

EAST SIDE UNION HIGH SCHOOL DISTRICT

REGULAR BOARD MEETING

MAY 20, 2021

4:30 PM

VIA ZOOM VIDEO CONFERENCING

Link: <https://esuhsd.zoom.us/j/86203158172?pwd=MVdCVUw0TWsyRS9JWE81dWtWcEJtUT09>

Passcode: 46937

**1. CALL TO ORDER/ROLL CALL**

**1.01 Roll Call**

President Van Le called the meeting to order at 5:03 PM

Present for roll call:

- President Van Le
- Vice President J Manuel Herrera
- Clerk Lorena Chavez
- Member Pattie Cortese
- Member Bryan Do

Bruce Nguyen, Student Governing Board Representative was present at the start of Open Session.

**1.02 Announcement and Public Comment regarding Items to be discussed in Closed Session (Government Code 54957.7).** Persons wishing to address the Board on Closed Session items or any subject not on the agenda must fill out a speaker request form via online submission at <https://forms.gle/ofHkvYmJ3QLmKnJC8>. Please reference in your submission the agenda item number for your comment. Your comment will be read out loud as part of the public meeting. Comments should be limited to no more than 1,000 characters in length. You may also raise your virtual hand in Zoom to request to speak. You will have two minutes to speak. There were no public speakers.

**1.03 Recess to Closed Session via Zoom video conferencing.** See item 2 on agenda (Closed Session). Open Session will resume at the end of Closed Session via Zoom video conferencing at approximately 6:00 PM

Link: <https://esuhsd.zoom.us/j/86203158172?pwd=MVdCVUw0TWsyRS9JWE81dWtWcEJtUT09>

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**2. CLOSED SESSION**

**2.01 Mindfulness Practice**

**2.02 Expulsion(s): None**

**2.03 Public Employee Performance Evaluation (Government Code Section 54957)**

**2.04 Public Employment/Public Employee Appointment (Government Code Section 54957)**

- Senior Manager of the Bond Program

**2.05 Public Employee Discipline/Dismissal/Release (Government Code Section 54957)**

**2.06 Conference with Labor Negotiators (Government Code Section 54957.6)**

**Agency Designated Representatives**

Board President

Chris D. Funk, Superintendent

Chris Jew, Associate Superintendent of Business Services

Glenn Vander Zee, Associate Superintendent of Human Resources

Teresa Marquez, Associate Superintendent of Educational Services

**Employee Organizations**

American Federation of Teachers (AFT)

California School Employees Association (CSEA)

East Side Teachers Association (ESTA)

Administrator Collaborative of East Side (ACES)

**Unrepresented Employees: Administrators**

Managers

Confidential Employees

Superintendent and Associate Superintendents

**2.07 Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9**

- Four (4) Potential Cases

**3. RESUME OPEN SESSION AT APPROXIMATELY 6:00 PM –VIA ZOOM VIDEO CONFERENCING**

**3.01 Resume Open Session**

Zoom video Conferencing Link:

<https://esuhsd.zoom.us/j/86203158172?pwd=MVdCVUw0TWsyRS9JWE81dWtWcEJtUT09>

Passcode: 469378

**4. WELCOME AND EXPLANATION TO AUDIENCE**

**4.01 Any person may address the Board on any item on the meeting agenda. Information explaining Board meeting procedures and how members of the public can address the Board will be read. Persons wishing to address the Board must fill out a speaker request form via online submission at <https://forms.gle/ofHkvYmJ3QLmKnJC8>. Please reference in your submission the agenda item number for your comment. Your comment will be read out loud as part of the public meeting. Comments should be limited to no more than 1,000 characters in length. You may also raise your virtual hand in Zoom to request to speak. You will have two minutes to speak**

**5. ADOPTION OF AGENDA**

**5.01 The Superintendent and/or Board Member(s) may request that items be removed from the agenda for consideration and/or carried to a future Board meeting for consideration and/or action, and/or that the Board take action in a regular meeting on a subject not listed on the published agenda on an emergency basis or other basis allowed by law. (Gov. Code 54954.2)**

There were no changes to the agenda.

**6. BOARD SPECIAL RECOGNITION(S)**

**6.01 Child Nutrition Services Staff**

The Board recognized the Child Nutrition Services Workers for their hard work and dedication in providing meals to students, their families, and ESUHS community.

**6.02 Board Recognition and Presentation: Chris D. Funk**

The Board honored Superintendent Funk for his dedicated leadership, commitment, and support of the students, staff, parents, and community of ESUHS; June 2012 to June 2021.

