



Navigator Schools

Board Meeting

Date and Time

Tuesday July 12, 2022 at 4:30 PM PDT

Agenda

	Purpose	Presenter	Time
I. Opening Items			4:30 PM
Opening Items			
A. Record Attendance and Guests		Board Chair	2 m
The chairperson will direct S. Martin to confirm attendance via roll call.			
B. Call the Meeting to Order		Board Chair	1 m
C. Public Comments		Board Chair	2 m
The board will receive public comments regarding non-agenda items, if any, following expectations and time limits reviewed by the chairperson.			
D. Board Chair's Opening Remarks		Board Chair	2 m
The Board Chair will welcome participants and review items on the agenda.			
E. Approve Minutes from Previous Meeting	Approve Minutes	Board Chair	1 m
Members will vote on the approval of minutes from the board meeting on June 29, 2022.			

	Purpose	Presenter	Time
Approve minutes for Board Meeting on June 29, 2022			
F. Approve Board Minutes	Approve Minutes	Board Chair	1 m
Members will vote on the approval of minutes from the board meeting on June 14, 2022.			
Approve minutes for Board Meeting on June 14, 2022			
II. Topical Items			4:39 PM
A. Renewal of Authorization to Continue Virtual Meetings	Vote	Board Chair	2 m
Members will vote on the approval of Board Resolution 2022-19: Resolution Recognizing a State of Emergency and Re-Authorizing Teleconferenced Meetings Pursuant to AB 361.			
B. Revised Hayward Collegiate Lease Agreement	Vote	Kevin Sved	4 m
The Board will consider approving a revised lease agreement for Hayward Collegiate to operate at Good Shepherd Church.			
C. CalSTRS Activation for Hayward Collegiate	Vote	Ami Ortiz	3 m
The board will vote on the approval of the application for activation of California State Teachers' Retirement System (CalSTRS) for Hayward Collegiate.			
D. Committee Assignments	Vote	Board Chair	7 m
The board will consider appointments to board committees and ad hoc committees.			
E. Scheduling an In-Person Board Retreat	Discuss	Board Chair	4 m
The board will discuss the scheduling of an in-person board retreat.			
III. Closing Items			4:59 PM
A. Adjourn Meeting	Vote	Board Chair	1 m
Board members will vote to adjourn the meeting. The board chair will direct S. Martin to record votes via roll call.			

Coversheet

Approve Minutes from Previous Meeting

Section: I. Opening Items
Item: E. Approve Minutes from Previous Meeting
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for Board Meeting on June 29, 2022

APPROVED



Navigator Schools

Minutes

Board Meeting

Date and Time

Wednesday June 29, 2022 at 9:00 AM

Location

Zoom

This meeting will take place via teleconference pursuant to Executive Orders N-25-20 and N-29-20.

The Board of Directors and employees of Navigator Schools shall meet via Zoom. Members of the public who wish to access this board meeting may do so online at <https://zoom.us/join> or via telephone by calling [\(669\) 900-6833](tel:6699006833) or [\(646\) 876-9923](tel:6468769923). The meeting ID is: **946 6135 2999**. The meeting passcode is: **273295**.

Members of the public attending online who wish to comment during the board meeting will use the online "raise hand" tool in Zoom when the chairperson elicits public comments. Members of the public planning to attend by phone are requested to confirm their intent to comment up to one hour prior to the meeting via [e-mail](mailto:).

Individual comments will be limited to three minutes. If an interpreter is needed, comments will be translated into English and the time limit shall be six minutes. At its discretion, the board may limit the total time allotted to public comments and set new time limits for individual comments. The board reserves the right to mute and remove a participant from the meeting if the participant unreasonably disrupts the meeting.

Requests for disability-related modifications or accommodations to participate in this public meeting should be submitted forty-eight hours prior to the meeting via [e-mail](mailto:). All efforts will be

made for reasonable accommodations. The agenda and public documents will be modified upon request as required by Section 202 of the Americans with Disabilities Act.

Esta reunión se celebrará por teleconferencia de conformidad con las Órdenes Ejecutivas N-25-20 y N-29-20.

El Consejo de Administración y los empleados de Navigator Schools se reunirán a través de Zoom. Los miembros del público que deseen acceder a esta reunión del consejo pueden hacerlo en línea en <https://zoom.us/join> o por teléfono llamando al (669) 900-6833 o al (646) 876-9923. El número de identificación de la reunión es: **946 6135 2999**. El código de acceso a la reunión es: **273295**.

Los miembros del público que asistan por Internet y deseen hacer comentarios durante la reunión de la junta directiva utilizarán la herramienta "levantar la mano" en Zoom cuando el presidente solicite los comentarios del público. Los miembros del público que tengan previsto asistir por teléfono deberán confirmar su intención de hacer comentarios una hora antes de la reunión por [correo electrónico](#).

Los comentarios individuales se limitarán a tres minutos. Si se necesita un intérprete, los comentarios se traducirán al inglés y el límite de tiempo será de seis minutos. A su discreción, la mesa directiva puede limitar el tiempo total asignado a los comentarios del público y establecer nuevos límites de tiempo para los comentarios individuales. La mesa directiva se reserva el derecho de silenciar y expulsar a un participante de la reunión si éste interrumpe injustificadamente la reunión.

