Beverly Hills Unified School District Minutes

Regular Board of Education Meeting
June 13, 2017, 5:00 PM

CLOSED SESSION - Administrative Building
255 South Lasky Drive Beverly Hills, CA  90212

OPEN SESSION - STC/Jon Cherney Lecture Hall, Beverly Hills High School
241 Moreno Drive Beverly Hills,

Attendance Taken at 5:00 PM:

Present:
Jonathan Artal
Howard Goldstein
Isabel Hacker
Noah Margo
Mel Spitz

Absent:
Lisa Korbatov

Updated Attendance:
Lisa Korbatov was updated to present at: 5:30 PM

I. OPEN SESSION-3:00 P.M.

II. AGENDA HEARING PERIOD-PUBLIC COMMENT

III. CLOSED SESSION-3:00 P.M.

III.A. Settlement Agreement-Student #14645

III.B. Settlement Agreement-Student #13978

III.C. Settlement Agreement-OAH #2017030936

III.D. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) & (d)(2) of Section 54956.9: (3 Cases)

III.E. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (d)(1) of Section 54956.9): Beverly Hills Unified School District v. Federal Transit Administration, et al., USDC Case No. CV 12-9861-GW(SS)

III.F. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (d)(1) of Section 54956.9): Beverly Hills Unified School District v. Los Angeles County Metropolitan Transportation Authority (LASC Case No. BS 137606)
III.G. CONFERENCE WITH LABOR NEGOTIATORS: Agency Representative: Yolanda Mendoza Employee Organizations: CSEA, BHEA-Certificated, BHEA-IA, BHEA-OTBS Unrepresented Employees

III.H. PUBLIC EMPLOYEE APPOINTMENT

III.I. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

IV. OPEN SESSION-CALL TO ORDER-FLAG SALUTE-5:00 P.M.

Minutes:
Board President Mel Spitz called the meeting to order at 5:12 p.m. and asked Luke Pavone to lead the audience in the Pledge of Allegiance.

V. APPROVAL OF THE AGENDA

Motion Passed: A motion was made to approve the Agenda. Passed with a motion by Noah Margo and a second by Howard Goldstein.

Yes Howard Goldstein
Yes Isabel Hacker
Absent Lisa Korbatov
Yes Noah Margo
Yes Mel Spitz

VI. REPORT OF CLOSED SESSION ACTION

Minutes:
Superintendent Dr. Bregy reported from Closed Session that the Board voted 5-0 to approve the Settlement Agreement-for Student #14645.

In Closed Session the Board voted 5-0 to approve the Settlement Agreement-for Student #13978 and the Board voted 5-0 to approve the Settlement Agreement-OAH #2017030936.

VII. AGENDA HEARING PERIOD-PUBLIC COMMENT

Minutes:
The following person addressed the Board:
Lynnette Ambrozy

VIII. PUBLIC HEARING

VIII.A. Public Hearing for the Proposed Local Control Accountability Plan (LCAP)

Minutes:
The public hearing on the draft Local Accountability Control Plan (LCAP) is now open at 5:20 p.m.
Beginning July 1, 2013, the State of California changed the funding formula for public education and requires school districts to develop a Local Control Accountability Plan (LCAP). The LCAP is a plan that aligns the District's educational goals with financial resources.
Pursuant to Education Code Section 52060-52077, the governing board of each school district shall adopt a Local Control Accountability Plan (LCAP) using a template
adopted by the state board on or before July 1, 2017. The LCAP shall be adopted with
the district's annual budget. The LCAP is effective for a period of three years - updated
on or before July 1 of each year.
We now invite members of the audience to address the Board of Education on the
proposed draft LCAP.
There was no public comment.
The public hearing is now closed 5:21 p.m.

VIII.B. Public Hearing for the 2017-18 Budget

Minutes:
The public hearing regarding the 2017-2018 Adopted Budget is now open at 5:35 p.m.
Pursuant to Education Code Sections 42127, 42126, and 42103, the 2017/2018 adopted
budget has been prepared, made available to the public for review and publicly
advertised as required.
We now invite members of the audience to address the Board of Education on the 2017-
2018 Adopted Budget.
No one addressed the Board.
The public hearing is now closed at 5:36 p.m.

