West Contra Costa Unified School District
Board of Education
Meeting Agenda
January 9, 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 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 tape-delay basis through the Richmond City Web Page at: http://www.kcrt.com within a few days of the recording date.

Audio tapes 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, the cities of Pinole and Richmond, and WCCUSD staff for 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 (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 Presentation of Student Board Representative from Pinole Valley High School
B.5 Report/Ratification of Closed Session
* **B.6 Agenda Review and Adoption** (Public Comment)
* **B.7 Minutes:** December 12, 2012

C. BUSINESS ITEMS

CONSENT ITEMS (Routine Matters)
Consent Calendar Items designated by "CI" are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal, discussion or explanation is received from any Board member or member of the public in attendance. Items the Board pulls for discussion or explanation will be addressed following Section E.

*CI C.1 Grants/Awards/Agreements

Comment:
Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated January 9, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per grants summary

*CI C.2 Acceptance of Donations

Comment:
The District has received donations as summarized, dated January 9, 2013. Staff recommends acceptance of these donations.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per donations summary

*CI C.3 Approval of Fund-Raising Activities

Comment:
The planned fund-raising events for the 2012-13 school year are summarized, dated January 9, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve the following contracts for services as detailed, dated January 9, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Adoption of Resolution No. 57-1213: Replacement of Outdated Warrant**

Comment:
Government Code Section 298029(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Amy Alvidrez (Samuels). Staff recommends replacement of the stale dated warrant.

Recommendation:
Recommend approval to replace the outdated warrant

Fiscal Impact:
None

***CI C.6 Notice of Completion: Bid 1121341-01 Coronado Interim Campus at Kennedy High School**

Comment:
Substantial completion notice has been received for: Bid 1121341-01.

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractor:

Vila Construction, Bid 1121341-01 Coronado Interim Campus at Kennedy High School.

Recommendation:
Recommend approval of the notice of completion

Fiscal Impact:
None

***CI C.7 Notification of Claim Rejected**

Comment:
The District has received a claim requesting compensation for property damage. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized claim rejection.

Recommendation:
Ratify the rejection of claim

Fiscal Impact:
None

***CI C.8 Certificated Board Authorization - Education Code 44258.3**

Comment:
Ed Code 44258.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.9 Routine Personnel Changes – Classified**

Comment:
Routine personnel changes include actions to hire, promote, or terminate classified employees in accord with appropriate laws, established policies and procedures.

Recommendation:
For Information Only

Fiscal Impact:
None

***CI C.10 Acceptance of Contracts for Placement of Student Teachers**

Comment:
Teachers in this District provide supervision and evaluation for student teachers seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed, dated January 9, 2013.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.11 Ratification and Approval of Engineering Services Contracts**

Comment:
Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation:
Ratify and approve contracts as noted

Fiscal Impact:
Total for this action: $778,003.00. Funding sources as noted.

***CI C.12 Ratification and Approval of Negotiated Change Orders**

Comment:
Staff is seeking ratification of Change Orders on the following current District construction projects: Dover ES Increment 2 New School, Kennedy HS Quad Landscape Upgrades, Portola MS Demolition, Coronado ES Interim Campus, Ohlone ES Phase I Campus Replacement. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

In addition to normal ratification, approval of the noted Change Orders for the Kennedy HS Quad Landscape Upgrades project is required by the Board, with special findings as noted below, because this project is in excess of the Public Contract Code limit of 10% of the original contract value. In accordance with Public Contract Code 20118.4, the Board, by ratifying these Change Orders, finds that it would have been futile to publicly bid the work in question 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: $31,169.66

***CI C.13 Ratification of Staff Awarded Contract: Harding Elementary School Foundation Ventilation Repairs**

Comment:
Grossmann Design Group has prepared plans and specifications for the project. Scope of work includes furnishing and installing a new vapor barrier and dehumidification system in the existing crawl space.

The District received three bids for the project: HM Construction $99,850, B. Bros. Construction, Inc. $114,840, TPA Construction, Inc. $122,700.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of a contract for the project to the lowest responsive, responsible bidder: HM Construction $99,850.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:
Ratify staff awarded contract as noted

Fiscal Impact:
$99,850. Project will be funded from the Measure J.

