

**West Contra Costa Unified School District
Minutes of the Board of Education Meeting
Lovonya DeJean Middle School
3400 McDonald Avenue
Richmond, CA 94805**

January 21, 2009

A. CLOSED SESSION

B. OPENING PROCEDURES

President Audrey Miles called the meeting to order at 5:30 PM. The Board recessed into Closed Session. President Miles called the Public Session to order at 6:51 PM. She dedicated this meeting to the presidential inauguration and the renewed spirit of change and hope and the idea of service to the community.

B.1 Pledge of Allegiance

President Miles led those in attendance in the pledge of allegiance.

B.2 Welcome and Meeting Procedures

President Miles offered welcome and instructions to the public regarding the meeting.

B.3 Roll Call

Board Members Present: Madeline Kronenberg, Antonio Medrano, Audrey Miles, Tony Thurmond

Board Members Absent: Charles Ramsey

Staff Present: Alejandro Alonso, Interpreter; Andre Bell, Executive Director Business Services; Steve Collins, SELPA Director; Martin Coyne, Director Accounting/Audits; Lisa Erwin, Executive Director Business Services; Sheri Gamba, Associate Superintendent for Business Services; Bill Fay, Associate Superintendent for Operations; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Joe Mayes, Maintenance Supervisor; Ken McDaniel, Electronics Supervisor; Nia Rashidchi, Assistant Superintendent Educational Services; Jessica Romeo, Assistant Superintendent for Human Resources; Phyllis Rosen, Legal Assistant; Bill Savidge, District Engineering Officer.

B.4 Presentation of Student Board Representative Dennis Shem, El Cerrito High School

Mr. Shem delivered a message on behalf of Principal Reimann regarding the new El Cerrito High School. Mr. Shem provided an update on activities and programs at the school.

B.5 Report/Ratification of Closed Session

Superintendent Harter asked that the Board ratify the vote taken in Closed Session to expel two (2) students from the

West Contra Costa Un
ca High School and Brenda King-Randle as Interim, Coordinator of Educational
ol year.

MOTION: Ms. Kronenberg moved to ratify the vote taken in Closed Session to appoint Brian Zobel as Interim, K-12 Instructional Specialist-De Anza High School and Brenda King-Randle as Interim, Coordinator of Educational Services through the end of the school year. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano and President Miles voted yes, Mr. Thurmond voted no, with no abstentions and Mr. Ramsey absent. Motion carried 3-1-0-1.

B.6 Agenda Review and Adoption

Public Comment:

Robert Brower spoke in favor of keeping Item E.6 on the agenda as an action item.
Robert Studdiford spoke in favor of moving Item E.6 to a discussion item.

Board Comment:

Ms. Kronenberg commented on the decision of the Facilities Subcommittee to move Item E.6 for discussion.

MOTION: Ms. Kronenberg moved to amend the agenda moving item E.6 for discussion and not action. President Miles called for a second. The motion failed for lack of a second.

MOTION: Mr. Medrano moved to adopt the agenda. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Mr. Thurmond, Student Representative Shem (advisory vote only) and President Miles voted yes, with no abstentions and Mr. Ramsey absent. Motion carried 4-0-0-1.

B.7 Minutes: January 7, 2009; January 10, 2009

MOTION: Mr. Thurmond moved approval of the minutes of January 7 and January 10, 2009. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Thurmond, Student Representative Shem (advisory vote only) and President Miles voted yes, with no abstentions and Mr. Ramsey absent. Motion carried 4-0-0-1.

C. AWARDS, RECOGNITIONS, AND REPORTS

C.1 Budget Report Update

Sheri Gamba provided an update on the 2008-09 budget and the Governor's proposal for 2009-10 with a brief review of the June 2008 Budget Adoption, an overview of the First Interim Report and the latest budget information from the state and comments on the federal stimulus package.

Public Comment:

Al Kirkman spoke about employee pay cuts.

C.2 Community Budget Advisory Committee (CBAC) Report

Charles Cowens, CBAC Chair, presented a resolution that the committee adopted regarding revenues, enrollment and attendance. He recognized the work of members Robert Studdiford and Eduardo Martinez.

