

Beverly Hills Unified School District Minutes

Regular Board of Education Meeting

October 13, 2015, 7:00 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 7:00 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. Settlement Agreement Student Number 14892**
- III.b. Settlement Agreement Student Number 13981**
- III.c. Settlement Agreement Student Number 14109**
- III.d. Settlement Agreement Student Number 13897**
- III.e. Settlement Agreement Student Number 14334**
- III.f. Settlement Agreement Student Number 12254**
- III.g. Settlement Agreement Student Number 13344**

III.h. 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.i. 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.j. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (3 Cases)

III.k. 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.I. CONFERENCE WITH LABOR NEGOTIATORS

III.m. EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

III.n. PUBLIC EMPLOYEE APPOINTMENT

III.n.1. Certificated Personnel Report

III.n.2. Classified Personnel Report

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

Minutes:

Board President Brian Goldberg called the meeting to order at 7:00 p.m. and asked the Honorable Barry Brucker 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

Yes Lisa Korbatov

Yes Noah Margo

VI. REPORT OF CLOSED SESSION ACTION

Minutes:

Superintendent Steve Kessler reported from Closed Session that the Board approved Settlement Agreements for Student #14892, #13981, #14109, #13897, #14334 and #13344.

VII. AGENDA HEARING PERIOD/ADDRESSING THE BOARD

Minutes:

The following people addressed the Board:

Bridget Smith, Council member Nancy Krasne, Former Mayor Barry Brucker, Rachelle Marcus, Alma Ordaz, Ilona Sherman, Stephanie Ordaz, Herb Young and AJ Willmer.

VIII. PROFESSIONAL AND OFFICIAL BUSINESS

VIII.a. Discussion-Field Security and AYSO

Minutes:

This is a discussion item only. Rick Wolfen from AYSO discussed the nightly security issues on the high school field.

VIII.b. Approval of new members to the Citizens' Oversight Committee

Motion Passed: A motion was made to approve Richard Schreiber to fill the position for Finance Background and Jason Rund to fill the position for Parent.

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

Minutes:

Staff Direction: Staff was directed to continue looking for COC members that would fill the positions for Senior Citizens' Organization and Business Organization.

IX. CONSENT CALENDAR*

Motion Passed: A motion was made to approve the Consent Calendar minus items b.1., b.2. and k. Passed with a motion by Howard Goldstein 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

IX.a. Approval Board Meeting Minutes

IX.a.1. Regular Board Meeting-9-29-2015

IX.b. Personnel Reports

IX.b.1. Certificated Personnel Report

Motion Passed: This item was pulled for further discussion.

A motion was made to approve the Certificated Personnel Report minus lines 127-129. Passed with a motion by Dr. Brian Goldberg 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

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 minus lines 11-12. Passed with a motion by Dr. Brian Goldberg and a second by Lewis Hall.

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

IX.c. Approval of Student Speech/Language Therapy and Occupational Therapy Supervised Fieldwork Agreement with Nova Southeastern University

IX.d. Approval-Professional Services Agreement - Winston Chang

IX.e. Approval-Professional Services Agreement - Hightouch Hightech

IX.f. Approval-Professional Services Agreement - Holding Hands, Inc.

IX.g. Approval-Professional Services Agreement - EdBoost Learning Center

IX.h. Approval to Renew Professional Services Agreement with Tec Ed Services

IX.i. Approval of Professional Services Agreement: The DBQ Project

IX.j. Approval of Williams Uniform Complaint Quarterly Report Summary - First Quarter (July 1, 2015 - September 30, 2015)

IX.k. Ratification of one Change Order with PCN3, Inc. on the Interim Housing Site Preparation at El Rodeo School and Beverly Hills High School to include back-up documentation

Motion Passed: This item was pulled for further discussion.

A motion was made to approve the Ratification of one Change Order with PCN3, Inc. on the Interim Housing Site Preparation at El Rodeo School and Beverly Hills High School to include back-up documentation.

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

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

IX.l. Ratification of Purchase Order #7 for 2015/2016

IX.m. Approval of Warrant Report #5 for 2015/2016

IX.n. Cash Collection Report #7 for 2015/2016

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

IX.p. Approval of Amendment to Master Contract for Nonpublic Schools and Agencies for the 2015-16 Fiscal Year.

