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### Agenda Item Details

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Meeting Sep 19, 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 16.02 Approve Minutes of June 22, 2017, Regular Board Meeting

Access Public

Type Action

Recommended Action It is recommended that the Board of Trustees approve the June 22, 2017, Regular Board Meeting minutes as presented.

### Public Content

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## EAST SIDE UNION HIGH SCHOOL DISTRICT

**TO:** Board of Trustees

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

**SUBJECT:** Approve Minutes of June 22, 2017, Regular Board Meeting

Attached are the minutes of the June 22, 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 June 22, 2017, Regular Board Meeting minutes as presented.

[BA\\_2017\\_06\\_22\\_Regular\\_Minutes.pdf \(587 KB\)](#)

### Executive Content

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East Side Union High School District

**APPROVED**

Board of Trustees

*Heaven 9-19-17*



**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**  
**June 22, 2017**  
**4:00 p.m.**

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

**1.01 Roll Call**

*Board President Frank Biehl called the Regular Board meeting to order at 4:11 PM.*

*Present for roll call:*

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

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

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

*Public Speaker:*

- *Bruce Berg – Item 2.09 comments*

**1.03 Recess to Closed Session in the Superintendent's Conference Room (Open Session will resume at the end of Closed Session at approximately 6:30 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 Mindfulness Practice

### 2.02 Expulsion(s)

- 16-17-019
- 16-17-020

### 2.03 Public Employee Performance Evaluation (Government Code Section 54957)

- Superintendent
- Senior Manager of Internal Controls

### 2.04 Public Employment/Public Employee Appointment (Government Code Section 54957)

- Director of Purchasing and Capital Accounting (1)
- Associate Principal (1)
- Dean (2)
- Coordinator of Child Development (1)
- Fiscal and Budget Manager (1)

#### **Associate Principal (1)**

*Motion by Clerk Pattie Cortese, second by Member Van Le, to appoint LaPrice Sanford as Associate Principal.*

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

*Vote: 5/0; Motion carries*

#### **Dean(1)**

*Motion by Member Van Le, second by Member Lan Nguyen, to appoint Katherine Everett as Dean.*

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

*Vote: 5/0; Motion carries*

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

### 2.06 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**

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

- **Application for Leave to File Late Claim - Amato**
- **Claim for Damages of D. Marquez**
- **Claim for Damages of Steve Smith Enterprises, Inc.; and,**
- **Four (4) Potential Cases**

**Application for Leave to file Late Claim - Amato**

*Motion by President Frank Biehl, second by Member Van Le, to deny the application for leave to file late claim - Amato.*

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

*Vote: 5/0; Motion carries*

**Claim for Damages of Steve Smith Enterprises, Inc.**

*Motion by President Frank Biehl, second by Member Pattie Cortese, to reject the claim for damages of Steve Smith Enterprises, Inc.*

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

*Vote: 5/0; Motion carries*

**2.08 Conference with Legal Counsel – Existing Litigation:  
Paragraph (1) of subdivision (d) of Government Code Section 54956.9:**

- **One (1) Case -- Office of Administrative Hearings: Case No. 2017041185**

*Motion by President Frank Biehl, second by Member Van Le, to approve a Settlement Agreement and Release in the matter of OAH case No. 2017041185, which agreement provides for the provision of compensatory education services and reimbursement in the amount of up to \$4,500 for additional education services, and the payment of \$2,000.00 in attorneys fees, and a release of claims.*

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

*Vote: 5/0; Motion carries*

**2.09 Conference with Real Property Negotiators**

**Property:** Portion of District Education Center property,  
830 N. Capitol Avenue, San Jose, CA

**Agency Negotiator:** Chris D. Funk, Superintendent

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

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

**3. RESUME OPEN SESSION AT APPROXIMATELY 6:30 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**

**4. WELCOME AND EXPLANATION TO AUDIENCE**

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

*President 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 The Superintendent and/or Board Member(s) may request that items be removed from the agenda for consideration and/or carried to a future Board meeting for consideration and/or action, and/or that the Board take action in a regular meeting on a subject not listed on the published agenda on an emergency basis or other basis allowed by law. (Gov. Code 54954.2)**

*There were no changes to the agenda.*

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

**No Items on Calendar under this Section**

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

**No Items on Calendar under this Section**

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

**8.01 The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.**

**8.02 Discussion and/or Action to Amend Lease Agreement Between East Side Union High School District and KIPP Bay Area Schools - Chris D. Funk, Superintendent**

*Public speakers:*

- Adam Kaye
- Thomas Ryan
- Quynh Mai
- Gustavo Gonzalez
- Heriberto Soto
- Amy Tran
- Faroogh Quadri
- Aadilati Ali
- Eva Heredia
- April Chou
- Jenny Risk

*Motion to direct administration to prepare an appropriate amendment to the KIPP lease, which will allow for enrollment up to 800 students at a facility to be built by KIPP on the Education Center property, subject to a ten year moratorium on any new charter petitions by KIPP to the District, the Santa Clara County Board of Education or the State for a charter school in the District, and further subject to a ten year moratorium on any new Proposition 39 requests to the District by KIPP and its affiliates, with the amendment and agreement to be brought back for approval by the Board of Trustees.*

