

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 Middle College High School**

Comment:

A Student Board Representative from Middle College High School will attend the Board of Education meeting on September 1, 2010. We would like to recognize and commend their participation.

Recommendation:

For Information Only

Fiscal Impact:

None

- B.5 Report/Ratification of Closed Session**
- * **B.6 Agenda Review and Adoption (Public Comment)**
- * **B.7 Minutes: August 18, 2010**

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 acceptance is requested from the Board of Education to accept the grants/awards/agreements as detailed, dated September 1, 2010.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

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

Comment:

The District has received donations as detailed, dated September 1, 2010. 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 2010-11 school year are detailed, dated September 1, 2010.

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 the following contracts for services as detailed on the attached sheets dated September 1, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Notification of Claims Approval and Settlement Payments**

Comment:
The District has received claims regarding compensation for personal injury. The District's risk management firm has investigated the claims and is requesting the School Board to ratify the authorized settlement payments.

Recommendation:
Ratify the authorized approval of claims and payments for personal injury.

Fiscal Impact:
Self-Insurance Program

***CI C.6 Notification of Claim Approval and Settlement Payment**

Comment:
The District received a claim regarding compensation for property damage. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized settlement payment.

***CI C.10 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: \$250,190. Funding sources as noted

***CI C.11 Richmond High School Fence and Gates Project Change Order Approval**

Comment:

The Richmond High fence and gates project is nearing completion. CF Contracting is the contractor. This project includes a 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 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 additional work in the public right of way. In addition, the timeframe for completion of the work on the front parking lot was limited to the summer break, and it has been necessary to approve overtime and weekend work for the contractor in order to complete the parking lot prior to the opening of school. 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. Staff is requesting Board approval of Change Orders, with the findings as noted below, on the project as follows:

Original Contract	\$ 308,988.00
<u>Previous Change Order #1 Adj.</u>	<u>\$ 25,632.00</u>
<u>Current Adjusted Contract</u>	<u>\$ 334,620.00</u>
<u>Proposed Change Order #2 Adj.</u>	<u>\$ 223,155.00</u>
New Total project cost	

Fiscal Impact:

Total for this action: \$223,155. Funded by the Measure J Bond, Richmond HS Fence and Gates project.

***CI C.12 Ohlone Elementary School Temporary Roofing Repairs Contract Award Ratification**

Comment:

The first phase of the Ohlone Elementary School reconstruction project is set to begin construction on June 2011. The construction documents, prepared by Powell & Partners Architects, are currently being reviewed by Division of State Architect. The plan for the work is to build new classroom buildings on the existing playground areas. The school will stay in the current buildings through the full construction of the first phase, which is projected to be approximately 24-30 months from now. The existing building roofs

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Rosie the Riveter Home Front National Historic Park and three historical organizations, Organization of American Historians, the Constitutional Rights Foundation and Out of the Box Consultants.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.3 Expulsion Process**

Comment:

The Director of Adult and Alternative Educations will report on the process of expulsion and how it works in West Contra Costa Unified School District.

Recommendation:

Report Only

Fiscal Impact:

None

* **D.4 Budget Update for 2010-11**

Comment:

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

Recommendation:

For Information Only

Fiscal Impact:

None

* **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.

Fiscal Impact:
None

E. PUBLIC AND COMMITTEE COMMUNICATIONS
(Education Code 35145.5; Government Code 54950 et seq.)

* **E.1 Request to Address the Board - Campaign Contribution Limitations**

Comment:

Mr. Jungherr, a resident of the West Contra Costa Unified School District, has requested an opportunity to address the Board. Mr. Jungherr's contact information is (937) 933-4444. Mr. Jungherr's email address is jungherr@westconradistrict.org. Mr. Jungherr's phone number is (937) 933-4444. Mr. Jungherr's fax number is (937) 933-4444. Mr. Jungherr's address is 10000 Tenthon Road, Fremont, CA 94538. Mr. Jungherr's website is www.westconradistrict.org. Mr. Jungherr's social media profiles are listed below.

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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

September 1, 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

a. Administrative Appointments for 2010-2011 School Year

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