Las solicitudes de modificaciones o adaptaciones relacionadas con una discapacidad para participar en esta reunión pública deberán presentarse cuarenta y ocho horas antes de la reunión por [correo electrónico](#). Se hará todo lo posible por realizar adaptaciones razonables. El orden del día y los documentos públicos se modificarán si se solicita, tal y como exige el artículo 202 de la Ley de Estadounidenses con Discapacidades.

Directors Present

Chuck Daggs (remote), JP Anderson (remote), John Flaherty (remote), Nora Crivello (remote), Shara Hegde (remote)

Directors Absent

Ian Connell, Victor Paredes-Colonia

Guests Present

Sean Martin

I. Opening Items

A. Record Attendance and Guests

B. Call the Meeting to Order

John Flaherty called a meeting of the board of directors of Navigator Schools to order on Wednesday Jun 29, 2022 at 9:01 AM.

C. Public Comments

There were no public comments.

D. Board Chair's Opening Remarks

The board chair thanked members for attending.

II. Topical Items

A. Renewal of Authorization to Continue Virtual Meetings

JP Anderson made a motion to approve the resolution.

Chuck Daggs seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

John Flaherty	Aye
Chuck Daggs	Aye
Nora Crivello	Aye
Ian Connell	Absent
JP Anderson	Aye
Shara Hegde	Aye
Victor Paredes-Colonia	Absent

B. LCAP and Local Indicator Report

K. Sved provided an overview of the CA School Dashboard, focusing on Local Indicators.

Members asked clarifying questions regarding uniformity of the indicators across school sites and SEL Surveys.

C. Adoption of LCAP Including Local Indicators: Gilroy Prep School

Chuck Daggs made a motion to approve the GPS LCAP with consideration of local indicators.

JP Anderson seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

John Flaherty	Aye
JP Anderson	Aye
Nora Crivello	Aye

Roll Call

Chuck Daggs	Aye
Ian Connell	Absent
Victor Paredes-Colonia	Absent
Shara Hegde	Aye

D. Adoption of LCAP Including Local Indicators: Hollister Prep School

Nora Crivello made a motion to approve the HPS LCAP with consideration of local indicators.

JP Anderson seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

Shara Hegde	Aye
Victor Paredes-Colonia	Absent
Nora Crivello	Aye
JP Anderson	Aye
John Flaherty	Aye
Ian Connell	Absent
Chuck Daggs	Aye

E. Adoption of LCAP Including Local Indicators: Watsonville Prep School

JP Anderson made a motion to approve the WPS LCAP with consideration of local indicators.

John Flaherty seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

Chuck Daggs	Aye
John Flaherty	Aye
JP Anderson	Aye
Nora Crivello	Aye
Ian Connell	Absent
Shara Hegde	Aye
Victor Paredes-Colonia	Absent

III. Closing Items

A. Adjourn Meeting

Nora Crivello made a motion to adjourn.

JP Anderson seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

Victor Paredes-Colonia	Absent
JP Anderson	Aye

Roll Call

Chuck Daggs	Aye
Ian Connell	Absent
Shara Hegde	Aye
Nora Crivello	Aye
John Flaherty	Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 9:17 AM.

Respectfully Submitted,
Sean Martin

Coversheet

Approve Board Minutes

Section: I. Opening Items
Item: F. Approve Board Minutes
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for Board Meeting on June 14, 2022

APPROVED



Navigator Schools

Minutes

Board Meeting

Date and Time

Tuesday June 14, 2022 at 6:00 PM

Location

Zoom

This meeting will take place via teleconference pursuant to Executive Orders N-25-20 and N-29-20.

The Board of Directors and employees of Navigator Schools shall meet via Zoom. Members of the public who wish to access this board meeting may do so online at <https://zoom.us/join> or via telephone by calling [\(669\) 900-6833](tel:669-900-6833) or [\(646\) 876-9923](tel:646-876-9923). The meeting ID is: **935 2013 9156**. The meeting passcode is: **706727**.

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Los comentarios individuales se limitarán a tres minutos. Si se necesita un intérprete, los comentarios se traducirán al inglés y el límite de tiempo será de seis minutos. A su discreción, la mesa directiva puede limitar el tiempo total asignado a los comentarios del público y establecer nuevos límites de tiempo para los comentarios individuales. La mesa directiva se reserva el derecho de silenciar y expulsar a un participante de la reunión si éste interrumpe injustificadamente la reunión.

Las solicitudes de modificaciones o adaptaciones relacionadas con una discapacidad para participar en esta reunión pública deberán presentarse cuarenta y ocho horas antes de la reunión por correo electrónico. Se hará todo lo posible por realizar adaptaciones razonables. El orden del día y los documentos públicos se modificarán si se solicita, tal y como exige el artículo 202 de la Ley de Estadounidenses con Discapacidades.

Directors Present

Chuck Daggs (remote), Ian Connell (remote), JP Anderson (remote), John Flaherty (remote), Nora Crivello (remote), Shara Hegde (remote), Victor Paredes-Colonia (remote)

Directors Absent

None

Directors who arrived after the meeting opened

Shara Hegde

Guests Present

Sean Martin (remote)

I. Opening Items

A. Record Attendance and Guests

B. Call the Meeting to Order

John Flaherty called a meeting of the board of directors of Navigator Schools to order on Tuesday Jun 14, 2022 at 6:02 PM.

