

Beverly Hills Unified School District Minutes

Regular Board of Education Meeting

January 12, 2016, 5:00 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

Attendance Taken at 5:00 PM:

Present:

Howard Goldstein
Isabel Hacker
Lisa Korbatov
Noah Margo
Mel Spitz

Absent:

Shawn Ahdout

Updated Attendance:

Shawn Ahdout was updated to present at: 6:00 PM

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

II. PUBLIC COMMENT

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

III.a. APPEAL OF STUDENT RECORD (subdivision (c) of Education Code 49070)

III.b. APPROVAL OF SETTLEMENT AGREEMENT-Student #12254

**III.c. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (1 case)-
OAH Case Number 2015090492**

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

**III.e. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (d)(1) of Section 54956.9):Ricks v. Beverly Hills USD (Case No: SC122476)**

**III.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)**

**III.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)**

**III.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**

**III.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)**

III.j. CONFERENCE WITH LABOR NEGOTIATORS

III.k. EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

III.l. PUBLIC EMPLOYEE APPOINTMENT

III.l.1. Certificated Personnel Report

III.l.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 5:10 p.m. and asked Mina Riazi 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 Isabel Hacker.

Absent Shawn Ahdout

Yes Howard Goldstein

Yes Isabel Hacker

Absent Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

VI. REPORT OF CLOSED SESSION ACTION

Minutes:

Superintendent Kessler reported from Closed Session that the Board approved the Settlement Agreement with Student #12254.

VII. AGENDA HEARING PERIOD/ADDRESSING THE BOARD

Minutes:

The following people addressed the Board:

Bitia Ahdout Santaella, Ellie Samadi, Shermeen Greenmun. and Rene Santaella.

The following person did not wish to speak but wished to go on record:
Sabrina Gilardian

Mr. Goldstein requested that the following email be submitted into the record:

Distinguished Members of the Board,

My name is Jason Morgan and my wife Sahar and I are long-time Beverly Hills residents. We live at 324 S. Almont Drive. While we cannot attend tonight's meeting due to work commitments we felt it important enough to send a sincere statement to be read into the record. We have a daughter in first grade at El Rodeo and we expect our son will be there next year. However, I am writing because we are actually considering not sending our son to school in Beverly Hills due to security concerns. In light of recent events much closer to home (i.e., San Bernardino), it is incumbent upon this Board to do something to secure our schools. We implore you to immediately take action to (i) better control to access points at all schools; and (ii) employ professional security or resource police officers at each school in the District. It's absolutely shocking how easy it is to gain access to El Rodeo. This is even more concerning due to the number of contractors and other third-parties that will be onsite now that construction has begun to retrofit El Rodeo.

The threat to our children is real and pervasive and it's unfathomable that we now worry more about whether our children will be safe when we drop them off at school rather than where they will get into college. Please be proactive in your approach and act quickly to take steps to better secure our schools. The time to act is now and not after an incident or tragedy. Beverly Hills should be a shining example of safety and security, especially with our amazing police force and school system. Please do not wait.

We appreciate your thoughtful consideration and look forward to immediate action by our elected officials. Thank you for your time.

Jason R. Morgan and Sahar Bina

VIII. STAFF PRESENTATIONS

VIII.a. School Security - Fencing at El Rodeo

Minutes:

Chris Hertz and Kevin Allen gave a presentation on school security at El Rodeo.

A suggestion was made that Mr. Allen take the security issue to his Site Council for a recommendation. The recommendation should be taken to the Superintendent. Mr. Kessler is interested in attending the next El Rodeo Site Council meeting.

IX. CONSENT CALENDAR*

Motion Passed: A motion was made to approve the Consent Calendar minus items a.3., a.4., b.2., e., f. and g. Passed with a motion by Noah Margo and a second by Mel Spitz.

Absent Shawn Ahdout

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo
Yes Mel Spitz

IX.a. Approval Board Meeting Minutes

Motion Passed: A motion was made to approve the Consent Calendar minus items a.3., a.4., b.2., e., f. and g. Passed with a motion by Noah Margo and a second by Mel Spitz.

Absent Shawn Ahdout

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

IX.a.1. Organizational Board Meeting-12.8.2015

IX.a.2. Special Board Meeting-12.10.2015

IX.a.3. Special Board Meeting-12.15.2015

Motion Passed: This item was pulled for further discussion.