Public speakers:

- Ginny Davis, ACES President
- Julio Pardo, CSEA President
- Lucila Ortiz, CFJ

**7. STUDENT BOARD LIAISON(S) (5 minutes each school)**

### 7.01 Bruce Nguyen, Student Governing Board Representative

Student Governing Board Representative Bruce Nguyen provided the Board an update.

### 7.02 Student Work during Distance Learning: Aarav Navani - Evergreen Valley High School

Aarav Navani, student at Evergreen Valley High School, presented to the Board his development of a meal order online application where students can pre-order meals that can be picked up quickly at specified locations.

Aarav was recognized with a Board President's award for his creativity and development of the ESUHS student meal order app.

## 8. PUBLIC HEARING(S) - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

**8.01 Hold Public Hearing at Approximately 6:30 p.m. Regarding Adoption of Resolution #2020/2021-32 Enter into an Energy Services Contract with Aqua Source Commercial Pool Systems - District Wide Mechanical and Electrical Upgrades - Independence High School Pool Boiler Project (Government Code Section 4217.12) - Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond, Roger Silveira, Director of Facilities, Maintenance, and Operations, Brandie Mayhew, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager (5 minutes)**

Public hearing held; no public speakers

**8.02 Discussion and/or Action to Adopt Resolution #2020/2021-32 District Wide Mechanical & Electrical Upgrade - Independence High School Pool Boiler Project - Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond, Roger Silveira, Director of Facilities, Maintenance, and Operations, Brandie Mayhew, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager (5 minutes)**

It is recommended the Board of Trustees Adopt Resolution #2020/2021-32 Enter into an Energy Services Contract - District Wide Mechanical and Electrical Upgrades - Independence High School Pool Boiler Project (Government Contract Code Section 4217.10).

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by Pattie Cortese, second by Bryan Do  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

**8.03 Hold Public Hearing at Approximately 6:35 p.m. Disclosure of Major Provisions of Proposed Tentative Agreement with East Side Teachers Association/CTA/NEA, August 1, 2021 - July 31, 2024 (Per AB 1200); Discussion and/or Action - Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

Public hearing held; no public speakers

**8.04 Discussion and/or Action to Ratify and Approve Tentative Agreement with East Side Teachers Association/CTA/NEA (Per AB1200; Government Code Section 3547.5) - Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

It is recommended that the Board of Trustees ratify the tentative agreement with the East Side Teachers Association/CTA/NEA, August 1, 2021 - July 31, 2024 (Per AB1200; Government Code Section 3547.5)

Board vote:  
Motion by Pattie Cortese, second by Bryan Do  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

## 9. SPECIAL ORDER OF BUSINESS - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

**9.01 The Superintendent and/or Board Member(s) may request that items be considered, discussed, and acted on out of the order indicated on the agenda as per schedule.**

**9.02 Presentation and/or Discussion regarding Single Plan for Student Achievement (SPSA) - Kelly Daugherty, Principal, Liz Gutierrez, Principal, and Teresa Marquez, Associate Superintendent of Educational Services (30 minutes)**

Presentation; no action

**9.03 Presentation, Discussion and/or Action regarding the Expanded Learning Opportunities (ELO) Grants - Teresa Marquez, Associate Superintendent of Educational Services (10 minutes)**

It is recommended that the Board of Trustees approve the Expanded Learning Opportunities (ELO) Plan.

Public speaker(s):  
• Teresa Yolotl  
• Paula Escobar  
• Aaliyah Castrence  
• Litzzy Paul

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by J Manuel Herrera, second by Lorena Chavez  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

## 10. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

**10.01 Members of the public may address the Board on any subject not on tonight's agenda; however, provisions of the Brown Act (Government Code Section 54954.2(a) and 54954.3) preclude any action. As an unagendized item, no response is required from the Board or District staff and no action can be taken; however, the Board may instruct the Superintendent to agendize the item for a future meeting. Any person may address the Board on any item on the meeting agenda. Persons wishing to address the Board must fill out a speaker request form via online submission at <https://forms.gle/ofHkvYmJ3QLmKnJC8>. Your comment will be read out loud as part of the public meeting. Comments should be limited to no more than 1,000 characters in length. You may also raise your virtual hand in Zoom to request to speak. You will have two minutes to speak.**

Public speaker:  
• Julio Pardo, CSEA President  
• Ginny Davis, ACES President

## 11. BOARD OF TRUSTEES/SUPERINTENDENT - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

**11.01 Discussion and/or Action to Adopt Proposed 2021-2022 Board Meeting Calendar - Van Le, Board President, and Chris D. Funk, Superintendent (5 minutes)**

It is recommended that the Board of Trustees adopt the proposed 2020-2021 Board Meeting Calendar.

