

Beverly Hills Unified School District Minutes

Regular Board of Education Meeting

August 11, 2015, 7:00 PM
STC/Jon Cherney Lecture Hall
Beverly Hills High School
Beverly Hills, California 90212

CLOSED SESSION - Administrative Building

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

Attendance Taken at 7:15 PM:

Present:

Shawn Ahdout

Dr. Brian Goldberg

Howard Goldstein

Lewis Hall

Lisa Korbatov

Noah Margo

I. OPEN SESSION-5:00 P.M.

II. PUBLIC COMMENT

III. CLOSED SESSION-5:00 P.M.

III.a. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (3 Cases)

III.b. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Beverly Hills Unified School District v. Federal Transit Administration, et al., USDC Case No. CV 12-9861-GW(SS)

III.c. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Subdivision (a) of Section 54956.9):

Beverly Hills Unified School District v. Los Angeles County Metropolitan Transportation Authority (LASC Case No. BS 137606)

III.d. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Subdivision (a) of Section 54956.9):

Karen Christiansen v. Beverly Hills Unified School District Case No. BC 420456 Claim of Strategic Concepts and Karen Christiansen

III.e. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Subdivision (a) of Section 54956.9): Jeff Fisher v. Beverly Hills Unified School District,

et al., (Case No. SC121947)

III.f. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (a) 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.g. SUPERINTENDENT EVALUATION

III.h. CONFERENCE WITH LABOR NEGOTIATORS

III.i. EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

III.j. PUBLIC EMPLOYEE APPOINTMENT

III.j.1. Certificated Personnel Report

III.j.2. Classified Personnel Report - Revision 2

IV. OPEN SESSION-CALL TO ORDER-FLAG SALUTE-7:00 P.M.

Minutes:

Board President Brian Goldberg called the meeting to order at 7:25 p.m. and asked Colleen Knerr 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 Noah Margo and a second by Howard Goldstein.

Yes Shawn Ahdout

Yes Dr. Brian Goldberg

Yes Howard Goldstein

Absent Lewis Hall

Absent Lisa Korbatov

Yes Noah Margo

VI. REPORT OF CLOSED SESSION ACTION

Minutes:

There was no Closed Session action to report.

VII. AGENDA HEARING PERIOD/ADDRESSING THE BOARD

Minutes:

The following people addressed the Board:

Danit Ferd, Alan Block, Suleman Poonja, Mallory Lee, Yazmin Poonja, Noah Lee (statement read by Shawn Ahdout), Raj Batra, Chanan Batra, Larry Jonas, Aerin Kim, John Gibb, Jeffrey Sedacca and Joe Safier.

VIII. CONSENT CALENDAR*

Motion Passed: A motion was made to approve the Consent Calendar minus item b.1. and b.2. Passed with a motion by Noah Margo and a second by Lewis Hall.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

VIII.a. Approval Board Meeting Minutes

VIII.a.1. Regular Board Meeting-7-28-2015
VIII.a.2. Special Board Meeting-8-3-2015
VIII.a.3. Special Board Meeting-8-7-2015

VIII.b. Personnel Reports

VIII.b.1. Certificated Personnel Report

Motion Passed: This item was pulled for further discussion.

Ms. Mendoza added the following names:

Pamela Kramer-El Rodeo Computer Teacher, Effective Date TBD and Howard Edelman- Head Cross Country Coach effective 8/12/15. A motion was made to approve the Certificated Personnel Report-First Revision. A roll call vote was taken. Passed with a motion by Noah Margo and a second by Howard Goldstein.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

VIII.b.2. Classified Personnel Report Revision 2

Motion Passed: A motion was made to approve the Classified Personnel Report Revision 2. Passed with a motion by Noah Margo and a second by Howard Goldstein.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

VIII.c. Approval-Professional Services Agreement- Ballroom Dance Instruction - Dancing Classrooms

VIII.d. Approval of Edhesive's AP Computer Science online subscription for Beverly Hills High School

VIII.e. Approval of Service Agreement with Kurt Holland to provide professional development to Science teachers regarding the Next Generation Science Standards alignment

