Regular Board of Trustees Meeting - February 27, 2025 Agenda

Time: 5:30 PM

Location: Alum Rock Union Elementary School District, 2930 Gay Avenue, San Jose, CA 95127; District Board Room.

Code: Regular #26-24/25

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 arrangements.

THE MEETING WILL BE AVAILABLE FOR VIEWING LIVE VIA ZOOM WEBINAR MODE AND CAN BE ACCESSED AS FOLLOWS:

THE MEETING MAY ALSO BE VIEWED THROUGH LIVE STREAM AS FOLLOWS:
1. Live stream Youtube English Channel "AlumRock TV"
https://www.arusd.org/alumrocktv

LAND ACKNOWLEDGEMENT- Board of Trustees of 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 to the Muwekma Ohlone People Tribe of the San Francisco Bay Area for their stewardship of those lands.

*******PUBLIC COMMENT WILL BE ONLY IN PERSON: NO PUBLIC COMMENT WILL BE AVAILABLE THROUGH ZOOM*******

1. OPEN SESSION - CALL TO ORDER AND ROLL CALL

1.1 CALL TO ORDER/ ROLL CALL/PLEDGE OF ALLEGIANCE-- PRESIDENT LINDA CHAVEZ

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to, an announcement that an agenda item will be considered out of order, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action.

1.3 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. 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

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

3.1 Student Recognition

Ocala STEAM Academy - Boys 8th Grade Basketball Champions (Presentation maximum 10 minutes)

Joseph George Middle - Lady Vikings 6/7 Grade Girls Basketball League Champions (Presentation maximum 10 minutes)

4. COMMENTS / COMMUNICATION

4.1 Teamsters.

4.2 California School Employee's Association (CSEA).

4.3 Alum Rock Educator's Association (AREA).

4.4 Alum Rock Administrator's Association (ARAA).

4.5 Superintendent.

4.6 Board of Trustees/Communications/Comments.

5. BOND / FACILITIES--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.)

5.1 **Approve Amendment No. 2 with Sixth Dimension for additional Construction Management Services in connection to the LUCHA Play Structure and Additional Scope of Work for the Painter Elementary/Sheppard Middle School Merger (Bid #B2223-Bonds29).**

On March 9, 2023 the Board of Trustees approved the contract agreement with Sixth Dimension for Construction Management Services of various projects Districtwide which included the installation of a play structure at LUCHA. On May 9, 2024 the Board approved Addendum No. 1 to include the fencing projects at Painter Elementary and Sheppard Middle School. Work on the LUCHA play structure and the fencing project were paused in anticipation of the Boards action as to which schools would close and which would be consolidated.

At the December 2, 2024 Special Board Meeting the Board acted to consolidate Painter Elementary and Sheppard Middle School, along with LUCHA and San Antonio Elementary. In order to accomplish the consolidation and merger goals for Painter/Sheppard, Construction Management Services are needed to oversee the additional scope of work: added fencing to accommodate pedestrian traffic between the two sites, added fencing to prevent lower-grade TK-2 students from accessing the Sheppard backfield, replacement of fencing behind the cafeteria, replacement of drinking fountains, resurfacing and restriping of Sheppard parking lot, refurbishment of girls' and boys' bathrooms at both Painter and Sheppard, and the addition of temporary bathrooms at both sites. CM Services are also necessary for the revival of the LUCHA play structure.

In order for Six Dimension to continue working with the design and construction teams for these projects, the staff is requesting the term of this agreement be extended to December 31, 2025.

Item	Amount
Original Contract Amount	$136,814.00
Amendment No. 1	$132,373.00
Amendment No. 2	$272,592.00
New Contract Total	**$541,779.00**

Amendment No 2 Additional Construction Mngmnt Svcs to LUCHA and Additional Scope Painter, Sheppard with Sixth Dimension Cover.pdf

Amendment No 2 Additional Construction Mngmnt Svcs to LUCHA and Additional Scope Painter, Sheppard with Sixth Dimension_DComm (backup).pdf

Staff recommends the Board of Trustees approve Addendum No. 2 in the amount of $272,592 dollars with Sixth Dimension and extend the term of the agreement to December 31, 2025.

5.2 **Architectural Services for Exterior Painting of Thirteen (13) School Sites**

Request for Proposals was solicited from the District Pool of Architects for design services associated with the exterior painting of buildings at the following thirteen (13) school sites: Painter Elementary, Sheppard Middle School, San Antonio Elementary, LUCHA Elementary, McCollam Elementary, Linda Vista Elementary, Lyndale Elementary, Russo/McEntee Elementary, Ryan Elementary, Ocala Middle School, Hubbard Elementary, Aptitud Academy, and Renaissance Academy at Mathson.

