

# **Beverly Hills Unified School District Minutes**

## **Regular Board of Education Meeting**

February 28, 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 CA

1355 17th Street NW Apt 820  
Washington, D.C. 20036

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### **Attendance Taken at 5:15 PM:**

#### **Present:**

**Howard Goldstein**

**Isabel Hacker**

**Noah Margo**

**Sam Schwartz**

**Mel Spitz**

#### **Absent:**

**Lisa Korbatov**

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

### **II. AGENDA HEARING PERIOD-PUBLIC COMMENT**

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

#### **III.A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

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

#### **III.B. 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.C. 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.D. CONFERENCE WITH LABOR NEGOTIATORS: Agency Representative:**

**Yolanda Mendoza Employee Organizations: CSEA, BHEA-Certificated, BHEA-IA, BHEA-OTBS Unrepresented Employees**

#### **III.E. 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 5:17 p.m. and asked Superintendent Bregy to lead the audience in the Pledge of Allegiance.

#### **V. APPROVAL OF THE AGENDA**

**Motion Passed:** A motion was made to approve the Agenda minus item VIII.E. 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 Bregy reported from Closed Session that the Board voted 5-0 to approve the Settlement Agreement with Employee #BK0673586.

Dr. Bregy reported that in closed session, the Board voted 5-0 to take action to notify the temporary certificated employees, identified by Employee #HP7699151, and Employee #UY7886265 and FJ2270600 that the employees will be released from the temporary contracts effective at the end of the 2016-2017 school year, and non-reelected for the 2017-2018 school year, and directed the Superintendent or designee to send out appropriate legal notices.

In closed session, the Board voted 5-0 to take action to notify the temporary certificated employees, identified by Employee #'s UP7550914, SJ2394853, HH8643422, NV6626326, EA7435452, YG0619681, CY9211436, HD7219887, WN2865414, MG5275895, DD0299151, that the employees will be released from the temporary contracts effective at the end of the 2016-2017 school year, and non-reelected for the 2017-2018 school year, and directed the Superintendent or designee to send out appropriate legal notices.

In closed session, the Board voted 5-0 to take action to notify the temporary CTE employees, identified by Employee #'s FS1600464, WX5931570, MJ1974850, MM4903341, RQ7980221, SC3488681, SB5396178 that the CTE employees will be released from the temporary contracts effective at the end of the 2016-2017 school year, and non-reelected for the 2017-2018 school year, and directed the Superintendent or designee to send out appropriate legal notices.

#### **VII. AGENDA HEARING PERIOD-PUBLIC COMMENT**

**Minutes:**

The following report was given by Colleen Knerr, Chair of the Finance Committee:

We, the committee, serve as financial advisors and research assistants at the pleasure of the School Board. We have the following recommendations:

These are based on Ms. Kirk-Carters numbers reflected in the interim budget report; specifically the District is operating at an annual \$5,000,000. + deficit We believe that all of the School Board, Dr. Bregy and his staff have a fiduciary responsibility to the community to correct this immediately; not partially, and not tomorrow. TODAY. We are aware that any

portion of the deficit not reduced this year will accumulate and require more drastic cuts in future years.

In view of the March 15th, deadline we urge that dismissal notices be sent to the affected certificated staff as soon as possible; further we expect that number to be approximately 50. The report from School Services and Ms. Kirk-Carter's budget both reflect the significant overstaffing per student as well as the continued drop in school enrollment. We anticipate that this slowing enrollment will continue for the foreseeable future. The committee knows that teacher contract negotiations are in progress; we urge that teacher salary increases not be tied to assessed value increases. The District needs a contract that is fair and sustainable.

We continue to support the plan to prefund the trust established for the growing retiree benefits (OPEB) and are disappointed that there was no contribution for the 2015-16 school year.

We discussed at length in our last meeting the costs of the special education program. It is our recommendation that this department explore options to meet its program goals while reducing costs. We believe this is another area of over staffing as was suggested in the School Services report.

