

**West Contra Costa Unified School District
Minutes of the WCCUSD Board of Education
& Citizens' Bond Oversight Committee
Lovonya DeJean Middle School
3400 Macdonald Avenue
Richmond, CA 94805**

July 29, 2009

***Minutes of the Joint Meeting of The Board Of Education
and Citizens' Bond Oversight Committee***

A. OPENING PROCEDURES

A.1 Welcome and Meeting Procedures

A.2 Roll Call

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

CBOC Members Present: Richard Leigh, San Pablo Mayor Leonard McNeil, Chairperson Sue Pricco, Don Gosney, Paul Gilbert-Snyder, Robert Studdiford, Marcus Mitchell, Terry Miller, Gigi Guizado deNathan, Bob Sewell, Richmond Vice Mayor Ludmyrna Lopez, Cheryl Sudduth (Ms. Sudduth arrived 6:45 PM)

CBOC Members Absent: Alex Gomez, Joe Eddy McDonald, Peter Murray, Anton Jungherr, Kirk Ferreira, Jeannette Lambert

Staff Present: André Bell, Senior Director Bond Finance; Bill Fay, Associate Superintendent Operations; Bruce Harter, Superintendent, Kevin McQuarrie, District Master Architect; Rafael Parra, SGI; Phyllis Rosen, Legal Secretary

B. DISCUSSION ITEMS

B.1 Presentation Regarding Students Employed in Construction

Leonard McNeil, Mayor of San Pablo, provided a presentation regarding employing students in District bond construction projects. He spoke about other school districts that have written such programs into their project labor agreements (PLA), asked for the committee to consider other ways to give work to local businesses and extend the existing programs to provide for young people to work year round. Mayor McNeil asked for direction, guidance and support suggesting that a task force be created with key stakeholders.

Discussion:

Mr. Ramsey spoke about three districts that have had successful programs: Sacramento City, East Side Union HS District (San Jose) and Alum Rock Elementary School District.

Mr. Leigh asked Mr. Ramsey whether foster students were included. Mr. Ramsey said the information was not broken down by family composition. He spoke about programs in San Diego and at the Port of Oakland that try to work with specific communities and age groups. He said that getting kids educated and passing apprenticeship tests is the strongest indicator of long-term success.

Mr. Gosney reiterated Mr. McNeil's request for direction and asked whether the Board wanted to pursue this program and if so who will be responsible. He spoke about the importance of teaching kids the basics to pass the state approved entrance test for apprenticeship programs.

Mr. Medrano said he supports Mayor McNeil's suggestion of having a committee to collaborate with the Board and work with community members. He said he is willing to volunteer along with Mr. Ramsey.

President Miles suggested working with the academic subcommittee to see how it can support such a program with additional skills and programs.

Mr. Ramsey commended the group for its success with the local hire policy and said it has been really beneficial.

Ms. Kronenberg spoke about the Academic Subcommittee having curriculum and lesson plans developed institutionally and perhaps partnering with Alum Rock to share lesson plans.

Mr. Thurmond spoke about aligning the pre-apprenticeship training program with construction work that is being done in the district so that students can have hands on and practical experience.

Superintendent Harter spoke about the Architect/Construction Academy at Kennedy High School, now in its 3rd year, moving along in terms of development and being an integrated pathway with technology courses. He spoke about broadening the program to include more schools.

Mr. Ramsey provided documentation from Alum Rock Unified School District.
Mr. Leigh said he would be happy to work on the committee with Mayor McNeil.

B.2 WCCUSD Reporter Publication

Sue Pricco provided an update on the publication and indicated that it has been reinstated.

Discussion:

Mr. McNeil asked how often the publication will be printed. Mr. Fay said quarterly, but raised the issue of the legality of using bond funds to pay for the printing and distribution.

Ms. deNathan said she and Anton Jungherr raised the question of whether the use of bond funds to publish the Reporter is in conflict with board policies and Administrative Regulation 7214.2(k).

Ms. Pricco clarified that the Reporter is published by the school district, not the CBOC, and therefore use of bond funds to pay for dissemination is a different question than that of AR7214.2(k).

Mr. Fay indicated he has not yet obtained a legal opinion on the underlying code that determines use of bond funds.

Mr. Gosney asked for the cost to print and mail the Reporter quarterly.