X. REPORTS

X.a. Superintendent's Report

Minutes:

Superintendent Steve Kessler's report:

I wanted to take a moment to thank our facilities department as well as our maintenance and operations department for the expedient way they have responded to the bell tower and cupola safety issues not only at El Rodeo but also at Hawthorne. Upon notification of the decision to close the schools due to concerns about the safety and welfare of our students and staff, the facilities department as well as the maintenance and operations departments swung into action immediately to insure the safety and well-being of one and all. They worked diligently over the weekend to make sure that our students and staff could return to school on Monday in a safe environment.

X.b. Student Board Member Report

Minutes:

Student Board Member Shawn Ahdout reported on various activities going on in the high school.

XI. EDUCATIONAL SERVICES

XI.a. Presentation of District Accountability Report

Minutes:

A presentation was made to the Board by Jennifer Tedford, CAO; Steve Kessler, Superintendent; and all five Principals.

XII. HUMAN RESOURCES

XII.a. PUBLIC HEARING-2015-2016 Sunshine Items For Contract Negotiations Between The Beverly Hills Education Association Office, Technical and Business Services Unit (OTBS) And The Beverly Hills Unified School District

Motion Passed: A motion was made to approve the 2015-2016 Sunshine Items For Contract Negotiations Between The Beverly Hills Education Association Office, Technical and Business Services Unit (OTBS) And The Beverly Hills Unified School District. 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

Minutes:

The public hearing regarding the proposed sunshine items between the Beverly Hills Unified School District and the Office Technical and Business Services Unit (OTBS) of the Beverly Hills Education Association is now open at 9:45 PM.

Government Code Section 3547 requires that all initial proposals of an exclusive representative (BHEA-Certificated) of the public school employers which relate to matters within the scope of representation shall be presented at a public meeting of the public school employer and thereafter be a public record. The Beverly Hills Education Association OTBS Unit and District have agreed to sunshine a number of articles and appendices for the 2015-2016 collective bargaining sessions.

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

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 9:46 PM.

XII.b. PUBLIC HEARING-2015-2016 Sunshine Items For Contract Negotiations Between The Beverly Hills Education Association Instructional Assistant Unit(IA) And The Beverly Hills Unified School District

Motion Passed: A motion was made to approve the 2015-2016 Sunshine Items For Contract Negotiations Between The Beverly Hills Education Association Instructional Assistant Unit (IA) and The Beverly Hills Unified School District. Passed with a motion by Howard Goldstein 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 proposed sunshine items between the Beverly Hills Unified School District and the Instructional Assistant Unit (IA) of the Beverly Hills Education Association is now open at 9:47 PM.

Government Code Section 3547 requires that all initial proposals of an exclusive representative (BHEA-Certificated) of the public school employers which relate to matters within the scope of representation shall be presented at a public meeting of the public school employer and thereafter be a public record. The Beverly Hills Education Association IA Unit and District have agreed to sunshine a number of articles and appendices for the 2015-2016 collective bargaining sessions.

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

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 9:48 PM.

XIII. BUSINESS AND FINANCE

Motion Failed: A motion was made to suspend the rules and go to Board Communication. Failed with a motion by Lisa Korbatov and a second by Lewis Hall.

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

XIII.a. Beverly Hills High School iPhone Application Proposal

Motion Passed: A motion was made to support Option 1 on the BHHS iPhone Application Proposal. 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

XIV. PLANNING AND FACILITIES

XIV.a. Approval to Implement Option 2 of the Three Options Presented to the Board at the Special Board Meeting on September 17, 2015.

Motion Passed: A motion was made for Approval to Implement Option 2 of the Three Options Presented to the Board at the Special Board Meeting on September 17, 2015. 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
No Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
No Noah Margo

XIV.b. Approval to enter into an Agreement Amendment with DLR Group for Construction Documents for Interim Housing Changes at Hawthorne School.

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

XIV.c. Approval to enter an Agreement with Sports Lab USA for Artificial Turf Testing at School Sites throughout the District.

