

West Contra Costa Unified School District
Board of Education
Meeting Agenda
January 4, 2012

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 service 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

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Summary of Payroll and Vendor Warrant Reports**

Comment:
The summaries of Payroll & Vendor Warrants issued during the month of November are:

Total of payroll warrants (November 2011):	\$ 8,896,239
Total of vendor warrants (November 2011):	\$30,673,716

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.5 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve the following contracts for services as detailed, dated December 7, 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.6 Notice of Completions: Bid J068299 Hanna Ranch Elementary School Roof Repairs Phase I, Bid J068270 Portola Middle School Temp Campus Site Work**

Comment:
Substantial completion notices has been received for: Bid J068299 and Bid J068270.

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 contractor:

Kings Roofing, Bid J068299 Hanna Ranch Elementary School Roof Repairs Phase I
Ray's Electric, Bid J068270 Portola Middle School Temp Campus Site Work

Recommendation:
Recommend approval of these notices of completion

Fiscal Impact:

None

***CI C.7 Notification of Claims Rejected**

Comment:

The District has received a claim requesting compensation for personal loss. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized claim rejection.

Recommendation:

Ratify the rejection of claim

Fiscal Impact:

None

***CI C.8 Certificated Board Authorization - Education Code 44285.3**

Comment:

Ed Code 44285.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

Recommendation:

Recommend Approval
None

Fiscal Impact:

***CI C.9 Routine Personnel Changes – Certificated**

Comment:

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

Recommendation:

For Information Only

Fiscal Impact:

None

***CI C.10 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.11 Approval of Board Members Attending 2012 Conferences**

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 several conferences in the upcoming months. The conferences include:

- National Association of Latino Educators and Appointed Officials Conference, Washington, DC, February 2012
- California Association of Bilingual Educators Annual Conference, Sacramento, March 2012
- National School Boards Association Annual Conference, Boston, April 2012
- National Council on Educating Black Children Annual Conference, Kansas City, April 2012

Expenses will include registration, travel, food and lodging. Funds for Board travel and conference are budgeted and there is sufficient funding within that budget.

Recommendation:
That the Board authorizes attendance to 2012 conferences

Fiscal Impact:
General Fund

***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

***CI C.15 Nystrom Elementary School Temporary Campus Modulars Award of Contract**

Comment:

The first phase of the reconstruction of Nystrom Elementary School is the construction of a temporary campus to house the school during construction. Interactive Resources has prepared plans and specifications for the Nystrom Elementary School Temporary Campus Project. The work includes delivering and setting up modular units and ramps for the project.

The District engaged in a public bid process for the project. Bids were opened on December 19, 2011. Two contractors submitted bids. They are as follows: Mobile Modular, \$637,288; and WM Scotsman, \$889,662. The apparent lowest bidder is Mobile Modular.

Recommendation:

Award contract to the lowest responsive, responsible bidder upon the expiration of the protest period.

Fiscal Impact:

Total for this action: \$637,288. Measure J Bond.

***CI C.16 Pinole Middle School Interim Housing Demolition Project**

Comment:

The Pinole Middle School Interim Housing Demolition Project consists of demolishing the portables, including r

The District engaged in a public bid process for the project. Bids were opened on September 22, 2011. Three contractors submitted bids. They are as follows: Nema Construction, \$48,000; Eclipse Electric, \$59,761; and ERA Construction, \$62,000. The apparent lowest bidder is Nema Construction.

Recommendation:

Award contract to the lowest responsive, responsible bidder.

Fiscal Impact:

\$48,000. Funded by the Measure J Bond.

***CI C.18 Approval of Increase in District Allocation for Maritime Center Renovations Project**

Comment:

The Board approved full participation in the Maritime Center Renovations project as a part of the District's Proposition 39 Equivalent Charter School Facilities offer to the Richmond Children's

2. AP Scholar with Honor - Granted to students who receive an average score of at least 3.25 on all AP Exams taken, and scores of 3 or higher on four or more of these exams.
3. AP Scholar with Distinction - Granted to students who receive an average score of at least 3.5 on all AP Exams taken, and scores of 3 or higher on five or more of these exams.
4. National AP Scholar - Granted to students in the United States who receive an average score of at least 4 on all AP Exams taken, and scores of 4 or higher on eight or more of these exams.

