

**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 28, 2010

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

A. OPENING PROCEDURES

A.1 Welcome and Meeting Procedures

Call to order – Chairperson Tim Banuelos called the meeting to order at 6:05 p.m. and welcomed the audience.

A.2 Roll Call

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

CBOC Members Present: Tim Banuelos, Paul Gilbert-Snyder, Alex Gomez, Don Gosney, Anton Jungherr, Marcus Mitchell, Yvette Ricco, Robert Studdiford, Cecilia Valdez

Staff Present: Waheed Balogun, Director of Facilities and Construction; André Bell, Senior Director Bond Finance; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Bill Savidge, District Engineering Officer

B. DISCUSSION ITEMS

B.1 Nystrom Project

Mr. Banuelos, as newly appointed Chairperson introduced himself as representative of the Pinole City Council with a background in architecture. He then spoke about the Nystrom multi-use project. The committee thought it would be beneficial for them to follow a project from beginning to completion to get a better idea of the process.

Discussion:

Mr. Ramsey asked about working with the second phase or only the first phase of the project. Chairperson Banuelos responded that they would begin talking about the first phase and said he would like to see this project following concept expanded to other projects.

Mr. Medrano asked whether the committee would consider following the demolition of Gompers and the old Helms site. Chairperson Banuelos also mentioned that the DeAnza project is still in early stages and this concept provides opportunity to give the committee a full overview in general terms to compliment the presentations by Mr. Savidge.

Mr. Jungherr said that as part of the focus of this project the committee has asked the performance auditor to take this on as part of the June 2010 performance audit.

Mr. Ramsey asked whether there would be a report back to the Board. Mr. Banuelos responded affirmatively with the goal to further enhance the CBOC's knowledge about what goes on during a project. Mr. Jungherr said this is an effort to strategize better oversight committee work for the upcoming year, to better understand change orders, speaking with architects and inspectors, focus with performance auditors and generally be more effective.

Mr. Gosney said that in the past the committee has been able to visit a site after completion, but this process will enable them to see things that might concern the public from start to finish and therefore take a closer look prior to completion.

Mr. Studdiford spoke about the Nystrom project providing opportunity to look a how public funds are being used for public schools and joint ventures, including the Maritime project, Proposition 39 bond language for charter schools on the same property as public schools, a child care center and joint venture for community use, as cohesive ways to serve the community. He said in his opinion this is the most important reason to look at a project from start to finish.

B.2 Qualified School Construction Bonds Update

Mr. Savidge introduced Dave Olson of KNN Public Finance who provided a recap of results of the recent \$31 million bond sale. He said the purpose was to discuss the sale in context of the Measure J general obligation bond program, economic benefit with qualified school construction bonds, and the future of the District's bond program.

Mr. Olson told the committee that the Measure J bond program has grown into a constrained bond program due to the decline in tax base substantiated by a target tax rate and available revenue strain. The District does not have

opportunity to issue more bonds, as it would like due to the economic climate. He reported that the good news is that construction costs are coming down in the slowing economic climate, borrowing rates are lower, and passage of Measure D will keep construction moving forward, avoiding exceeding tax rate limits. The District was also chosen from among 43 districts to participate in an \$800 million Qualified School Construction Bond Program, part of the federal stimulus program. Mr. Olson continued with a presentation to discuss the recent sale of the District's Series D Bonds and other developments related to the ongoing bond program.

Discussion:

Mr. Ramsey asked questions about capital appreciation. Mr. Olson responded.

Mr. Ramsey asked whether there was a certain window of time in order to get an extension and ratification. Mr. Olson responded that because of the federal stimulus bill, the government wanted bonds issues quickly. Mr. Jeff Baratta of Piper Jaffary & Company provided further information for clarity as well as information about the typical buyer of these bonds.

Mr. Studdiford asked whether investors understand the size and efficiency of the program's success. Mr. Baratta responded. Mr. Olson also responded with information about market forces and that investors try to negotiate for best terms at higher yield.

Mr. Ramsey spoke about selling points being part of a relationship with investors, and financial advisors strengths and ability to show the District's bonds in the best light.

