

West Contra Costa Unified School District
Board of Education
Meeting Agenda
November 6, 2013

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 Contra Costa 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 delayed basis through the Richmond City Web Page at: <http://www.kcrt.com> within a few days of the recording date.

Audio recordings 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, Cities of Pinole and Richmond, and WCCUSD staff 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 items (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 services, 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

B. OPENING PROCEDURES

- B.1 Pledge of Allegiance
- B.2 Welcome and Meeting Procedures
- B.3 Roll Call
- B.4

teach departmental classes in grades 1-6 provided the teacher has adequate knowledge of subject matter.

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: \$745,431.15

*CI C.13 Ratification of Staff Awarded Contract (CUPCCAA)

Comment

The District solicited bids for two CUPCCAA projects and Superintendent's designee has approved and executed a contract for the following projects:

- Portola Middle School Sidewalk Removal & Replacement McKim Company \$12,230
- Kennedy High School Football Field Lighting Controls W. Bradley Electric \$39,127

All contracts approved by District staff must be ratified or, in some cases, reviewed by the District Board. (CUPCCAA Resolution # 90809 (2009); Educ. Code § 22034).

Recommendation

Ratify staff award of the contract to McKim Company & W. Bradley Electric

Fiscal Impact

\$51,457. Project will be funded from the Measure J.

*CI C.14 Coronado Elementary School Campus Replacement Project Award of Contract

Comment

WLC has prepared plans and specifications for the project. Scope of work includes demolition of all existing hardscape, and site and offsite utilities. Work also includes paving and grading, construction of 64,738 square feet of new classroom, administrative, multipurpose and support facilities, covered walkways, landscaping, sod playfield, running track, paving, parking, striping, site lighting, city side walk improvements, the provision and installation of utilities, low voltage systems, and miscellaneous materials and equipment

The District conducted a public bid process for the project. Bids were opened on October 22, 2013. Contractors submitted bids. They are as follows: Lathrop Construction Associates, Inc. \$27,059,000; Wright Contracting \$27,240,000; Alten Construction \$27,382,810; ARTNZ Builders \$28,270,484; Roebbelen Contracting \$28,684,770; MidState Construction \$28,714,670. The bid price includes the contract value, alternate and unit pricing, used for negotiating change orders only. The lowest responsive, responsible bidder is Lathrop Construction Associates, Inc.

Recommendation

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

Fiscal Impact

Funded from the Measure 2010 Bond

- *CI C.15 Resolution No.44-1314: Placing Oversight of Measure “E” Funds with the Measure M, D, J, and D-2010 Citizens Bond Oversight Committee

Comment

Existing law provides that if a bond measure is authorized under the Constitutional provisions established by Proposition 39, the governing board of the school district must instead appoint members to a Citizens’ Bond Oversight Committee (CBOC) to review and report on bond fund expenditures to ensure compliance with the purposes and accountability requirements. (Ed. Code section 15278).

Over the past decade, the District has passed four Proposition 39 bond measures, Measure “M” for \$150 million in 2000, Measure “D” for \$300 million in 2002, Measure “J” for \$400 million in 2005 and Measure “D2010” in 2010, for which a CBOC was required by law and for which a CBOC is currently providing oversight. In November of 2012 the District passed another Proposition 39 bond measure, Measure “E” for \$360 million dollars for which a CBOC is also required by law.

The District’s Board desires to have the current CBOC provide oversight of Measure E funds in addition to its duties providing oversight of Measures M, D, J and 2010 funds. Adoption of this resolution will achieve the Board’s objective.

Recommendation

Recommend adoption of the Resolution No.44-1314: Placing Oversight of Measure “E” Funds with the Measure M, D, J, and D-2010 Citizens Bond Oversight Committee.

