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**Agenda Item Details**

Meeting Sep 13, 2018 - 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 7, 2018, Regular Board Meeting

Access Public

Type Action, Minutes

Recommended Action It is recommended that the Board of Trustees approve the June 7, 2018, 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 June 7, 2018, Regular Board Meeting

Attached are the minutes of the June 7, 2018, 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 7, 2018, Regular Board Meeting minutes as presented.

[BA\\_2018\\_06\\_07\\_Reg\\_Minutes.pdf \(150 KB\)](#)

**Executive Content**

East Side Union High School District

**APPROVED**

Board of Trustees

*M. Miller 9-13-18*



# 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 7, 2018  
4:00 p.m.

### 1. CALL TO ORDER / ROLL CALL

#### 1.01 Roll Call

Present for roll call:

- President J. Manuel Herrera
- Vice President Pattie Cortese
- Member Frank Biehl
- Member Van Le

Clerk Lan Nguyen arrived at 5:30 PM

**1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (Government Code 54957.7). Persons wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a speaker request form, which is located at the entrance of the Board Room.**

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 in the Board Room 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 Mindfulness Practice**

### **2.02 Expulsion(s): None**

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

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

- Associate Superintendent of Educational Services**
- Associate Superintendent of Human Resources**
- Associate Superintendent of Business Services**
- Senior Manager of Bond Program**
- Associate Principal(s)**
- Dean**
- Coordinator of Special Services**
- Custodial Operations Supervisor**

#### **Associate Principal(s)**

Motion to approve the appointment of Elizabeth Dinh as Associate Principal at James Lick High School.

Motion by Van Le, second by Pattie Cortese.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Frank Biehl, Van Le

Not Present at Vote: Lan Nguyen

#### **Dean**

Motion to approve the appointment of Andrew Campbell as Dean at Independence High School.

Motion by Van Le, second by Frank Biehl.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Frank Biehl, Van Le

Not Present at Vote: Lan Nguyen

#### **Coordinator of Special Services**

Motion to approve the appointment and employment of Carrie Jessie-Macy as Coordinator of Special Services.

Motion by Pattie Cortese, second by Van Le.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Frank Biehl, Van Le

Not Present at Vote: Lan Nguyen

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

Motion to approve dismissal of one certificated Varsity Girls' Basketball Coach pursuant to Article 27.2 of the Collective Bargaining Agreement between the East Side Teachers Association and the East Side Union High School District.

Motion by Pattie Cortese, second by Van Le.

Final Resolution: Motion Carries

Yea: J Manuel Herrera, Pattie Cortese, Frank Biehl, Van Le

Not Present at Vote: Lan Nguyen

**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 Employees:**

**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:**

**Five (5) Potential Cases**

**3. RESUME OPEN SESSION AT APPROXIMATELY 6:30 P.M. - EDUCATION CENTER BOARD ROOM**

**3.01 Pledge of Allegiance**

**4. WELCOME AND EXPLANATION TO AUDIENCE**

**4.01 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. Written information is located near the entrance to the Board Room.**

## **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 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 LIAISON(S) (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, Consideration and/or Action regarding the Selection / Appointment of Member(s) to Citizens' Bond Oversight Committee for Measures G, E, I, Education Technology I and Z - Pattie Cortese, Board Vice President, Frank Biehl, Board Member, and Vikas Navani, Member of the Citizens' Bond Oversight Committee**

It is recommended that the Board of Trustees appoint Lorena Chavez (Community at Large), Rajesh Godbole (Parent EVHS), Bud LoMonaco (Active in Business Organization), Raymond Mueller (Community at Large) and Barry Schimmel (Community at Large) with the specified role designation to the Citizens' Bond Oversight Committee for Measures G, E, I, Education Technology I and Z for the term beginning July 1, 2018, through June 30, 2020.

Motion by Frank Biehl, second by Pattie Cortese.

Final Resolution: Motion Carries

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

**8.03 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to Governing Board Bylaw 9115 Student Board Members and Change By Law Number from 9115 to 9150 - Pattie Cortese, Board Clerk, Van Le, Board Member, and Chris D. Funk, Superintendent**

Motion by Member Frank Biehl, second by Lan Nguyen, to move items 8.03 and 8.04 to June 21, 2018, Board meeting for final adoption.

Motion not needed to carry items to June 21, 2018, Board Meeting.

Motion withdrawn by Member Frank Biehl.

Member Frank Biehl

My understanding is that we are not making additional changes to to the Board Policy, but since there is so much redline, we are giving everyone/the public the opportunity to look at it. We do that with all of our policies. Ninety-nine percent of the time nothing changes when it comes back for the next reading.

With 8.04, the Bylaws, we are asking for clarification on the section about who is on the committee, student voice task force, that makes those appointments. Counsel is going to write that up, correct?

Legal Counsel Rogelio Ruiz

Yes, and also the one minor edit to Article 3, Section 1a.

**8.04 Discussion and/or Action to Receive and Adopt Third Reading of Proposed Bylaws of a New Student Governing Board - Pattie Cortese, Board Vice President, Frank Biehl, Board Member, Chris D. Funk, Superintendent, William Gu, Evergreen Valley High School, Brisa Rojas, Wm. C. Overfelt High School, Michelle Alcantar, James Lick High School, and Kavina Desai, Santa Teresa High School**

Motion by Member Frank Biehl, second by Lan Nguyen, to move items 8.03 and 8.04 to June 21, 2018, Board meeting for final adoption.

