

# AMENDED



## Thursday, August 10, 2017 AMENDED AGENDA - REGULAR BOARD MEETING

**Type: AMENDED AGENDA - REGULAR BOARD MEETING**

**Time: 5:30 p.m.**

**Code: Regular #04-17/18**

**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 72 hours prior to the meeting will enable the District to make reasonable accommodations.**

### **1. OPEN SESSION - CALL TO ORDER AND ROLL CALL**

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1.01 CALL TO ORDER / ROLL CALL -- President Khanh Tran.

1.02 ANNOUNCEMENT AND PUBLIC COMMENTS REGARDING ITEMS TO BE DISCUSSED IN CLOSED SESSION (Government Code Section 54957.7).

1.03 ADJOURNMENT TO CLOSED SESSION: The Board will adjourn to Closed Session at approximately 5:35 p.m. Open Session will resume at the end of Closed Session in the Board Room at approximately 6:30 p.m.

### **2. SPECIAL RECOGNITION AND/OR PRESENTATION**

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2.01 SPECIAL STUDENT RECOGNITION: Seal of Biliteracy Achievement Awards. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

2.02 SPECIAL PRESENTATION: CSBA Representatives, Trustee Albert Gonzalez, Santa Clara Unified School District and Regional 20 Director; and Ms. Susan Swigart, Senior Director, Membership Development and Support, California School Boards Association, will present on the Annual CSBA Membership Dues. This agenda item was submitted by Superintendent Hilaria Bauer on behalf of the Board.

### **3. CLOSED SESSION**

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3.01 INFORMATION/DISCUSSION/ACTION; CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION [Government Code Section 54956.9 (d)(1)]. One case (1). State of California Office of Administrative Hearings Case No. 2017061219. Parent Silvia Vazquez on behalf of Student A.S. v. Alum Rock Union Elementary School District.

3.02 INFORMATION/DISCUSSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Title: Superintendent.

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

3.04 INFORMATION/DISCUSSION/ACTION; CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One (1) potential case.

3.05 DISCUSSION/ACTION: PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957); Titles: (1) Principals; and (2) Assistant Principals.

3.06 DISCUSSION/ACTION; PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957).

#### **4. RECONVENE TO OPEN SESSION - DISTRICT OFFICE BOARD ROOM**

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4.01 CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE BY PRESIDENT KHANH TRAN.

4.02 REPORT OF ACTION TAKEN IN CLOSED SESSION.

4.03 DISCUSSION AND/OR MODIFICATION(S) OF THE AGENDA. The Board may change the order of business including, but not limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.

#### **5. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD**

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5.01 "REQUESTS TO ADDRESS THE BOARD" provides members of the public an opportunity to speak to the Board about any matter under the jurisdiction of the Board and not otherwise on the agenda. Those who wish to address specific agenda items will have an opportunity to do so when that agenda item is introduced and presented during this meeting. Individuals wishing to speak are requested to proceed to the podium. There is generally a three-minute time limit for each speaker. The Board will automatically refer to staff any formal written requests that are brought before them at this time. Written matters may be placed on a future meeting.

#### **6. COMMENTS AND COMMUNICATION**

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6.01 Teamsters.

6.02 California School Employee's Association (CSEA).

6.03 Alum Rock Administrator's Association (ARAA).

6.04 Alum Rock Educator's Association (AREA).

6.05 Superintendent.

6.06 Board of Trustees/Communications/Comments

#### **7. CONTRACTS OVER \$100,000**

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7.01 ACTION: Approve Contract Extension with Durham School Services, MOT, \$782,000.00. This item submitted by Assistant Superintendent Kolvira Chheng.

7.02 ACTION: Approve ASES Contract with Think Together, State & Federal, \$112,640.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

7.03 ACTION: Approve ASES Contract with YMCA of Silicon Valley-East Valley Branch, State & Federal, \$106,971.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

7.04 ACTION: Approve ASES Contract City of San Jose, State & Federal, \$103,171.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

7.05 ACTION: Approve Latino Film Institute Youth Cinema Project, Academic Services, \$244,739.20. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

7.06 ACTION: Approve Crowe Horwath, LLP., Business Services, \$151,500.00. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

7.07 ACTION: Approve Ro Health, Inc. Special Education, \$100,000.00 (per year ) for two years. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

7.08 ACTION: Approve YMCA of Silicon Valley, State & Federal, \$640,000.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

7.09 ACTION: Approve San Jose Police Department Secondary Employment Unit, Student Services, \$180,000.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

7.10 ACTION: Approve Little Heroes, State & Federal, \$241,000.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

7.11 ACTION: Approve Graciela Hendel, Special Education, \$158,080.00. This agenda item was submitted by Assistant Superintendent Rene Sanchez.

