

West Contra Costa Unified School District
Board of Education
Meeting Agenda
March 4, 2009

Board Agenda Packets and Information:

Complete Board meeting packets are available for review at

B. OPENING PROCEDURES

B.1 Pledge of Allegiance

***CI C.3 Acceptance of Donations**

Comment:

The District has received donations as summarized dated March 4, 2009. The estimated values for any non-cash donations are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary

***CI C.4 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2008-09 school year are summarized dated March 4, 2009.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

***CI C.5 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this district provide supervision and evaluation for students seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher at no cost to the district.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed dated March 4, 2009.

Recommendation: Recommend Approval

Fiscal Impact: None

***CI C.6 Agreements for Nonpublic, Nonsectarian School/Agency Services**

Comment:

Permission is requested of the Board of Education to approve the Master Contracts between the District and the additional named agencies for nonpublic, nonsectarian school/agency services for the period of December 1, 2008 through June 30, 2009.

Non Public Agency:

Hallsten Speech Pathology
Quality Behavioral Outcome

Recommendation: Recommend Approval

Fiscal Impact: \$75,000.00* - Non-LCI *No budgetary impact, included in previously approved Master Contract for services

***CI C.7 Summary of Payroll and Vendor Warrant Reports**

Comment:

The summaries of Payroll and Vendor Warrants issued during the month of January, 2009 are provided.

Total of payroll warrants: \$11,173,971

Total of vendor warrants: \$22,704,497

Recommendation: Recommend approval of the payroll and vendor warrant reports

Fiscal Impact: As noted above

***CI C.8 Adoption of Resolution 74-0809: Replacement of Outdated Warrants**

Comment:

Government Code Section 29802(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrants for Steven Paul Ziem. Staff recommends replacement of the stale dated warrants.

Recommendation: Recommend approval to replace the outdated warrants

Fiscal Impact: No impact

***CI C.9 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified 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

Fiscal Impact: Total for this action \$214,330. Funding sources as noted.

***CI C.10 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: DeAnza High School Track and Field; Downer Elementary New School; El Cerrito High School New Campus; El Cerrito High School Admin/Theater; Helms Middle School New School; Leadership Public Schools Temp Campus; Kennedy High School Painting; and Murphy Elementary Site Improvements projects. 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 Orders for the DeAnza High School Fieldhouse; DeAnza High School Demolition & Sitework; Ford Elementary Temp Campus; and Pinole Middle School New Gym & Classroom projects are required by the Board, with special findings as noted below, because these are 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 approving and 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: \$1,339,752.51.

***CI C.11 King Elementary New Campus Construction Project Award of Contract**

Comment:

Construction is already underway on the demolition and site grading for the King Elementary project. The next step in the reconstruction of King Elementary School is to build the new school, move into the facility, demolish the old school, and construct the playground and field. All of this work is contained in the King Elementary New Campus Construction Project. Quattrochi Kwok Architects has prepared plans and specifications for the King project. The District conducted a public bid process for the project. Bids were opened on February 19, 2009. Fourteen pre-qualified General Contractors submitted bids. They are as follows: Cal Pacific \$17,775,000; Midstate Construction \$17,512,000; W.A. Thomas \$17,145,000; Roebbelen Contracting \$17,123,000; Wright Contracting \$16,965,000; Alten Construction \$16,733,959; C Overaa and Co. \$16,685,000; Zovich and Sons \$16,630,000; Arntz Builders \$16,444,296; West Coast Contractors \$16,403,000; Lathrop as \$17,145,000;

providing internal modifications, prior to delivery, to the building to accommodate the District's Food Service needs on the site. The scope of work in this project is the sitework, utility hookups, and miscellaneous installation and preparation tasks to get the temporary kitchen up and running. The District conducted a public bid process for this project. Bids were opened on February 24, 2009. Five Contractors submitted bids. They are as follows: Gold Spring Construction \$329,950; Kin Woo Construction \$228,000; ERA Construction \$184,460; Trinet Construction \$177,000; and, A&E Emaar \$175,000. The apparent low bidder is A&E Emaar at \$175,000.

materials for one year will not impact our ability to successfully address the goals of the Corrective Actions program.

Recommendation: Approve request for textbook waivers for submission to CDE for authorization.