Motion not needed to carry items to June 21, 2018, Board Meeting.

Motion withdrawn by Member Frank Biehl.

Member Frank Biehl

My understanding is that we are not making additional changes to to the Board Policy, but since there is so much redline, we are giving everyone/the public the opportunity to look at it. We do that with all of our policies. Ninety-nine percent of the time nothing changes when it comes back for the next reading.

With 8.04, the Bylaws, we are asking for clarification on the section about who is on the committee, student voice task force, that makes those appointments. Counsel is going to write that up, correct?

Legal Counsel Rogelio Ruiz

Yes, and also the one minor edit to Article 3, Section 1a.

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

**9.01 Presentation and Discussion regarding Proposed Annual Update to Local Control Accountability Plan (LCAP) - Glenn Vander Zee, Associate Superintendent of Educational Services**

Presentation; no action taken

**9.02 Hold Public Hearing at Approximately 6:30 p.m. regarding the Proposed Annual Update to the Local Control Accountability Plan (LCAP). A copy of the Local Control Accountability Plan is available for inspection at the District Office - Educational Services Department, 830 N. Capitol Avenue, San Jose - Glenn Vander Zee, Associate Superintendent of Educational Services**

Public hearing held.

Speakers:  
Lupe Navarro  
Vivi Galvez  
Felix Riojas

**9.03 Presentation and/or Discussion regarding the Preliminary Budget as Recommended for Fiscal Year 2018-2019; Receive First Reading of Proposed Resolution #2017/2018-34 to Confirm East Side Union High School District's Commitment to Fiscal Solvency - Chris D. Funk, Superintendent, and Silvia Pelayo, Director of Finance**

Presentation; no action taken.

**9.04 Hold Public Hearing at Approximately 6:40 p.m. regarding the Proposed Budget Adoption for 2018-2019. The Proposed Budget is available for inspection at the District Office (Business Services Department, 830 N. Capitol Avenue, San Jose) - Chris D. Funk, Superintendent, and Silvia Pelayo, Director of Finance**

Public hearing held.

There were no public speakers.

## **10. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD**

**10.01 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.**

Speakers:  
William Barnes, AFT Co-President - Director of Adult Education Candidates  
Valli Sharpe-Geisler - Director of Adult Education Candidates

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

### **11.01 Discussion and/or Action to Adopt Resolution #2017/2018-35 Order of Election, Specifications of the Election Order, and Consolidation Request – Chris D. Funk, Superintendent**

It is recommended that the Board of Trustees adopt Resolution #2017/2018-35 Order of Election, Specifications of the Election Order, and Consolidation Request.

Motion by Frank Biehl, second by Van Le.

Final Resolution: Motion Carries

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

### **11.02 Discussion and/or Action to Approve Sub-Sublease by District to Kidango, Inc. for District Facilities at Educare California at Silicon Valley (1399 Santee Drive, San Jose, CA) - Chris D. Funk, Superintendent**

It is recommended that the Board of Trustees approve the Sub-Sublease Agreement (with Consent Of “Ground Lessor”, “Ground Lessee”, “Landlord”, “Tenant” And “Sublessor”) between the District and Kidango, Inc. in substantially the form as presented.

Motion by Frank Biehl, second by Pattie Cortese.

Final Resolution: Motion Carries

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

### **11.03 Discussion and/or Action regarding Legislation affecting School Boards - Frank Biehl, Board Member**

Discussion item; no action taken

### **11.04 Discussion and/or Action to Receive First Reading of New Board Policy 5145.13 Response to Immigration Enforcement, and Amended Board Policies 0410, 5111, 5111.1, 5125, 5131.2, 5145.3 and 5145.9 to Comply with AB 699 - Chris D. Funk, Superintendent**

Received first reading of new Board Policy 5415.13 (Response to Immigration Enforcement) and amendments to Board Policy 0410 (Nondiscrimination in District Programs and Activities), 5111 (Admission), 5111.1 (District Residency), 5125 (Student Records), 5131.2 (Bullying), 5145.3 (Nondiscrimination / Harassment), and 5145.9 (Hate-Motivated Behavior).

### **11.05 Discussion and/or Action to Approve Employment Contract for Associate Superintendent of Human Resources - Chris D. Funk, Superintendent**

Motion to approve the employment contract for Associate Superintendent of Human Resources, Dr. John Rubio.

Rogelio Ruiz, Legal Counsel



With respect to 11.05 Associate Superintendent of Human Resources, the Administration recommendation is that this person, Dr. John Rubio, be placed on step 4 of the Administrator Salary Schedule, which was approved by this Board in 2016. Incremental steps are conditioned upon two successive positive, satisfactory annual evaluations. Step 4 is \$204,347/annually. 11.05, 11.06 and 11.07, those contracts are standardized in terms of not only their term, which is two years each, but also in the form in content with the exception that 11.06, the contract for Mr. Jew, he is a classified employee. There are some provisions or two that deal with classified employees under the Ed Code and Mr. Vander Zee, under 11.07, has a current contract that expires in 2019. Under 11.07, the recommendation is to extend that contract for one year through 2020 to make them co-terminus with the other Associate Superintendents.

Motion by Lan Nguyen, second by Pattie Cortese.

