West Contra Costa Unified School District
Board of Education
Meeting Agenda
July 9, 2014

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 recordings 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 Report/Ratification of Closed Session
* **B.5 Agenda Review and Adoption** (Public Comment)
*** B.6 Request to Address the Board – Mr. Al Kirkman**
*** B.7 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 Grants/Awards/Agreements

Comment:
Formal action is requested from the Board of Education to accept the grants/awards/agreements as detailed, dated July 9, 2014.

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 July 9, 2014.

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 2014-2015 school year are summarized, dated July 9, 2014.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Summary of Payroll and Vendor Warrant Reports**

Comment:
The summaries of Payroll and Vendor Warrants issued during the month of June 2014 are provided.

Total of payroll warrants (June 2014):	$	12,068,489
Total of vendor warrants (June 2014):	$	30,291,241

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.5 Contracts**

Comment:
Permission is requested of the Board of Education to approve contracts as detailed, dated July 9, 2014.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.6 Routine Personnel Changes - Certificated**

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

Recommendation:
Ratification and Approve Certificated Personnel Changes

Fiscal Impact:
None

***CI C.7 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.8 Approve the following New Job Description: Director, Community Engagement**

Comment:
This position and the background for the position are generated from recommendations by the WCCUSD Strategic Plan. The Director, Community Engagement will play an instrumental role in fostering community partnerships to develop a full service community school district. This position also will create, develop and coordinate community and district resources to engage families in the educational process such that all students have equitable opportunities for learning and are prepared for post K-12 success. This position follows WCCUSD Strategic Plan.

Ultimately, this position will make it substantially easier for community partners (businesses, families, and parents) to work with the district such that the district can clearly communicate with and develop relationships with its community.

Recommendation:
Recommend Approval

Fiscal Impact:
$155,496.32

***CI C.9 2014-2015 Salary Schedules, as of July 1, 2014, for the following groups:**
UTR
Local One
SSA
Confidential
Management
WCCAA

Comment:
These salary schedules are the result of the union ratified and Board adopted agreements. We are requesting the Board enter them into the record. Recent CalPers and STRS audits experienced by other districts indicate that placing these schedules into the permanent Board record will assist staff and future retirees when salary schedules are needed for review.

These salary schedules reflect the new salary increments, which were effective on July 1, 2014 to all bargaining units, unrepresented management, and confidential employees. The salary schedules also reflect the complexity of each bargaining unit agreement, along with the different classifications, days worked, and uniqueness of each bargaining unit.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.10 2014-15 Consolidated Application for Funding**

Comment:
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.

The Consolidated Application includes basic information about student demographics which is used to report and calculate state and federal allocations for Title I, Title II, Title III, Title III – Immigrant, and Economic Impact Aid (EIA) for Limited English Proficient.

A copy of the Consolidated Application 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.11 Data and Wireless for Pinole Valley High School**

Comment:
The District prepared plans and specifications for the technology equipment and services project for the Pinole Valley High School site located at 2900 Pinole Valley Rd., Pinole, CA 94564. The scope of work included providing and configuring switches, VoIP phones, mounting wireless access points and "rack and stack" services ("Project").

The District solicited competitive bids for the Project. The Request For Proposals (RFP) for the Project was advertised on June 9, 2014 and closed June 24, 2014. Three firms submitted bids. NWN was deemed unresponsive because it failed to include SmartNet Maintenance and failed to specify labor costs as

specified in the RFP. AEKO Consulting submitted a bid for $636,762.54. PTI submitted a bid for $484,585.34.

Based on District staff's evaluation of the bids received, it was determined that the lowest responsive, responsible bid was from PTI.

Recommendation:
Ratify the award to the lowest responsive, responsible bidder: PTI

Fiscal Impact:
$484,585.34. Funded from Bond Funds.

***CI C.12 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: $2,053,959. Funding sources are Bond Fund.

***CI C.13 Approval of Negotiated Change Orders**

Comment:
Staff is seeking approval of Change Orders on the following current District construction projects: Coronado ES New School; Helms MS Sports Field & Landscaping. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board approval is the final step required under state law in order to complete payment and contract adjustment.

In accordance with Public Contract Code 20118.4, the Board, by approving 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:
Approve negotiated Change Orders as noted

Fiscal Impact:
Total approval by this action: $76,900.87

***CI C.14 Ratification of Staff Awarded Contract: Nystrom Elementary School Modernization Project**

Comment:
Interactive Resources has prepared plans and specifications for the project. Scope of work includes: the modernization of an existing main classroom building, including selective demolition and abatement of existing exterior wood siding, wood trim, molding and reconstruction of the addition connecting the two existing wood framed buildings including but not limited to new concrete slab; new flooring, doors, frames, hardware; new mechanical, plumbing, electrical and low-voltage systems/equipment; in addition to related site work, ac paving, parking improvements, striping, concrete curbs, landscaping, sod playfield and playground equipment/improvements. Also included in this scope is replacement of the fire alarm system in the existing multi-purpose building with a new fire alarm system and demolition of selected temporary structures.

