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**Agenda Item Details**

Meeting Nov 17, 2016 - 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 October 20, 2016, Regular Board Meeting

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees approve the October 20, 2016, Regular Board Meeting minutes as presented.

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**Public Content**

### EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

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

**SUBJECT:** Approve Minutes of October 20, 2016, Regular Board Meeting

Attached are the minutes of the October 20, 2016, 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 October 20, 2016, Regular Board Meeting minutes as presented.

East Side Union High School District  
Board of Trustees

Approved: November 17, 2016

[BA\\_2016\\_10\\_20 Reg\\_Minutes.pdf \(931 KB\)](#)

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**Executive Content**

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**Motion & Voting**

It is recommended that the Board of Trustees approve the October 20, 2016, Regular Board Meeting minutes as presented.

Motion by Member Van Le, second by Vice President Frank Biehl.

Final Resolution: Motion Carries

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



**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**REGULAR MEETING**

**OF THE**

**BOARD OF TRUSTEES**

**Meeting Held at**

**East Side Union High School District**

**Board Room**

**830 N. Capitol Avenue, San Jose, CA 95133**

**October 20, 2016**

**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 PM by President Lan Nguyen.*

*Present for roll call:*

- *President Lan Nguyen*
- *Vice President Frank Biehl*
- *Clerk J. Manuel Herrera*
- *Member Pattie Cortese*
- *Member Van Le*

**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.*

*Public speakers:*

- *Ken Trieu*  
– *High School Boundaries: Hidden Glen area*
- *Steve Bennette – High School Boundaries: Hidden Glen area*

- 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)**

- *Associate Principal (1)*

***Associate Principal (1)***

*Motion by Vice President Frank Biehl, second by Member Van Le, to approve the appointment of Karen Aragon as Associate Principal.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

- 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***

***Cari Vaeth, Associate Superintendent of Human Resources***

***Glenn Vander Zee, Assistant Superintendent of Educational Services***

**Employee Organizations:**

***American Federation of Teachers (AFT)***

***California School Employees Association (CSEA)***

***East Side Teachers Association (ESTA)***

***Administrator Collaborative of East Side (ACES)***

**Unrepresented Organizations:**

***Administrators***

***Managers***

***Confidential Employees***

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

- **Four (4) Potential Cases**

*Motion by Clerk J. Manuel Herrera, second by Member Cortese, to approve a settlement agreement and release with a student for the provision of educational services and a weigh in, which also include favors and release provisions.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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

- **Two (2) Cases**
  - (1) Office of Administrative Hearings: Case no. 2016061098; and**
  - (2) Office of Administrative Hearings: Case no. 2016060617**

**Office of Administrative Hearings: Case no. 2016060617**

*Motion by Vice President Frank Biehl, second by Member Cortese, to approve a settlement agreement and release, which includes reimbursement and compensatory education funds between the District and parents of the student for up to \$81,000 and the payment of \$17,000 in attorney's fees and, also, the provision for waivers and releases.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**2.08 Conference with Real Property Negotiators**

**Property:** A portion (approximately 2.3 acres) of the District property at 830 N. Capitol Avenue, San Jose, CA

**Agency negotiator:** Superintendent Chris D. Funk

**Negotiating parties:** East Side Union High School District and KIPP Bay Area Schools

**Under negotiation:** Price and terms of payment

**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 of 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. ADOPTION OF AGENDA**

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

*Item 13.01 will be heard after item 8.04.  
Item 24 will be heard before section 8.*

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

**6.01 Akshay Venkatesan, Evergreen Valley High School**

- Raising over \$17,000 for ACT - Mental Health

**6.02 Tommy Cabral, Mt. Pleasant High School  
Sergio Conriquez, Mt. Pleasant High School  
Adam Nguyen, Mt. Pleasant High School  
Mariah Barreda, Mt. Pleasant High School**

- **Film: Into Sergio:**
  - Recipients of Best Biography from the Real to Reel Global Youth Film Festival
  - United States Congressional Recognition

**7. STUDENT BOARD LIAISONS (5 MINUTES EACH)**

**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 and/or Discussion regarding Silicon Valley Career Technical Education Program (SVCTE) - Alyssa Lynch, Superintendent, MetroED**

*Presentation item only; no action*

**8.03 Presentation and/or Discussion regarding Yale National Initiative Program (YNI) - Vanessa Vitug and ESUHSD Yale National Initiative Fellows**

*Presentation item only; no action*

**8.04 Discussion and/or Action to Approve Funding Agreement with the City of San Jose regarding Installation of a Community Wireless Network in the District - Marcus Battle, Associate Superintendent of Business Services, Randy Phelps, Chief Technology Officer, Julie Edmonds-Mares, Deputy City Manager, City of San Jose, and Steven DiNoto, Director, Office of Civic Innovation & Digital Strategy, City of San Jose**

*Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to authorize and approve the Funding Agreement with the City of San Jose as presented.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**8.05 Discussion and/or Action to Receive Charter School Renewal Petition for ACE Charter High School: submitted by ACE Charter Schools - Glenn Vander Zee, Associate Superintendent of Educational Services, and Lucretia Peebles, PH. D, Administrator for Charter School Oversight**

*Public speaker:*

- *Shawn Gerth, Managing Director of Academic Operations & Vision, ACE Charter Schools*

*Received charter school renewal petition from ACE Charter High School.*

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

**No Items on Calendar Under this Section**

**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 speaker request form, which is located at the entrance of the Board Room. When your name is called, please come to the podium, state your name for the record, and limit your remarks to three (3) minutes.**

*Public speakers:*

- *Juilo Pardo, CSEA President – Reinstatement of Classified Positions & Work Overload of Current Members*
- *Michael Adams – Bond Measure Sign/Photo*
- *Marisa Hanson, ESTA President – ESTA Concerns*

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

**11.01 Discussion, Consideration and/or Action regarding the Selection/Appointment of Member to Measures G, E, I and Ed-Tech I Citizens' Bond Oversight Committee - Mariel Caballero, CBOC Chairperson, Frank Biehl, Board Vice President, and Pattie Cortese, Board Member**

*Motion by Clerk J. Manuel Herrera, second by Member Pattie Cortese, to appoint Maria Evans with the specified role designation as member active in a bona fide taxpayers' organization to Measures G, E, I and Ed-Tech I Citizens' Bond Oversight Committee for the term beginning October 21, 2016, through June 30, 2018.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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

**12.01 Discussion and/or Action to Receive the Third Quarterly Valenzuela and Williams Settlement Uniform Complaints Quarterly Report for period covering July 1, 2016 through September 30, 2016 as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727) - Glenn Vander Zee, Associate Superintendent of Educational Services**

*Motion by Member Van Le, second by Clerk J. Manuel Herrera, to accept the Third Quarterly Williams Settlement Uniform Complaint Report for the period covering July 1, 2016 through September 30, 2016, as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**12.02 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to Board Policy #1312.3 Uniform Complaint Procedures and Exhibit 1312.3E Uniform Complaint Procedures - Glenn Vander Zee, Associate Superintendent of Educational Services**

*Motion by Vice President Frank Biehl, second by Member Van Le, to receive and adopt second reading of proposed amendments to Board Policy #1312.3 Uniform Complaint Procedures and Exhibit #1312.3E Uniform Complaint Procedures as presented.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*



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

**13.01 Presentation, Discussion and/or Action regarding Proposed Ground Lease Agreement with KIPP Bay Area Schools for Proposition 39 Charter School Facilities at District's Education Center Site - Marcus Battle, Associate Superintendent of Business Services, April Chou, Director of Operations, KIPP Bay Area Schools, and Adam Kaye, Director of Real Estate**

*Public speakers:*

- Marisa Hanson, ESTA President
- Isis Diaz
- Maria Valenzuela
- Joanna Garcia
- Norma Quintero
- Carla Facundo
- Cynthia Zuniga
- Faroogh Quadri
- Tom Ryan, Principal of KIPP San Jose Collegiate
- Derek Grasty
- Gustavo Gonzalez

*Motion by Vice President Frank Biehl, second by J. Manuel Herrera, to authorize and approve the ground lease agreement as presented.*

*Yea: Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Nay: President Lan Nguyen*

*Vote: 4/1; Motion Carries*

**13.02 Presentation and/or Discussion regarding the Case Study of the Lease Leaseback Delivery Method at Independence High School - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning & Design, Farshid Samsami, SGI Bond Program Manager, and Mike Van Pelt, Van Pelt Construction Services**

*Presentation item only; no action*

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

*Motion by Clerk J. Manuel Herrera, second by Vice President Frank Biehl, to 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.

