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Agenda Item Details

Meeting Mar 23, 2017 - ESUHSU REGULAR BOARD MEETING - 3:30 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133

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

Subject 16.02 Approve Minutes of January 19, 2017, Regular Board Meeting

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees approve the January 19, 2017, 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 January 19, 2017, Regular Board Meeting

Attached are the minutes of the January 19, 2017, 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 January 19, 2017, Regular Board Meeting minutes as presented.

Executive Content

East Side Union High School District
APPROVED
 Board of Trustees
mgullen 3-23-17



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

January 19, 2017

4:00 p.m.

1. CALL TO ORDER/ROLL CALL

1.01 Roll Call

The Regular Board meeting was called to order at 4:04 PM by Board Vice President J. Manuel Herrera.

Present for roll call:

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

President Frank Biehl arrived at 4:50 PM. For the record, the reason for President Biehl's late arrival was due to being on-call for jury duty. He was seated in a jury pool at Superior Court and arrived as soon as he could. The proceeding went on until 4:30 PM.

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

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

There were no public speakers.

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

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

2. CLOSED SESSION

2.01 Expulsion(s): 16-17-012

Student 16-17-012:

Motion by Member Lan Nguyen, second by Member Van Le, to approve the expulsion of student #16-17-012.

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

Not present at vote: President Frank Biehl

Vote: 4/0; President Frank Biehl not present at vote; Motion carries

2.02 Public Employee Performance Evaluation (Government Code Section 54957)

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

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

Motion #1

Item to be also included within 2.06

Motion by Vice President J. Manuel Herrera, second by Member Lan Nguyen, to approve a settlement agreement and general release of claims between the District and an employee, which includes a release of claims. A copy of the agreement is available from the District upon request.

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

Vote: 5/0; Motion carries

Motion #2

Motion by Vice President J. Manuel Herrera, second by Clerk Pattie Cortese, to approve a compulsory unpaid leave for one certificated employee.

Vote: 5/0; Motion carries

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

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**

- **Claim for Damages of V. Lara; and,**
- **Three (3) Potential Cases**

Motion #1

Motion by President Frank Biehl, second by Vice President J. Manuel Herrera, to reject the claim for damages of V. Lara.

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

Vote: 5/0; Motion carries

Motion #2

Item from 2.04 that is to be also included within 2.06

Motion by Vice President J. Manuel Herrera, second by Member Lan Nguyen, to approve a settlement agreement and general release of claims between the District and an employee, which includes the release of claims as previously mentioned. A copy of the agreement is available from the District upon request.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, 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**
Office of Administrative Hearings: Case No. 2016061098; and,
Office of Administrative Hearings: Case No. 2016110329

Motion by Member Van Le, second by Clerk Pattie Cortese, to approve the settlement agreement and release in OAH Case #2016110329. The settlement agreement includes a payment by the District in the amount of \$6,000 in attorney fees among other terms.

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

Not present at vote: President Frank Biehl

Vote: 4/0; President Frank Biehl not present at vote; Motion carries

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

Presenting the colors from Wm. C. Overfelt High School were Major Pierce and Sergeant Hunter with the Army JROTC.

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.

Vice President Frank Biehl 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 15.03 was pulled from the agenda.

6. BOARD SPECIAL RECOGNITION(S)

6.01 Fall Sports Recognitions

Andrew Hill High School:

- Jorge Estrella, Boys Cross Country, 4th Place, Division 1, State Champions

Evergreen Valley High School:

- Girls Golf, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Taylor Lim, Girls Tennis, Singles Champion, Blossom Valley Athletic League Champions
- Apryl Chiem, Girls Cross Country, 4th Place, Division 1, State Champions

Independence High School:

- Girls Tennis, Santa Teresa Division, Blossom Valley Athletic League Champions

James Lick High School:

- Boys Cross Country, Santa Teresa Division, Blossom Valley Athletic League Champions

Oak Grove High School:

- Football, Mt. Hamilton Division, Blossom Valley Athletic League Champions
- Girls Tennis, West Valley Division, Blossom Valley Athletic League Champions

Santa Teresa High School:

- Ann Marie Howell, Girls Cross Country, 5th Place, Division 1, State Champions

Yerba Buena High School:

- Girls Volleyball, West Valley Division, Blossom Valley Athletic League Champions

7. STUDENT BOARD LIAISONS (5 MINUTES EACH)

7.01 Mt. Pleasant High School:

- Lisa Vu, CVC President
- Joanne Nguyen, ASB President
- Lester Lavarro, CVC Vice-President
- Joanna Landeros, AVID Student
- Julissa Escobar, AVID Student

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 Discussion and/or Action of San Jose Conservation Corps 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

