



Preparing every student to thrive in a global society.

**Agenda Item Details**

---

Meeting Feb 16, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

Category 16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR

Subject 16.01 Approve Minutes of December 8, 2016, Annual Organizational Meeting and Regular Board Meeting

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees approve the December 8, 2016, Annual Organizational Meeting and Regular Board Meeting minutes as presented.

**Public Content**

---

**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**TO:** Board of Trustees

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

**SUBJECT:** Approve Minutes of December 8, 2016, Annual Organizational Meeting and Regular Board Meeting

Attached are the minutes of the December 8, 2016, Annual Organizational Meeting and Regular Board Meeting for review and approval by the Board of Trustees.

**FISCAL IMPACT:**  
None

**FUNDING SOURCE:**  
None

**RECOMMENDATION:**  
It is recommended that the Board of Trustees approve the December 8, 2016, Annual Organizational Meeting and Regular Board Meeting minutes as presented.

BA\_2016\_12\_08 Annual\_Org\_and\_Reg\_Minutes.pdf (604 KB)

**Executive Content**

---

East Side Union High School District  
**APPROVED**  
 Board of Trustees  
*mgullen 2-16-17* 1/1



**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**ANNUAL ORGANIZATIONAL MEETING**  
**AND**  
**REGULAR MEETING**  
**OF THE**  
**BOARD OF TRUSTEES**  
**Meeting Held at**  
**East Side Union High School District**  
**Board Room**  
**830 N. Capitol Avenue, San Jose, CA 95133**  
**December 8, 2016**  
**4:00 p.m.**

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

**1.01 Roll Call**

*The Annual Organizational Meeting and Regular Meeting of the Board of Trustees was called to order at 4:06 PM by Board Member Lan Nguyen.*

*Present for roll call:*

- Member Lan Nguyen*
- Member Frank Biehl*
- Member 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)**

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

*There were no public speakers.*

**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): A-B**

***Student A:***

*Motion by Member Pattie Cortese, second by Member Van Le, to approve the expulsion of Student A.*

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

*Vote: 5/0; Motion Carries*

***Student B:***

*Motion by Member Frank Biehl, second by Member J. Manuel Herrera, to approve the expulsion of Student B.*

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

*Vote: 5/0; Motion Carries*

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

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

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

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

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

**Agency Designated Representatives:**

***Chris D. Funk, Superintendent***

***Marcus Battle, Associate Superintendent of Business Services***

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

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

***Employee Organizations:***  
***American Federation of Teachers (AFT)***  
***California School Employees Association (CSEA)***  
***East Side Teachers Association (ESTA)***  
***Administrator Collaborative of East Side (ACES)***

***Unrepresented 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***

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

- ***One (1) Case***  
***Office of Administrative Hearings: Case no. 2016061098***

**3. RESUME OPEN SESSION AT APPROXIMATELY 6:00 P.M. – EDUCATION CENTER - BOARD ROOM**

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

**3.01 Pledge of Allegiance**

**3.02 Oath of Office Ceremony**

- ***Re-Elected Board Member Lan Nguyen***
- ***Newly Elected Board Member Pattie Cortese***

**3.03 Recess for Reception following Oath of Office Ceremony**

**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.**

*Member 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.**

*There were no changes to the agenda.*

**6. ANNUAL ORGANIZATIONAL MEETING**

**6.01 Nomination and Election of Board Officers: President; Vice President; Clerk**

**Motion #1:**

**President:**

*Motion by Member J. Manuel Herrera, second by Member Pattie Cortese, to nominate and elect Member Frank Biehl as President.*

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

*Vote: 5/0; Motion Carries*

**Motion #2:**

**Vice President:**

*Motion by Member Van Le, second by Member Lan Nguyen, to nominate and elect Member J. Manuel Herrera as Vice President.*