*Motion by President Frank Biehl, second by Clerk Pattie Cortese*

*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 Presentation, Discussion, and/or Action regarding Authorization to Enter into Negotiations for Joint Use Agreement with County of Santa Clara Parks and Recreation regarding Penitencia Creek Property - Chris D. Funk, Superintendent**

*Item pulled from the agenda.*

**8.04 Presentation, Update, Discussion and /or Action on the International Student Program - Marcus Battle, Associate Superintendent of Business Services, Karen Poon, Director of Finance, and Nadia Davis, Attendance Accounting and International Student Program Coordinator**

*Presentation Item; no action taken*

**8.05 Discussion and/or Action to Approve and Adopt the Proposed Annual Update to the Local Control Accountability Plan (LCAP) - Glenn Vander Zee, Associate Superintendent of Educational Services**

*It is recommended that the Board of Trustees approve and adopt the proposed annual update to the Local Control Accountability Plan (LCAP).*

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

*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 Adopt Resolution #2016/2017-36 to Confirm East Side Union High School District's Commitment to Fiscal Solvency - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

*It is recommended that the Board of Trustees adopt Resolution #2016/2017-36 to Confirm East Side Union High School District's Commitment to Fiscal Solvency as presented.*

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

*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 Approve and Adopt the Proposed Budget for Fiscal Year 2017 - 2018 - Marcus Battle, Associate Superintendent of Business Services, and Karen Poon, Director of Finance**

*It is recommended that the Board of Trustees adopt the annual budget for fiscal year 2017-2018 with a positive certification for the 2017-2018 fiscal year and two subsequent years.*

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

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

*Vote: 5/0; 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.

*There were no public speakers.*

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

**11.01 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to Include Measure Z in Citizens' Bond Oversight Committee Bylaws - Chris D. Funk, Superintendent, and Mariel Caballero, Chairperson of the Citizens' Bond Oversight Committee for Measures G, E, I, Education Technology I and Z**

*It is recommended that the Board of Trustees receive and adopt the second reading of the proposed amendments to include Measure Z in the Citizens' Bond Oversight Committee Bylaws.*

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

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

*Vote: 5/0; Motion carries*

**11.02 Discussion and/or Action of Board Members' Compensation / Adjustments to Compensation per Education Code §35120 - Chris D. Funk, Superintendent**

*It is recommended that the Board of Trustees approve a 5% increase to the Board Member compensation to take effect July 1, 2016, resulting in a new monthly compensation per Board Member of \$486.20 pursuant to Education Code section 35120(e).*

*Motion by Member Van Le, second by Vice President J Manuel Herrera*

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

*Vote: 5/0; Motion carries*

**11.03 Discussion and/or Action to Approve Vacation Pay-out for Contract Employees Per Contract Terms - Chris D. Funk, Superintendent**

*It is recommended that the Board of Trustees approve the vacation pay-out as provided by the affected employee's contracts.*

*Motion by President Frank Biehl, second by Member Lan Nguyen*

*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 Ratify/Approve Senior Manager of Internal Controls' Attendance and Lawful Expenses to Conferences / Workshops / Meetings – Kelly Kwong, CPA, Senior Manager of Internal Controls**

*It is requested that the Board of Trustees ratify/approve the Senior Manager of Internal Controls' attendance and lawful expenses to conferences/workshops/meetings as presented.*

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

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

*Vote: 5/0; Motion carries*

**11.05 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to Board Policy #9100 Organization - Chris D. Funk, Superintendent**

*It is recommended that the Board of Trustees receive and adopt the second reading of proposed amendments to Board ByLaw 9100 Organization.*

*Motion by Member Lan Nguyen, second by Member Van Le*

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

*Vote: 5/0; Motion carries*

**11.06 Discussion and/or Action regarding Selection of Firm to Provide Services for the Development and Implementation of a Potential Parcel Tax Ballot Measure – Frank Biehl, Board President, and Pattie Cortese, Board Clerk**

*It is recommended that the Board of Trustees Approve an Agreement with TBWB Strategies for the Term of July 1, 2017, through and including February 28, 2018, for the provision of consultant services and conducting a survey and study regarding a potential parcel tax for consideration by the voters on the June or November 2018 Ballot.*

*Motion by President Frank Biehl, second by Clerk Pattie Cortese*

*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 Presentation, Discussion and/or Action to Receive Accel Middle College Program Report - Glenn Vander Zee, Associate Superintendent of Educational Services Glenn Vander Zee, Associate Superintendent of Educational Services and Jenner Perez, Coordinator of State and Federal Projects**

*Presentation item; no action taken*

**12.02 Discussion and/or Action regarding 2017-2018 Dual Enrollment Partnership Agreement Between East side Union High School District and San Jose City College/Evergreen Valley Community College - Glenn Vander Zee, Associate Superintendent of Educational Services and Tim Nguyen, Director of Career Services**