Motion by Vice President J Manuel Herrera, second by Member Van Le), to approve the proposed San Jose Conservation Corps Charter School Charter Renewal Petition submitted by Stephanie Ogden, Principal, San Jose Conservation Corps Charter School, lead petitioner for the San Jose Conservation Corps Charter School Board of Directors. Administration recommends that the San Jose Conservation Corps Charter School charter 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

8.03 Discussion and/or Action of Escuela Popular Accelerated Family Learning Center Charter 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 speaker(s):

- *Gisela Chevez*
- *Anel Torres*
- *Rosalind Reynoso*

Motion by Clerk Pattie Cortese, second by Vice President J Manuel Herrera, to approve the proposed Escuela Popular Accelerated Family Learning Center Charter Renewal Petition submitted by Patricia Reguerin, Executive Director, Escuela Popular Accelerated Family Learning Center and designated representative for the Escuela Popular del Pueblo, Board of Directors for EPAFLC. Administration recommends that the Escuela Popular Accelerated Family Learning Center charter 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

8.04 Presentation and/or Discussion regarding Relationship-Centered Schools Initiative - Angeles Rojas, Californians for Justice

Presentation item; no action taken

8.05 Discussion and/or Action to Adopt Resolution #2016/2017-18 Relationship-Centered Schools Initiative - Chris D. Funk, Superintendent, and Angeles Rojas, Californians for Justice

Motion by Member Lan Nguyen, second by Clerk Pattie Cortese, to adopt Resolution #2016/2017-18 Relationship-Centered Schools Initiative.

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

Vote: 5/0; Motion carries

8.06 Discussion and/or Action to Review and Accept the Annual Financial and Performance Audit Report for Fiscal Year Ending June 30, 2016 and Reports for Measures G, E, 2012-I, and 2014-I Technology GO Bond Funds - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance and Joyce Peters, Vavrinek, Trine, Day & Co., LLP

Motion #1:

Motion by President Frank Biehl, second by Member Van Le, to accept the Annual Financial and Performance Audit Report for fiscal year ending June 30, 2016

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

Vote: 5/0; Motion carries

Motion #2:

Motion by President Frank Biehl, second by Member Van Le, to accept the Annual Financial and Performance Audit Report for fiscal year ending June 30, 2016, for Measures G, E, 2012-I, and 2014-I Technology General Obligation Bond Funds.

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

Vote: 5/0; Motion carries

8.07 Presentation, Discussion and/or Action to Adopt Resolution #2016/2017-15A Amending Resolution #2016/2017-15 in Certain Respects Relating to Issuance and Sale of General Obligation Bonds, 2008 Election, Series E, and Engaging Professional Services - Marcus Battle, Associate Superintendent of Business Services, Dale Scott, President, Dale Scott and Company, and Charles F. Adams, Bond Counsel, Jones Hall

Motion by President Frank Biehl, second by Member Lan Nguyen, to adopt the proposed Resolution #2016/2017-15A Amending Resolution #2016/2017-15 in Certain Respects Relating to Issuance and Sale of General Obligation Bonds, 2008 Election, Series E, and Engaging Professional Services.

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

Vote: 5/0; Motion carries

8.08 Presentation, Discussion and/or Action to Receive and Adopt Second Reading of the New Proposed Board Policy #3461 District Debt Management - Marcus Battle, Associate Superintendent of Business Services, and Dale Scott, President, Dale Scott & Company

Motion by Member Lan Nguyen, second by Vice President J Manuel Herrera, to receive and adopt the second reading of the proposed new Board Policy #3461 District Debt Management.

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

Vote: 5/0; Motion carries

8.09 Presentation and/or Discussion regarding Bond Program Update - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning & Design, and Farshid Samsami, Program Manager, SGI

Presentation item; no action taken

Member Van Le asked for a report on status of swimming pool projects.

Vice President Frank Biehl asked for a list of expenditures under Fund 25 and Fund 35.

8.10 Presentation, Discussion and/or Action of Measure Z Equity Distribution Methodology - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning & Design, and Farshid Samsami, Program Manager, SGI

Public speaker(s):

- *Susan Williams*

Motion by President Frank Biehl, second by Member Lan Nguyen, to approve the proposed Measure Z distribution plan and authorize staff to proceed with programming and scheduling of the projects as identified in the soon to be adopted Master Plan.