Finally, the Schools Services report clearly delineated the inefficiency and increased costs of the K-8 school model. Ms. Kirk-Carter's budget projections indicated a potential savings of \$5,000,000 a year if the District were to reorganize to 3 K-5 and one middle school. We suggest that the Board research the benefits of a middle school. We understand there is strong community sentiment toward the current model however the Board should at least explain the cost implications of this decision. In past reports we have suggested that a designated information officer (a community liaison) be appointed to reach out to our PTAs and other parent organizations. This individual could communicate the educational benefit to the whole community of the establishment of a middle school and at the same time increase transparency of Board positions

Our committee supports Mrs.Korbatov's request for a cost analysis of the use of District assets by the City.

The following people addressed the Board:

Jeff Berkeley, Jordan Grode, Joshua Fouladian, Jonathan Artal, Anne Mae Massey, Amy Park, Ryan Neydavood and Sam Bernstein.

#### **VIII. CONSENT CALENDAR\***

**Motion Passed:** A motion was made approve the Consent Calendar minus items C., D. and I. 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

#### **VIII.A. Approval Board Meeting Minutes**

**VIII.A.1. Regular Board Meeting-2.7.2017**

**VIII.A.2. Special Board Meeting-2-9-2017**

## VIII.B. Personnel Reports

### VIII.B.1. Certificated Personnel Report

### VIII.B.2. Classified Personnel Report

## VIII.C. Approval of Loyola Marymount University School Psychology Supervised Fieldwork Agreement

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

**A motion was made for Approval of Loyola Marymount University School Psychology Supervised Fieldwork Agreement. 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

## VIII.D. Approval of Service Agreement with STAR Education INC. to provide Parent Education Series for BHUSD GATE parents

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

**A motion was made for Approval of Service Agreement with STAR Education INC. to provide Parent Education Series for BHUSD GATE parents. Failed with a motion by Noah Margo and a second by Howard Goldstein.**

**No** Howard Goldstein

**No** Isabel Hacker

**Absent** Lisa Korbatov

**No** Noah Margo

**No** Mel Spitz

## VIII.E. Agreement for Negotiations Support - School Services of California

**Minutes:**

**This item was pulled from the agenda.**

## VIII.F. BHHS Out-of-County Trip: BHHS State Academic Decathlon Competition; March 21 - 26, 2017; Sacramento, CA

## VIII.G. Approval of Change Management Professional Services Agreement with Leading Principles (Instructional Technology Initiative)

## VIII.H. Approval of Professional Services Agreement for Computer Using Educators (CUE) Professional Learning

## VIII.I. Approval of Extension of Professional Services Agreement with Visionaries, LLC.

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

**A motion was made for Approval of Extension of Professional Services Agreement with Visionaries, LLC. Passed with a motion by Isabel Hacker and a second by Noah Margo.**

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent Lisa Korbato**

**Yes Noah Margo**

**Yes Mel Spitz**

**VIII.J. Approval-Professional Services Agreement - Mary Ann Baum**

**VIII.K. Approval-Professional Services Agreement - Jill Myers**

**VIII.L. Approval-Professional Services Agreement-Julia Gabrick**

**VIII.M. Approval of Amendment to Professional Service Agreement - Helen Hixon**

**VIII.N. Approval of Amendment to Professional Service Agreement - Diana Laufenberg**

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

**VIII.P. Ratification of Purchase Order #13 for 2016/2017**

**VIII.Q. Cash Collection Report #13 for 2016/2017**

## **IX. REPORTS**

**IX.A. Superintendent's Report**

**Minutes:**

**Dr. Bregy gave a power point presentation with recommendations on how to reduce the annual spending for 2017-2018.**

**IX.B. Student Board Member Report**

**Minutes:**

**Student Board Member Sam Schwartz reported on various activities going on in the high school.**

## **X. PLANNING AND FACILITIES**

**X.A. Measure E Facilities Update**

**Minutes:**

**This is an information only item.**

**Board members were invited to tour the Horace Mann A building on Friday, March 3.**

**X.B. Adoption of Estimated Budget for Measure E, Phase I as of 2/28/17**

**Motion Passed: A motion was made to approve the Adoption of Estimated Budget for Measure E, Phase I as of 2/28/17. Passed with a motion by Noah Margo and a second by Isabel Hacker.**

**Yes Howard Goldstein**

**Yes Isabel Hacker**

**Absent Lisa Korbato**

**Yes Noah Margo**

**Yes Mel Spitz**

**X.C. Approval of Rental Agreement with Sterling Venue Ventures for The Saban Theatre at the Beverly Hills Performing Arts Center**

**Motion Passed:** A motion was made for Approval of Rental Agreement with Sterling Venue Ventures for The Saban Theatre at the Beverly Hills Performing Arts Center. Passed with a motion by Howard Goldstein and a second by Noah Margo.

