

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
JUNE 26, 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 **6:00 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 Report/Ratification of Closed Session**
- * **B.5 Agenda Review and Adoption (Public Comment)**
- B.6 Minutes: June 12, 2013**

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 June 26, 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 June 26, 2013. Staff recommends acceptance of those donations.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per donations summary

***CI C.3 Notice of Completions: Bid 1271223-02 Harding Elementary School Foundation ventilation, Bid 2141103-08 Portola Middle School CCS @ Downer, Bid 1171223-12 Ellerhorst Elementary School Re-Roof, Bid 1171223-13 Ellerhorst Elementary School, Bid 1591223-01 Tara Hills Elementary School, Bid 1351223-01 Lincoln Elementary School, and Bid 1271223-04 Harding Elementary School Restroom Finish Upgrades**

Comment:

Substantial completion notices has been received for: Bid 1271223-02, Bid 2141103-08, Bid 1171223-12, Bid 1171223-13, Bid 1591223-01, Bid 1351223-01, and Bid 1271223-04.

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 contractors:

HM Construction, Bid 1271223-02 Harding Elementary School Foundation ventilation
Arthulia, Inc., Bid 2141103-08 Portola Middle School CCS @ Downer
Alcal Specialty Contracting, Bid 1171223-12 Ellerhorst Elementary School Re-Roof
B-Side Inc., Bid 1171223-13 Ellerhorst Elementary School, Bid 1591223-01 Tara Hills Elementary School, Bid 1351223-01 Lincoln Elementary School, and Bid 1271223-04 Harding Elementary School Restroom Finish Upgrades.

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

***CI C.4 Notification of Claim Rejected**

Comment:

The District has received a claim requesting compensation for personal injury or property loss. 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.5 Agreement with California Teachers Association**

Comment:

The California Teachers Association and the West Contra Costa Unified School District enter into this agreement to release a teacher to work with CTA for the 2013-2014 school year.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.6 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 June 26, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.7 Revised School Calendars for 2013-2014 and 2014-2015**

Comment:

To reflect the agreement made with United Teachers of Richmond (UTR) of adding two (2) Professional Development Days to the School Calendar.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.8 2013-14 Consolidated Application for Funding**

Comment:

The Consolidated Application and Reporting System (CARS), formerly known as the Consolidated Application, is the vehicle used by the California Department of Education to gather routine district data regarding categorical programs and compliance with NCLB requirements.

CARS includes basic information about student demographics which is used to report and calculate state and federal allocations for Title I, Title II, Title III, and State Compensatory Education (EIA-LEP and SCE).

A copy of the CARS is available at the Administration Building, 1108 Bissell Avenue, Richmond, CA; and at Educational Services, Vista Learning Center, 2625 Barnard, San Pablo.

Recommendation:

Recommend Approval

Fiscal Impact:

Categorical Revenue

***CI C.9 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

Fiscal Impact:

Total for this action: \$650,927. Funding sources Measure J Bond and Measure D-2010 Bond.

***CI C.10 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Ohlone ES Phase I New Campus; and Richmond HS Emergency Lighting. 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 Order for the Richmond HS Emergency Lighting 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: \$44,746.15

***CI C.11 Ratification of Staff Awarded Contract: Grant ES & Lake ES Restrooms Renovation**

Comment:

Hamilton + Aitken has prepared plans and specifications for the project. Scope of work includes renovation of the existing restrooms, including the removal and installation of existing toilet fixtures, toilet accessories, toilet partitions, diffusers, electrical devices, and providing power to new electrical hand dryers. Work also includes removal of existing restroom finishes to install new finishes, installation of new gypsum wallboard, porcelain tile, restoration and reglazing existing windows and painting finishes.

The District conducted a public bid process for the project. Six bids were received for the project, which included a line item for unit costs. Bids were received on June 4, 2013. Six contractors submitted bids. They are as follows: AM Woo Construction, \$155,600; Streamline Builders, \$163,600; Hung Construction, \$172, 500; Affordable Painting Services, \$183,290; ERA Construction, \$184, 550; and World Priority Construction, \$207,250. The apparent low bidder is AM Woo Construction.

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 bidder: AM Woo Construction in the amount of \$149,600 (without unit costs).

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

Recommendation:

Ratify the award to AM Woo Construction.

Fiscal Impact:

\$149,600. Project will be funded from the Measure D-2010.

***CI C.12 Approval of Board Member Travel**

Comment:

Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044). Board member Ramsey has expressed interest in attending the following:

- Ivy League Connection, July 2 – 5, University Visits

Expenses including registration, travel and food are budgeted and there is sufficient funding within that budget.

Recommendation:

Recommend Approval

Fiscal Impact:

General Fund, estimated cost \$1,750.00

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Solutions Team Report**

Comment:

In February of 2012, the four employee associations, district administration and two school board members came together to talk about ways to work together in behalf of what eventually became Measure K. In doing this, it became apparent that the group, now called the Solutions Team, could have a larger impact on the organization. The group has been meeting every three to four weeks since to work on ways to improve communication, collaboration and systematize employee discipline. The report will bring the Board up-to-date on the activities and the challenges of this group.

Recommendation:
For Information Only

Fiscal Impact:
None

* **D.2 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	Public Employees Local 1
Bayside Parent Teacher Association	Safety Committee
Citizens’ Bond Oversight Committee	School Supervisors Association
College and Career Readiness Academies	Technology Committee
Community Budget Advisory Committee	United Teachers of Richmond
Facilities Subcommittee	Youth Commission
Ivy League Connection	

* **D.3 In Memory of Members of the School Community**

Comment:

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Mr. Howard Tanner recently passed away. He worked for the District for 37 years with 33 of those years teaching at Coronado Elementary School. In 1975 the California State Assembly honored Mr. Tanner with its Outstanding Teacher award.

Our thoughts go out to the family and friends in the loss of their loved one.

Recommendation:
For Information Only

Fiscal Impact:
None

E. PUBLIC AND COMMITTEE COMMUNICATIONS
(Education Code 35145.5; Government Code 54950 et seq.)

* **E.1 Superintendent’s Report**

* **E.2 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 Public Hearing for the Adoption of the 2013-14 Budget**

Comment:

Education Code Section 42127 requires the governing board of each school district to adopt a budget for the subsequent year, on or before July 1st. The budget including the multi-year projection is subject to the review and approval of the County Superintendent through their AB1200 oversight. Any revisions to the school district’s budget which results from passage of the state budget or budget trailer bills will be presented to the governing board within 45 days after the Governor signs the State Budget Act.

A public hearing will be held, and staff will provide an overview of the proposed budget delineating the significant revenue and expenditure components. The final proposed budget and is presented to the Board of Education for approval.

The detailed 2013-14 budget is delivered under separate cover and available on the District website.

Recommendation:

Approval of the 2013-14 Budget

Fiscal Impact:

Adopted Budget

G. DISCUSSION ITEMS

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

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – July 10, 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 (*).

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

June 26, 2013

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
[Government Code Section 54956.9(a)]

- a. WCCUSD v. Orrick
- b. Palmer and Pollack v. WCCUSD
- c. American Standards Properties v. WCCUSD

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION
[Government Code Section 54956.9(b)]

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. CONFERENCE WITH LABOR NEGOTIATORS

- a. Superintendent/Dr. Bruce Harter
- b. Employee Organizations
 - UTR
 - Local One
 - School Supervisors Association
 - WCCAA
- c. Unrepresented Employees

- Confidential and Management

6. PUBLIC EMPLOYEE APPOINTMENT

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

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