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by Pattie Cortese, second by J Manuel Herrera  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

## 12. EDUCATIONAL SERVICES/STUDENT SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION

**12.01 Presentation and/or Discussion regarding the Uniformed Behavior Responses Matrix (UBR) - Dr. Chaunise Powell, Director of Student Services, Teresa Marquez, Associate Superintendent of Educational Services (20 minutes)**

Presentation; no action. The Board will be scheduling a Study Session to further discuss this item.

Public speaker:

• Lucila Ortiz

**12.02 Presentation and/or Discussion regarding Adult Education Program - Traci Williams, Principal, and Teresa Marquez, Associate Superintendent of Educational Services (10 minutes)**

Presentation; no action

**12.03 Discussion and/or Action regarding Yale National Initiative (NYI) - Chris D. Funk, Superintendent, and Teresa Marquez, Associate Superintendent of Educational Services (10 minutes)**

It is recommended that the Board of Trustees approve the MOU supporting our partnership and the teachers' participation as Yale National Fellows.

Bruce Nguyen, Student Governing Board Representative:

In favor of motion

Board vote:

Motion by Lorena Chavez, second by Pattie Cortese

Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do

Vote: 5/0; Motion Carries

**13. BUSINESS SERVICES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

**13.01 Discussion and/or Action to Approve the Contract(s) for Professional Services over \$25,000 - Chris Jew, Associate Superintendent of Business Services, and André Bell, Director of General Purchasing (5 minutes)**

It is recommended the Board of Trustees approve the following contract(s) for professional services over \$25,000 as indicated below and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by greater than ten percent (10%) of the contract amount, but not to exceed \$25,000 exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board approved contract per Board Policy 3312.1.

1. AchieveKids; \$477,000.00 increase - Amendment No. 01
2. Cabrillo Community College District - Bay Area Community College Consortium K12 Strong Workforce Program (K12 SWP); amount not to exceed \$1,217,155.00
3. County of Santa Clara, CalWORKs; amount not to exceed \$568,000.00
4. County of Santa Clara, Probation Department; amount not to exceed \$88,750.00
5. Creative Learning Center; \$165,000.00 increase - Amendment No. 01
6. Green Valley Academy LLC dba WayPoint Academy; amount not to exceed \$41,000.00
7. Maxim Healthcare Services; \$302,000.00 increase - Amendment No. 01
8. Morgan Autism Center; \$310,000.00 increase - Amendment No. 01
9. Parent Institute for Quality Education (PIQE); amount not to exceed \$50,000.00
10. William Lazo Translation Services; amount not to exceed \$45,000.00

Bruce Nguyen, Student Governing Board Representative:

In favor of motion

Board vote:

Motion by J Manuel Herrera, second by Pattie Cortese

Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do

Vote: 5/0; Motion Carries

**14. HUMAN RESOURCES - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

**14.01 Discussion and/or Action to Approve Memorandum of Understanding for Bilingual Incentive for Certificated New Hires Between East Side Union High School District and East Side Teachers Association (ESTA) - Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

It is recommended that the Board of Trustees approve the Memorandum of Understanding for Bilingual Incentive for Certificated New Hires Between East Side Union High School District and East Side Teachers Association (ESTA).

Bruce Nguyen, Student Governing Board Representative:

In favor of motion

Board vote:

Motion by Bryan Do, second by Lorena Chavez

Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do

Vote: 5/0; Motion Carries

**14.02 Discussion and/or Action to Approve Memorandum of Understanding regarding School Reopening and Operations Related to COVID-19 - Vaccinations Between East Side Union High School District and East Side Teachers Association (ESTA) - Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

It is recommended the Board of Trustees Approve the Memorandum of Understanding Regarding School Reopening and Operations Related to COVID-19 - Vaccinations Between East Side Union High School District and East Side Teachers Association (ESTA).

Bruce Nguyen, Student Governing Board Representative:

In favor of motion

Board vote:

Motion by J Manuel Herrera, second by Bryan Do

Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do

Vote: 5/0; Motion Carries

**14.03 Discussion and/or Action to Approve Memorandum of Understanding for 2021 Summer School Between East Side Union High School District and East Side Teachers Association (ESTA) - Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

It is recommended that the Board of Trustees approve the Memorandum of Understanding for 2021 Summer School between East Side Union High School District and East Side Teachers Association (ESTA).