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

*Vote: 5/0; Motion Carries*

**Motion #3:**

**Clerk:**

*Motion by Member Van Le, second by Member J. Manuel Herrera, to nominate and elect Member Pattie Cortese as Clerk.*

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

*Vote: 5/0; Motion Carries*

**6.02 Nomination and Appointment of Two Board Members to Board's Standing Audit Committee: Chairperson and Vice Chairperson**

**Motion #1:**

**Chairperson:**

*Motion by Member Van Le, second by Member Frank Biehl, to nominate and appoint Member Pattie Cortese as Chairperson.*

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

*Vote: 5/0; Motion Carries*

**Motion #2:**

**Vice Chairperson:**

*Motion by Member Frank Biehl to nominate and appoint Member Lan Nguyen as Vice Chairperson.*

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

*Vote: 5/0; Motion Carries*

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

*Motion by Member Frank Biehl to nominate and elect Member J. Manuel Herrera as the alternate Board representative to serve on the MetroED Governing Board in the absence of East Side Union High School District's MetroED Governing Board representative for the term January 1, 2017, through December 31, 2017.*

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

*Vote: 5/0; Motion Carries*

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

*Motion by Member Frank Biehl to nominate Member Van Le as the representative of the Board of Trustees to vote in the election of the Santa Clara County Committee on School District Organization. This appointed Board Member will complete the County Committee election ballot in November 2017.*

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

*Vote: 5/0; Motion Carries*

**6.05 Nomination and Election of Representative to Santa Clara County School Boards Association**

*Motion by Member Frank Biehl to nominate and elect Member Pattie Cortese as the Board representative to serve on the Santa Clara County School Boards Association for the term of January 1, 2017, through December 31, 2017.*

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

*Vote: 5/0; Motion Carries*

**6.06 Nomination and Election of One Member to East Side Alliance Advisory Committee**

**Motion #1:**

*Motion by Member Van Le to nominate and elect Member Lan Nguyen as the Board representative to serve on the East Side Alliance Advisory Committee for the term January 1, 2017, through December 31, 2017.*

*Member Lan Nguyen declined the nomination*

*Motion fails*

**Motion #2:**

*Motion by Member Van Le to nominate and elect Pattie Cortese as the Board representative to serve on the East Side Alliance Advisory Committee for the term January 1, 2017, through December 31, 2017.*

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

*Vote: 5/0; Motion Carries*

**6.07 Nomination and Election of One Alternate Member to East Side Alliance Advisory Committee**

*Motion by Member Lan Nguyen to nominate and elect Member Van Le as the Board representative to serve as the alternate member on the East Side Alliance Advisory Committee for the term January 1, 2017, through December 31, 2017.*

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

*Vote: 5/0; Motion Carries*

**6.08 Nomination and Election of Two Members to District's Budget Advisory Committee**

*Motion by Member J. Manuel Herrera to nominate and elect J. Manuel Herrera (self) and Member Frank Biehl as representatives to serve on the District's Budget Advisory Committee for the term July 1, 2017, through June 30, 2018.*

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

*Vote: 5/0; Motion Carries*

**6.09 Nomination and Election of One Alternate Member to District's Budget Advisory Committee**

*Motion by Member Van Le to nominate and elect Member Lan Nguyen as the Board representative to serve as the alternate member on the District's Budget Advisory Committee for the term July 1, 2017, through June 30, 2018.*

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

*Vote: 5/0; Motion Carries*

**6.10 Appointment of Board Secretary**

*Motion by Member Biehl to appoint Superintendent Chris D. Funk as Board Secretary for the term January 1, 2017, through December 31, 2017.*

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

*Vote: 5/0; Motion Carries*

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

**7.01 Labanya Mukhopadhyay, Evergreen Valley High School - Siemens Competition Semi-Finalist**

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

**No Items on Calendar Under this Section**

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

**9.01 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.**

**9.02 Discussion and/or Action of ACE Charter School Renewal Petition - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight**

