

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
MARCH 6, 2013**

BOARD AGENDA PACKETS AND INFORMATION:

Complete Board meeting packets are available for review at the Administration Building, the District's six high schools, and at public libraries throughout West County.

Complete Board agendas and packets are available online at: www.wccusd.net.

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District office located at 1108 Bissell Avenue, Richmond, CA 94801 during normal business hours. In addition, such writings and documents may be posted on the District's website as noted above.

VIEWING THE BOARD MEETINGS:

Television:

Live television broadcast of regularly scheduled Board meetings is available by the City of Pinole on PCTV Channel 26/28, the City of Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. Please check the city websites for local listings of broadcast schedules.

You may also find the complete meeting available on a tape-delay basis through the Richmond City Web Page at: <http://www.kcrt.com> within a few days of the recording date.

Audio tapes of Board meetings are kept on file at the Administration Building, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1101).

The Board of Education would like to acknowledge Comcast, the cities of Pinole and Richmond, and WCCUSD staff for their generosity and efforts in helping to televise WCCUSD Board of Education meetings.

ATTENDING BOARD MEETINGS:

The public is warmly invited to attend and participate in all WCCUSD Board of Education meetings.

Location: **LOVONYA DEJEAN MIDDLE SCHOOL
3400 MACDONALD AVENUE
RICHMOND, CA 94805**

Time: The **Board of Education's Open Session meeting will begin at 6:30 PM.** The Board will convene at **5:30 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

Order of Business: **ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE**

Special Accommodations: Upon written request to the District, disability-related modifications or accommodations, including auxiliary aids or services, will be provided. Please contact the Superintendent's Office at 510-231-1101 at least 48 hours in advance of meetings.

"of children be more careful than anything."
e.e. cummings

B. OPENING PROCEDURES

B.1 Pledge of Allegiance

B.2 Welcome and Meeting Procedures

B.3 Roll Call

B.4 Presentation of Student Board Representative from Hercules High School

B.5 Report/Ratification of Closed Session

* **B.6 Agenda Review and Adoption** (Public Comment)

* **B.7 Minutes:** February 6, 2013; February 13, 2013

C. BUSINESS ITEMS

CONSENT ITEMS (Routine Matters)

Consent Calendar Items designated by “CI” are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal, discussion or explanation is received from any Board member or member of the public in attendance. Items the Board pulls for discussion or explanation will be addressed following Section E.

*CI **C.1 Grants/Awards/Agreements**

Comment:

Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated March 6, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

*CI **C.2 Acceptance of Donations**

Comment:

The District has received donations as summarized, dated March 6, 2013. Staff recommends acceptance of these donations.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per donations summary

*CI **C.3 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2012-13 school year are summarized, dated March 6, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve contracts for services as detailed, dated March 6, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Summary of Payroll and Vendor Warrant Reports**

Comment:
The summaries of Payroll and Vendor Warrants issued during the month of January 2013 are provided:

Total of payroll warrants (January 2013): \$ 9,150,741
Total of vendor warrants (January 2013): \$ 19,575,272

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.6 Notice of Completions: Bid 3601612-00 Kennedy High School Walk-In Cooler/Refrigerator, Bid 2121102-05 Pinole Middle School MPR Audio-Visual Project, Bid 1321204-03 King Elementary School Security Raceway Infrastructure, Bid 2101101-01 Helms Middle School MPR Audio Visual, Bid 2121102-09 Pinole Middle School Security Raceway Infrastructure and Bid 1321204-02 King Elementary School Site Drainage**

Comment:
Substantial completion notices has been received for: Bid 3601612-00, Bid 2121102-05, Bid 1321204-03, Bid 2101101-01, Bid 2121102-09, and Bid 1321204-02.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractors:

Streamline Builders, Bid 3601612-00 Kennedy High School Walk-in Cooler/Refrigerator

Point One Electrical Systems, Bid 2121102-05 Pinole Middle School MPR Audio-Visual Project
AM Woo, Bid 1321204-03 King Elementary School Security Raceway Infrastructure
Triumph Construction, Inc. Bid 2101101-01 Helms Middle School MPR Audio Visual
AM Woo, Bid 2121102-09 Pinole Middle School Security Raceway Infrastructure
Breneman, Inc. Bid 1321204-02 King Elementary School Site Drainage

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

***CI C.7 Routine Personnel Changes – Classified**

Comment:

Routine personnel changes include actions to hire, promote, or terminate classified employees in accord with appropriate laws, established policies and procedures.

