

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
NOVEMBER 12, 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 Presentation of Student Board Representative from Kennedy High School

B.5 Report/Ratification of Closed Session

* **B.6 Agenda Review and Adoption** (Public Comment)

* **B.7 Minutes:** October 1, 2014; October 15, 2014

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 acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated November 12, 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 November 12, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

*CI **C.3 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2014-15 school year are summarized, dated November 12, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

***CI C.4 Contracts**

Comment:

Permission is requested of the Board of Education to approve contracts as detailed, dated November 12, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contracts summary

***CI C.5 Summary of Payroll and Vendor Warrant Reports**

Comment:

The summaries of Payroll and Vendor Warrants issued during the month of October 2014 are provided.

Total of payroll warrants (October 2014):	\$ 11,432,945
Total of vendor warrants (October 2014):	\$ 32,746,634

Recommendation:

Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:

As noted above

***CI C.6 Notice of Completions: Bid 35410055-00 El Cerrito High School AC for Dance Studios and Multi-Use Rooms, Bid 16210028-00 Verde Elementary School Circulation & Parking Improvements, Bid 3621377-01 Pinole Valley High School Detention Basin, Bid 1461206-02 Ohlone Elementary School Interim Campus, and Bid 1451612-15 Olinda Elementary School Miscellaneous Repairs**

Comment:

Substantial completion notice has been received for: Bid 35410055-00, Bid 16210028-00, Bid 3621377-01, Bid 1461206-02, Bid 1451612-15.

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:

Bell Products, Inc. Bid 35410055-00 El Cerrito High School AC for Dance Studios and Multi-Use Classrooms

Bay Cities Paving & Grading Bid 16210028-00 Verde Elementary School Circulation & Parking Improvements

Bay Cities Paving & Grading Bid 3621377-01 Pinole Valley High School Detention Basin

Trinet Construction Bid 1461206-02 Ohlone Elementary School Interim Campus

Streamline Builders Bid 1451612-15 Olinda Elementary School Miscellaneous Repairs

Recommendation:

Recommend approval of these notices of completion

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 credentials in the following areas: multiple subject, standard elementary, single subject, and standard secondary, 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 Routine Personnel Changes - Certificated**

Comment:

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

Recommendation:

Ratify and Approve Certificated Personnel Changes

Fiscal Impact:

None

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

Comment:

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

Recommendation:

Ratify and Approve Classified Personnel Changes

Fiscal Impact:

None

***CI C.10 Response to the 2014-15 Contra Costa Civil Grand Jury request for policies and procedures for the administration of medications**

Comment:

The West Contra Costa Unified School District received a request from the 2014-15 Contra Costa Civil Grand Jury for information about our District's policies and procedures for administering medications such as epinephrine, insulin and asthma rescue inhalers to children under our supervision on and off campus.

For each school in our District, we had to provide the number of food allergic, asthmatic and diabetic students that have been identified in the general student population and respond to the following questions:

- How are medically at-risk youth identified?
- What accommodations, if any, are required because of a student's medical condition?
- Are the accommodation terms acknowledged in a written record?
- Who keeps the record and where is it kept?
- How is the student's teacher informed?
- If the student has more than one teacher, are they all informed?

Also, we had to respond to how all stakeholders (administrators, substitute teachers, aides, office/clerical staff, yard/playground supervisors, librarians, classmates, chaperones for off-campus activities) are informed of a student's life threatening medical condition and who is authorized to administer medication and how confidentiality is maintained.

The District's response to the Grand Jury's request is provided. Backup documents are available upon request.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.11 NCLB Supplemental Educational Services (SES) Tutoring Contracts**

Comment:

The No Child Left Behind (NCLB) Act of 2001 requires school districts to set aside an amount equivalent to 20% of the Title I entitlement for the purposes of providing Transportation for Choice and Supplemental Educational Services (SES). In WCCUSD 20% of the entitlement is \$1,435,711. Of this amount, \$55,000 is needed for Transportation for Choice leaving \$1,380,711 available for SES tutoring.

