

**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**

***Minutes of the WCCUSD Board Of Education  
October 21, 2009***

**B. OPENING PROCEDURES**

President Audrey Miles called the meeting to order at 5:00 PM. The Board recessed into Closed Session. President Miles called the Public Session to order at 6:38 PM.

**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:** Andre Bell, Senior Director Bond Finance; Pamala Blake, Director Adult and Alternative Education; Steve Collins, SELPA Director; Otilia Espinoza, Interpreter; Bill Fay, Associate Superintendent for Operations; 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; David Johnston, Director General Services; Nicole Joyner, Grant Writer; Josh Herrera, Electronics Technician; Joe Mayes, Maintenance Manager; Nia Rashidchi, Assistant Superintendent Educational Services; Vince Rhea, Executive Director; Jessica Romeo, Assistant Superintendent for Human Resources; Phyllis Rosen, Legal Secretary; Bill Savidge, Engineering Officer.

**B.4 Presentation of Student Board Representative Ramiah Davis, Hercules High School**

Ms. Davis was absent.

**B.5 Report/Ratification of Closed Session**

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to expel six (6) students and suspend those expulsions for placement within the West Contra Costa Unified School District.

**MOTION: Mr. Medrano moved to ratify approval of the expulsion of six (6) students, suspending those expulsions for placement within 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 as he was absent at Closed Session. Motion carried 4-0-1-0.**

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to approve the Superintendent's Goals for the school year 2009-2010 and extend his contract by one year.

**MOTION: Mr. Medrano moved to ratify approval of the vote taken in Closed Session to approve the Superintendent's goals for the school year 2009-2010 and extend his contract by one year. 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.5 Agenda Review and Adoption**

**MOTION: Mr. Ramsey moved approval of the agenda tabling Item C.8 and moving Item F.1 to follow the Consent Calendar. 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**

**MOTION: Mr. Ramsey moved approval of the minutes of October 7, 2009. 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.**

**C. BUSINESS ITEMS**

**C.1 Acceptance of Donations**

**C.2 Approval of Fund-Raising Activities**

**C.3 Summary of Payroll and Vendor Warrant Reports**

**C.4 Notification of Claims Rejected**

**C.5 Notice of Completions: Bid J068173 Exterior Painting at DeAnza High School (Field House), Sheldon Elementary and Kennedy High School**

**C.6 Procurement Contracts for the School Year 2009-10**

**C.7 Disposal of Obsolete and Damaged District Personal Property for the School Year 2009-10**

**C.8 Contracts with Employee Health and Welfare Providers**

*This item was pulled.*

**C.9 Certificated Personnel Changes**

**C.10 NCLB Supplemental Educational Services (SES) Tutoring Contracts**

**C.11 Adoption of Resolution No. 32-0910: Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2009-2010**

*This item was pulled for discussion, following Item E.2.*

**C.12 Williams Lawsuit Complaints Quarterly Report**

**C.13 Ratification and Approval of Engineering Services Contracts**

**C.14 Ratification and Approval of Negotiated Change Orders**

**C.15 Approval of Contract for Furniture, Setup and Installation at Helms Middle School**

**MOTION: Mr. Ramsey moved approval of Consent Items C.1-C.7, C.9, C.10 and C.12-C.15. 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.1 Approval of Agreement with Local One (Local One / AB1200 Public Disclosure of collective Bargaining Agreement with Local One)**

Jessica Romeo presented the Tentative Agreement with the Local One Bargaining Unit and AB1200 public disclosure. Ms. Romeo expressed thanks to both Local One and District team members for providing this settlement agreement. She noted a second portion that addressed some language issues that was inadvertently left out and that will be brought back to the next meeting. She asked that the Board approve this tentative agreement this evening.

**Public Comment:** Robert Studdiford, Mike Wasilchin

**Board Comment:**

Mr. Thurmond said he wanted to publicly acknowledge the members of Local One for helping to move this forward and making difficult and tremendous sacrifices. He also thanked Local One for the spirit in which they made this choice.

Mr. Medrano thanked members of the Local One and District bargaining teams for their participation in this very difficult process for the betterment of our students and our District.

Mr. Ramsey thanked everyone and expressed appreciation for how hard everyone worked and for coming together in the best interest of students.

Ms. Kronenberg thanked Mr. Wasilchin for making the decisions made and said that the Board wants to work with him to make positions more efficient and obtain his input into how to do that so we can serve all children and families. President Miles also acknowledged the hard work and sacrifice made by members of Local One. She said the Board will work hard to continually find funding to help our employees and to help the District be a better district.