Recommendation:

For Information Only

Fiscal Impact:

None

***CI C.8 Resolution No. 69-1213: Week of the School Administrator – March 3-9, 2013**

Comment:

Administrators of California's public school are commended for their support of, and contribution to, quality education in the state.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.9 Resolution No. 72-1213: California Adult Education Week – March 11-15, 2013**

Comment:

The administration, teachers and students of the West Contra Costa Adult School are recognized for their efforts and accomplishments.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.10 Resolution No. 70-1213: Women’s History Month – March 2013**

Comment:

This resolution proclaims the month of March as Women’s History Month and encourages all educational communities to commemorate this time with appropriate instructional activities.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.11 Resolution No. 71-1213: Arts in Education Month – March 2013**

Comment:

This resolution proclaims the month of March as Arts Education Month and encourages all educational communities to celebrate the arts with meaningful student activities and programs that demonstrate learning and understanding in the visual and performing arts.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.12 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm’s existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation:

Ratify and approve contracts as noted

Fiscal Impact:

Total for this action: \$130,955. Funding sources as noted.

***CI C.13 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Portola MS Demolition of Existing Campus; Peres ES Dental Clinic; Kennedy HS Quad Landscape Upgrades; King ES Site Drainage; Pinole MS Security Raceway Infrastructure; and Ohlone ES Part 1/Phase 1. Change Orders are fully executed by the District upon signature by the Superintendent’s

designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Order for the Kennedy HS Quad Landscape Upgrades and Pinole MS Security Raceway Infrastructure projects is required by the Board, with special findings as noted, because this project is in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by ratifying these Change Orders, finds that it would have been futile to publicly bid the work in question because of the tight time frames to complete this work without affecting the operations of the District, and that the public is best served by having this work completed by the contractor on the project.

Recommendation:

Ratify negotiated Change Orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$271,554.25

***CI C.14 Ratification of Staff Awarded Contract: Vista High School Portable Tech Lab 1 and 2 – Civil Work**

Comment:

Hamilton Aitken Architects has prepared plans and specifications for the project. Scope of work includes site work for circulation and car parking.

The District received five bids for the project: American Asphalt \$84,490, McKim Company \$118,950 (Non-Responsive), Applied Water Resources \$129,931, W.R. Forde Associates \$131,000, ERA Construction, Inc. \$139,000.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of a contract for the project to the lowest responsive, responsible bidder: American Asphalt \$84,490.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:

Ratify staff awarded contract as noted

Fiscal Impact:

\$84,490. Project will be funded from the General Fund.

***CI C.15 Ratification of Staff Awarded Contract: Kennedy High School Temporary Science Classroom Project**

Comment:

As part of the planned Science Building modernization project at John F. Kennedy High School a transitional education classroom is required. An existing vacant classroom has been designated for this purpose. Powell & Partners Architects has prepared plans and specifications for the project.

The District received six bids for the project: Hung Construction \$54,000; GECO, Inc. \$75,600; US Matrix Construction \$78,969; AM Woo Construction \$86,000; Arthulia, Inc. \$100,000; ERA Construction, Inc. \$102,173 (non-responsive).

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of contract to the lowest responsive, responsible bidder: Hung Construction, \$54,000.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:

Ratify staff awarded contract as noted

Fiscal Impact:

\$54,000. Funded from the Measure J Bond.

***CI C.16 Modification of Board Calendar to Include Joint Meetings with CBOC**

Comment:

The bylaws of the Citizens' Bond Oversight Committee stipulate biennial joint meetings with the Board of Education.

Recommendation:

That the Board designate July 10, 2013 and October 16, 2013 as joint meetings with the Citizens Bond Oversight Committee.

Fiscal Impact:

None

***CI C.17 2013 CSBA Delegate Assembly Election**

Comment:

The California School Boards Association (CSBA) has issued its ballot for candidates for Delegate Assembly, Subregion 7-A (Contra Costa County), to serve a two-year term beginning April 1, 2013 to March 31, 2015. The ballot provides for the Board to vote for three candidates.

The Board of Education is recommending the election of Charles Ramsey, Teresa Geringer, and Yolanda C. Pena-Mendrek as representatives from Subregion 7-A (Contra Costa County) for the CSBA 2012 Delegate Assembly.

Recommendation:

Cast ballot for Subregion 7-A representatives to the CSBA 2013 Delegate Assembly.

Fiscal Impact:

None

***CI C.18 Approval of Board Members Travel**

Comment:

Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044). Board members have expressed interest in attending the following:

- California Charter School Conference, San Diego, CA March 11 – 14, 2013
- National School Boards Association’s Annual Conference, San Diego, CA April 13 – 15, 2013
- National Council on Educating Black Children, Chicago, IL April 25 – 27, 2013
- School Services of California May Revision Workshop, Sacramento, CA May 20, 2013

Expenses including registration, travel and food are budgeted and there is sufficient funding within that budget.