## **8. INSTRUCTIONAL SERVICES**

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8.01 ACTION: Approve Request for Allowance of Attendance (form J-13A). This agenda item was submitted by Assistant Superintendent Rene Sanchez.

## **9. HUMAN RESOURCES**

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9.01 INFORMATION Regarding Resignations. This agenda item was submitted by Interim Assistant Superintendent Jess Serna.

## **10. BUSINESS**

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10.01 INFORMATION: Energy Savings Plan Utilizing Proposition 39 Update. This item was submitted by Assistant Superintendent Kolvira Chheng.

10.02 INFORMATION/DISCUSSION: An Executive Summary will be presented by Assistant Superintendent Kolvira Chheng: • Facility Assessment • Air Conditioning Assessment Report • Measure J Bond Expenditures. This agenda item was submitted by Member Karen Martinez from previous meetings.

10.03 INFORMATION: Small Business Outreach and Information Session Report. This item was submitted by Assistant Superintendent Kolvira Chheng.

10.04 INFORMATION/DISCUSSION: Mathson Fire Findings Presentation. Attorneys Luis Saenz and Rogelio Ruiz will be presenting a report. This agenda item was submitted by President Khanh Tran.

10.05 DISCUSSION/ACTION: Mathson Fire Restoration Project. On February 27, 2016, a fire at Mathson Middle School damaged or destroyed several classrooms and ancillary facilities in the

"B" and "C" wing of rooms. On March 1, 2016, the District filed a claim with Zurick Insurance for the fire loss. On March 2, 2016, the Board unanimously passed Resolution 34-15/16 declaring the existence of an emergency situation to address the remediation and repair of the affected facilities without the necessity of advertising for bids. On March 9, 2016, the County Superintendent of Schools approved the Board's Resolution. On July 25, 2017, the District was notified by Zurick Insurance that the claim had been closed. Since the insurance claim is fully closed, staff is presenting to the Board for ratification a list of all contractors and vendors the District used to provide for temporary housing for classrooms, remediate and repair damaged or destroyed facilities, and replace contents that were destroyed. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

## **11. BOND / FACILITIES**

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11.01 PRESENTATION AND/OR UPDATE ON THE BOND/FACILITIES. Mr. Luis Rojas will provide a written update on the status of the Bond Projects. This agenda item was submitted by Assistant Superintendent Kolvira Chheng.

11.02 ACTION: Re-Roofing for District Office Buildings 600, 700, 800 & Walkway Project Notice of Completion and Final Change Order. This item submitted by Kolvira Chheng.

11.03 ACTION: Award of Contract to Inspectacon Corporation New Multi-Purpose Building at Fischer Middle School Site. This item submitted by Kolvira Chheng.

## **12. SUPERINTENDENT/BOARD BUSINESS**

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12.01 DISCUSSION/ACTION: Renewal Contract for Continued Representation of Legal Services. The Board will discuss and may take action to approve the renewal of the Contract Agreement for Legal Services with Law Office of Rehon & Roberts, A Professional Corporation, for the term of July 1, 2017 through June 30, 2018. This agenda item was submitted by Superintendent Hilaria Bauer.

12.02 DISCUSSION/ACTION: Renewal Contract for Continued Representation of Legal Services. The Board will discuss and may take action to approve the renewal of the Contract Agreement for Legal Services with Law Office of E. Luis Saenz, for the term of July 1, 2017 through June 30, 2018. This agenda item was submitted by Superintendent Hilaria Bauer.

12.03 DISCUSSION/ACTION: The Board will discuss the possible termination of the contract for Legal Services with the Law Office of E. Luis Saenz. This agenda item was submitted by President Khanh Tran.

12.04 DISCUSSION/ACTION: Program and Construction Management Agreement for Measure I. Terminate Contract between Alum Rock Elementary School District (ARUSD) and Del Terra Real Estate Services, Inc., dba Del Terra Group. This agenda item was submitted by Vice-President Andres Quintero.