C. Public Comments

One member of the public presented a comment before the board concerning a non-agenda item.

D. Opening Remarks from the Board Chair

Shara Hegde arrived at 6:09 PM.

E. Approve Minutes of Regular Board Meeting

Ian Connell made a motion to approve the minutes from Board Meeting on 06-07-22.

JP Anderson seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

Nora Crivello	Aye
Shara Hegde	Aye
Victor Paredes-Colonia	Aye
JP Anderson	Aye
Ian Connell	Aye
Chuck Daggs	Aye
John Flaherty	Aye

F. Chief Executive Officer Report

K. Sved shared information about the first class of Navigator Schools alumni graduating from high school. K. Carr reviewed alumni survey results. K. Sved provided updates on grant applications and related facilities construction funding.

II. Finance Committee

A. Finance Committee Report

V. Paredes-Colonia summarized the committee's review of Local Control and Accountability Plans and the proposed Navigator Schools budget.

B.

Local Control and Accountability Plan: Gilroy Prep School

JP Anderson made a motion to approve the LCAP for Gilroy Prep School.
 Victor Paredes-Colonia seconded the motion.
 The board **VOTED** unanimously to approve the motion.

Roll Call

JP Anderson	Aye
John Flaherty	Aye
Shara Hegde	Aye
Nora Crivello	Aye
Ian Connell	Aye
Victor Paredes-Colonia	Aye
Chuck Daggs	Aye

C. Local Control and Accountability Plan: Hollister Prep School

JP Anderson made a motion to approve the LCAP for Hollister Prep School.
 Nora Crivello seconded the motion.
 The board **VOTED** unanimously to approve the motion.

Roll Call

JP Anderson	Aye
Victor Paredes-Colonia	Aye
John Flaherty	Aye
Chuck Daggs	Aye
Shara Hegde	Aye
Nora Crivello	Aye
Ian Connell	Aye

D. Local Control and Accountability Plan: Watsonville Prep School

Victor Paredes-Colonia made a motion to approve the LCAP for Watsonville Prep School.
 JP Anderson seconded the motion.
 The board **VOTED** unanimously to approve the motion.

Roll Call

John Flaherty	Aye
Nora Crivello	Aye
JP Anderson	Aye
Ian Connell	Aye
Chuck Daggs	Aye
Shara Hegde	Aye
Victor Paredes-Colonia	Aye

E. Proposed Budget (2022-23)

A. Ortiz presented the proposed budget for Navigator Schools, including budget assumptions, expense previews, expenditure overviews, fund balances, and next steps. Board members asked clarifying questions.

Chuck Daggs made a motion to approve the proposed budget for 2022-23.

Ian Connell seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

John Flaherty	Aye
Chuck Daggs	Aye
Ian Connell	Aye
Shara Hegde	Aye
JP Anderson	Aye
Nora Crivello	Aye
Victor Paredes-Colonia	Aye

F. California State Teachers Retirement System Agreements

A. Ortiz provided an explanation of the agreements.

Chuck Daggs made a motion to approve the CalSTRS Agreements.

Nora Crivello seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

Ian Connell	Aye
Nora Crivello	Aye
Chuck Daggs	Aye
Shara Hegde	Aye
JP Anderson	Aye
John Flaherty	Aye
Victor Paredes-Colonia	Aye

III. Governance Committee

A. Governance Committee Report

The committee chair reserved further comment on this topic in consideration of subsequent agenda items related to the election of individual board members.

B. Election of Board Member JP Anderson

Members offered thanks to JP Anderson for his many contributions to the board over multiple terms of service.

Victor Paredes-Colonia made a motion to approve the resolution electing JP Anderson to the Navigator Schools Board of Directors.

Shara Hegde seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

JP Anderson	Abstain
Victor Paredes-Colonia	Aye
Ian Connell	Aye
Shara Hegde	Aye
Nora Crivello	Aye
John Flaherty	Aye
Chuck Daggs	Aye

C. Election of New Board Member Claire Grissom

The board chair summarized the background, expertise, and skills of C. Grissom.
 Nora Crivello made a motion to approve the resolution electing Claire Grissom to the Navigator Schools Board of Directors.
 Shara Hegde seconded the motion.
 The board **VOTED** unanimously to approve the motion.

Roll Call

Victor Paredes-Colonia	Aye
JP Anderson	Aye
John Flaherty	Aye
Ian Connell	Aye
Nora Crivello	Aye
Chuck Daggs	Aye
Shara Hegde	Aye

D. Election of New Board Member Alfred Morikang

The board chair shared a brief biography of the candidate, and members expressed reasons for their support of electing the candidate to the board.
 Ian Connell made a motion to approve the resolution electing Alfred Morikang to the Navigator Schools Board of Directors.
 JP Anderson seconded the motion.
 The board **VOTED** unanimously to approve the motion.

Roll Call

John Flaherty	Aye
JP Anderson	Aye
Shara Hegde	Aye
Victor Paredes-Colonia	Aye
Chuck Daggs	Aye
Nora Crivello	Aye
Ian Connell	Aye

E. Board Meeting Calendar (2022-23)

The board chair elicited feedback from members regarding the proposed board calendar.
 JP Anderson made a motion to approve the Board Meeting Calendar.