IX. CONSENT CALENDAR*

Motion Passed: A motion was made to approve the Consent Calendar minus items T. & U.
Passed with a motion by Noah Margo and a second by Isabel Hacker.
Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Yes Noah Margo
Yes Mel Spitz

IX.A. Approval Board Meeting Minutes
   IX.A.1. Special Board Meeting-5-23-2017
   IX.A.2. Special Board Meeting-6.9.2017

IX.B. Personnel Reports
   IX.B.1. Certificated Personnel Report
   IX.B.2. Classified Personnel Report

IX.C. Approval of Board Meeting dates from June 2017-June 2018

IX.D. Approval of California School Boards Association GAMUT Online Service
   Agreement

IX.E. Approval of California School Boards Association Manual Maintenance Service
   Agreement

IX.F. Approval of Amendment to Master Contract Mediscan Master Contract

IX.G. Approval of Amendment to PSA for K an M Center
IX.H. Approval to Renew Contract with School Services of California for the 2017-2018 Fiscal Year

IX.I. Approval of Williams Uniform Complaint Quarterly Report Summary - Fourth Quarter (March 31, 2017 - June 30, 2017)

IX.J. Approval of the Licensing Agreement with Document Tracking Services for 2017-2018 School Plan and LCAP

IX.K. Ratification of High Speed Internet Service Provider Contract with Spectrum Enterprise

IX.L. BHHS Out-of-County Trip: BHHS Football Tournament; June 22-24, 2017; Atascadero, CA

IX.M. BHHS Out-of-County Trip: BHHS Madrigal Singers Retreat; August 25-27, 2017; Idyllwild, CA

IX.N. BHHS Out-of-County Trip: BHHS Girls Basketball Tournament; December 26-30, 2017; Henderson, NV

IX.O. Approval/Acceptance of Donations Listed Pursuant to Board Policy 3290

IX.P. Approval of Disposal of Obsolete Equipment

IX.Q. Ratification of Purchase Order #19 for 2016/2017

IX.R. Ratification: Network Infrastructure Equipment with StarNet Data and CDW-G

IX.S. Authorization to Purchase from Any and All Vendor Contracts Utilizing California Multiple Award Schedules (CMAS) and Western States Contracting Alliance (WSCA)

IX.T. Approval to Reject Bid #16-17/003, Structured Cabling Infrastructure Project at Horace Mann School Building A

Motion Passed: This item was pulled for further discussion.

A motion was made for approval of items T. Approval to Reject Bid #16-17/003, Structured Cabling Infrastructure Project at Horace Mann School Building A and U. Approval to Reject Bid #16-17/005, Structured Cabling Infrastructure Project for District Wide Wireless. Passed with a motion by Noah Margo and a second by Howard Goldstein.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Yes Noah Margo
Yes Mel Spitz
IX.U. Approval to Reject Bid #16-17/005, Structured Cabling Infrastructure Project for District Wide Wireless

Motion Passed: This item was pulled for further discussion.

A motion was made for approval of items T. Approval to Reject Bid #16-17/003, Structured Cabling Infrastructure Project at Horace Mann School Building A and U. Approval to Reject Bid #16-17/005, Structured Cabling Infrastructure Project for District Wide Wireless. Passed with a motion by Noah Margo and a second by Howard Goldstein.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Yes Noah Margo
Yes Mel Spitz

IX.V. Approval of Resolution 2016-2017-050 to Execute a Request for Proposal (RFP) for Structured Cabling Infrastructure Project at Horace Mann School Building A (Pursuant to Public Contract Code Section 20118.2 et seq)

IX.W. Approval of Resolution 2016-2017-51 to Execute a Request for Proposal (RFP) for Structured Cabling Infrastructure Project for District Wide Wireless(Pursuant to Public Contract Code Section 20118.2 et seq)

IX.X. Cash Collection Report #19 for 2016/2017

IX.Y. Approval of Warrant Report #12 for 2016/2017

X. REPORTS

X.A. Superintendent's Report
Minutes:
BHHS Principal Dave Jackson gave a Facilities staffing update.

X.B. Student Board Member Report
Minutes:
Student Board Member Jonathan Artal reported that he would like to focus on better communication with our students this year. Students would like information on construction and other issues. He also reported that the BHEF summer school is underway at the high school.

Minutes:
A written report is attached to the Board agenda.
Mr. Spitz thanked the COC for their hard work.