Mr. Jungherr said he agreed that the idea is commendable and worth reviewing. Mr. Olson responded that market drives many decisions and the poor economic climate drove away many potential buyers causing the underwriter team to work to assess and address difficult issues.

Mr. Thurmond spoke about investors and what can the District do to be viewed in the most favorable terms. Mr. Olson responded with information about specific issues to West Contra Costa as well as California in the current economic climate. Mr. Baratta responded as well regarding the difficult economic times and the positive way the District has presented itself.

Mr. Olson summarized about opportunities to do business within a constrained bond program.

Mr. Banuelos asked how long it might be before investors forget the history of the District. Both Mr. Baratta and Mr. Olson responded.

Mr. Gilbert-Snyder asked about how a new parcel tax might impact the investment climate. Mr. Baratta responded.

B.3 Citizens' Bond Oversight Committee / Board Communication

Chairperson Banuelos spoke about how the committee communicates with the Board and clarity of that relationship. He spoke about the best way for each entity to do their jobs.

Discussion:

Mr. Jungherr read from Administrative Regulations 7214.2 on this topic, which governs the operation of the Citizens' Bond Oversight Committee and the primary task of the committee to provide advice to the school board. He continued to speak about regular recommendations to and responses from the Board.

Ms. Miles asked for examples of where there is a failure of communication and cited opportunity to regularly address the Board at each meeting. Mr. Jungherr responded that the annual report is the only required reporting regulation with the last request for report discussion denied. Further discussion continued with Superintendent Harter, Mr. Medrano, Mr. Studdiford, President Kronenberg, and Mr. Thurmond responding. Mr. Gosney spoke about several members of the committee speaking at Board meetings. It was suggested that written communication for any recommendations be submitted to the Superintendent for agendaing. Chairperson Banuelos recommended this be agendaed at a future CBOC meeting for formalizing a procedure.

Mr. Gosney spoke about performance auditors and recording recommendations and responses of the Board.

Ms. Valdez spoke about written submission of items and the timeline for review. Chairperson Banuelos recommended aligning with the Board's agenda deadlines.

Mr. Studdiford spoke about the committee being an advisory body and advised care in being a driver in any decision making of fund allocations.

B.4 Engineering Officer's Update

Mr. Bill Savidge provided a report on the construction program and progress on Martin Luther King Jr. Elementary School as illustration of the ups and downs of bond construction as well as the multitude of factors faced from design planning through construction and completion.

Discussion

Mr. Medrano asked for a listing of the schools under construction with the new Measure D bond program. Mr. Savidge responded that current projects include Helms, Ford, Dover, ground breaking at DeAnza High, 47 open

construction contracts with renovations at Kennedy High, Richmond High, and Crespi Jr. High. Measure D bond program projects will include the reconstruction of Pinole Valley High, Coronado, Stege, Valley View, Wilson, Richmond High, Pinole Middle and the El Cerrito High stadium.

Chairperson Banuelos commended the District for such an extensive renovation project. He continued with questions about DSA review and the five-year delivery plan. Mr. Savidge responded.

C. PUBLIC AND COMMITTEE COMMUNICATIONS

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

None

D. ADJOURNMENT

President Kronenberg adjourned the joint meeting of the Citizens' Bond Oversight Committee and the Board of Education at 7:35 p.m.

*Minutes of the WCCUSD Board Of Education
July 28, 2010*

B. OPENING PROCEDURES

President Madeline Kronenberg called the meeting to order at 4:30 PM. The Board recessed into Closed Session. President Kronenberg called the Public Session to order at 7:41 PM following the Citizen's Bond Oversight Committee meeting.

B.1 Pledge of Allegiance

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

B.2 Welcome and Meeting Procedures

President Kronenberg 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: Mike Aaronian, Coordinator, Linked Learning/Pathways Program, K-Adult Operations; Andre Bell, Senior Director Bond Finance; Steve Collins, SELPA Director; Cliff Dorton, Electronics Technician; Otilia Espinoza, Interpreter; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Antoinette Henry-Evans, Executive Director K-12; Linda Jackson, Executive Director K-12; Brenda King-Randle, Coordinator; Joe Mayes, Maintenance Manager; Nia Rashidchi, Assistant Superintendent Educational Services; Ann Reinhamen, Assistant Superintendent for Human Resources

B.4 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to expel three (3) students and suspend those expulsions for placement in the West Contra Costa Unified School District.