Final Resolution: Motion Carries

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

**11.06 Discussion and/or Action to Approve Employment Contract for Associate Superintendent of Business Services - Chris D. Funk, Superintendent**

Motion to approve employment contract for Associate Superintendent of Business Services, Chris Jew.

Rogelio Ruiz, Legal Counsel

For the record on this, the recommendation from Administration is that Mr. Jew be placed on step 5 of the Administrator Salary Schedule.

Motion by Van Le, second by Frank Biehl.

Final Resolution: Motion Carries

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

**11.07 Discussion and/or Action to Approve Employment Contract for Associate Superintendent of Educational Services - Chris D. Funk, Superintendent**

Motion to approve employment contract for Associate Superintendent of Educational Services, Glenn Vander Zee.

Motion by Pattie Cortese, second by Van Le.

Final Resolution: Motion Carries

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

**11.08 Discussion and/or Action to Approve Payment for Seven (7) Unused Non-Duty Days for Contract Employee - Chris D. Funk, Superintendent**

It is recommended that the Board of Trustees approve the payment of seven (7) unused non-duty days for contract employee.

Motion by Pattie Cortese, second by Frank Biehl.

Final Resolution: Motion Carries

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

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

### **12.01 Discussion and/or Action to Receive and Adopt Second Reading of Proposed Amendments to the following Board Policies: BP 4119.21/4219.21/4319.21 - Professional Standards, and BP 5145.6 - Parental Notifications - Cari Vaeth, Associate Superintendent of Human Resources, and Glenn Vander Zee, Associate Superintendent of Educational Services**

It is recommended that the Board of Trustees receive and adopt the second reading of the proposed amendments to the following Board Policies: BP 4119.21/4219.21/4319.21 - Professional Standards, and BP 5145.6 - Parental Notifications.

Motion by Frank Biehl, second by Pattie Cortese.

Final Resolution: Motion Carries

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

### **12.02 Discussion and/or Action regarding Designation of California Interscholastic Federation (CIF) Representatives to League for 2018-2019 - Glenn Vander Zee, Associate Superintendent of Educational Services**

It is recommended that the Board of Trustees approve the listed personnel as league representatives for the California Interscholastic Federation for the 2018-2019 school year.

Motion by Pattie Cortese, second by Van Le.

Final Resolution: Motion Carries

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

## **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 - Janice Unger, Director of Purchasing and Capital Accounting, 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 Lan Nguyen, second by Pattie Cortese.

Final Resolution: Motion Carries

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

**13.02 Discussion and/or Action to Approve Suspension of the Independence High School 76th Cavalry Band Boosters Club Approval to Solicit Contributions or Funds per Education Code 51520 and 51521 - Silvia Pelayo, Director of Finance, and Kelly Kwong, Senior Manager of Internal Controls**

It is recommended that the Board of Trustees approve the suspension of The Independence High School 76th Cavalry Band Boosters Club authorization to solicit contributions or funds on any District site for any purpose and/or upon the representation that any money received is to be used wholly or in part for the benefit of any District students or academic or athletic programs.

Motion by Lan Nguyen, second by Van Le.

Final Resolution: Motion Carries

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

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

**14.01 Discussion and/or Action to Adopt/Approve the Adult Education Calendar for the 2018-2019 School Year - Cari Vaeth, Associate Superintendent of Human Resources and Richard Uribe, Director of Adult Education**

It is recommended that the Board of Trustees adopt/approve the adult education calendar for the 2018-2019 school year.

Motion by Pattie Cortese, second by Van Le.

Final Resolution: Motion Carries

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

**14.02 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 Van Le, second by Lan Nguyen.

Final Resolution: Motion Carries

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

**14.03 Discussion and/or Action to Approve Certificated Administrative Job Description and Salary Range for Director of Equity, Diversity and Inclusion - Cari Vaeth, Associate Superintendent of Human Resources**

It is recommended that the Board of Trustees approve the certificated administrative job description and salary range for Director of Equity, Diversity and Inclusion.

Motion by Pattie Cortese, second by Van Le.

Final Resolution: Motion Carries

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

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

### **15.01 Presentation, Discussion and/or Action to Award a Contract for Design-Build Services for the W.C. Overfelt High School Music, Art and Administration New Building & Central Quad Modernization - Julio Lucas, Director of Construction, Maintenance and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, Tu Nguyen, Capital Projects Purchasing Manager, and Mony Thach, Van Pelt Construction Services**

Based on the foregoing, it is recommended that the Board of Trustees:

1. Adopt the above Proposal Evaluation Summary as its findings and that the Flint DBE Team proposal demonstrates the “best value” to the District;
2. Find that, on the basis of such information, the Design-Build Project and the Flint DBE proposal as described above will reduce comparable project costs, help expedite the Project’s completion, and/or provide features not available through the traditional design-bid-build method;
3. Award a Design-Build contract for the W.C. Overfelt High School Music, Art and Administration New Building & Central Quad Modernization, to Flint Builders, in the amount of \$25,600,000; and
4. Approve payment of the \$7,500 stipend to Balfour Beatty, for Balfour’s responsive participation in the design and cost competition.

Motion by J Manuel Herrera, second by Frank Biehl.

Final Resolution: Motion Carries

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

### **15.02 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, 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 Frank Biehl, second by Lan Nguyen.