Ian Connell seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

Ian Connell	Aye
Nora Crivello	Aye
Victor Paredes-Colonia	Aye
Chuck Daggs	Aye
Shara Hegde	Aye
John Flaherty	Aye
JP Anderson	Aye

F. Annual Brown Act Training

The order of this item was exchanged with Item G. Item G was addressed prior to Item F. T Peraic presented an annual Brown Act training to the board. He shared a brief history of the act in relation to schools, and details pertaining to compliance with the act, including exceptions, types of meetings, types of committees, teleconferencing, and closed sessions. He welcomed questions from the board. The board chair thanked T. Peraic for providing the presentation.

G. Board Committee Assignments

K. Sved and the board chair shared next steps with members concerning the finalization of committee assignments for 2022-23.

IV. Academic Success Committee

A. Academic Committee Report

I. Connell reviewed recent activities of the committee. He was joined by J. Dent in explaining Navigator Schools' innovative Middle School Squads learning-group model. J. Dent shared positive student perspectives in support of the strategy, and board members shared questions related to the topic.

V. Topical Items, Part 1

A. Transitional Kindergarten Planning Grant

K. Sved explained requirements relating to the grant, reviewed connections to the budget, and welcomed questions from the board. The board chair offered comments in support of developing and expanding Transitional Kindergarten.

B. Hayward Collegiate Merger Update and Ratification of Exhibits

K. Sved provided an update on the merger with Hayward Collegiate, and T. Peraic addressed next steps related to relevant legal documents and approvals. K. Sved

reviewed ongoing Hayward Collegiate onboarding activities related to multiple components of school management, parent outreach, and communications. Chuck Daggs made a motion to ratify the merger exhibits. Ian Connell seconded the motion. The board **VOTED** unanimously to approve the motion.

Roll Call

John Flaherty	Aye
Nora Crivello	Aye
JP Anderson	Aye
Ian Connell	Aye
Victor Paredes-Colonia	Aye
Chuck Daggs	Aye
Shara Hegde	Aye

C. Declaration of Need

M. Alatorre Alnas provided background information concerning the Declarations of Need. Board members asked clarifying questions about the declarations and the board meeting packet. Nora Crivello made a motion to approve the Declarations of Need. Chuck Daggs seconded the motion. The board **VOTED** to approve the motion.

Roll Call

JP Anderson	Aye
Chuck Daggs	Aye
Victor Paredes-Colonia	Aye
Nora Crivello	Aye
Ian Connell	Aye
Shara Hegde	Aye
John Flaherty	Abstain

VI. Closed Session

A. Announcement of Reason for Closed Session: Chief Executive Officer Evaluation

The board chair announced the reason for the closed session.

B. Vote to Enter Closed Session

Nora Crivello made a motion to enter closed session. Ian Connell seconded the motion. The board **VOTED** unanimously to approve the motion.

Roll Call

JP Anderson	Aye
Ian Connell	Aye
Chuck Daggs	Aye

Roll Call

John Flaherty Aye
Victor Paredes-Colonia Aye
Shara Hegde Aye
Nora Crivello Aye

C. Closed Session: Evaluation of Chief Executive Officer

D. Return to Open Session and Announcement of Action Taken

The board chair announced that no actions were taken during closed session.

VII. Closing Items

A. Adjourn Meeting

Ian Connell made a motion to adjourn.

Victor Paredes-Colonia seconded the motion.

The board **VOTED** unanimously to approve the motion.

Roll Call

John Flaherty Aye
Shara Hegde Aye
JP Anderson Aye
Nora Crivello Aye
Ian Connell Aye
Victor Paredes-Colonia Aye
Chuck Daggs Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 9:03 PM.

Respectfully Submitted,
Sean Martin

Coversheet

Renewal of Authorization to Continue Virtual Meetings

Section: II. Topical Items
Item: A. Renewal of Authorization to Continue Virtual Meetings
Purpose: Vote
Submitted by:
Related Material: BR 2022_19 AB361 Renew.pdf

BOARD RESOLUTION 2022-19

July 12, 2022

RESOLUTION RECOGNIZING A STATE OF EMERGENCY AND RE-AUTHORIZING TELECONFERENCED MEETINGS PURSUANT TO AB 361

The Navigator Schools Board of Directors met at its regularly scheduled board meeting on July 12, 2022, established a quorum, and considered the issues and matters as set forth below and in the associated resolution as follows.

WHEREAS, on March 4, 2020, the Governor issued a Proclamation of State of Emergency in response to the COVID-19 pandemic and in accordance with Government Code section 8625;

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the Brown Act (Government Code section 54950 et seq.), provided certain requirements were met and followed, thus enabling legislative bodies to meet remotely;

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21 that provided that the teleconferencing rules would remain suspended through September 30, 2021;

WHEREAS, on September 16, 2021, the Governor signed AB 361 authorizing a legislative body subject to the Brown Act to continue to meet remotely using teleconference without compliance with the Brown Act teleconference rules if certain conditions are followed including (1) initially the existence of a proclaimed state of emergency and (2) requirements or recommended measures from state or local officials to promote social distancing;

WHEREAS, on December 29, 2021, the Board of Directors of Navigator Schools met at its regularly scheduled board meeting and passed Resolution BR 2021-14 authorizing virtual board meetings pursuant to AB 361; and

WHEREAS, as of the date of this Resolution, the Proclamation of State of Emergency issued by the Governor on March 4, 2020, remains in place;

WHEREAS, Navigator Schools has an important interest in protecting the public health, safety, and welfare of those who participate in meetings of the various legislative bodies during COVID-19 and ensuring that all members of the public can participate safely in meetings of legislative bodies;

NOW THEREFORE, BE IT RESOLVED, that the recitals set forth above are true and correct and fully incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED, that the Board of Directors of Navigator Schools considered the State of Emergency in the State of California at this special board meeting and finds that one continues to exist due to the COVID-19 pandemic.