Superintendent Harter said approximately \$20,000 to \$25,000 per issue.

Mr. Ramsey spoke about ballot language that required “expending bond funds wisely” and that the Reporter is an appropriate way to communicate to the public about where the money is going. He does not see any violation.

President Miles said the Board should obtain a legal opinion.

Mr. McNeil asked how the publication was funded before it was stopped.

Superintendent Harter said predominantly through bond funds and partially through general funds.

Mr. Studdiford said the Reporter is critically important to show how responsible the committee is and to make sure they are held to the highest regards of oversight.

Mr. Thurmond said everyone agrees this is a valuable resource, but added that obtaining a legal opinion would bring peace of mind. He asked what the circulation is.

Superintendent Harter responded 95,000 homes from Hercules to El Cerrito.

Ms. Pricco clarified that is to a resident of every home within District boundaries.

Mr. Medrano referred the committee to what was done for the County of San Diego's bond program.

B.3 Bond Program Projects Schedule Update. Review anticipated bond sales and project schedules

André Bell provided a brief update on the sale of the Series C Measure J Bonds.

Discussion:

Mr. McNeil inquired about the Master Facilities Plan.

Mr. Fay responded indicating the proposal for the consultants to put a plan together has no bearing on the present course to purchase bonds.

Mr. Leigh inquired about the 12% decline in property valuation.

Mr. Bell introduced Joanna Bowes of KNN and Jeff Baratta of Piper Jaffray to answer questions.

Ms. Bowes discussed the assessed valuations in Contra Costa County and the proactive nature of the county assessor and how the values will continue to grow as the economy changes.

Mr. Leigh inquired whether future declines were anticipated.

Ms. Bowes responded that some declines are possible, but they do not anticipate more than 15%.

Mr. Leigh inquired about foreclosures.

Ms. Bowes indicated they were in decline.

Mr. Ramsey commented that banks still pay property taxes on foreclosed properties and spoke about the 8.3% tax growth over the years and the importance of looking at the life and growth over a period of time. Ms. Bowes said that the county follows a Teeter Plan and so although lower, the taxes will be collected.

Mr. Ramsey inquired about the investor ratings and California penalty. Ms. Bowes said that the bonds have been upgraded from A- to A. She added that the penalty was based on a general market overview relative to what the state is doing and not based on the District's history.

Ms. Pricco inquired further about what effect bankruptcy and bailout affected investors. Ms. Bowes said she did not believe there to be a residual trading penalty.

Ms. Pricco asked about the current tax rate. Mr. Baratta said the assessed value is currently \$28 to \$100.

Mr. Studdiford spoke about the historical averages and placing relevant information into the Recorder.

Mr. Baratta said there was no historical data by bond measure and that he would obtain the information.

Mr. Studdiford said that they were well below the initial target.

CBOC Committee Comment:

Mr. McNeil spoke about the Volunteer Youth Program at Helms Middle School
Mr. Gosney spoke about problems obtaining audit information from Total School Solutions
Ms. Pricco said there will be elections at the next CBOC meeting. She spoke about future joint meetings with the Board of Education and requested better advance planning and publishing the meeting dates.
Ms. Pricco turned the meeting over to President Miles who called for Public Comment.

C. PUBLIC AND COMMITTEE COMMUNICATIONS

C.1 Public Comment – for items not on the agenda: Don Gosney, Jill Wolkenfeld

D. ADJOURNMENT

The meeting was adjourned at 7:28 PM.

*Minutes of the WCCUSD Board Of Education
July 29, 2009*

B. OPENING PROCEDURES

President Audrey Miles called the meeting to order at 4:30 PM. The Board recessed into Closed Session. President Miles called the Public Session to order at 7:37 PM following the Citizen's Bond Oversight Committee meeting.

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, Charles Ramsey, Tony Thurmond

Staff Present: Joe Abrego, Executive Director for Information Technology; Andre Bell, Senior Director Bond Finance; Bill Benham, Information Technology Operations Manager; Pat Calvert, Director Certificated Employees; Steve Collins, SELPA Director; Otilia Espinoza, Interpreter; Bill Fay, Associate Superintendent for Operations; Erin Fleming, Director Classified Employees; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Linda Jackson, Executive Director; Elmer Meredith, Electronics Technician; Nia Rashidchi, Assistant Superintendent Educational Services; Jessica Romeo, Assistant Superintendent for Human Resources; Marin Trujillo, Coordinator Community Engagement

B.4 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to expel two (2) students and suspend those expulsions for placement in the West Contra Costa Unified School District.