A motion was made to approve the Special Board Meeting Minutes 12.15.2014 removing items IV.d-IV.m because they were not discussed in Closed Session.

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

Absent Shawn Ahdout

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

IX.a.4. Special Board Meeting-12.17.2015

Motion Passed: This item was pulled for further discussion.

A motion was made to approve the Special Board Meeting Minutes 12.15.2014 removing items IV.a-IV.e and IV.h-m because they were not discussed in Closed Session. Mr. Spitz would like the information he presented at the Budget study session added to the minutes. Passed with a motion by Mel Spitz and a second by Isabel Hacker.

Absent Shawn Ahdout

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

IX.b. Personnel Reports

IX.b.1. Certificated Personnel Report

IX.b.2. Classified Personnel Report

Motion Passed: This item was pulled for further discussion.

A motion was made to approve the Classified Personnel Report. Passed with a motion by Noah Margo and a second by Isabel Hacker.

Absent Shawn Ahdout

Yes Howard Goldstein

Yes Isabel Hacker

No Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

IX.c. Approval of Williams Uniform Complaint Quarterly Report Summary - Second Quarter (October 1, 2015 - December 31, 2015)

IX.d. Approval-Professional Services Agreement - Doraine Poretz

IX.e. Approval of the Memorandum of Understanding with Clever, Inc.

Motion Passed: This item was pulled for further discussion.

A motion was made for Approval of the Memorandum of Understanding with Clever, Inc. Passed with a motion by Lisa Korbatov and a second by Mel Spitz.

Absent Shawn Ahdout

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

IX.f. Approval of Consultant Agreement with TBWB Strategies

Motion Passed: This item was pulled for further discussion.

A motion was made for the Approval of Consultant Agreement with TBWB Strategies by Mr. Margo and seconded by Mrs. Hacker. After some discussion, the motion was withdrawn.

A new motion was made to table this item. Passed with a motion by Noah Margo and a second by Isabel Hacker.

Absent Shawn Ahdout

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

IX.g. Approval of Agreement with Godbe Research

Motion Passed: This item was pulled for further discussion.

A motion was made to table this item. Passed with a motion by Noah Margo and a second by Isabel Hacker.

Absent Shawn Ahdout

Yes Howard Goldstein

Yes Isabel Hacker

Yes Lisa Korbatov

Yes Noah Margo

Yes Mel Spitz

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

IX.i. Ratification of Purchase Order #11 for 2015/2016

IX.j. Cash Collection Report #11 for 2015/2016

IX.k. Approval of Warrant Report #8 for 2015/2016

X. REPORTS

X.a. Superintendent's Report

Minutes:

The following is a report from Superintendent Kessler:

I am pleased to announce that our students did incredibly well the past few days at the Cypress College Invitational. The tournament is attended by many top Southern California high school (Palos Verdes Peninsula, San Dieguito Academy, Westview High School, Loyola, etc.)

Please note the following awards are all 9th graders:

Tyler Kiper-1st Place Novice Congress (out of 42 speakers). Tyler previously attended Beverly Vista and this was his first tournament.

Seth Pizzurro-1st Place/Top Speaker Novice Parliamentary Debate. He went to Horace Mann.

Maani Tuli-4th Place/Speaker Awards Novice Parliamentary Debate. He previously attended Horace Mann.

Tuli and Pizzurro had a 4-0 record-1st Place Novice Parliamentary Debate.

Thank you to coach Finnigan!

Here are some highlights from the Beverly Hills High School CTE:

-67 students were away at a regional DECA competition

-40 robotics students were in the EDC starting their competition season with a kit they received from USC in the morning. They are working like a real business with builders, programmers, designers and business groups brainstorming

-11 students were in Claremont at a Speech and Debate tournament

X.b. Student Board Member Report

Minutes: Student Board Member Shawn Ahdout gave a report on the Dance Company, Winter Formal, and early college acceptance letters was given.

XI. EDUCATIONAL SERVICES

XI.a. Overview of Educational Services Department and Pupil Services Department

Minutes: Dr. Tedford gave a power point presentation on the Educational Services Department.

XII. HUMAN RESOURCES

XII.a. Overview of the Human Resources Department

Minutes: Yolanda Mendoza gave a power point presentation on the Human Resources Department.