Bruce Nguyen, Student Governing Board Representative:

In favor of motion

Board vote:

Motion by Lorena Chavez, second by J Manuel Herrera

Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do

Vote: 5/0; Motion Carries

**14.04 Discussion and/or Action to Approve Memorandum of Understanding regarding Extended Learning Opportunities Between East Side Union High School District and East Side Teachers Association (ESTA) - Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

It is recommended that the Board of Trustees approve the Memorandum of Understanding Regarding Extended Learning Opportunities Between East Side Union High School District and East Side Teachers Association (ESTA).

Bruce Nguyen, Student Governing Board Representative:

In favor of motion

Board vote:

Motion by Pattie Cortese, second by Lorena Chavez

Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do

Vote: 5/0; Motion Carries

**14.05 Discussion and/or Action to Approve Increase to California School Employees Association, Chapter 187 Bargaining Unit Members - Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

For the reasons outlined below, it is recommended that the Board of Trustees approve a 4.0% salary schedule increase to CSEA members, effective July 1, 2021, pursuant to Article 15.3.4.2 of the CSEA Agreement.

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by J Manuel Herrera, second by Bryan Do  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

**14.06 Discussion and/or Action to Approve Increase to San Jose Federation of Teachers, Local 957, AFT, AFL-CIO Bargaining Unit Members - Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

For the reasons outlined below, it is recommended that the Board of Trustees approve a 4.0% salary schedule increase to AFT members, effective July 1, 2021, pursuant to Appendix A (Steps 1-6) of the AFT Agreement.

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by Lorena Chavez, second by Pattie Cortese  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

**14.07 Discussion and/or Action to Approve Increase to the District's Classified and Certificated Management Salary Schedules for Unrepresented Employees (Not Including the Superintendent, Associate Superintendents, the Senior Manager of Internal Controls and Senior Manager of the Bond Program) - Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

It is recommended the Board of Trustees approve a 4.0% increase to the District's Classified and Certificated Management Salary Schedules for Unrepresented Employees (not including the Superintendent, Associate Superintendents, Senior Manager of Internal Controls and Senior Manager of the Bond Program), effective July 1, 2021.

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by Pattie Cortese, second by J Manuel Herrera  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

**14.08 Discussion and/or Action to Approve Employment Contract for Senior Manager of the Bond Program – Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

The Board of Trustees is requested to consider approval of the employment contract for the Senior Manager of the Board Program.

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by J Manuel Herrera, second by Pattie Cortese  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

**14.09 Discussion and/or Action to Adopt/Approve the Amended Salary for Associate Principal/Coordinator Level on the Classified and Certificated Management Salary Schedule - Glenn Vander Zee, Associate Superintendent of Human Resources (5 minutes)**

It is recommended that the Board of Trustees approve the amended salary for the Associate Principal/Coordinator Level on the Classified and Certificated Management Salary Schedule, effective July 1, 2021.

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by Lorena Chavez, second by J Manuel Herrera  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

**15. FACILITIES/BOND - OPERATIONAL ITEMS/BOARD DISCUSSION AND/OR ACTION**

**15.01 Discussion and/or Action to Approve the Budget Adjustments to the Associated Technology Projects - Chris Jew, Associate Superintendent of Business Services, Randy Phelps, Chief Technology Officer (5 minutes)**

It is recommended the Board of Trustees approve the Budget Adjustments for the Measure I (Ed-Tech) General Obligation Bond funds to the associated Technology projects.

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by J Manuel Herrera, second by Lorena Chavez  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

**15.02 Discussion and/or Action to Approve Planned Increment 2 and Amendment 1 with XL Construction for the Andrew Hill Student Union Building with Performing Arts Classroom Project - Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond Program, Brandie Mayhew, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager (5 minutes)**

It is recommended that the Board of Trustees approve Planned Increment 2 and Amendment 1 – Construction Phase services for \$16,350,594.00 and an increase of \$1,793,776.00, revised contract value not to exceed \$17,793,776.00 for the AH Student Union Building with Performing Arts Classroom (Project Code: AH00000602) for XL Construction. Measure Z.

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by J Manuel Herrera, second by Lorena Chavez  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

**15.03 Discussion and/or Action to Approve Planned Increment 2 and Amendment 1 with Rodan Builders, Inc. for the Evergreen Valley Cougar Hall, Library, and Valley Modernization Project - Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond Program, Brandie Mayhew, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager (5 minutes)**

It is recommended the Board of Trustees approve Planned Increment 2 and Amendment 1 – Construction Phase services for \$15,664,389 and an increase of \$2,005,982, revised contract value not to exceed \$17,005,982.00 for the Evergreen Valley Cougar Hall, Library, and Valley Modernization (Project Code: EV00000604) for Rodan Builders, Inc. Measure Z.