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

**13.04 Discussion and/or Action to Ratify CUPCCAA Informal General Purchasing Project(s) - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager**

*Motion by Vice President Frank Biehl, second by Member Van Le, to ratify the CUPCCAA informal project(s) as presented.*

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

**13.05 Adopt Resolution #2016/2017-11 and New Contract CCTR-6268 General and Child Care Development - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager**

*Motion by Clerk J. Manuel Herrera, second by President Lan Nguyen, to adopt the Resolution #2016/2017-11 and Contract of \$930,363.*

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

**13.06 Adopt Resolution #2016/2017-12 and New Contract CSPP-6535 California State Preschool Program - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Francine Brissey, General Purchasing Manager and Deborah Barnes, Coordinator of Child Development**

*Motion by Member Van Le, second by Clerk J. Manuel Herrera, to adopt the Resolution #2016/2017-12 and Contract of \$569,102.*

Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le

Vote: 5/0; Motion Carries

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

**14.01 Discussion and/or Action to Approve Variable Term Waiver Requests for Certificated Employees - Cari Vaeth, Associate Superintendent of Human Resources**

*Motion by Member Van Le, second by Member Pattie Cortese, to approve variable term waiver requests for the certificated employees as specified.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

**14.02 Discussion and/or Action to Approve Compensation to Staff Not Represented by a Bargaining Unit - Cari Vaeth, Associate Superintendent of Human Resources**

*Public speakers:*

- *George Sanchez on behalf of ACES President Tom Huynh*

*Motion by Clerk J. Manuel Herrera, second by Member Van Le, to approve the compensation to staff not represented by a bargaining unit. The 2.25% salary increase for 2016-2017 will be consistent with bargaining unit salary considerations granted and will be effective July 1, 2016.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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

**15.01 Discussion and/or Action to Ratify CUPCCAA Informal Bond Project(s) - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Janice Unger, Capital Projects Purchasing Manager**

*Motion by Vice President Frank Biehl, second by Member Pattie Cortese, to ratify the CUPCCAA informal project(s) as presented.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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

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

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

*Motion by Vice President Frank Biehl, second by Clerk J. Manuel Herrera, to approve the entire consent/action calendar as presented.*

*Yea: President Lan Nguyen, Vice President Frank Biehl, Clerk J. Manuel Herrera, Member Pattie Cortese, Member Van Le*

*Vote: 5/0; Motion Carries*

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

- 16.01 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings**
- 16.02 Approve Minutes of September 15, 2016, Special Board Meeting**
- 16.03 Approve Minutes of September 22, 2016, Regular Board Meeting**

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

- 17.01 Approve 2016-2017 Career Technical Educational Advisory Committee**
- 17.02 Ratify/Approve School Field Trips**

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

- 18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000**
- 18.02 Approve Purchase Orders**
- 18.03 Approve Change Orders to Purchase Orders**
- 18.04 Accept Report of Credit Card Purchases for Statement Dated April 22 and May 23, 2016**
- 18.05 Approve Memoranda of Understanding**
- 18.06 Adopt Resolution #2016/2017-13 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546**
- 18.07 Approve Budget Transfers for the Month of September, 2016**

- 18.08 Accept Warrant Register for the Month of September, 2016
- 18.09 Accept Donations, Grants and Awards for July, August and September of the 2016/17 School Year

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

- 19.01 Ratify/Approve Classified Personnel Actions Presented October 20, 2016
- 19.02 Ratify/Approve Certificated Personnel Actions Presented October 20, 2016
- 19.03 Ratify/Approve Student Aide Personnel Actions Presented October 20, 2016

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 Ratification of Bond/Capital Projects Change Orders to Construction Contracts and Purchase Orders At or Below \$175,000

21. **Written Reports/Recommendation**

Items under section 21 are written reports that are received into the public record.

- 21.01 Receive Annual Developer Fees Report for 2015-16

*Report Received.*

- 21.02 Receive Certificated Class Size Report – Compliance with 10/08/04 Stipulated Arbitrator’s Award

*Report Received.*

*Board Member Van Le requested item to be brought back at a later date as a presentation.*

- 21.03 Receive Report of Board Members Expenses for July, August and September of the 2016/17 Fiscal Year

*Report Received.*

- 21.04 Receive Vietnamese Language Program Report

*Report Received.*

*Board President Lan Nguyen requested item to be brought back at a later date as a presentation.*

## 21.05 Receive Instructional Policies Committee (IPC) Course Submission Process

*Report Received.*

*Board Vice President Frank Biehl requested item to be brought back at a later date as a presentation.*

## 22. FUTURE AGENDA ITEMS

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

#### Lan Nguyen, President

Item	Date (tentative)	Type
Vietnamese Language Report	TBD	Presentation/Discussion

#### Frank Biehl, Vice President

Item	Date (tentative)	Type
Instructional Policies Committee (IPC) Course Submission Process	TBD	Presentation/Discussion

#### Van Le, Board Member

Item	Date (tentative)	Type
Certificated Class Size Report – Compliance with 10/08/04 Stipulated Arbitrator’s Award	TBD	Presentation/Discussion