Fiscal Impact: Approving the waiver will create a savings of \$2,480,000 - \$2,860,000 - based upon adopted program - if request is denied this will need to be allocated in the 2009-10 budget.

country. This program is AT&T's most significant education initiative to date and
concurrently

West Coast
years targeted
needs and to

The board would like to acknowledge and appreciate Mr. Will Rigney, Vice President of Community
Relations – AT&T Northern California, for his guidance and professional
thought in his generous contributions

Recommendation: For Information Only

Fiscal Impact :

Comment:

In the summer of 2A07, six El Cerrito High School students participated

Recommendation: For Recognition Only

Fiscal Impact : None

Comment:

Staff will provide information for the 2A08-09 and 2A09-10 District budget.

Recommendation: For Information Only

Fiscal Impact : Further analysis will be necessary

Representatives of the Board of Education and the Board of Public Employees Local 1

Academic Subcommittee

Public Employees Local 1

Citizens' Bond Oversight Committee

United Teachers of Richmond

Community Council
Faculty League Connection
Safety Committee

Supportive

Board of Public Employees

* **D.5 In Memory of Members of the School Community**

Comment:

school years in exchange for non-school time use of district facilities at Downer and Lake Elementary Schools and Helms Middle School as well as the District's agreement to develop a Civic Engagement curriculum, allowing the city to build a community center at Helms Middle and providing the city with the first right of refusal on the sale of school properties in San Pablo. The resolution also stipulates that WCCUSD maintain the operation of all of its schools in San Pablo to the best of their ability at least through June of 2011. Upon both the City of San Pablo and WCCUSD Board approval of a detailed agreement, the City will provide the funding (\$300,000 each year) that will keep Lake Elementary School open for both the 2009-10 and 2010-11 school years.

Recommendation: That the Board approve the deferral of the previously approved closure of Lake Elementary school until 2011-12 unless additional external funding is identified to keep the school open past June 30, 2011.

Fiscal Impact: \$600,000 contribution to the General Fund

* **F.2 Attendance Area Reassignment for Students in Schools Approved**

* **F.4 Resolution No. 70-0809: Resolution to Decrease the Number of Certificated Employees Due to a Reduction in Particular Kinds of Services**

Comment:

Pursuant to Education Code Section 44955, the District must adopt a resolution to reduce or eliminate particular kinds of services and notice the appropriate certificated staff prior to March 15, 2009, in order to meet the necessary budget reductions for the 2009-2010 school year.

Recommendation: Recommend Approval

Fiscal Impact: To be determined

* **F.5 Resolution No. 69-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees**

Comment:

A lack of work and/or funds necessitates the elimination of classified positions.

Recommendation: Recommend Approval

Fiscal Impact: To be determined

* **F.6 Resolution No. 72-0809: Authorization to Eliminate Classified Positions and Layoff Classified Employees, After School Program**

Comment:

A lack of work and/or funds necessitates the elimination of classified positions.

Recommendation: Recommend Approval

Fiscal Impact: To be determined

* **F.7 Second Interim Report, 2008-09**

Comment:

A summary of the District's Second Interim Report for 2008-09 covers the financial and budgetary status of the District for the period ended January 31, 2009. The entire report, including state forms, is provided under separate cover and on the District's website at www.wccusd.net.

Education Code Section 42130 requires school districts to prepare interim financial reports each year. The First Interim Report covers the period ending October 31; the Second Interim Report covers the period ending January 31. These financial reports are subject to standards and criteria adopted by the State Board of Education to monitor the fiscal stability of local educational agencies.

The District shall certify whether it is able to meet its financial obligations for the current fiscal year and, based on current forecasts, for the two subsequent fiscal years. A positive certification shall be assigned when a district will meet its financial obligations for the current fiscal year and subsequent two fiscal years. A qualified certification shall be assigned when a district may not meet its financial

obligations for the current fiscal year and subsequent two fiscal years. A negative certification shall be assigned when a district will be unable to meet its financial obligations for the remainder of the fiscal year.

The District will meet its financial obligations for the current year. However, due to the Governor's

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 4, 2009

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

1. Negotiator: Superintendent / Dr. Bruce Harter
2. Property: Land located on either side of Lexington Avenue between Stockton Avenue and Eureka Street in El Cerrito, CA. Price and all terms of agreement.
3. Property: 1021 Navellier Street, El Cerrito, CA. Price and all terms of agreement.

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

[Government Code Section 54956.9(a)]

- 1.

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

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

- a. Expulsions