

Beverly Hills Unified School District Minutes

Regular Board of Education Meeting

August 09, 2016, 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, CA 90212

Attendance Taken at 5:15 PM:

Present:

Howard Goldstein

Isabel Hacker

Lisa Korbatov

Noah Margo

Sam Schwartz

Mel Spitz

I. OPEN SESSION-2:00 P.M.

II. AGENDA HEARING PERIOD-PUBLIC COMMENT

III. CLOSED SESSION-2:00 P.M.

III.a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Title: Superintendent

**III.b. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION-OAH
Case Number 2016071066**

III.c. THREAT TO PUBLIC SERVICES OR FACILITIES (Gov. Code Section 54957(a))

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

**III.e. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(subdivision) (d) (1) Beverly Hills Unified School District v Metropolitan Transportation
Authority (LASC Case No. BS 137606)**

**III.f. CONFERENCE WITH LABOR NEGOTIATORS: Agency Representative:
Yolanda Mendoza Employee Organizations: CSEA, BHEA-Certificated, BHEA-IA,
BHEA-OTBS Unrepresented Employees (Instructional Aides)**

III.g. EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

III.h. PUBLIC EMPLOYEE APPOINTMENT Title: IT

III.h.1. Certificated Personnel Report

III.h.2. Classified Personnel Report

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

Minutes:

Board President Howard Goldstein called the meeting to order at 5:18 p.m. and asked Bradley Gibbons 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 Mel Spitz and a second by Noah Margo.

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

VI. REPORT OF CLOSED SESSION ACTION

Minutes:

Superintendent Kessler reported the following Closed Session Action:

The Board approved 5-0 the settlement agreement for OAH Case No. 2016071066. The District will provide student compensatory services and reasonable compensable attorney fees and student waived all claims.

The Board approved 5-0 settlement agreement with employee EG 1564840. The employee will be reassigned for the 2016-17 and 2017-18 school years. Employee submitted and district accepted employee's resignation effective June 30, 2018.

VII. AGENDA HEARING PERIOD-PUBLIC COMMENT

Minutes:

The following person addressed the Board:

Marty Halfon

Mr. Goldstein re-opened the Public Comment at 7:50 p.m.

Nilo Khalili addressed the Board.

VIII. CONSENT CALENDAR*

Motion Passed: A motion was made to approve the Consent Calendar minus item b.1. and b.2.

Passed with a motion by Noah Margo and a second by Mel Spitz.

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

VIII.a. Approval Board Meeting Minutes

VIII.a.1. Regular Board Meeting-7-19-2016

VIII.b. Personnel Reports

VIII.b.1. Certificated Personnel Report

Motion Passed: This item was pulled for further discussion.

A motion was made to approve the Revised Certificated Personnel Report.

Passed with a motion by Noah Margo and a second by Mel Spitz.

Yes Howard Goldstein

Yes Isabel Hacker

No Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

VIII.b.2. Classified Personnel Report

Motion Passed: This item was pulled for further discussion.

A motion was made to approve the Classified Personnel Report with the amendment to change the words-To to Fm and Fm to To. Passed with a motion by Mel Spitz and a second by Noah Margo.

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

VIII.c. Approval of Professional Service Agreement: The DBQ Project

VIII.d. Approval of Naviance for College and Career Readiness Activities for 6th-12th Grades

VIII.e. Ratification of Purchase Order #2 for 2016/2017

VIII.f. Cash Collection Report #2 for 2016/2017

IX. REPORTS

IX.a. Citizens' Oversight Committee Report-Bradley Gibbons

Minutes:

Jason Rund and Bradley Gibbons gave a COC report to the Board.

IX.b. Superintendent's Report

Minutes:

Superintendent Kessler gave the following report:

We are very excited to begin the new school year on Monday August 15th. The district office and the administrative teams at each of our schools are hard at work finalizing schedules and plans. We are also very excited about the grand opening of the Horace Mann School addition on Sunday, August 14th beginning at 3:00. In encourage all of you to attend this wonderful event for our district and city.

I also wanted to give a shout out to the wonderful CTE program at BHHS. Under the leadership of Romeo Carey who prepared the radio team and Cindy Dubin our career

education coordinator who worked with the robotics team, four BHHS students finished in 8th place at the national skills USA competition held in Louisville Kentucky. This is the first time BHHS has ever competed in the national competition which brought together over 6000 students from around the country to compete in over 50 categories of career related industries.