Each year the Department of Education sets the official per pupil allotment (PPA) for each district, which represents the maximum amount to be expended per participant for SES tutoring. The official rate for 2014-15 is \$981.48 per student; therefore, approximately 1,400 eligible students may be served.

Parent/guardians of all students participating in the free and reduced lunch program at the twenty-one Title I schools in year 2 and beyond of NCLB Program Improvement were informed of the opportunity to receive these tutoring services. An informational catalog and application were created in English and Spanish with descriptions of the programs offered by the State-approved providers. These materials were mailed to all eligible families in August. In addition, catalogs are available in the front office of all participating schools. Furthermore, many of the participating schools hosted provider fairs for their school communities.

Recommendation:

Recommend Approval

Fiscal Impact:

Title I SES reservation up to \$1,435,711

***CI C.12 Resolution No: 33-1415: California Sikh American Awareness and Appreciation Month**

Comment:

The State Board of Education has proclaimed November 2014 as California Sikh American Awareness and Appreciation Month. The West Contra Costa Unified School District recognizes the contributions of Sikh Americans and encourages schools to conduct appropriate commemorative exercises to promote awareness of the contributions of Sikh Americans to California's history.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.13 Resolution No. 34-1415: American Education Week: November 16 – 22, 2014**

Comment:

American Education Week - November 16-22, 2014 - presents all Americans with a wonderful opportunity to celebrate public education and honor individuals who are making a difference in ensuring that every child receives a quality education.

WCCUSD schools will celebrate this week with relevant classroom and schoolwide activities.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.14 Special Education Memorandum of Understanding with Making Waves Academy**

Comment:

- On October 2, 2006, the Petitioners submitted a charter petition to the District to establish the Charter School, serving students grades 5-8.

- On November 15, 2006, the Board of Trustees of the District voted 4 to 1 to deny the Charter School's petition and adopted the District's Staff Written Findings regarding the Making Waves Academy Charter petition as the basis for denial of the petition.
- On or about January 11, 2007, Petitioners, consistent with Education Code section 47605, subdivision (j)(1), submitted a charter petition to the COE to establish the Charter School.
- On March 7, 2007, the Governing Board of the COE approved the Charter School's petition for establishment of the Charter School, serving students grades 5-8.
- The Charter School commenced operations at the beginning of the 2007-2008 school year as a charter school sponsored by the COE, operating within the jurisdictional boundaries of the District.
- On April 14, 2010, the Governing Board of the COE approved an amendment to the Charter to establish grades 9-12 beginning in the 2011-2012 school year.
- On or about April 16, 2012 a submission for renewal was awarded by the County Office of Education.

The MOU between WCCUSD and CCCOE has the purpose of clarifying the roles and responsibilities of the parties with regard to students who are enrolled and attend the Charter School and are or may be eligible for special education and related services under the IDEA.

This Agreement shall be for two (2) years, from September 1, 2014 to July 31, 2016.

Recommendation:

That the Board approve the Special Education Memorandum of Understanding with Making Waves

Fiscal Impact:

None

***CI C.15 Certification of Athletic Coaches – Fall Sports**

Comment:

Under California Education Code Section 5593, all athletic team coaches are required to be certified annually. Topics covered during the training include first aid, CPR, coaching techniques, adolescent psychology (as it relates to sports participation), and ethics. Provided are the lists of coaches from each high school for fall sports.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.16 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: \$1,471,939. Funding sources are Bond Fund, Fund 40, and Fund 67.

***CI C.17 Approval of Negotiated Change Orders**

Comment:

Staff is seeking approval of Change Orders on the following current District construction projects: Downer ES New Playfield; Korematsu MS New Building; Dover ES Ph2 Parking & Site Improvements; Pinole Valley HS Ph2 Interim Campus; El Cerrito HS Stadium; Pinole Valley HS Ph1 Detention Basin; Utilities & Paving; Ohlone ES Phase 1 New Classroom; Kennedy HS Science Wing Renovation; Kennedy HS Richmond Swim Center; Pinole MS Soccer & Football Fields; Coronado ES New School; Montalvin Manor ES New Classroom Building; Ohlone ES FF&E; Pinole Valley HS Interim Campus Moving Services. 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: \$1,134,345.40

***CI C.18 Approval of Negotiated Change Orders – M&O**

Comment:

Staff is seeking approval of Change Orders on the following current District construction projects: Kennedy HS County Health Clinic. Change Orders are fully executed by the District upon signature by the Superintendent's designee. The 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 to have this work completed by the contractor on the project.

