Vice President Herrera, to approve an additional amount not to exceed \$1 million of Measure G funds to be applied to the Site Improvement/Deferred Maintenance Initiative, for a combined budget of \$33.5 million as stated in amendment #2.*

*Vote: 5/0*

**11.04 Discussion, Consideration, and/or Action regarding Selection/Appointment of Board Audit Committee Member - Lan Nguyen, Board Audit Committee Chair, and Magdalena Carrasco, Board Audit Committee Vice Chair**

*Motion by President Biehl, second by Member Nguyen, to select/appoint Dan Juchau as a member of the Board Audit Committee. The alternate member vacancy will be reposted.*

*Vote: 5/0*

**11.05 Discussion and/or Action to Reschedule April 18, 2013, Regular Board Meeting to April 16, 2013 - Chris D. Funk, Superintendent**

*Motion by Clerk Le, second by Member Carrasco, to reschedule the April 18, 2013, Regular Board Meeting to April 16, 2013.*

*Vote: 5/0*

- 11.06 Discussion and/or Action to Receive First Reading of Board Policy #0105 Equity - Chris D. Funk, Superintendent, and Juan Cruz, Assistant Superintendent of Instructional Services**

*Received first reading of Board Policy #0105 Equity.*

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

- 12.01 Discussion and/or Action to Receive and Accept the 2013-2014 Comprehensive School Safety Plan Goals - Juan Cruz, Assistant Superintendent of Instructional Services, and George Sanchez, Coordinator of Student Services**

*Motion by President Biehl, second by Clerk Le, to receive and accept the 2013/2014 comprehensive School Safety Plan Goals.*

*Vote: 5/0*

- 12.02 Discussion and/or Action of CAHSEE Local Waivers for Special Education Students - Juan Cruz, Assistant Superintendent of Instructional Services and Kirsten King, Director of Instructional Services**

*Motion by Clerk Le, second by Member Nguyen, to approve the CAHSEE local waivers for special education students.*

*Vote: 5/0*

- 12.03 Discussion and/or Action to Receive Fourth Valenzuela/CAHSEE and Williams Settlement Uniform Complaint Quarterly Report for Period Covering October 1st through December 31, 2012 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) - Juan Cruz, Assistant Superintendent of Instructional Services, and Robert Ibarra, Coordinator of Professional Development/Migrant Education**

*Motion by Vice President Herrera, second by Member Nguyen, to receive the fourth Valenzuela/CAHSEE and Williams Settlement Uniform Complaint Quarterly Report for the period covering October 1 through December 31, 2012 as required by Education Code 35186 (Williams Settlement Legislation SB550 and AB2727)*

*Vote: 5/0*

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

- 13.01 Discussion and/or Action Regarding the Approval of the Student/Certificated Calendars for the 2013-2014 and 2014-2015 School Years - Cari Vaeth, Director, Human Resources**

*Motion by President Biehl, second by Vice President Herrera, to approve the 2013-2014 and 2014-2015 Student/Certificated Calendars.*

*Vote: 5/0*



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

- 14.01 Discussion and/or Action of Proposed Deletion of Board Policy 3323 Business and Noninstructional Operations - Purchasing Procedures - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Vice President Herrera, second by Member Nguyen, to delete Board Policy #3323 Business and Noninstructional Operations – Purchasing Procedures.*

*Vote: 5/0*

- 14.02 Discussion and/or Action to Nominate and Appoint two Board Members to Serve on the Superintendent's Budget Advisory Committee – Marcus Battle, Associate Superintendent of Business Services**

*Motion by Vice President Herrera, second by Member Nguyen, to nominate and appoint President Biehl and Member Carrasco to serve on the Superintendent's Budget Advisory Committee. Member Le will serve as the alternate member.*

*Vote: 5/0*

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

- 15.01 Discussion, Receipt and/or Adoption of Second Reading of Resolution #2012/2013-16 Authorizing Election under Public Contract Code Section 22030 to Become Subject to the California Uniform Public Construction Cost Accounting Act (CUPCCAA) Procedures - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Vice President Herrera, second by Member Nguyen, to receive and adopt the second reading of Resolution #2012/2013-16 Authorizing Election under Public Contract Code Section 22030 to become Subject to the California Uniform Public Construction Cost Accounting Act (CUPCCAA) Procedures.*