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

Vote: 5/0; Motion carries

8.11 Presentation, Discussion and/or Action regarding District Property and Other Land Use, 830 N. Capitol Avenue, San Jose, CA 95133 - Update #5 - Chris D. Funk, Superintendent

Public speaker(s):

- *Marisa Hanson, ESTA President*
- *Bruce Berg, Mt. Hamilton/CTA*
- *Ingrid Holguin*
- *Julio Pardo, CSEA President*
- *Susan Williams*
- *Andy Madeira*

Motion #1

Motion by Board President Frank Biehl, to direct administration come back to the Board within the next six month with a detailed teacher/staff recruitment and retention plan. If the Board feels that affordable housing is a significant part of the plan, that they wish to move forward, then the Board should have that opportunity.

No second; motion fails

Motion #2

Motion by Board President Frank Biehl, second by Member Lan Nguyen, to table item 8.11. and resume discussion in August 2017. In the interim, prior to the item committee coming back to the Board in August for discussion, there will be a two-member subcommittee of the Board that can solve and work with the administration on investigating, not just the housing, but also other possibilities regarding the District's property.

Aye: Board President Frank Biehl, Clerk Pattie Cortese, Member Lan Nguyen

Nay: Board Member Van Le

Abstention: Vice President J. Manuel Herrera

Vote: 3/1/1; Member Van Le voting No; Vice President J. Manuel Herrera abstaining; Motion carries

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 speaker(s):

- Netta Anderson – Concerns*
- Julio Pardo, CSEA President*

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

11.01 Discussion, Consideration and/or Action regarding Selection/Appointment of Board Audit Committee Members - Pattie Cortese, Board Audit Committee Chair, and Lan Nguyen, Audit Committee Vice Chair

Item pulled from the agenda

11.02 Discussion and/or Action to Receive First Reading of Proposed Amendments to Board Policy #3460 Financial Reports and Accountability – Frank Biehl, Board President, and Pattie Cortese, Board Clerk & Audit Committee Chairperson

Received first reading of proposed amendments to Board Policy #3460 Financial Reports and Accountability.

11.03 Discussion and/or Action to Adopt Resolution #2016/2017-20 Affirming Support of Students and Families regarding Immigration Enforcement Actions at Schools - Frank Biehl, Board President, and Marisa Hanson, ESTA President

Public speaker(s):

- *Hector Castaneda*
- *Kaylauni Cisneros*
- *Mireya Gomez*
- *Maria D. Martinez*
- *Shaila Ramos*
- *Lesly Carbajal*
- *Lucila Ortiz*

Motion by President Frank Biehl, second by Member Lan Nguyen, to adopt Resolution #2016/2017-20 Affirming Support of Students and Families regarding Immigration Enforcement Actions at Schools.

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

Vote: 5/0; Motion carries

11.04 Discussion and/or Action to Adopt Resolution #2016/2017-21 Designating the Citizens Bond Oversight Committee for the Bonds authorized under Measure Z – Chris D. Funk, Superintendent

Motion by President Frank Biehl, second by Vice President J Manuel Herrera, to adopt Resolution #2016/2017-21 Designating the Citizens Oversight Committee for the Bonds Authorized Under Measure Z.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, 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 Second Reading and Adopt Amended Board Policy #5145.3 Nondiscrimination/Harassment – Glenn Vander Zee, Associate Superintendent of Educational Services

Motion by Vice President J Manuel Herrera, second by Member Lan Nguyen, to receive the second reading and adopt amended Board Policy #5145.3 Nondiscrimination/Harassment.

Yea: President Frank Biehl, Vice President J Manuel Herrera, Clerk Pattie Cortese, Member Lan Nguyen, 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 #5146 Married/Pregnant/Parenting Students - Glenn Vander Zee, Associate Superintendent of Educational Services

Motion by Member Lan Nguyen, second by Vice President J Manuel Herrera, to receive and adopt second reading of proposed amendments to Board Policy #5146 Married/Pregnant/Parenting Students.

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 Action to Receive Second Reading and Adopt Amended Board Policy #5145.7 Sexual Harassment – Glenn Vander Zee, Associate Superintendent of Educational Services

Motion by Member Van Le, second by Clerk Pattie Cortese, to receive the second reading and adopt amended Board Policy #5145.7 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

12.04 Receive the Fourth Quarterly Williams Settlement Uniform Complaint Report for Period Covering October 1, 2016, through December 31, 2016, as required by EC 35186 (Williams Settlement Legislation SB350 and AB2727) - Glenn Vander Zee, Associate Superintendent of Educational Services

Motion by Member Van Le, second by Clerk Pattie Cortese, to accept the Fourth Quarterly Williams Settlement Uniform Complaint report for the period covering October 1, 2016, through December 31, 2016, as required by EC 35186 (Williams Settlement Legislation SB550 and AB2727).