*Public speakers:*

- Shawn Gerth*  
*Jahsue Worthy*

*Motion by Member Van Le, second by Clerk Pattie Cortese, to approve the proposed ACE Charter High School charter renewal petition submitted by Laura McNabb, Academic Operations Manager, ACE Charter Schools on behalf of Greg Lippman, Executive Director, ACE Charter Schools. Administration recommends that the Petition ACE Charter High School be renewed for the required five-year term, commencing on July 1, 2017, to end on June 30, 2022.*



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

*Vote: 5/0; Motion Carries*

**9.03 Presentation, Discussion and/or Action to Receive and Adopt Resolution #2016/2017-15 Authorizing the Issuance and Sale of General Obligation Bonds, 2008 Election, Series E (Measure E), in the Principal Amount of Not to Exceed \$78,973,911.77, and Documents and Official Actions Relating Thereto - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, President, Dale Scott and Company, and Charles F. Adams, Jones Hall**

*Motion by President Frank Biehl, second by Vice President J Manuel Herrera, to adopt proposed Resolution #2016/2017-15 Authorizing the Issuance and Sale of General Obligation Bonds, 2008 Election, Series E (Measure E), in the Principal Amount of Not to Exceed \$78,973,911.77, and Documents and Official Actions Relating Thereto.*

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

*Vote: 5/0; Motion Carries*

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

**10.01 Hold a Public Hearing at Approximately 6:45 p.m. on a Charter Renewal Petition Submitted by the San Jose Conservation Corps Charter School Board for San Jose Conservation Corps Charter School - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight**

*Public hearing held*

*Public speakers:*

- *Marcos Castaneda*
- *Christopher Ruby*
- *Natali Mendoza*
- *Thomas Albrecht*

**10.02 Hold a Public Hearing at Approximately 7:00 p.m. on a Charter Renewal Petition Submitted by Escuela Popular del Pueblo for Escuela Popular Accelerated Family Learning Center - Glenn Vander Zee, Associate Superintendent of Educational Services, Kirsten King, Director of Assessment & Accountability, and Lucretia Peebles, Ph.D., Administrator for Charter School Oversight**

*Public hearing held*

*Public speakers:*

- *Santiago Rebollar*
- *Dana Solorio*
- *Jose Solis*

## 11. 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:*

- Marisa Hanson, ESTA President – Donation to McKinney-Vento Student Holiday Event
- Tom Huynh, ACES President - Donation to McKinney-Vento Student Holiday Event

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

- 12.01 Discussion and/or Action Approving Statement of Votes and Certification of Election Results from the Santa Clara County Registrar of Voters Office and Declare the Totals to be the Final Results of the Election, and; Approval and Adoption of Resolution #2016/2017-16 Certifying to the Board of Supervisors of Santa Clara County all Proceedings in the November 8, 2016, General Obligation Bond Election –Chris D. Funk, Superintendent**

*Item pulled from the agenda*

- 12.02 Discussion and/or Action regarding Call for Nominations to CSBA Delegate Assembly - Frank Biehl, Board Member**

Motion by President Biehl, second by Clerk Pattie Cortese, to nominate Andres Quintero and George Sanchez to the CSBA Delegate Assembly.

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

*Vote: 5/0; Motion Carries*

- 12.03 Discussion and/or Consideration regarding First Reading of Draft Proposed Administrative Bulletin: Governing Board Internal Audit Department Guidelines – Pattie Cortese, Board Member & 2016 Audit Committee Chair**

*Public speakers:*

- Marisa Hanson, ESTA President
- Dan Juchau, Member of Audit Committee

*President Biehl would like to form a subcommittee that consists of the Board President, Audit Committee Chair and Legal Counsel. The subcommittee will work on the conversion of Administrative Bulletin into a Board Policy. The Board Policy will include direction from the Board to receive the reports under item 21, Written Reports, on the Board agenda and then allow the item to be brought forward if requested. The proposed policy will be*