Fiscal Impact

No fiscal impact or implications associated with the adoption of this resolution

- *
*CI C.16 Citizens’ Bond Oversight Committee (CBOC) Appointment: Alex Aliferis

Comment

Contra Costa Taxpayers Association has forwarded a recommendation that Alex Aliferis be the Taxpayers’ Organization 2.03 0 Td [(C)-1(i)-5d [(C)-1(a)20C-13(a)4(r)-7(s)-ci)-1 2.28rTJ 0.0-1 2.v-7(ga2(i)

*CI C.21 Resolution No. 41-1314: American Education Week: November 18 – 22, 2013

Comment

American Education Week November 18-22, 2013 presents all Americans with a wonderful opportunity to celebrate public education and honor individuals who are making a difference ensuring that every child receives a quality education.

D. AWARDS, RECOGNITIONS, AND REPORTS

* D.1 CSBA Names Peres Dental Project as Golden Bell Award Winner

Comment

The WCCUSD has been chosen as one recipient of the state's leading educational honor, the Golden Bell Award. The Golden Bell Award, now in its 34th year, is sponsored by the California School Boards Association. The award recognizes public school programs.

No-6(w)2(a)-6(r)3(d r)-7(em ()T0(B)7(oa)-6(

Upon receipt of the petition, components of the petition were assigned to various staff members of the District for review and analysis based on individual areas of expertise. Review of the different components of the charter petition was allocated as follows: Educational Program, Lynn Potter, Director of Educational Services; Sonja Neely Johnson, Mimi Melodia, and Dr. Linda Delgado, Coordinators of Educational Services; Special Education, Steve Collins, SELPA Director; Fiscal/Budget, Daniela Parasidis, Director of Business Services, and general oversight and evaluation were provided by attorneys Chad Graff and Shawn Olson Brown of Fagen Friedman & Fulfrost LLP.

Staff and legal counsel have reviewed the Petition and prepared the Staff Written Findings Regarding Richmond Charter Elementary School Petition ("Findings"), which are attached. The staff's analysis of the petition includes a review of its educational program, fiscal and governance structures, student admissions and discipline, labor and personnel issues, facilities and legal issues.

The pages immediately following this précis contain the Resolution to Conditionally Approve the Petition pending fulfillment of the requirements described in the Resolution to remedy deficiencies identified in the Findings.

Recommendation

To adopt the Resolution to conditionally approve the petition and provide a seventy-day period to remedy the identified deficiencies through revision of the petition and development of memoranda of understanding between the petitioners and District on operations and special education services. As provided in the Resolution, if the deficiencies are not remedied in the seventy-day period, the petition shall be denied.

Fiscal Impact

Loss of ADA due to students leaving District schools

- * F.2 Approval of Agreement with West Contra Costa Administrators Association (West Contra Costa Administrators Association / AB1200 Public Disclosure of Collective Bargaining Agreement with WCCAA)

Comment

District and West Contra Costa Administrators Association Collective bargaining proposals were sunshined for the 2013-2015 year. Tentative Agreement has been reached with representatives of West Contra Costa Administrators Association (WCCAA). A copy of the Tentative Agreement will be provided at the Board meeting. The West Contra Costa Administrators Association (WCCAA) has ratified the Agreement; it is now presented to the Board of Education for ratification.

School districts are required to publicly disclose the provisions of all collective bargaining agreements before they ratify an agreement. This ensures that the public is aware of the details associated with a tentative collective bargaining agreement before it becomes binding on the district. A summary of the savings associated with the agreement is provided. This summary has also been provided to the County Office of Education.

The Board will receive public comment on the proposed contract changes before the Board votes to ratify the Agreement.

Recommendation:

Recommend Approval of the District Sexual Harassment Statement

Fiscal Impact

None

G. DISCUSSION ITEMS

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from item E)

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING
Lovonya DeJean Middle School

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 6, 2013

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
2. CONFERENCE WITH LEGAL COUNSEL —EXISTING LITIGATION
[Government Code Section 54956.9(a)]
 - a. WCCUSD v. Orrick
 - b. Palmer and Pollack. WCCUSD
 - c. American Standards Properties v. WCCUSD
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