BE IT FURTHER RESOLVED, that the Board of Directors of Navigator Schools considered the circumstances of the State of Emergency and finds that COVID-19 continues to pose an imminent threat to the health and safety of the community and directly impacts the ability of the members to meet safely in person.

BE IT FURTHER RESOLVED, the Board of Directors of Navigator Schools considered the continued use of teleconferencing for all meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act and hereby authorizes such use.

This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Directors of Navigator Schools at its special meeting held on July 12, 2022, via teleconference per COVID-19 regulations.

The Secretary of the Corporation certifies the resolution was adopted at the dated meeting of the Board of Directors.

Signature of Board President or Secretary **Date**

Name: _____

Title: _____

Navigator Schools, a California Nonprofit Public Benefit Corporation

Coversheet

Revised Hayward Collegiate Lease Agreement

Section: II. Topical Items
Item: B. Revised Hayward Collegiate Lease Agreement
Purpose: Vote
Submitted by:
Related Material: Amended HC Lease Memo and Lease Document.pdf



Date: July 8, 2022
To: Board of Directors of Navigator Schools
From: Kevin Sved, CEO
Subject: Hayward Collegiate Amended Lease Agreement

Background

Hayward Collegiate entered a five-year lease agreement with the Good Shepherd Lutheran Church that spans from July 2019 to July 2024. Upon completion of the merger with Hayward Collegiate, the lease agreement will become the obligation of Navigator Schools. In reviewing the existing lease and related amendments, key areas needed clarification, including the lessor’s responsibilities for proper operation and maintenance of electrical systems, plumbing systems, and the heating, ventilation, and air-conditioning (HVAC) systems throughout the premises. Additionally, to be prepared in the event that the lessor does not complete future repairs or services in a timely manner, it was important to add a provision that entitles the lessee to procure the necessary repairs or services and deduct reasonable expenses from its rent obligation. Lastly, in order to operate food services and to have sufficient space to meet program needs, the proposed amended lease adds use of the social hall, kitchen, additional bathrooms, and another small classroom. The proposed amended lease costs are based on a yearly price per square foot of \$1.67 for 2022-23 and \$1.71 for 2023-24. Under the terms of the amended lease, the monthly cost will be \$14,357 in 2022-23, rising 2.5% in 2023-24 to \$14,716.

Recommendation

It is recommended that the Board approve the proposed amended lease with Good Shepherd Lutheran Church and authorize the CEO to execute the lease in substantially the form attached.

AMENDMENT TO 2019 - 2024 LEASE AGREEMENT

This Amendment to 2019-2024 Lease Agreement (“Amended Lease”) is made effective on August 1, 2022 and is made by and between GOOD SHEPHERD LUTHERAN CHURCH, a California non-profit religious corporation (“Lessor” or “Church”) and NAVIGATOR SCHOOLS, a California non-profit public benefit corporation (“Lessee” or “Navigator”).

RECITALS

WHEREAS, on or about February 13, 2019, Lessor entered into that certain 2019-2024 Lease Agreement with Hayward Collegiate, Inc., a true and correct copy of which is attached hereto (“Lease”);

WHEREAS, on or about April 21, 2021, Lessor and Hayward Collegiate, Inc., entered into that certain Second Amendment to Commercial Net Lease, a true and correct copy of which is attached hereto;

WHEREAS, on or about March 15, 2022, Lessor and Hayward Collegiate, Inc., entered into that certain Third Amendment to Commercial Net Lease, a true and correct copy of which is attached hereto;

WHEREAS, Hayward Collegiate, Inc. is merging with Navigator as the surviving corporation and the merger is anticipated to be effective as of July 1, 2022;

WHEREAS, Navigator seeks to continue to build upon the success of Hayward Collegiate in serving the community and build upon the good will developed between the Church and Hayward Collegiate in the service of the community;

WHEREAS, Church is willing to amend the current Lease and allow Navigator to become the new tenant, as per below.

NOW THEREFORE, Lessee and Lessor agree as set forth below.