XI. EDUCATIONAL SERVICES

XI.A. Discussion and Approval of Proposed Library Information System

Motion Passed: A motion was made for approval of the proposed Library Information System: Follett Destiny. Passed with a motion by Howard Goldstein and a second by
XII. HUMAN RESOURCES

XII.A. Approval of Ratified Tentative Agreement on May 31, 2017 by Hills Education Association (Certificated Unit.)

Motion Passed: A motion was made for Approval of Ratified Tentative Agreement on May 31, 2017 by Hills Education Association (Certificated Unit). A friendly amendment was made and accepted to include the items included in an email the Board received on 5/31/17. Passed with a motion by Howard Goldstein and a second by Mel Spitz.

XII.B. Approval of Ratified Tentative Agreement on June 5, 2017 by Beverly Hills Education Association (Instructional Assistant Unit).

Motion Passed: A motion was made for Approval of Ratified Tentative Agreement on June 5, 2017 by Beverly Hills Education Association (Instructional Assistant Unit). Passed with a motion by Howard Goldstein and a second by Lisa Korbatov.

XII.C. Approval of Resolution 2016-2017-049 To Waive Credential Requirements Pursuant To Education Code Section 35029

Motion Passed: A motion was made for Approval of Resolution 2016-2017-049 To Waive Credential Requirements Pursuant To Education Code Section 35029. Passed with a motion by Howard Goldstein and a second by Lisa Korbatov.

XII.D. Approval of Agreement for Employment of Executive Director, Human Resources

Motion Passed: A motion was made for Approval of Agreement for Employment of Executive Director, Human Resources. Passed with a motion by Isabel Hacker and a second by Howard Goldstein.
XIII. BUSINESS AND FINANCE

XIII.A. Approval of Ratification of Customer Agreement with Forcast5 Analytics

Motion Passed: A motion was made for Approval of Ratification of Customer Agreement with Forcast5 Analytics. Passed with a motion by Howard Goldstein and a second by Isabel Hacker.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV. PLANNING AND FACILITIES

XIV.A. Approval of Agreement for Facilities Program Consulting with K12 School Facilities

Motion Passed: A motion was made for Approval of Agreement for Facilities Program Consulting with K12 School Facilities. Passed with a motion by Howard Goldstein and a second by Lisa Korbatov.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV.B. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for BHHS B1 and B2 Temporary Power Project with American Integrated Resources, Inc.

Motion Passed: A motion was made to approve B. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for BHHS B1 and B2 Temporary Power Project with American Integrated Resources, Inc., C. Acceptance of the BHHS B1 and B2 Temporary Power Project and authorization to file a Notice of Completion and release retention and D. Approval of Amendment No. 19 to the Agreement with DLR Group for additional design services for the Buckling Restrained Braces at Beverly Hills High School Building A. Passed with a motion by Howard Goldstein and a second by Isabel Hacker.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz
XIV.C. Acceptance of the BHHS B1 and B2 Temporary Power Project and authorization to file a Notice of Completion and release retention.

Motion Passed: A motion was made to approve B. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for BHHS B1 and B2 Temporary Power Project with American Integrated Resources, Inc., C. Acceptance of the BHHS B1 and B2 Temporary Power Project and authorization to file a Notice of Completion and release retention and D. Approval of Amendment No. 19 to the Agreement with DLR Group for additional design services for the Buckling Restrained Braces at Beverly Hills High School Building A. Passed with a motion by Howard Goldstein and a second by Isabel Hacker.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV.D. Approval of Amendment No. 19 to the Agreement with DLR Group for additional design services for the Buckling Restrained Braces at Beverly Hills High School Building A

Motion Passed: A motion was made to approve B. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for BHHS B1 and B2 Temporary Power Project with American Integrated Resources, Inc., C. Acceptance of the BHHS B1 and B2 Temporary Power Project and authorization to file a Notice of Completion and release retention and D. Approval of Amendment No. 19 to the Agreement with DLR Group for additional design services for the Buckling Restrained Braces at Beverly Hills High School Building A. Passed with a motion by Howard Goldstein and a second by Isabel Hacker.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV.E. Rejection of Substitution and related Non-responsive bid, and Award of BHHS Athletic Field Turf Replacement Project to Asphalt Fabric and Engineering Inc.