MOTION: Mr. Medrano moved to ratify approval of the expulsion of three (3) students, suspending those expulsions for placement in the West Contra Costa Unified School District. Mr. Ramsey seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, and President Kronenberg 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 appoint the following administrators for the 2010-2011 school year:

Susanna Lowery, Grant Elementary Principal
Jay Dowd, Downer Elementary Principal
Guthrie Fleishman, Assistant Principal, Hercules Middle High School
Kenneth Gardner, Principal/Alternative Education Administrator, Vista High Independent Study

MOTION: Mr. Medrano moved to ratify approval of the vote taken in Closed Session to appoint administrators for the 2010-2011 school year. Mr. Ramsey seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, and President Kronenberg voted yes, with Mr. Thurmond abstaining and no absences. Motion carried 4-0-1-0.

B.5 Agenda Review and Adoption

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

B.6 Board Minutes: July 7, 2010

MOTION: Mr. Ramsey moved approval of the minutes of July 7, 2010. Mr. Medrano seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, Mr. Thurmond and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

C. BUSINESS ITEMS

C.1 Grants/Awards Agreements

C.2 Acceptance of Donations

C.3 Approval of Fund Raising Activities

C.4 Contracted Services

C.5 Summary of Payroll and Vendor Warrant Reports

C.6 Resolution No. 15-1011 Local Agreement for Child Development Contract #CSPP-0055

C.7 Acceptance of Contracts for Placement of Student Teachers

C.8 Notices of Completion: Bid J068182 Richmond High School Security Camera Project, J068228 Portola Middle School Portable Building Demolition and Site Work, W068181 Various Site Play Yard Improvements, J068229 Portola Middle School Reconditioning of Existing Electrical Switchboard

C.9 Certificated Personnel Changes

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

C.11 2010 Consolidated Application for Funding Categorical Aid Programs, Part I

C.12 Ratification and Approval of Engineering Services Contracts

C.13 Ratification and Approval of Negotiated Change Orders

C.14 Juan Crespi Jr. High Emergency Repair Program Roofing Repair Contract Award

C.15 Kennedy High School Field Building and Field Lighting Project Rejection of Bids & Authorization for Staff to Rebid the Project

This item was pulled for discussion.

C.16 Gompers Continuation High Campus Modulars Approval of Lease

C.17 Richmond College Prep Charter Campus Modulars Award of Contract

C.18 Modulars Award of Contract: Richmond College Prep Charter Campus and Valley View Elementary Replacement

C.19 Portola Middle School Temporary Housing Rain/Shade Structure Award of Contract

C.20 Approve Purchase of Maintenance Equipment for Helms and El Cerrito High Projects

C.21 Approval of Program and Construction Management Services for Additional Projects and Staffing

C.22 Inspector of Record Contracts for Bond Program Projects 2010-2011

C.23 Measure D 2010 Bond Program Oversight

C.24 Citizens' Bond Oversight committee (CBOC) appointments: Jason Gallia to represent Contra Costa Building Trades Council and Re-appointment of Marcus Mitchell representing Public Employees Union Local 1

C.25 Williams Lawsuit Complaints Quarterly Report

C.26 Resolution No. 17-1011: In Support of the California Jobs Budget

MOTION: Mr. Ramsey moved approval of the Consent Items C.1 – 14, C. 16 – C. 26. Ms. Miles seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, Mr. Thurmond and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

C.15 Kennedy High School Field Building and Field Lighting Project Rejection of Bids & Authorization for Staff to Rebid the Project

Public Comment:
Eduardo Martinez

Board Comment:
Mr. Ramsey spoke about the upgrade to the same types of lights found at other high schools.