MOTION: Mr. Ramsey moved to ratify approval of the expulsion of two (2) students, suspending those expulsions for placement in the West Contra Costa Unified School District. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes, with Mr. Thurmond abstaining and no absences. Motion carried 4-0-1-0.

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to approve a settlement agreement with a teacher and two settlement agreements regarding student issues, as well as to approve Marcos Garcia as Assistant Principal at El Cerrito High School.

MOTION: Mr. Ramsey moved to ratify approval of the vote taken in Closed Session to approve a settlement agreement with a teacher and two settlement agreements regarding student issues, as well as to approve Marcos Garcia as Assistant Principal at El Cerrito High School. Ms. Kronenberg seconded. Ms. Kronenberg,

Mr. Medrano, Mr. Ramsey and President Miles voted yes, with Mr. Thurmond abstaining and no absences. Motion carried 4-0-1-0.

B.5 Agenda Review and Adoption

MOTION: President Miles noted that Item D.3 would be deleted, as that report was provided earlier at the joint meeting with CBOC. Mr. Ramsey requested that Item F.4 follow the Consent Items to accommodate the police officers and moved approval of the Agenda as amended. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

B.6 Board Minutes: June 24, 2009; July 8, 2009

MOTION: Mr. Medrano moved approval of the minutes of June 24, 2009. Mr. Ramsey seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

MOTION: Mr. Medrano moved approval of the minutes of July 8, 2009. Mr. Ramsey seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes, with Mr. Thurmond abstaining and no absences. Motion carried 4-0-1-0.

C. BUSINESS ITEMS

C.1 Contracted Services

This item was moved after Item F.4 and before Section D.

C.2 Grants/Awards/Agreements

C.3 Acceptance of Donations

C.4 Approval of Fund-Raising Activities

C.5 Notification of Claim Approval and Settlement Payment

C.6 Acceptance of Contracts for Placement of Student Teachers

C.7 Notice of Completions: Bid E068154 TLC Portable Ramps Replacement, E068155 TLC Fencing & Gate Replacement Project, E068147 Pinole Valley HS Communication System Replacement

C.8 Revised Board of Education Annual Resolutions 02-0910, 04-0910, 05-0910

C.9 Certificated Personnel Changes

C.10 Certificated Provisional Internship Permit (PIP) Request(s)

C.11 Ratification and Approval of Engineering Services Contracts

C.12 Ratification and Approval of Negotiated Change Orders

C.13 Adoption of Resolution No. 19-0910 in Support of Office of Public School Construction Applications for Modernization, New Construction, and Overcrowding Relief Grants at District Bond Program Sites

C.14 Kennedy High School Fire Alarm Project Award of Contract

C.15 Coronado Elementary Fence & Gates Emergency Repair Project: Acceptance of Bid Alternate

C.16 Crespi Jr. High Emergency Repair Program Kitchen Repairs Contract Award

C.17 Crespi Jr. High Emergency Repair Program Paving Contract Award

C.18 Williams Lawsuit Complaints Quarterly Reports

MOTION: Mr. Ramsey moved approval of the Consent Items, except Item C.1. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.4 Agreement with the Cities of Richmond, El Cerrito, Pinole and Hercules and the Office of the Sheriff-Coroner to provide School Resource Officer (SRO) services to district campuses

Mr. Greer introduced Chief Kirkland of the El Cerrito Police Department, Lieutenant Bradley of the County Sheriff's Office and Sergeant Christa Cappiali of the Richmond Police Department to provide an overview of the SRO program in place for the past three years. Mr. Greer recognized Sergeant Cappiali for support and commitment for the past three years and her reassignment to dayshift Patrol Supervisor.

Sergeant Cappiali responded to questions from Mr. Medrano regarding chemical substance abuse and from Mr. Thurmond regarding non-SRO officers responding on campus and about data maintained by the SROs.