*Vote: 5/0*

- 15.02 Discussion, Receipt and/or Adoption of Second Reading of Resolution #2012/2013-17 Regarding the Enacting of Informal Bidding Procedures under the California Uniform Public Construction Cost Accounting Act - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Member Nguyen, second by President Biehl, to receive and adopt the second reading of Resolution #2012/2013-17 regarding the Enacting of Informal Bidding Procedures under the California Uniform Public Construction Cost Accounting Act.*

*Vote: 5/0*

**15.03 Discussion and Presentation on Alternative Public Works Construction Projects Delivery Methods - Marcus Battle, Associate Superintendent of Business Services, and Linda da Silva, Director of Construction, Maintenance and Facilities**

*Presentation item; no action taken*

**15.04 Discussion and/or Action of Board Memo Format for Construction Contract Change Orders - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Clerk Le, second by Vice President Herrera, to approve Attachment B as the format for Board memos regarding construction contract change orders. Attachment B will include the back up/history of previous change order(s), but owner-initiated change orders will require an additional description clarifying the nature of the request.*

*Vote: 5/0*

**15.05 Discussion and/or Action to Revoke Board Approval of Consent to Assignment and Assumption of Contracts – Chris D. Funk, Superintendent, and Marcus Battle, Associate Superintendent of Business Services**

*Superintendent Funk*

*On February 9, 2012, the Board approved the change of assignment and assumption for SGI who was moving forward to become an LLC, SGI Construction Management, LLC. Our Legal Counsel with their Legal Counsel worked on the language for this name change item. The Board approved it, but at this point in time, SGI never went through the change to become an LLC. We are simply taking action to rescind the original action from February 9, 2012.*

*Motion by Vice President Herrera, second by Clerk Le, to revoke its action taken on February 9, 2012, approving the Consent to Assignment and Assumption of Contracts between the District and SGI, and that SGI be notified of the revocation of that consent.*

*Vote: 5/0*

**15.06 Discussion and/or Action of First Amendment to Amended and Restated Program Management Agreement for the Measure "E" General Obligation School Facilities Bond Program Services - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Clerk Le, second by Vice President Herrera, to approve the proposed First Amendment to Amended and Restated Agreement for Program Management Services (Measure "E" General Obligation School Facilities Bond Program) between East Side Union High School District and Seville Group, Incorporated extending the contract for Measure program management services through June 30, 2013.*

*Vote: 5/0*

- 15.07 Discussion and/or Action for Administration to Authorize Solicitation of RFQ/P for Program Management Services for Bond Measure G, Measure E and Measure I - Marcus Battle, Associate Superintendent of Business Services, Linda da Silva, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Vice President Herrera, second by President Biehl, to authorize the solicitation of the RFQ/P process for program management services for Bond Measure G, Measure E and Measure I.*

*Vote: 5/0*

- 15.08 Discussion and/or Action of Bond/Capital Projects Contract for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Vice President Herrera, second by President Biehl, to approve bond/capitol projects contracts for professional services over \$50,000 (attached).*

*Vote: 5/0*

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

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

*Vote: 5/0*

- 16.01 Ratify/Approve Classified Personnel Actions Presented February 14, 2013**
- 16.02 Ratify/Approve Certificated Personnel Actions Presented February 14, 2013**
- 16.03 Ratify/Approve Student Aide Personnel Actions Presented February 14, 2013**
- 16.04 Approve School Field Trips**
- 16.05 Approve Memoranda of Understanding**
- 16.06 Approve Contracts for Professional Services Under \$50,000**
- 16.07 Approve Budget Transfers**
- 16.08 Approve Purchase Orders**
- 16.09 Approve Change Orders to Purchase Orders**
- 16.10 Accept Report of Credit Card Expenses for Statements Dated December 24, 2012 and January 22, 2013**
- 16.11 Adopt Resolution #2012/2013-19 an Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546**

