

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
SPECIAL MEETING AGENDA
THURSDAY, DECEMBER 19, 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.

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 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.

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 Board Calendar for 2014**

Comment:

At the annual reorganization meeting, the Board establishes the calendar for the ensuing year. Below is the calendar that has been revised after Board member suggestions during the December 11, 2013 meeting.

January 4: Annual Board Retreat

Regular Meetings

January 8 and 29

February 12

Special Workshop Meeting

February 26

Regular Meetings

March 12 and 26

April 23

May 14 and 28

June 11 and 25
July 9 and 23
August 13
September 3 and 17
October 1 and 15
November 5 and 19
December 17

Recommendation:

That the Board adopt the calendar of meetings for 2014

Fiscal Impact:

None

***CI C.2 Chevron’s “Energy for Learning” STEM Education program funds
WCCUSD’s Middle School Mathematics and Science Initiative (MSMSI)**

Comment:

Chevron’s “Energy for Learning” STEM Education program recently funded WCCUSD’s Middle School Mathematics and Science Initiative (MSMSI) grant proposal. MSMSI, in coordination with Mathematics Achievement Academies (MAA) and East Bay Academy for Young Scientists (EBAYs) will create and institutionalize a new model for summer programs for middle school students in WCCUSD.

WCCUSD’s MSMSI students will gain critical knowledge and experiences that will directly prepare them for the upcoming year’s mathematics course through an MAA instructional block in the morning, as well as actively participate in scientific investigations with community-relevant themes through EBAYs instructional blocks in the afternoon.

Recommendation:

Recommend Approval

Fiscal Impact:

None (Chevron Grant Award to WCCUSD = \$100,000)

***CI C.3 Chevron’s “Energy for Learning” STEM Education program funds
WCCUSD’S Chevron Science Initiative – Richmond (CSIR)**

Comment:

Chevron’s “Energy for Learning” STEM Education program recently funded WCCUSD’s Chevron Science Initiative – Richmond (CSIR) grant proposal. The grant will provide funding for training and implementation of two full-time high school science coaches to serve in West Contra Costa Unified School District.

CSIR will enable WCCUSD to provide daily high school science classroom coaching support necessary to support teachers in implementing best practices in science content and pedagogical strategies. Teachers will be provided with a coherent and cohesive content-focused supportive model to improve instructional practice and academic outcomes for students.

Recommendation:

Recommend Approval

Fiscal Impact:

None (Chevron Grant Award to WCCUSD = \$200,000)

***CI C.4 Montalvin Elementary School Classroom Building Project Award of Contract**

Comment:

Baker-Vilar has prepared plans and specifications for the project. Scope of work includes: Construction of a new 1-story classroom building (3964 Sq. Ft) with a community kitchen, restrooms and covered walkway at Montalvin Elementary School, and limited scope associated with service connections for the new classroom wing in existing building "C" South. Work also includes, but is not limited to, site clearing, earthwork, water, sanitary sewer and storm drainage system, construction of bioretention area, paving and stripping, chain link fence and gates, custom metal fence and gates, rough and finish carpentry, steel doors and frames, aluminum windows, paints, signs, mechanical, electrical, fire protection, and plumbing provisioning, energy management system, fire alarm system, and new fire hydrant. The scope also includes installation of the security infrastructure.

The District conducted a public bid process for the project. Bids were opened on December 19, 2013. The bid price includes the contract value and unit pricing, used for negotiating change orders only.

Recommendation:

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact:

Funded from the Measure D-2010 Bond

***CI C.5 Ratification and Approval 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: \$1,196,368. Funding sources Measure J Bond, Measure D-2010 Bond, Measure E 2012, and Fund 40.

D. AWARDS, RECOGNITIONS, REPORTS

*** D.1 Recognition of El Cerrito High School Varsity Football Team**

Comment:

We would like to recognize and congratulate El Cerrito High School Varsity Football team for their championship in the 2013 Tri County League/Rock Division and 2013 North Coast Section Division III. On December 14, 2013 they will be competing in the 2013 CIF Northern California Regional Division III Championship Bowl Series. We commend the team on their achievements.

We would also like to recognize and commend head coach, Mr. Kenny Kahn in his dedication and commitment to the students.

Recommendation:

For Information Only

Fiscal Impact:

None

E. ACTION ITEMS

*** E.1 Approval of Agreement with United Teachers of Richmond (UTR) / AB1200
Public Disclosure of Collective Bargaining Agreement with UTR**

Comment:

District and United Teachers of Richmond (UTR) have reached tentative agreement through collective bargaining reopener proposals which was sunshined for the 2013-14 on October 2, 2013. A copy of the Tentative Agreement will be provided at the Board meeting. Once UTR has ratified the Agreement (scheduled for December 18, 2013), it will be presented to the Board of Education for ratification.

School districts are required to publicly disclose the provisions of all collective bargaining agreements before they ratify an agreement. This ensures that the public is aware of the details associated with a tentative collective bargaining agreement before it becomes binding on the district. A summary of the financial implications associated with the agreement will be presented at the Board meeting. This summary will be provided to the County Office of Education.

The Board will receive public comment on the proposed contract changes before the Board votes to ratify the Agreement.

We want to take this occasion to thank the representatives of UTR for their time and effort in reaching this accord.

Recommendation:

Recommend that the Board of Education ratify the Tentative Agreement between the West Contra Costa Unified School District and the United Teachers of Richmond

Fiscal Impact:

2013-14 \$1.5 million

* **E.2 Resolution 44-1314: Adoption of Uniform System of Prequalifying and Rating Prospective Bidders for Construction Projects**

Comment:

Public Contract Code section 20111.6 requires that school districts prequalify contractors on all public projects awarded on or after January 1, 2014, that use funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 or any funds from any future state school bond monies, and that involves a projected expenditure of one million dollars (\$1,000,000) or more (“Mandatory Prequalification”). The District intends to develop a Uniform System of Prequalifying and Rating Prospective Bidders (“Prequalification”) for prequalification of all trade contractors and subcontractors for District projects that will be awarded on or after January 1, 2014, and that meet the statutory threshold for the Mandatory Prequalification.

The District also intends to require Prequalification for “Major Projects.” Major Project is defined to mean a construction project that has a projected expenditure of Sixteen Million Dollars (\$16,000,000) or more. The Prequalification for Major Projects will require that all trade contractors and subcontractors that intend to bid on a Major Project to perform any subcontract work in excess of Five Hundred Thousand Dollars (\$500,000) complete and submit to the District a standardized Prequalification questionnaire and financial statement. This enhanced Prequalification process enables the District to build a pool of contractors and subcontractors that have demonstrated they meet certain minimum District criteria.

The District also intends to develop a prequalification for the Richmond Swim Center Building Remediation and Aquatic Programming Project for Prequalification of specified trade and specialty contractors and subcontractors.

Recommendation:

Adopt Resolution No. 44-1314 – Adopting Uniform System Of Prequalifying And Rating Prospective Bidders For Prequalification On Certain Construction Projects Pursuant To Public Contract Code Section 20111.6

Fiscal Impact:

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

F. DISCUSSION ITEMS

* **F.1 Project Status Report for Portola Middle School**

Comment:

The District has contracted with HY Architects for the design and construction administration of the Portola Middle School project. The Architect of Record and the Bond Team will provide a brief presentation to the Board on the project’s status.

Recommendation:

For Information Only

Fiscal Impact:
None

* **F.2 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
- Construction Status Reports

Recommendation:

For Information Only

Fiscal Impact:
None

G. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

H. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – January 8, 2014

I. 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

December 19, 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

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

Executive Director

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