**MOTION: Mr. Ramsey moved approval of the Agreement with Local One (Local One/AB1200 Public Disclosure of Collective Bargaining Agreement with Local One). Mr. Medrano 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.**

**D. AWARDS, RECOGNITIONS, AND REPORTS**

**D.1 Standing Reports**

Academic Subcommittee. Ms. Rashidchi announced the next meeting on October 27, from 6:30 to 8:00 at Vista Hills. Ivy League Connection. Mr. Ramsey provided an update of activities, including the Princeton Information session at El Cerrito High School and the beginning of the next selection process.

Facilities Subcommittee. Mr. Medrano provided an overview of the Facilities Subcommittee meeting that was held on October 14. He announced the next meeting to be held November 10<sup>th</sup> at 4:00 PM at the FOC building.

Citizens Budget Advisory Committee. Ms. Kronenberg announced the next meeting will be held October 22 at 6:30 PM at Alvarado Adult School.

Safety Committee. Mr. Thurmond announced the next meeting on October 28 at Crespi Middle School.

**D2. In Memory of Members of the School Community**

Dr. Harter recognized the contributions of a member of the community who passed away.

**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:** Christina Slammon, Robert Brower

**C.11 Adoption of Resolution No. 32-0910: Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2009-2010**

**Public Comment:** Mark Tafolla Young of the Education Equity Project said the consent calendar was inappropriate for this item and that a public hearing is necessary because there was evidence of textbook insufficiency when this item was presented at the Board meeting of October 7.

Ms. Rashidchi clarified that since the October 7 meeting the District reached 100% sufficiency at the elementary, middle and high school levels and said that the resolution presented tonight reflects 100% sufficiency as of October 21, 2009. She said that starting next year the district will implement a suggestion made by Mr. Tafolla Young's firm to get a response back from every teacher even when all material has been received.

**Board Comment:**

President Miles asked for legal counsel regarding the issue of lack of a public hearing.

Ms. Rashidchi said that the public hearing held at the October 7 meeting met all requirements and that the Board could proceed with a vote tonight.

Mr. Ramsey asked for additional information from Ms. Romeo.

Ms. Romeo said she did not see a technical problem with going forward since everyone that came to address the issue had an opportunity to do so, and even though it was on the Consent calendar it was pulled and there was full discussion.

Mr. Thurmond said he appreciated that the speaker pulled the item. Mr. Thurmond suggested the Board ask Mr. Young if he had anything to add.

Ms. Romeo clarified it was at the President's discretion whether to ask additional questions of public speakers.

President Miles indicated that since this was a procedure issue that was rectified, she did not see any purpose in addressing the speaker.

**MOTION: Mr. Ramsey moved approval of Adoption of Resolution No. 32-0910: Grades K-12 Textbook and Instructional Materials Compliance for Fiscal Year 2009-2010. Mr. Thurmond 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.**

**Board Comment:**

Mr. Ramsey spoke on behalf of completing Item F.2 prior to the CBOC meeting due to the young children in the audience from Coronado who wish to comment on this item.

**MOTION: Mr. Ramsey moved to proceed with Item F.2 before commencing the CBOC meeting. Mr. Thurmond seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted to proceed with Item F.2 before commencing the CBOC meeting, with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.2 Coronado Site Master Plan and Architectural Services Contract**

Mr. Fay said that this item was being presented to the Board for approval of the master plan and moving forward with design services, and that the report will be presented at the CBOC meeting.

**Public Comment:** Audra Williams, Isaac and Azriel Jones, Cecilia Sotelo, Billy Rubio, Jerry Lindsey

**Board Comment:**

Mr. Ramsey said he was glad to hear from the students in the community. He said this project represents equity and continuity from Point Richmond to 52<sup>nd</sup> Street with the same level of development. He thanked the Coronado community members for their vision, belief and never giving up.

Mr. Thurmond thanked the speakers and said he was proud of the entire Coronado community for setting an example of what is possible.

Mr. Medrano expressed thanks to the community, parents and students for organizing and also expressed thanks to the Board members for listening.

Ms. Kronenberg and President Miles expressed congratulations to everyone.

**MOTION: Mr. Ramsey moved approval of the Coronado Site Master Plan and Architectural Services Contract. 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.**

*The Board recessed at 7:40 PM to begin the Citizens' Bond Oversight Committee.*

*The Board reconvened at 8:55 PM and continued the regular meeting of the Board of Education*

**F.3 Portola Middle School at the Castro Site Master Plan and Architectural Services Contract**

Following the presentation of this item at the Citizen's Bond Oversight Committee meeting, President Miles opened the floor to public comment.

**Public Comment:** Charles Schwartz, Robert Brower, Joanna Pace, Christina Slamon, David Rossi, Sharon Farrell

**Board Comment:**

Mr. Fay commented on the threshold that needed to be met that would require a supplemental Environmental Impact Report (EIR). He said that the district consultants have advised the project has not reached that threshold.