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by Pattie Cortese, second by Lorena Chavez  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

**15.04 Discussion and/or Action to Approve the Bond/Capital Projects Contract(s) Over \$50,000 - Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond Program, Brandie Mayhew, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager (5 minutes)**

It is recommended the Board of Trustees approve the bond/capital projects contract(s) Over \$50,000 and to authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term up to ten percent (10%) of the original Board-approved contract amount, but not to exceed \$175,000.00 in total and change orders to contracts for capital construction-related professional services up to ten percent (10%) of the original contract value, but not to exceed \$50,000.00 as per Board Policy 3312.1.

1. Santa Clara Valley Construction Inspections (SCVCI)  
AH Student Union Building with Performing Arts Classroom (Project Code: AH00000602); for an amount not to exceed \$263,150.00 (Fund 26)
2. Consolidated Engineering Laboratories (CEL)  
AH Student Union Building with Performing Arts Classroom (Project Code: AH00000602); for an amount not to exceed \$107,834.10 (Fund 26)
3. Construction Inspection Services, Inc. (CIS)  
EV Cougar Hall, Library, and Valley Modernization (Project Code: EV00000604); for an amount not to exceed \$368,200.00 (Fund 26)
4. Smith-Emery  
EV Cougar Hall, Library, and Valley Modernization (Project Code: EV00000604); for an amount not to exceed \$120,000.00 (Fund 26)
5. Gilbane Building Company  
EC (Education Center) Adult Transition Program North Project (Project Code: AT00000001); for a \$27,710.00 increase. (Fund 25)
6. Softchoice  
Approve the use of Kings County Office of Education (COE) piggyback, "RFP for Project No. 061119 – Microsoft Projects – COE – Wide Piggyback. Additionally, award of Purchase Order for District Wide (DW) License and Renewal Project (Project Code: IT00000005); for an amount not to exceed \$75,923.24 (Fund 22)
7. Zoom Video Communication, Inc.  
District Wide (DW) License and Renewal Project (Project Code: IT00000005); for an amount not to exceed \$56,210.55 (Fund 22)
8. Construction Inspection Services, Inc. (CIS)  
SC New Classroom Building K and Buildings J and T Modernization (Project Code: SC00000Z01); for an amount not to exceed \$276,000.00 (Fund 26)

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by J Manuel Herrera, second by Pattie Cortese  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

## **Consent / Action Calendar Sections 16-20**

**All items listed under the Consent/Action Calendar are considered by the Board to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion, unless members of the Board or the Superintendent request specific items to be discussed and/or removed from the Consent/Action Calendar.**

**Superintendent asserts that the following Business Transactions, Personnel Actions, Maintenance of Records, Approvals and Recommendations requiring Board Action have been carried out to the best of his knowledge in accordance with the law.**

Motion to approve the entire consent calendar as presented.

Bruce Nguyen, Student Governing Board Representative:  
In favor of motion

Board vote:  
Motion by J Manuel Herrera, second by Bryan Do  
Yea: Van Le, J Manuel Herrera, Lorena Chavez, Pattie Cortese, Bryan Do  
Vote: 5/0; Motion Carries

### **16. BOARD OF TRUSTEES/SUPERINTENDENT - CONSENT/ACTION CALENDAR**

#### **16.01 Approve Regular Board Meeting Minutes of April 22, 2021 - Chris D. Funk, Superintendent**

It is recommended that the Board of Trustees approve the Regular Board Meeting minutes of April 22, 2021, as presented.

### **17. EDUCATIONAL SERVICES / STUDENT SERVICES - CONSENT/ACTION CALENDAR**

**No Items on Calendar under this Section**

### **18. BUSINESS SERVICES - CONSENT/ACTION CALENDAR**

#### **18.01 Approve Budget Transfers for the Month of March 2021 - Chris Jew, Associate Superintendent of Business Services, and Silvia Pelayo, Director of Finance**

It is recommended the Board of Trustees approve the budget transfers for the month of March 2021.

#### **18.02 Accept Warrant Register for the Month of March 2021 - Chris Jew, Associate Superintendent of Business Services, and Silvia Pelayo, Director of Finance**

It is recommended the Board of Trustees accept the warrant register for the month of March 2021.