- 16.12 Accept Warrant Register for the Month of January 2013
- 16.13 Approve Award of Bids for Bond/Capital Projects
- 16.14 Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000
- 16.15 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings
- 16.16 Approve Board Members Attendance to National School Board Association (NSBA) Annual Conference
- 16.17 Approve Minutes of January 17, 2013, Regular Board Meeting

17. **WRITTEN REPORTS/RECOMMENDATIONS**

- 17.01 Receive Update to Previously Approved Change Orders for Current Bond Projects Which Exceed the 10% Allowance

*Item received*

- 17.02 Receive Chinese Language Program Update

*Item received*

- 17.03 Receive A-G Steering Committee Report

*Speaker:*

- *Marisa Hanson, ESTA President*

*Item received*

18. **FUTURE AGENDA ITEMS**

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

*Request(s):*

<b><i>Item</i></b>	<b><i>Requestor</i></b>
<i>School Supplies</i>	<i>Board Vice President Herrera</i>
<i>Review of Board ByLaw regarding outgoing Board Members' attendance at conferences in the month of December</i>	<i>Board Member Carrasco</i>

**18.02 Future Items:**

**Board President Frank Biehl:**

Item	Date (tentative)	Type
<i>Parent Involvement Plan</i>	<i>March 21, 2013</i>	<i>Board Policy</i>

**Board Clerk Van Le:**

Item	Date (tentative)	Type
<i>Special Education Program Overview</i>	<i>March 2, 2013</i>	<i>Study Session</i>
<i>Review of Safety Procedures</i>	<i>March 21, 2013</i>	<i>Board Policy</i>

**Board Member Nguyen:**

Item	Date (tentative)	Type
<i>International Baccalaureate (IB) Program</i>	<i>March 2, 2013</i>	<i>Study Session</i>
<i>Review of Procurement and Bidding Process</i>	<i>April 18, 2013</i>	<i>Presentation</i>

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

**19.01 Board of Trustees**

**Van Le, Board Clerk**

*I attended the Kinsey Collection and I want to thank Debra Watkins for inviting us. I learned much about African American history. I attended the meeting with the ASB students. I would like to thank Julie and her staff for offering a vegetarian meal as part of the lunch program. I am glad that I attended the first community meeting at YB. I would like to say Happy New Year and Happy Valentine's Day to everyone.*

**Lan Nguyen, Board Member**

*We had a productive Board Audit Committee meeting last Tuesday. We had an opportunity to talk about several issues.*

*I do want to mention the copiers or copy issue. The reason it was on the agenda is because the Audit Committee asked for the administration to follow up and provide an update. Marcus Battle provided the update on the current status of the copies, which amount to approximately 3 million copies in the prior year. I don't want staff or teachers to be alarmed that we are thinking about reducing copiers or copies whatsoever because this was just an update that Marcus Battle provided and none of us have encouraged or discouraged the high or low use of copiers in any way.*

**J. Manuel Herrera, Board Vice President**

*I am going to pass out an update on MetroED.*

*Second item, I attended the memorial service for Henry Gage, Sr. For those of you who don't know Henry, he served on this Board for 14 years. He was an African American leader in our community. It was a wonderful memorial service. I was glad that I was there representing the District. I am requesting, if there is no objection, that the minutes reflect that the meeting was adjourned today in memory of Henry Gage, Sr.*

**Frank Biehl, Board President**

*I took a course through IAHV with Mr. Herrera, which involved some breathing techniques. It was very interesting. I hope to use some of the techniques I learned.*

*I appreciate the time people have spent to show their schools. I have four more schools to visit.*

**19.02 Chris D. Funk, Superintendent**

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

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

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

**21. ADJOURNMENT**

**President adjourns the meeting.**

*The meeting was adjourned at 11:09 p.m. in memory of Henry Gage, Sr.*

*Respectfully submitted,*



Board Clerk

**Agenda Item Details**

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Meeting Feb 14, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 15.08 Discussion and/or Action of Bond/Capital Projects Contract for Professional Services Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

Access Public

Type Action, Discussion

Recommended Action It is recommended that the Board of Trustees approve the Bond/Capital Projects contract for professional services as recommended on the attachment.

