Thursday, February 9, 2023
REGULAR BOARD MEETING AGENDA

Type: REGULAR BOARD MEETING AGENDA
Time: 5:30 p.m.
Code: Regular #14-22/23

The February 9, 2023, 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/85088353797
One tap mobile
+16699006833, Meeting ID: 850 8835 3797# 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 MINH PHAM.

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limited to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.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 2.01 on this agenda as stated below.

2. PUBLIC MEMBERS WHO WISH TO ADDRESS THE BOARD

2.01 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 2.01 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.

3. Special Presentation- Discussion, consideration and action.

3.01 PSS will Provide an Update of the DSA Closeout Process.

3.02 LPA and ARC Alternatives will Provide an Update of the Facilities Master Planning Process.

4. COMMENTS AND COMMUNICATION

4.01 Alum Rock Administrator's Association (ARAA).

4.02 Teamsters.

4.03 California School Employee's Association (CSEA).

4.04 Alum Rock Educator's Association (AREA).

4.05 Superintendent.

4.06 Board of Trustees/Communications/Comments.

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

5.01 Public Hearing Regarding School Bonding Capacity Waiver Request.

6. 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.)

6.01 Approve Resolution No. 35-22/23 making determination to submit a waiver request to the California State Board Of Education with respect to certain provisions of the Education Code Relating to The Issuance of General Obligation Bonds and Bonding Capacity, And approving related documents and actions.

6.02 2023 Ballot for CSBA Delegate Assembly - Deadline is March 15, 2023. The Board may vote for no more than 6 candidates in the Region or Subregion as indicated on the ballot. All re-elected and newly elected Delegates will serve two-year terms beginning April 1, 2023-March 31, 2025. Ballots must be postmarked by the U.S. Post Office on or before Wednesday, March 15, 2023.

6.03 Discussion/Consideration to Approve Resolution No. 22-22/23 Authorizing Remote Virtual/Teleconference Meetings Of The Board And District Committees Subject To The Brown Act For The Period January 20, 2023 - February 20, 2023.

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

7.01 Approve a Pool of Construction Managers for Construction Management Services.

7.02 Approve Pool of Architects for Architectural Services.

7.03 Approve Solar Interconnection Application Preparation by ARC Alternatives for Twenty-One Schools.

7.04 Approve Studio W Architects for Architectural Services for Play Structure and ADA Upgrades at Cassell, LUCHA, and Lyndale and Submission to DSA.

7.05 Notice of Completion and Change Orders for Project B2223-Bonds13 Play Surfaces at Adelante I and San Antonio ES Project.

7.06 Notice of Completion and Change Orders for Project B2223-Bonds17 at Joseph George MS Asphalt Replacement by Silicon Valley Paving, Inc.

8. 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.)

8.01 Approve Resolution No. 32-22/23 Read Across America – March 2, 2023.

8.02 Approve Resolution No. 33-22/23 Women's History Month – March, 2023.

8.03 Approve Resolution No. 34-22/23 Arts Education Month – March, 2023.

8.04 Approve School Sponsored Field Trip List.

8.05 Approve California State Preschool Program (CSPP) Continued Funding Application for Fiscal Year 2023—2024.

8.06 State of California Parks and Recreation: Outdoor Equity Grant (OEG) (Information Only).

9. 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.)

9.01 Resignations (Information Only).

9.02 Approve Resolution No. 36-22/23 Reducing/Laying Off Classified Employee Services.

10. 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.)

10.01 Approve the Contract with Silicon Valley Education Foundation for the 2022/2023 and 2023/2024 SY. This contract will provide an intervention program designed to elevate achievement in math for students entering 3-7 grade through the Elevate Math (EM) program. In addition, Computer Science Institute (CSI) will provide a STEM education computer science program for 7-8 grade students that would not otherwise be exposed to this enrichment program. Submitted by: State and Federal Programs, $237,600 dollars.

10.02 Approve the Contract with ICU Technologies, Inc. for the purchase of interactive panel and display solution boards through CMAS contract #3-23-01-1006. The ClearTouch smartboards will replace outdated classroom smartboards. Submitted: IT Support Services, $$2,883,550 dollars.

10.03 Approve the Contract with CDWG for the purchase of 3,000 Chromebooks to be utilized district-wide. The total cost of the Chromebooks is in the amount of $1,235,250 which will be reimbursed directly to CDWG through ECF grant funds (ECF #97427, Registration #0012123288). Submitted by: IT Support Services, total cost to the District $0.00 dollars.

11. 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.)

11.01 Approve Board Meeting Minutes for the following date: December 15, 2022, Annual Organizational And Regular Board Meeting.

11.02 Approve Acceptance of Donations.

11.03 Approve Fundraising Activities.

11.04 Approve Acceptance of Vendor & Payroll Warrants.

11.05 Approve Acceptance of Grant/Award Notification.

11.06 Approve Memorandum(s) of Understanding.

11.07 Current Enrollment (Information Only).

11.08 Approve/Ratify Notices of Employment and Changes of Status/February 9, 2023.

11.09 Approve Contracts for Professional Services -Firms/Organizations.

12. CLOSED SESSION

12.01 RECESS TO CLOSED SESSION: The Board will recess to Closed Session at approximately 9:00 p.m. Open Session will resume at conclusion of Closed Session.

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

12.03 CONFERENCE WITH LEGAL COUNSEL--Anticipated Litigation: significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9: Four (4) potential cases.

12.04 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.

12.05 CONFERENCE WITH LABOR NEGOTIATORS, EMPLOYEE ORGANIZATION: AREA (Alum Rock Educators Association); District Negotiators: (1) Hilaria Bauer, Ph.D., Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; (3) Kolvira Chheng, Assistant Superintendent, Business; (4) Jess Serna, Lead Negotiator.

12.06 PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Government Code Section 54957): Title: Director of Facilities, Bonds, and Leases

12.07 Public Employee Discipline/Dismissal/Release/Non-Reelection (Government Code Section 54957).

13. RECONVENE TO OPEN SESSION-VIA ZOOM

13.01 REPORT OF ACTION TAKEN IN CLOSED SESSION.

14. FUTURE BOARD AGENDA REQUESTS

14.01 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

15. ADJOURNMENT

15.01 President adjourns the meeting.

16. NEXT MEETING(S)

16.01 March 9, 2023 (2022-23 School Year).