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

Vote: 5/0; Motion carries

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

13.01 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 Vice President J Manuel Herrera, 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. HUMAN RESOURCES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

14.01 Discussion and/or Action to Receive and Adopt the Second 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

Motion by Member Lan Nguyen, second by Member Van Le, to receive and adopt the second 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)

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 Adopt Resolution #2016/2017-17 Declaring the Observance of Lincoln's Birthday on February 24, 2017

Motion by Member Lan Nguyen, second by Member Van Le, to adopt Resolution #2016/2017-17 declaring the observance of Lincoln's Birthday on Friday, February 24, 2017.

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

Vote: 5/0; Motion carries

14.03 Discussion and/or Action Regarding the Approval of the Student/Certificated Calendar for the 2017-2018 School Year - Cari Vaeth, Associate Superintendent of Human Resources

Motion by Vice President J Manuel Herrera, second by Clerk Pattie Cortese, to approve the student/certificated calendar for the 2017-2018 school year.

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

Vote: 5/0; Motion carries

14.04 Discussion and/or Action Regarding Update on Board Resolution #2016/2017-02 Supplemental Early Retirement Program (SERP) - Cari Vaeth, Associate Superintendent of Human Resources

Public speaker(s):

- *Marisa Hanson, ESTA President*

Motion by President Frank Biehl, second by Member Lan Nguyen, to move forward with the Supplemental Early Retirement Program (SERP) to certificated, non-management employees, with the total number of notices received at 54.

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

Vote: 5/0; Motion carries

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

15.01 Discussion and/or Action to Approve the Capital Program Budget Adjustment Report - Marcus Battle, Associate Superintendent of Business Services, and André Bell, Director of Purchasing and Capital Accounting

Motion by President Frank Biehl, second by Vice President J Manuel Herrera, to approve the Capital Program Budget Adjustment Report.

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 the Bond/Capital Projects Contract(s) Over \$50,000 - 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

Motion by Member Lan Nguyen, second by Clerk Pattie Cortese, 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

15.03 Discussion and/or Action to Approve Joint Use Shared Access and Parking Agreement with Escuela Popular del Pueblo - Marcus Battle, Associate Superintendent of Business Services

Item pulled from the agenda

15.04 Discussion and/or Action to Approve Full Cost Recovery Agreement with Escuela Popular del Pueblo - Marcus Battle, Associate Superintendent of Business Services

Motion by President Frank Biehl, second by Vice President J Manuel Herrera, to consider and approve the Full Cost Recovery Agreement between the District and Escuela Popular in substantially the form presented.

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 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 J Manuel Herrera, 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

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

16.01 Approve 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

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

- 16.03 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings**
- 16.04 Approve Minutes of November 14, 2016, Board Study Session**
- 16.05 Approve Minutes of November 17, 2016, Regular Board Meeting**

- 17. Educational Services / Student Services - Consent / Action Calendar**
 - 17.01 Ratify/Approve School Field Trips**

- 18. Business Services - Consent / Action Calendar**
 - 18.01 Ratify 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 Approve Memoranda of Understanding**
 - 18.05 Accept Report of Credit Card Purchases for Statement Dated June 22, and July 22, 2016**
 - 18.06 Accept Donations, Grants and Awards for October, November and December of the 2016/17 School Year**
 - 18.07 Approve Budget Transfers for the Month of December, 2016**
 - 18.08 Accept Warrant Register for the Month of December, 2016**

 - 18.09 Approve Memorandum of Understanding with Foothill Health Center, Inc.**
 - 18.10 Adopt Resolution #2017/2018-19 Authorization for Administration to Submit School Facility Program Applications to the State Allocation Board**
 - 18.11 Ratify CUPCAA Informal General Purchasing Project(s)**
 - 18.12 Approve the Use of Carnival Equipment during the Vietnamese Voluntary Foundations Facilities Rental of Yerba Buena High School on February 10 - 12, 2017**

- 19. Human Resources - Consent / Action Calendar**
 - 19.01 Ratify/Approve Classified Personnel Actions Presented January 19, 2017**
 - 19.02 Ratify/Approve Certificated Personnel Actions Presented January 19, 2017**
 - 19.03 Ratify/Approve Student Aide Personnel Actions Presented January 19, 2017**

19.04 Ratify/Approve Memorandum of Understanding (AFT "Agency Shop") with the San Jose Federation of Teachers, AFT #957 and the East Side Union High School District

20. Facilities - Consent / Action Calendar

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

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

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

20.04 Ratify CUPCCAA Informal Bond Project(s)

21. Written Reports/Recommendation

21.01 Receive Report of Board Members Expenses for October, November and December of the 2016/17 Fiscal Year

Report received

22. FUTURE AGENDA ITEMS

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

Frank Biehl, Board President

Item	Date (tentative)	Type
<i>Funds 25 and 35</i>	<i>TBD</i>	<i>Presentation/Discussion</i>