Final Resolution: Motion Carries

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

## **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 to approve the entire consent calendar as presented.

Motion by Pattie Cortese, second by Lan Nguyen

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

Vote: 5/0; Final Resolution: Motion Carries

### **16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR**

**16.01 Discussion and/or Action to 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**

### **17. EDUCATIONAL SERVICES / STUDENT SERVICES - CONSENT/ACTION CALENDAR**

**17.01 Ratify/Approve School Field Trips**

### **18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR**

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

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

**18.03 Ratify/Approve California Uniform Public Construction Cost Accounting Act (CUPCAA) Informal General Purchasing Project(s)**

**18.04 Ratify/Approve Change Orders to Purchase Orders**

**18.05 Ratify/Approve Memorandum of Understanding**

**18.06 Adopt Resolution #2017/2018-36 Itemized List of Surplus/Obsolete Equipment for Sale and/or Disposal per Education Code Sections 17545 and 17546**

**18.07 Approve Budget Transfers for the Month of April, 2018**

**18.08 Accept Warrant Register for the Month of April, 2018**

**19. HUMAN RESOURCES - CONSENT/ACTION CALENDAR**

**No Items on Calendar under this Section**

**20. FACILITIES/BOND - CONSENT/ACTION CALENDAR**

**20.01 Approve the Capital Program Budget Adjustment Report**

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

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

**20.04 Ratify/Approve California Uniform Public Construction Cost Accounting Act (CUPCCAA) Informal Bond Project(s)**

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

**21. WRITTEN REPORTS/RECOMMENDATIONS**

**21.01 Receive Report on Fund 25 Capital Facilities and Fund 35 School Facilities**

Report received

**21.02 Receive Summer Projects Under \$500,000 Report**

Report received

**22. FUTURE AGENDA ITEMS**

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

Member Frank Biehl

- Update to Summer Projects

**22.02 Future Items**

**Board Member J. Manuel Herrera**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
New Tech at James Lick High School	September, 2018	Presentation/Discussion

**Board Member Pattie Cortese**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Academic Performance of Students returning from Expulsions	September, 2018	Presentation/Discussion

**Board Member Lan Nguyen**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Conflict Resolution Success Rate	Fall, 2018	Presentation/Discussion

**Board Member Frank Biehl**

<b>Item</b>	<b>Date (tentative)</b>	<b>Type</b>
Standardized Sports Facilities*	August, 2018	Presentation/Discussion

Correction to Member Frank Biehl's item:

Change from: Standardized Sports in ESUHSD

Change to: Standards for Sports Facilities

## 22.03 Annual Governance Calendar

<p><b>July:</b></p> <ul style="list-style-type: none"> <li>•Summer School Program (concludes session)</li> <li>•Summer School Graduation</li> </ul> <p><b>August:</b></p> <ul style="list-style-type: none"> <li>•Board Members' Expenses Report (Apr/May/June)</li> <li>•Expulsion Hearing Panel Committee</li> <li>•First Day of School</li> <li>•Superintendent's Annual Evaluation</li> <li>•Williams Quarterly Report</li> </ul> <p><b>September:</b></p> <ul style="list-style-type: none"> <li>•Board Study Session/Workshop</li> <li>•College Night</li> <li>•Conflict of Interest Board Policy (updates)</li> <li>•Public Hearing and Adoption: Gann Spending Limit</li> <li>•Public Hearing: Sufficiency/Insufficiency of Textbooks</li> <li>•Receive Annual Developer Fees Report</li> <li>•Unaudited Actuals</li> </ul> <p><b>October:</b></p> <ul style="list-style-type: none"> <li>•Bond Program Presentation</li> <li>•Solar Energy Presentation</li> <li>•Student Achievement Presentation</li> <li>•Williams Quarterly Report</li> </ul> <p><b>November:</b></p> <ul style="list-style-type: none"> <li>•Academic Success Analysis Biannual Presentation</li> <li>•Board Members Expenses' Report (July/Aug/Sept)</li> <li>•Board Study Session/Workshop</li> <li>•Election Orientation for New Board Members</li> </ul> <p><b>December:</b></p> <ul style="list-style-type: none"> <li>•Annual Organizational Board Meeting</li> <li>•CSBA Annual Conference</li> <li>•Election Orientation for New Board Members</li> <li>•End of First Semester</li> <li>•First Interim Report</li> </ul> <p><b>January:</b></p> <ul style="list-style-type: none"> <li>•Audit Report</li> <li>•Board Audit Committee Selections/Appointments</li> <li>•Board Retreat</li> <li>•Financial &amp; Performance Audit Report for Bond Measures</li> <li>•Magnet Night</li> <li>•Martin Luther King, Jr. Writing, Art &amp; Multi-Media Awards Ceremony &amp; Reception</li> <li>•Master Business Relationship Agreement between ESUHSD and MetroED</li> <li>•Policies &amp; ByLaws (Begin Review by Series)</li> <li>•Sports Recognitions (Fall)</li> <li>•Technology Report</li> <li>•Williams Quarterly Report</li> </ul>	<p><b>February:</b></p> <ul style="list-style-type: none"> <li>•African American Students Achievement Awards</li> <li>•Audit Committee Charter Amendment(s)</li> <li>•Board Members' Expenses Report (Oct/Nov/Dec)</li> <li>•CSBA Delegate Assembly Election</li> <li>•IPC Annual Presentation</li> <li>•Non-Re-Elects</li> <li>•Safety Plan Goals for Each Site</li> <li>•State of the District</li> </ul> <p><b>March:</b></p> <ul style="list-style-type: none"> <li>•Academic Success Analysis Biannual Presentation</li> <li>•Cesar Chavez Writing, Art &amp; Multi-Media Awards Luncheon</li> <li>•Latino Student Awards Recognition Ceremony</li> <li>•March 15 Notices</li> <li>•NSBA Annual Conference (<i>March or April</i>)</li> <li>•Second Interim Report</li> <li>•SJPD Secondary Employment Application</li> <li>•Superintendent's Mid-Year Evaluation</li> <li>•Vietnamese Students Achievement Awards</li> </ul> <p><b>April:</b></p> <ul style="list-style-type: none"> <li>•Board Study Session/Workshop</li> <li>•Form 700 – Statement of Economic Interests Due to Santa Clara County (filing)</li> <li>•Honor Nights (April/May)</li> <li>•Migrant Education Awards Night</li> <li>•Williams Quarterly Report</li> </ul> <p><b>May:</b></p> <ul style="list-style-type: none"> <li>•Asian American/Pacific Islander History Month Poster &amp; Essay Contest Awards/Celebration</li> <li>•Board Members' Expenses Report (Jan/Feb/Mar)</li> <li>•Board Self-Evaluation</li> <li>•Board Study Session/Workshop</li> <li>•Budget (Preliminary/Draft) Presentation</li> <li>•Employee Retiree &amp; Recognition Event</li> <li>•Graduations</li> <li>•Honor Nights (April/May)</li> <li>•Last Day of School</li> <li>•Preliminary Review of Proposed LCAP</li> </ul> <p><b>June:</b></p> <ul style="list-style-type: none"> <li>•Annual Consolidated Program Application (CONAPP)</li> <li>•Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)</li> <li>•Budget Adoption (second June Board Meeting)</li> <li>•Budget Advisory Committee: Nominate/Appoint Board Reps (2) &amp; Alternative Board Rep (1) -- (2-yr term, fiscal year)</li> <li>•Employee Retirement Celebration</li> <li>•ESTA Safety Survey</li> <li>•International Student Program Annual Presentation</li> <li>•Master Contracts for Capital Projects</li> <li>•Plan for Expelled Youth (due every 3 years; due 2018)</li> <li>•Safety Plan Assessment for Each School</li> <li>•Single Plan for Student Achievement (SPSA) Each School</li> <li>•Sports Recognitions (Winter/Spring)</li> <li>•Summer School Program (session begins)</li> </ul>
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## **23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