**Public Content**

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## EAST SIDE UNION HIGH SCHOOL DISTRICT

**Item: 15.08**

**TO:** Board of Trustees

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

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

**SUBJECT:** Discussion and/or Action of Bond/Capital Projects Contract for Professional Services Over \$50,000

The attachment for the Bond/Capital Projects Contract for Professional Services 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 for professional services as recommended on the attachment.

[Bond Capital Projects Contract Over \\$50k.pdf \(22 KB\)](#)

**Executive Content**

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Last Modified by Vangie Avila on February 8, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Contract for Professional Services over \$50,000**  
**Board Meeting of February 14, 2013**

**1. Jack Schreder & Associates**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Linda da Silva Janice Unger Marcus Battle	June 25, 2012 through June 30, 2013 (no change)	\$18,850.00 (not to exceed increased amount)  Fund 35 (School Facility)	Construction/ Maintenance & Facilities  Linda da Silva, Director of Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Amendment No. 01 and Change Order No. 01 to Purchase Order #300024 for Demography Services to provide comprehensive enrollment forecasting and evaluation services for ESUHSD.

On June 07, 2012, the Board of Trustees approved Administration's recommendation to award (RFP-15-11-12) Demography Services to Jack Schreder & Associates for a one year contract with the option to renew for two (2) additional one year contract for \$40,000.00.

This Change Order #1, in the amount of \$18,850.00, is for contract authorization for an additional (130) hours for consultant or special services to be performed. Services to include the following items:

- Analyze school capacity by classroom use and size at all sites
- Prepare analysis of charter school students including enrollment projections and geocoding of all students
- Additional analysis of capacities and preparation of acreage analysis at all sites
- Development of resident projections as well as enrollment projections by school.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve Change Order #1 to Purchase Order #300024 with **Jack Schreder & Associates** for Demography Services in the increased amount not to exceed \$18,850.00.



**Agenda Item Details**

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Meeting Feb 14, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

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

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the contracts for professional services as recommended on the attachment.

**Public Content**

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## EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.06

**TO:** Board of Trustees

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

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, and Donna Bertrand, C.P.M.,  
Contracts Administration Coordinator

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

The attached list of Contracts for Professional Services under \$50,000, are being presented for Board review and approval.

**FISCAL IMPACT:**

As indicated in the attachment

**FUNDING SOURCE:**

As indicated in the attachment

**RECOMMENDATION:**

It is recommended that the Board of Trustees approve the contracts for professional services as recommended on the attachment.

[Contract under \\$50k.pdf \(35 KB\)](#)

**Executive Content**

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*Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.*

Last Modified by Betty Banderas on February 6, 2013

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

Board Meeting of February 14, 2013

Contractor Name	Reviewed By	Contract Period	Cost/ Funding	School/Dept. Manager	Purpose
1. County of Santa Clara, Department of Alcohol & Drug Services (DADS)	Lynne Murray Juan Cruz Donna Bertrand	February 15, 2013 – June 30, 2014	No cost agreement	Foothill  Lynne Murray, Principal	DADS Licensed or License-eligible Counselors will provide substance abuse and behavioral health services. Services include but are not limited to assessment, diagnosis, and treatment planning as needed; early intervention activities through individualized services and group activities; act as a case manager when alcohol and other drug concerns are the primary presenting issue; conduct educational outreach; participate in outreach and education regarding MST resources and services.
2. Educational Empowerment	Chris Funk Donna Bertrand	February 2, 2013	\$3,000.00  General Fund	Education Center/ Superintendent  Chris D. Funk, Superintendent	<b>REQUEST FOR RATIFICATION</b> To provide facilitation/support services for the Board of Trustee's Special Meeting/ Board Retreat on February 2, 2013 at the Foothill High School Library.
3. Educational Empowerment	Bettina Lopez Juan Cruz Marcus Battle Donna Bertrand	February 15, 2013 – June 30, 2013	\$30,000.00  Small Learning Communities	Andrew Hill  Bettina Lopez, Principal	To provide facilitation support to implement school wide practices to increase leadership competencies. The instructional support will build the capacity to effectively implement the Western Association of Schools and Colleges (WACS) recommendations and District's Instructional Goals.  No solicitation took place for this service.
4. Laurie Boswell	Robert Ibarra Juan Cruz Donna Bertrand	February 26, 2013 – May 23, 2013	\$3,240.00  Professional Development	Education Center/ Professional Development  Robert Ibarra, Coordinator	To provide water safety instruction and certification for up to 36 Physical Education teachers. Training will take place on February 26, May 21, and May 22, 2013 for 4-hours on each occasion.  The cost of \$90 per teacher includes all materials.