Also, in recognition of our district's commitment to student learning in the arts, I am pleased to announce a matching grant of \$15,900 through the Arts for All Advancement Grant program. This grant offers financial support to help school districts in advance the quality, quantity and equitable distribution of arts education provided to students. This grant recognizes the commitment our Board of Education and district has made to arts education.

I would also like to take a moment and recognize the passing of the honorable Frank Fenton who passed away last Thursday, August 4th. Mr. Fenton's career of public service spanned more than 25 years. Mr. Fenton, who never lost an election, became the only person in the history of Beverly Hills to serve in every elected office: Vice President and President of the Board of Education along with City Treasurer, City Council, Vice Mayor and then Mayor. Mr. Fenton was first sworn into office in 1983 and then retired as Mayor in 2009. Mr. Fenton was dedicated to our school district as well as our city. We will miss him greatly.

IX.c. Student Board Member Report

Minutes:

Student Board member Sam Schwartz thanked JJ and Ms. Peterson for their hard work in preparing Link Crew to welcome BHHS freshman on Wednesday.

X. EDUCATIONAL SERVICES

X.a. Discussion and Approval of 2016-17 GATE Program

Motion Passed: A motion was made to approve the 2016-17 GATE Program. 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

XI. HUMAN RESOURCES

XI.a. Approval to Hire an Information Technology Systems Administrator & Infrastructure Project/Program Manager

Motion Passed: A motion was made for Approval to Hire an Information Technology Systems Administrator & Infrastructure Project/Program Manager. Passed with a motion by Noah Margo and a second by Lisa Korbatov.

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

XII. BUSINESS AND FINANCE

XII.a. BHUSD Food Services Program Overview

Motion Passed: A motion was made for Approval to ratify the contract with Cantaloupe System Inc., for approval to execute a contract with Manuel Valera, and for approval to begin the hiring process for a Food Service Operations Supervisor and a Food Service Worker/Driver.

Mr. Spitz made a Friendly Amendment to add the following dollar amounts:

-not to exceed \$3,000 with Cantaloupe System

-not to exceed \$12,500 for the contract with Manuel Valera

-not to exceed \$65,700 for a Food Service Operations Supervisor and a Food Service Worker/Driver

The Friendly Amendment was accepted by Mr. Margo and Mrs. Korbatov.

Passed with a motion by Noah Margo and a second by Lisa Korbatov.

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

XII.b. Resolution No. 2016-2017-003: Proposition 39 - Resolution of the Board of Education of Beverly Hills Unified School District Ordering an Election, and Establishing Specifications of the Election Order

Motion Failed: A motion was made to approve Resolution No. 2016-2017-003: Proposition 39 - Resolution of the Board of Education of Beverly Hills Unified School District Ordering an Election, and Establishing Specifications of the Election Order.

A roll call vote was taken.

Mr. Schwartz voted Yea. Failed with a motion by Noah Margo and a second by Lisa Korbatov.

Yes Howard Goldstein

No Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

No Mel Spitz

XII.c. Resolution No. 2016-2017-004: Resolution of the Board of Education of the Beverly Hills Unified School District Ordering an Election, and Establishing Specifications of the Election Order

Motion Passed: A motion was made to approve Resolution No. 2016-2017-004: Resolution of the Board of Education of the Beverly Hills Unified School District Ordering an Election, and Establishing Specifications of the Election Order.

The bond will be lowered to \$260 million. There will be no technology bond. Mr. Margo would like the projects defined as clearly as possible on the ballot. Passed with a motion by Noah Margo and a second by Lisa Korbatov.

Yes Howard Goldstein
No Isabel Hacker
Yes Lisa Korbatov
Yes Noah Margo
No Mel Spitz

XIII. PLANNING AND FACILITIES

XIII.a. Public Hearing for Beverly Hills High School Preliminary Endangerment Assessment Report for Building B

Motion Passed: A motion was made to approve the Revised AOI-5 dated June 8, 2016-EAI 2751. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

Minutes:

The public hearing on the Beverly Hills High School Preliminary Endangerment Assessment Report for Building B is now open at 8:18 p.m.

We now invite members of the audience to address the Board.

No one wished to address the Board.

The public hearing is now closed at 8:19 p.m.

XIII.b. Superintendent/Facilities Action Plan

Minutes:

Mr. Aharoni gave a Facilities report to the Board.

XIII.c. Approval of the Amendment No. 2 to the Temporary Construction Easement with Wilshire Robertson SE, LP and the Encroachment Agreement between the District and Wilshire Robertson SE, LP

Motion Passed: A motion was made for Approval of the Amendment No. 2 to the Temporary Construction Easement with Wilshire Robertson SE, LP and the Encroachment Agreement between the District and Wilshire Robertson SE, LP. Passed with a motion by Lisa Korbatov and a second by Mel Spitz.