### 22.02 Future Items

#### Lan Nguyen, President

Item	Date (tentative)	Type
Special Education Program	November 3, 2016 Study Session	Presentation/Discussion

#### Frank Biehl, Vice President

Item	Date (tentative)	Type
Guidance Plan / Naviance	Spring, 2017	Presentation/Discussion
LCAP Matrix	November 3, 2016 Study Session	Presentation/Discussion
San Jose/Evergreen Community College District: Dual Enrollment Program	December 8, 2016	Report

**J. Manuel Herrera, Board Clerk**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
STEAM	May 4, 2017 Study Session	Presentation/Discussion

**Van Le, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Failed Courses	Twice Year: November & March	Report
Accel Program	December 8, 2016	Report
Career Pathways	March, 2017	Presentation/Discussion
Challenge Exams for Course Advancement	TBD	Report

**Pattie Cortese, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Teen Parents <ul style="list-style-type: none"><li>• Education</li><li>• Support</li><li>• Child Care at James Lick HS</li></ul>	TBD	Presentation/Discussion
Parent Community Involvement Specialists (PCIS) – LCAP Update	November 3, 2016 Study Session	Presentation/Discussion
Student Board Representative	TBD	Discussion

## 22.03 Annual Governance Calendar

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

<b>August</b>
Board Members' Expenses Report (Apr/May/June)
Expulsion Hearing Panel Committee
First Day of School
Superintendent's Annual Evaluation
Williams Quarterly Report

<b>September</b>
Board Retreat
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
Receive Annual Developer Fees Report
Unaudited Actuals

<b>October</b>
Board Members Expenses' Report (July/Aug/Sept)
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
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

<b>January</b>
Audit Report
Board Audit Committee Selections/Appointments
Board Members' Expenses Report (Oct/Nov/Dec)
Board Retreat
Financial & Performance Audit Report for Bond Measures
Magnet Night
Martin Luther King, Jr. Writing, Art & Multi-Media Awards Ceremony & Reception
Master Business Relationship Agreement between East Side Union High School District and Metropolitan Education District
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
Safety Plan Goals for Each Site
State of the District

<b>March</b>
Cesar Chavez Writing, Art & Multi-Media Awards Luncheon
Latino Student Awards Recognition Ceremony
March 15 Notices
NSBA Annual Conference
Second Interim Report
SJPD Secondary Employment Application
Superintendent's Mid-Year Evaluation
Vietnamese Students Achievement Awards

<b>April</b>
Board Members' Expenses Report (Jan/Feb/Mar)
Board Study Session/Workshop
Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)
Honor Nights
Migrant Education Awards Night
Williams Quarterly Report

<b>May</b>
Asian American/Pacific Islander History Month: Poster & Essay Contest Awards/Celebration
Board Self-Evaluation
Board Study Session/Workshop
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)
Budget Advisory Committee: Nominate and Appoint Board Representatives (2) and Alternative Board Representative (1) (2 year term, fiscal year)
Employee Retirement Celebration
ESTA Safety Survey
Master Contracts for Capital Projects
Plan for Expelled Youth (due every three years – next due date: 2018)
Program Improvement Update
Safety Plan Assessment for Each School
Single Plan for Student Achievement (SPSA) for Each School
Summer School Program (session begins)



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

### 23.01 Board of Trustees

**Board President Lan Nguyen** (no comment made)

**Board Vice President Frank Biehl**

*The comment I wanted to make tonight that I wasn't able to make earlier is that I'll take responsibility for the sign. I was intimately involved in the design of the sign. I wasn't there when the photograph was taken. I've had two of my children who have gone through the schools of the East Side Union High School District. I guess I've gotten to the point where I just don't see that anymore. I just don't look at that. I just don't look at, you know, all the races. That looks like a group of kids going to East Side high schools. On the other hand, the signs have been up for four years. On the other hand, and this is the first person who has ever said anything about it, but on the other hand, I can understand the point that was being made. I'm not so sure that it has to necessarily be a white male. It could be a white female. I think the appropriate response would be, "Thank you for your comment. When we redo the signs," of which I am certain, I am sure, we will in the next year or two "we certainly will make sure that we are attentive to that issue." I had the same thing happen with a campaign flyer four years ago. Somebody called me and said how come there aren't any white kids in this picture. I was just taken aback. I said we're doing lots of different flyers and they'll be in other different flyers. I think it is important for this individual to know that a white male put the sign together.*

**Board Clerk J. Manuel Herrera**

*I have three comments I would like to make.*

*As most of you know, I had to undergo some necessary surgery about three weeks ago. I am really thankful that I feel well enough to be here. I am still in the midst of the full recovery period. It was meaningful to me because in my 26 years on the Board, I've never missed a meeting and I didn't want this to be the first one that I missed. Thank you for that.*