*It is recommended that the Board of Trustees accept the 2017-2018 Dual Enrollment Partnership Agreement Between East side Union High School District and San Jose City College/Evergreen Valley Community College.*

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

*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 regarding the Executive Summary Single Plan for Student Achievement – Glenn Vander Zee, Associate Superintendent of Educational Services**

*It is recommended that the Board of Trustees approve the Plan Summary Single Plan for Student Achievement as presented, and authorize the Superintendent to make modifications as needed.*

*Motion by President Frank Biehl, second by Clerk Pattie Cortese*

*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 for Authorization for the Superintendent to Award Emergency Projects during the Summer - Marcus Battle, Associate Superintendent of Business Services**

*It is recommended that the Board of Trustees approve authorization for the Superintendent, after conferring with the Board President, to award emergency projects for unforeseen needs during the summer.*

*Motion by Member Van Le, second by Vice President J Manuel Herrera*

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

*Vote: 5/0; Motion carries*

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

*It is recommended that the Board of Trustees 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.*

*Motion by President Frank Biehl, second by Clerk Pattie Cortese*

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

*Vote: 5/0; Motion carries*

**13.03 Adopt Resolution #2016/2017-39 and New Contract CCTR-6268 General and Child Care Development - Marcus Battle, Associate Superintendent of Business Services, and Francine Brissey, General Purchasing Manager**

*It is recommended that the Board of Trustees adopt the Resolution #2016/2017-39 and Contract of \$978,151.*

*Motion by Member Van Le, second by Vice President J Manuel Herrera*

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

*Vote: 5/0; Motion carries*

**13.04 Adopt Resolution #2016/2017-40 and New Contract CSPP-7560 California State Preschool Program - Marcus Battle, Associate Superintendent of Business Services, Francine Brissey, General Purchasing Manager and Deborah Barnes, Coordinator of Child Development**

*It is recommended that the Board of Trustees adopt the Resolution #2017/2018-40 and Contract of \$598,334.*

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

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

*Vote: 5/0; Motion carries*

**13.05 Discussion and/or Action to Approve the Award of Contract for RFP GP071617: Additional Transportation Services for Special Education Pupils - Marcus Battle, Associate Superintendent of Business Services, Julie Kasberger, Director of General Services, and Francine Brissey, General Purchasing Manager**

*Administration is requesting that the Board of Trustees approve Administration's recommendation to award RFP GP071617 to SafeTrans Transportation, Inc., to authorize Administration to execute a contract with SafeTrans Transportation, Inc. for the term of July 1, 2017 through June 30, 2020 with the possibility of two, one year extensions; and to authorize Administration to execute change orders in accordance with Board Policy 3312.1.*

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

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

*Vote: 5/0; Motion carries*

**13.06 Discussion and/or Action to Receive First Reading of New Board Policy #3230 Federal Grant Funds - Marcus Battle, Associate Superintendent of Business Services, and Francine Brissey, General Purchasing Manager**

*Received first reading of new Board Policy #3230 Federal Grant Funds.*

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

**14.01 Discussion and/or Action to Approve Declaration of Need for Fully Qualified Educators - Cari Vaeth, Associate Superintendent of Human Resources**

*It is recommended that the Board of Trustees approve the Declaration of Need for Fully Qualified Educators.*

*Motion by President Frank Biehl, second by Member Lan Nguyen*

*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 Variable Term Waiver Request for Certificated Employees - Cari Vaeth, Associate Superintendent of Human Resources**

*It is recommended that the Board of Trustees approve variable term waiver request for the certificated employees as specified.*

*Motion by Member Van Le, second by Vice President J Manuel Herrera*

*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 Adopt/Approve Classified, Classified Management and Certificated Administrative Holiday Schedule for the 2017-2018 School Calendar - Cari Vaeth, Associate Superintendent of Human Resources**

*It is recommended that the Board of Trustees adopt/approve the classified, classified management and certificated administrative holiday schedule for the 2017-2018 school calendar.*

*Motion by President Frank Biehl, second by Clerk Pattie Cortese*

*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 to Change the Salary Schedule for the Position of Director of Construction, Maintenance and Facilities from the Classified and Certificated Management Salary Schedule to the Classified Management and Confidential Salary Schedule - Cari Vaeth, Associate Superintendent of Human Resources**

*It is recommended that the Board of Trustees approve the change the salary schedule for the position of Director of Construction, Maintenance and Facilities from the Classified and Certificated Management salary schedule to the Classified Management and Confidential salary schedule.*

*Motion by Member Van Le, second by Vice President J Manuel Herrera*

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

*Vote: 5/0; Motion carries*

**14.05 Discussion and/or Action to Change the Salary Schedule for the Position of District Architect from the Classified and Certificated Management Salary Schedule to the Classified Management and Confidential Salary Schedule - Cari Vaeth, Associate Superintendent of Human Resources**

*It is recommended that the Board of Trustees approve the change the salary schedules for the position of District Architect from the Classified and Certificated Management salary schedule to the Classified Management and Confidential salary schedule.*