MOTION: Mr. Ramsey moved approval of the Consent Items C.15 Kennedy High School Field Building and Field Lighting Project Rejection of Bids & Authorization for Staff to Rebid the Project. Ms. Miles seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, Mr. Thurmond and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 Standing Reports

Public Employees Union Local One. Michael Wasilchin spoke about working on a parcel tax campaign, comprehensive safety plan or difficult conversations about fiscal difficulties being endured. He asked the District to be sensitive to difficult decisions made and contributions by Local One members while doing their part to see that the District runs successful. He said he would like to maintain mutual respect, dignity and courtesy when dealing with members.

United Teachers of Richmond. President Diane Brown spoke about their leadership and beliefs in student success and achievement as a first priority, and that mutual communication and transparency are crucial in developing positive relationships. One particular goal of UTR is to create a district and union collaborative partnership through an evidenced based set of measures to increase student achievement performance. She recommended a book by Diane Ravitch, former Assistant Secretary for Education, *The Death and Life of the Great American School System*.

Facilities Subcommittee. Mr. Medrano reported on the July 26 meeting where a recommendation was made to bring the updated project budgets for Leadership Public Schools (LPS) and the Gompers sites to the Board. He continued to say that discussion items included status update on bond sales, program budget updates, state funding for district projects and more. The next meeting is scheduled for August 24. Mr. Ramsey commented that the LPS/Gompers complex site very exciting, and will include social services like those offered at the comprehensive high schools, as well as a new gym facility for shared use.

Ivy League Connection. Mr. Ramsey reported on recent trips with Brown University Session 2 students and Yale students. He hopes to have some of the returning students report to the Board at a future meeting. He spoke about meetings with admissions officers and the creation of mentorships. President Kronenberg added that students are required to write reflection blogs which are available for public viewing through the link provided on the District web page. She said that parents have also written their reflections about the growth seen in their students.

Youth Commission. Mr. Thurmond announced the upcoming August 9 meeting at the RYSE Center. He said the primary focus will be recruitment, plans to go to orientations, and developing a brochure to distribute to district high school students. The Commission will also see a presentation on the proposed parcel tax to determine what role they may wish to play in that effort.

Community Budget Advisory Committee. Ms. Gamba announced that August 12 is the date of the next meeting at Alvarado, where training for new members will take place. Review of the state budget, district forms and the potential parcel tax will be discussed.

D.2 In Memory of Members of the School Community

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

Ms. Miles recalled Ms. Dyes as a personal mentor in her early teaching years with fond memories.

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 summer schools.

E.2 WCCUSD Public Comment

Public Comment:

Michael Wasilchin, Marcus Mitchell

F. ACTION ITEMS

F.1 Authorize a Parcel Tax Election Resolution No. 16-1011

Superintendent Harter spoke of the unprecedented financial crisis in California and its devastating impact on the District. He continued to say that any kind of revenue enhancement for success of children in schools is up to the local community and voters. In June the Board authorized a random sample survey of voters with a preliminary report provided in July. Mr. Bryan Godbe was available to provide an updated report. Superintendent Harter also spoke about the resolution to support a parcel tax on the primary gubernatorial election ballot for voter approval in order to continue to deliver primary services to students.

Mr. Godbe spoke about the overview and research objectives of the survey, methodology for likely November voters, support for different tax rates, and his recommendation of a five-cent tax rate level due to a low propensity of voters.

Public Comment:

Charles Cowens, Laura Ramos, Michael Wasilchin, Paul Gilbert-Snyder, Jason Freeman, Genoveva Calloway, Sarah Butler, Louise Waters

Board Comment:

Mr. Medrano spoke about CSBA, State PTA and other entities that have filed suit against the State to fulfill its constitutional obligation to provide the fundamental right of every child to receive an education. He continued to speak in support of the parcel tax measure.

Ms. Miles said that over the last few weeks, she has seen evidence of support from the community and as well as support for the higher tax rate amount. She urged the Board to consider what the community supports and the work required to get clear information out to voters.