The scope of work includes design, drawing and specifications and assistance with color selection which will be determined by school site committees.

The District received one (1) bid/proposal from the following firm:

Firm Name:	Bid/Proposal Amount:
Finney Architects	$129,696.00

Architect Services for School Sites Exterior Painting with

Finney Architects Cover.pdf

Architect Services for School Sites Exterior Painting with Finney Architects_DComm (backup).pdf

Staff recommends the Board of Trustees approve the proposal and award a contract to Finney Architects in the amount of $129,696 dollars for Architectural Services associated with the exterior painting of thirteen District school sites.

6. 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)

6.1 Approve Updated Job Descriptions - Child Nutrition Services

Cover - CNA Job Descriptions 2.27.25.docx.pdf

JD - Child Nutrition Assistant I.pdf

JD - Child Nutrition Assistant II.pdf

JD - Child Nutrition Assistant III.pdf

The District Administration is recommending that the Board of Trustees approve the updated job descriptions.

6.2 Approval of District Memorandum of Understanding with Teamsters Local 150

The District and Teamsters Local 150 reached the attached Memorandum of Understanding regarding CNA 1, 2 and 3 Positions.

Cover - Teamsters MOU.docx

Teamsters MOU 2.27.25.pdf

The District Administration is recommending that the Board of Trustees approve the Memorandum of Understanding.

6.3 Resignations (Information Only)

Pursuant to Board Policy 4117.2 the Superintendent or designee has accepted the following resignations.

Cover - Resignations - 2.27.25.docx

Certificated Resignations 2.27.25.docx

7. 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.)

7.1 School Sponsored Field Trip List

Student field trips are an important component of the educational program. Field trips supplement and enrich classroom learning experiences and provide opportunities for students to relate their new learning to the outside world.February 27 2025 Field Trip Board Cover 24.25.docx February 27 2025 Information Sheet.docx

Staff recommends approval of out-of-county and overnight school-sponsored field trips.

8. 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.)

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

9.1 Approval of Acceptance of Grant/Award Notification

The District has received a grant/award as summarized on the attached sheet dated February 27, 2025.

Grant Cover.pdf

Grants_BDocs.pdf

Grant_CDFA (back up) Revised.pdf

9.2 **Resolution #42-24/25 and Resolution #43-24/25 California Uniform Public Cost Construction Accounting Act (CUPCCAA)**

On February 14, 2019 the Board took action to approve Resolution #26-18/19 and Resolution #27-18/19 in order to facilitate the efficient use of limited maintenance, bonds, and capital funds available to the district. The Board elected to operate under Public Contract Code Section 22000 through 22045 and be subject to the Uniform Public Construction Cost Accounting Procedures. These procedures permit the district to annually advertise for contractors who wish to bid on district projects and to thereby develop a list of qualified bidders for the various trades for the following calendar year. By following these procedures, projects costing $75,000 or less can be performed by district employees, negotiated contract, or by purchase order; informal bidding processes may be used for projects between $75,000 and $220,000; and formal bidding is required for projects of more than $220,000.

Every five years, the Commission shall consider whether there have been material changes in public construction costs and make recommendations to the State Controller regarding adjustments to the bidding procedure monetary limits (PCC22020). Adjustments should be effective for the fiscal year that commences not less than 60 days following the State Controller's notification to all participating agencies.

Res 42 and Res 43 CUPCCAP Cover.pdf

Res 42 CUPCCAP Uniform Public Construction Cost Accounting Procedures_DComm (Resolution).pdf

Res 43 CUPCCAP Uniform Public Construction Cost Accounting Procedures_DComm (Resolution).pdf

9.3 Approve Resolution No. 44-24/25 Inventory Disposal

Authorize the sale, donation, and/or disposal of surplus property under the direction of the Procurement Manager, Assistant Superintendent of Business Services and/or Superintendent.

RESOLUTION-#44-2425-COVER-PAGE.pdf

APPROVE-RESOLUTION-#44-2425-INVENTORY-DISPOSAL .pdf

Staff recommends approval of the sale, donation and/or disposal, of surplus listed on the attached sheet(s) dated February 27, 2025.

9.4 **Donation of Surplus Equipment to Talent Development Center Charity**

Talent Development Center (TDC) is a charity that brings technology to some of the poorest sections of Africa in order to promote high tech learning. This allows for the continued usage of devices that are functional but no longer usable by the District to bring benefit and hope to people on a Global level.

High tech items that are no longer supported or viable to the District would be offered to TDC for shipment to Africa. TDC will accept full liability and facilitate pick up devices from the District.

The attached list of surplus items are being recommended for board approval at the regularly board meeting on February 27, 2025.

E-waste items that do not apply to this charity will be e-wasted in

accordance with California Laws for the Disposal/Destruction of Universal Waste Electronic Devices and SB20/50 through a local e-waste company.

