

# **Beverly Hills Unified School District Minutes**

## **Regular Board of Education Meeting**

January 24, 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,

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### **Attendance Taken at 5:00 PM:**

#### **Present:**

**Howard Goldstein**

**Isabel Hacker**

**Lisa Korbatov**

**Noah Margo**

**Sam Schwartz**

**Mel Spitz**

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

### **II. AGENDA HEARING PERIOD-PUBLIC COMMENT**

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

#### **III.A. Settlement Agreement-Student #13682**

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

**III.C. 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.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 5:05 p.m. and asked Bernadette Lucas to lead the audience in the Pledge of Allegiance.**

## V. APPROVAL OF THE AGENDA

**Motion Passed:** A motion was made to approve the Agenda and table item IX.I. and XI.B. Passed with a motion by Noah Margo and a second by Howard Goldstein.

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

## VI. REPORT OF CLOSED SESSION ACTION

### Minutes:

Superintendent Steve Kessler reported out of Closed Session that the Board voted 4-0 to approve Settlement Agreement-Student #13682. The Board also voted 5-0 to approve the Settlement Agreement with Employee #NE2825965.

## VII. AGENDA HEARING PERIOD-PUBLIC COMMENT

### Minutes:

The following person addressed the Board:  
Nilo Khalili

Mr. Spitz read a message from Coleen Davenport and the CSEA Executive Board.

## VIII. PROFESSIONAL AND OFFICIAL BUSINESS

### VIII.A. Discussion-Board of Education Election Cycles

#### Minutes:

District Counsel, Jabari Willis gave a power point presentation on the California Voter Participation Right Act: Consolidating the Local Election Date with Statewide Election Date.

The Board gave direction for Mr. Willis to bring back a resolution that would change the election date for Board members from November of odd years to November of even years. The resolution will be voted on at the February 7, 2017 Regular Board Meeting.

## IX. CONSENT CALENDAR\*

**Motion Passed:** A motion was made approve the Consent Calendar minus items D. & J. Passed with a motion by Noah Margo and a second by Howard Goldstein.

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

### IX.A. Approval Board Meeting Minutes

#### IX.A.1. Regular Board Meeting-1.10.2017

**IX.B. Personnel Reports**

**IX.B.1. Certificated Personnel Report**

**IX.B.2. Classified Personnel Report**

**IX.C. Approval-Professional Services Agreement - Conga Kids**

**IX.D. Approval-Professional Services Agreement - EdBoost Learning Center**

**Motion Passed: This item was pulled for further discussion.**

**A motion was made to approve the Professional Services Agreement - EdBoost Learning Center. Passed with a motion by Noah Margo and a second by Mel Spitz.**

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Yes** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

**IX.E. Approval-Professional Services Agreement - Doraine Poretz/Poetry Power**

**IX.F. Approval-Professional Services Agreement-Karen Schnee**

**IX.G. Approval-Professional Services Agreement-Dr. Kurt Kuekes**

**IX.H. Approval-Professional Services Agreement-Lindi Weinstein**

**IX.I. Approval-Professional Services Agreement: Darren Doerschel, Systems Integration Consultant**

**Minutes:**

**This item was tabled.**

**IX.J. Agreement for Use of School Property Between the Beverly Hills Unified School District and the Beverly Hills Education Foundation**

**Motion Passed: This item was pulled for further discussion.**

**A motion was made to approve the Agreement for Use of School Property Between the Beverly Hills Unified School District and the Beverly Hills Education Foundation.**

**Passed with a motion by Noah Margo and a second by Howard Goldstein.**

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Yes** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

**IX.K. BHHS Out-of-County Trip: Spring National High School Journalism Convention ; April 5 - 9, 2017; Seattle, Washington**