Mr. Thurmond said he had no doubt the measure is necessary in order to locally support school programs. He said that the Board has heard from some parts of the community about their support, but urges a reconciling with data from other parts of the district. He expressed concern about converting "likely no" voters to "yes" voters and the hard work involved. He asked Mr. Godbe whether the data supports conversion of negative voters. Mr. Godbe responded affirmatively with partisan messaging and communicating differently to various identified groups. Mr. Thurmond asked staff about recommendations for priorities of using the funds. Superintendent Harter responded about pulling a committee together who had worked on past measures for discussion, including employee groups, administrators associations, PTA's, and business and political committees, to work on language. Next steps will be determining levels of funding, generation and distribution of those funds. Once the language is approved and the tax rate is set, another community conversation will be held regarding general allocations. Superintendent Harter spoke about the timeline with approval of the resolution and setting the tax rate before the Elections Office August 6 deadline.

Mr. Ramsey thanked Mr. Thurmond for looking beneath the numbers for more detail. He spoke about the existing parcel tax and MRAD property tax measures currently being paid by local taxpayers. He continued to speak about voter turnout. Mr. Godbe provided information for clarity. Mr. Ramsey said he supported a 7.2 cents tax rate measure.

President Kronenberg asked questions about the margin of error. Mr. Godbe spoke about the plus or minus margin of four percent error and the level of risk tolerance. President Kronenberg continued to talk about the voter who has a strong negative opinion, and her opinion of the risk of loss.

Mr. Godbe clarified and spoke about pricing of a psychological ceiling but that both tax rates are within the same margin of error.

Mr. Thurmond said he respected every person who spoke and saw this as a chance for gap funding with either tax rate determined. He expressed concern at the volume of the work to minimize the risk for loss and maximize the chance to win at five cents.

MOTION: Mr. Thurmond moved approval of Resolution No. 16-1011 with a five cents tax rate. The motion died for a lack of a second.

Mr. Ramsey continued to argue that with either tax level the margin of error is the same.

Ms. Miles says she saw the difference as the amount of funds to be provided and what programs each level will support, with more programs supported at the higher level, requiring the same amount of work by committee members. Ms. Gamba said that the higher tax rate could potentially maintain lower class sizes in K-3, one of the Board's goals. Mr. Godbe spoke about the psychology of pricing and conservative voter turn out issues. Discussion continued.

MOTION: Mr. Ramsey moved approval of Resolution 16-1011 with a 7.2 cents tax rate. Mr. Medrano seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, Mr. Thurmond and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.2 Refund 2002 Measure "D" Bonds by using the proceeds from Measure "J" Series "D" Bond

Superintendent Harter introduced Dave Olson of KNN Public Finance, who presented information about the recommendation that the District use Measure J bond proceeds to repay some 2002 Measure D debt in order to keep the tax rate at the \$60 rate as a less costly alternative and leaving flexibility to address similar issues in the future. He spoke about assessed values being down with a 20 percent decline over the last three years. The recommendation being made to the Board is to use Measure J bond proceeds to pay down Measure D bonds in order to reduce the obligation and obtain the desired tax rate.

Public Comment:

None

Board Comment:

None

MOTION: Mr. Ramsey moved approval of the Refund of 2002 Measure "D" Bonds by using the proceeds from Measure "J" Series "D" Bond. Mr. Medrano seconded. Mr. Medrano, Ms. Miles, Mr. Ramsey, Mr. Thurmond and President Kronenberg 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)

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Ramsey said he looked forward to working on the upcoming parcel tax campaign, and thanked the Board for engaging in good dialogue. He concluded by saying that he appreciated the unanimous vote of support.

Ms. Miles commended the Board for doing what is necessary to keep the District solvent.

Mr. Thurmond thanked the community stakeholders and asked for staff to provide information about vacant school properties.

Mr. Medrano asked Mr. Greer for a report about the community meeting and discussion of the use of the El Sobrante school site. He encouraged high schools to advertise their academies for parents to learn more about them.

President Kronenberg thanked the Board for its vote to support the parcel tax and that they will work together as a team to pass this tax measure.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – August 18, 2010

K. ADJOURNMENT

President Kronenberg adjourned the meeting at 10:06 PM.

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

BH:dh

AAM Approved 8-18-10