*The second is the comment made by Julio Pardo; I thought well stated. We really need to understand the impact and performance of charter schools. Nothing in my way of looking at that, in my mind, undermines the commitment I had to our programs and what we can offer. I believe the challenge always has been and remains that we need to do better in taking our message to families and students for what we do offer rather than taking an oppositional stance to what has become a strong part of the educational program to local communities no less because the State legislators repaved a legal framework where charters can come forward and, if they meet certain conditions, they must be approved. If we don't approve them, the County will. If the County doesn't, the State will. They will always, if they meet certain conditions, be able to move their program forward. I think, with that realization, it is fair to ask how effective and to drill down a little bit more so that we understand the playing field and really again focus on taking our message to our kids and their families.*

*The third comment I have is regarding the gentleman who spoke about white males not being properly recognized. In my many years in public life, I have learned to distinguish between the message and the messenger. I was not comfortable with the messenger, but it's not an invalid conversation to have. I would be completely comfortable, again distinguishing the messenger from the message, having the District thoughtfully consider how we can true the course or adjust the presentation. It can go too far because you'll end up with 50 pictures in every photo because there is such diversity here. I think that the fundamental point that was being raised, distinguishing between the message and the messenger, has some validity.*

**Board Member Pattie Cortese**

*I'm happy to see our Principal, Kelly Daugherty here this evening. I went to an open house for our iMentor Program that is launching at James Lick in the next couple of weeks. I'm so proud of this community because this program came from New York just months ago not knowing a soul and we now have 700 applications in the pipeline to serve our students. I just think that it's extraordinary. It speaks a lot to the efforts of the staff at James Lick to make this happen. It speaks a lot of the commitment of the iMentor staff. It speaks a lot of this community. I thank my Board colleagues and the Superintendent for supporting this because I think it does take a village when we all come together. We produce a great rich learning environment for our students.*

**Board Member Van Le**

*I'm glad that I have an intern from one of our students at East Side in my office; very proud of it. I am giving her the experience so she learns about the business point of view. What I've learned from talking to the student when I asked, "What would you not like or what would you like in your school?" She mentioned the dress code. I asked, "What kind of dress code did you want to mention?" She said that at the school she is attending as a senior, they allow the male students to wear shorts, but they do not allow it for female students. It really bothered me when I heard about it. I am not sure if you knew about this, but I wanted to bring this to the district. They should be treated equally, female and male students. I don't know what kind of dress code we have at that school site, but we need to take a look at it. Maybe this is a small issue, but this is really the opinion from the student. I want to see if we can take a look beyond what we provided for our students academically; the environment makes them feel they will not be treated equally.*

*I want to wish Board Member Nguyen and Board Member Cortese good luck!*

**23.02 Chris D. Funk, Superintendent**

**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.**

*Board President Lan Nguyen adjourned the meeting at 9:13 PM.*

*Respectfully submitted,*



*Board Clerk*



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## Agenda Item Details

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Meeting	Oct 20, 2016 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 (CORRECTED)
Category	13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	13.03 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager
Type	Action, Discussion
Recommended Action	It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

## EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

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

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

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

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

**Fiscal Impact:**

As indicated in the attachment

**Funding Source:**

As indicated in the attachment

**Recommendation:**

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

[2016 1020 Contracts Over 25k.pdf \(127 KB\)](#)

## **Motion & Voting**

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It is recommended that the Board of Trustees approve the contract(s) for professional services over \$25,000 as recommended and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

Motion by Clerk J Manuel Herrera, second by Vice President Frank Biehl.

Final Resolution: Motion Carries

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

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000  
Board Meeting of October 20, 2016 – Item 13.03

\*\*\* A Conflict of Interest Statement has been collected for each service contract collected. \*\*\*

## 1. Houghton Mifflin Harcourt

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Jefferylynn Davis Francine Brissey	June 30, 2016 – July 1, 2017	\$28,500 Supplemental	Education Center/ English Language Arts/Jefferylynn Davis

### Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the license renewal with Houghton Mifflin Harcourt – Read 180 and System 44 license renewal. The Read 180 software accelerates learning for struggling readers by merging the latest research in brain science, adaptive technology, professional development, and knowledge for school and life. System 44 helps students master the skills required for success with the new standards, college, and career through explicit instructions in phonics, comprehension, and writing. The contract will have a term beginning June 30, 2016, through July 1, 2017.

