# Thursday, September 8, 2022
# REGULAR BOARD MEETING AGENDA

**Type: REGULAR BOARD MEETING AGENDA**
**Time: 5:30 p.m.**
**Code: Regular #05-22/23**

**The September 8, 2022, REGULAR BOARD MEETING WILL BE CONDUCTED EXCLUSIVELY VIA CONFERENCE TELEPHONE AND THROUGH "ZOOM" VIDEO CONFERENCING. THE DISTRICT OFFICE AND BOARD ROOM WILL NOT BE OPEN AND AVAILABLE FOR THE PUBLIC TO ATTEND AND PARTICIPATE IN THE BOARD MEETING AT THE DISTRICT OFFICE. MEMBERS OF THE PUBLIC MAY PARTICIPATE AND COMMENT IN REAL TIME IN OPEN SESSION THROUGH THE FOLLOWING MEANS:**

**1. Zoom - Live Board Meeting and use "Raise Hand" function to request opportunity to make a comments.**
**2. THE ZOOM MEETING CAN BE ACCESSED AS FOLLOWS:**
**Join Zoom Meeting https://arusd-org.zoom.us/j/85672189361**
**One tap mobile**
**+16699006833, Meeting ID: 856 7218 9361# US (San Jose)**
**Zoom Spanish Interpretation available- Zoom Instructions link www.arusd.org/zoomesp. If you call in you will not be able to access this function.**
**THE MEETING MAY ALSO BE VIEWED THROUGH LIVE STREAM AS FOLLOWS:**
**1. Live stream Youtube English Channel "AlumRock TV"**
**https://www.arusd.org/alumrocktv**

**In compliance with the Americans with Disabilities Act and Executive Order N-08-21, if you need Special Assistance, Disability-Related modifications or accommodation, including auxiliary aids or services, in order to participate in the Regular Board Meeting of the Board of Trustees, please contact the office of the District Superintendent at (408) 928-6822 or by email at maribel.carrillo@arusd.org immediately and the district will make reasonable arrangements to ensure accommodation and electronic accessibility to this meeting.**

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

1.01 CALL TO ORDER/ ROLL CALL/LAND ACKNOWLEDGMENT- Board of Trustees of the Alum Rock Union Elementary School District does hereby acknowledge that the District schools and facilities sit on the traditional lands of the Muwekma Ohlone people, and the Board of Trustees further acknowledges with respect and reverence the Muwekma Ohlone People Tribe of the San Francisco Bay Area for their stewardship of these lands;/ PLEDGE OF ALLEGIANCE -- PRESIDENT ANDRES QUINTERO.

1.02 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limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.

1.03 WELCOME AND EXPLANATION TO AUDIENCE: Any person may address the Board on any item on the meeting agenda. Persons who wish to speak on an item on the agenda will have an opportunity to do so when that agenda item is introduced and presented during this meeting. If you wish to speak on an item on this agenda please use the "Raise hand" function on Zoom as described above when the agenda item is called. There is a limit of 2 minutes for each speaker. The Board has the right to limit total public comment on any agenda item to no more than 20 minutes.Persons who wish to speak to the Board about any matter within the jurisdiction of the District but not on this agenda will have an opportunity to speak during item 5.01 on this agenda as stated below.

## 2. CLOSED SESSION

2.01 RECESS TO CLOSED SESSION: The Board will recess to Closed Session at approximately 5:35 p.m. Open Session will resume at conclusion of Closed Session.

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

2.03 CONFERENCE WITH LEGAL COUNSEL--Anticipated Litigation: significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government CodeSection 54956.9: One (1) potential case

2.04 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9): CTG Construction, Inc. v. Alum Rock Union Elem. School District, Santa Clara County Superior Court case no. 20CV367630; Alum Rock Union Elementary School District v. Karen Martinez, Santa Clara County Superior Court case no. 21CV381923; Alum Rock Union Elementary School District v. Dolores Marquez, Santa Clara County Superior Court case no. 20CV372554; Alum Rock Union Elementary School District v. Esau Herrera, Santa Clara County Superior Court case no. 21CV382117 Leal & Trejo, APC v. Alum Rock Union Elem. Sch. District, Santa Clara County Superior Court case no. 19CV356647; Alum Rock Union Elem. Sch. District v. Del Terra Real Estate Services, Inc., San Mateo County Superior Court case no. 20-CIV-02466.

2.05 CONFERENCE WITH LEGAL COUNSEL--Anticipated Litigation: significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government CodeSection 54956.9: One (1) potential case. Former employee ID # 300152

2.06 CONFERENCE WITH LABOR NEGOTIATORS Agency designated representatives: Board Members. Unrepresented employee: Superintendent.

2.07 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Title: Manager, Transportation and Bonds Program Manager.

## 3. RECONVENE TO OPEN SESSION-VIA ZOOM

3.01 REPORT OF ACTION TAKEN IN CLOSED SESSION.

## 4. Special Presentation- Discussion, consideration and action

4.01 FRC Report (Information Only).

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

5.01 PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD ON MATTERS NOT ON THE AGENDA: REQUESTS TO ADDRESS THE BOARD provides members of the public an opportunity to speak about any matter under the jurisdiction of the District but not on this agenda. (If the subject you wish to discuss is already on this agenda, please provide your comment when that item is called during the meeting.) Those who wish to speak on a within the jurisdiction of the District but not on this agenda should use the "Raise hand" function on Zoom as described above when this agenda item 5.01 is called. The Brown Act prevents the Board from discussing any item not on this published agenda but the Board may refer to staff for follow-up any formal written requests that are brought before the Board at this time. There is a limit of 2 minutes for each speaker. The Board has the right to limit total public comment on any agenda item to no more than 20 minutes. Written matters may be placed on a future meeting agenda.