VIII.f. Approval of Warrant Report #3 for 2015/2016

VIII.g. Ratification of Purchase Order #3 for 2015/2016

VIII.h. Cash Collection Report #3 for 2015/2016

VIII.i. Approval for One Additional Master Contract for Nonpublic Schools and Agencies for the 2015-2016 Fiscal Year

VIII.j. Award of Bid #15-16/002 Audio Visual: Equipment, Electrical & Installation

IX. REPORTS

IX.a. District Finance Committee Report

Minutes:

Marty Frank gave the following report:

You will recall, at the 6/30/15 board meeting, the board approved a resolution to prefund OPEB. At that time, I recommended that a decision with respect to the investment strategy be deferred until we could meet with representatives of PARS (Public Agency Retirement Services) and US Bank.

On 7/27/15, LaTanya Kirk-Carter, Dr. Goldberg (on conference phone), and I met with representatives of PARS and USB.

On 7/30/15, the Finance Committee met to consider the various alternative investment strategies. Our committee unanimously recommends that the board authorize LaTanya Kirk-Carter to adopt the "Balanced Multiple Manager" approach. Its primary goal is income production and longer term growth of capital. This approaches strategic range is 50-70% equities, 20-40% fixed income, 0-20% cash, and 0-10% commodities.

Colleen Knerr gave the following report from the District Finance Committee: The committee met July 30th. As a result of our discussion, we make the following recommendations:

We strongly request that every effort be made by the board to curb expenditures in the proposed budget and to balance expenses in relation to reliable revenues and further urge the board and management to balance the budget starting fiscal 2016-17 and 2017-18.

We have requested a meeting (face to face) with a representative of the county auditor controller or county assessor to explain the formula for the district property tax and basic aid distribution. We feel this will give the district a source for information and permit better planning in the future. La Tanya Kirk-Carter and Joe Safier have made

contact with the supervisor of tax apportionment division Mr. Young Quan; we hope to have a meeting with him soon.

Our committee voted unanimously that any and all additional property tax revenue be dedicated to reducing the current period operating deficit and that no additional expenditures be approved for the 2015-16 fiscal year , even if actual property tax (or other) revenues exceed forecast/budgeted amounts.

Following Superintendent Kessler's report we are expecting to see great improvement in special education and human resources portion of the budget.

We addressed Mr. Mel Spitz's letter to the board. As the letter was addressed to the board; the committee decided not to reply to him in writing. We supported his opinion that the staff discuss current budget deficiencies and the Christiansen court award with Keygent to determine their impact on planned bond financing.

As a committee we continue to support the prefunding of OPEB now rather than later. U.S. Bank has been approved as the investment manager. We recommend that the board adopt the Balanced Multiple Manager investment strategy.

Mr. Spitz recommended selling the Doheny house (superintendent's home); we feel that the proceeds after paying the mortgage would not impact the deficit significantly. We support the concept of using the house as an asset in future recruiting of a new superintendent provided it is leased in the interim. (We do however expect Superintendent Kessler to be with us for the foreseeable future.)

The internal controls auditor (Colleen Patterson) updated us regarding the progress of the procedures manual. We supported her decision to audit items of five hundred dollars and over during her initial analysis. (It was suggested that there be two auditors for the construction fund.) We understand that at this time Colleen reports to La Tanya Kirk-Carter we recommend that the internal auditor report to the superintendent and to the board, if the situation requires it.

IX.b. Superintendent's Report

Minutes:

Superintendent Kessler gave the following report:

Today was a very exciting day as we welcomed back our wonderful students and staff to begin the 2015-16 school year. The beginning of the school year is a wonderful time of rekindling friendships as well as the anticipation of a successful school year ahead. I also very much enjoyed walking the halls of Beverly High today and interacting with many of our students.

I am also pleased to announce that the initial meeting to start the school year with both our certificated and classified staffs created a tremendous amount of positive enthusiasm. Our teachers and support personnel as well as the administrative team are ready to go as we look forward to a great year for all the stakeholders of the B.H.U.S.D.