*Motion by Vice President J Manuel Herrera, second by Member Van Le*

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

*Vote: 5/0; Motion carries*

**14.06 Discussion and/or Action to Approve the New Classified Job Description and Salary Range for Student Services Specialist - Cari Vaeth, Associate Superintendent of Human Resources**

*It is recommended the Board of Trustees approve the new classified job description and salary range for Student Services Specialist.*

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

*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 Receive and Adopt Second Reading of Proposed Amendments to Board Policy #1330 Use of Facilities and Board Policy Exhibit #1330 Use of School Facilities - Marcus Battle, Associate Superintendent of Business Services, and Debbie Ramirez, Facility Rental Manager**

*It is recommended that the Board of Trustees receive and adopt the second reading of proposed amendments to Board Policy #1330 Use of Facilities and Board Policy Exhibit #1330 Use of School Facilities.*

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

*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, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*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 President Frank Biehl, second by Member Lan Nguyen*

*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 for Superintendent or Designee to Authorize Summer Projects - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*It is recommended that the Board of Trustees approve authorization for the Superintendent or Designee to award purchase orders/contracts for the summer projects as presented.*

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

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

*Vote: 5/0; Motion carries*

**15.04 Adopt Resolution #2016/2017-41 Approving Use of Design Build Delivery for the Track and Field Improvements Project at Santa Teresa High School - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*It is recommended that the Board of Trustees adopt Resolution 2016/2017-41, Approving the Use of the Design-Build Delivery Method for the Track and Field Improvements Project at Santa Teresa High School.*

*Motion by President Frank Biehl, second by Clerk Pattie Cortese*

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

*Vote: 5/0; Motion carries*

**15.05 Discussion and/or Action to Determine that Design-Build Delivery Method for the Track and Field Improvements Project at Santa Teresa High School will Reduce Project Costs, Expedite the Project's Completion, or Provide Features not Achievable Through the Design-Bid-Build Process - Marcus Battle, Associate Superintendent of Business Services, Julio Lucas, Director Construction Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager**

*It is recommended that the Board of Trustees, having reviewed the guidelines developed pursuant to Education Code §17250.40, approve the determination that design-build delivery method for the Track and Field Improvements Project at Santa Teresa High School will reduce project costs, expedite the project's completion, or provide features not achievable through the design-bid-build process.*

*Motion by Member Van Le, second by Member Lan Nguyen*

*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 Member Lan Nguyen, second by Clerk Pattie Cortese, to approve the entire consent/action calendar, except for items 18.01 and 18.05 which were pulled for discussion and will be a separate action item.*

*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 Ratify/Approve Board Member(s) Lawful Expenses/Mileage to Conferences/ Workshops/Meetings**
- 16.02 Ratify/Approve Superintendent's Attendance and Lawful Expenses to Conferences/Workshops/Meetings**
- 16.03 Approve Minutes of April 13, 2017, Regular Board Meeting**
- 16.04 Approve Minutes of May 4, 2017, Special Board Meeting**
- 16.05 Approve Minutes of May 4, 2017, Board Study Session/Workshop**
- 16.06 Approve Minutes of May 18, 2017 Regular Board Meeting**

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

- 17.01 Ratify/Approve School Field Trips**

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

- 18.02 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000**
- 18.03 Approve Purchase Orders Dated May 2, 2017, through June 8, 2017**
- 18.04 Ratify/Approve Change Orders to Purchase Orders**
- 18.06 Ratify/Approve Memoranda of Understanding**



**18.07 Adopt Resolution #2016/2017-42 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546**

**18.08 Accept Warrant Register for the Month of May, 2017**

**18.09 Approve Budget Transfers for the Month of May, 2017**

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

**19.01 Ratify/Approve Classified Personnel Actions Presented June 22, 2017**

**19.02 Ratify/Approve Certificated Personnel Actions Presented June 22, 2017**

**19.03 Ratify/Approve Student Aide Personnel Actions Presented June 22, 2017**

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

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

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

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

**20.04 Ratify CUPCCAA Informal Bond Project(s)**

**20.05 Approve Qualified Professional Service Providers**

**Item(s) Pulled from the Consent Calendar, sections 16-20, for discussion.**

**18.01 Approve Award of Bids and Request for Proposals for General Purchasing**

*It is recommended that the Board of Trustees approve the award of bids and request for proposals as presented.*

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

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

*Vote: 5/0; Motion carries*

**18.05 Accept Report of Credit Card Statements for the Period of October 24, 2016, through December 22, 2016**

*It is recommended that the Board of Trustees accept the report of credit card purchases as presented.*

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

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

*Vote: 5/0; Motion carries*

**21. Written Reports/Recommendation**

**No Items on Calendar Under this Section**

**22. FUTURE AGENDA ITEMS**

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

*There were no requests for item(s) to be placed on the Board meeting agenda.*

**22.02 Future Items**

**Frank Biehl, Board President**

Item	Date (tentative)	Type
Bond Projects	TBD	Report

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

Item	Date (tentative)	Type
STEAM	TBD	Presentation/Discussion
IPC Annual Update • Activities To-Date	Annually (beginning February 2018)	Presentation/Discussion