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

XIII.d. Approval for the Third Amendment to the Agreement with Totum Consulting for Program Management/Construction Management Services

Motion Passed: A motion was made for the Approval for the Third Amendment to the Agreement with Totum Consulting for Program Management/Construction Management Services-Revised schedule. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIII.e. Approval of 1 Change Order with ProWest Constructors at Horace Mann School Building B New Construction

Motion Passed: A motion was made for Approval of 1 Change Order with ProWest Constructors at Horace Mann School Building B New Construction. Passed with a motion by Mel Spitz and a second by Noah Margo.

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

XIII.f. Approval to Ratify Amendment No. 1 to the Agreement for Knowland Construction at Horace Mann School Building B New Construction under Board Approved Resolution No. 2015-2016-039

Motion Passed: A motion was made for Approval of items f. Approval to Ratify Amendment No. 1 to the Agreement for Knowland Construction at Horace Mann School Building B New Construction under Board Approved Resolution No. 2015-2016-039, g. Approval to Ratify the Agreement with King Movers Under Board Resolution No. 1 2015-2016-039 for Services at Horace Mann School and h. Approval to Ratify an Agreement with Knowland Construction for DSA Inspector of Record Services at Horace Mann School Interim Housing Project. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIII.g. Approval to Ratify the Agreement with King Movers Under Board Resolution No. 2015-2016-039 for Services at Horace Mann School

Motion Passed: A motion was made for Approval of items f. Approval to Ratify Amendment No. 1 to the Agreement for Knowland Construction at Horace Mann School Building B New Construction under Board Approved Resolution No. 2015-2016-039, g. Approval to Ratify the Agreement with King Movers Under Board Resolution No. 1 2015-2016-039 for Services at Horace Mann School and h. Approval to Ratify an Agreement with Knowland Construction for DSA Inspector of Record Services at Horace Mann School Interim Housing Project. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIII.h. Approval to Ratify an Agreement with Knowland Construction for DSA Inspector of Record Services at Horace Mann School Interim Housing Project

Motion Passed: A motion was made for Approval of items f. Approval to Ratify Amendment No. 1 to the Agreement for Knowland Construction at Horace Mann School Building B New Construction under Board Approved Resolution No. 2015-2016-039, g. Approval to Ratify the Agreement with King Movers Under Board Resolution No. 1 2015-2016-039 for Services at Horace Mann School and h. Approval to Ratify an Agreement with Knowland Construction for DSA Inspector of Record Services at Horace Mann School Interim Housing Project. Passed with a motion by Noah Margo and a second by Mel Spitz.

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

XIII.i. Board Informative Regarding the Beverly Vista School Deck Project Minutes:

Mr. Aharoni updated the Board on the Beverly Vista School Deck Project.

XIII.j. Approval for Amendment No. 5 with SVA Architects for Architectural/Engineering Services to Correct Unforeseen Cracked Slab at Beverly Vista School, Deck Expansion Joint Project

Motion Passed: A motion was made for approval of item j. Approval for Amendment No. 5 with SVA Architects for Architectural/Engineering Services to Correct Unforeseen Cracked Slab at Beverly Vista School, Deck Expansion Joint Project and k. Approval to Ratify an Agreement with D&M Painting Under Board Resolution No. 2015-2016-041 for the Beverly Vista Exterior Painting Project. Passed with a motion by Noah Margo and a second by Mel Spitz.

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

XIII.k. Approval to Ratify an Agreement with D&M Painting Under Board Resolution No. 2015-2016-041 for the Beverly Vista Exterior Painting Project

Motion Passed: A motion was made for approval of item j. Approval for Amendment No. 5 with SVA Architects for Architectural/Engineering Services to Correct Unforeseen Cracked Slab at Beverly Vista School, Deck Expansion Joint Project and k. Approval to Ratify an Agreement with D&M Painting Under Board Resolution No. 2015-2016-041 for the Beverly Vista Exterior Painting Project. Passed with a motion by Noah Margo and a second by Mel Spitz.

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

XIII.l. Approval for Amendment No. 9 to the Agreement with HMC Architects for Architectural/Engineering Services to Complete the Construction Services Phase of the Demo and Abate Project at El Rodeo School

Motion Passed: A motion was made for Approval for Amendment No. 9 to the Agreement with HMC Architects for Architectural/Engineering Services to Complete the Construction Services Phase of the Demo and Abate Project at El Rodeo School.

Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIII.m. Approval for Amendment No. 9 to the Agreement with HMC Architects for Architectural/Engineering Services to Study Changing to a VRF HVAC Mechanical System for the Modernization Project at El Rodeo School

Motion Passed: A motion was made to table this item. 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

XIII.n. Approval to Ratify an Agreement with G2K Construction Under Board Resolution No. 2015-2016-041 for the Installation of Miscellaneous Plumbing at El Rodeo School

Motion Passed: A motion was made for Approval to Ratify an Agreement with G2K Construction Under Board Resolution No. 2015-2016-041 for the Installation of Miscellaneous Plumbing at El Rodeo School. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIII.o. Approval for an Agreement with All City Management Services (ACMS) for Crossing-Guards and/or Flagmen During the 2016-17 School/Construction Year at Beverly Hills High School.

Motion Passed: A motion was made for Approval for an Agreement with All City Management Services (ACMS) for Crossing-Guards and/or Flagmen During the 2016-17 School/Construction Year at Beverly Hills High School. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIII.p. Approval to Ratify Amendment No. 1 to the Agreement with Knowland Construction under Board Resolution 2015-2016-039 for Continuation of the DSA Inspector of Record for the Beverly Hills High School Interim Housing Project
Motion Passed: A motion was made for Approval to Ratify Amendment No. 1 to the Agreement with Knowland Construction under Board Resolution 2015-2016-039 for Continuation of the DSA Inspector of Record for the Beverly Hills High School Interim Housing Project, Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIII.q. Approval to Authorize Change Order No. 3 to California Access Scaffolding, LLC for Safety and Inspection Scaffolding at Hawthorne School
Motion Passed: A motion was made for Approval to Authorize Change Order No. 3 to California Access Scaffolding, LLC for Safety and Inspection Scaffolding at Hawthorne School. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIV. BOARD POLICIES

XIV.a. First Reading of Board Policy and Administrative Regulation 0450
Motion Passed: A motion was made to approve the First Reading of XIV.a. Board Policy and Administrative Regulation 0450, XIV.b. Board Policy, Administrative Regulation, and Exhibit 6174, XIV.c. Board Exhibit 5145.6, XIV.d. Board Policy and Administrative Regulation 5111.1 and XIV.e. Board Policy and Administrative Regulation 6142.1. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIV.b. First Reading of Board Policy, Administrative Regulation, and Exhibit 6174
Motion Passed: A motion was made to approve the First Reading of XIV.a. Board Policy and Administrative Regulation 0450, XIV.b. Board Policy, Administrative Regulation, and Exhibit 6174, XIV.c. Board Exhibit 5145.6, XIV.d. Board Policy and Administrative Regulation 5111.1 and XIV.e. Board Policy and Administrative Regulation 6142.1. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIV.c. First Reading of Board Exhibit 5145.6

Motion Passed: A motion was made to approve the First Reading of XIV.a. Board Policy and Administrative Regulation 0450, XIV.b. Board Policy, Administrative Regulation, and Exhibit 6174, XIV.c. Board Exhibit 5145.6, XIV.d. Board Policy and Administrative Regulation 5111.1 and XIV.e. Board Policy and Administrative Regulation 6142.1. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIV.d. First Reading of Board Policy and Administrative Regulation 5111.1

Motion Passed: A motion was made to approve the First Reading of XIV.a. Board Policy and Administrative Regulation 0450, XIV.b. Board Policy, Administrative Regulation, and Exhibit 6174, XIV.c. Board Exhibit 5145.6, XIV.d. Board Policy and Administrative Regulation 5111.1 and XIV.e. Board Policy and Administrative Regulation 6142.1. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XIV.e. First Reading of Board Policy and Administrative Regulation 6142.1

Motion Passed: A motion was made to approve the First Reading of XIV.a. Board Policy and Administrative Regulation 0450, XIV.b. Board Policy, Administrative Regulation, and Exhibit 6174, XIV.c. Board Exhibit 5145.6, XIV.d. Board Policy and Administrative Regulation 5111.1 and XIV.e. Board Policy and Administrative Regulation 6142.1. Passed with a motion by Noah Margo and a second by Mel Spitz.

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

XV. COMMUNICATION FROM THE BOARD MEMBERS

XVI. FUTURE BOARD MEETINGS

XVI.a. Regular Board Meeting-Tuesday, August 23, 2016-5:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School

XVI.b. Regular Board Meeting-Tuesday, September 13, 2016-5:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School

XVII. ADJOURNMENT

Minutes:

Mr. Goldstein adjourned the meeting at 9:04 p.m.