***CI C.14 Ratification of Staff Awarded Contract: Helms Middle School Sports Fields and Landscaping**

Comment:
Baker Vilar Architects has prepared plans and specifications for the project. Scope of work includes rough and finish grading of a building pad for a new community building; demolition and construction of a new toilet building and a new storage building; rough and finish grading for landscaping; fencing, paving and walks; and installation of artificial turf sports fields, play courts, playground equipment and site lighting.

The District received ten bids for the project, which included a line item for unit costs: Robert A. Bothman, Inc. $6,029,348, Lathrop Construction Associates, Inc. $6,091,000, O.C. Jones & Sons, Inc. $6,310,300, Ghilotti Bros., Inc. $6,398,000, Interstate Grading & Paving, Inc. $6,514,900, S.J. Amoroso Construction Co., Inc. $6,647,000, Vila Construction Co. $6,688,086, F&H Construction $6,723,000, Roebbelen Contracting, Inc. $6,972,300, Granite Rock Company $7,182,119.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of a contract for the project to the lowest responsive, responsible bidder: Robert A. Bothman, Inc. in the amount of $5,951,048 (without unit costs).

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:
Ratify staff awarded contract as noted

Fiscal Impact:
$5,951,048. Project will be funded from the Measure D.

***CI C.15 Ratification of Staff Awarded Contract: Martin Luther King Jr. Elementary School Site Drainage**

Comment:
Quattrocchi Kwok Architects has prepared plans and specifications for the project. Scope of work includes construction of new storm water drain lines, connecting existing rainwater leader systems to existing storm water catch basin system, and associated landscaped restoration to areas disturbed by storm water drain system work.

The District received five bids for the project: Breneman, Inc. $57,100, R&R Pacific Construction $63,600 (Non-Responsive), McKim Company $76,950 (Non-Responsive), AM Woo Construction, Inc. $82,600, W.R. Forde Associates $97,777.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of a contract for the project to the lowest responsive, responsible bidder: Breneman, Inc. $57,100.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:
Ratify staff awarded contract as noted

Fiscal Impact:
$57,100. Project will be funded from the Measure J.

***CI C.16 Resolution 60-1213: Facilities Use Agreement with Seneca Family Agencies at El Sobrante Elementary School Site**

Comment:
The District and Seneca Family of Agencies ("Seneca") have negotiated a Services Agreement whereby Seneca will provide intensive special education services ("Special Education Services") to District students. The District intends to provide space to Seneca for the purpose of providing the Special Education Services. The Educational Services will be provided at the District's closed El Sobrante Elementary School Site ("Premises") and pursuant to the form of Facilities Use Agreement negotiated by the parties.

The term of the Facilities Use Agreement is one (1) year. The District and Seneca may renew the Facilities Use Agreement upon mutual agreement and approval by each Party's governing body prior to the end of the term. The Premises are provided to Seneca in "as is" condition. Pursuant to the Facilities Use Agreement, Seneca is required to shall pay all utility, maintenance and repair costs for the Premises. Seneca must also maintain the landscaping and the grass for the Premises. The Parties intend that during the term of the Facilities Use Agreement, the District shall have no obligation to maintain or repair the Premises.

Prior to occupying the Premises and providing any Special Educational Services, Seneca intends to make certain facility improvements to the Premises ("Improvements"). The Improvements shall be made at Seneca's sole cost and expense and only upon District's prior approval. The Improvements shall comply with all legal requirements relating to construction of public school facilities, including, without limitation, Title 24 of the California Code of Regulations and the Field Act.

Recommendation:
Approve the form of Facilities Use Agreement Between the District and Seneca Family Agencies

Fiscal Impact:
No fiscal impact or implications associated with the approval of these documents

***CI C.17 Services Agreement with Seneca Family Agencies at El Sobrante Elementary School Site**

Comment:
The District and Seneca Family of Agencies ("Seneca") have negotiated a Services Agreement whereby Seneca will provide intensive special education services to District students. The District intends to provide space to Seneca for the purpose of providing the special education services at the El Sobrante Elementary School Site. The term of the Services Agreement is one (1) year and will automatically renew unless terminated by the District or Seneca. Seneca will provide services to District students at a fixed annual classroom price of $190,000 for two (2) classrooms. The fixed annual classroom price includes tuition, speech services, teacher/classroom counselors and training. The cost is capped and predictable for two (2) years increasing only by the approved bifurcated funded special Education COLA.

