



**Wednesday, January 17, 2018
SPECIAL BOARD MEETING**

Type: SPECIAL BOARD MEETING

Time: 6:00 P.M.

Code: SPECIAL #14-17/18

Location: ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT, 2930 GAY AVENUE, SAN JOSE, CA 95127; BOARD ROOM

In compliance with the Americans with Disabilities Act, if you need special assistance in order to participate in the public meeting of the Board of Trustees, please contact the Office of the Superintendent at (408) 928-6822. Notification 24 hours prior to the meeting will enable the District to make reasonable arrangements.

1. OPEN SESSION - CALL TO ORDER AND ROLL CALL

1.01 CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE BY BOARD PRESIDENT ANDRES QUINTERO.

1.02 PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD. Members of the public present at the meeting will be provided an opportunity to speak to the Board at the time the Open Agenda Item listed below is discussed. Individuals wishing to speak are requested to proceed to the podium. There is generally a three-minute time limit for each speaker.

1.03 DISCUSSION/ACTION: BOARD PRESIDENT, NOMINATION AND ELECTION. Since only 3 Board Members were present at the December 2017 meeting, and since no action was taken on this issue, the Board will discuss and may take action on the nomination and election of the Board President.

1.04 DISCUSSION/ACTION: LEGAL SERVICES CONTRACT. The Board will discuss and take action to approve a contract for legal services with recently appointed General Counsel.

1.05 ANNOUNCEMENT AND PUBLIC COMMENTS REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION [Government Code Section 54957.7].

1.06 THE BOARD WILL ADJOURN TO CLOSED SESSION. The Board will adjourn to Closed Session at approximately 6:05 p.m. Open Session will resume at the end of Closed Session in the Board Room at approximately 7:45 p.m.

2. CLOSED SESSION

2.01 INFORMATION/DISCUSSION/ACTION; CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) (Government Code Section 54956.9): Three (3) potential cases.

2.02 INFORMATION/DISCUSSION/ACTION; CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION. Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9): Professional Asbestos & Lead Services, Inc. v. Everlast Builders, Inc., and Alum Rock Union Elementary School District, Santa Clara County Superior Court, Case No. 17-CV-305853.

2.03 INFORMATION/DISCUSSION/ACTION: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION. Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9: Bay Area Asphalt and Cement, et al. v. Alum Rock Union Elementary School District, et al, Santa Clara County Superior Court, Case No. 17-CV-306628.

2.04 DISCUSSION/ACTION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957). Title: Superintendent. The evaluation of the Superintendent has not yet reached its final stage, postponed at the request of Superintendent Bauer. The Board will hear from the Superintendent and respond appropriately as part of the regular evaluation process.

2.05 DISCUSSION/ACTION: PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957).

3. RECONVENE TO OPEN SESSION - DISTRICT OFFICE BOARD ROOM

3.01 CALL TO ORDER BY BOARD PRESIDENT.

3.02 REPORT OF ACTION TAKEN IN CLOSED SESSION.

4. ADJOURNMENT

4.01 BOARD PRESIDENT ADJOURNS THE MEETING.