

**APPROVED MINUTES  
ALUM ROCK ELEMENTARY SCHOOL DISTRICT  
2930 Gay Avenue  
San Jose, CA 95127**

**MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES  
of the Alum Rock Union School District  
Held on Thursday, July 11, 2019, 5:30 p.m. at the Alum Rock Union School  
District Office Board Room, 2930 Gay Avenue, San Jose, CA 95127  
Meeting #1-19/20**

**1. OPEN SESSION**

**1.01 Call to Order / Roll Call/ Pledge of Allegiance**

President Linda Chavez welcomed everyone in the audience. President Linda Chavez called the Board Meeting to order at 5:36 p.m. followed by Roll Call.

President Linda Chavez announced to the audience that Member Corina Herrera-Loera would be participating via Teleconference from the following location: Paseo Pta. Sta. Cruz MZ2 LT 7, P Chahue, 70989 Bahias de Huatulco, Oaxaca, Mexico, Room 203.

Board Members Present:

Linda Chavez	President
Ernesto Bejarano	Vice-President
Dolores Marquez-Frausto	Clerk
Andrés Quintero	Member <i>(arrived late at 5:47 p.m.)</i>
Corina Herrera-Loera	Member <i>(participating via Teleconference from Mexico)</i>

Administrative and Support Staff Members Present:

Dr. Hilaria Bauer	Superintendent
Rene Sanchez	Assistant Superintendent, Instructional Services
Carlos Moran	Assistant Superintendent, Human Resources
Kolvira Chheng	Assistant Superintendent, Business Services
Maribel Carrillo	Sr. Executive Assistant, Superintendent's Office

President Linda Chavez welcomed everyone and led the Pledge of Allegiance at this time.

**1. OPEN SESSION** *(continued)*

***President Linda Chavez announced to the audience that all votes would be taken by Roll Call.***

**1.02 Announcement and Public Comments Regarding Items to be Discussed In Closed Session.**

President Linda Chavez announced the items that would be discussed in Closed Session.

President Linda Chavez announced that the Board would reconvene to Open Session at approximately 8:41 p.m. The Board adjourned to Closed Session at 5:41 p.m.

**3. RECONVENE TO OPEN SESSION**

**3.01 Call to Order / Roll Call**

The Board reconvened to Open Session at 9:03 p.m. President Linda Chavez welcomed everyone and took a second Roll Call in which all Board Members were present.

Counsel Rogelio Ruiz reported that the Board took the following action:

***2.01 With a unanimous roll call vote, the Board approved and authorized filing a complaint against Del Terra Real Estate Incorporated the district's former program and construction manager, for breach of contract to seek any other appropriate remedies in connection with the program management and construction management contracts.***

Counsel Rogelio Ruiz reported that there was no other action to report at this time.

**3.03 Agenda Review and Adoption**

There were no items requested to be moved.

**4. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD**

**4.01 Requests to Address the Board**

- 1) Robert Duran from the Citizens Bond Oversight Committee said if anyone is interested in being involved to please fill out an application.
- 2) Maria Martinez invited everyone to Mexican Heritage Plaza for a meeting to discuss all the construction work that is going on at Alum Rock. She spoke about there being a lot of controversy over the school KIPP.
- 3) Dustin Keele spoke about a Beautification Day at Linda Vista and that he is seeking parent involvement.

**4. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD** *(continued)*

- 4) Male speaker from City Team said that he also is happy about being a part of the Beautification Day at Linda Vista. He said that some boxes of food were given to families for Thanksgiving.

**5. COMMENTS AND COMMUNICATION**

**5.01 Teamsters**

There were no representatives from Teamsters at this time.

**5.02 California School Employee's Association (CSEA)**

There were no representatives from CSEA at this time.

**5.03 Alum Rock Administrator's Association (ARAA)**

Rigoberto Gomez, Principal at Linda Vista, highlighted all the important things that are happening this summer. He invited the Board members to two events that will take place at Joseph George Middle School.

**5.04 Alum Rock Educator's Association (AREA)**

There were no representatives from AREA at this time.

**5.05 Superintendent**

Superintendent Bauer thanked the Verizon Foundation for the lab at Ocala and Sheppard and said that all of the students will have access to it. She said Alum Rock School District's website has been update. A video was shown featuring what was added to the website.