Pattie Cortese, Board Clerk

Item	Date (tentative)	Type
<i>School Linked Services</i>	<i>TBD</i>	<i>Presentation/Discussion</i>

Van Le, Board Member

Item	Date (tentative)	Type
<i>Swimming Pools Update</i>	<i>TBD</i>	<i>Presentation/Discussion</i>

22.02 Future Items

Frank Biehl, Board President

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

J. Manuel Herrera, Board Vice President

Item	Date (tentative)	Type
Chinese Language Instruction	February 16, 2017	Presentation/Discussion
STEAM	May 4, 2017 Study Session	Presentation/Discussion
IPC Annual Update • Activities To-Date	Annually (beginning February 2018)	Presentation/Discussion

Pattie Cortese, Board Clerk

Item	Date (tentative)	Type
Student Board Representative	February 16, 2017	Discussion
Teen Parents • Education • Support • Child Care at James Lick HS	March, 2017	Presentation/Discussion
School Linked Services	March, 2017	Presentation/Discussion
Community Liaisons vs. PCIS and Attendance Clerks • Delineation of Roles and Expectations and How they Work Together	March, 2017	Presentation/Discussion

Van Le, Board Member

Item	Date (tentative)	Type
Failed Courses	Twice Year: November & March	Report
Grading Policy	Fall, 2017	Presentation/Discussion
Role of PCIS vs. Liaisons • Ethnicity/Diversity compared to Site Enrollment • Roles and Responsibilities	March, 2017	Presentation/Discussion
Career Pathways	March, 2017	Presentation/Discussion
Accel Program	April 13, 2017	Report
Challenge Exams for Course Advancement	April 13, 2017	Report
Child Nutrition Services	April 13, 2017	Presentation
Transportation	April 13, 2017	Presentation

22.03 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

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
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
Sports Recognitions (Winter/Spring)
Summer School Program (session begins)

23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS

23.01 Board of Trustees

- **Board President Frank Biehl** *(no comments made)*
- **Board Vice President J. Manuel Herrera** *(no comments made)*
- **Board Clerk Pattie Cortese** *(no comments made)*
- **Board Member Lan Nguyen** *(no comments made)*
- **Board Member Van Le**
We will be celebrating Vietnamese New Year on January 20. Happy New Year!

23.02 Chris D. Funk, Superintendent *(no comments made)*

24. REPORT CLOSED SESSION ACTION(S)

Legal Counsel will report on Closed Session action item(s).

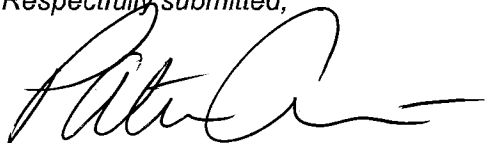
See section 2.0 for reporting out of Closed Session items.

26. ADJOURNMENT

President adjourns the meeting.

President Frank Biehl adjourned the meeting at 11:44 PM.

Respectfully submitted,



Board Clerk



Preparing every student to thrive in a global society.

Agenda Item Details

Meeting	Jan 19, 2017 - ESUHS D REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	13.01 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.

 [2017 0119 Contracts Over \\$25K.pdf \(89 KB\)](#)

Executive Content

Motion & Voting

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.

Motion by Vice President J Manuel Herrera, second by Member Lan Nguyen.

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000
Board Meeting of January 19, 2017 – Item 13.01

1. First 5 Santa Clara County - Revenue

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Deborah Barnes Francine Brissey	July 1, 2016 – June 30, 2017	\$24,120.00 Not to exceed Child Development	Educational Services/ Deborah Barnes

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the revenue contract with First 5 Santa Clara County. This program will allow low income children and their families to have access to high quality state preschool programs which support local early learning contributing to the reduction of the achievement gap.

Selection Process

Infant/Toddler QRIS Block Grant Application

Recommendation

It is recommended that the Board of Trustees approve the revenue contract with First 5 Santa Clara County in the amount of \$24,120.00 for the term of July 1, 2016, through June 30, 2017.

2. San Jose/Evergreen Community College District (SJEVCCD) REVENUE

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Rich Uribe Francine Brissey	November 8, 2016 – June 30, 2017	\$60,797.58 Adult Ed Basic Grant	Adult Education/ Rich Uribe

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the revenue contract with SJEVCCD. SJEVCCD will design, produce and mail 320,000 course catalogues for East Side Adult Education. To be paid upon deliverables twice yearly.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the revenue contract in the amount of \$60,797.58 for the term of November 8, 2016, through June 30, 2017.

EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000
Board Meeting of January 19, 2017 – Item 13.01

3. Safir and Associates – Change Order

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Chris Funk Glenn Vanderzee Francine Brissey	August 1, 2016 – June 30, 2017	\$60,000.00 Original \$31, 347.75 Change Order No. 1 \$91,347.75 Total New Value	Superintendent's Office/ Chris Funk

Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the change order and additional scope of work for Safir and Associates. Safir and Associates will design an equity program for Evergreen Valley and Oak Grove High Schools, to ensure that each student has access to the resources they need to learn and thrive. There will be three steps to this process, 1. Needs assessment, 2. Site leadership capacity building, 3. Equity leadership retreats.

Selection Process

N/A

Recommendation

It is recommended that the Board of Trustees approve the additional scope of work for the Safir and Associates contract in the amount of \$31,347.75 for a total value of \$91,347.75 for the term of August 1, 2016, through June 30, 2017.



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Agenda Item Details

Meeting	Jan 19, 2017 - ESUHS D REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	15. FACILITIES/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION
Subject	15.02 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Interim Director of Capital Planning and Design, André Bell, Director of Purchasing and Capital Accounting, 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, 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: 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.

 [2017_0119 Contract Over \\$50K-FINAL.pdf \(136 KB\)](#) [Attachment A.pdf \(52 KB\)](#) [Attachment B.pdf \(55 KB\)](#) [Attachment C.pdf \(116 KB\)](#) [Attachment D.pdf \(136 KB\)](#) [Attachment E.pdf \(105 KB\)](#) [Attachment F.pdf \(190 KB\)](#) [Attachment G.pdf \(132 KB\)](#) [Attachment H.pdf \(694 KB\)](#) [Attachment I.pdf \(1,595 KB\)](#)

Executive Content

Motion & Voting

It is recommended that the Board of Trustees approve the bond/capital projects contract(s) as presented; and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

Motion by Member Lan Nguyen, second by Clerk Pattie Cortese.

Final Resolution: Motion Carries

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

EAST SIDE UNION HIGH SCHOOL DISTRICT
Bond/Capital Projects Contract(s) for Services over \$50,000
Board Meeting January 19, 2017 – Item 15.02

1. Facilities Management Planning and Operations, Inc. (FMPO)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas André Bell Marcus Battle Janice Unger	April 10, 2009 – October 31, 2012 (extended to May 21, 2013) No change	\$7,063.56 (not to exceed final amount) Measure E	Piedmont Hill High School/Facilities Traci Williams, Principal Julio Lucas, Interim Director of Capital Planning/Design

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Amendment No. 05 and Change Order No. 05 to Purchase Order 905238 to increase due to reimbursable expenses that were not included in the agreement/purchase order on Work Authorization No. 01 on the Piedmont Hills High School New Auxiliary Gymnasium Project (E-045-002).

On April 09, 2009, the Board of Trustees approved an architectural work authorization agreement for the design of the New Auxiliary Gymnasium Project at Piedmont Hills High School with Facilities Management Planning and Operations, Inc. (FMPO) (Attachment A).

On October 08, 2009, the Board of Trustees approved a change order to Purchase Order 905238 for the increase amount of \$23, 590.15 (Attachment B)

On August 19, 2010, the Board of Trustees approved a change order to Purchase Order 905238 for the increase amount of \$9,625.00 (includes reimbursable) (Attachment C).

On October 21, 2010, the Board of Trustees approved a change order to Purchase Order 905238 for the increase amount of \$19,305.00 (includes reimbursable) (Attachment D).

On August 21, 2014, the Board of Trustees approved a change order to Purchase Order 905238 for the increase amount of \$20,860.00 (Attachment E)

This Amendment No. 05, Change Order No. 05 to Purchase Order 905238 is for the remaining allowable reimbursable expenses that were not included earlier in the contract/purchase order. Total Reimbursable Expenses for the project: \$9,693.56 - \$2,630.00 (Approved Reimbursable) = \$7,063.56. This project is now closed out with the architect.

Original Contract Amount	\$242,900.00
Previous Change Order Amounts	\$73,380.15
Contract Amount Prior to This Change Order	\$316,280.15
Change Order No. 5 (Amendment No.5 increase for balance of reimbursable expenses for project)	\$7,063.56
Revised Contract Amount	\$323,343.71

RECOMMENDATION

It is recommended that the Board of Trustees approve Amendment No.05 and Change Orders #5 to Purchase Order #905238 for the balance of reimbursable expenses due for the project with **Facilities Management Planning and Operations, Inc., (FMPO)** for the New Auxiliary Gymnasium Project at Piedmont Hills High School in the increased amount of \$7,063.56.