Motion Passed: A motion was made to approve the Rejection of Substitution and related Non-responsive bid, and Award of BHHS Athletic Field Turf Replacement Project to Asphalt Fabric and Engineering Inc. Passed with a motion by Howard Goldstein and a second by Isabel Hacker.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV.F. Approval of Amendment No. 3 to the Agreement with Koury Engineering for additional testing and inspection services during the construction of the El Rodeo School Make Ready Project.
Motion Passed: A motion was made to approve F. Approval of Amendment No. 3 to the Agreement with Koury Engineering for additional testing and inspection services during the construction of the El Rodeo School Make Ready Project., G. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for six steel coupon extraction samples to be used for additional testing requirements of the State Seismic Mitigation Program (SSMP) at El Rodeo School with Koury Engineering and Testing Inc. and H. Approval of Amendment No. 2 to the Agreement with King Office Services for moving and storage of items for El Rodeo School. Passed with a motion by Howard Goldstein and a second by Isabel Hacker.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV.G. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for six steel coupon extraction samples to be used for additional testing requirements of the State Seismic Mitigation Program (SSMP) at El Rodeo School with Koury Engineering and Testing Inc.

Motion Passed: A motion was made to approve F. Approval of Amendment No. 3 to the Agreement with Koury Engineering for additional testing and inspection services during the construction of the El Rodeo School Make Ready Project., G. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for six steel coupon extraction samples to be used for additional testing requirements of the State Seismic Mitigation Program (SSMP) at El Rodeo School with Koury Engineering and Testing Inc. and H. Approval of Amendment No. 2 to the Agreement with King Office Services for moving and storage of items for El Rodeo School. Passed with a motion by Howard Goldstein and a second by Isabel Hacker.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV.H. Approval of Amendment No. 2 to the Agreement with King Office Services for moving and storage of items for El Rodeo School.

Motion Passed: A motion was made to approve F. Approval of Amendment No. 3 to the Agreement with Koury Engineering for additional testing and inspection services during the construction of the El Rodeo School Make Ready Project., G. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for six steel coupon extraction samples to be used for additional testing requirements of the State Seismic Mitigation Program (SSMP) at El Rodeo School with Koury Engineering and Testing Inc. and H. Approval of Amendment No. 2 to the Agreement with King Office Services for moving and storage of items for El Rodeo School. Passed with a motion by Howard Goldstein and a second by Isabel Hacker.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz
XIV.I. Acceptance of the Horace Mann School Miscellaneous Building B and Modular Units Miscellaneous Close Out Work Project and authorization to file a Notice of Completion and release retention.

Motion Passed: A motion was made to approve I. Acceptance of the Horace Mann School Miscellaneous Building B and Modular Units Miscellaneous Close Out Work Project and authorization to file a Notice of Completion and release retention and J. Acceptance of the Building B Audio Visual (AV) System at Horace Mann School and authorization to file a Notice of Completion and release retention. Passed with a motion by Isabel Hacker and a second by Howard Goldstein.

Yes Howard Goldstein
Yes Isabel Hacker
Absent Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV.J. Acceptance of the Building B Audio Visual (AV) System at Horace Mann School and authorization to file a Notice of Completion and release retention.

Motion Passed: A motion was made to approve I. Acceptance of the Horace Mann School Miscellaneous Building B and Modular Units Miscellaneous Close Out Work Project and authorization to file a Notice of Completion and release retention and J. Acceptance of the Building B Audio Visual (AV) System at Horace Mann School and authorization to file a Notice of Completion and release retention. Passed with a motion by Isabel Hacker and a second by Howard Goldstein.

Yes Howard Goldstein
Yes Isabel Hacker
Absent Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV.K. Approval of Change Order No. 8 to the Agreement with 2H Construction at Horace Mann School Building A.

Motion Passed: A motion was made to approve K. Approval of Change Order No. 8 to the Agreement with 2H Construction at Horace Mann School Building A., L. Approval of Amendment No. 2 to the Agreement with Smith-Emery Laboratories to perform testing and inspection services for Horace Mann School, Building A, M. Approval of Amendment No. 2 to the Agreement with King Office Services for moving and storage of items for Horace Mann School, N. Acceptance of the Horace Mann School Replacement of HVAC Condensing Units at Amir Property Project and authorization to file a Notice of Completion and release retention and O. Approval of Amendment 18 to the Agreement with WLC Architects for the Modernization and New Construction at Horace Mann School for extra services during construction for the revised hardware in Building A. Passed with a motion by Isabel Hacker and a second by Howard Goldstein.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz
XIV.L. Approval of Amendment No. 2 to the Agreement with Smith-Emery Laboratories to perform testing and inspection services for Horace Mann School, Building A.