Board Comment:

Mr. Medrano asked for information regarding comparisons with Mt. Diablo Unified School District, and Mr. Cowens responded.

Ms. Kronenberg spoke about the opportunity to raise test scores and looking at ADA more critically and suggested adjusting the ESL teaching schedule to accommodate those students who go to Mexico in December to increase ADA.

MOTION: Ms. Kronenberg moved approval of Item E.2 Charter Facilities Assignments – Proposition 39 Draft Preliminary Offer to Manzanita Charter School. Mr. Medrano seconded. Ms. Kronenberg, Student Representative Shem (advisory vote only) and President Miles voted yes, Mr. Thurmond voted no, with Mr. Medrano abstaining, and Mr. Ramsey absent. Motion failed 2-1-1-1.

Superintendent Harter asked for an alternate proposal in order to meet statutory deadlines.
Mr. Medrano raised questions as this item was impacted by the decision on school closure and consolidation.
Mr. Thurmond moved to reconsider this item.
Superintendent Harter provided clarification.
Mr. Thurmond asked for further clarification regarding the District’s ability to rescind its offer to Manzanita if necessary due to school closure issues and Superintendent Harter responded.

MOTION: Mr. Thurmond moved to reconsider the vote and offer DeJean Middle School as a facility for Manzanita Charter School. Mr. Medrano seconded. A roll call vote was conducted. Ms. Kronenberg, Mr. Medrano, Mr. Thurmond, Student Representative Shem (advisory vote only) and President Miles voted yes, with no abstentions and Mr. Ramsey absent. Motion carried 4-0-0-1.

E.3 Charter Facilities Assignments – Proposition 39 Draft Preliminary Offer to Richmond College Preparatory K-5 Charter School (RCP)

Mr. Bill Fay introduced this item which he said was a preliminary offer to RCP to maintain their facilities at the Harbour Way Academy.

Board Comment:

Mr. Medrano inquired whether RCP has been apprised of the offer and Mr. Fay responded.

MOTION: Ms. Kronenberg moved approval of Item E.3. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Thurmond, Student Representative Shem (advisory vote only) and President Miles voted yes, with no abstentions and Mr. Ramsey absent. Motion carried 4-0-0-1.

E.4 Charter Facilities Assignments – Proposition 39 Draft Preliminary Offer to Leadership Public Schools, Inc. (LPS)

Mr. Fay introduced this item which he said was a preliminary offer to Leadership Public Schools for facilities at Nystrom.

Board Comment:

Mr. Thurmond asked about the length of term for Leadership at this location.
Mr. Fay responded.
Mr. Medrano spoke about his impressions from his recent visit to Leadership and inquired about the schools intent to remain at Nystrom.
Superintendent Harter responded and discussed a potential request by Leadership to be housed at Kennedy High School in 2010-2011.
Mr. Medrano inquired about the response by the Kennedy High School community and Dr. Harter responded.
Ms. Kronenberg commented on the Kennedy community’s interest in having Leadership housed at their facility.

MOTION: Mr. Thurmond moved approval of Item E.4 with an alternative recommendation to offer Leadership a home at Kennedy High School beginning 2009-10.

President Miles called on Superintendent Harter who commented on logistical difficulties and pending school closure decisions.

MOTION: Mr. Thurmond indicated he would amend his motion to leave the timeline open to negotiation and make a recommendation that Leadership would have a home on the Kennedy High School Campus. Mr. Medrano seconded.

President Miles asked for clarification from Mr. Thurmond.
Mr. Thurmond clarified that he dropped the 09-10 provision and moved to make an offer for Leadership Public Schools to have a home on the Kennedy High School campus and the details about when would be subject to negotiation.

Superintendent Harter discussed a combined motion offering the Nystrom campus in 2009-2010 and Kennedy High School eventually.

Mr. Thurmond offered clarification on his motion.

Ms. Kronenberg suggested voting on the present offer for the Nystrom site and then voting on the Kennedy site if Kennedy remains open.

President Miles, Superintendent Harter and Mr. Thurmond discussed Mr. Thurmond's alternative motion and meeting the requirements of Prop 39.