### **23.01 Board of Trustees:**

- **J. Manuel Herrera, President**  
-- MetroED
- **Pattie Cortese, Vice President**
- **Lan Nguyen, Clerk**
- **Frank Biehl, Member**  
-- Board Audit Committee
- **Van Le, Member**

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

## **24. REPORT CLOSED SESSION ACTION(S)**

### **24.01 Legal Counsel will Report on Closed Session Actions**

## **25. ADJOURNMENT**

### **25.01 President Adjourns the Meeting**

Board President J. Manuel Herrera adjourned the meeting at 10:16 PM

## **26. NEXT MEETING**

- **June 21, 2018: Regular Board Meeting**

*Respectfully submitted,*



**Board Clerk**



Preparing every student to thrive in a global society.

## Agenda Item Details

Meeting	Jun 07, 2018 - 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	13.01 Discussion and/or Action to Approve the Contract(s) for Professional Services Over \$25,000 - Janice Unger, 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:** Janice Unger, 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.

2018 0607 Contracts Over 25k.pdf (105 KB)

## Executive Content

### 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 Lan Nguyen, second by Pattie Cortese.

Final Resolution: Motion Carries

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

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

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

## 1. CollaboratED Consulting LLC

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Teresa Marquez Janice Unger Francine Brissey	June 15, 2018 – May 31, 2019	\$65,000.00 Educator Effectiveness	Instructional Services/ Curriculum and Professional Development/ Teresa Marquez

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the contract service agreement with CollaboratED Consulting LLC (CollaboratED). CollaboratED partners with district teachers to develop confidence in teaching mathematics and improve classroom culture and structure. This overall goal is accomplished using the following tools:

Suite of Services:

Documents (unit outlines, pacing guides, warm ups, assessments, etc), presentations and technology resources;

Professional Development: 5 in person professional development days;

Teacher Coaching: 5 coaching days, 5 collaborative sessions, 40 virtual coaching sessions;

Math Leadership Coaching: 5 in person coaching days for Teachers on Special Assignment (TOSA), 40 virtual coaching sessions for Math TOSA.

### Selection Process

None

### Recommendation

It is recommended that the Board of Trustees approve the contract service agreement with CollaboratED Consulting LLC, for the professional development of mathematics teachers, in the amount of \$65,000.00 for the term June 15, 2018, through May 31, 2019. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 2. Fresno County Superintendent of Schools

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Kirsten King Janice Unger Francine Brissey	September 1, 2018 – August 31, 2019	\$152,938.80 Supplemental	Instructional Services/ Assessment and Accountability/ Kirsten King

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the contract service agreement with Fresno County Superintendent of Schools (FCSS). FCSS has been providing the ESUHSD with Cyber High, a web based high school curriculum, for several years. The Cyber High program will include:

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

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

Cyber High Courses - to include courses, curriculum, tool and resources all available online.  
Professional Development Training – 1 per contract term at a rate of \$500 at ESUHSD.