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

**IX.M. Ratification of Purchase Order #11 for 2016/2017**

## **IX.N. Cash Collection Report #11 for 2016/2017**

### **X. REPORTS**

#### **X.A. Superintendent's Report**

##### **Minutes:**

**Superintendent Kessler gave the following report:**

**As promised, incoming superintendent Dr. Bregy and I have been in contact with each other to insure a seamless transition set to begin next Monday the 30th. Our chats have been outstanding. I have found Dr. Bregy to be an experienced and highly motivated educator who puts kids first. I am extremely confident that Dr. Bregy will be a strong educational leader for the district.**

**For the last time a big thank you for all the support you have given me throughout my wonderful career in the BHUSD.**

#### **X.B. Student Board Member Report**

##### **Minutes:**

**Student Board Member Sam Schwartz reported on various activities going on at the high school.**

### **XI. EDUCATIONAL SERVICES**

#### **XI.A. 2nd Reading and Approval of Renewal of Memorandum of Understanding with Santa Monica College for Dual Enrollment Courses**

**Motion Passed: A motion was made to approve the 2nd Reading and Approval of Renewal of Memorandum of Understanding with Santa Monica College for Dual Enrollment Courses. Passed with a motion by Noah Margo and a second by Isabel Hacker.**

**Yes Howard Goldstein**

**Yes Isabel Hacker**

**Yes Lisa Korbatov**

**Yes Noah Margo**

**Yes Mel Spitz**

#### **XI.B. Discussion and Approval of Request to Proceed with Proposed Math Adoption Programs**

##### **Minutes:**

**This item was tabled.**

### **XII. HUMAN RESOURCES**

#### **XII.A. PUBLIC HEARING-2016-2017 Sunshine Items For Contract Negotiations Between The Beverly Hills Education Association (Certificated Unit) And The Beverly Hills Unified School District**

**Motion Passed: A motion was made to approve the 2016-2017 Sunshine Items For Contract Negotiations Between The Beverly Hills Education Association (Certificated Unit) And The Beverly Hills Unified School District. Passed with a motion by Howard**

**Goldstein and a second by Noah Margo.**

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

**Minutes:**

**The public hearing regarding the proposed sunshine items between the Beverly Hills Unified School District and the Certificated Unit of the Beverly Hills Education Association is now open at 6:05 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 Certificated Unit and District have agreed to sunshine a number of articles and appendices for the 2016-2017 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 6:06 p.m.**

### **XIII. BUSINESS AND FINANCE**

**XIII.A. Submitted to the Board of Education for Information from the Los Angeles County Office of Education the 2016-17 First Interim Letter for the Beverly Hills Unified School District.**

**Minutes:**

**This is an informational item.**

**XIII.B. Acceptance of the 2016 Audit Report**

**Motion Passed: A motion was made to Accept the 2016 Audit Report. Passed with a motion by Noah Margo and a second by Howard Goldstein.**

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

### **XIV. PLANNING AND FACILITIES**

**XIV.A. Approval of Change Order No. 9 for Modernization Interim Housing Site Development Contract With PCN3, Inc.**

**Motion Passed: A motion was made for Approval of Change Order No. 9 for Modernization Interim Housing Site Development Contract With PCN3, Inc. Passed**

**with a motion by Noah Margo and a second by Howard Goldstein.**

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

**XIV.B. Approval to Enter into an Amendment to the Agreement with Aesco, Inc. for the Certified Materials and Inspection Services for Beverly Vista Projects.**

**Motion Passed: A motion was made for Approval to Enter into an Amendment to the Agreement with Aesco, Inc. for the Certified Materials and Inspection Services for Beverly Vista Projects. Passed with a motion by Noah Margo and a second by Howard Goldstein.**

**Yes** Howard Goldstein  
**No** Isabel Hacker  
**Yes** Lisa Korbatov  
**Yes** Noah Margo  
**Yes** Mel Spitz

**XIV.C. Ratification of Agreement Under Board Resolution No. 2015-2016-041 for the Additional Trailers Miscellaneous Tasks at El Rodeo School**