**Pattie Cortese, Board Clerk**

Item	Date (tentative)	Type
Teen Parents • Education • Support • Child Care at James Lick HS	August 17, 2017	Presentation/Discussion
Community Liaisons vs. PCIS and Attendance Clerks • Delineation of Roles and Expectations and How they Work Together	TBD	Presentation/Discussion

**Van Le, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>Adult Education</b>	<b>TBD</b>	<b>Report</b>
<b>Challenge Exams for Course Advancement</b>	<b>August 17, 2017</b>	<b>Report</b>
<b>Grading Policy</b>	<b>Fall, 2017</b>	<b>Presentation/Discussion</b>
<b>Role of PCIS vs. Liaisons</b> <ul style="list-style-type: none"><li>• <b>Ethnicity/Diversity compared to Site Enrollment</b></li><li>• <b>Roles and Responsibilities</b></li></ul>	<b>TBD</b>	<b>Presentation/Discussion</b>

**Lan Nguyen, Board Member**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
<b>After School Programs</b>	<b>August, 2017</b>	<b>Presentation/Discussion</b>

## 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 (March or April)
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 (April/May)
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
Preliminary Review of Proposed LCAP

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

23.02 Chris D. Funk, Superintendent

24. REPORT CLOSED SESSION ACTION(S)

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

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

25. ADJOURNMENT

25.01 President adjourns the meeting.

*President Frank Biehl adjourned the meeting at 9:46 PM.*

*Respectfully submitted,*



*Board Clerk*

East Side Union High School District

**APPROVED**

Board of Trustees

*mgw/ten 9-19-17*



Preparing every student to thrive in a global society.

**Agenda Item Details**

Meeting Jun 22, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED

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

Subject 13.02 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Marcus Battle, Associate Superintendent of Business Services, and Francine Brissey, General Purchasing Manager

Type Action, Discussion

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

**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**TO:** Board of Trustees

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

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, 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 0622 Contracts Over \\$25.pdf \(103 KB\)](#)

**Motion & Voting**

It is recommended that the Board of Trustees 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.

Motion by President Frank Biehl, 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

Contract(s) for Professional Services Over \$25,000

Board Meeting of June 22, 2017 – Item 13.02

## 1. Fresno County Superintendent of Schools (FCSS)/ Cyber High

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Kirsten King Francine Brissey	September 1, 2017 – August 31, 2018	\$152,938.80 Common Core	District Wide/ Instructional Services/ Kirsten King

### Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Fresno County Superintendent of Schools - Cyber High Use License Agreement for the provision of unlimited access to Cyber High courses and other services for the term of September 1, 2017, through August 31, 2018.

The program comes complete with curriculum and their entire core courses are UC/CSU A-G approved. Cyber High is an on-line comprehensive electronic high school curriculum owned and maintain by FCSS which is aligned with the Content Standards and Frameworks of California.

The District uses this program as a way for students to recover missed credits which brings students back on graduation track.

### Selection Process

This vendor was approved at the April 17, 2014, Board meeting as a single source vendor for the services they are providing ESUHSD.

### Recommendation

It is recommended that the Board of Trustees approve the contract with Fresno County Superintendent of Schools in the amount of \$152,938.80 for the term of September 1, 2017, through August 31, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 2. City of San Jose – Parks, Recreation, and Neighborhood Services (PRNS) (Amendment No. 1) (Revenue)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Marth Guerrero Francine Brissey	June 1, 2016 – September 30, 2018	\$25,000.00/ Additional Annually (Revenue) General Fund	Mt. Pleasant High School/ Martha Guerrero

### Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve Amendment No. 1 with the City of San Jose PRNS. This amendment excludes West Coast Aquatics, enabling the three sites to operate the Recreational Swim Program to their own specifications. Also, Amendment No. 1, grants additional funds for Mt. Pleasant High School to operate a Summer Recreational Swim Program. Amendment No. 1 will be effective June 1, 2017, through September 30, 2018.



# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of June 22, 2017 – Item 13.02

ESUHSD Board of Trustees originally approved this contract on June 23, 2016.

## Selection Process

N/A

## Recommendation

It is recommended that the Board of Trustees approve Amendment No. 1 with The City of San Jose PRNS in the additional revenue amount of \$25,000.00 for the term of June 1, 2017, through September 30, 2018.

### 3. County of Santa Clara – Department of Behavioral Health Services (Amendment No. 3) (Revenue)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Shakenya Edison Francine Brissey	Original: March 2, 2015 – June 30, 2017 Extending: June 30, 2018	\$267,050.00 (Increased Revenue)	Student Services/ Shakenya Edison

## Contract Request

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve Amendment No. 3 with the County of Santa Clara, Department of Behavioral Health Services to hire and monitor service coordinators in line with School Linked Services Plan.

Amendment No. 3 extends the original contract term by an additional year and increases the revenue funds by \$267,050.00.