*presented to the Board in January or February. It will include language that states how the reports will be received and language that allows input on the Work Plan from the Board and the Audit Committee.*

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

- 13.01 Presentation, Discussion and/or Action regarding Instructional Policies Committee (IPC) Course Submission Process - Glenn Vander Zee, Associate Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services**

*Presentation item; no action taken*

- 13.02 Presentation, Discussion and/or Action regarding Vietnamese Language Program Report - Glenn Vander Zee, Associate Superintendent of Educational Services, and Teresa Marquez, Director of Professional Development and Instructional Services**

*Presentation item; no action taken*

- 13.03 Presentation and/or Discussion regarding Attendance Improvement Strategies and Appropriate Responses - Glenn Vander Zee, Associate Superintendent of Educational Services, and ShaKenya Edison, Director of Student Services**

*Presentation item; no action taken*

- 13.04 Presentation, Information and Discussion regarding Proposed College and Career Access Pathways Partnership Agreement for 2016-2017 Between East Side Union High School District and San Jose City College/Evergreen Valley Community College District - Glenn Vander Zee, Associate Superintendent of Educational Services, and Tim Nguyen, Director of Career Services**

*Presentation item; no action taken*

- 13.05 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #5145.3 Unlawful Harassment and Discrimination Policy - Glenn Vander Zee, Associate Superintendent of Educational Services**

*Received first reading of proposed amendments to Board Policy #5145.3 Unlawful Harassment and Discrimination Policy*

- 13.06 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #5145.7 Sexual Harassment - Glenn Vander Zee, Associate Superintendent of Educational Services**

*Received first reading of proposed amendments to Board Policy #5145.7 Sexual Harassment*

- 13.07 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #5146 Married/Pregnant/Parenting Students and Exhibit #5146 –Glenn Vander Zee, Associate Superintendent of Educational Services**

*Received first reading of proposed amendments to Board Policy #5146 Married / Pregnant / Parenting Students and Administrative Regulations #5146*

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

**14.01 Presentation, Discussion and/or Action to Receive and Approve the First Interim Financial Report for Fiscal Year 2016/2017 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

*Public speaker:  
Marisa Hanson, ESTA President*

*Motion by Vice President J Manuel Herrera, second by Member Van Le, to approve the positive certification of the First Interim Financial Report to the operating budget as presented for fiscal year 2016/2017*

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

*Vote: 5/0; Motion Carries*

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

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

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

*Vote: 5/0; Motion Carries*

**14.03 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 Member Van Le, second by Member Lan Nguyen, to ratify the CUPCCAA informal project(s) as presented.*

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

*Vote: 5/0; Motion Carries*

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

**15.01 Discussion and/or Action to Approve Variable Term Waiver Request for Certificated Employee - Cari Vaeth, Associate Superintendent of Human Resources**

*Motion by Clerk Pattie Cortese, second by Vice President J Manuel Herrera, to approve the variable term waiver request for the certificated employee as presented.*

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

*Vote: 5/0; Motion Carries*

**15.02 Discussion and/or Action to Approve Amendment and Update to Salary Schedule for Associate Superintendents – Cari Vaeth, Associate Superintendent of Human Resources**

*Motion by President Frank Biehl, second by Member Lan Nguyen, to approve the proposed amended and updated salary schedule for Senior Contract Administrators / Superintendent's Council in the form attached hereto and that the Board ratify the movement of Associate Superintendent Cari Vaeth from Step 1 to Step 2, and the movement of Associate Superintendent Marcus Battle from Step 4 to Step 5 on the schedule effective July 1, 2016, based on two consecutive Meets Expectations annual evaluations received.*

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

*Vote: 5/0; Motion Carries*

**15.03 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #4262 - Differential Pay for Maternity and Paternity Leave - Classified Service (Amended Policy Title: Differential Pay for Child Bonding/Parental Leave - Classified Service) - Cari Vaeth, Associate Superintendent of Human Resources**

