



## AGENDA REPORT

**Meeting Date:** April 22, 2014

**Item Number:** E-17

**To:** Honorable Mayor & City Council

**From:** Steve Zoet, Director of Community Services

**Subject:** **AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN CITY OF BEVERLY HILLS AND ESTHER CAPORALE FOR ENGLISH AS A SECOND LANGUAGE (ESL) CLASSES THROUGH THE CITY'S COMMUNITY SERVICES DEPARTMENT AT VARIOUS CITY PARKS AND BEVERLY HILLS UNIFIED SCHOOL DISTRICT GROUNDS; AND**

**APPROVAL TO INCREASE THE ANNUAL PURCHASE ORDER FISCAL YEAR AMOUNTS FROM \$15,000 TO \$25,000 FOR FY 13-14.**

**Attachments:** 1. Agreement

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### **RECOMMENDATION**

Staff recommends that City Council approve the amendment to the agreement and fiscal year amounts with Esther Caporale from \$15,000 to \$25,000 for Fiscal Year 13-14 and two subsequent years due to increased enrollment in the English as a Second Language (ESL) classes. The new \$75,000 total amount of the Agreement is offset by revenue from enrollment fees.

### **INTRODUCTION**

The ESL program formerly conducted by the Beverly Hills Unified School District was absorbed into the City's Adult Classes Program in the Summer of 2013. The program has continued to grow and flourish and attracts large participation amongst the community's foreign speaking adults who have a grasp of the English language, but wish to become more proficient. Esther Caporale is a highly qualified professional with a diverse background in this area of expertise.

**DISCUSSION**

Esther Caporale will provide four sessions (winter, spring, summer, and fall) for the City's Community Services Department in accordance with a schedule approved by the City. Class instruction in ESL Level 3/4, ESL Level 4/5, and Conversational Café will be offered.

**FISCAL IMPACT**

The revenue split provision with Esther Caporale is 70% of the resident rate of the registration fees to the vendor and the City retaining the remaining amount. Funds are currently available for this expenditure which is offset by revenue in an amount not to exceed \$25,000 annually.



\_\_\_\_\_  
Finance Approval



\_\_\_\_\_  
Approved By

# **Attachment 1**

AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN CITY OF BEVERLY HILLS AND ESTHER CAPORALE FOR ENGLISH AS A SECOND LANGUAGE (ESL) CLASSES THROUGH THE CITY'S COMMUNITY SERVICES DEPARTMENT AT VARIOUS CITY PARKS AND BEVERLY HILLS UNIFIED SCHOOL DISTRICT GROUNDS

NAME OF VENDOR: Esther Caporale

D.B.A. NAME OF VENDOR: Esther Caporale

VENDOR'S ADDRESS: 145 South Elm Drive, #12  
Beverly Hills, CA 90212

CITY'S ADDRESS: City of Beverly Hills  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attention: Steve Zoet, Director of Community Services

COMMENCEMENT DATE: July 1, 2013

TERMINATION DATE: June 30, 2014 unless extended pursuant to Section 2 of Original Agreement

CONSIDERATION: Original Agreement:  
Not to exceed the following amounts as more particularly described in Section 3 of Original Agreement:

- a. \$15,000 for FY 13-14
- b. \$15,000 for FY 14-15\*
- c. \$15,000 for FY 15-16\*

\*If Agreement is extended, as provided in Section 2 Of Original Agreement

Original Agreement: Total not to exceed \$45,000.00

Amendment No. 1:  
Not to exceed the following amounts as more particularly described in Section 3 of Original Agreement:

- a. Additional not to exceed \$10,000 for FY 13-14
- b. Additional not to exceed \$10,000 for FY 14-15\*
- c. Additional not to exceed \$10,000 for FY 15-16\*

\*If Agreement is extended, as provided in Section 2 Of Original Agreement

Total for Original Agreement and Amendment No. 1 not to exceed \$75,000.00 (not to exceed \$25,000 per fiscal year).

AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN CITY OF BEVERLY HILLS AND ESTHER CAPORALE FOR ENGLISH AS A SECOND LANGUAGE (ESL) CLASSES THROUGH THE CITY'S COMMUNITY SERVICES DEPARTMENT AT VARIOUS CITY PARKS AND BEVERLY HILLS UNIFIED SCHOOL DISTRICT GROUNDS

This Amendment No. 1 is to that certain Agreement between the City of Beverly Hills (hereinafter called "CITY"), and Esther Caporale (hereinafter called "VENDOR") dated August 13, 2013, and identified as Contract No. 308-13 ("Agreement"), a copy of which is filed in the City Clerk's office.

RECITALS

A. CITY entered into an agreement with VENDOR to provide English as a Second Language (ESL) classes for the CITY's Community Services Department Programs in accordance with a schedule approved by CITY.

B. CITY desires to increase the Consideration due to an increase in enrollment in ESL classes in the following not to exceed amounts: \$10,000 in Fiscal Year 2013-14; \$10,000 in Fiscal Year 2014-15; and \$10,000 in Fiscal Year 2015-16.

NOW, THEREFORE, the parties agree as follows:

Section 1. The Consideration shall be amended as set forth above.

Section 2. Except as specifically amended by this Amendment No. 1, the remaining provisions of the Agreement shall remain in full force and effect.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, at Beverly Hills, California.

CITY OF BEVERLY HILLS,  
A Municipal Corporation

\_\_\_\_\_  
LILI BOSSE  
Mayor of the City of Beverly Hills, California

ATTEST:

\_\_\_\_\_  
BYRON POPE  
City Clerk

(SEAL)

VENDOR:

  
\_\_\_\_\_  
ESTHER CAPORALE

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
JEFFREY C. KOLIN  
City Manager

  
\_\_\_\_\_  
STEVE ZOET  
Director of Community Services

  
\_\_\_\_\_  
KARL KIRKMAN  
Risk Manager