#### **18.03 Accept Donations, Grants, and Awards for January, February, and March of the 2020/21 School Year - Chris Jew, Associate Superintendent of Business Services**

It is recommended the Board of Trustees accept the donations, grants, and/or awards for January, February, and March of the 2020/21 school year as presented.

#### **18.04 Adopt Resolution #2020/2021-33 to Hire Short-Term Non-Certificated Summer Staffing - Chris Jew, Associate Superintendent of Business Services**

It is recommended the Board of Trustees adopt Resolution #2020/2021-33 to hire short-term non-certificated summer staffing.

#### **18.05 Ratify/Approve Memoranda of Understanding - Chris Jew, Associate Superintendent of Business Services, and André Bell, Director of General Purchasing**

It is recommended the Board of Trustees approve the memoranda of understanding as indicated below:

1. Metropolitan Education District (MetroED)

#### **18.06 Ratify/Approve Contract(s) for Professional Services at or Below \$25,000 - Chris Jew, Associate Superintendent of Business Services, and André Bell, Director of General Purchasing**

It is recommended the Board of Trustees ratify the following contracts for professional services at or below \$25,000 and authorize the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

1. Albert Joseph Melaragno, M.D.; \$5,000.00
2. Aldo Vazques; \$2,000.00
3. Allied Educational Systems; \$4,275.00
4. Arena Stuart Rentals Inc; \$25,000.00
5. Career Solutions Inc; \$3,465.00
6. Ice Safety Solutions; \$12,472.00
7. Justin Honda; \$2,000.00
8. Kearns Chiropractic & Sports Therapy, Inc dba SportsPlus; \$1,705.00
9. Silicon Valley Mathematics Initiative, LLC; \$11,500.00
10. Springshare LLC.; \$5,998.00
11. Tammy Holleman; \$2,000.00
12. University of San Francisco; Revenue

**18.07 Ratify/Approve Purchase Orders Dated April 8, through April 30, 2021 - Chris Jew, Associate Superintendent of Business Services, and André Bell, Director of General Purchasing**

It is recommended the Board of Trustees ratify/approve the purchase orders dated April 8, through April 30, 2021, as presented.

**18.08 Ratify/Approve California Uniform Public Construction Cost Accounting Act (CUPCAA) Informal General Purchasing Project(s) - Chris Jew, Associate Superintendent of Business Services, and André Bell, Director of General Purchasing**

It is recommended the Board of Trustees ratify/approve the CUPCAA informal project(s) as indicated below:

Contract/Agreements ≤ \$60,000:

1. Bay Area HVAC Inc; \$20,000.00

Informal Contract/Agreements \$60,001 - \$200,000:

Not Applicable

Change Orders to Purchase Orders/Contracts ≤ \$60,000 & \$60,001 - \$200,000:

Not Applicable

**18.09 Accept Report of Credit Card Purchases for Statements Dated January 22, February 22, and March 22, 2021 - Chris Jew, Associate Superintendent of Business Services, and André Bell, Director of General Purchasing**

It is recommended the Board of Trustees accept the report of credit card purchases as presented for statements dated January 22, February 22, and March 22, 2021.

**19. HUMAN RESOURCES - CONSENT/ACTION CALENDAR**

**19.01 Ratify/Approve Classified Personnel Actions Presented May 20, 2021 - Glenn Vander Zee, Associate Superintendent of Human Resources**

It is recommended that the Board of Trustees approve the classified personnel actions as specified.

**19.02 Ratify/Approve Certificated Personnel Actions Presented May 20, 2021 - Glenn Vander Zee, Associate Superintendent of Human Resources**

It is recommended that the Board of Trustees approve the certificated personnel actions as specified.

**20. FACILITIES/BOND - CONSENT/ACTION CALENDAR**

**20.01 Ratify Bond/Capital Projects Contract(s) for Professional Services at or Below \$50,000 - Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond Program, Brandie Mayhew, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager**

It is recommended the Board of Trustees ratify the Bond/Capital Projects Contract(s) for Professional Services at or below \$50,000 and authorization is being requested for the Superintendent and/or designee to execute amendments to the Agreement that may be needed during the term, provided such amendments do not: (i) extend the term of the contract; (ii) increase the price of goods or services provided under the contract by the greater of ten percent (10%) of the contract amount (based on the original contract amount exclusive of any approved amendments in the aggregate); or (iii) alter the quality or quantity of services or goods provided under the Board-approved contract per Board Policy 3312.1.