*Received first reading of proposed amendments to Board Policy #4262 - Differential Pay for Maternity and Paternity Leave - Classified Service (Amended Policy Title: Differential Pay for Child Bonding/Parental Leave - Classified Service)*

**15.04 Discussion and/or Action to Receive and Adopt the Second Reading of Proposed Amendments to Board Policy #4119.11/4219.11/4319.11 - Sexual Harassment – Cari Vaeth, Associate Superintendent of Human Resources**

*Motion by Member Lan Nguyen, second by Clerk Pattie Cortese, to receive and adopt the second reading of proposed amendments to Board Policy #4119.11/4219.11/4319.11 - Sexual Harassment.*

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

*Vote: 5/0; Motion Carries*

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

**16.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Julio Lucas, Interim Director of Capital Planning and Design, and Janice Unger, Capital Projects Purchasing Manager**

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

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

*Vote: 5/0; Motion Carries*

**Consent / Action Calendar  
Sections 17-21**

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

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

*Motion by Member Lan Nguyen, second by Clerk Pattie Cortese, to approve the entire consent/action calendar as presented.*

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

*Vote: 5/0; Motion Carries*

**17. Board of Trustees / Superintendent - Consent / Action Calendar**

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

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

**18. Educational Services / Student Services - Consent / Action Calendar**

**18.01 Ratify/Approve School Field Trips**

**19. Business Services - Consent / Action Calendar**

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

**19.02 Approve Purchase Orders**

**19.03 Approve Change Orders to Purchase Orders**

**19.04 Approve Memoranda of Understanding**

**19.05 Approve Budget Transfers for the Month of November, 2016**

**19.06 Accept Warrant Register for the Month of November, 2016**

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

**20.01 Ratify/Approve Classified Personnel Actions Presented December 8, 2016**

**20.02 Ratify/Approve Certificated Personnel Actions Presented December 8, 2016**

**20.03 Ratify/Approve Student Aide Personnel Actions Presented December 8, 2016**

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

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

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

**21.03 Approve Qualified Professional Service Providers**

**22. Written Reports/Recommendation**

**No Items on Calendar Under this Section**

**23. FUTURE AGENDA ITEMS**

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

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

Item	Date (tentative)	Type
Update on Chinese Language Instruction	TBD	Presentation/Discussion
IPC Annual Update, including activities to-date	Annually, beginning February 2018	Presentation/Discussion

**Van Le, Board Member**

Item	Date (tentative)	Type
Role of PCIS vs. Liaisons <ul style="list-style-type: none"> <li>• Ethnicity/Diversity compared to Site Enrollment</li> <li>• Roles and Responsibilities</li> </ul>	TBD	Presentation/Discussion
Bond Projects Update	Annually, beginning March/April 2017	Presentation/Discussion

**23.02 Future Items**

**Frank Biehl, Board Member**

Item	Date (tentative)	Type
Project Word	January 19, 2017	Presentation/Discussion
Guidance Plan / Naviance	Spring, 2017	Presentation/Discussion

**J. Manuel Herrera, Board Member**

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

**Van Le, Board Member**

Item	Date (tentative)	Type
Failed Courses	Twice Year: November & March	Report
Career Pathways	March, 2017	Presentation/Discussion
Grading Policy	Fall, 2017	Presentation/Discussion
Accel Program	TBD	Report
Challenge Exams for Course Advancement	TBD	Report
Child Nutrition Services	TBD	Presentation
Transportation	TBD	Presentation



**Pattie Cortese, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>Teen Parents</b> <ul style="list-style-type: none"><li>• Education</li><li>• Support</li><li>• Child Care at James Lick HS</li></ul>	TBD	<b>Presentation/Discussion</b>
<b>Student Board Representative</b>	TBD	<b>Discussion</b>
<b>Community Liaisons</b> <ul style="list-style-type: none"><li>• Role and Expectations</li></ul>	TBD	<b>Presentation/Discussion</b>