**Motion Passed: A motion was made to approve C. Ratification of Agreement Under Board Resolution No. 2015-2016-041 for the Additional Trailers Miscellaneous Tasks at El Rodeo School, D. Ratification of an Agreement with GA Technical Issued under Board Resolution No. 2015-2016-041 for the Additional Trailers Data at El Rodeo School, E. Approval of Amendment No. 5 to the Agreement with Phylmar, Inc. for Department of Toxic Substances Control (DTSC) Consulting Services for El Rodeo School & F. Approval of Amendment No. 1 to the Agreement with King Office Services for Additional Move Services at El Rodeo School. Passed with a motion by Noah Margo and a second by Howard Goldstein.**

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

**XIV.D. Ratification of an Agreement with GA Technical Issued under Board Resolution No. 2015-2016-041 for the Additional Trailers Data at El Rodeo School**

**Motion Passed: A motion was made to approve C. Ratification of Agreement Under Board Resolution No. 2015-2016-041 for the Additional Trailers Miscellaneous Tasks at El Rodeo School, D. Ratification of an Agreement with GA Technical Issued under Board Resolution No. 2015-2016-041 for the Additional Trailers Data at El Rodeo School, E. Approval of Amendment No. 5 to the Agreement with Phylmar, Inc. for Department of Toxic Substances Control (DTSC) Consulting Services for El Rodeo School & F. Approval of Amendment No. 1 to the Agreement with King Office Services for Additional Move Services at El Rodeo School. Passed with a motion by Noah Margo and a second by Howard Goldstein.**

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

**XIV.E. Approval of Amendment No. 5 to the Agreement with Phylmar, Inc. for Department of Toxic Substances Control (DTSC) Consulting Services for El Rodeo School**

**Motion Passed:** A motion was made to approve C. Ratification of Agreement Under Board Resolution No. 2015-2016-041 for the Additional Trailers Miscellaneous Tasks at El Rodeo School, D. Ratification of an Agreement with GA Technical Issued under Board Resolution No. 2015-2016-041 for the Additional Trailers Data at El Rodeo School, E. Approval of Amendment No. 5 to the Agreement with Phylmar, Inc. for Department of Toxic Substances Control (DTSC) Consulting Services for El Rodeo School & F. Approval of Amendment No. 1 to the Agreement with King Office Services for Additional Move Services at El Rodeo School. Passed with a motion by Noah Margo and a second by Howard Goldstein.

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

**XIV.F. Approval of Amendment No. 1 to the Agreement with King Office Services for Additional Move Services at El Rodeo School**

**Motion Passed:** A motion was made to approve C. Ratification of Agreement Under Board Resolution No. 2015-2016-041 for the Additional Trailers Miscellaneous Tasks at El Rodeo School, D. Ratification of an Agreement with GA Technical Issued under Board Resolution No. 2015-2016-041 for the Additional Trailers Data at El Rodeo School, E. Approval of Amendment No. 5 to the Agreement with Phylmar, Inc. for Department of Toxic Substances Control (DTSC) Consulting Services for El Rodeo School & F. Approval of Amendment No. 1 to the Agreement with King Office Services for Additional Move Services at El Rodeo School. Passed with a motion by Noah Margo and a second by Howard Goldstein.

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

**XIV.G. Ratification of an Agreement issued Under Board Resolution No. 2015-2016-039 for Horace Mann School for Replacement of HVAC Condensing Units at Amir Property.**

**Motion Passed:** A motion was made to approve G. Ratification of an Agreement issued Under Board Resolution No. 2015-2016-039 for Horace Mann School for Replacement of HVAC Condensing Units at Amir Property & H. Approval to Authorize Contract Amendment with Smith-Emery Laboratories to Provide Testing and Inspection at Horace Mann School as Part of the Building A Modernization Project. Passed with a

