

GARVEY SCHOOL DISTRICT

Rosemead, California

Minutes of Regular Meeting

July 29, 2010

The Garvey School District Board of Education met in regular session on July 29, 2010, at the Education Center, Rosemead, California.

CALL TO ORDER

The meeting was called to order at 6:07 p.m., by Board President M. Janet Chin.

ROLL CALL

Present at the meeting were Mr. Bob Bruesch, Ms. M. Janet Chin, Mr. Henry Lo, Mr. John Yuen (arrived at 6:16 p.m.), Board Counsel James Lynch, and Interim Superintendent Dolores Preciado.

Also in attendance were Mr. Genaro Alarcon, Ms. Anita Chu, Mr. Michael Coughlin, and Ms. Maria De La Cruz.

VISITORS PRESENT

Present as visitors were the persons listed on the attached Register of Attendance who signed the register and whose signatures were legible and which is hereby made an official part of these minutes.

PUBLIC COMMENT PERIOD FOR CLOSED SESSION AGENDA ITEMS

MOTION TO GO INTO CLOSED SESSION

On the motion of Henry Lo, seconded by Bob Bruesch, and carried by a vote of 3 to 0 (Tony Ramos and John Yuen not present for the vote), the Board adjourned at 6:09 p.m. to a closed session and addressed those items posted on the agenda.

RECONVENE INTO PUBLIC SESSION

The Board reconvened in public at 6:48 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Dolores Preciado led the recitation of the Pledge of Allegiance.

REPORT OF ACTION TAKEN

Janet Chin indicated that no action was taken during the closed session:

COMMUNICATIONS/REPORTS/PRESENTATIONS

Dolores Preciado indicated that summer is going well and we are looking forward to meeting the new superintendent.

Bob Bruesch indicated that at the last Board meeting of the Kiwanis Club, good comments were made about the Garvey students participating in the Rosemead's 4th of July parade.

John Yuen reported that some of our students are participating in the 3000 mile run, Jr. Olympics national competitions in Sacramento this week.

Janet Chin announced the National Night Out event on 8/3/09, at the Public Safety Center where the Neighborhood Watch Commanders will be recognized. Ms. Chin indicated that the CERT Trainings (citizen emergency training) from the Fire Department have been canceled due to lack of funding. The City of Rosemead will now be providing to residents animal license and Rabies Clinic. Residents will be charged \$20 to neuter a dog. Dog and cat vaccinations will also be provided. Ms. Chin talked about the District staff participating in Public Safety Center Connection meetings every Thursday at 6:00 p.m.

Bob Bruesch talked about the Kiwanis Club's participation of a 911 memorial in front of Rosemead City Hall. The club was advised that most of our schools have a plaque and a tree to memorialize the event that happened ten years ago. Janet Chin spoke of other activities, such as a run-walk from the UFC Gym. Henry Lo suggested to have the students participate through programs such as Rythmax or school choirs.

REPORT FROM UNION REPRESENTATIVES

Michael Drange, president of GEA, thanked the Board for asking for input regarding the new superintendent search. Terry Skotnes has been providing some information. Mr. Drange indicated that the teachers are enjoying their summer vacation and a lot of them are attending training in the District Office. Mr. Drange suggested to bring back proposals for District-wide staff development training to all teachers, as had been done about 4 years ago. Mr. Drange asked that the District continue to pursue filling vacancies for speech and language positions and avoid providing these services through consultants.

REPORT FROM HEAD START REPRESENTATIVE: None

REPORT FROM GARVEY ORGANIZATIONS

Garvey Council PTA

Les Nakasaki spoke on behalf of First District President of PTA, Marion Sumimoto, and First District Vice-President of PTA, Cathie Camacho. There are various activities coming up including the Walk-To-School Day on the first week of October, 2010. The First District PTA continues to work on their efforts of "One Voice, One Child", including the \$5 annual membership drive. Mr. Nakasaki encouraged all Board members to join the drive for all 11 school sites (a total of \$55 per year).

Bob Bruesch encouraged PTA officers to start the notification to police agencies regarding the National Walk-to-School Day in October, 2010.

Garvey Education Foundation

Les Nakasaki spoke of the Foundation's TGIF event on October 1, 2010, 3:30 p.m., at Charley Brown's. There will be raffles and prizes. The Foundation will be sending out notices listing all the key aspects of foundation support for the benefit of students through teacher grant awards.

HEARING OF PERSONS IN THE AUDIENCE: None

APPROVAL OF MINUTES

On the motion of Henry Lo, seconded by Bob Bruesch, and carried by a vote of 4 to 0 (Tony Ramos not present), the Board approved the minutes as follows:

Corrected Special Meeting of June 24, 2010
Special Meeting of June 28, 2010

On the motion of Henry Lo, seconded by Bob Bruesch, and carried by a vote of 4 to 0 (Tony Ramos not present), the Board approved the corrected Regular Board meeting minutes of July 8, 2010, as written.