5.	Ohlone College	Richard Uribe Juan Cruz Donna Bertrand	July 1, 2012 – May 24, 2013	\$1,000.00  (\$500.00 per site)  Carl D. Perkins (for Silver Creek)  General Fund- Adult Education	Silver Creek  Adolfo Laguna, Principal  Richard Uribe, Director of Adult Education	<b>REQUEST FOR RATIFICATION</b> To enter into an Affiliation Agreement so that Ohlone College can provide operational support for the CISCO Academy at Independence High School, as needed. The fee (includes 10 hours of support and the annual membership fee). If the Academy does not use the 10 hours of operational support during the year, then \$250 can be applied to the next years Affiliation Agreement.
6.	Quintessential School Systems	Helen Wu Marcus Battle Donna Bertrand	February 6, 2013 – Until project is completed	\$2,800.00  General Fund	Education Center/ Information Technology  Randy Phelps, Director	<b>REQUEST FOR RATIFICATION</b> To provide 16 hours of programing services to implement ACH/Direct Deposit for Payroll Trailing Warrants.
7.	Stanford University	Kirsten King Juan Cruz Chris Funk Donna Bertrand	February 1, 2012 – September 30, 2013  (extended from January 31, 2013)	\$26,182.00  (no change being requested)  General Fund	Education Center/ Instruction  Kirsten King, Director	<b>REQUEST FOR RATIFICATION</b> To extend the contract term through September 30, 2013 so that the California World Language Project (CWLP) can continue to observe the Mandarin language and culture classes at ESUHSD. To collect the necessary data to complete its commitment to the ESUHSD and assist CWLP to gain additional knowledge regarding the implementation of a successful Mandarin Language and Culture program.  No increase in funding is being requested at this time.
8.	Team San Jose	Teresa Marquez Juan Cruz Donna Bertrand	May 22, 2013	\$12,000.00  (estimate)  General Fund	Mt. Pleasant  Teresa Marquez, Principal	To enter into a Facility Use Agreement with Team San Jose for the rental of the Performing Arts Center for Mt. Pleasant's 2013 Graduation Ceremony.
9.	Team San Jose	Greg Louie Juan Cruz Donna Bertrand	May 21, 2013	\$12,200.00  (estimate)  General Fund	Santa Teresa  Greg Louie, Principal	To enter into a Facility Use Agreement with Team San Jose for the rental of space within the San Jose Convention Center for Santa Teresa's 2013 Graduation Ceremony.