Mr. Savidge spoke of the natural changes that occur any time a project moves from its initial concept through the development stages.

Mr. Ramsey commented on past school projects in the District and changes within the process. He spoke about the impact of the existing litigation and moving the project forward.

Mr. Medrano asked Mr. Fay about the concerns raised by the public speakers. Mr. Fay responded.

Mr. Medrano asked Mr. Savidge about water management. Mr. Savidge responded regarding standards for storm water management.

Ms. Kronenberg asked Mr. Savidge additional questions about the threshold and the decision to go forward.

Mr. Savidge said the issues critical to the project remain unchanged since inception.

Ms. Kronenberg asked whether the requirement of a supplemental EIR was triggered by major changes. Mr. Savidge responded.

Mr. Thurmond spoke about following CEQA guidelines as closely as possible. He asked about creating an opportunity for our citizen's to give feedback and input and ask the more complex questions while this project continues moving along its path.

Mr. Savidge commented on a recommendation within the settlement offer to plaintiffs for a neighborhood design advisory committee.

Mr. Thurmond suggested approving this item with the understanding there be opportunity for a committee to give input every step of the way.

Mr. Ramsey asked for further clarity about the committee.

Mr. Thurmond commented that nothing would change the way this project would get played out ultimately.

Mr. Ramsey said he could support Mr. Thurmond's motion as long as the committee is advisory and the Board remains the ultimate decision maker.

Superintendent Harter suggested making the formation of a neighborhood advisory committee part of the approval process because the actual formation of the neighborhood advisory is not part of this meeting's agenda. He said it could be added to the authorization to approve the master plan as a part of one of the conditions the Board might set in that approval.

Mr. Thurmond asked to let the record reflect the motion to be in the same spirit in which the Superintendent described.

Mr. Ramsey seconded Mr. Thurmond's motion.

**MOTION: Mr. Thurmond moved approval of the Portola Middle School at the Castro Site Master Plan and Architectural Services Contract and to direct staff to form a neighborhood advisory committee as a component of the Portola project 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.**

**G. DISCUSSION ITEMS**

None

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

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

Mr. Medrano spoke of his participation with a visiting delegation of educators from China. He thanked everyone that came to the Ed. Fund dinner.

Ms. Kronenberg spoke about the upcoming Adult Education event October 23<sup>rd</sup> at 9:30 AM at the Alvarado Adult School to learn about the impact of cuts on Adult Education and the strategic plan put forward by the California Department of Education Adult Education Section.

Mr. Thurmond recommended future action by the Board to meet with the El Cerrito City Council regarding the relocation of Portola.

Superintendent Harter announced the Parents as Partners conference at 8:30 AM, Saturday, October 24 at DeJean Middle School and invited everyone to participate.

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – November 4, 2009

**K. ADJOURNMENT**

President Miles adjourned the meeting at 9:24 PM.

*Motion vote count order: Yes-No-Abstain-Absent*

***Minutes of the Joint Meeting of The Board Of Education  
and Citizens' Bond Oversight Committee  
October 21, 2009***

**A. OPENING PROCEDURES**

**A.1 Welcome and Meeting Procedures**

President Sue Pricco called the meeting to order at 7:49 PM.

**A.2 Roll Call**

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

**CBOC Members Present:** Paul Gilbert-Snyder, Alex Gomez, Don Gosney, Jeannette Lambert, Leonard McNeil, Marcus Mitchell, Sue Pricco, Robert Studdiford, Cheryl Sudduth. (Nine members attending constituted a quorum.)

**CBOC Members Absent:** Anton Jungherr, Gigi Guizado de Nathan, Joe Eddy McDonald, Peter Murray, Robert Sewell

**Staff Present:** André Bell, Senior Director Bond Finance; Jackie Bassman, WLC; Linda Cohen, Principal Coronado Elementary School; Bill Fay, Associate Superintendent Operations; Ann Francisco, Senior Administrative Assistant; Bruce Harter, Superintendent, Marcus Hibser, HY Architects; Kevin McQuarrie, District Master Architect-WLC; Karim Nassab, SGI; Rafael Parra, SGI; Phyllis Rosen, Legal Secretary; Bill Savidge, Engineering Officer.

**B. DISCUSSION ITEMS**

**Bond Program update**

Superintendent Harter responded to a public inquiry clarifying the financing plans for all district bond issues.