The District will conduct a public bid process for the project. Bids will be opened on July 8, 2014. Total bid is the sum of base bid and unit pricing.

Determining the award is based on two components; the lump sum base bid and unit cost multiplied by quantities to be determined in the field. This benefits the District by locking in unit pricing to be used in negotiating future change orders. The contract award is only associated with the lump sum base bid.

Recommendation:
Ratify the award to the lowest responsive, responsible bidder at the expiration of the bid protest period.

Fiscal Impact:
Funded from Bond Fund

***CI C.15 Ratification of Staff Awarded Contract: Ohlone Elementary School Playground & Parking Lot Completion Project**

Comment:
Powell & Partners Architects has prepared plans and specifications for the project. Scope of work includes: selective demolition and construction necessary for the Ohlone Elementary School Hardscape Play Area including associated civil, architectural, structural and electrical work as indicated in the Drawings and Specifications. Work in this Contract comprises general construction necessary for the site preparation for new asphalt and concrete paving for completion of the existing parking lot, coating and striping for completion of paving for the existing play area, underground utilities (electrical conduits, storm and fire water), new site lighting, landscaping including concrete planter boxes, irrigation, fencing, a new play structure, a new fire hydrant and In addition the contractor shall provide all electrical and civil installations as shown on the drawings and in the specifications.

The District conducted a public bid process for the project. Bids were opened on July 1st, 2014. Four contractors submitted bids, CWS Construction $699,000; Maggiora & Ghilotti, Inc. $794,497; BHM Construction, Inc. $878,300; WR Forde Associates $957,000. The apparent lowest responsive, responsible bidder is CWS Construction.

Recommendation:
Ratify the award to the lowest responsive, responsible bidder at the expiration of the bid protest period.

Fiscal Impact:
Funded from Bond Fund.

***CI C.16 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 April 1, 2014 through June 30, 2014.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.17 Resolution Nos. 01-1415 through 14-1415: Board of Education Annual Resolutions for the 2014-2015 School Year**

Comment:
Approval is recommended of the Board of Education Annual Resolutions Nos. 01-1415 through 14-1415, for the 2014-2015 school year.

Recommendation:
Recommend Approval

Fiscal Impact:
None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Update on the Impact of the Assessed Valuation for 2014-15 on Bond Finance**

Comment:
Last week Contra Costa County released the assessed valuation for each of the cities and the county areas within the West Contra Costa School District. That reports shows an increase of nearly 11% over the 2013-14 valuation and will have significant impact on the District bond finance program. Financial advisors from KNN Public Finance will present an overview the possible impact of the assessed valuation growth.

Recommendation:
For Information Only

Fiscal Impact:
None

E. COMMITTEE COMMUNICATIONS

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

*** E.1 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
College and Career Readiness Academies
Community Budget Advisory Committee
Facilities Subcommittee
Ivy League Connection
Public Employees Local 1
Safety and School Climate Committee
School Supervisors Association
Technology Subcommittee
United Teachers of Richmond
West Contra Costa Administrators Association
Youth Commission

*** E.2 Superintendent's Report**

F. ACTION ITEMS

* **F.1 Renaming of Portola as Fred Korematsu Middle School**

Comment:
At the April 23, 2014 meeting, Mr. James Ghidella, at the request of President Ramsey, spoke to the Board during public comment to suggest that the Board consider renaming Portola Middle as the Fred Korematsu Middle School. Mr. Ghidella, a 1964 graduate of El Cerrito High School, provided an extensive rationale for the honoring the remembrance of Fred Korematsu. President Ramsey appointed Madeline Kronenberg and Randy Enos as committee members to consider the possibility of renaming Portola in honor of Fred Korematsu. When Ms. Kronenberg was unable to serve, Mr. Ramsey assigned himself to serve on the committee and named Mr. Ghidella as chair.

The committee conducted four public hearings:
June 10: Madera Elementary School
June 17: Fairmont Elementary School
June 26: Harding Elementary School
July 1: Stege Elementary School

Each of the meetings was well attended. Additionally, a postcard was mailed to all in the Portola attendance area and Connect Ed (autodailer) messages were sent to families of current and future students.

At the end of the July 1 public hearing, the committee voted unanimously to recommend that Portola be renamed as Fred T. Korematsu Middle School.

Recommendation:
That the Board consider the renaming committee's recommendation.

Fiscal Impact:
None

*** F.2 Authorize Construction on Valley View Elementary**

Comment:
The architectural work is nearing completion and the project has been released by the Division of State Architect for the Valley View Elementary School rebuilt.

Recommendation:
That the Board authorize the initiation of construction on the Valley View project.

Fiscal Impact:
$54,400,000

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
- Construction Status Reports
- DeAnza Career Technology Building
- Richmond Swim Center

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 – July 23, 2014

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

July 9, 2014

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. AC, a minor, by and through his Guardian, Ad Litem, Crystal McNeal

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

Five 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
Elementary Principal
Instructional Specialist
Assistant Principal

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)

10. REPORT OF CLOSED SESSION ACTIONS