XII.b. Approval of Agreement for Employment of Chief Facilities Officer

Motion Passed: A motion was made for Approval of Agreement for Employment of Eitan Aharoni, Chief Facilities Officer. A roll call vote was taken.

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

Minutes:

Mr. Kessler reported that on Tuesday, January 5, he convened an interview panel made up of himself, his administrative chiefs, along with 2 community members as well as Virginia Marquart, an accomplished architect from the DLR group who is involved in our District modernization program to interview for the position of Chief of Facilities for the District.

It is with great pleasure that Mr. Kessler along with our interview panel bring forward for Board approval Mr. Eitan Aharoni. Mr. Aharoni has over 35 years of experience in the architecture, construction management, school and city government planning and redevelopment fields. Mr. Aharoni is a licensed architect as well as a licensed general contractor in addition to other professional certificates.

In the past 13 year, Mr. Aharoni has been credited with successfully managing school planning and construction for community colleges and K-12 school districts to the tune of over one billion dollars.

A consistent theme we uncovered as we performed our due diligence regarding Mr. Aharoni was his ability to collaborate and create a team feeling with all stakeholders. Mr. Kessler looks forward to Mr. Aharoni working closely with our construction management firm Totum as well as our administrative staff.

He is confident that Mr. Aharoni will be a valuable addition to our staff and will move our modernization program forward.

XIII. BUSINESS AND FINANCE

XIII.a. Overview of the Business Services Division

Minutes:

The overview was postponed to another meeting.

XIII.b. Approval of Resolution 2015-2016-012 Authorizing an Agreement with Keenan Financial Services to Design and Administer a Supplemental Early Retirement (SERP) for Eligible Employees Provided there is Sufficient Employee Participation.

Motion Passed: A motion was made for Approval of Resolution 2015-2016-012 Authorizing an Agreement with Keenan Financial Services to Design and Administer a Supplemental Early Retirement (SERP) for Eligible Employees Provided there is Sufficient Employee Participation. A roll call vote was taken. Passed with a motion by Mel Spitz and a second by Noah Margo.

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

XIII.c. Acceptance of the 2015 Audit Report

Minutes:

The audit was accepted.

XIV. PLANNING AND FACILITIES

XIV.a. Discussion & Direction-Construction Beverly Hills High School

Minutes:

Mr. Margo made a proposal to address Building A at Hawthorne and Buildings B1-B4 at BHHS which includes the auditoriums at the high school and at Hawthorne. This will address the fire, life and safety issues in a timely fashion. He recommended that the Facilities Dept. vet out his numbers to make sure they are correct.

Direction:

Work on B1-B4 at the high school.

Refer to Chief Facilities Officer to look at Hawthorne A vs. Konheim Building at the high school

Vet out Mr. Margo's numbers and come up with a time line

Come back in February or as soon as the CFO is ready with a report

XIV.b. Direction for Proceeding with the Installation of the Portable Classrooms at Beverly Hills High School

Minutes:

Direction: continue getting the site ready for portables at the high school. Move into the portables in the summer so there is no disruption to the testing schedule in April and May.

XIV.c. Approval to enter into an Agreement Amendment with DLR Group for Construction Documents for Interim Housing at Beverly Hills High School

Motion Passed: A motion was made for Approval to enter into an Agreement Amendment with DLR Group for Construction Documents for Interim Housing at Beverly Hills High School. 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

XIV.d. Approval to enter into an Agreement with Environmental Audit, Inc., (EAI) for Asbestos and Lead Abatement Monitoring Services for Horace Mann School Buildings A, C and D

Motion Passed: A motion was made for Approval to enter into an Agreement with Environmental Audit, Inc., (EAI) for Asbestos and Lead Abatement Monitoring Services for Horace Mann School Buildings A, C and D. 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

XIV.e. Approval for an Agreement Amendment with WLC Architects for Architectural and Engineering Design Services for Horace Mann School Building A

Motion Passed: A motion was made for Approval for an Agreement Amendment with WLC Architects for Architectural and Engineering Design Services for Horace Mann School Building A. 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

XIV.f. Approval of the First of Two Resolutions Adopting the Uniform Public Cost Accounting Procedures - Resolution No. 2015-2016-013

Minutes:

This item was pulled from the Agenda.