FORMATION AND APPROVAL OF CONSENT AGENDA

On the motion of Bob Bruesch, seconded by Henry Lo, and carried by a vote of 4 to 0 (Tony Ramos not present), the Consent Agenda was approved with addendums as indicated below.

DISCUSSION ITEMS

The following items were pulled for discussion: (Items containing an asterisk (*) are designed as staff presentations, information, policy discussion, or public hearings.)

Category	Agenda Number	Subject
Business Services	036	Provide Nazerian Group the opportunity to explain why it should not be disqualified from participating in Bid 534 because it has been deemed a non- responsible bidder.
	037	Contract related to Bid 534 to Nazerian Group concerning the interior wiring and receptacle upgrade at Emerson and Willard Schools. The cost of the contract will be \$488,900 and will be paid from Measure Q funds. OR Award contract related to Bid 534 to Jam Corporation concerning the interior wiring and receptacle upgrade at Emerson and Willard Schools. The cost of the contract will be \$553,000 and will be paid from Measure Q funds. OR Direct staff to throw out all bids received from Bid 534 related to Bid 534 concerning the interior wiring and receptacle upgrade.

A. Board/Superintendent – No Items .

B. Human Resources

(019) Approved Personnel Assignment Report No. 10-11-01 and Addendum. Consent.

C. Pupil Personnel Services

(020) Approved enrollment for one administrator in the Special Education Academy to be held during the 2010 – 2011 school year. The cost of this enrollment is \$1,155 to be paid from Special Education funds. Consent.

(021) Approved contract with Catalyst Speech Language Pathology for therapy/supervision/consultation services at a rate of \$83 per hour, not to exceed 3,528 hours or \$292,824, to be paid from Special Education funds for the contracted period of September 8, 2010 to June 30, 2011. Consent.

(022) Ratified additional expenditure with Catalyst Speech Language Pathology in the amount of \$25,481. This is to cover 307 hours of speech and language services provided at a rate of \$83 per hour. Consent.

- (023) Ratified contract with Center for Developing Kids (CDK) 102 hours of clinic therapy and consultation at a cost of \$105 per hour, not to exceed a total of \$10,710 to be paid from Special Education funds. Contract to run from July 1, 2010 to June 30, 2011 (024) Ratify contract with Christina Chang Chien to provide up to 42 hours of 7 occupational therapy services at a cost of \$125 per hour, not to exceed \$5,250. This contract will be from July 1, 2010 through June 30, 2011. Consent.
- (025) Ratified contract with Logsdon School to provide tuition at \$135.64 per day for the school year and \$102.28 for the Extended School Year for 40 students. Total amount would not exceed \$1,058,432 to be paid from Special Education funds. Contract term would be from July 1, 2010 through June 30, 2011. Consent.
- (026) Approved contract with Sunbelt Staffing Solutions for the services an occupational therapist at a cost not to exceed \$99,400 including mileage and IEP attendance and a speech pathology assistant at a cost not to exceed \$88,200 including mileage and IEP attendance. Total cost for Sunbelt Staffing Solutions for the period from September 9, 2010 to June 30, 2011 will not exceed \$187,600 to be paid from Special Education funds Consent.
- (027) Approved contract with Total Education Solutions for occupational therapy services for the period of September 8, 2010 through June 30, 2011, at a rate of \$90 per hour, not to exceed 972 hours or \$87,480 to be paid from Special Education funds. Consent.
- (028) Approved contract with Inteloft/Hill Rehabilitation Services to provide speech and language services from September 8, 2010 to June 30, 2011 at a cost of \$80 per hour, not to exceed \$120,000, to be paid from Special Education funds. Consent.
- (029) Ratified contract with Dynamic Therapies, Inc. to provide occupational and physical therapy services, assessments and attendance at IEP meetings for students of the Garvey School District who require agency level services. Contract will be from July 1, 2010 through June 30, 2011. Total cost of contract will be \$70,400 to be paid from Special Education funds. Consent.
- (030) Ratified contract with Villa Esperanza to provide continuing educational services including tuition, speech services, occupational therapy, and attendance and reports at IEP meetings for two students with Autism. This contract will be from July 1, 2010 to June 30, 2011. Total estimated cost for this contract will be \$74,127 to be paid from Special Education funds Consent.

D. Instructional Services

- (031) Approved request to submit the 2010-2011 Consolidated Application for Funding Categorical Aid Programs (Part I) in the estimated amount of \$5,574,654. Consent.
- (032) Ratified contract with the Los Angeles County Office of Education for the Beginning Teacher Support and Assessment (BTSA) Induction Program from April 30, 2010 to April 30, 2011. The County will provide supporting services to participating beginning teachers and reimburse the District \$1,200 per participating beginning teacher and the substitute teacher rate per day of support provider's participation in portfolio evaluation. The District will pay for support services for beginning teachers, including services from support providers, professional development and classroom observations, per grant requirements. Consent.