Grade Reporting – FCSS will mail a grade report, upon completion of a 5 unit course, within 48 hours.

Client User Support – Support available via phone and email.

## **Selection Process**

Continuing Relationship

## **Recommendation**

It is recommended that the Board of Trustees approve the contract service agreement with Fresno County of Superintendent of Schools, for the use of Cyber High, in the amount of \$152,938.80 for the term September 1, 2018, through August 31, 2019. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

### **3. Intrepid Philanthropy Foundation**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Teresa Marquez Janice Unger Francine Brissey	April 1, 2018 – June 1, 2020	\$30,000.00 (Revenue) Light Awards	Instructional Services/ Curriculum and Professional Development/ Teresa Marquez

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Grant with Intrepid Philanthropy Foundation (Grantor) under the Light Awards Program. Grantor will award ESUHSD \$30,000.00 over the course of 2 years; \$20,000.00 in April 2018, and \$10,000.00 April 2019.

Andrew Hill, Evergreen Valley, James Lick, Mt. Pleasant, Silver Creek, and W.C. Overfelt High Schools will all be the beneficiaries of the award. The project goal is for the ESUHSD Leadership Teachers' Team to strengthen their passion and improve their effectiveness as Leadership Teachers through peer collaboration, professional development, workshop attendance and the guidance of expert consultants.

Over the course of two years the Leadership team will be trained in leadership theory and research based curriculum, design and create curriculum using best practices, attend California Association of Directors Activities (CADA) Conference, and attend various leadership academies.

## **Selection Process**

Online Application

## **Recommendation**

It is recommended that the Board of Trustees approve the Grant with Intrepid Philanthropy Foundation, under the Light Awards Program. Grantor will award ESUHSD \$30,000.00 over

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

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

the course of 2 years, from April 1, 2018, through June 1, 2020. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

#### 4. Keenan & Associates

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Janice Unger Francine Brissey	July 1, 2018 – June 30, 2021	\$25,000.00* \$50,000.00** Self-Insurance Liabilities	Business Services

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the Property and Casualty Claims Administration Services Agreement with Keenan & Associates. Keenan & Associates will administer all currently open claims and any future accidents, incidents or claims reported during the term of the agreement for which ESUHSD has financial responsibility as part of the Insurance policy and Memorandum of Coverage issued by Northern California ReLIEF.

Two purchase orders (PO's) will be opened for Keenan & Associates under this agreement.

\*A \$25,000.00 PO will be opened to act as an escrow account. Each claim will be charged against the escrow PO, and the balance will be refreshed to \$25,000.00. This PO will be required to maintain a balance of \$25,000.00 at all times. Since claims are variable and unpredictable, more than \$25,000.00 may be spent within the fiscal year.

\*\*A second PO in the amount of \$50,000.00 will be opened for the payment of services fees. The service are outlined below and will only be assessed if a claim is filed, therefore more than \$50,000.00 may be spent within the fiscal year, which will be presented as change orders to the Board.

Service Fees will be assessed as follows:

V.P. /A.V.P. /Claims Manager	\$92.75 per hour
Senior Claims Examiner	\$87.50 per hour
Claims Examiner	\$77.50 per hour
Expenses	42% of hourly billings
Minimum per file charge	One hour

#### **Selection Process**

None

#### **Recommendation**

It is recommended that the Board of Trustees approve the Property and Casualty Claims Administration Services Agreement with Keenan & Associates, for the administration of the ESUHSD self-insurance policy and escrow account, in the amount of \$50,000.00 for service fees, and an estimated \$25,000.00 for claims processing, for the term July 1, 2018, through

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

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

June 30, 2021. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 5. Panorama Education, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Kirsten King Janice Unger Francine Brissey	August 1, 2018 – July 31, 2019	\$40,200.00 Supplemental LCAP	Educational Services/ Assessment and Accountability/ Kirsten King

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the contract service agreement with Panorama Education, Inc. Panorama Education, Inc., will provide access to Panorama platform software license and support for survey administration, analysis and reporting. The Panorama platform will also provide social emotional learning measures and project management services with a dedicated professional services manager.

### Selection Process

None

### Recommendation

It is recommended that the Board of Trustees approve the contract service agreement with Panorama Education, Inc., for software licensing, support and project management services in the amount of \$40,200.00 for the term August 1, 2018, through July 31, 2019. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## 6. Tasha's Training and Consulting - Change Order No. 01

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Barbara Moore Janice Unger Francine Brissey	No Change	Change Order No. 01 \$10,000.00 Special Day Class	Instructional Services/ Special Services/ Barbara Moore

East Side Union High School District (ESUHSD) Administration is requesting that the Board of Trustees approve Change Order No. 01 with Tasha's Training and Consulting to provide consulting services to staff in regards to Emotionally Disturbed (ED) students, training in mental health and ED, meeting with staff in regards to best practices, student assessments.

On January 18, 2018, the Board of Trustees approved the contract service agreement with Tasha's Training and Consulting, in the amount of \$25,000.00. (Item No. 18.01)

Change Order No. 01 will reflect an increase to Purchase Order No. 801866, due to an underestimate of annual usage of services for Tasha's Training and Consulting.

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

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

Original Amount	\$25,000.00
Change Order No. 01	\$10,000.00
Total Amount	\$35,000.00

## **Recommendation**

It is recommended that the Board of Trustees approve Change Order No. 01 to the Purchase Order No. 801866 with Tasha's Training and Consulting, staff consultation and training, and student assessments for emotionally disturbed children, in the amount of \$10,000.00, due to an underestimate of annual usage. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.