2. Strawn Construction, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marcus Battle Julio Lucas Andre Bell Janice Unger	June 12, 2015 – February 17, 2017	\$ 776,471.63 (not to exceed increased amount) Measure E	District Wide Swimming Pool Modernization Projects/Facilities Julio Lucas, Facilities and Planning Division

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Change Order No. 03 & 4 to Purchase Order 503550 to increase design/build agreement for the District Wide Swimming Pool Modernization Project, (Z-060-601).

On May 14, 2015, (Item No. 15.01) the Board of Trustees awarded a design/build agreement for the Districtwide Swimming Pool Modernization Project with Strawn Construction, Inc. in the amount of \$18,900,985.00. (Attachment F)

On December 10, 2015, (Item No. 16.04) the Board of Trustees approved Change Order No. 01 in the amount of \$350,000.00. (Attachment G)

On August 18, 2016, (Item No. 15.01) the Board of Trustees approved Change Order No. 02 in the amount of \$91,572.54. (Attachment H)

This Change Order No. 03 & 04 is being recommended to the Board of Trustees for approval for an increase design/build agreement total amount of \$776,471.63 for unforeseen conditions, PCO MP06, PCO MP10, PCO PH06, PCO ST01, PCO ST02 and PCO YB03 and for owner initiated upgrade lighting levels at Silver Creek, PCO SC 06. Change order No. 04 is for owner initiated purchase and install of new scoreboards, timing systems and touch pads at all seven (7) sites. (Attachment I)

Original Contract Amount	\$18,900,985.00
Previous Change Order Amount	\$562,403.17
Contract Amount Prior to these Change Orders	\$19,463,388.17
Total Amount of Change Orders (cumulative) to date	\$1,218,044.17
Revised Contract Amount	\$20,119,029.17

RECOMMENDATION

It is recommended that the Board of Trustees approve Change Order No. 03 & 04 to Purchase Order 503550 with **Strawn Construction, Inc.** for the District Wide Swimming Pool Modernization Project, (Z-060-601) in the increased amount not to exceed \$776,471.63.



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Agenda Item Details

Meeting	Jan 19, 2017 - ESUHS D REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR
Subject	18.01 Ratify 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

SUBJECT: Ratify 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.

 [2017 0119 Prof Serv Contracts under \\$25K.pdf \(88 KB\)](#)

Executive Content

Motion & Voting

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.

Motion by Vice President J Manuel Herrera, second by Clerk Pattie Cortese.

Final Resolution: Motion Carries

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

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

Board Meeting of January 19, 2017 – Item 18.01

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

Consultant	Contract Period	Contract Amount/Funding Source	PO Number	Location of Services	Description of Services	Date Contract Assigned
Anna Rizzo	November 28, 2016 – January 16, 2017	\$5,000.00/ Business Admin	702109	Education Center	Provide services to assist in the payroll operations at ESUHSD.	November 28, 2016
Beth Nishida	November 30, 2016 – June 30, 2017	\$5,000.00/ Special Services	702292	Education Center	Provide a workshop training on assessments and developing legally defensible Individualized Education Programs (IEPs).	November 30, 2016
Jacqueline L. Cheong	November 1, 2016 – June 30, 2017	\$7,700.00/ SDC-Special Services	702133	Education Center	Provide psychoeducational evaluation and psychological services including staff development and consultation for ESUHSD.	November 15, 2016
Kaplan K12 Learning Services, LLC	January 14, 2017 – March 4, 2017	\$7,875.00/ Supplement – E	702210	Andrew Hill High School	Provide Kaplan SAT Prep; 25 hour class for up to 25 students, Include Course Books, test, online assessments/reports Six- 3hr. classes and two - 3.5 hr. test proctored by Kaplan. Webgrid to be scored by students.	January 3, 2017
Kayla Guardino	July 1, 2016 – June 30, 2017	\$6,000.00/ Dignity Health Foundation	702005	W.C. Overfelt	Provide Concussion Education and Assessment in concussion related injuries at W.C. Overfelt High School.	October 13, 2016
North Bay Pensions	November 1, 2016 – October 31, 2017	\$10,000.00/ Business Admin	702100	Education Center	Provide services in accordance of the engagement letter for GASB 45/75 actuarial services for 2016-17.	November 7, 2016
Simz Productions	May 1, 2016 – December 1, 2016	\$1000.00 Supplement-E	702126	Education Center	Provide services to produce district overview video (YouTube Ad Production) for Marketing and Public Engagement at ESUHSD.	December 9, 2016
St. Benedict Driving School- Joseph Nguyen	September 15, 2016 – June 30, 2017	\$20,375.00/ Supplement-E	702130	W.C. Overfelt	Provide 30 hours of driving instruction, 6 hours of behind the wheel driving and prep work for DMV test for 55 Yerba Buena High School students.	September 07, 2016
Turner Group Publications	July 1, 2016 – June 30, 2017	\$5,000.00/ Vietnamese Textbook	702157	Education Center	Provide services of fulfillment and storage of Vietnamese textbooks for ESUHSD.	November 22, 2016