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbato

**Yes** Noah Margo

**Yes** Mel Spitz

**X.D. Approval of Change Order No. 8 to the Agreement with American Integrated Resources, Inc., for the Abatement and Demolition of Buildings B1, B2, and B3 at Beverly Hills High School.**

**Motion Passed:** A motion was made to approve items D. Approval of Change Order No. 8 to the Agreement with American Integrated Resources, Inc., for the Abatement and Demolition of Buildings B1, B2, and B3 at Beverly Hills High School, E. Correction to Contract Agreement amount to resolve difference from bid amount for Beverly Vista Deck Waterproofing project, F. Acceptance of the El Rodeo Additional Trailer Hookups Project and authorization to file a Notice of Completion and release retention, G. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for El Rodeo Additional Trailer Hookups with G2K Construction and L. Approval of Change Order No. 46 to the Agreement with ProWest Constructors for the Horace Mann School New Classroom Building Project. Passed with a motion by Noah Margo and a second by Isabel Hacker.

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbato

**Yes** Noah Margo

**Yes** Mel Spitz

**X.E. Correction to Contract Agreement amount to resolve difference from bid amount for Beverly Vista Deck Waterproofing project.**

**Motion Passed:** A motion was made to approve items D. Approval of Change Order No. 8 to the Agreement with American Integrated Resources, Inc., for the Abatement and Demolition of Buildings B1, B2, and B3 at Beverly Hills High School, E. Correction to Contract Agreement amount to resolve difference from bid amount for Beverly Vista Deck Waterproofing project, F. Acceptance of the El Rodeo Additional Trailer Hookups Project and authorization to file a Notice of Completion and release retention, G. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for El Rodeo Additional Trailer Hookups with G2K Construction and L. Approval of Change Order No. 46 to the Agreement with ProWest Constructors for the Horace Mann School New Classroom Building Project. Passed with a motion by Noah Margo and a second by Isabel Hacker.

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbato

**Yes** Noah Margo

**Yes** Mel Spitz

**X.F. Acceptance of the El Rodeo Additional Trailer Hookups Project and authorization to file a Notice of Completion and release retention.**

**Motion Passed:** A motion was made to approve items D. Approval of Change Order No. 8 to the Agreement with American Integrated Resources, Inc., for the Abatement and Demolition of Buildings B1, B2, and B3 at Beverly Hills High School, E. Correction to Contract Agreement amount to resolve difference from bid amount for Beverly Vista Deck Waterproofing project, F. Acceptance of the El Rodeo Additional Trailer Hookups Project and authorization to file a Notice of Completion and release retention, G. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for El Rodeo Additional Trailer Hookups with G2K Construction and L. Approval of Change Order No. 46 to the Agreement with ProWest Constructors for the Horace Mann School New Classroom Building Project. Passed with a motion by Noah Margo and a second by Isabel Hacker.

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

**X.G. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for El Rodeo Additional Trailer Hookups with G2K Construction.**

**Motion Passed:** A motion was made to approve items D. Approval of Change Order No. 8 to the Agreement with American Integrated Resources, Inc., for the Abatement and Demolition of Buildings B1, B2, and B3 at Beverly Hills High School, E. Correction to Contract Agreement amount to resolve difference from bid amount for Beverly Vista Deck Waterproofing project, F. Acceptance of the El Rodeo Additional Trailer Hookups Project and authorization to file a Notice of Completion and release retention, G. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for El Rodeo Additional Trailer Hookups with G2K Construction and L. Approval of Change Order No. 46 to the Agreement with ProWest Constructors for the Horace Mann School New Classroom Building Project. Passed with a motion by Noah Margo and a second by Isabel Hacker.

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

**X.H. Approval of Amendment No. 1 to the Agreement with EZ Van for shuttle services for El Rodeo School.**

**Motion Passed:** A motion was made for Approval of Amendment No. 1 to the Agreement with EZ Van for shuttle services for El Rodeo School. Passed with a motion by Noah Margo and a second by Isabel Hacker.