ESUHSD Board of Trustees originally approved this contract August 20, 2015.

## Selection Process

N/A

## Recommendation

It is recommended that the Board of Trustees approve Amendment No. 3 with the County of Santa Clara increasing the amount by \$267,050.00 extending the term through June 30, 2018.

## EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of June 22, 2017 – Item 13.02

### 4. County of Santa Clara – Probation Department (Amendment No. 2) (Revenue)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Shakenya Edison Francine Brissey	Original: January 27, 2015 – June 30, 2017 Extending: June 30, 2018	\$90,000.00 (Increased Revenue)	Student Services/ Shakenya Edison

#### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve Amendment No. 2 with the County of Santa Clara, Probation Department. The 1.0 FTE Social Worker will assist justice engaged youth ages 14-18 with prompt enrollment into high school once they are released from a custodial setting through the “Education as a Pathway to Success for Justice Engaged Youth Project.”

Amendment No. 2 will extend the contract for an additional year and increases the revenue funds by \$90,000.00.

ESUHSD Board of Trustees originally approved this contract on January 15, 2015.

#### **Selection Process**

N/A

#### **Recommendation**

It is recommended that the Board of Trustees approve Amendment No. 2 with Santa Clara County by \$90,000.00 extending the term through June 30, 2018.

### 5. Network for Teaching Entrepreneurship (NFTE)

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Tim Nguyen Francine Brissey	May 31, 2017 – June 15, 2019	Year 1: \$50,000.00 Year 2: \$40,000.00	10 Sites/ Career Technical Education/ Tim Nguyen

#### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Network for Teaching Entrepreneurship for the CTE Pathways programs at 10 sites throughout the district. The goals of this program are to:

1. Instill entrepreneurial mindsets as a component across all the pathways
2. To provide a common language for teacher collaboration and professional development
3. To create a district wide public demonstration of learning that engages the workforce and civic community.

## EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of June 22, 2017 – Item 13.02

Year 1 will deliver:	Year 2 will deliver:
50 hours of professional development support	Districtwide business plan competition
50 hour of CTE Teacher Curriculum Mapping	10 month PLCs lead by Lead Teachers
20 Placeholders for Teacher Training	2 full days professional development
20 Placeholders Teacher Digital Curriculum Access	24 hours of NFTE U Training
	25 Linked Learning Field Trips
	Business Plan Coaching

### **Selection Process**

N/A

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with Network for Teaching Entrepreneurship in the amount not to exceed \$90,000.00 for the term of May 31, 2017 through June 15, 2019. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

### **6. New Hope for Youth**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Martha Brazil Francine Brissey	August 8, 2017 – May 25, 2018	\$36,000.00	Oak Grove High School/ Martha Brazil

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with New Hope for Youth. New Hope for Youth will provide conflict mediation, gang outreach and individual Youth Intervention services three times per week.

### **Selection Process**

N/A

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with New Hope for Youth in the amount of \$36,000.00 for the term of August 8, 2017 through May 25, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Contract(s) for Professional Services Over \$25,000

Board Meeting of June 22, 2017 – Item 13.02

## 7. Rehon & Roberts

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Chris D. Funk Marcus Battle Francine Brissey	July 1, 2017 – June 30, 2022	Estimated: \$500,000.00/annually	District Wide/Business Services/Marcus Battle

### **Contract Request**

East Side Union High School District (ESUHSD) Administration is requesting the Board of Trustees to approve the contract with Rehon & Roberts. Rehon & Roberts will act as Chief Legal Counsel for ESUHSD with the following pricing structure:

Billed in 6 minute increments:

\$205.00/ hour – attorneys with seven or more years of experience

\$190.00/ hour – attorneys less than seven years of experience

\$125.00/ hour – law clerks and paralegals

No Fee – Open/Closed District Board Meetings

### **Selection Process**

N/A

### **Recommendation**

It is recommended that the Board of Trustees approve the contract with Rehon & Roberts in the estimated annual amount of \$500,000.00 for the term of July 1, 2017, through June 30, 2022. 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 Jun 22, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED

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, Director of Construction, Maintenance and Facilities, and Janice Unger, Capital Projects Purchasing Manager

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.

**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, Director of Construction, Maintenance and Facilities, 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\\_0622 Contract Over \\$50K.pdf \(129 KB\)](#)
- [Attachment A.pdf \(281 KB\)](#)
- [Attachment B.pdf \(288 KB\)](#)
- [Attachment C.pdf \(396 KB\)](#)

**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 President Frank Biehl, 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**  
**Bond/Capital Projects Contract(s) for Services over \$50,000**  
**Board Meeting June 22, 2017 – Item 15.02**

**1. Construction Inspection Services, Inc. (CIS, Inc.) – DSA Project Inspector**

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Julio Lucas Marcus Battle Janice Unger	December 06, 2016 through project completion (Adjusted completion date: June 30, 2017	\$14,080.00 (not to exceed)  Measure I	Various District School Sites/Facilities/Construction  Julio Lucas, Director Construction, Maintenance & Facilities

East Side Union High School District (ESUHSD) Administration is requesting that the Board approve Amendment No. 02 to Professional Services Agreement and Change Order No. 02 to Purchase Order 702021 for the increase of additional hours needed for DSA required observation and inspection reporting to ensure code compliance and adherence to approved DSA plans for the District Wide Swimming Pool Modernization Project (Z-XXX-701).