AGREEMENT

ARTICLE 1. PREMISES

Church agrees to lease to Navigator for the purposes of operating a California public charter school, that certain portion of Church facility located at 166 W. Harder Road, Hayward, California, known as: Classrooms 1,2,3,4, 5, & 6; the associated child play area located between the classroom building and Gading Road; and, the play area adjoining the parking area. Lessee shall also be entitled to use of restroom facilities in the building designated Boys and Girls on a shared basis with Lessor. Each agrees to maintain the restrooms in a clean and sanitary manner. Additionally, the following spaces will be included in this Amended Lease:

- a) exclusive use Monday-Friday of the “pass-through office” that is next to the kitchen
- b) exclusive use of the office adjacent to the “pass-through office”
- c) exclusive use of the meeting room off the Social Hall that between the stage and Harding Rd.
- d) exclusive use of the kitchen Monday-Friday, 6am to 5pm with dedicated storage space over the weekend to be agreed upon
- e) exclusive use of the Social Hall, Monday-Friday 6am to 5pm, including the Social Hall foyer, and the office space located off the Social Hall foyer
- f) shared use of restrooms Monday-Friday 7a-5p that are located off of the foyer outside the sanctuary
- g) exclusive use of the nursery classroom Monday-Friday that is located off of the foyer outside the sanctuary

ARTICLE 2. TERM OF LEASE

This Amended Lease shall be for a term of two years, commencing on the first day of August 2022, and concluding on July 31, 2024. Parties shall notify each other one year in advance of lease expiration of their desire to modify, terminate or extend this Amended Lease.

ARTICLE 3. RENT

Lessee agrees to pay Lessor the amount of \$14,357 per month from August 1, 2022 to July 31, 2023, and \$14,716 from August 1, 2023 to July 31, 2024. Rent shall be payable on or before the third day of each and every month, when due, thereafter, to Good Shepherd Lutheran Church, 166 W. Harder Road, Hayward, California 94544. Lessee understands and agrees that the rental stated herein shall apply during the term of this Amended Lease. Additionally, Lessee agrees to pay 66.77% of utilities, including water, sewage, electricity, and gas. The Lessor will provide copies of the utility bills on a quarterly basis and the Lessee will pay its portion of the utilities bill within 30 days of receipt.

In addition, the Lessee fully understands that any fixtures or improvements which are affixed, (nailed, screwed, bolted or glued) become part of the Premises, and shall at all times remain the sole and exclusive property of Lessor.

ARTICLE 4. USE OF PREMISES

Use: The premises shall at all times be used solely for the purpose of operating a California public charter school and extended day-care activities related directly to such operation.

Operation: Except as set forth in Article 1, the hours of operation shall be 6:00 AM to 6:00 PM five days a week, year-around, not to include legal holidays. Additionally, it is understood by both Lessor and Lessee that any additional times for using the Premises will be coordinated with the Lessor and may occur with or without increased cost to Lessee.

Insurance Hazards: Lessee shall not commit or permit the commission of any acts on the premises nor use or permit the use of the premises in any manner that will increase the existing rates for or cause the cancellation of any fire, liability, or other insurance policies insuring the entire church or any part thereof. In the event of any unavoidable rate increase in insurance, it is understood by the Lessee that they will assume the cost of any such increase through an adjustment of rent and will be notified of said adjustment at least sixty (60) days in advance.

Waste or Nuisance: Lessee shall not commit or permit the commission by others of any waste on or about the premises or commit or permit the use of the premises for any unlawful purpose.

Compliance With The Law: Lessee shall at Lessee's own cost and expense, comply with all statutes, ordinances, regulations, and requirements of all governmental entities, federal, state, county or municipal, relating to Lessee's use and occupancy of the premises, whether such statutes, ordinances, regulations and requirements be now in force or hereinafter enacted. The judgment of any court of competent jurisdiction, or the admission by Lessee that Lessee has violated any such statute, ordinance, regulation, or requirement shall be conclusive as between Lessor and Lessee and shall be grounds for termination of this Amended Lease by Lessor.

ARTICLE 5. UTILITIES & LAWN CARE

Lessee shall pay for the furnishing of the classrooms and will maintain the open lawn areas inside the school area. The enclosed playground area is the responsibility of Lessee along with telephone service and any additional public utilities used by Lessee, if any, shall be the sole responsibility of the Lessee.

ARTICLE 6. MAINTENANCE, ALTERATION AND REPAIRS

It is understood that from time to time minor alterations, installations, and repairs will be handled by Lessee for their school operation.

Maintenance: Lessee shall at own cost and expense keep and maintain all portions of the Premises under this Amended Lease except as outlined in this section. Lessor shall maintain lawn areas outside the school area, roof, outside walls, and shared Boys and Girls bathrooms. Lessor shall be responsible for proper operation and maintenance of electrical systems, plumbing systems, and the heating, ventilation, and air-conditioning (HVAC) systems throughout the Premises. Lessor is also responsible for pest and vermin control, including termites. In the event that repairs are a result of the Lessee's negligence, Lessee shall be responsible to provide for the resulting repairs. In the event that repairs or extermination services are not provided on a timely basis, Lessee shall be entitled to procure the necessary repairs or services and deduct reasonable expenses from its rent obligation after making good faith efforts to communicate about the situation.

Alterations and Liens: Lessee shall not make or permit any other person to make any alterations or changes of any kind to the existing premises, or any improvement thereon or facility appurtenant thereto without the prior written consent of Lessor. Lessee shall keep the premises free and clear from any and all liens, claims and demands for work performed, materials furnished, or operations conducted on said premises at the instance of request of Lessee. Furthermore, any and all alterations, additions, improvements and fixtures, except furniture and educational materials of Navigator made or placed in or on said premises by Lessee or any other person shall on expiration or termination of this Amended Lease become the property of Lessor and remain on said premises; provided, however, that Lessor shall have the option on expiration or sooner termination of this Amended Lease, to require the Lessee, at Lessee's expense, to remove any and all such alterations, additions, improvements or fixtures.