In addition, I would like to recognize a couple of successes for our district. I'm very happy to share with you that at the 57th Annual Southern California Journalism Awards held at the Los Angeles Press Club, the BHHS newspaper "Highlights" came in second as Best High School Newspaper. We also were notified that both the Watchtower

Yearbook and Highlights each received a First Class rating from the National Scholastic Press Association. Congratulations to our students as well as our gifted educator Gabby Herbst for all her outstanding efforts in leading our Journalism Dept.

In regards to the BHHS La Crosse field closure, I along with the Board of Education want to reassure everyone that the safety of our students, teachers and support personnel is our top priority. To that end, the district is currently working closely with the Dept. of Toxic Substances Control to carefully follow their guidelines. Our Facilities Dept. will be addressing the Board as part of tonight's agenda on this important issue to keep the community fully informed.

IX.c. Student Board Member Report

Minutes:

Student Board member Shawn Ahdout reported about the first day of school.

X. EDUCATIONAL SERVICES

X.a. Discussion and Approval of Instructional Materials Adoption Plan

Motion Passed: A motion was made for Approval of Instructional Materials Adoption Plan. Passed with a motion by Noah Margo and a second by Lewis Hall.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

XI. BUSINESS AND FINANCE

XI.a. Public Hearing/Approval of Tentative Agreement with Beverly Hills Education Association (Certificated Unit) and the Beverly Hills Unified School District.

Motion Passed: A motion was made for Approval of Tentative Agreement with Beverly Hills Education Association (Certificated Unit) and the Beverly Hills Unified School District. A roll call vote was taken. Passed with a motion by Dr. Brian Goldberg and a second by Noah Margo.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

Minutes:

The public hearing regarding the tentative agreement with Beverly Hills Education Association (Certificated Unit) and the Beverly Hills Unified School District is now open at 8:37 p.m.

In compliance with the provisions of Assembly Bill 1200 and Government Code Section

3547.5, districts are to "disclose at a public meeting of the public school employer in a format established for this purpose" the major provisions of contract language prior to approval of the agreement. During the 2014-2015 and 2015-2016 school year the District and the Beverly Hills Education Association (Certificated Unit) negotiated several changes to the existing collective bargaining agreement. The changes to contract language have been disclosed to the Los Angeles County Office of Education as appropriate. Once the Board has held the public hearing and approved the tentative agreement the District will provide copies of the revised contract to the bargaining unit.

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

Chris Bushee and Telly Tse addressed the Board.

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 8:48 p.m.

XI.b. CSBA GASB45 Solutions Program - Investment Policy

Motion Passed: A motion was made to approve the CSBA GASB45 Solutions Program - Investment Policy. Passed with a motion by Noah Margo and a second by Lewis Hall.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

XII. PLANNING AND FACILITIES

XII.a. Approval to enter into an Agreement with SVA Group for Architectural/Engineering Design Services at Beverly Vista School

Motion Passed: A motion was made to approve the following items:

- a. Approval to enter into an Agreement with SVA Group for Architectural/Engineering Design Services at Beverly Vista School**
- b. Approval of ProWest Constructors Change Order No. 26 at Horace Mann School**
- c. Approval for an Amendment to the Agreement with Leighton Consulting, Inc., for additional testing and inspection at Horace Mann School.**
- d. Approval to enter into an Agreement with Blackman & Holberton for Move Planning to Coordinate the Interim Housing Move in December 2015.**
- e. Approval Contract with the Department of Toxic Substances (DTSC) at Beverly Hills High School for School Cleanup Agreement.**
- f. Approval to approval an Agreement Amendment with Leighton Consulting Preparation of a Geotechnical Report for El Rodeo School.**
- g. Approval to enter into an Agreement with Cumming Corp for Cost Estimating Services for Hardship Related Funding at Beverly Hills High School Building A.**

A roll call vote was taken. Passed with a motion by Lewis Hall and a second by Lisa Korbатов.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbатов
Yes Noah Margo

XII.b. Approval of ProWest Constructors Change Order No. 26 at Horace Mann School