1. Bay City Mechanical - \$49,900.00
2. Bay Area HVAC - \$50,000.00
3. Ninyo & Moore - \$25,622.00
4. Atlas Technical Consultants - \$20,455.00
5. Eichler Associates, Inc - \$17,500.00
6. EnviroScience. Inc - \$14,740.00
7. Eichler Associates, Inc - \$27,500.00
8. Bay City Mechanical (EV) - \$49,900.00
9. Bay City Mechanical (OAC) - \$49,900.00
10. Eide Bailly LLP - \$20,000.00

**20.02 Ratify/Approve California Uniform Public Construction Cost Accounting Act (CUPCAA) Informal Bond Project(s) - Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond Program, Brandie Mayhew, Director of Bond Purchasing and Contracts, and Tu Nguyen, Capital Projects Purchasing Manager**

It is recommended the Board of Trustees ratify the California Uniform Public Construction Cost Accounting Act (CUPCAA) informal project(s) as presented:

Notice of Completion

Not Applicable

Contract Agreement < \$60,000

- Bay Area HVAC, Inc.: DW Mechanical & Electrical Upgrades (PH/PH00000702) - \$24,954.00
- Bay Area HVAC, Inc.: DW Mechanical & Electrical Upgrades (OG/OG00000702) - \$59,980.75
- Backflow Prevention Specialist, Inc.: AH Student Union Building with Performing Arts Classroom (AH000006020) - \$14,625.00
- Environmental Systems, Inc. of Northern California: DW Mechanical & Electrical Upgrades (SC/SC00000702) - \$57,250.00
- Venezia Construction, Inc.: OG Building R Fire Rebuild (67-050-001) - \$23,603.55
- Andy's Roofing Co., Inc.: DW Roofing (OG Building R/OG00000803) - \$24,952.00
- Selway Construction, Inc.: WCO Music, Art & Administration New Building & Central Quad Modernization (WO00000602) - \$15,458.00
- B.T. Mancini Company, Inc.: DW Infrastructure - Flooring Renewal (EV - P5/EV00000706) - \$13,424.00
- Sanchez Electric, Inc.: DW Mechanical & Electrical Upgrades (SC/SC00000702) - \$52,747.65
- Sanchez Electric, Inc.: DW Infrastructure - Site Utilities (ST/ST00000707) - \$5,642.32
- Venezia Construction, Inc.: DW Infrastructure - Mechanical & Electrical Upgrade (District OG Building R/G00000702) - \$7,085.30
- KYA Services, LLC: DW Infrastructure - Flooring Renewal (IH Room L-24, K-01, K-02, K-06, K-07/IH00000706) - \$37,015.64
- Sanchez Electric, Inc.: DW Mechanical & Electrical Upgrades (ST/ST00000702) - \$3,660.85
- Sanchez Electric, Inc.: EV Cougar Hall, Library, and Valley Modernization (EV00000604) - \$3,000.00

Informal Contract/Agreement \$60,001 - \$200,000

Not Applicable

Change Orders to Purchase Orders/Contracts ≤ \$60,00 & \$60,001 - \$200,000

Not Applicable

**20.03 Approve the Capital Program Budget Adjustment Report - Chris Jew, Associate Superintendent of Business Services, Julio Lucas, Senior Manager of the Bond Program, Brandie Mayhew, Director of Bond Purchasing and Contracts, and Sandy Nguyen, Bond Program Controls Manager**

It is recommended the Board of Trustees approve the Capital Program Budget Adjustment Report.

**21. WRITTEN REPORTS/RECOMMENDATIONS**

**21.01 Items under section 21 are written reports that are received into the public record. No action is taken by the Board. A Board Member or the Superintendent may pull an item for discussion or request an item to be placed on the agenda for discussion and/or action at a future meeting.**

Report received

**22. FUTURE AGENDA ITEMS**

**22.01 Opportunity for Board of Trustees to Request Items on Future Agendas**

Member Van Le

- Magnet Programs & Related Offerings during Pandemic (Presentation)

Member Bryan Do

- Technology Services provided to Students and Staff

**22.02 Future Items**

**Board Member Van Le**

Item	Date (tentative)	Type
English Language Learners • Student Support and Strategy	TBD	Presentation/Discussion

**Board Member Lorena Chavez**

Item	Date (tentative)	Type
Review/Share LCAP Plan Goals, Strategies & Outcomes – School Site Data, Program Highlights & Accomplishments	Ongoing	Presentation/Discussion (school site presentations)
Diversity Plan: Milestones / Highlights	TBD	Presentation/Discussion

