

# **Beverly Hills Unified School District Minutes**

## **Special Board of Education Meeting**

December 15, 2015, 6:00 PM  
STC/Jon Cherney Lecture Hall  
Beverly Hills High School  
Beverly Hills, CA 90212

CLOSED SESSION - Administrative Building  
OPEN SESSION - STC/Jon Cherney Lecture Hall at Beverly Hills High School

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### **Attendance Taken at 6:00 PM:**

#### **Present:**

**Shawn Ahdout**  
**Howard Goldstein**  
**Isabel Hacker**  
**Lisa Korbatov**  
**Noah Margo**  
**Mel Spitz**

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

### **II. PUBLIC COMMENT**

### **III. STAFF PRESENTATIONS**

#### **III.a. Brown Act Training**

##### **Minutes:**

**Warren Kinsler from the law firm of Atkinson, Andelson gave a power point presentation on: Open Public Meeting Requirements Under the Brown Act and California Education Code.**

### **IV. CLOSED SESSION-4:30 P.M.**

#### **IV.a. Settlement Agreement-Student #12254**

#### **IV.b. Recommendation to Readmit Expulsion Student #1003089**

#### **IV.c. Recommendation to Readmit Expulsion Student #3003034**

#### **IV.d. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

**Significant exposure to litigation pursuant to subdivision (b) & (d)(2) of Section 54956.9:  
(4 Cases)**

#### **IV.e. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

**(Subdivision (d)(1) of Section 54956.9):Ricks v. Beverly Hills USD (Case No: SC122476)**

**IV.f. 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)

**IV.g. 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)

**IV.h. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**  
(Subdivision (d)(1) of Section 54956.9) Karen Christiansen v. Beverly Hills Unified School District Case No. BC 420456 Claim of Strategic Concepts and Karen Christiansen

**IV.i. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**  
(Subdivision (d)(1) of Section 54956.9): Amy Golden v. The Beverly Hills Unified School District, a public school district, Brian Goldberg, an individual; Lisa Korbatov, an individual (Case No. BC573853)

**IV.j. CONFERENCE WITH LABOR NEGOTIATORS**

**IV.k. EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

**IV.l. PUBLIC EMPLOYEE APPOINTMENT**

**IV.l.1. Certificated Personnel Report**

**IV.l.2. Classified Personnel Report**

**IV.m. SAFETY & SECURITY**

**V. OPEN SESSION-CALL TO ORDER-FLAG SALUTE-6:00 P.M.**

**Minutes:**

Board President Howard Goldstein called the meeting to order at 6:00PM and asked Hon. AJ Willmer to lead the audience in the Pledge of Allegiance.

**VI. 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 Mel Spitz.

**Yes** Shawn Ahdout

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Yes** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

**VII. REPORT OF CLOSED SESSION ACTION**

**Minutes:**

Superintendent Kessler reported that the Board voted 5-0 in Closed Session to readmit Expulsion Student #1003089 and Expulsion Student #3003034.

## **VIII. AGENDA HEARING PERIOD/ADDRESSING THE BOARD**

### **Minutes:**

**The following person addressed the Board:**

**Rachel Galen**

## **IX. STAFF PRESENTATIONS**

### **IX.a. Measure E Bond Advisors**

#### **Minutes:**

**Direction: The Board directed Staff to move forward on the Bond (what a survey would look like and what the bond would look like). All of this should be brought back to the January 12, 2016 Board meeting for a vote.**

## **X. CONSENT CALENDAR\***

**Motion Passed: A motion was made to approve the Consent Calendar minus items i., k., l. and n. Passed with a motion by Noah Margo and a second by Lisa Korbatov.**

**Yes Shawn Ahdout**

**Yes Howard Goldstein**

**Yes Isabel Hacker**

**Yes Lisa Korbatov**

**Yes Noah Margo**

**Yes Mel Spitz**

### **X.a. Personnel Reports**

**X.a.1. Certificated Personnel Report**

**X.a.2. Classified Personnel Report**

**X.b. Approval of Professional Services Agreement with West Coast Educational Systems Inc.**

**X.c. BHHS Out-of-County Trip: BHHS Model United Nations - Surf City MUN Conference; Huntington Beach High School, CA; February 5 - 6, 2016**