### Selection Process

Continued relationship (PCC 20118.3)

### Recommendation

It is recommended that the Board of Trustees approve the software renewal with Houghton Mifflin Harcourt in the amount of \$28,500 for the term of June 30, 2016, through July 1, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 2. The Miri Center

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Francine Brissey	July 1, 2016 – June 30, 2017	\$60,000 Special Day Class	Special Services/ Barbara Moore

### Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with The Miri Center. The Miri Center will provide the psycho-assessment for ESUHSDs Special Education Department per IEP requirements. The contract will have a term beginning July 1, 2016, through June 30, 2017, and will have a total cost of \$60,000.

### Selection Process

SELPA Approved Agency

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000  
Board Meeting of October 20, 2016 – Item 13.03

## Recommendation

It is recommended that the Board of Trustees approve the contract with The Miri Center in the amount of \$60,000 for the term of July 1, 2016, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

### 3. S4CA

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Francine Brissey	August 1, 2016 - June 30, 2017	\$160,000 California Career Pathways	Career Pathways/ Tim Nguyen

## Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with S4CA. S4CA will formalize, guide and facilitate the Construction Pathway and develop electronic data collection tools for CPTe and CTE reporting. The contract will have a term beginning August 1, 2016, through June 30, 2017.

## Selection Process

Participant in Career Pathways Grant.

## Recommendation

It is recommended that the Board of Trustees approve the S4CA contract in the amount of \$160,000 for the term of August 1, 2016, through June 30, 2016. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

### 4. ConnectEd

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Francine Brissey	August 1, 2016 - July 30, 2016	\$140,000 Career Pathways	District Wide/Career Pathways Tim Nguyen

## Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract between ConnectEd and ESUHSD. ConnectEd will provide training and development design on effective Career Pathway implementation. The contract will have a term beginning August 1, 2016, through July 30, 2016.

## Selection Process

Career Pathways Grant Participant

## Recommendation

It is recommended that the Board of Trustees approve the contract between ConnectEd and ESUHSD in the amount of \$140,000 for the term of August 1, 2016, through July 30, 2016. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000  
Board Meeting of October 20, 2016 – Item 13.03

## 5. Syserco

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Carlos Salazar Julio Lucas Francine Brissey	October 1, 2016 – September 30, 2019	\$75,000 Total for three years Preventative Maintenance: \$68,238 Ancillary Hourly Services:\$6,762	Education Center/Facilities Carlos Salazar

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract between Syserco and ESUHSD. Syserco will provide preventative maintenance to our energy management system and any necessary repairs required. This will be a three year contract.

Year 1: \$21,860

Year 2: \$22,734

Year 3: \$23,644

20% discount on hourly rates:

Trade	Straight Time	Overtime	Double Time
Service Technician	\$165	\$231	\$305
Service Account Engineer	\$181	\$253	\$334
Sr. Automation Engineer	\$186	\$260	\$343

And 60% discount on Alerton parts and software and 55% discount on Belimo list price.

The contract will have a term beginning October 1, 2016, through September 30, 2016.

### **Selection Process**

Board Approved Sole Source Vendor

### **Recommendation**

It is recommended that the Board of Trustees approve the contract between Syserco and ESUHSD in the amount of \$75,000 for the term of October 1, 2016, through September 30, 2019. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.





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## Agenda Item Details

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Meeting	Oct 20, 2016 - ESUHS D REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 (CORRECTED)
Category	18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR
Subject	18.01 Ratification of Contract(s) for Professional Services At or Below \$25,000
Type	Action (Consent)
Recommended Action	It is recommended that the Board of Trustees ratify the 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

**TO:** Board of Trustees

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

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing

**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 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.

[2016 1020 Prof Serv Contracts Under \\$25K.pdf \(92 KB\)](#)



*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.*

### **Motion & Voting**

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It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as recommended and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

Motion by Vice President Frank Biehl, second by Clerk J Manuel Herrera.

Final Resolution: Motion Carries

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

**EAST SIDE UNION HIGH SCHOOL DISTRICT  
Contract(s) for Professional Services At or Below \$25,000**

Board Meeting of October 20, 2016 – Item 18.01

A Conflict of Interest Statement has been collected for each service contract listed below.