MOTION: Mr. Thurmond moved to offer an alternative recommendation of Leadership Public Schools to have a home at the Kennedy High school campus potentially in the 2009-2010 year. Mr. Medrano seconded. Mr. Medrano, Mr. Thurmond, Student Representative Shem (advisory vote only) and President Miles voted yes, Ms. Kronenberg voted no, with no abstentions and Mr. Ramsey absent. Motion carried 3-1-0-1.

E.5 Special Education Annual Service Plan / Special Education Annual Budget Plan

Steve Collins discussed the need for a public hearing on the item and explained the statutory requirements behind the Annual Service and Budget Plans.

MOTION: Ms. Kronenberg moved approval of Item E.5 Special Education Annual Service Plan / Special Education Annual Budget Plan. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Thurmond, Student Representative Shem (advisory vote only) and President Miles voted yes, with no abstentions and Mr. Ramsey absent. Motion carried 4-0-0-1.

E.6 Temporary Relocation for Portola Middle School and Adams Middle School

Bill Savidge provided a brief presentation regarding the relocation of Portola Middle School and Adams Middle School and presented options and cost considerations.

Superintendent Harter discussed how the options presented would interface with the school closure scenarios and clarified that the recommendation for the board was to authorize staff to develop preliminary plans, estimated costs and comprehensive schedules for the relocation of Portola and Adams Middle Schools.

Public Comment:

Robert Brower discussed how the CEQA process weighed into the proposed plans.

Christina Slamon commented on the various choices presented and recommended postponing the decision until completion of the school closure decisions.

Joanna Pace thanked Superintendent Harter and staff for the community meetings and said she advocated keeping a middle school at Portola.

Robert Studdiford spoke against having this as an action item.

Miné Ternar Kal said the safety of the children comes first, and asked the Board to take into consideration the best interest of special needs students.

Board Comment:

Mr. Thurmond inquired about the timing of mobilizing a relocation for Portola students. Mr. Savidge responded and spoke about the need for engaging in a CEQA study for El Cerrito High School.

Mr. Thurmond asked for clarification regarding completing a Portola move by fall 2009 and the possibility of a CEQA exemption. Mr. Savidge provided details and discussed invoking an emergency provision.

Ms. Kronenberg spoke about the AB 300 list and phasing list and asked for more information. Mr. Savidge responded.

Ms. Kronenberg spoke about how seismic issues could affect the Facilities Master Plan and proposed a Board Study Session on seismic and structural issues for all schools.

Mr. Thurmond asked for more information regarding seismic concerns for other schools.

Mr. Savidge responded.

Mr. Medrano said safety comes first and expressed the need to move the students out as soon as possible.

President Miles spoke about starting the process and the need to move ahead with a plan.

Mr. Thurmond asked questions about moving Portola students to El Cerrito High School and Mr. Savidge responded.

Ms. Kronenberg discussed the reasons for the new level of urgency, time lines and legal costs and asked Mr. Savidge for clarification.

Mr. Savidge responded.

MOTION: Mr. Thurmond moved to accept the staff recommendation for Item E.6 to begin the planning and add to the February 11, 2009 agenda the option to continue this conversation at that meeting. Mr. Medrano seconded. A roll call vote was conducted. Ms. Kronenberg, Mr. Medrano, Mr. Thurmond, Student Representative Shem (advisory vote only) and President Miles voted yes, with no abstentions and Mr. Ramsey absent. Motion carried 4-0-0-1.

Mr. Thurmond, with consensus of the Board, clarified that the item be agendaized for action on February 11th, so the board has the option to move on it as needed.

F. DISCUSSION ITEMS

None

G. BUSINESS ITEMS

G.1 Grants/Awards/Agreements

G.2 Acceptance of Donations

G.3 Approval of Fund-Raising Activities

G.4 Summary of Payroll and Vendor Warrant Reports

G.5 Notice of Completions: Bid E068136 Transition Learning Center Drainage & Paving Project, J068127 Pinole Valley HS Restroom Renovations Project, W068096 Richmond HS Building Renovations Phase II Project, W068087 Hercules Middle HS Field Alterations Project, D06068 Pinole Middle New Classroom Building and Eajm

G.11 Resolution No. 57-0809: Intent to Seek Debt Limit Waiver from State Board of Education for Sale of Remaining General Obligation Bonds as Approved by Voters Under Measure J