**X.d. BHHS Out-of-County Trip: BHHS Madrigal Singers "Journey to Carnegie Hall"; New York, NY; March 15-20, 2016**

**X.e. Approval to file the Notice of Completion for the Audio Visual: Equipment, Electrical & Installation for Beverly Vista School**

**X.f. Approval of Professional Services Agreement - Eunjung Kim**

**X.g. Approval of Professional Services Agreement for Debra Amos**

**X.h. Approval of Warrant Report #7 for 2015/2016**

**X.i. Cash Collection Report #10 for 2015/2016**

**Motion Passed: This item was pulled for further discussion.**

**A motion was made to approve Cash Collection Report #10 for 2015/2016. Passed with a motion by Noah Margo and a second by Isabel Hacker.**

**Yes** Shawn Ahdout  
**Yes** Howard Goldstein  
**Yes** Isabel Hacker  
**Yes** Lisa Korbatov  
**Yes** Noah Margo  
**Yes** Mel Spitz

**X.j. Ratification of Purchase Order #10 for 2015/2016**

**X.k. Approval of Agreement with Hemet Unified School District for Transportation Services**

**Motion Passed: This item was pulled for further discussion.**

**A motion was made for Approval of Agreement with Hemet Unified School District for Transportation Services. Passed with a motion by Lisa Korbatov and a second by Mel Spitz.**

**Yes** Shawn Ahdout  
**Yes** Howard Goldstein  
**Yes** Isabel Hacker  
**Yes** Lisa Korbatov  
**Yes** Noah Margo  
**Yes** Mel Spitz

**X.l. Approval to Reject all Bids on Bid #15-16/004 Crossing Guard Services**

**Motion Passed: This item was pulled for further discussion.**

**A motion was made for Approval to Reject all Bids on Bid #15-16/004 Crossing Guard Services. Passed with a motion by Lisa Korbatov and a second by Noah Margo.**

**Yes** Shawn Ahdout  
**Yes** Howard Goldstein  
**Yes** Isabel Hacker  
**Yes** Lisa Korbatov  
**Yes** Noah Margo  
**Yes** Mel Spitz

**X.m. Approval/Acceptance of Donations Listed Pursuant to Board Policy 3290**

**X.n. Acceptance of Bid and Award of Contract for Crossing Guard Services Based on Bid #15-16/009 to All City Management**

**Motion Passed: This item was pulled for further discussion.**

**A motion was made for approval of Acceptance of Bid and Award of Contract for Crossing Guard Services Based on Bid #15-16/009 to All City Management. Passed with a motion by Lisa Korbatov and a second by Noah Margo.**

**Yes** Shawn Ahdout  
**Yes** Howard Goldstein  
**Yes** Isabel Hacker  
**Yes** Lisa Korbatov  
**Yes** Noah Margo  
**Yes** Mel Spitz

**X.o. Disposal of Obsolete Equipment**

**X.p. Approval of Memorandum of Understanding with Titan Health & Securities Technologies, Inc.**

**XI. REPORTS**

**XI.a. Superintendent's Report**

**Minutes:**

**Superintendent Kessler gave the following report:**

**I would like to recognize the outstanding efforts of our wonderful BHPD along with my administrative staff in dealing with the unfortunate incident involving the closing of all of the schools in the LAUSD.**

**Upon being notified this morning about this situation, I immediately contacted the watch commander for BHPD who immediately brought me up to date with all the current information. He along with our beloved school liaison officer Jessie Perez kept an open line of communication with me as events unfolded. Officers were dispatched to all our school sites as well as a campus wide search at each of our schools looking for backpacks or any other suspicious looking items. Shortly thereafter Detective Mendoza held a meeting at my office with our district administrative team to make sure the safety of our students and staff was well taken care of.**

**Equally impressive was the immediate response from all our school site principals and district administration. Each of our Principals communicated instantly with their school communities and staff. I also sent out follow up information to all stakeholders of the BHUSD to insure that everyone was aware of the situation.**

**The professionalism and collaboration demonstrated by our staff and police department was inspiring. Please know that the safety of our students and staff will always be the driving force behind any decision we make.**

**XI.b. Student Board Member Report**

**Minutes:**

**Student Board member Shawn Ahdout announced the various activities going on at the high school. He wished everyone Happy Holidays.**

**XII. EDUCATIONAL SERVICES**

**XII.a. Overview of Educational Services Department and Pupil Services Department**

**Motion Passed: A motion was made to table this item. Passed with a motion by Howard Goldstein and a second by Mel Spitz.**

**Yes Shawn Ahdout**

**Yes Howard Goldstein**

**Yes Isabel Hacker**

**Yes Lisa Korbatov**

**Absent Noah Margo**

**Yes Mel Spitz**

### **XIII. HUMAN RESOURCES**

#### **XIII.a. Overview of the Human Resources Department**

**Motion Passed:** A motion was made to table this item. Passed with a motion by Howard Goldstein and a second by Mel Spitz.