**motion by Noah Margo and a second by Lisa Korbatov.**

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

**XIV.H. Approval to Authorize Contract Amendment with Smith-Emery Laboratories to Provide Testing and Inspection at Horace Mann School as Part of the Building A Modernization Project**

**Motion Passed: A motion was made to approve G. Ratification of an Agreement issued Under Board Resolution No. 2015-2016-039 for Horace Mann School for Replacement of HVAC Condensing Units at Amir Property & H. Approval to Authorize Contract Amendment with Smith-Emery Laboratories to Provide Testing and Inspection at Horace Mann School as Part of the Building A Modernization Project. Passed with a motion by Noah Margo and a second by Lisa Korbatov.**

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

**XIV.I. Approval of an Amendment to the Agreement with DLR Architects for the Construction Document Phase Architectural/Engineering Services for the Modernization Project at Hawthorne School.**

**Motion Passed: A motion was made for Approval of an Amendment to the Agreement with DLR Architects for Construction Document Phase Architectural/Engineering Services for the Modernization Project at Hawthorne School. Passed with a motion by Noah Margo and a second by Howard Goldstein.**

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

**XIV.J. Approval of an Amendment to the Agreement with WLC Architects for the design of the Modernization and New Construction at Horace Mann School for Extra Services During Construction**

**Motion Passed: A motion was made to approve J. Approval of an Amendment to the Agreement with WLC Architects for the design of the Modernization and New Construction at Horace Mann School for Extra Services During Construction, K. Approval of Change Order-Horace Mann Building A - CO-04 & L .Approval of Change Order No 44 with ProWest Constructors Horace Mann Building B. Passed with a motion by Noah Margo and a second by Isabel Hacker.**

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



**XIV.K. Approval of Change Order-Horace Mann Building A - CO-04**

**Motion Passed: A motion was made to approve J. Approval of an Amendment to the Agreement with WLC Architects for the design of the Modernization and New Construction at Horace Mann School for Extra Services During Construction, K. Approval of Change Order-Horace Mann Building A - CO-04 & L .Approval of Change Order No 44 with ProWest Constructors Horace Mann Building B. Passed with a motion by Noah Margo and a second by Isabel Hacker.**

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Yes** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

**XIV.L. Approval of Change Order No 44 with ProWest Constructors Horace Mann Building B**

**Motion Passed: A motion was made to approve J. Approval of an Amendment to the Agreement with WLC Architects for the design of the Modernization and New Construction at Horace Mann School for Extra Services During Construction, K. Approval of Change Order-Horace Mann Building A - CO-04 & L .Approval of Change Order No 44 with ProWest Constructors Horace Mann Building B. Passed with a motion by Noah Margo and a second by Isabel Hacker.**

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Yes** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

**XIV.M. Acceptance of the Completed Interim Housing Construction Project at Beverly Hills High School and Authorization to File the NOC and Release of Retention**

**Motion Passed: A motion was made to approve the Acceptance of the Completed Interim Housing Construction Project at Beverly Hills High School and Authorization to File the NOC and Release of Retention. Passed with a motion by Noah Margo and a second by Howard Goldstein.**

**Yes** Howard Goldstein

**Yes** Isabel Hacker

**Yes** Lisa Korbatov

**Yes** Noah Margo

**Yes** Mel Spitz

**XV. COMMUNICATION FROM THE BOARD MEMBERS**

**XVI. FUTURE BOARD MEETINGS**

**XVI.A. Board Study Session-Budget-Tuesday, January 31, 2017-4:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School**

**XVI.B. Regular Board Meeting-Tuesday, February 7, 2017-5:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School \*Please note that the February 14 meeting has**

**been cancelled\***

**XVI.C. Regular Board Meeting-Tuesday, February 28, 2017-5:00 PM-STC/Jon Cherney  
Lecture Hall, Beverly Hills High School**

**XVII. ADJOURNMENT**

**Minutes:**

**Mr. Spitz announced the Future Board Meetings.**

**The meeting was adjourned at 6:35 p.m.**