Motion Passed: A motion was made to approve K. Approval of Change Order No. 8 to the Agreement with 2H Construction at Horace Mann School Building A., L. Approval of Amendment No. 2 to the Agreement with Smith-Emery Laboratories to perform testing and inspection services for Horace Mann School, Building A, M. Approval of Amendment No. 2 to the Agreement with King Office Services for moving and storage of items for Horace Mann School, N. Acceptance of the Horace Mann School Replacement of HVAC Condensing Units at Amir Property Project and authorization to file a Notice of Completion and release retention and O. Approval of Amendment 18 to the Agreement with WLC Architects for the Modernization and New Construction at Horace Mann School for extra services during construction for the revised hardware in Building A. Passed with a motion by Isabel Hacker and a second by Howard Goldstein.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV.M. Approval of Amendment No. 2 to the Agreement with King Office Services for moving and storage of items for Horace Mann School.

Motion Passed: A motion was made to approve K. Approval of Change Order No. 8 to the Agreement with 2H Construction at Horace Mann School Building A., L. Approval of Amendment No. 2 to the Agreement with Smith-Emery Laboratories to perform testing and inspection services for Horace Mann School, Building A, M. Approval of Amendment No. 2 to the Agreement with King Office Services for moving and storage of items for Horace Mann School, N. Acceptance of the Horace Mann School Replacement of HVAC Condensing Units at Amir Property Project and authorization to file a Notice of Completion and release retention and O. Approval of Amendment 18 to the Agreement with WLC Architects for the Modernization and New Construction at Horace Mann School for extra services during construction for the revised hardware in Building A. Passed with a motion by Isabel Hacker and a second by Howard Goldstein.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XIV.N. Acceptance of the Horace Mann School Replacement of HVAC Condensing Units at Amir Property Project and authorization to file a Notice of Completion and release retention

Motion Passed: A motion was made to approve K. Approval of Change Order No. 8 to the Agreement with 2H Construction at Horace Mann School Building A., L. Approval of Amendment No. 2 to the Agreement with Smith-Emery Laboratories to perform testing and inspection services for Horace Mann School, Building A, M. Approval of Amendment No. 2 to the Agreement with King Office Services for moving and storage of items for Horace Mann School, N. Acceptance of the Horace Mann School Replacement of HVAC Condensing Units at Amir Property Project and authorization to
XIV.O. Approval of Amendment 18 to the Agreement with WLC Architects for the Modernization and New Construction at Horace Mann School for extra services during construction for the revised hardware in Building A.

Motion Passed: A motion was made to approve K. Approval of Change Order No. 8 to the Agreement with 2H Construction at Horace Mann School Building A., L. Approval of Amendment No. 2 to the Agreement with Smith-Emery Laboratories to perform testing and inspection services for Horace Mann School, Building A, M. Approval of Amendment No. 2 to the Agreement with King Office Services for moving and storage of items for Horace Mann School, N. Acceptance of the Horace Mann School Replacement of HVAC Condensing Units at Amir Property Project and authorization to file a Notice of Completion and release retention and O. Approval of Amendment 18 to the Agreement with WLC Architects for the Modernization and New Construction at Horace Mann School for extra services during construction for the revised hardware in Building A. Passed with a motion by Isabel Hacker and a second by Howard Goldstein.

Yes Howard Goldstein
Yes Isabel Hacker
Yes Lisa Korbatov
Absent Noah Margo
Yes Mel Spitz

XV. COMMUNICATION FROM THE BOARD MEMBERS

XVI. FUTURE BOARD MEETINGS

XVI.A. Regular Board Meeting-Tuesday, June 27, 2017-5:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School

XVI.B. Regular Board Meeting-Tuesday, July 11, 2017-5:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School

XVII. ADJOURNMENT

Minutes:
Mr. Spitz adjourned the meeting at 7:08 p.m.