**Yes** Shawn Ahdout  
**Yes** Howard Goldstein  
**Yes** Isabel Hacker  
**Yes** Lisa Korbатов  
**Absent** Noah Margo  
**Yes** Mel Spitz

#### **XIII.b. PUBLIC HEARING-2015-2016 Sunshine Items For Contract Negotiations Between California School Employees Association (CSEA) And The Beverly Hills Unified School District**

**Motion Passed:** A motion was made to approve the 2015-2016 Sunshine Items For Contract Negotiations Between California School Employees Association (CSEA) And The Beverly Hills Unified School District. Passed with a motion by Mel Spitz and a second by Lisa Korbатов.

**Yes** Shawn Ahdout  
**Yes** Howard Goldstein  
**Yes** Isabel Hacker  
**Yes** Lisa Korbатов  
**Absent** Noah Margo  
**Yes** Mel Spitz

#### **Minutes:**

The public hearing regarding the proposed sunshine items between the Beverly Hills Unified School District and the California Schools Employee Association (CSEA) Beverly Hills Chapter 328 is now open at 8:27 p.m.

In compliance with the provisions of Government Code Section 3547.5, the Board of Education of the Beverly Hills Unified School District, will receive public input and offers interested parties the ability to ask questions and or make comments on the California School Employees, Beverly Hills Chapter #328 articles that will be Sunshined for the 2015-2016 school year.

We now invite members of the audience to address the Board of Education on the proposed articles.

The Board of Education has heard your comments and concerns and we thank you very much for your input.

The public hearing is now closed at 8:28 p.m.

**XIII.c. PUBLIC HEARING-2015-2016 Management Proposal For Contract to California School Employees Association (CSEA) And The Beverly Hills Unified School District**

**Motion Passed: A motion was made for approval of the 2015-2016 Management Proposal For Contract to California School Employees Association (CSEA) And The Beverly Hills Unified School District. Passed with a motion by Mel Spitz and a second by Isabel Hacker.**

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

**Minutes:**

**The public hearing regarding the Management Proposal For Contract to California School Employees Association (CSEA) And The Beverly Hills Unified School District is now open at 8:28 p.m.**

**In compliance with the provisions of Government Code Section 3547.5, the Board of Education of the Beverly Hills Unified School District, will receive public input and offers interested parties the ability to ask questions and or make comments on the Beverly Hills Unified School District, Management Proposal to California School Employees, Beverly Hills Chapter #328 articles that will be Sunshined for the 2015-2016 school year.**

**We now invite members of the audience to address the Board of Education on the proposed articles.**

**The Board of Education has heard your comments and concerns and we thank you very much for your input.**

**The public hearing is now closed at 8:29 p.m.**

**XIV. BUSINESS AND FINANCE**

**XIV.a. Overview of the Business Services Division - RE-ISSUE**

**Motion Passed: A motion was made to table this item. Passed with a motion by Howard Goldstein and a second by Mel Spitz.**

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

## **XV. PLANNING AND FACILITIES**

### **XV.a. Board Informative on Additional Turf Fill Options, Beverly Hills High School Testing, Required Periodic Maintenance and Concerns for Synthetic Turf Field Replacements**

#### **Minutes:**

**Direction:** Board asked Staff to continue with the Organic turf at Horace Mann as previously planned. Organic turf will also be considered for the entire school district.

Rick Panos suggested the District needs a regular maintenance schedule for all of the artificial turf. He will bring back cost estimates.

### **XV.b. Approval to Enter into an Agreement with King Office Services for the Physical Move of El Rodeo School into Interim Housing**

**Motion Passed:** A motion was made for Approval to Enter into an Agreement with King Office Services for the Physical Move of El Rodeo School into Interim Housing. Passed with a motion by Mel Spitz and a second by Lisa Korbatov.

