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

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-Carter's 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 Korbatov
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 Korbatov
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 Korbatov
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 Korbatov
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 Korbatov
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 Korbatov
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 Korbatov
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 Korbatov
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 Korbatov
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.