ARTICLE 7. INDEMNITY AND INSURANCE

Hold Harmless Clause: Lessee agrees to indemnify and hold Lessor and the property of Lessor, including premises, free and harmless from any and all claims, liability, loss, damage or expenses which may arise, result from, or which are incurred as a result of Lessee's occupation and use of the premises.

Liability Insurance: Lessee shall at own cost and expense secure within ten (10) days of the date of the execution of this lease, and maintain during the entire term of this lease and any extensions a broad form comprehensive insurance coverage of public liability issued by an insurance company acceptable to the Lessor and insuring Lessee against loss or liability caused by or connected with Lessee's occupation or use of the premises under this lease in amounts not less than one million five hundred thousand (\$1,500,000).

Worker's Compensation: Lessee shall, at own expense and cost, obtain all necessary worker's compensation insurance which may be required for Lessee or any of Lessee's agents or employees within maintain said insurance coverage during the entire term, as well as any renewals or extensions of this lease.

ARTICLE 8. ACTS CONSTITUTING BREACHES BY LESSEE

Lessee shall be subject to a material default and breach of this lease should: Any rent, or other sums due thereunder, be unpaid when due and remain unpaid for three (3) days after written notice to pay such sums or surrender possession of the premises has been given to Lessee by Lessor.

ARTICLE 9. LIAISON BETWEEN PARTIES

Day to day relations between Lessor and Lessee shall be conducted through the Pastor, Staff, Property Director or designated alternate, representing the Church, and the CEO of Navigator Schools or a designated representative.

ARTICLE 10. GOOD FAITH CONDITIONS

This Amended Lease is entered upon with the understanding that it is impossible that the parties to this Amended Lease can express all of their precise intentions on a written document. Also, that there must be give and take among all persons of Good Will.

ARTICLE 11. MISCELLANEOUS

Provisions from the Lease which are not found in this Amended Lease are deliberate and those terms and conditions no longer apply. This Amended Lease shall be governed by the laws of the State of California.

GOOD SHEPHERD LUTHERAN CHURCH “Lessor”

By:

Its:

Date: _____, 2022

NAVIGATOR SCHOOLS “Lessee”

By:

Its:

Date: _____, 2022

Coversheet

CalSTRS Activation for Hayward Collegiate

Section: II. Topical Items
Item: C. CalSTRS Activation for Hayward Collegiate
Purpose: Vote
Submitted by:
Related Material: CalSTRS Application for Activation.pdf



Date: July 8, 2022

To: Board of Directors

From: Ami Ortiz, Director of Business & Finance

Re: Application for California State Teacher Retirement System (CalSTRS) Activation for Hayward Collegiate

Recommendation

It is recommended that the Board approve the application for CalSTRS activation for Hayward Collegiate.

Background

Prior to submitting retirement reports and contributions to CalSTRS, a new Charter School must apply for CalSTRS activation of a reporting account called Report Unit ID. Application for CALSTRS Activation ES1796 Form must be fully completed and approved by the Board of Directors.

Summary

It is recommended that the Board approve the application for CalSTRS activation for Hayward Collegiate.

Application for CalSTRS Activation

ES1796 REV 05/20

[For CalSTRS' Official Use Only]



California State Teachers' Retirement System
P.O. Box 15275, MS 17
Sacramento, CA 95851-0275
800-228-5453
CalSTRS.com

This activation is for Defined Benefit (DB) and Defined Benefit Supplement (DBS) Retirement Plans.
If you would like to offer the Cash Balance (CB) Retirement Plan, please contact us for more information.

Section 1: School Information

SCHOOL NAME

Hayward collegiate

CDS CODE

01 10017 0138867

COUNTY

Alameda

SCHOOL TYPE

COMMUNITY COLLEGE DISTRICT: CDS CODE not applicable

NON-CHARTER PRE-K-12 SCHOOL

OTHER SCHOOL TYPE (ROP, JPA, ADULT EDUCATION, CHILD CARE)

CHARTER SCHOOL: Please provide the following additional information for Charter School Type only:

CHARTER NUMBER: 2827

CHARTERING AUTHORITY: Alameda County Office of Education

CMO: Navigator Schools

MAILING ADDRESS

1050 San Benito St, Ste. 230, Hollister Ca 95023

SITE ADDRESS

1166 W. Harder Rd, Hayward Ca 94544

ACTIVATION CONTACT NAME(S)

1. Ami Ortiz
2. Annie Stevens

EMAIL(S)

1. ami.ortiz@navigatorschools.org
2. annie.stevens@navigatorschools.org

TELEPHONE(S)

1. 831-297-2772
2. 831-217-4881



ES1796



Section 2: CalSTRS Retirement Reporting Information

REPORT UNIT ID ASSIGNED BY COE	61027
CALSTRS START DATE	8/1/2022
SCHOOL OPEN DATE	8/2019
RETIREMENT PROCESSING OFFICE	Navigator schools
RETIREMENT MAILING ADDRESS	1050 San Benito St, Ste. 230, Hollister CA 95023
RETIREMENT CONTACT NAME(S)	1. Ami Ortiz 2. Annie Stevens
RETIREMENT EMAIL(S)	1. ami.ortiz@navigator schools.org 2. annie.stevens@navigator schools
RETIREMENT TELEPHONE(S)	831-297-2772
PAYROLL PROCESSING OFFICE	same as above
PAYROLL MAILING ADDRESS	
PAYROLL CONTACT NAME(S)	1. 2.
PAYROLL EMAIL(S)	1. 2.
PAYROLL TELEPHONE(S)	