## 23.03 Annual Governance Calendar

July
Summer School Program (concludes session)
Summer School Graduation

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

September
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

October
Board Members Expenses' Report (July/Aug/Sept)
Bond Program Presentation
Solar Energy Presentation
Student Achievement Presentation
Williams Quarterly Report

November
Board Study Session/Workshop
Election Orientation for New Board Members

December
Annual Organizational Board Meeting
CSBA Annual Conference
Election Orientation for New Board Members
End of First Semester
First Interim Report

January
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

February
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

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

April
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

May
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)

June
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
Instructional Practices Committee (IPC) Annual Report
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)

## **24. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

### **24.01 Board of Trustees**

#### **Board President Frank Biehl**

*I want to wish everyone a very nice holiday season. I think we are all looking forward to a couple of weeks.*

#### **Board Vice President J. Manuel Herrera (no comment)**

#### **Board Clerk Pattie Cortese**

*I was notified by Evergreen Board Member Sylvia Alvarez that the County is putting on a special subcommittee for youth and child welfare. Board Members are invited to attend a meeting on December 15 from 1 PM to 4 PM. Superintendents are invited as well. I will send an email about this, but it has to do with developing protocols for children if their parents are picked up by ICE.*

#### **Board Member Lan Nguyen**

*Happy holidays! It is going to be Christmas in a few weeks.*

*I'd like to thank Mary for putting together the Oath of Office Ceremony. It was new for my sons to swear me in. It would not have been smooth without your support Mary. Thank you!*

#### **Board Member Van Le**

*MetroED: We are having a holiday open house tomorrow at MetroED in building 400, 11 AM – 1PM. On December 16, we are having students and staff decorate tree #375 at Christmas in the Park.*

*I am on the Work2Future Board. I commend the staff and East Side for working together with Work2Future in implementing internship programs for 41 of our students in East Side.*

*Happy holidays!*

### **24.02 Chris D. Funk, Superintendent**

*Just looking forward to hoping to see everyone next Thursday at 5 PM here. A special thank you, once again, to ESTA, ACES, CSEA for their wonderful contribution. It is going to be a lot of fun. A lot of gifts to give away. A very exciting time. Thank you very much.*

## **25. 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.*

26. ADJOURNMENT

**President adjourns the meeting.**

*The Board President adjourned the meeting at 10:54 PM.*

*Respectfully submitted,*

A handwritten signature in black ink, appearing to be "Patricia", written in a cursive style.

*Board Clerk*



Preparing every student to thrive in a global society.

## Agenda Item Details

---

Meeting	Dec 08, 2016 - AMENDED AGENDA -- ESUHSD ANNUAL ORGANIZATIONAL & REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	14. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	14.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, and Francine Brissey, General Purchasing Manager
Access	Public
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.

## Public Content

---

### 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.

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000  
Board Meeting of December 8, 2016 – Item 14.02

## 1. Cong Chen

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Richard Uribe André Bell Francine Brissey	January 9, 2017 – June 30, 2017	\$33,000 Adult Education	Adult Education/ Richard Uribe

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract between ESUHSD and Cong Chen. Cong Chen will analyze traditional and non-traditional data for adult education consortium partners to establish a baseline performance and performance objective norms as mandated by the community college Chancellor's Office and CDE – Adult Education Division.

### **Selection Process**

N/A

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with Cong Chen in the amount of \$33,000 for the term of January 9, 2017, through June 30, 2017. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.



Preparing every student to thrive in a global society.

## Agenda Item Details

---

Meeting	Dec 08, 2016 - AMENDED AGENDA -- ESUHSD ANNUAL ORGANIZATIONAL & REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	16. FACILITIES/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	16.01 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, André Bell, Director of Purchasing and Capital Accounting, Julio Lucas, Interim Director of Capital Planning and Design, 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(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

## Public Content

---

### 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, Julio Lucas, Interim Director of Capital Planning and Design, and Janice Unger, Capital Projects Purchasing Manager

**SUBJECT:** Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000

The attachment for the bond/capital projects contract(s) over \$50,000 is being presented for Board review and approval.