Recommendation:
Approve the Services Agreement Between the District and Seneca Family Agencies

Fiscal Impact:
Annual costs of $380,000 increasing only by the approved bifurcated funded Special Education COLA. This represents a savings to the District of approximately $100,000 due to a fixed annual fee per classroom and reduction in transportation costs.

***CI C.18 Resolution No. 58-1213: Right Of Entry Agreement For Use Of Parking Area Located At Nystrom Elementary School Between The West Contra Costa Unified School District And Providence Baptist Church**

Comment:
Providence Baptist Church ("Providence") is owner of real property located at 314 South 12th Street, and located across from the Nystrom Elementary School Site ("School Site"). Providence is in need of additional parking spaces for its employees, members, guests and invitees that attend services at Providence on Sundays. The District intends to allow Providence use of the parking lot located on the School Site from 9:30 a.m., until 6:30 p.m., each Sunday. The term of the Agreement is for one (1) year. Providence is responsible for securing the parking lot during its use and is required to indemnify District for any damage or destruction that may occur during Providence's use. The District use of the parking lot for its own purposes shall take precedence and priority over Providence's use. The District may terminate the Agreement upon twenty-four (24) hours' notice.

Recommendation:
Approve the Right Of Entry Agreement for use of parking area located at Nystrom Elementary School between the West Contra Costa Unified School District and Providence Baptist Church

Fiscal Impact:
No fiscal impact or implications associated with the approval of these documents

***CI C.19 Resolution No. 56-1213: Level II and Level III Developer Fees**

Comment:
Government Code Sections 65995.5, 65995.6, 65995.7 regarding school facilities fees requires that a School Facilities Needs Analysis be conducted yearly to determine the amount to be charged for developer fees for Level II and Level III new residential construction. Due to student generation factors, cost of construction and site acquisition costs, the Level II fee will decrease from $4.48 per square foot to $4.42 per square foot for new residential construction. The new fee will go into effect January 10, 2013, if approved by the Board. If not approved by the Board, the District would not be eligible to collect Level II fees, and the Level I fee of $3.20 per square foot would be charged for new residential construction as well as for construction of additions. This analysis was conducted according to state guidelines.

A copy of the School Facilities Analysis is available for review by the public in the Facilities Planning and Construction Department and at the WCCUSD front desk located at 1108 Bissell Avenue in Richmond, CA.

Recommendation:
Recommend approval of Resolution No. 56-1213

Fiscal Impact:
Decrease in Level II Developer Fees of $0.06 cents per square foot

***CI C.20 Williams Lawsuit Complaints Quarterly Report**

Comment:
The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from October 1, 2012 through December 31, 2012.

Recommendation:
Recommend Approval

Fiscal Impact:
None

D. AWARDS, RECOGNITIONS, AND REPORTS

* D.1 Olinda Students Report on Fundraising Efforts

Comment:
Students at Olinda Elementary School have raised funds to donate to the American Red Cross to aid victims of Hurricane Sandy.

Recommendation:
For Information Only

Fiscal Impact:
None

* D.2 Update from Student Board Representative from Youth Commission

Comment:
A Student Board Representative from the Youth Commission will attend the Board of Education meeting on January 9, 2013 to give an update. We would like to recognize and commend their participation.

Recommendation:
For Information Only

Fiscal Impact:
None

* D.3 Foreign Exchange Student Program

Comment:
WCCUSD currently has three foreign exchange students attending Hercules High School. The students come from Armenia, Switzerland and Italy. Our three foreign exchange students have visited the Leadership classes at Richmond and Kennedy High Schools. The exchange students shared with the Richmond High and Kennedy students some of highlights that they have experienced since they arrived in the United States. Following the shared experiences, WCCUSD students were able to ask specific questions of the exchange students.