On January 19, 2017 (Item No. 20.01) the Board of Trustees ratified a professional services agreement for the DSA Inspector of Record services for the Swimming Pool Modernization Project with Construction Inspection Services, Inc. (CIS, Inc.) in the amount of \$42,240.00 (Attachment A)

On March 23, 2017 (Item No. 15.01) the Board of Trustees approved Amendment No. 01, Change Order No. 01 to Purchase Order 702021 to increase for additional inspection hours needed for the completion of the swimming pool projects at various sites. (Attachment B)

This Amendment No. 02 and Change Order No. 02 to Purchase Order 702021 is for increase of hours needed for DSA required observation and inspection reporting due to Design/Build contractor means and method has caused the project duration time to complete to extend through June 30, 2017. The contractor has agreed that they are responsible for this additional cost to the District and a deductive change order will be applied to Design/Build's contractor agreement. (Attachment C)

Original Contract Amount	\$42,240.00
Previous Change Order Amounts	\$17,600.00
Contract Amount Prior to This Change Order	\$59,840.00
Change Order No. 02 (Amendment No.02 increase for additional inspection hours)	\$14,080.00
Revised Contract Amount	\$73,920.00

**RECOMMENDATION**

It is recommended that the Board of Trustees approve Amendment No.02 and Change Order No. 02 to Purchase Order 702021 for additional DSA inspector of record services with **Construction Inspection Services, Inc., (CIS, Inc.)** for the Swimming Pool Modernization Project in the increased amount of \$14,080.00.



Preparing every student to thrive in a global society.

**Agenda Item Details**

Meeting Jun 22, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED

Category 18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR

Subject 18.02 Ratify/Approve Contract(s) for Professional Services At or Below \$25,000

Type Action, Discussion

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

**EAST SIDE UNION HIGH SCHOOL DISTRICT**

**TO:** Board of Trustees

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

**PREPARED BY:** Marcus Battle, Associate Superintendent of Business Services, and Francine Brissey, General Purchasing


**SUBJECT:** Ratify/Approve 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 0622 Contracts under \\$25K.pdf \(85 KB\)](#)



**Motion & Voting**

It is recommended that the Board of Trustees ratify the projects contract(s) for professional services at or below \$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 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 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

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

Board Meeting of June 22, 2017 – Item 18.02

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>
Burton & Wilson	April 8, 2017	\$125.00/ Principal	703840	Silver Creek	Provide piano tuning services and appraisal of the Henry F. Miller grand piano donated to Silver Creek High School.	May 26, 2017
Next Step E-Solutions LLC	June 1, 2017 – June 30, 2018	\$21,500.00/ Cal Career Pathways	703843	Education Center	Provide services to website design, development, copywriting, videography and graphic design for ESUHSD.	May 25, 2017
Plotter Pros Inc.	July 1 – 30, 2017	\$432.72/ Cal Career Pathways	703844	Independence	Provide labor and materials to repair the plotter printer at Independence High School.	June 5, 2017
Santa Clara County District Attorney's Office	July 1, 2016 – June 30, 2018	\$7,000.00/ School Linked Services	703827	W.C. Overfelt	Provide services for parent workshops for the School Linked Services at W.C. Overfelt High School.	May 12, 2017
Silicon Valley Talent Partnership	April 1, 2016 – June 30, 2019	\$19,500.00/ Career Tech Education	703821	Education Center	Provide services for the Sunpower Solar Academy to implement a weeklong intensive, work-based learning experience for 45 high school students from ESUHSD.	June 6, 2017
Trinya Smith	May 1 – 30, 2017	\$125.00/ Professional Development	703841	Silver Creek	Provide professional development services at Silver Creek High School.	May 9, 2017
Unity Care Group	December 1, 2016 – June 3, 2017	\$14,000.00/ Supplemental	703825	Education Center	Provide services to improve the overall academic success of the African-American students through the Imani Village Program.	June 19, 2017
WestEd	January 4, 2016 – June 30, 2017	\$5,000.00/ Testing	703829	Education Center	Provide materials, processing and production of the California Healthy Kids Survey and related reports.	May 23, 2017



Preparing every student to thrive in a global society.

**Agenda Item Details**

Meeting Jun 22, 2017 - ESUHSD REGULAR BOARD MEETING - 4:00 P.M., DISTRICT OFFICE - BOARD ROOM, 830 N. CAPITOL AVENUE, SAN JOSE, CA 95133 -- AMENDED

Category 20. FACILITIES/BOND - CONSENT/ACTION CALENDAR

Subject 20.02 Ratify Bond/Capital Projects Contract(s) for Professional Services At or Below \$50,000

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.