## 6. COMMENTS AND COMMUNICATION

6.01 Alum Rock Administrator's Association (ARAA).

6.02 Teamsters.

6.03 California School Employee's Association (CSEA).

6.04 Alum Rock Educator's Association (AREA).

6.05 Superintendent.

6.06 Board of Trustees/Communications/Comments.

## 7. Public Hearing(s) AND/or Special Order of Business.

7.01 Public Hearing Regarding Sufficiency of Instructional Materials.

**8. SUPERINTENDENT / BOARD BUSINESS--BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)**

8.01 Discussion/Consideration to Approve Resolution No. 14-22/23 Authorizing and Ratifying Responses to Covid-19 Pandemic and Authorizing Remote Virtual/Teleconference Meetings Of The Board And District Committees Subject To The Brown Act For The Period September 9, 2022 - October 10, 2022.

8.02 Approve Superintendent's Contract.

**9. BUSINESS SERVICES--BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)**

9.01 Approve Unaudited Actual Financial Reports for 2021–2022 Report to the Board on Unaudited Actuals as Required by Law.

9.02 Approve Amended Resolution No. 55-21/22 Committed General Fund Balance.

9.03 Approve First Amendment to the Joint Use Agreement with San Juan Bautista (SJB) Child Development Centers for Join Use Facilities at Cassell Elementary.

**10. BONDS-- BOARD DISCUSSION AND/OR ACTION (The Board may take any action on any item in this section, unless it is designated for information only.)**

10.01 Approve Contract with LPA, Inc. for Architectural Services for Facilities Master Plan.

10.02 Approve Contract Extension for Construction Management Services.

10.03 Approve Piggyback Bid 2018-19-001 Arvin Union School District Award of Locker Procurement for #B2223- at George Middle School.

10.04 Approve Piggyback Bid 2018-19-001 Arvin Union School District Award of Locker Procurement for #B2223- at Sheppard Middle School.

**11. INSTRUCTIONAL SERVICES--BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)**

11.01 Approve Resolution No. 10-22/23 Week of the School Administrator.

11.02 Approve Resolution No. 07-22/23 Creating a College Culture.

11.03 Approve Resolution No. 08-22/23 Hispanic Heritage Month.

11.04 Approve Resolution No. 09-22/23 Character Education Month.

11.05 Approve Resolution No. 11-22/23 Digital Citizenship Week.

11.06 Approve Resolution No. 15-22/23, Regarding Sufficiency or Insufficiency of Instructional Materials.

11.07 California Department of Education Expenditure Quarter 4 Report, from Aptitud Community Academy at Goss Early Literacy Support Block Grant (ELSB), and Literacy Action Plan (Information Only).

11.08 California Community Schools Partnership Program (CCSPP) Planning Grant (Information Only).

**12. HUMAN RESOURCES-- BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)**

12.01 Approval and Ratification of Tentative Agreement between the Alum Rock Union Elementary School District and Teamsters Local 150, for the period of July 1, 2022 - June 30, 2023.

12.02 Approve/Ratify Tentative Agreement Between The Alum Rock Union Elementary School District and the California School Employees Association (CSEA), Chapter# 305, for the period of July 1, 2021 – June 30, 2022.

12.03 Resignations (Information Only).

**13. CONTRACTS OVER $100,000--BOARD DISCUSSION AND/OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)**

13.01 Approve the Contract with Bay Alarm Company for the 2022-2023 SY. This contract is for overnight security patrol services. Submitted by: Maintenance, Operations & Transportation, $160,000 dollars.

13.02 Approve a One (1) Year Contract with AON Risk Insurance Services. This contract is to provide annual insurance and brokerage management services, and safety consulting services. Submitted by: Business Services, $226,000 dollars.

## 14. CONSENT CALENDAR-- BOARD DISCUSSION AND/ OR ACTION (The Board may take action on any item in this section, unless it is designated for information only.)

14.01 Approve Board Meeting Minutes for the following date: August 11, 2022, Regular Board Meeting.

14.02 Approve Fundraising Activities.

14.03 Approve Acceptance of Grant/Award Notification.

14.04 Approve Acceptance of Vendor & Payroll Warrants.

14.05 Approve the Santa Clara County Treasury Investment Portfolio Status.

14.06 Approve Resolution No. 12-22/23 Education/State & Local Government Purchase Agreement Piggyback for Apple Products, Services, and Related Items, Bid # P-13 18/19.

14.07 Approve Resolution No.13-22/23 GANN Limit Calculations.

14.08 Approve Contracts for Professional Services - Individuals.

14.09 Approve Memorandum(s) of Understanding(s).

14.10 Approve Contracts for Professional Services - Firms/Organizations.

14.11 Approve/Ratify Notices of Employment and Changes of Status/September 8, 2022.

14.12 Current Enrollment (Information Only).

## 15. FUTURE BOARD AGENDA REQUESTS

15.01 Requests from Board of Trustees and/or from the Public. Requests shall be submitted in writing to the Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue. BB 9322

## 16. ADJOURNMENT

16.01 President adjourns the meeting.

## 17. NEXT MEETING(S)

17.01 October 13, 2022 (2022-23 School Year).