Mr. Savidge presented an update on projects under construction, projects in design, facilities projects, Emergency Repair Projects (ERPs), program schedules, fund balances, program budget updates, an update on 2009 bond sales and Qualified School Construction Bonds (QSCBs), and ongoing financial challenges. He said that the Board has authorized an initial study for a future bond to renovate the remaining district sites. Mr. Savidge commented on the competitive bidding environment brought about by the economy. Mr. Ramsey provided additional information on funds that are being saved due to the competitive environment.

Responding to questions by Mr. McNeil, Mr. Savidge said that staff hopes to have the Helms move-in take place during the February break when students are on vacation. He said that the Capital Asset Management component of the Facilities Master Plan is being developed, and any project savings will be identified and brought before the Board for future project allocations.

Responding to a question by Ms. Pricco, Mr. Savidge said that schools dropped from previous bond measures due to lack of funding have not been added back on, except for Coronado. Mr. Ramsey provided additional clarification.

Mr. Thurmond inquired about future projects and scenarios for other types of funding. Ms. Pricco responded indicating she would bring back additional information at a future meeting. Mr. Ramsey provided additional comments regarding making changes to the standard.

**B.1 Presentation of Coronado Site Master Plan**

Mr. MacQuarrie presented the Coronado Master Plan. He said that of the two options presented to the school, Option 2 (all new construction) was favored for safety, security and design and that the School Site Committee voted unanimously for Option 2 on September 8<sup>th</sup>. He spoke about the burned-out multi-purpose room design and said the insurance funds released will go towards the building of a new multi-purpose room with new improved standards. The students will not have to be housed in portables during the construction of the new building, resulting in cost

savings. He added that the Board unanimously approved the Coronado Master Plan at tonight's Board meeting just prior to this CBOC meeting.

Coronado Principal Linda Cohen spoke about the school's involvement in the design process, saying that the greatest concern was for security. She spoke of the community being brought together and the plan for medical services to be provided for students.

## **B.2 Presentation of Portola Middle School at the Castro Site Master Plan**

### **Public Comment:**

Joanna Pace, PTA President at Portola, urged board approval of the design.

Robert Brower expressed concern over lack of a defined industrial shop classroom, comparing this design to the original project of 4/28/08.

### **Discussion:**

Mr. Marcus Hibser of HY Architects presented the Portola Middle School at Castro Master Plan. He explained that the small acreage and sloping land presented a challenge. He discussed the issue of securing the school and allowing for community usage. Mr. Hibser said the multi-purpose room is being designed to host Portola's very robust performing arts program.

Mr. Medrano, Mr. Gosney and President Miles spoke of the importance of including shop in the plans, especially in this early design phase. A recommendation was made to the Board to give direction to staff to include defined industrial shop classes in the plans.

Mr. Gomez inquired about outreach programs being created in conjunction with the City of El Cerrito and about after school programs. Mr. Savidge said that staff will be seeking a partnership with the city or enterprises for the proposed community center, similar to El Cerrito High School and Helms, which will support both students and their families. Responding to Mr. McNeil's inquiry, Mr. Hibser said the adjacent park is owned by the district, is jointly used by the city, and will be accessible for school activities.

## **C. CBOC Membership**

Mr. Medrano raised the possibility of reducing the number of regular CBOC meetings to four per year, in accordance with state law, and asked whether that has ever been considered in light of the difficulty obtaining and keeping members.

Ms. Pricco responded by saying that item was not on the agenda and indicated she would bring it back to the subcommittee to discuss at the next meeting.

Mr. Studdiford said he would strongly oppose only four meetings per year.

Ms. Pricco said that the membership subcommittee (comprised of Ms. Pricco, Mr. Jungherr and Mr. Gosney) has met regarding structure of the bond oversight and representational units. She said the subcommittee will bring back sometime in the next two months a recommendation for some adjustment to the administrative regulations and possibly to a structural change. She asked the Board to find and encourage and people to join the CBOC who will be committed members, indicating there are now 7 openings on the committee.

Ms. Sudduth suggested beginning the meetings later than 6:00 PM, to allow time for those working outside of the area. Ms. Pricco spoke of the limited ability to change meeting times.

Ms. Pricco announced the next CBOC meeting on December 2<sup>nd</sup>.

## **C. PUBLIC AND COMMITTEE COMMUNICATIONS**

### **C.1 Public Comment – for items not on the agenda:**

Mr. Brower spoke of his involvement with the Contra Costa Foundation to set up a \$1.4 million scholarship fund for occupations and trades. To help reach students in district high schools he suggested inviting Ms. Melissa Payne of SGI to give her pre-apprenticeship presentation to the Board and CBOC to support her efforts.

Mr. Ramsey thanked the Bond Oversight members for their willingness to serve and attend meetings and getting the word out making it easier to ask the voters for support.

## **D. ADJOURNMENT**

The meeting was adjourned at 8:50 PM.

AAM Approved 11/4/09
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