Section 3: Employer Pick-Up of Member Contributions - Tax Treatment of Member Contributions

Employer "pick-up" of member contributions (EPMC) is a program set forth in the provision of Internal Revenue Code section 414(h)(2) whereby employee contributions are non-taxable when they are reported as paid by the employer. The EPMC may be picked up for the purpose of deferring taxes provided the contributions are deducted from the member's salary. These contributions are still considered part of the employee's compensation for everything except tax treatment.

If an employer chooses to implement the provisions of EPMC, the governing board of that employer must take formal action to adopt a resolution in conformance with the IRS approved model resolution. Adoption of the EPMC resolution requires all CalSTRS members to be covered. If a resolution for EPMC is not adopted, only non tax-deferred contributions can be reported to CalSTRS.

Select One:

- The Governing Board is not pursuing action to provide EPMC for employees who are members of CalSTRS at this time.
- The Governing Board has pursued action to provide EPMC for employees who are members of CalSTRS. Please provide the following:
 - Date Adopted by the Governing Board _____
 - EPMC Pre-Tax Receivable Effective Date _____
 - Required Board Documents:
 - Board minutes or official memorandum adopting pre-tax EPMC
 - Executed EPMC Resolution – see Examples page for resolution language



Section 4: Pre-Tax Deductions for Voluntary Receivable Resolution (see Examples page for explanation)

The Internal Revenue Service (IRS) has ruled that CalSTRS members may elect to have their payments for voluntary receivables (redeposits or previously withdrawn contributions, permissive or nonqualified service credit purchase) qualify as tax-deferred payments if certain conditions are met, including that the employer must adopt a resolution to offer tax-deferred payroll deduction installment payments to employees for voluntary receivables. If an employer does not adopt a resolution for tax-deferred payroll deductions, only non tax-deferred payroll deductions may be offered for voluntary income.

For more information regarding employer reporting of payroll deductions for accounts receivables, please refer to Employer Directive 2010-02 available for download at CalSTRS.com/employer-and-administrative-directives.


Select One:

- The Governing Board is not pursuing action to provide pre-tax deductions for voluntary receivables for employees who are members of CalSTRS at this time.
- The Governing Board has pursued action to provide pre-tax deductions for voluntary receivables for employees who are members of CalSTRS. Please provide the following:
 - Date Adopted by the Governing Board _____
 - Voluntary Deductions Pre-Tax Receivable Effective Date _____
 - Required Board Documents:
 - Board minutes or official memorandum adopting Pre-Tax Deductions for Voluntary Receivable
 - Executed Pre-Tax Deductions for Voluntary Receivable Resolution - see Examples page for resolution language

Section 5: Required Signature

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I understand that perjury is punishable by imprisonment for up to four years (Penal Code section 126).

I understand it is unlawful to fail to disclose a material fact or to make any knowingly false material statements for the purpose of altering a benefit administered by CalSTRS and it may result in penalties, including restitution, up to one year imprisonment and a fine of up to \$5,000 (Education Code section 22010).

PRINT NAME OF OFFICIAL SCHOOL REPRESENTATIVE <i>Ami Ortiz</i>	
POSITION TITLE <i>Director of Business & Finance</i>	
OFFICIAL'S SIGNATURE 	SIGNATURE DATE <i>6/30/2022</i>

Coversheet

Committee Assignments

Section: II. Topical Items
Item: D. Committee Assignments
Purpose: Vote
Submitted by:
Related Material: Officers and Committee Roles 2022-23 (July 8 Draft).pdf

July 8, 2022

NS BOARD OFFICERS AND COMMITTEE COMPOSITION: 2022-23

1. Board Members

Member	Term End	Term No.
JP Anderson	Jun 30, 2024	1 ¹
Ian Connell	Jun 30, 2024	2
Chuck Daggs	Apr 19, 2023	1
John Flaherty <i>Board Chair</i>	Mar 22, 2024	3
Claire Grissom	Jun 30, 2024	1
Shara Hegde	Apr 19, 2023	1
Alfred Morikang	Jun 30, 2024	1
Victor Paredes-Colonia	Feb 27, 2023	2
Jaime Quiroga	Jun 30, 2024	1

2. List of Committees

Committee	Ad Hoc Committee
Academic Success	Committee on Organizational Success (COS)
Finance	
Governance	

3. Committee Members

Academic Success	Finance	Governance
Ian Connell <i>Committee Chair</i>	Victor Paredes-Colonia <i>Committee Chair</i>	John Flaherty <i>Committee Chair</i>
JP Anderson	JP Anderson	Ian Connell
Chuck Daggs		
Shara Hegde		

4. Ad Hoc Committee Members

COS		
John Flaherty <i>Committee Chair</i>		
Ian Connell		

¹ JP Anderson served three previous terms as a parent representative.