#### Fiscal Impact:

As indicated in the attachment

#### Funding Source:

As indicated in the attachment

#### Recommendation:

It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed

\$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

[2016 1208 Contracts Over \\$50K.pdf \(91 KB\)](#)

[16-East Side Union School District-Tii Sole Source Letter-completed-signed \(1\).pdf \(239 KB\)](#)

[16-East Side Union High School District-Tii FBS Regis Agmt-SPA-rev-113016.pdf \(196 KB\)](#)

---



**EAST SIDE UNION HIGH SCHOOL DISTRICT**  
**Bond/Capital Projects Contract(s) for Services over \$50,000**  
**Board Meeting of December 08, 2016 - Item 16.01**

**Turnitin, LLC (SOLE SOURCE VENDOR)**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Randy Phelps André Bell Marcus Battle Janice Unger	January 01, 2017 through September 30, 2019	\$171,134.51 (not to exceed amount)  Measure I	Districtwide/Instructional Technology  Randy Phelps, Chief Technology Officer

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve an agreement with Turnitin, LLC. Turnitin, LLC, subscription service provides a plagiarism-prevention tool that allows academic institutions to easily determine if students are writing and submitting original work. Utilizing this unique technology, Turnitin, LLC, searches the Internet, as well as our proprietary databases of papers and digital texts for sources of potential plagiarism.

For the past several years, three school sites have been utilizing Turnitin.com to work with students to reduce plagiarism and to help with editing papers and utilizing appropriate citation forms as well as detecting plagiarism. The costs for the three sites amounted to nearly \$47,000.00 per year. There has been a groundswell of requests for other school sites to have the opportunity to use the software. We entered into a negotiation with Turnitin.com for all of our sites and students and were successful in reducing their original proposal of \$307,000.00 for a year to \$171,134.51 for three years. This will provide a valuable resource for all of our students and teachers to sharpen their skills and to be certain that they have not plagiarized and for teachers to make sure that students are not plagiarizing.

Turnitin®, including its associated components, is a single-source product developed and sold by Turnitin, LLC, based in Oakland, CA. The product is a unique service that is not offered by any other vendor or reseller in a similar format. The product may be procured only from Turnitin, LLC. Turnitin is an item for which competition is precluded due to patent (SYSTEMS AND METHODS FOR FACILITATING ORIGINALITY ANALYSIS - USPTO 8,296,661).

No Selection Process was performed; agreement and sole source letter is included.

**RECOMMENDATION**

It is recommended that the Board of Trustees approve an agreement with Turnitin, LLC, as the sole source vendor for a contract term of Thirty-three (33) months commencing on the Activation Date, estimated January 1, 2017, and expiration date of September 30, 2019, for the total not to exceed \$171,134.51 for the purpose of providing subscription license service for a plagiarism-prevention tool that will support all school sites and authorize administration to execute change orders in accordance with Board Policy 3312.1.



Preparing every student to thrive in a global society.

## Agenda Item Details

---

Meeting	Dec 08, 2016 - AMENDED AGENDA -- ESUHSD ANNUAL ORGANIZATIONAL & REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	19. BUSINESS SERVICES - CONSENT/ACTION CALENDAR
Subject	19.01 Ratification of Contract(s) for Professional Services At or Below \$25,000
Access	Public
Type	Action
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.