VT Safety Services	July 1, 2016 – June 30, 2017	\$6,000.00/ Medi-cal/Special Services	702293	Education Center	Provide services for CPR and First Aid Training for the Post Senior staff, health techs, IEP para-educators, and other staff at ESUHSD per state requirements.	November 28, 2016
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Agenda Item Details

Meeting	Jan 19, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133
Category	20. FACILITIES/BOND - CONSENT/ACTION CALENDAR
Subject	20.01 Ratify 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: Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

The attached lists the Bond/Capital Projects Contracts for Professional Services at or below \$50,000 being recommended for Board ratification.

Fiscal Impact:


As indicated in the attachment

Funding Source:

As indicated in the attachment

Recommendation:

It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

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

Executive Content

Motion & Voting

It is recommended that the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 as recommended in the attachment and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

Motion by Vice President J Manuel Herrera, second by Clerk Pattie Cortese.

Final Resolution: Motion Carries

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

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
Board Meeting of January 19, 2017 - Item 20.01

Project Number & Name	Project Description	Purchase Order Number/ Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
E-060-008 / YB Alt Ed MiniCampus Improvements	Provide soil engineering observation and testing services during construction for Yerba Buena High School Alt Ed Project. Per DSA No.: 01-115692	702003 / CP1703	November 28, 2016 to project completion	Cleary Consultants, Inc.	\$16,500.00	11/28/2016
Z-065-603 / IH Blds G,H,K,L Modernization (G & H Mod)	Scope of work includes pre-renovation survey and sampling of designated materials for Building 'H' at Independence High School. Scope of work also includes field technician time, asbestos sample collection and laboratory analysis, and a final written report	702006 / CP1728	November 29, 2016 to project completion	Hazmat Doc	\$4,950.00	11/29/2016
Z-050-603 / OG Replacement Security Fencing	Provide special testing and inspection services for Oak Grove High School Security Fencing Project	702007 / CP1696	November 29, 2016 to project completion	Construction Testing Services	\$8,202.00	11/29/2016
Z-XXX-701 / DW Swimming Pool Modernization	Transition on December 6, 2016 to provide all responsibilities required by DSA, review progress of work as needed with DSA, A/E, CM, GC, and District. Coordinate all on-site special inspections, obtain all final forms and close-out documents from other inspection consultants, and review billings from special inspectors and testing labs	702021 / CP1732	December 6, 2016 to project completion	CIS, Inc.	\$42,240.00	12/1/2016
I-030-002 / JL CR Modernization (New-Tech Mathematics/Physical Ed Classroom)	Contractor to monitor the floor covering abatement process at the New-Tech Math/Physical Education Classroom at James Lick High School	702037 / CP1733	December 7, 2016 to project completion	Hazmat Doc	\$5,285.00	12/5/2016

East Side Union High School District
Construction-Related Professional Services Contracts under \$50,000 for Ratification
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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 Building	Contractor to provide all in-plant welding and fabrication inspections required by DSA for the Santa Teresa High School Concessions Modular Building, provided by Enviroplex, Inc.	702060 / CP1740	December 8, 2016 to project completion	Joseph R. Renda Construction Services, Inc.	\$2,500.00	12/7/2016
I-070-005 / ST Infrastructure Modernization	Contractor to perform the following scope of work: perform Direct Current Voltage Gradient Survey (DCVG) on underground metallic gas lines and issue a letter of report with the results and recommendations for direct assessment	702159 / CP1750	December 12, 2016 to project completion	MBS Engineering, Inc.	\$5,000.00	12/12/2016
F40-025-811 / AH ERP Roofing	Hazmat Doc to provide pre-renovation roofing survey and sampling for Andrew Hill Building 500 and adjoining canopy. Scope of work to include sampling, laboratory, analysis, and final written report	702166 / CP1720	December 13, 2016 to project completion	Hazmat Doc	\$1,565.00	12/13/2016
I-XXX-810 / DW Fire Alarm Modernization	Hazmat Doc to provide abatement observation services for the District Wide Fire Alarm Modernization	702189 / CP1766	December 15, 2016 to project completion	Hazmat Doc	\$16,700.00	12/14/2016