Recommendation:
For Information Only

Fiscal Impact:
None

* D.4 Strategic Planning Process

Comment:
The West Contra Costa Unified School District is preparing to update and revitalize the District's strategic plan. While the goals of the current plan remain relevant and challenging, the conditions and strategies of the District have evolved since the initiation of the 2006 plan. The Common Core State

Standards were adopted by the State Board of Education in 2010. The District is creating a more targeted focus for student learning in the science-technology-math and engineering fields. The work of the career academies has changed into the College and Career Readiness Academy initiative that is now the core strategy for secondary school transformation. Instructional strategies to promote culturally relevant teaching are being implemented throughout the District. Yet, the financial constraints at the federal level and the extraordinary decrease in state funding have eliminated programs and opportunities that had been in effect for many years. So the task for the District is to rethink and redesign our approach so that learning improves for all students. The plan will bring about a new vision for WCCUSD, establish goals, activities, timelines and deliverables so that all students are college and career ready.

With funding from an external source, the District has solicited proposals from consulting firms to assist in both the community outreach and the plan development over the next several months. At the December 12, 2012 meeting, Board President Madeline Kronenberg appointed two members to serve on a selection panel that will bring a recommendation to the January 23, 2013 Board meeting from among those firms that had submitted proposals.

The WCCUSD strategic planning process will engage community and stakeholder around major questions in essential areas. Questions to be addressed may include but are not limited to:

Overall Student Outcomes

- As a school District and community, what do we mean when we say, "all students will be ready for college and career?"
- What is the current state of college and career readiness for our students?
- How do you know if a school is effective?
- What makes a school a "quality" school?
- What are the indicators of school quality?

Curriculum

- How will we implement the Common Core State Standards in ways that improve learning for all students?
- How will a coherent common core curriculum prepare our students for college and career?
- How will we provide the initial training for teachers and the on-going professional development necessary to implement the Common Core State Standards?

Instructional Effectiveness

- What are the core components of a shared understanding of teacher effectiveness that represents the needs and beliefs of all stakeholders?
- What are the supports and conditions necessary to ensure the success of every teacher?
- What are the critical components, and the appropriate scope and sequence, of a five-year plan to realize effective teaching?

Literacy for All

- What elements of a literacy framework need to be present to transform and guide teacher practice to increase the achievement of African-American students and English learners in West Contra Costa Unified?
- How will our approach to PreK-12 Literacy Instruction move us toward College & Career Readiness?

- How can we move our system from a materials approach to reading instruction, while still providing high-quality, effective instruction each day and satisfying the requirements of the *Williams* settlement?

Science-Technology-Engineering-Math:

- How can we encourage and inspire more of our best and brightest students, especially Latino and African American students to study in STEM fields?
- How can we improve the content knowledge and professional skills of the STEM teacher workforce?
- What can the District do to recruit and retain highly-skilled STEM educators?
- How can the community be brought together to improve the resources available for learning STEM subjects;
- What can the District do to encourage better coordination of efforts among all agencies that provide STEM education support?

Leadership

- How do we keep students at the center of our work?
- How do we distinguish a list of leadership themes of practice for principals and other leaders (assistant principals, central office staff, teacher leaders, etc.)?
- How can we include the conditions to support leadership development in our plan?

Achievement Gap

- How do we understand the experience and achievement of African-American and Latino students?
- What competencies, conditions, and culture are necessary to positively affect the experience, achievement, and well-being of African-American and Latino students?
- What have our lessons/data told us about what a system that propels African-American and Latino students needs to look like?

Resources

- How do we align resources for youth and create bridges between cities, county, community-based organizations and the overall social infrastructure to serve students?
- How can we coordinate resources so that we can deliver on our promises?

Community Engagement

- How do we acknowledge historical failures and successes in engaging the community?
- How do we leverage existing relationships and assets to create equitable engagement across communities?
- How do we know if a school is fulfilling the District's mission and vision?
- How do we measure student and community needs and assets to support equitable distribution of resources?
- How should school communities be engaged in the budget decision-making process?

Financial & Operations

- How do we communicate about the financial situation, the underlying assumptions, and actions required to improve learning while resources decline?
- What forums and principles will be used to prioritize instructional programs and central operational activities?

Recommendation:
That the Board discuss the strategic planning process as well as the questions to be addressed in the next strategic plan.