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

### **XV.c. Approval to Enter into an Agreement with King Office Services for the Physical Move of Beverly Hills High School into Interim Housing**

**Motion Passed:** A motion was made to table this item until Thursday, December 17, 2015. Passed with a motion by Howard Goldstein and a second by Mel Spitz.

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

### **XV.d. Request to Ratify a 2nd Amendment to Agreement with SVA Architects for Beverly Vista School Moisture Intrusion Assessment and Resolution**

**Motion Passed:** A motion was made to Request to Ratify a 2nd Amendment to Agreement with SVA Architects for Beverly Vista School Moisture Intrusion Assessment and Resolution. Passed with a motion by Mel Spitz and a second by Isabel Hacker.

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



**XV.e. Approval to Authorize an Agreement Amendment with SVA Architects for Investigating and Preparing Design Concepts for a Shade and Rain Roof Canopy at the Elevated Plaza Deck at Beverly Vista School Building E**

**Motion Passed: A motion was made for Approval to Authorize an Agreement Amendment with SVA Architects for Investigating and Preparing Design Concepts for a Shade and Rain Roof Canopy at the Elevated Plaza Deck at Beverly Vista School Building E. Passed with a motion by Mel Spitz and a second by Isabel Hacker.**

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

**XV.f. Request for Approval of Resolution #2015-2016-010 to Award a Contract to Veolia Energy Los Angeles, Inc., for the Purchase of Chilled Water and Related Services at Beverly Hills High School**

**Motion Passed: A motion was made to table and defer this item until the Special Board Meeting on December 17, 2015. Passed with a motion by Howard Goldstein and a second by Mel Spitz.**

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

**XV.g. Approval for Contract with Veolia Energy Los Angeles, Inc., for the Purchase of Chilled Water and Related Services at Beverly Hills High School**

**Motion Passed: A motion was made to table and defer this item until the Special Board Meeting on December 17, 2015. Passed with a motion by Howard Goldstein and a second by Mel Spitz.**

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

**XV.h. Approval to issue an Amendment to an Agreement for PlanNet Consultants for Construction Management Services on the IT Systems at the Interim Housing and Horace Mann School Projects**

**Motion Passed: A motion was made for Approval to issue an Amendment to an Agreement for PlanNet Consultants for Construction Management Services on the IT Systems at the Interim Housing and Horace Mann School Projects. Passed with a motion by Lisa Korbatov and a second by Mel Spitz.**

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

**XV.i. Approval of an Agreement with California Access Scaffold LLC to Install Scaffold Inside the Tower at Hawthorne School**

**Motion Passed: A motion was made for Approval of an Agreement with California Access Scaffold LLC to Install Scaffold Inside the Tower at Hawthorne School. Passed with a motion by Mel Spitz and a second by Isabel Hacker.**

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

**XV.j. Approval of Allowance Disbursement Form for the Modernization Interim Housing Site Development Contract with PCN3, Inc.**

**Motion Passed: A motion was made for Approval of Allowance Disbursement Form for the Modernization Interim Housing Site Development Contract with PCN3, Inc. Passed with a motion by Mel Spitz and a second by Isabel Hacker.**

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

**XV.k. Approval of Change Orders for Modernization Interim Housing Site Development Contract with PCN3, Inc.**

**Motion Passed:** A motion was made for Approval of Change Orders for Modernization Interim Housing Site Development Contract with PCN3, Inc. Passed with a motion by Lisa Korbatov and a second by Howard Goldstein.

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

**XVI. PROFESSIONAL AND OFFICIAL BUSINESS**

**XVII. COMMUNICATION FROM THE BOARD MEMBERS**

**XVIII. FUTURE BOARD MEETINGS**

**XVIII.a. Board Study Session-Budget-Thursday, December 17, 2015-5:00 PM-Administrative Office/Board Room**

**XVIII.b. Special Board Meeting-Thursday, December 17, 2015-7:00 PM-Administrative Office/Board Room**

**XVIII.c. Regular Board Meeting-Tuesday, January 12, 2016-5:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School**

**XVIII.d. Regular Board Meeting-Tuesday, January 26, 2016-5:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School**

**XIX. ADJOURNMENT**

**Minutes:**

**Mr. Goldstein adjourned the meeting at 8:33 p.m.**