## **7. Evergreen Valley College - Amendment No. 01**

<b>Reviewed by:</b>	<b>Contract Period</b>	<b>Fiscal Impact/ Funding Source</b>	<b>School/Department/ Manager</b>
Tim Nguyen Janice Unger Francine Brissey	August 1, 2017 – December 21, 2018	No Change	Instructional Services/ Career Services/ Tim Nguyen

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve Amendment No. 01 with Evergreen Valley College to provide curriculum development outreach dual-employment instructional material professional training.

On September 19, 2017, the Board of Trustees approved the contract service agreement with Evergreen Valley College, in the amount of 127,000.00. (Item No. 13.02)

Amendment No. 01 will reflect an extension of the contract period from August 1, 2017, through June 30, 2018, to August 1, 2017, through December 21, 2018.

## **Selection Process**

None

## **Recommendation**

It is recommended that the Board of Trustees approve Amendment No. 01 to the Contract Service Agreement PO No. 801031, with Evergreen Valley College, for curriculum development and professional training, for the term August 1, 2017, through December 21, 2018. It is also recommended that the Board authorize administration to execute change orders in accordance with Board Policy 3312.1.





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### Agenda Item Details

Meeting	Jun 07, 2018 - 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 - Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, 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:** Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, 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.

[2018 0607 Contract Over 50K.pdf \(118 KB\)](#)

[Attachment A.pdf \(133 KB\)](#)

## **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 Frank Biehl, second by Lan Nguyen.

Final Resolution: Motion Carries

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

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

## Bond/Capital Projects Contract(s) for Professional Services Over \$50,000.00

### 1. Illuminate Education, Inc.

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Randy Phelps Janice Unger Tu Nguyen	July 1, 2015 through June 30, 2018 with (2) years renewable options	\$280,032.00 (Not to exceed amount)  Fund 22 – Measure I Tech Bond	EC/Assessment & Accountability  Kirsten King, Director  Randy Phelps, Chief Technology Officer

East Side Union High School District (ESUHSD) administration is requesting that the Board of Trustees approve the (2) year renewable option agreement for the Student Data and Assessment Management System effective July 1, 2018 through June 30, 2020 with Illuminate Education, Inc.

On May 14, 2015, the Board of Trustees approved RFP (GP051415) with Illuminate Education, Inc., in the amount of \$398,302.50. (Item No. 18.08)

Annual fees increase slightly by \$9,748.50 per year. Staff has been satisfied with the system and is requesting to extend the option for the additional (2) years. All other terms and condition of the agreement are mutually agreed.

#### **RECOMMENDATION**

It is recommended that the Board of Trustees approve the renewable option agreement with Illuminate Education, Inc., for the Student Data and Assessment Management System in the amount of \$280,032.00 for the next (2) years, effective July 1, 2018 through June 30, 2020 and authorize administration to execute change orders in accordance with Board Policy 3312.1.

### 2. SHI

Reviewed by:	Contract Period	Fiscal Impact/ Funding Source	School/Department/ Manager
Randy Phelps Janice Unger Tu Nguyen	May 23, 2018 – May 31, 2019  Quotation No.: 14998244	\$64,998.90 (Not to exceed amount)  Fund 22 – Measure I Tech Bond	District Wide/Information Technology  Randy Phelps, Chief Technology Officer

East Side Union High School District (ESUHSD) is requesting authorization from the Board of Trustees to award a purchase order agreement for the continued CAMSA license renewal/support for the Microsoft Learning Solutions: IT Academy Services for the DW License & Renewal Project (Project No.: IT-013-005).

#### **Selection Process**

No solicitation process was performed (Attachment A)

#### **RECOMMENDATION**

It is recommended that the Board of Trustees approve the purchase order agreement with SHI for an amount not to exceed \$64,998.90 for the continued CAMSA license renewal/support for the Microsoft Learning Solutions: IT Academy Services for the DW License & Renewal Project (Project No.: IT-013-005) and authorize administration to execute change orders in accordance with Board Policy 3312.1.



Preparing every student to thrive in a global society.

### Agenda Item Details

Meeting	Jun 07, 2018 - 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
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:** Janice Unger, Director of Purchasing and Capital Accounting, 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.

2018 0607 Contracts under \$25K.pdf (88 KB)

## **Executive Content**

### **Motion & Voting**

It is recommended that the Board of Trustees ratify the 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 Frank Biehl, second by Pattie Cortese.