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

**X.I. Approval of Amendment No. 10 to the Agreement with HMC Group for Architectural and Engineering services for El Rodeo School.**

**Motion Passed: A motion was made for Approval of Amendment No. 10 to the Agreement with HMC Group for Architectural and Engineering services for El Rodeo School. Passed with a motion by Noah Margo and a second by Isabel Hacker.**

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbato

**Yes** Noah Margo

**Yes** Mel Spitz

**X.J. Approval of Change Order No. 1 to the Agreement with Jamik Construction & Management for the New Make Ready 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

**Absent** Lisa Korbato

**Yes** Noah Margo

**Yes** Mel Spitz

**X.K. Approval of Change Order No. 5 to the Agreement with 2H Construction for the Modernization of Building A at Horace Mann School .**

**Motion Passed: A motion was made for Approval of Change Order No. 5 to the Agreement with 2H Construction for the Modernization of Building A at Horace Mann School. Passed with a motion by Noah Margo and a second by Isabel Hacker.**

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbato

**Yes** Noah Margo

**Yes** Mel Spitz

**X.L. Approval of Change Order No. 46 to the Agreement with ProWest Constructors for the Horace Mann School New Classroom Building Project.**

**Motion Passed: A motion was made to approve items D. Approval of Change Order No. 8 to the Agreement with American Integrated Resources, Inc., for the Abatement and Demolition of Buildings B1, B2, and B3 at Beverly Hills High School, E. Correction to Contract Agreement amount to resolve difference from bid amount for Beverly Vista Deck Waterproofing project, F. Acceptance of the El Rodeo Additional Trailer Hookups Project and authorization to file a Notice of Completion and release retention, G. Ratification of an Agreement issued under Board Resolution No. 2015-2016-041 for El Rodeo Additional Trailer Hookups with G2K Construction and L. Approval of Change Order No. 46 to the Agreement with ProWest Constructors for the Horace Mann School New Classroom Building Project. Passed with a motion by Noah Margo and a second by Isabel Hacker.**

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbato

**Yes** Noah Margo

**Yes** Mel Spitz



## **X.M. Designating School Facility Program (SFP) District Representative**

**Motion Passed:** A motion was made to approve Dr. Michael Bregy, Superintendent, and Ms. LaTanya Kirk Carter, Chief Administrative Officer, as District Representatives in all matters related to the School Facility Program (SFP). Passed with a motion by Mel Spitz and a second by Noah Margo.

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

## **XI. BOARD POLICIES**

### **XI.A. Second Reading & Approval of AR 6173: Education for Homeless Children**

**Motion Passed:** A motion was made to approve the Second Reading & Approval of AR 6173: Education for Homeless Children. Passed with a motion by Noah Margo and a second by Isabel Hacker.

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

## **XII. PROFESSIONAL AND OFFICIAL BUSINESS**

### **XII.A. Selection of Candidates for the California School Boards Association (CSBA) Delegate Assembly**

**Motion Passed:** A motion was made to approve the following six candidates: Darryl R. Adams, Micah Ali, Craig Foster, Vivian Hansen, Jose Lara and Susanne Robins. Passed with a motion by Howard Goldstein and a second by Noah Margo.

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Absent** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

### **XII.B. Discussion-Control over legal fees**

#### **Minutes:**

The Board engaged in a conversation about the District's legal expenditures and the need for oversight of the legal spending. There was discussion about adding a new Board Bylaw. The item will be brought back to the next Board meeting.

## **XIII. COMMUNICATION FROM THE BOARD MEMBERS**

## **XIV. FUTURE BOARD MEETINGS**

**XIV.A. Regular Board Meeting-Tuesday, March 14, 2017-5:00 PM-STC/Jon Cherney  
Lecture Hall, Beverly Hills High School**

**XIV.B. Regular Board Meeting-Tuesday, March 28, 2017-5:00 PM-STC/Jon Cherney  
Lecture Hall, Beverly Hills High School**

**XV. ADJOURNMENT**

**Minutes:**

**Mr. Spitz adjourned the meeting at 7:54 p.m.**