XIV.g. Approval of the Second of Two Resolutions Adopting the Informal Bidding Procedures to be used with the California Uniform Public Construction Cost Accounting Act - Resolution No. 2015-2016-014.

Minutes:

This item was pulled from the Agenda.

XIV.h. Approval for Agreement Amendment with DLR Group for Furniture, Fixture and Equipment Criteria

Motion Passed: A motion was made for Approval for Agreement Amendment with DLR Group for Furniture, Fixture and Equipment Criteria. 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

XIV.i. Approval for an Agreement Amendment for HMC Architects for Architectural/Engineering Design Services for El Rodeo School

Motion Passed: A motion was made for Approval for an Agreement Amendment for HMC Architects for Architectural/Engineering Design Services for El Rodeo School. 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

XIV.j. Approval to enter into an Agreement Amendment with HMC Architects for Additional Architectural/Engineering Design Services at El Rodeo School

Motion Passed: A motion was made for Approval to enter into an Agreement Amendment with HMC Architects for Additional Architectural/Engineering Design Services at El Rodeo School. 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

XIV.k. Approval to Enter into an Agreement Amendment with HMC Architects for Architectural Service at El Rodeo School for Furnishings and Equipment Planning

Motion Passed: A motion was made for Approval to Enter into an Agreement Amendment with HMC Architects for Architectural Service at El Rodeo School for Furnishings and Equipment Planning. 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

XIV.l. Approval to enter into an Agreement Amendment with HMC Architects for Architectural Service at El Rodeo School for Interior Renderings

Motion Passed: A motion was made for Approval to enter into an Agreement Amendment with HMC Architects for Architectural Service at El Rodeo School for Interior Renderings. 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

XIV.m. Approval to Enroll the District in Several Inter-Local Cooperative Purchasing Organizations

Motion Passed: A motion was made for Approval to Enroll the District in Several Inter-Local Cooperative Purchasing Organizations. 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
Yes Noah Margo
Yes Mel Spitz

**XIV.n. Information on Proposition 39 Funding
Minutes: This is an information only item.**

XIV.o. Approval of a Change of Color for the Student Lockers at Horace Mann School Building B Project

Motion Passed: A motion was made for Approval of a Change of Color for the Student Lockers at Horace Mann School Building B Project. 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
No Noah Margo
Yes Mel Spitz

XIV.p. Approval of a Change in Color for the Field Turf at Horace Mann School Building B Project

Motion Passed: A motion was made for Approval of a Change in Color for the Field Turf at Horace Mann School Building B Project. 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
No Noah Margo
Yes Mel Spitz

XV. BOARD POLICIES

XV.a. First Reading and Approval of Revision to Administrative Regulation 5117 - Interdistrict Attendance

Motion Passed: A motion was made for Approval of the First Reading and Approval of Revision to Administrative Regulation 5117 - Interdistrict Attendance. A roll call vote was taken. 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

XV.b. Annual Establishment of the Interdistrict Permit Cap for 2016-2017

Motion Passed: A motion was made to maintain the Interdistrict Permit Cap for 2016-2017 at zero. 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

XV.c. Continuation of Existing Interdistrict Attendance Permits Pursuant to Board Policy and Administrative Regulation 5117.

Motion Passed: A motion was made for the Continuation of Existing Interdistrict Attendance Permits Pursuant to Board Policy and Administrative Regulation 5117. 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

XVI. COMMUNICATION FROM THE BOARD MEMBERS

Minutes:

Mrs. Hacker will now be attending the Health & Safety meetings.

XVII. FUTURE BOARD MEETINGS

**XVII.a. Board Study Session-High School Graduation Requirements & School Plans-
Tuesday, January 19, 2016-4:00 PM-Administrative Office/Board Room**

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

**XVII.c. Special Board Meeting-Closed Session-Thursday, February 4, 2016-3:00 PM-
Administrative Office/Board Room**

**XVII.d. Board Study Session-Budget-Thursday, February 4, 2016-4:00 PM-
Administrative Office/Board Room**

**XVII.e. Regular Board Meeting-Tuesday, February 9, 2016-5:00 PM-STC/Jon Cherney
Lecture Hall, Beverly Hills High School**

XVIII. ADJOURNMENT

Minutes:

Mr. Goldstein adjourned the meeting at 9:36 PM.