**5.06 Board of Trustees**

Vice-President Ernesto Bejarano thanked everyone for their patience and for staying for the meeting. He asked if the relationship that City Team has with Alum Rock was a preexisting relationship.

Superintendent Bauer responded that she will follow up with Vice-President Ernesto Bejarano.

## **5.06 Board of Trustees (continued)**

Vice-President Ernesto Bejarano wanted to know if the recruitment for the Oversight Committee was posted on social media like he requested. He said that if it was, please have Voler repost it.

Clerk Dolores Marquez-Frausto asked Counsel whether agenda item 6.01 is for action or a discussion because she was confused about it. She would like to have information regarding the event that will take place at the Mexican Heritage Plaza and she asked where in Alum Rock is the construction hindering businesses.

Member Andrés Quintero responded to Clerk Dolores Marquez-Frausto's question. He said the construction work is happening on a long stretch of Alum Rock. City Council had approved this in 2014 and this will affect small businesses. He commented Alum Rock School District cannot give up their schools or land.

## **6. Contracts over \$100,000**

**6.01 Participation of contract of year 2 for RFP No. 2018-19-01 Administrative and Distribution Services for Schools Linked in Commodities (SLIC) Commodity Cooperative (Co-Op) for 2019-2020 School Year, Child Nutrition Services, \$1,400,000.00.**

Counsel Rogelio Ruiz responded to Clerk Dolores Marquez-Frausto's question regarding item 6.01 and said it was properly agenzized.

**MOTION #01-01 by Member Andrés Quintero to approve Action Items 6.01 as presented. MOTION #01-01 was seconded by Vice-President Ernesto Bejarano.**

***MOTION #01-01 carried with a roll call vote of 5 in favor; no opposition; no absent; and no abstention.***

## **7. Superintendent/ Board Business**

**7.01 Second Reading and Approval of amended Board Bylaw 9250 and E 9250 (exhibit), Remuneration, Reimbursement and Other Benefits.**

**MOTION #01-02 by Member Dolores Marquez-Frausto to approve Action Items 7.01 as presented. MOTION #01-02 was seconded by Vice-President Ernesto Bejarano.**

Vice-President Ernesto Bejarano asked Counsel Rogelio Ruiz if an excused absence for a board member is determined by a majority vote.

Counsel Rogelio Ruiz responded that it is decided by a majority vote.

Vice-President Ernesto Bejarano asked if it happened here.

**7. Superintendent/ Board Business (continued)**

Counsel Rogelio Ruiz said it does not have to be here and it requires the greater of the majority and that is when it is decided by the bylaw.

***MOTION #01-02 carried with a roll call vote of 5 in favor; no opposition; no absent; and no abstention.***

**7.02 Board will consider the establishment of a Board Led Marketing Committee.**

Superintendent Bauer asked President Linda Chavez to have this item removed from the agenda.

President Linda Chavez said this committee has already been established.

Vice-President Ernesto Bejarano asked to clarify that is has been established.

Superintendent Bauer responded that on February 28, 2019, when the committees were established, a marketing committee was established.

Vice-President Ernesto Bejarano asked how this item made it to the agenda.

Superintendent Bauer responded that they forgot that it had already been brought to the Board.

Member Andrés Quintero said they can only establish committees at that meeting.

**8. Business**

**8.01 Resolution No. 20-18/19 Update Agreement Between the Governing Board of the Alum Rock Union Elementary School District and the Santa Clara County Superintendent of Schools Regarding Necessary Revisions for Compliance with Statutory Budget Requirements in Conjunction with the Local Control Accountability Plan (Education Code 42127 and 52070).**

**8.02 Approve Bradley Concrete's Donation of Time and Material to Repair and Paint Various Concrete Areas at Adelante Dual Language Academy.**

**MOTION #01-03 by Member Andrés Quintero to approve Action Items 8.01 and 8.02 as presented. MOTION #01-03 was seconded by Vice-President Ernesto Bejarano.**

Clerk Dolores Marquez-Frausto asked what was the formality the District follows because the company is talking about a \$30,000 project.