**Board Member Pattie Cortese**

Item	Date (tentative)	Type
Fall 2021 Return to School Preparation and Online Options for Students	June 2021	Presentation/Discussion
Mental Health Plan	TBD	Presentation/Discussion
Reentry Plan for Expelled Students	TBD	Presentation/Discussion

**22.03 Annual Governance Calendar**

**July:**

- Board Meeting not held in July

**August:**

- Annual Audit Work Plan for Senior Manager of Internal Controls -- First Reading of Proposed Draft
- Board Members' Expenses Report (Apr/May/June)
- Board Retreat (evaluation and goals)
- Expulsion Hearing Panel Committee
- Superintendent's Annual Evaluation
- Williams Quarterly Report

**September:**

- Board Study Session/Workshop
- Conflict of Interest Board Policy (updates)
- Public Hearing and Adoption: Gann Spending Limit
- Public Hearing: Sufficiency/Insufficiency of Textbooks
- Receive Annual Developer Fees Report
- Unaudited Actuals

**October:**

- Annual Audit Work Plan for Senior Manager of Internal Controls -- Adopt Proposed Draft
- Bond Program Presentation
- Solar Energy Presentation
- Student Achievement Presentation
- Williams Quarterly Report

**November:**

- Academic Success Analysis Biannual Presentation
- Board Members Expenses' Report (July/Aug/Sept)
- Board Study Session/Workshop
- Election Orientation for New Board Members

**December:**

- Annual Organizational Board Meeting
- First Interim Report
- Sports Recognitions (Fall)

**January:**

- Audit Report
- Board Retreat (learning and growth)
- Financial & Performance Audit Report for Bond Measures
- Master Business Relationship Agreement between ESUHSD and MetroED
- Policies & ByLaws (Begin Review by Series)
- Technology Report
- Williams Quarterly Report

**February:**

- Audit Committee Charter Amendment(s)
- Board Audit Committee Selections/Appointments
- Board Members' Expenses Report (Oct/Nov/Dec)
- CSBA Delegate Assembly Election
- IPC Annual Presentation
- Non-Re-Elects
- Safety Plan Goals for Each Site
- State of the District

**March:**

- Academic Success Analysis Biannual Presentation
- March 15 Notices
- Second Interim Report
- SJPD Secondary Employment Application
- Sports Recognitions (Winter)
- Superintendent's Mid-Year Evaluation

**April:**

- Board Study Session/Workshop
- Williams Quarterly Report

**May:**

- Board Members' Expenses Report (Jan/Feb/Mar)
- Board Self-Evaluation
- Board Study Session/Workshop
- Budget (Preliminary/Draft) Presentation
- Employee Retiree & Recognition Event
- Preliminary Review of Proposed LCAP

**June:**

- Annual Consolidated Program Application (CONAPP)
- Budget (Preliminary) with May Revisions Public Hearing (first June Board Meeting)
- Budget Adoption (second June Board Meeting)
- Budget Advisory Committee: Nominate/Appoint Board Reps (2) & Alternative Board Rep (1) -- (2-yr term, fiscal year)
- Delegation of Authority for Summer Projects
- ESTA Safety Survey
- International Student Program Annual Presentation
- Master Contracts for Capital Projects
- Plan for Expelled Youth (due every 3 years; due 2018)
- Safety Plan Assessment for Each School
- Single Plan for Student Achievement (SPSA) Each School
- Sports Recognitions (Spring)

**23. BOARD OF TRUSTEES/SUPERINTENDENT COMMUNICATIONS/COMMENTS**

**23.01 Board of Trustees**

- Van Le, President
- J. Manuel Herrera, Vice President
  - MetroED
- Lorena Chavez, Clerk
  - Board Audit Committee
  - Santa Clara County School Board Association
- Pattie Cortese, Member
- Bryan Do, Member

**23.02 Bruce Nguyen, Student Governing Board Representative**

**23.03 Chris D. Funk, Superintendent**

**23.04 Board Meeting Evaluation**

**24. REPORT CLOSED SESSION ACTION(S)**

**24.01 Legal Counsel will Report on Closed Session Actions**

There were no actions reported out from closed session.

**25. ADJOURNMENT**

**25.01 President Adjourns the Meeting**

Board President Van Le adjourned the meeting at 12:55 AM.

**26. NEXT MEETING**

- June 3, 2021: Regular Board Meeting
- June 24, 2021: Regular Board Meeting

**BOARD APPROVED: JUNE 24, 2021**