Donation of Surplus Equipment to Talent DCC Cover.pdf

Donation of Surplus Equipment to Talent DCC_DComm (backup rev).pdf

Donation to Talent Development Center_DComm (Surplus).pdf

9.5 Resolution No. 45-24/25
Declaring the Futility of Public Bidding for the Lease of Portable Bathrooms and Approval to Enter into a Contract to Lease of Portable Restrooms

The District seeks to lease portable restrooms for the sites as work continues to impact the restroom facilities at both Sheppard Middle and Painter Elementary sites. The best compatible vendor that met specification that matched the required dimensions for use by the District's TK/Kindergarten students is Mobile Modular Management Corporation.

Res 45 Futility Portable Bathrooms Cover.pdf

Res 45 Futility Portable Bathrooms_DComm (Resolution).pdf

9.6 Notices of Employment and Changes of Status / Human Resources

This item includes recommendations such as new hires, leaves of absence, or other changes in employee status.

Cover - Personnel Report - 2.27.25.docx

Certificated Personnel Report 2.27.25.docx

9.7 Approve Contracts for Professional Services-Firms/Organizations

The following contracts for professional services are being presented to the Board of Trustees for review and approval.

Cover-Page-Firms-February-27

February-27-2025-Firms.docx

ENTOURAGE-YEARBOOKS.pdf

GILLMOR-&-ASSOCIATES-DBA-PUBLIC-PROPERTY-ADVISORS.pdf

DATAGENOMIX-LLC .pdf

JOSTENS-INC.pdf

MOBILE-MODULAR-MANAGEMENT-CORPORATION-PAINTER.pdf

MOBILE-MODULAR-MANAGEMENT-CORPORATION-SHEPPARD.pdf

Staff recommends approval of the following contracts for professional services on the attached sheets. Contract details are on file in the Purchasing Office.

10. CLOSED SESSION - Following Closed Session, the Board reconvenes to Public Session. Adjournment of the Public Session will be no later than 10:30 p.m. for all Regular and Special Meetings, unless extended by a majority vote of the Board.

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

10.2 CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION- Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: four potential cases

10.3 **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9):** (1) Jane Doe 1, et al. v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 23CV420187; (2) Jane AAY Doe, by and through her Guardian ad Litem, John AAL Doe v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 24CV429076; (3) Jane Doe v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 24CV435022; (4) Jane AHK Doe, et al. v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 24CV441079; (5) Jane Doe E.W. v. Alum Rock Union School District, et al., Santa Clara County Superior Court case no. 22CV407905; (6) JANE ROE 1, JANE ROE 2, and JANE ROE 3, vs. ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT, et al., County of Santa Clara Superior Court Consolidated Case No.: 22CV409107; (7) Jane Doe v. Alum Rock Union Elementary School District, Think Together and New Hope for Youth, Santa Clara County Superior Court case no. 24CV449309, and (8) *Jane ACC Doe v. ARUSD, et al.*(case no. 24CV444348).

10.4 Conference with Real Property Negotiators (Gov. Code

Section 54956.8) Agency Negotiators: Public Property Advisors, Lisa Gillmor and Paulo Hernandez, and German Cerda, Superintendent and Teresa DeCelles, Assistant Superintendent of Business Services; Properties: 1300 Tallahassee Dr., San Jose, CA 95122-3939, 1824 Daytona Dr., San Jose, CA 95122-1719, 3720 East Hills Dr., San Jose, CA 95127-2418, 1290 Bal Harbor Dr., San Jose, CA 95122-1902, 277 Mahoney Dr., San Jose, CA 95127-3547, 1711 E. San Antonio St., San Jose, CA 95116-3041, 500 Rough & Ready Rd., San Jose, CA 95133-2068, 2000 Kammerer Ave., San Jose, CA 95116-3016.
Negotiating Parties: Not yet determined
Under discussion/negotiations: Price and terms of payment

10.5 Conference with Labor Negotiators, Employee Organization: AREA (Alum Rock Educators Association); District Negotiators: (1) German Cerda, Superintendent; (2) Cesar Torrico, Assistant Superintendent, Human Resources; Lead Negotiator (3) Teresa DeCelles, Assistant Superintendent, Business.

10.6 Public Employee Performance Evaluation (Gov. Code Section 54957): Superintendent.

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

11. RECONVENE TO OPEN SESSION - DISTRICT OFFICE BOARD ROOM

11.1 Report of Action Taken in Closed Session

12. FUTURE BOARD AGENDA REQUESTS

12.1 Requests from the 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

13. ADJOURNMENT

13.1 President adjourns the meeting.

14. Next Meeting (s)

14.1 March 13, 2025 (2024-2025 School Year)