Fiscal Impact:
None at this time

*** D.5 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a "Request to Address the Board" form. Five minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee
Bayside Parent Teacher Association
Citizens' Bond Oversight Committee
Community Budget Advisory Committee
Facilities Subcommittee
Ivy League Connection
College and Career Readiness Academies
Public Employees Local 1
Safety Committee
School Supervisors Association
United Teachers of Richmond
Youth Commission

E. PUBLIC AND COMMITTEE COMMUNICATIONS

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

*** E.1 Superintendent's Report**

*** E.2 Request to Address the Board on Parental Involvement**

Comment:
Mr. Billie Alexander has requested opportunity to address the Board regarding parental involvement in schools.

Recommendation:
For Information Only

Fiscal Impact:
None

*** E.3 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time limit, "WCCUSD Public Comment" will continue after Item G. Individuals wishing to speak must submit a "WCCUSD Public Comment" form prior to the beginning of this item on the agenda.

Depending on the number of persons who wish to speak, from one to three minutes will be allocated to each speaker at the discretion of the President of the Board in order to accommodate as many speakers as possible. The Board cannot dialogue on any issues brought before it by the public that have not been previously agendized, but may refer these to staff for response and/or placement on future agendas.

F. ACTION ITEMS

* F.1 Presentation of the 2011 – 2012 Audit Report by Crowe Horwath LLP

Comment:
Charles Raibley, Audit Manager, Crowe Horwath LLP will present their independent audit report of the West Contra Costa Unified School District's financial position, internal control, and federal and state compliance for the year ended June 30, 2012.

Recommendation:
Staff recommends acceptance of the audit report

Fiscal Impact:
None

* F.2 Public Hearing and Adoption of the Joint Initial Bargaining Proposal from West Contra Costa Unified School District and West Contra Costa Administrators Association

Comment:
Pursuant to the Educational Employment Relations Act, the initial proposal for negotiations by school districts and labor unions must be submitted at a public meeting of the governing board. The joint initial proposal of the West Contra Costa Unified School District and West Contra Costa Administrators will be presented, at which time the public is allowed to comment on this proposal. A copy of the proposal is provided in the Board meeting packet which is available at the District's Administration Building, six high schools and online at the District's webpage.

Recommendation:
That the Board of Education hold a public hearing of the joint initial bargaining proposal with West Contra Costa Administrators Association (WCCAA) for the 2012-2015 successor agreement.

Board Adoption of the Joint Initial Bargaining Proposal

Comment:
Following the public hearing on its joint initial bargaining proposal, the Board of Education will be asked to adopt the joint proposal of the West Contra Costa Administrators Association and the District for the 2012-2015 successor agreement.

Recommendation:
That the Board of Education adopt the joint initial bargaining proposal for labor negotiations with the West Contra Costa Administrators Association.

Fiscal Impact:
To Be Determined

*** F.3 Notice of Public Hearing Regarding Request for Bond Waiver**

Comment:
Notice is Hereby given the Board of Education ("Board") of the West Contra Costa Unified School District ("District") at a Public Hearing to be held on January 9, 2013 at 6:30 p.m., or as soon thereafter as the matter may be heard, at Lovonya DeJean Middle School Multipurpose Room, 3400 Macdonald Avenue, Richmond, California 94805, on January 9, 2013 will review and consider adoption of a resolution of the Board to authorize a request for waiver from State Board of Education relative to statutory requirements on general obligation bond debt limitations, as applicable to the District, as provided by section 15106 of the Education code.

The purpose of the Public Hearing to be held on January 9, 2013, is to invite public testimony and comment on this matter. The draft of the request for waiver is on file and available for public review at the District's office located at West Contra Costa Unified School District, 1108 Bissell Avenue, Richmond, CA 94801, and is herein incorporated by reference. To receive a copy of the draft request for waiver, or if you have questions on this matter, please contact Ms. Sheri Gamba, Associate Superintendent for Business Services, at telephone (510) 231-1170.

The Public Hearing of the District will be held on January 9, 2013 at the location set forth above. This matter will be considered at such time as this agenda item is considered by the Board of the District.