## Public Content

---

### 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:** 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.

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

Board Meeting of December 08, 2016 – Item 19.01

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

<b>Consultant</b>	<b>Contract Period</b>	<b>Contract Amount/Funding Source</b>	<b>PO Number</b>	<b>Location of Services</b>	<b>Description of Services</b>	<b>Date Contract Assigned</b>
Adams Silva & McNally LLP	October 13, 2016 – June 30, 2017	\$15,000.00/ Professional Development Program	701927	Education Center	Provide 2 days of legal training services for Special Education Administration.	November 2, 2016
Alum Rock Counseling Center	October 31, 2016 – December 16, 2016	\$16,000.00/ Supplemental - LCAP	701928	Evergreen Valley	Provide Mental Health services 5 days a week at Evergreen Valley High School.	October 25, 2016
Gregory L. Messa	September 1, 2016 – June 1, 2017	\$800.00/ Music	701872	Education Center	Provide services to tune and perform minor repairs on the school district owned percussions equipment belonging to the Performing Arts Department.	October 28, 2016
Intrepid Electronic System	July 1, 2016 – June 30, 2016	\$5,000.00/ Operation/Plant Security	701895	Education Center	Provide on-call fire alarm repairs as requested for all ESUHSD sites in accordance with the Contract and Exhibit “A”.	November 11, 2016
Mission Bay Inc.	October 3, 2016 – June 30, 2017	\$21,000.00/ Tuition	701894	Education Center	Provide Day Program, Transportation and Transportation aide for a special education student from ESUHSD.	October 11, 2016



Preparing every student to thrive in a global society.

## Agenda Item Details

---

Meeting	Dec 08, 2016 - AMENDED AGENDA -- ESUHSD ANNUAL ORGANIZATIONAL & REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	21. FACILITIES/BOND - CONSENT/ACTION CALENDAR
Subject	21.01 Ratification of Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000
Access	Public
Type	Action
Recommended Action	It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

## Public Content

---

### 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.

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of December 08, 2016 - Item 21.01**

Project Number & Name	Project Description	Purchase Order Number/ Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
G-065-228 / IH Stadium Scoreboard Replacement	Provide site observation and structural engineering services for the justification of an existing post structure. Provide detail drawing to mount the new stadium scoreboard at Independence High School	701816/CP1694	Professional services rendered September 1, 2016 through September 30, 2016	Duquette Engineering	\$600.00	11/8/2016
E-025-007 / AH Gymnasium Windows Replacement	Provide site observation and structural engineering services for the window glazing details at Andrew Hill High School	701817/CP1693	Professional services rendered June 29, 2016 through September 30, 2016	Duquette Engineering	\$1,000.00	11/8/2016
E-040-004 / WCO Bid J (L) Classroom Modernization	Provide geotechnical inspection services and testing for W.C.Overfelt Building J (L) Classroom Modernization	701876/CP1682	November 14, 2016 through project completion	Construction Testing Services	\$13,231.00	11/14/2016
Z-065-803 / DW Roofing (IH Bid F)	C/O #1: Amendment #1 to Contract Services Agreement. For Independence re-roofing to add (2) more shifts to complete the abatement monitoring and management for the project	701126/CP1569	No Change	HazMat Doc	Original contract amt: \$6,775.00 + \$1,040.00 = \$7,815.00	11/16/2016
F35-052-008 / EC Transportation Yard Relocation	Provide engineering design, bidding and construction administration services for the EC Transportation Yard Relocation Project. Scope of work includes ADA access compliant design, preparing plans, and specifications, meetings, bidding support, review submittal and pay app, assist in project closeout, etc.	701912/CP1710	November 17, 2016 through project completion	Pavement Engineering, Inc.	\$41,500.00	11/17/2016

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of December 08, 2016 - Item 21.01**

Project Number & Name	Project Description	Purchase Order Number/ Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-070-601 / ST Field Concession Bld	Provide soil engineering observation and testing services during construction for Santa Teresa High School Concession Building Project. The scope of work includes coordinating inspections, providing semi-monthly reports, and reviewing progress of work. Per DSA No.: 01-115990	701915/CP1673	November 17, 2016 through project completion	Cleary Consultants, Inc.	\$12,100.00	11/17/2016