Final Resolution: Motion Carries

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

## EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

Contract(s) for Professional Services at or Below \$25,000

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
Home Campus	May 1, 2018 – April 31, 2021	\$25,000.00/ various	803215	All Sites	Provide software for Athletic Directors to clear student athletes and connect to California Interscholastic Federation (CIF). To include a training for Athletic Directors and one month free trial for all sites.	May 17, 2018
John Bannon	April 1, 2018 – June 30, 2018	\$8,755.00/ Special Services	803336	Education Center	Provide services as Interim Coordinator of Special Services with a focus on compliance with all applicable state and federal laws.	May 17, 2018
Ken Rawdon	March 20-21, 2018	\$400.00/ General Admin/Supt.	803285	Education Center	Provide adjudication services for the 2018 district choir festival.	May 11, 2018
Maria Teresa Rodriguez	April 20, 2018 – June 30, 2018	\$700.00/ Student Services	803283	Education Center	Provide parent teacher home (PTHV) visit training to staff as identified by district Program Director using the evidence based PTHV Project framework and including materials.	May 11, 2018
Paton Group	May 1, 2018 – June 30, 2018	\$2,300.00/ Career Tech & Cal Career Pathways	803328	Yerba Buena	Provide installation and training for the Computer Numerical Control (CNC) router at Piedmont Hills and LiveArc Welding System & Augmented Arc Welding System at Yerba Buena High Schools.	May 16, 2018
Photo Waste Recycling Co. Inc.	July 1, 2017 – June 30, 2018	\$846.56/ Electronics	802864	Independence	Provide services for Auto Shop's hazardous waste disposal at Independence High School.	May 15, 2018

## EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

Contract(s) for Professional Services at or Below \$25,000

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>
Stanford University	October 12, 2017 – March 22, 2018	\$3,000.00/ Principal	803351	Independence	Provide two days of professional development workshop for World Language teachers at Independence High School.	May 21, 2018
Valerie M. Thompson	April 1, 2018 – June 30, 2018	\$2,000.00/ Student Services	803284	Education Center	Provide services for engagement in Office for Civil Rights activities and sec meeting planning with district Administration.	May 11, 2018
Zum Services Inc.	February 1, 2018– January 31, 2021	\$10,000.00/ Student Services	803353	Education Center	Provide round trip transportation services to a single student at a time.	May 21, 2018



Preparing every student to thrive in a global society.

### Agenda Item Details

Meeting	Jun 07, 2018 - 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	20.03 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:** Julio Lucas, Director of Construction, Maintenance, and Facilities, Janice Unger, Director of Purchasing and Capital Accounting, and Tu Nguyen, 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.



2018 0607 Contract Under 50K.pdf (76 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 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 Frank Biehl, second by Pattie Cortese.

Final Resolution: Motion Carries

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

## EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

Bond/Capital Projects Contracts for Professional Services At or Below \$50,000.00

Consultant	Contract Period	Contract Amount	Purchase Order Number / Contract Number (CP)	Location of Services	Project Number / Project Name	Description of Services	Date Purchase Order Assigned
Cleary Consultants, Inc.	May 3, 2018 through project completion	\$9,000.00	803142 / CP2599	James Lick High School	Z-030-601 / JL Student Center & Quad Mod	Consultant to provide the following scope of work: provide additional soil engineering observation and required testing services during construction required for the Student Center and Quad Modernization project at James Lick. Reference original soil engineering Purchase Order No. 703800 in the amount of \$13,500.00. This Purchase Order is a Not to Exceed Amount of \$9,000.00	05/03/2018
Cleary Consultants, Inc.	May 3, 2018 through project completion	\$7,800.00	803143 / CP2500	Yerba Buena High School	Z-060-601 / YB New Student Union and Quad Modernization	Consultant to provide the following scope of work: preparation of a Phase 1 environmental site assessment report. Assessment will evaluate the current environmental conditions of the site based on a Phase 1 environmental site assessment. Report to outline possible additional investigation needs and potential remedial actions based on investigation results	05/03/2018

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

Bond/Capital Projects Contracts for Professional Services At or Below \$50,000.00

<b>Consultant</b>	<b>Contract Period</b>	<b>Contract Amount</b>	<b>Purchase Order Number / Contract Number (CP)</b>	<b>Location of Services</b>	<b>Project Number / Project Name</b>	<b>Description of Services</b>	<b>Date Purchase Order Assigned</b>
Audio Images Corporation	May 3, 2018 through project completion	\$3,000.00	803141 / CP2558	Yerba Buena High School	Z-060-601 / YB New Student Union and Quad Modernization	Consultant to provide the following scope of work: provide audio system training and documentation PSA including audio component interconnect and testing	05/03/2018
Hobart Corporation	May 8, 2018 through project completion	\$3,000.00	803218 / CP2511	Yerba Buena High School	Z-060-601 / YB New Student Union and Quad Modernization	Consultant to provide the following scope of work: troubleshooting and repair of a standing 30 quart Hobart mixer and 3-drawer warming unit for the project at Yerba Buena High School	05/08/2018

# EAST SIDE UNION HIGH SCHOOL DISTRICT

Board Meeting of June 7, 2018

Bond/Capital Projects Contracts for Professional Services At or Below \$50,000.00

Consultant	Contract Period	Contract Amount	Purchase Order Number / Contract Number (CP)	Location of Services	Project Number / Project Name	Description of Services	Date Purchase Order Assigned
Ethos Pantology, LLC	May 9, 2018 through project completion	\$10,000.00	803239 / CP2587	District Wide	IT-013-703 / DW Security Camera Upgrades	Consultant to provide the following scope of work: ONSSI engineering and administration support services. 10K block of engineering hours for ONSSI repair and remediation services. Also includes engineering repairs/support services as well as server administration and support.	05/09/2018
Environmental Remedial Testing, Inc. (ERT)	Services performed on February 28, 2018	\$14,900.00	803367 / CP2519	Oak Grove High School	Z-050-601 / OG New Student Center & Quad	Consultant to provide the following scope of work: Abatement monitoring for the Walnut Blasting of the siding at the Administration Building. Also includes testing drywall at the exterior of the Administration Building at Oak Grove High School.	05/21/2018