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund

***CI C.19 Collaboration with City of El Cerrito to Explore Possible Uses for the Current Portola Site**

Comment:

In 2009 the Board approved the relocation of Portola Middle School to the Castro Elementary school site after a new and renovated school is completed at the Castro site. With construction beginning in late spring of 2013, the City Council of El Cerrito has expressed interest in informal meetings with appointed members of the Board of Education to explore possible uses for the current Portola site. These discussions would be preliminary and exploratory only. In any disposal of property the Board will adhere to Board Policy 3280 which references statutory processes and steps.

Recommendation:

That the Board appoint Todd Groves and Charles Ramsey to meet with two members of the El Cerrito City Council in exploring possible uses for the current Portola site.

Fiscal Impact:

None at this time

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Letters of Intent**

Comment:

The National Letter of Intent is a binding agreement between a prospective student-athlete and an NLI member institution.

A prospective student-athlete agrees to attend the institution full-time for one academic year (two semesters or three quarters). The institution agrees to provide athletics financial aid for one academic year (two semesters or three quarters).

Provided is a list of West Contra Costa Unified School District student athletes that have signed.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.2 Report on the Full Service Community Schools**

Comment:

In an ongoing effort to provide Full Service Schools to the students and community of West Contra Costa Unified School District, Tashaka Merriweather will report on the programs and services that are currently being offered.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.3 Report on Health Advisory- Student Bill of Rights**

Comment:

Founded in 2011, the WCCUSD Student Coalition is comprised of student representatives from each of the six school-based health centers (SBHCs) in the District. Student representatives meet monthly at one of the six SBHCs to discuss youth-led SBHC programs; to share lessons learned and best practices; and to advocate on behalf of SBHCs in the West Contra Costa County. Student Coalition members gain valuable presentation, public speaking, and advocacy skills, while developing their understanding of school and community health. Previous projects of the Student Coalition include the establishment of the "Our Voice, Our Rights: Youth Bill of Rights in the Health Center," the first youth-generated bill of rights for teens and young adults in the SBHC setting. Representatives are invited to statewide conferences, local meetings, and legislative visits, which expose them to the macro-level coordination of school health among other enrichment opportunities.

Former members of the Student Coalition have gone on to pursue health-related higher education and careers. Some have even continued as members of the California School Health Centers Association Youth Board, the statewide body for emerging school health leaders.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.4 Budget Update**

Comment:

Associate Superintendent Business Services will provide an update on the budget.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.5 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a “Request to Address the Board” form. Five minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee	Public Employees Local 1
Bayside Parent Teacher Association	Safety Committee
Citizens’ Bond Oversight Committee	School Supervisors Association
Community Budget Advisory Committee	United Teachers of Richmond
Facilities Subcommittee	Youth Commission
Ivy League Connection	
College and Career Readiness Academies	

E. PUBLIC AND COMMITTEE COMMUNICATIONS

(Education Code 35145.5; Government Code 54950 et seq.)

* **E.1 Superintendent’s Report**

* **E.2 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time limit, “WCCUSD Public Comment” will continue after Item G. Individuals wishing to speak must submit a “WCCUSD Public Comment” form prior to the beginning of this item on the agenda.

Depending on the number of persons who wish to speak, from one to three minutes will be allocated to each speaker at the discretion of the President of the Board in order to accommodate as many speakers as possible. The Board cannot dialogue on any issues brought before it by the public that have not been previously agendized, but may refer these to staff for response and/or placement on future agendas.

F. ACTION ITEMS

G. DISCUSSION ITEMS

* **G.1 Project Status Report**

Comment:

The following are provided for review of Facilities Planning and Construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report – Verbal Presentation
- Construction Status Reports – Current Construction Projects

Recommendation:

For Information Only

Fiscal Impact:

None

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item E)

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – March 20, 2013

K. ADJOURNMENT

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (*).

A. CLOSED SESSION

A.1 CALL TO ORDER

A.2 DISCLOSURE OF ITEMS TO BE DISCUSSED IN CLOSED SESSION
(Government Code 54957.7)

A.3 RECESS TO CLOSED SESSION AS SCHEDULED

See Exhibit A

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **6:30 PM**.

EXHIBIT A

(Government Code Section 54954.5)

CLOSED SESSION AGENDA

March 6, 2013

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
[Government Code Section 54956.9(a)]

a. WCCUSD v. Orrick

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION
[Government Code Section 54956.9(b)]

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. CONFERENCE WITH LABOR NEGOTIATORS

a. Superintendent/Dr. Bruce Harter

b. Employee Organizations

- UTR
- Local One
- School Supervisors Association
- WCCAA

c. Unrepresented Employees

- Confidential and Management

6. PUBLIC EMPLOYEE APPOINTMENT

Reassignment of Administrators

7. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

8. STUDENT DISCIPLINE (Education Code Section 35146)

Expulsions

**9. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT
(Government Code Section 54957)**

- a. Non-Reelection of an Administrator
- b. Release of Temporary Certificated Employees

10. REPORT OF CLOSED SESSION ACTIONS