Lieutenant Bradley provided an update of the past year in partnership with the District and commented on the large decline in complaints from neighborhoods. He responded to questions from Mr. Ramsey regarding coverage for the

Montalvin community, from Mr. Thurmond regarding regular meetings with SROs and sharing information, and from Mr. Medrano regarding gang graffiti.

Chief Kirkland spoke about the accomplishments of the SRO program and being part of the school community and establishing open and regular communication. He responded to questions from Mr. Medrano regarding chemical substance abuse and property crime, from Mr. Ramsey regarding confiscation of cell phones, working with principals and site supervisors, and evaluation of SROs at middle school sites, from Mr. Thurmond regarding training; from Ms. Kronenberg regarding Mountain Bike and Youth Explorer programs; and from President Miles regarding communication with school staff, minor's rights and protocols.

Board Comment:

Mr. Ramsey asked about the two officers in San Pablo and clarification of the term "Family schools," for clarification on placing dedicated officers at middle schools and about the cost of the programs. Mr. Greer responded. Mr. Ramsey said he would not vote on any terms or conditions not yet negotiated amongst the parties.

Mr. Medrano recommended that San Pablo Police report back to the Board in August on work performed at Helms. Mr. Thurmond spoke about memorializing an expectation for an annual impact report, that all SRO departments participate in ongoing training, and that all departments participate in efforts to streamline communication and create an integrated SRO program across departments.

Mr. Ramsey spoke against imposing conditions that have not been negotiated, although he agreed with the need for the items listed by Mr. Thurmond.

Ms. Kronenberg said she agrees there should be more depth and direction in the contracts and that this item should be tabled because the goal in middle schools is for SROs to educate staff and children to the level we no longer need the police officers.

Mr. Ramsey spoke against tabling, for approval, and for coming back with an addendum that has been negotiated. President Miles asked Mr. Greer to comment regarding the status of an agreement on these additional items, and she inquired about a timeline for signing of a final agreement. Mr. Greer responded.

President Miles spoke about the need for an addendum and said the item should not be tabled at this time.

Mr. Medrano spoke about having the safety committee conduct an evaluation of the use of police on school campuses and the prior use of Local One District police.

Mr. Ramsey provided some background regarding the District police and said he agreed with Mr. Medrano and the need for a thorough evaluation.

MOTION: Mr. Thurmond moved to approve and direct staff to incorporate the feedback and the direction the Board has given this evening. President Miles seconded.

Mr. Medrano asked that the Safety Committee obtain feedback from principals and counselors in middle schools on the level of improvement.

Mr. Ramsey cautioned about the legal implications of including items in the body of the motion that are not within the existing agreements.

President Miles asked Mr. Greer about the status of obtaining an addendum. Mr. Greer responded.

Mr. Ramsey raised concern about possible additional costs. Mr. Greer responded.

Mr. Ramsey asked Ms. Romeo to comment on the legality of the motion.

Ms. Romeo said she understood Mr. Thurmond to approve the agreements and then to direct staff to come back with the provisions that would incorporate all those additional items that the Board had discussed.

Mr. Ramsey clarified that we are only approving the existing contracts.

President Miles said that what she seconded was that the contracts would be approved as is, and that an addendum would then come back to the Board for approval at another meeting.

Ms. Kronenberg said each item - establishing a shared communication protocol, developing shared training, drafting expectations, and drafting job descriptions - that would be described in an addendum should be vetted financially.

President Miles asked Mr. Greer to include financial impact when the item came back to the Board.

Mr. Thurmond said he believed that performing these items would not increase the costs.

Mr. Ramsey asked to clarify the motion.

Ms. Romeo clarified that she understood the motion was to approve the agreements with direction to the Board to come back with an addendum that addresses the concerns of the Board. She asked Mr. Thurmond to state for the record whether that was his intent. Mr. Thurmond said yes.

Mr. Ramsey questioned connecting a subsequent condition to the motion.

Ms. Romeo clarified that the motion is to approve each contract as is, then direct staff to bring forward language in an addendum to address the Board's concerns with associated costs, and if the addendum is not approved, the original agreements will still be in full force and effect.

MOTION: Mr. Thurmond moved approval of Item F.4 Agreement with the Cities of Richmond, El Cerrito, Pinole and Hercules and the Office of the Sheriff-Coroner to provide School Resource Officer (SRO) services to district campuses with direction to staff to bring back an addendum for approval that addresses the concerns expressed by the Board. President Miles seconded. A roll call vote was taken. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

C.1 Contracted Services

This item was pulled for public comment; however, the requestor was no longer available.