**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, Director of Construction, Maintenance and Facilities, 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.

 [2017 0622 Prof Serv Contract under \\$50K.pdf \(105 KB\)](#)

**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 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 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 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**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of June 22, 2017 - Item 20.02**

Project Number & Name	Project Description	Purchase Order Number/ Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-065-603 / IH Blds G,H,K,L Modernization (Bld G & H Mod)	Consultant to provide the following scope of work: move books in Room B12 to IH Building B203 and B204 at Independence High School. Total cost includes materials, labor, tax, and delivery	703696 / CP2004	May 18, 2017 through project completion	Mont/Rose Moving Systems, Inc.	\$13,877.50	5/18/2017
Z-065-602 / IH Streetscape, Infrastructure, Wayfinding Modernization (Marquee)	Consultant to provide the following scope of work: provide Geo-technical inspection for foundation and materials for the project at Independence High School	703697 / CP1838	May 18, 2017 through project completion	Earth Systems Pacific	\$2,830.00	5/18/2017
Z-065-603 / IH Blds G,H,K,L Modernization (Bld G & H Mod)	Scope of contract services is to provide security alarm on-call response services at all sites for East Side Union High School District in accordance with existing contract services agreement for security on-call response services under PO#700680 for telecom/security department	703728 / CP2032	May 23, 2017 through project completion	First Security Services	\$14,450.00	5/23/2017
F40-030-811, F40-040-811 / JL ERP Roofing, WCO ERP Roofing	Consultant to provide the following scope of work: abatement monitoring services for the project at James Lick and W.C.Overfelt High School	703746 / CP2031	May 25, 2017 through project completion	Hazmat Doc	\$13,525.00	5/25/2017
Z-065-008 / IH Bld J Modernization	Consultant to provide the following scope of work: construction materials testing and special inspection services per DSA Form 103 testing and inspection sheet for the project at Independence High School	703780 / CP1964	May 31, 2017 through project completion	Earth Systems Pacific	\$13,474.00	5/31/2017
Z-035-601 / MP New Student Center & Quads	Consultant to provide the following scope of work: abatement monitoring and management services for the project at Mount Pleasant High School	703770 / CP2034	May 31, 2017 through project completion	Hazmat Doc	\$22,985.00	5/31/2017

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of June 22, 2017 - Item 20.02**

Project Number & Name	Project Description	Purchase Order Number/ Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-065-008 / IH Bld J Modernization	Consultant to provide the following scope of work: geotechnical observation and testing services per DSA 103 for the project at Independence High School	703779 / CP1965	May 31, 2017 through project completion	Ninyo & Moore	\$9,523.00	5/31/2017
Z-030-601 / JL Student Center & Quad Mod	Consultant to provide the following scope of work: construction materials testing and special inspection services per DSA Form 103 testing and inspection sheet for the project at James Lick High School	703792 / CP1853	June 1, 2017 through project completion	Ninyo & Moore	\$39,566.00	6/1/2017
Z-030-601 / JL Student Center & Quad Mod	Consultant to provide the following scope of work: geotechnical inspection and testing services per DSA 103 Form during construction for the project at James Lick High School	703800 / CP1852	June 5, 2017 through project completion	Cleary Consultants, Inc	\$13,500.00	6/5/2017
IT-013-004 / DW Professional Services	Enhanced messaging services, for Infinite Campus integrated messaging platform (data lines-VOIP)	703781 / CP2039	July 1, 2017 through June 30, 2018	Shoutpoint Inc	\$30,705.00	6/6/2017
Z-035-601 / MP New Student Center & Quads	Consultant to provide the following scope of work: DSA project inspection services for the project at Mount Pleasant High School	703839 / CP2059	June 8, 2017 through project completion	Furman & Associates, Inc	\$48,600.00	6/8/2017
Z-045-602 / PH New CR Building D1 & D2	Consultant to provide the following scope of work: construction materials testing and special inspection services for the project at Piedmont Hills High School	703864 / CP1962	June 12, 2017 through project completion	Consolidated Engineering Laboratories (CEL)	\$46,308.80	6/12/2017
Z-075-702 / DW Mechanical and Electrical Upgrades (EV Fire Smoke Damper Actuator Motor Replacements and Access Panels - Package E)	Consultant to provide the following scope of work: project inspection services for the District Wide Mechanical and Electrical Upgrades project at Evergreen Valley High School	703866 / CP2060	June 12, 2017 through project completion	CIS, Inc	\$8,000.00	6/12/2017

**East Side Union High School District**  
**Construction-Related Professional Services Contracts under \$50,000 for Ratification**  
**Board Meeting of June 22, 2017 - Item 20.02**

Project Number & Name	Project Description	Purchase Order Number/ Contract Number	Contract Period	Consultant	Contract Amount	Date Purchase Order Assigned
Z-035-601 / MP New Student Center & Quads	Consultant to provide the following scope of work: geotechnical inspection and testing services for the project at Mount Pleasant High School	703867 / CP2047	June 12, 2017 through project completion	Cleary Consultants, Inc	\$9,900.00	6/12/2017