E. Business Services

- (033) Approved Purchase Order Report 10-11-01. Consent.
- (034) Awarded contract related to Bid #534 to Harik Construction concerning the interior wiring and receptacle upgrade at Garvey Intermediate. The cost of the contract is \$266,000 and will be paid from Measure Q funds. Consent.
- (035) Awarded contract related to Bid #534 to Jam Corporation concerning the interior wiring and receptacle upgrade at Marshall and Monterey Vista. The cost of the contract is \$442,000 and will be paid from Measure Q funds. Consent.
- *(036) Item Pulled. Provide Nazerian Group the opportunity to explain why it should not be disqualified from participating in Bid 534 because it has been deemed a non- responsible bidder. No discussion held.
- *(037) Contract related to Bid 534 to Nazerian Group concerning the interior wiring and receptacle upgrade at Emerson and Willard Schools. The cost of the contract will be \$488,900 and will be paid from Measure Q funds. OR Award contract related to Bid 534 to Jam Corporation concerning the interior wiring and receptacle upgrade at Emerson and Willard Schools. The cost of the contract will be \$553,000 and will be paid from Measure Q funds. OR Direct staff to throw out all bids received from Bid 534 related to Bid 534 concerning the interior wiring and receptacle upgrade.

Michael Coughlin explained that the District intended to disqualify the Nazerian Group from participating in Bid 534 because it was deemed to be a non-responsible bidder. The reasons for determining that Nazerian was non-responsible were that Nazerian did not maintain Builders' Risk insurance in 2009 when Garvey Intermediate suffered the theft of approximately \$40,000 of electrical equipment, and a complaint from the State Labor Commission that one of Nazerian's sub-contractors did not pay prevailing wages to some of its workers.

Mr. Coughlin then noted that negotiations between the District's attorney, himself, Nazerian's attorney and Mr. Nazerian had resulted in a tentative agreement. Jim Lynch, District Counsel advised the Board that the agreement proposes to award the contract to work at Emerson School to the Nazerian Group at a cost of \$234,450 and award the contract for work at Willard School to the Jam Corporation at a cost of \$298,500.

Susan Trevizo, Del Terra Group, addressed the insurance concern, stating that the item of documentation for builder's risk, a bid requirement, was missed. In future biddings this issue will be emphasized to make sure that compliance is carefully followed.

Michael Coughlin expressed his confidence that the Nazerian Group will fulfill the settlement agreement that is being finalized. He recommended a motion to accept the bid adjustment and proceed with the work at the two schools.

Bob Bruesch moved, Henry Lo seconded, to approve the bid award for Emerson School to the Nazerian Group and award the bid award for Willard School to Jam Corporation as long as both bid contracts have written affidavits regarding builder's risk insurance.

John Yuen offered an amendment, and the amended motion carried by a vote of 4 to 0 (Tony Ramos not present), that in addition to having the builder's risk information, and before work starts at Emerson School, the Nazerian settlement be completed.

Vic Nazerian, president of the Nazerian Group, addressed the Board regarding his assurance of providing builder's risk insurance, although he stated that this is a requirement only for new buildings. Mr. Nazerian indicated that this issue was an oversight. Mr. Nazerian indicated his willingness to work together with the District's attorney for the additional builder's risk insurance endorsements. Mr. Nazerian apologized for any inconvenience with this oversight. Mr. Nazerian commented on the 2009 incident at Garvey Intermediate School and the issue of enforcing wage requirement for sub-contractors.

PUBLIC AGENDA ITEMS: None

OTHER ITEMS OF INTEREST TO THE BOARD

Bob Bruesch asked for clarification on fees for school fields and gymnasiums. Mr. Bruesch requested information on a protocol to respond to incidents of sounding alarms and immediate notification to law enforcement agencies, as well as, District staff and avoid delays in response time to security alarms.

MOTION TO GO INTO CLOSED SESSION

On the motion of Henry Lo, seconded by John Yuen, and carried by a vote of 4 to 0 (Tony Ramos not present for the vote), the Board adjourned at 7:47 p.m. to a closed session and addressed those items posted on the agenda.

RECONVENE INTO PUBLIC SESSION

The Board reconvened in public at 6:49 p.m.

REPORT OF ACTION TAKEN

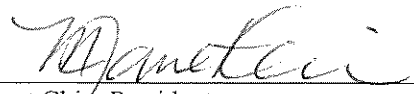
Janet Chin reported that no action was taken in closed session.

DATE OF NEXT MEETING

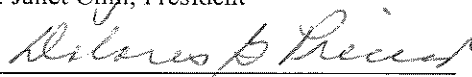
The following meeting will be a regular meeting on August 19, 2010, at the Education Center. Closed session will begin at 6:00 p.m., public session to begin at 6:30 p.m.

ADJOURNMENT

There being no additional items, the meeting was adjourned at 8:50 p.m.



M. Janet Chin, President



Dolores Preciado, Secretary

**REGISTER OF ATTENDANCE AT GARVEY SCHOOL DISTRICT
BOARD OF EDUCATION REGULAR MEETING**

July 29, 2010

Michael Drange

Les Nakasaki

Vic Nazerian

Vinny Nazerian

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