Motion Passed: A motion was made to approve the following items:

- a. Approval to enter into an Agreement with SVA Group for Architectural/Engineering Design Services at Beverly Vista School**
- b. Approval of ProWest Constructors Change Order No. 26 at Horace Mann School**
- c. Approval for an Amendment to the Agreement with Leighton Consulting, Inc., for additional testing and inspection at Horace Mann School.**
- d. Approval to enter into an Agreement with Blackman & Holberton for Move Planning to Coordinate the Interim Housing Move in December 2015.**
- e. Approval Contract with the Department of Toxic Substances (DTSC) at Beverly Hills High School for School Cleanup Agreement.**
- f. Approval to approval an Agreement Amendment with Leighton Consulting Preparation of a Geotechnical Report for El Rodeo School.**
- g. Approval to enter into an Agreement with Cumming Corp for Cost Estimating Services for Hardship Related Funding at Beverly Hills High School Building A.**

A roll call vote was taken. Passed with a motion by Lewis Hall and a second by Lisa Korbатов.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbатов
Yes Noah Margo

XII.c. Approval for an Amendment to the Agreement with Leighton Consulting, Inc., for additional testing and inspection at Horace Mann School

Motion Passed: A motion was made to approve the following items:

- a. Approval to enter into an Agreement with SVA Group for Architectural/Engineering Design Services at Beverly Vista School**
- b. Approval of ProWest Constructors Change Order No. 26 at Horace Mann School**
- c. Approval for an Amendment to the Agreement with Leighton Consulting, Inc., for additional testing and inspection at Horace Mann School.**
- d. Approval to enter into an Agreement with Blackman & Holberton for Move Planning to Coordinate the Interim Housing Move in December 2015.**
- e. Approval Contract with the Department of Toxic Substances (DTSC) at Beverly Hills High School for School Cleanup Agreement.**
- f. Approval to approval an Agreement Amendment with Leighton Consulting Preparation of a Geotechnical Report for El Rodeo School.**

g. Approval to enter into an Agreement with Cumming Corp for Cost Estimating Services for Hardship Related Funding at Beverly Hills High School Building A.

A roll call vote was taken. Passed with a motion by Lewis Hall and a second by Lisa Korbатов.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbатов
Yes Noah Margo

XII.d. Approval to enter into an Agreement with Blackman & Holberton for Move Planning to Coordinate the Interim Housing Move in December 2015

Motion Passed: A motion was made to approve the following items:

- a. Approval to enter into an Agreement with SVA Group for Architectural/Engineering Design Services at Beverly Vista School**
- b. Approval of ProWest Constructors Change Order No. 26 at Horace Mann School**
- c. Approval for an Amendment to the Agreement with Leighton Consulting, Inc., for additional testing and inspection at Horace Mann School.**
- d. Approval to enter into an Agreement with Blackman & Holberton for Move Planning to Coordinate the Interim Housing Move in December 2015.**
- e. Approval Contract with the Department of Toxic Substances (DTSC) at Beverly Hills High School for School Cleanup Agreement.**
- f. Approval to approval an Agreement Amendment with Leighton Consulting Preparation of a Geotechnical Report for El Rodeo School.**
- g. Approval to enter into an Agreement with Cumming Corp for Cost Estimating Services for Hardship Related Funding at Beverly Hills High School Building A.**

A roll call vote was taken. Passed with a motion by Lewis Hall and a second by Lisa Korbатов.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbатов
No Noah Margo

XII.e. Approval Contract with the Department of Toxic Substances (DTSC) at Beverly Hills High School for School Cleanup Agreement

Motion Passed: A motion was made to approve the following items:

- a. Approval to enter into an Agreement with SVA Group for Architectural/Engineering Design Services at Beverly Vista School**
- b. Approval of ProWest Constructors Change Order No. 26 at Horace Mann School**
- c. Approval for an Amendment to the Agreement with Leighton Consulting, Inc., for additional testing and inspection at Horace Mann School.**

- d. Approval to enter into an Agreement with Blackman & Holberton for Move Planning to Coordinate the Interim Housing Move in December 2015.**
- e. Approval Contract with the Department of Toxic Substances (DTSC) at Beverly Hills High School for School Cleanup Agreement.**
- f. Approval to approval an Agreement Amendment with Leighton Consulting Preparation of a Geotechnical Report for El Rodeo School.**
- g. Approval to enter into an Agreement with Cumming Corp for Cost Estimating Services for Hardship Related Funding at Beverly Hills High School Building A.**

A roll call vote was taken. Passed with a motion by Lewis Hall and a second by Lisa Korbатов.