Motion Passed: A motion was made for Approval to enter an Agreement with Sports Lab USA for Artificial Turf Testing at School Sites throughout the District. 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

XIV.d. Approval to enter into an Agreement Amendment with WLC Architects for Construction Documents for Interim Housing at Horace Mann School.

Motion Passed: A motion was made for Approval to enter into an Agreement Amendment with WLC Architects for Construction Documents for Interim Housing at Horace Mann School. Passed with a motion by Howard Goldstein and a second by Noah Margo.

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

XIV.e. Approval Solicit Proposals for an "On-Call" Contractor for Miscellaneous Work Required by Measure E Modernization.

Motion Passed: A motion was made for Approval Solicit Proposals for an "On-Call" Contractor for Miscellaneous Work Required by Measure E Modernization. Passed with a motion by Lewis Hall and a second by Noah Margo.

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

XIV.f. Approval to Procure Certain Technology Equipment Through Sole Source Procurement by Making a Finding per California Public Contract Code 3400(c).

Motion Passed: A motion was made to table this item. 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

XIV.g. Approval and Ratification of an Agreement with Bragg Crane Service for the Removal of the Cupola at El Rodeo School

Motion Passed: A motion was made for Approval and Ratification of an Agreement with Bragg Crane Service for the Removal of the Cupola at El Rodeo School. Passed with a motion by Howard Goldstein 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

XIV.h. Approval for an Agreement with Leighton Consulting to Provide for Geotechnical and Materials Testing during Interim Housing Site Development at El Rodeo School

Motion Passed: A motion was made for Approval for an Agreement with Leighton Consulting to Provide for Geotechnical and Materials Testing during Interim Housing Site Development at El Rodeo School. 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
No Noah Margo

XIV.i. Approval to Negotiate and Implement a Shuttle Service Agreement for a Staff/Faculty Off-Site Parking at El Rodeo School.

Motion Passed: A motion was made for Approval to Negotiate and Implement a Shuttle Service Agreement for a Staff/Faculty Off-Site Parking at El Rodeo School. 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
No Noah Margo

Motion Passed: A motion was made to extend the meeting to 11:00 PM. Passed with a motion by Dr. Brian Goldberg 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

XIV.j. Approval to Enter into an Agreement Amendment with California Access Scaffold, LLC, for an Additional Scaffolding Section, Supplemental Scaffolding Anchorage Work, Scaffolding Engineering and Other School Safety Measure at El Rodeo School.

Motion Passed: A motion was made for Approval to Enter into an Agreement Amendment with California Access Scaffold, LLC, for an Additional Scaffolding Section, Supplemental Scaffolding Anchorage Work, Scaffolding Engineering and Other School Safety Measure at El Rodeo School. Passed with a motion by Lewis Hall 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

XIV.k. Approval to Enter into an Agreement with D.A. Hogan & Associates, Inc., for Artificial Turf Consulting Services at the Various School in the District

Motion Passed: A motion was made for Approval to Enter into an Agreement with D.A. Hogan & Associates, Inc., for Artificial Turf Consulting Services at the Various Schools in the District. Passed with a motion by Lewis Hall 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

XIV.l. Approval and Ratification to Enter into an Agreement Amendment with Bragg Crane Service, Inc., to Fly-Scaffold to Roof for the Tower at El Rodeo School Renovation Project

Motion Passed: A motion was made for Approval and Ratification to Enter into an Agreement Amendment with Bragg Crane Service, Inc., to Fly-Scaffold to Roof for the Tower at El Rodeo School Renovation Project. Passed with a motion by Howard Goldstein 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

XIV.m. Approval of the Schematic Design of Hawthorne School Including the Inclusion of a Preschool

Motion Passed: A motion was made for Approval of the Schematic Design of Hawthorne School Including the Inclusion of a Preschool. Passed with a motion by Lewis Hall and a second by Noah Margo.

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

XV. COMMUNICATION FROM THE BOARD MEMBERS

XVI. FUTURE BOARD MEETINGS

XVI.a. Regular Board Meeting-Thursday, October 29, 2015-7:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School

XVI.b. Regular Board Meeting-Tuesday, November 10, 2015-7:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School

XVII. ADJOURNMENT

Minutes:

Dr. Goldberg thanked the student broadcast team and he adjourned the meeting at 11:00 p.m.