<b>Consultant</b>	<b>Contract Period</b>	<b>Contract Amount</b>	<b>PO Number</b>	<b>Location of Services</b>	<b>Description of Services</b>	<b>Date Contract Assigned</b>
Able Septic Tank Service	July 1, 2016 – June 30, 2017	\$2,500.00	701238	All Sites	Provide services for cameral inspections and sewer system repairs at all ESUHSD sites as needed in accordance with the contract.	9/16/2016
Angela Estrella	July 1, 2016 – June 30, 2017	\$20,000.00	701478	W.C. Overfelt	Provide professional development services for teachers and their PLCs at W.C. Overfelt High School.	09/02/2016
Animal Damage Management	July 1, 2016 – June 30, 2017	\$2,000.00	700801	All Sites	Provide pest control services, specifically, skunk trapping at all ESUHSD sites as needed in accordance with the contract and Exhibit “A”.	07/08/2016
Debbie King	August 18, 2016 – October 31, 2016	\$4,500.00	701351	Education Center	Provide consulting services for staff to create a more productive working relationship at ESUHSD.	09/19/2016
Document Tracking Services	November 1, 2016 – November 30, 2017	\$11,415.00	701353	All sites	Provide Web based software services that enables SARC production, online bullying referral form for each school, student mental health referral form for each school, and translation services for SARCs into Vietnamese and Spanish.	09/21/2016
Houghton Mifflin Harcourt Publishing Co.	October 1, 2016 – October 31, 2016	\$2,950.00	701450	Education Center	Provide services to implement System 44 Next Generation for up to 20 participants at ESUHSD.	09/27/2016
Khanh The Vu	September 1, 2016 – July 30, 2018	\$15,000.00	701480	Education Center	Provide Vietnamese Translation services to include layout of documents at ESUHSD.	08/29/2016
Landscape Pest Control Services	July 1, 2016 – June 30, 2017	\$20,000.00	701456	All Sites	Provide pest control services, specifically, ground squirrel control services at all ESUHSD sites as needed in accordance with the contract and Exhibit “A”.	07/06/2016
Laurie A. Boswell	October 1, 2016 – June 30, 2017	\$2,250.00	701468	Education Center	Provide services for certification water rescue requirements for approximately 25 PE teachers at ESUHSD.	09/21/2016

National CineMedia (NCM)	November 4, 2016 – December 1, 2017	\$1,925.00	701474	Mt. Pleasant	Provide in-theatre cinema advertising on 15 screens at Eastridge Mall 15 AMC theatre of Mt. Pleasant High School.	09/15/2016
National CineMedia (NCM)	December 16, 2016 – January 12, 2017	\$2,120.00	701505	Oak Grove	Provide in-theatre cinema advertising on 20 screens at San Jose Oakridge 20 AMC theatre of Oak Grove High School.	09/29/2016
PassageWorks Institute	October 24, 2016	\$15,200.00	701467	Education Center	Provide services for Culturally Responsive Leadership course for 10 participants at ESUHSD.	09/28/2016
Premier Food Safety	September 15, 2016 – October 15, 2016	\$3,550.00	701279	Education Center	Provide ServSafe Manager certification training/workshop including materials for the Child Nutrition Services staff at ESUHSD.	09/21/2016
Randall J. Black	September 1, 2016 – June 1, 2017	\$2,000.00	700441	Education Center	Provide services to tune and perform minor repairs on the school district owned pianos for the Performing Arts Departments at ESUHSD.	09/20/2016
Santa Clara County Office of Education	August 29, 2016 – August 31, 2017	Paid by SCCOE	N/A	Mt. Pleasant Evergreen Valley	University of Oregon to provide use of the School Wide Information System “SWIS” licensed software and Internet Access Subscription, which is a positive behavioral intervention and support program, at Mt. Pleasant and Evergreen Valley High School.	08/29/2016
Santa Clara County Office of Education (Jennifer Janzen)	September 22, 2016 – October 15, 2016	\$3,200.00	701479	Education Center	Santa Clara County Office of Education will prepare and facilitate two (2) Next Generation Science Standards workshops at ESUHSD.	09/16/2016
St. Benedict Driving School-Joseph Nguyen	September 1, 2016 – June 30, 2017	\$20,000.00	701354	W.C. Overfelt	Provide 30 hours of driving instruction, 6 hours of behind the wheel driving and prep work for DMV test for 67 W.C. Overfelt High School students.	09/07/2016
TD Sports Group LLC	July 1, 2016 – June 30, 2017	\$12,000.00	701203	All Sites	Provide maintenance services to repair turf at various football fields as needed at ESUHSD.	09/16/2016
TD Sports Group LLC	July 1, 2016 – June 30, 2017	\$1,600.00	701204	Mt. Pleasant	Provide maintenance services to repair turf at Mt. Pleasant High School.	09/14/2016
TD Sports Group LLC	July 1, 2016 – June 30, 2017	\$800.00	701206	Evergreen Valley	Provide maintenance services to repair turf at Evergreen Valley High School.	09/16/2016