- Yes** Shawn Ahdout
- Yes** Dr. Brian Goldberg
- Yes** Howard Goldstein
- Yes** Lewis Hall
- Yes** Lisa Korbатов
- Yes** Noah Margo

XII.f. Approval to approval an Agreement Amendment with Leighton Consulting Preparation of a Geotechnical Report for El Rodeo School

Motion Passed: A motion was made to approve the following items:

- a. Approval to enter into an Agreement with SVA Group for Architectural/Engineering Design Services at Beverly Vista School**
- b. Approval of ProWest Constructors Change Order No. 26 at Horace Mann School**
- c. Approval for an Amendment to the Agreement with Leighton Consulting, Inc., for additional testing and inspection at Horace Mann School.**
- d. Approval to enter into an Agreement with Blackman & Holberton for Move Planning to Coordinate the Interim Housing Move in December 2015.**
- e. Approval Contract with the Department of Toxic Substances (DTSC) at Beverly Hills High School for School Cleanup Agreement.**
- f. Approval to approval an Agreement Amendment with Leighton Consulting Preparation of a Geotechnical Report for El Rodeo School.**
- g. Approval to enter into an Agreement with Cumming Corp for Cost Estimating Services for Hardship Related Funding at Beverly Hills High School Building A.**

A roll call vote was taken. Passed with a motion by Lewis Hall and a second by Lisa Korbатов.

- Yes** Shawn Ahdout
- Yes** Dr. Brian Goldberg
- Yes** Howard Goldstein
- Yes** Lewis Hall
- Yes** Lisa Korbатов
- Yes** Noah Margo

XII.g. Approval to enter into an Agreement with Cumming Corp for Cost Estimating Services for Hardship Related Funding at Beverly Hills High School Building A

Motion Passed: A motion was made to approve the following items:

- a. Approval to enter into an Agreement with SVA Group for Architectural/Engineering Design Services at Beverly Vista School**
- b. Approval of ProWest Constructors Change Order No. 26 at Horace Mann School**
- c. Approval for an Amendment to the Agreement with Leighton Consulting, Inc., for additional testing and inspection at Horace Mann School.**
- d. Approval to enter into an Agreement with Blackman & Holberton for Move Planning to Coordinate the Interim Housing Move in December 2015.**
- e. Approval Contract with the Department of Toxic Substances (DTSC) at Beverly Hills High School for School Cleanup Agreement.**
- f. Approval to approval an Agreement Amendment with Leighton Consulting Preparation of a Geotechnical Report for El Rodeo School.**
- g. Approval to enter into an Agreement with Cumming Corp for Cost Estimating Services for Hardship Related Funding at Beverly Hills High School Building A.**

A roll call vote was taken. Passed with a motion by Lewis Hall and a second by Lisa Korbatov.

- Yes** Shawn Ahdout
- Yes** Dr. Brian Goldberg
- Yes** Howard Goldstein
- Yes** Lewis Hall
- Yes** Lisa Korbatov
- Yes** Noah Margo

XIII. COMMUNICATION FROM THE BOARD MEMBERS

XIV. FUTURE BOARD MEETINGS

XIV.a. Regular Board Meeting-Tuesday, August 25, 2015-7:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School

XIV.b. Regular Board Meeting-Tuesday, September 8, 2015-7:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School

XV. ADJOURNMENT

Minutes:

Vice-President Howard Goldstein announced the future Board Meetings and asked for a motion to adjourn the meeting. Mr. Margo made the motion and the meeting was adjourned at 9:14 p.m.