10.	The Regents of the University of California/ Puente Project	Bettina Lopez Teresa Marquez Vito Chiala Juan Cruz Donna Bertrand	July 1, 2012 – June 30, 2013	\$16,800.00  (REVENUE )	Andrew Hill, Bettina Lopez  Mt. Pleasant, Teresa Marquez  W.C. Overfelt, Vito Chiala	<b>REQUEST FOR RATIFICATION</b> ESUHSD and Puente shall work together to provide a program for educationally disadvantaged students at each of the 3 schools through the use of the Puente Program offered by The Regents of the University of California.
11.	University of Washington	Juan Cruz Donna Bertrand	October 1, 2012 – June 30, 2017	\$33,000.00  (\$11,000.00 per school)  (REVENUE)	Oak Grove, Martha Brazil  Mt. Pleasant, Teresa Marquez  Yerba Buena, Tom Huynh	<b>REQUEST FOR RATIFICATION</b> In 2012, National Science Foundation (NSF) provided a grant to the University of Washington (UW), and its subcontractors, SRI International (SRI) and George Washington University (GWU) to conduct a study, named the "Evaluation of the Sustainability and Effectiveness of Inquiry-Based Advanced Placement Science Courses: Evidence from an In-Depth Formative Evaluation & Randomized Controlled Study" (Study). The Study will assess whether taking an inquiry-based AP Biology or Chemistry course will cause students to be more interested and competent in scientific inquiry, more likely to enroll in and complete college, and more likely to pursue and persist in science, technology, engineering, and mathematics (STEM) majors.  ESUHSD has agreed to assist with the Study. The high schools listed will offer a new AP Chemistry course in both 2013-14 and 2014-15 school years. The Agreement describes the Study design and the nature of the effort, specify the roles and responsibilities of the UW and the ESUHSD to carry out the tasks of the Study successfully, and to specify the consideration that the parties agree to contribute in meeting those responsibilities.

**Agenda Item Details**

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Meeting Feb 14, 2013 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. CONSENT/ACTION CALENDAR

Subject 16.14 Approve Bond/Capital Projects Contracts for Professional Services At or Below \$50,000

Access Public

Type Action (Consent)

Recommended Action It is recommended that the Board of Trustees approve the Bond/Capital Projects contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

**Public Content**

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## EAST SIDE UNION HIGH SCHOOL DISTRICT

Item: 16.14

**TO:** Board of Trustees

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

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, and Janice Unger, Capital Projects Purchasing Manager

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

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

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

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

**RECOMMENDATION:**  
It is recommended that the Board of Trustees approve the Bond/Capital Projects contracts for professional services at or below \$50,000 as listed in the attachment and to delegate authority to the Superintendent or designee to amend said contracts and purchase orders on an as needed basis, including funding.

[Bond Capital Projects Contracts At or Below \\$50k.pdf \(112 KB\)](#)

**Executive Content**

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*Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.*

Last Modified by Vangie Avila on February 5, 2013

**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**BOND/CAPITAL PROJECTS PROFESSIONAL CONTRACT SERVICES At or Below \$50,000**  
 Board Meeting of February 14, 2013

**A. BOND / FACILITIES**

Contractor Name	Reviewed By	Contract Period	Cost/Funding	School/Dept. Manager	Purpose
1. SANDIS, Civil Engineers, Surveyors, Planners	L. da Silva M. Battle J. Unger	February 15, 2013 through June 30, 2013	\$ 10,540.00 (estimate not to exceed)  Measure E	James Lick High School/Facilities  Glenn VanderZee, Principal  Linda da Silva, Director of Construction, Maintenance & Facilities	Provide utility locating and topographic survey for the James Lick High School Multi-Use Building 900 Project, (E-030-005).
2. Security Contractor Services (SCS)	L. da Silva M. Battle J. Unger	January 24, 2013 through June 30, 2013	\$ 1,071.25 (estimate not to exceed)  Measure E	Independence High School/Facilities  Grettel Castro-Stanley, Principal  Linda da Silva, Director of Construction, Maintenance & Facilities	REQUEST FOR RATIFICATION  Install temporary fence panels with concrete blocks to secure buildings that have been vacated for the Independence High School Buildings N & G Modernization Project, (E-065-004/005).
3. School Vision Software	L. da Silva M. Battle J. Unger	August 1, 2012 through July 31, 2015	\$8,750.00 (not to exceed)  Measure E	Technology/Facilities  Randy Phelps, Director of Information Technology  Linda da Silva, Director of Construction, Maintenance & Facilities	REQUEST FOR RATIFICATION  Provide annual maintenance and technical support for School Finder District planner data update service for a three (3) year service contract per quote dated January 30, 2013. Each contract year shall run from August 1st to August 1st. School Years 2013-2014 and 2014-2015 may be renewed at the District's request.  Annual Fee schedule: 2012-2013 - \$2,750.00 2013-2014 - \$2,900.00 2014-2015 - \$3,100.00