TD Sports Group LLC	July 1, 2016 – June 30, 2017	\$800.00	701205	Andrew Hill	Provide maintenance services to repair turf at Andrew Hill High School.	09/16/2016
The Discovery Source	September 12, 2016 – June 30, 2017	\$7,077.30	701352	Education Center	Conduct a workshop on instructional support team and collaboration and co-teaching at ESUHSD.	09/15/2016
Western Governors University	June 15, 2016 – June 30, 2017	Revenue	N/A	Education Center	Western Governors University will provide and compensate the district \$150 per student teacher candidate and \$500 per Clinical Supervisor services to ESUHSD in accordance with the Student Teaching Affiliation Agreement.	09/16/2016



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### Agenda Item Details

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Meeting	Oct 20, 2016 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 (CORRECTED)
Category	20. FACILITIES/BOND - CONSENT/ACTION CALENDAR
Subject	20.01 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
Type	Action (Consent)
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

**TO:** Board of Trustees

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

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, 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.

[2016 1020 Prof Serv Contract under \\$50K-Ratified.pdf \(103 KB\)](#)

*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.*

### **Motion & Voting**

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It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$25,000 as recommended and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

Motion by Vice President Frank Biehl, second by Clerk J Manuel Herrera.

Final Resolution: Motion Carries

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

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of October 20, 2016 - Item 20.01**

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-055-602 / SC Field Concession Bld	Provide special inspections and material testing services per DSA requirement for Silver Creek High School Concession Building	701124 / CP1570	September 7, 2016 to project completion	Consoliated Engineering Laboratories	\$11,373.60	9/7/2016
Z-052-993 / District Program Cost	Quality Bidders annual service fee. Annual renewal of software license with Quality Bidders (Colbi Technologies) to pre-qualify contractors for public works requirement	701125 / CP1580	March 7, 2016 through March 6, 2017	Colbi Technologies, Inc.	\$11,750.00	9/7/2016
Z-065-803 / DW Roofing (IH Bld F)	Provide roofing monitoring abatement and management work at Independence High School, Building F Performing Arts Center. Total fee includes field technician time, monitoring sample collection, laboratory analysis, final clearance samples and analysis, project management time, and a final written report identifying all materials sampled, their locations, quantities, and analysis	701126 / CP1569	September 7, 2016 to project completion	Hazmat Doc	\$6,775.00	9/7/2016
E-065-008 / IH Bld J Modernization	Consultant shall furnish material and labor to perform video inspection of the sanitary sewer line at Independence High School, Building J. Scope of work includes camera existing sanitary sewer line and note existing inert at building interior and at exterior clean out	701128 / CP1568	September 7, 2016 to project completion	Scantech Utility Locating Services	\$450.00	9/7/2016
Z-075-702 / DW Mechanical and Electrical Upgrades (Package B: EV EMS Upgrade)	Provide commissioning services - Phase II for Evergreen Valley High School energy management system upgrade. Scope of services includes coordinate field testing, write commissioning scripts, field testing, and provide more comprehensive field testing of Building P	701194 / CP1577	September 14, 2016 to project completion	GRD Energy, Inc.	\$14,680.00	9/14/2016

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of October 20, 2016 - Item 20.01**

Project Number & Name	Project Description	Purchase Order Number / Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-XXX-702 / DW Mechanical and Electrical Upgrades (Package C.1: Hazardous Materials Observation and Reporting at PH)	Hazmat abatement monitoring scope of work includes: review pre-project submittals, monitor the air quality daily during the abatement process, ensure adequate containment, provide space clearance once abatement process is completed, and provide final report	701336 / CP1590	September 26, 2016 to project completion	Hazmat Doc	\$6,930.00	9/26/2016
Z-025-601 / AH Courtyard Improvements	Provide DSA project inspection services for Andrew Hill High School Courtyard Project	701331 / CP1592	September 26, 2016 to project completion	Santa Clara Valley Construction Inspections (SCVCI)	\$30,660.00	9/26/2016
I-030-003 / JL Site Infrastructure Improvements	Contractor to perform hydro-flushing and provide video documentation for the sewer lines along Building 200, 300, and 500 at James Lick High School	701332 / CP1584	September 26, 2016 to project completion	Scantech Utility Locating Services	\$2,300.00	9/26/2016
Z-065-603, E-065-008 / IH Bldgs GHKL Moderniza, IH Bld J Modernization	Scope of work includes test electrical main switch board to buildings G, H, & J	701440 / CP1595	September 29, 2016 to project completion	Pacific Power Testing	\$750.00	9/29/2016
I-045-003 / PH Site Infrastructure Improvements	Scope of work includes conducting water system pressure testing for 7-10 days at Piedmont Hills High School	701454 / CP1616	September 30, 2016 to project completion	AGC, Inc.	\$1,928.00	9/29/2016