
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/Documents/Board/boardinformation.aspx

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.

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.

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.

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.

B. OPENING PROCEDURES

B.1 Pledge of Allegiance

B.2 Welcome and Meeting Procedures

Fiscal Impact:
Additional revenue for schools

***CI C.3**

teacher cannot be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.7 Resolution No. 30-1011: American Education Week – November 14-20, 2010**

Comment:

American Education Week was established in 1921 to increase public understanding and appreciation of America's schools, to encourage parents and non-parents to visit schools, to build civic and community pride and support education.

Co-

Recommendation:

Award contract to lowest responsive, responsible bidder

Fiscal Impact:

Total for this action: \$48,000. Funded by the Measure J Bond, Harding Elementary School Waterproofing Repairs Project.

***CI C.10 Richmond High School Fence and Gates Project Final Change Order Approval**

Comment:

The Richmond High Fence and Gates project is complete. CF Contracting is the contractor. This project includes full fence and gate replacement around the campus perimeter. In addition, the project includes full reconfiguration of the front parking lot, with replacement of the asphalt, new concrete, and a new driveway to allow circulation for drop off. During the course of the work there have been a significant number of unforeseen conditions which have resulted in changed scope of work and increased costs. For example, the soils at the site are contaminated and required special handling and disposal. The City of Richmond has also requested substantial additional work in the public right of way. In addition, the time frame for completion of the work on the front parking lot was limited to the summer break, and it was necessary to approve substantial overtime and weekend work for the contractor in order to complete the parking lot prior to the opening of school. Finally, there were a number of items added by the District for underground work related to parking lot lighting, conduits for connection of low voltage systems to the old Art Building on 23rd Street, and repairs to existing shallow storm drain systems.

The combination of the substantial unforeseen conditions and the need to approve off hours work has resulted in potential change orders in excess of Public Contract Code 10% limit. The Board has previously approved a change order for this contract and staff is requesting approval of this final contract adjustment of an additional 5.37%, with findings as noted below.

Approval is required by the Board, with special findings, because this 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 approving 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

Bid Alternate #1: Provide additive cost to replace Lexan plastic with specified Low E laminated glazing in the store front aluminum window frames on the north side of the two story building (both floors); Bid Alternate #2: Provide an additive cost to remove all existing horizontal mini-blinds at all exterior wall, window and door lite locations and replace them with MechoShade system roller shades; Bid Alternate #3: Provide an additive cost to remove all existing sealant and backing rod around existing aluminum window frames and reinstall new backing rod and sealant at all window locations on the buildings. Basis award was the base bid, but the addition of the 3 alternates, Pinguelo Construction was determined to be the lowest responsive, responsible bidder.

Recommendation:

Award the three above referenced bid alternates to Pinguelo Construction in the amount of \$104,425 (Bid Alternate #1 - \$38,975; Bid Alternate #2 - \$35,000; Bid Alternate #3 - \$30,450). Funded from the Deferred Capital Projects Budget, Measure J Bond.

Fiscal Impact:

\$104,425. Funded from the Deferred Capital Projects Budget of the Measure J Bond.

***CI C.12 Approval of Pool of Pre-Qualified Architects for Measure D 2010 Projects**

Comment:

In preparation for the Measure D 2010 projects, District staff has completed a competitive selection process in order to pre-qualify a number of architectural firms for assignment to upcoming projects. A

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.

Recommendation:

Ratify negotiated Change Orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$61,412.37

***CI C.14 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. Ps(er)-1Fna(a)4(f)-76(t)-10(0i)-nic0cTw([v -1.1b(e)-6(ng)10(i)n 0(s)o)-nii ve been i4.16 Tm [(Tm

WCCUSD Board of Education
Meeting Agenda –

* **D.4 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	School Supervisors Association
Citizens’ Bond Oversight Committee	United Teachers of Richmond
Community Budget Advisory Committee	West Contra Costa Administrators Association
Facilities Subcommittee	
Ivy League Connection	
Linked Learning – Multiple Pathways	
Safety Committee	
Special Education Citizens Advisory Committee	
Youth Commission	

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

Comment:

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Roger Matthew Giordano, an electrician for the Maintenance / Operations Department since May 2004, passed away in October 2010. He enjoyed participating on the District’s bowling league with friends and co-workers. He was cared for by those he worked alongside.

Our thoughts go out to the family and friends in the loss of their loved one.

Recommendation:

For Information Only

Fiscal Impact:

None

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 agendaized, but may refer these to staff for response and/or placement on future agendas.

F. ACTION ITEMS

* **F.1 Alvarado Unity High Charter School Petition**

Comment:

On September 9, 2010, the petitioner submitted to West Contra Costa Unified School District a petition for a charter school known as Alvarado Unity High Charter School (“Charter School”). Pursuant to the Charter Schools Act of 1992 (the “Act”), Education Code section 47600 *et seq.*, the Legislature has charged local school boards with the responsibility for reviewing and acting on petitions by charter schools.

Staff has reviewed the charter petition (“Petition”) for the establishment (for five years) of the Alvarado Unity High School Charter School (“Charter School”). The Charter School is governed by a nonprofit public benefit corporation, but the District would be responsible for oversight of the Charter School. The Charter School seeks to provide students “the core skills necessary for academic achievement and, ultimately, for success in today’s global, multicultural and multilingual society.” (Petition, p. 4.) It is the stated mission of the Charter School to prepare its students for admission to and success in college by offering a rigorous curriculum that meets the University of California A-G requirements, with an emphasis in basic skills and core subject matter in English language arts, mathematics, social studies and science, and a comprehensive support program that promotes healthy youth development. (Petition, p. 5.)

Submission of a charter petition is governed by the requirements of Education Code section 47605 and 47607. Education Code section 47605(b) requires the Board, within 30 days of receiving a petition, to hold a public hearing to consider the level of support for the petition. The public hearing was held on October 6, 2010.

The Act states that a school district governing board considering whether to grant a charter petition “shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.” (Ed. Code, § 47605(b).) With this legislative intent in mind, the governing board must

Staff and legal counsel have reviewed the Petition and prepared the Staff Written Findings Regarding Alvarado Unity High Charter School Petition (“Findings”), which are attached. Staff’s analysis of the petition includes a review of its educational program, fiscal and governance structure, student admissions and discipline, labor and personnel issues, facilities and legal issues.

The pages immediately following this précis contain proposed findings prepared by District staff and outside counsel condensing the remaining areas of concern, the resolution of those concerns, and Staff’s ultimate recommendation regarding those areas.

Recommendation

Education Committee

1. School Committee

2. The Board of Education should approve the findings and recommendations of the Education Committee as presented in the Petition. [School Committee]

Education Committee

3. The Board of Education should approve the findings and recommendations of the Education Committee as presented in the Petition. [School Committee]

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

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

November 3, 2010

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

1. Srago v. WCCUSD
2. 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

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

- a. Expulsions

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

10. REPORT OF CLOSED SESSION ACTIONS