Recommendation:
For Information Only

Fiscal Impact:
None

*** F.4 Resolution No. 55 -1213: Intent to Seek Debt Limit Waiver from State Board of Education for Sale of remaining General Obligation Bonds as approved by voters under Measure E 2012**

Comment:
In order to complete the Bond program school renovation and reconstruction projects which are allocated under Measure E 2012, the District will need to sell the bonds approved under that measure. The District does not currently have sufficient bonding capacity to issue any of the $360 million in voter-authorized Measure E 2012 Bonds. Based on the 2012-2013 assessed valuation, the District's current bonding capacity is $591 million. The District currently has $797 million in outstanding debt, with no remaining bonding capacity. In order to keep the bond program on track and finish current projects, staff is recommending that the District apply for a waiver of the bonding capacity limits from the State Board of Education. Approval of the District's request for a twelve year increase in its bonding capacity from 2.5% of assessed valuation to 5.0% of assessed valuation will allow the District to issue the full $360 million of the voter authorized Measure E 2012 bonds. Because of tax rate limitations and other factors, the District plans to issue these bonds in series over time. The bond language for Measure E 2012 includes reference to the need for a potential waiver of the bonded indebtedness limit. Voters approved Measure E 2012 with 64.4% in favor of the bond measure.

The Department of Education requires that a request for waiver needs to be on the State Board of Education agenda by January 16, 2013, we will file the debt limit waiver by January 11, 2013 in order to be considered at the State Board of Education meeting March 13, and 14, 2013. In order to be considered by the State Board of Education, the West Contra Costa Unified School District Board of Education must hold a public hearing and approve the request. In addition, the District will consult with the District's bargaining units including: Local 1, SSA and WCCAA. The United Teachers of Richmond as well as the Citizens' Bond Oversight Committee reviewed and voted to support the waiver application. The District is also seeking the support from the five cities in West County and three of them have already unanimously approved resolutions endorsing the waiver application including the city councils in Richmond, El Cerrito and Pinole. The other two cities will consider similar resolutions in meetings in January. Additionally, the Building Trades Council, the West County Waste Water District and Stege Sanitation District have also adopted resolutions in support of the waiver.

Recommendation:
Seek debt Limit Waiver from State Board of Education for Sale of remaining General Obligations Bonds as approved by voters under Measure E 2012.

Fiscal Impact:
Direct costs limited to costs of preparation and presentation of waiver request.

*** F.5 Authorization for Survey**

Comment:
In June 2012, 65.5% voters supported Measure K, a parcel tax measure that would have renewed the 2008 parcel tax and provided an additional $4 million for the general fund. Yet the measure failed as a result of the 2/3 requirement for parcel taxes. In July 2012, the Board decided to pursue a renewal only measure on the November 2012 ballot. Measure G 2012 passed with 75% of the voters supporting it. Yet Measure G 2012 did not bring any additional resources to help offset the reductions from the last five years that total $43.6 million in operating funds.

At a special public hearing meeting in December 2012, the Board took public testimony about the priorities and the possible funding sources that may provide opportunities to restore some of the cuts and move the district forward. After hearing from the public and after discussing priorities and funding sources, the Board consented to bringing an item forward that would authorize a random sample survey of district voters to assess the potential support and opposition to a future measure, the public's awareness of the district's financial needs, and the overall feasibility of developing a parcel tax measure that could win voter approval.

Recommendation:
That the Board authorize the Superintendent to contract with Godbe Research to perform a random sample survey to assess the degree of voter support for a parcel tax renewal or parcel tax measure at a 2013 or 2014 election.

Fiscal Impact:
An amount not to exceed $35,000

G. DISCUSSION ITEMS

* G.1 Project Status Report

Comment:
The following are provided for review of Facilities Planning and Construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report – Verbal Presentation
- Construction Status Reports – Current Construction Projects

Recommendation:
For Information Only

Fiscal Impact:
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 – January 23, 2013

K. ADJOURNMENT

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (*).

Agenda Item: A

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

January 9, 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. Srago 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

c. Unrepresented Employees
- Confidential and Management

6. PUBLIC EMPLOYEE APPOINTMENT

7. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

a. Superintendent Evaluation

8. STUDENT DISCIPLINE (Education Code Section 35146)

Expulsions

9. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT
(Government Code Section 54957)

Certificated / Classified Employee Dismissal

10. REPORT OF CLOSED SESSION ACTIONS