MOTION: Mr. Ramsey moved approval of the Consent Item C.1. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 Standing Reports

Bayside Parent Teacher Association. President Cathy Garza spoke about participating in The Ed. Fund focus group.
Ivy League Connection. Ms. Kronenberg and Mr. Ramsey provided an update on program activities.
Safety Committee. Mr. Thurmond provided an update and announced the next meeting on August 26.
Youth Commission. Mr. Thurmond announced the next meeting on August 10 and introduced alumni Elizabeth Sanders. Ms. Sanders spoke about her participation in the program this summer.
Facilities Subcommittee. Mr. Medrano reported on the meeting of July 21. Mr. Ramsey provided additional comments.

D.2 Update on School Resource Officer Programs

Mr. Greer provided a report on the School Resource Officer Programs under Item F.4.

D.3 Report on Status of Measure J, Series C Bond Sales

This item was removed from the agenda, as it was discussed at the joint meeting with CBOC.

D.4 Budget Report Updates

Ms. Gamba provided a brief update of information provided from the July revision of the state budget.

D.5 In Memory of Members of the School Community

Dr. Harter recognized contributions of members of the community who have passed away,

Board Comment:

Mr. Thurmond acknowledged former employee George Brown Jr., who passed away early July. His father, Revered George Brown, spoke in honor of his son and expressed appreciation for all the phone calls and prayers.

E. PUBLIC AND COMMITTEE COMMUNICATIONS

(Education Code 35145.5; Government Code 54950 et seq.)

E.1 Superintendent's Report

Dr. Harter provided a report of events in District schools.

E.2 WCCUSD Public Comment

Public Comment: Tony Favila, Patricia Ponce, Morales Juana, Gayle Louie, Andres Orozco, Thomas de Leon, Kristin Pursley

Mr. Ramsey left the meeting at 9:55 PM

F. ACTION ITEMS

F.1 Resolution 17-0910 In Support of the Employee Free Choice Act (HR 1409)

Mr. Thurmond introduced this item, providing background and expressing a commitment to supporting employee rights.

Board Comment:

Mr. Medrano said he “enthusiastically endorsed” this resolution.

MOTION: Mr. Medrano moved approval of Resolution 17-0910. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Thurmond and President Miles voted yes, with no abstentions and Mr. Ramsey absent. Motion carried 4-0-0-1.

F.2 Resolution 21-0910 Authorizing the Issuance of Refunding Bonds

This item was introduced by Ms. Gamba.

MOTION: Mr. Medrano moved approval of Resolution 21-0910. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Thurmond and President Miles voted yes, with no abstentions and Mr. Ramsey absent. Motion carried 4-0-0-1.

F.3 Resolution 22-0910: Emergency Substitute Teacher Pay Authorization

Ms. Romeo said that there is an indication UTR will consider a strike, and therefore asked the Board to approve a resolution that would set salary and authorize hiring additional staff.

Board Comment:

Mr. Thurmond asked the Board to pull this item and reconsider taking every step possible to avert a strike.

MOTION: Mr. Medrano moved approval of Resolution 22-0910. Ms. Kronenberg 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.

F.5 Addition of Board Policy 5145.9 Students – Hate-Motivated Behavior

Ms. Linda Jackson introduced this item and provided background information.

Board Comment:

Mr. Thurmond said he appreciated making equity a theme. He spoke about parallels with the Youth Commission.

Ms. Kronenberg said this was an important connection to the earlier discussion on school safety.

Mr. Medrano spoke about advancements that are being made on this issue.

President Miles provided insight from a historical perspective and thanked Ms. Jackson and Superintendent Harter for the positive outcome resolving the incident at Pinole Valley High School.

MOTION: Mr. Medrano moved approval of Item F.5 Board Policy 5145.9. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Thurmond and President Miles voted yes, with no abstentions and Mr. Ramsey absent. Motion carried 4-0-0-1.

G. DISCUSSION ITEMS

None

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 – August 19, 2009

K. ADJOURNMENT

President Miles adjourned the meeting at 10:17 PM.

AAM Approved 8/19/09