## **8. Business (continued)**

Counsel Rogelio Ruiz explained there will be a record of a donation for time and materials. If the Board approves the donation there will be a proceeding agreement with Bradley Concrete where they will agree to provide insurance and they will clean the area to make it safe.

Clerk Dolores Marquez-Frausto asked who would work on the agreement.

Counsel Rogelio Ruiz responded that he would work on it with Business Services and they have already started.

Vice-President Ernesto Bejarano asked what authority is required to move forward.

Counsel Rogelio Ruiz responded that he was asked how to approach this donation. It is not normal and that is why it has been brought to the Board for approval. If the Board approves it, the work will be done before school starts.

Clerk Dolores Marquez-Frausto commented that the process has already begun before it was brought to the Board. She requested that the timelines be adhered to these items being brought to the Board have already happened at times.

Member Andrés Quintero said he wanted to clarify that the Board bylaw states that the Superintendent's designee has the authority to reach out to counsel. This is a good opportunity and it has been brought to the Board for further consideration.

Vice-President Ernesto Bejarano said that a lot of things have already happened before they come to the Board.

***MOTION #01-03 carried with a roll call vote of 5 in favor; no opposition; no absent; and no abstention.***

### **8.03 Approve Joint Use Agreement with SJB Child Development Centers for Joint Use Facilities at Cassell Elementary and Slonaker School Sites.**

**MOTION #01-04 by Clerk Dolores Marquez-Frausto to approve Action Items 8.03 as presented. MOTION #01-04 was seconded by Member Andrés Quintero.**

***MOTION #01-04 carried with a roll call vote of 5 in favor; no opposition; no absent; and no abstention.***

## **9. HUMAN RESOURCES**

### **9.01 Information Regarding Resignations**

## **10. CONSENT CALENDAR**

### **10.01 Approve Contracts for Professional Services-Firms**

*There was consensus from the Board to combine and take action on Agenda Items 10.01, 10.02, 10.03, 10.04, 10.05, 10.06, and 10.07 to discuss.*

**MOTION #01-05 by Clerk Dolores Marquez-Frausto to Approve Action Item 10.01, 10.02, 10.03, 10.04, 10.05, 10.06, and 10.07 as presented. MOTION #01-05 was seconded by Member Andrés Quintero.**

**10.01 Approve Contracts for Professional Services-Firms.**

**10.02 Acceptance of Donations.**

**10.03 Approval of Fundraising Activities.**

**10.04 Acceptance of Enrollment/Attendance Report for Month 10 (May 13, 2019 thru June 7, 2019).**

**10.05 Acceptance of Vendor & Payroll Warrants.**

**10.06 Approve/Ratify Notices of Employment and Changes of Status/July 11, 2019/Human Resources Department.**

**10.07 Quarterly Report on Williams Uniform Complaints.**

Member Andrés Quintero commented that he was glad to see Professional Services are firms from San Jose.

***MOTION #01-05 carried with a roll call vote of 5 in favor; no opposition; no absent; and no abstention.***

## **11. FUTURE BOARD AGENDA REQUESTS**

### **11.01 Requests from Board of Trustees and/or from the Public**

1)Dustin Keele requested to add Beautification Day to a future agenda to help out students.

2) Sandra Rivera Vice-President for AREA asked for the voting to be called out because it is so much clear.

Vice-President Ernesto Bejarano said for item 10.04, he is requesting an average of each individual school for the entire school year.

Vice-President Ernesto Bejarano asked that for item 10.05, if they are close to being there with details of vendors.

Superintendent Bauer replied that she would follow up with him during their one-on-one meeting.

**11. FUTURE BOARD AGENDA REQUESTS** *(continued)*

Counsel Rogelio Ruiz reported that the Board took the following action in closed session:

***2.04 Approval of the Superintendent's Evaluation, with a roll call vote of 4 in favor, 1 opposition (Dolores Marquez-Frausto), no absent; and no abstention.***

Counsel Rogelio Ruiz reported that there was no other action to report at this time.

**12. ADJOURNMENT**


**12.01 President Adjourns the Meeting**

**13. Next Meeting (s)**

**13.01 August 8, 2019, Regular Board Meeting**

President Linda Chavez adjourned the meeting at 9:49 p.m.

Respectfully submitted,



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Dolores Marquez-Frausto

Board Clerk

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