A report on the status of the AP programs will also be given by El Cerrito High School, Pinole Valley High School, and Hercules Middle High School. Last May, Pinole Valley administered the highest number of AP exams (431), Richmond had the highest number of AP exam takers (212), and Hercules and El Cerrito had the highest AP exam passing rate (42%).

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.2 Report on District Safety / REMS Update**

Comment:

Update on the district's strides on site and district safety plans in West Contra Costa Unified School District. Report on accomplishments and ongoing improvements for the implementation of the Readiness and Emergency Management for Schools (REMS) Grant.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.3 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these committees are invited to provide a brief update to the Board. Representatives from these committees are invited to provide a brief update to the Board. Representatives from these committees are invited to provide a brief update to the Board.

* **D.4 Budget Update for 2011-2012**

Comment:

Associate Superintendent Business Services will provide an update on the budget for 2011-2012 and the outcome of the mid-year trigger language included in the State Budget.

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

F. ACTION ITEMS

* **F.1 Fiscal Systems Sufficiency Audit - Conditions for State Loan Payoff**

Comment:

Before the repayment of the State Loan the District is required to retain an auditor to confirm the District has adequate fiscal systems and controls in place. (EC 41320.1) The District retained Vavrinek Trine and Day (VTD) to complete the audit. Caroline Larson from VTD will make a brief presentation on the study. Once the Board has accepted the audit staff will present the audit to the State Superintendent of Schools with a request that the State relinquish oversight. Staff will also work with the Department of Finance and the I-Bank to determine the structure and amount of the loan pay off. The outstanding debt is held in the form of a Lease Revenue Bond issued by the California Infrastructure Bank.

Recommendation:

Acceptance of Audit

Fiscal Impact:

None

* **F.2 Public Hearing for Resolution No. 74-1112 for SB 293**

Comment:

Senate Bill No. 293 prohibits public entities from withholding retention more than 5% of the contract price on public works contracts entered after January 1, 2012 unless certain conditions specified in Public Contract Code Section 7201 are satisfied.

Staff believes that school construction projects are of a nature that is substantially complex requiring retention in an amount exceeding 5%. The current standard for retention is 10% and staff would like to continue to use the current standard of 10% for projects deemed substantially complex.

To comply with the conditions in Public Contract Code Section 7201, staff is asking the Board to approve the resolution establishing criteria for determining whether a project is substantially complex at this properly noticed, regularly scheduled public hearing. Notice of this public hearing was posted on December 16, 2011.

In addition, staff is asking the Board to approve the resolution delegating the authority to make the determination whether a project is substantially complex to the superintendent or the superintendent's designee.

Recommendation:

Adopt Resolution No. 74-1112

Fiscal Impact:

No fiscal impact

* **F.3 Presentation and Public Hearing of Initial Bargaining Proposal – Public Employees Union, Local One**

Comment:

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school district and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the West Contra Costa Unified School District will be presented, at which time the public is allowed to comment on this proposal. A copy of the proposal is attached to this précis and is provided in the Board meeting packet which is available at the District's Administration Building, six high schools and online at the District's webpage.

Recommendation:

That the Board of Education hold a public hearing on the District's initial bargaining proposal to the Public Employees Local One for the 2012-2015 successor agreement.

Board Adoption of Initial Bargaining Proposal

Background Information: Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the District's proposal to the Public Employees Local One for the 2012-2015 successor agreement.

Recommendation:

That the Board of Education adopt the initial bargaining proposal for labor negotiations with the Public Employees Local One.

Fiscal Impact:

To be determined

* **F.4 Presentation and Public Hearing of Initial Bargaining Proposal – United Teachers of Richmond**

Comment:

Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school district and labor unions must be submitted at a public meeting of the governing board. The initial proposal of the

Board Adoption of Initial Bargaining Proposal

Background Information: Following the public hearing on its initial bargaining proposal, the Board of Education will be asked to adopt the District's proposal to the United Teachers of Richmond for the 2012-2015 successor agreement.

Recommendation:

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