12.05 DISCUSSION/ACTION: Construction Management Agreement, Measure J. Terminate Contract between Alum Rock Union Elementary School District (ARUSD) and Del Terra Real Estate Services, Inc., dba Del Terra Group for Construction Management of the ARUSD Bond Program. This agenda item was submitted by Vice-President Andres Quintero.

12.06 DISCUSSION/ACTION: Program Management Agreement, Measure J. Terminate Contract between Alum Rock Union Elementary School District (ARUSD) and Del Terra Real Estate Services, Inc., dba Del Terra Group for Program Management of the ARUSD Bond Program. This agenda item was submitted by Vice-President Andres Quintero.

12.07 DISCUSSION/ACTION: 2017-18 CSBA Membership Dues, period from July 1, 2017 thru June 30, 2018. Amount is \$13,071. This agenda item was submitted by Member Esau Ruiz Herrera.

12.08 DISCUSSION: Reprioritization of Alum Rock Union Elementary School District's Bond Projects. The ARUSD Governing Board will direct the Bond, Facilities, and Finance Committee to develop a well thought-out priority framework for the prioritization of Bond Projects. This agenda item was submitted by Vice-President Andres Quintero.

12.09 DISCUSSION: Reconstitute the Bond, Facilities, and Finance Committee. The Bond, Facilities, and Finance Committee shall be reconstituted and will include a cross section that is representative of the people who reside within the ARUSD District Boundary lines. Meetings of said committee will be held at a time that allows for more public participation. The Bond, Facilities, and Finance Committee shall use the ARUSD Governing Board Meeting times as an indicator of what time of the day allows for more public participation. This agenda item was submitted by Vice-President Andres Quintero.

12.10 INFORMATION/DISCUSSION: A Report from the MOT Department regarding the process and status of completed and pending work orders for 2016-17 school year. This agenda item was submitted by Trustee Karen Martinez.

12.11 INFORMATION/DISCUSSION: Board Created Standing Committees. The Board will report on the following committees: (1) Bond, Facilities, and Finance; (2) Curriculum and Technology; (3) Parent Engagement; and (4) Small Schools and Innovation.

### **13. CONSENT CALENDAR**

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13.01 ACTION: Approve Board Meeting Minutes for the following date: June 8, 2017, Regular Board Meeting.

13.02 ACTION: Approve Memorandum(s) of Understanding(s).

13.03 ACTION: Approval of Fundraising Activities.

13.04 ACTION: Delegation of Authority to Approve Bids and Award Contracts for Facilities in the Event of any Unforeseen Urgent Need District Wide

13.05 ACTION: Delegation of Authority to Approve Bids and Award Contracts for BOND Projects in the Event of any Unforeseen Urgent Need District Wide

13.06 ACTION: Resolution 04-17/18 Piggyback Bid #R141703 for Office Supplies, Related Products, and Office Services.

13.07 ACTION: Resolution 05-17/18 Piggyback Bid #R141605 for School Supplies.

13.08 ACTION: Resolution 06-17/18 Piggyback Bid #R142212 for Furniture & Installation.

13.09 ACTION: Addendum #2 for the Extension of B1213-PUR01 Copier Equipment and Maintenance for an Additional One (1) Year Beginning July 1, 2017 through June 30, 2018.

13.10 ACTION: Approve Contracts for Professional Services - Firms.

13.11 ACTION: Approve Out of State Travel, 2017 Sungard (SNUG) Conference, Alexandria, VA, October 9-13, 2017 for Erika Marcos, Allison Howard, Norma Flores & Debbie Elliott. Estimated cost \$4740.

13.12 ACTION: Approve Out of State Travel, Congressional Hispanic Caucus Institute Leadership Conference, Washington D.C., September 11-13, 2017 for Andres Quintero. Estimated cost \$360.

13.13 ACTION: Approve/Ratify Notices of Employment and Changes of Status/August 10, 2017/Human Resources Department.

13.14 ACTION: Approve New Job Description – Coordinator, School Mental Wellness Support Services - Classified

13.15 ACTION: Approve New Job Description – Coordinator, School Mental Wellness Support Services - Certificated.

13.16 ACTION: Approve the AREA 2017-2018 Calendar as submitted.

13.17 ACTION: Approve the Start and End Times for School Year 2017-2018.

13.18 ACTION: Approve Contracts for Professional Services - Individuals.

**14. FUTURE BOARD AGENDA REQUESTS**

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14.01 Requests from Board of Trustees and/or from the Public.

**15. ADJOURNMENT**

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