Recommendation:

Approve negotiated Change Orders as noted

Fiscal Impact:

Total approval by this action: \$10,550.90

***CI C.19 Approve Measure J and D 2010, Measure E 2012, Bond Program Budget Expenditure Authorization**

Comment:

The District needs to update the Bond Program Budget to accommodate updated anticipated project costs, based on recently received bids. The expenditure authorization worksheet includes these proposed adjustments.

Several other current construction estimates exceed the approved project budgets; therefore an ongoing reconciliation will be needed as projects are bid, closed out, and/or additional expenditures are incurred.

Recommendation:

Approve Bond Program budget expenditure authorization.

Fiscal Impact:

Updated budgets for Bond Program

***CI C.20 Citizens' Bond Oversight Committee (CBOC) Appointment: Dr. Harlan-Ogbeide**

Comment:

The San Pablo City Council has forwarded a recommendation that Dr. Charlene Harlan-Ogbeide be the Council's appointee on the West Contra Costa Unified School District Citizens Bond Oversight Committee.

Recommendation:

Approve appointment as noted

Fiscal Impact:

None

***CI C.21 Independent Legal Counsel for CBOC**

Comment:

The leadership of the Citizens Bond Oversight has requested that the Board of Education provide independent legal counsel for the CBOC. Board Policy 7214.2 establishes the CBOC and governs the operation of the committee. That policy specifies that "the Committee shall not be entitled to legal representation by District legal counselor at District expense, unless permitted by the Board." Thus,

providing legal counsel require explicit Board approval.

Recommendation:

That the Board approve the “Proposed Scope of Legal Services for the Citizens Bond Oversight Committee” and direct the Superintendent to develop and distribute a request for qualification.

Fiscal Impact:

To Be Determined Upon Approval of the Selection

***CI C.22 Adoption of Resolution No. 40-1415: Support of Applications For Eligibility Determination and Funding Authorization to Sign Applications and Associated Documents**

Comment:

The District is proceeding with a number of applications for state funding from the Office of Public School Construction (“OPSC”). This resolution is in support of all of the District’s applications for modernization or new construction funding. It is also updates the District staff who will be Authorized Representatives to complete and sign applications for submission to OPSC.

Recommendation:

Adopt Resolution No. 40-1415: Support of Applications For Eligibility Determination and Funding Authorization to Sign applications and Associated Documents.

Fiscal Impact:

None at this time. Approval of this resolution will support OPSC funding applications which will provide state funding to the District’s Bond Program.

***CI C.23 Acceptance of Contra Costa County Office of Education Annual Report for Williams Settlement Legislation**

Comment:

As a part by the compliance requirements for the Williams Settlement Legislation, the Contra Costa County Office of Education has submitted its annual report for fiscal year 2014-2015. This report presents the results of school site visits within the first four weeks of school.

Recommendation:

Recommend Acceptance of Report

Fiscal Impact:

None

F. ACTION ITEMS

*** F.1 Resolution No. 37-1415: Resolution Directing Superintendent and Staff to Seek a Waiver of Education Code section 47605(b) from the State Board of Education**

Comment:

In the 2014-2015 school year, there are eight charter schools operating within the boundaries of the West Contra Costa Unified School District (“District”) with a combined enrollment of approximately 2,700

students. Three charter school petitions from Aspire Richmond California College Preparatory Academy, Aspire Richmond Technology Academy, and Amethod Public Schools: John Henry High School are currently pending before the Board, with a combined projected enrollment of approximately 1,132 students. Education Code section 47605(b) requires the District to grant or deny each pending petition within 60 days of the District's receipt of it.

The Board of Education finds that charter schools are having a disparate impact on the operation of the District. Therefore, the Board has proposed a resolution directing the Superintendent of the District and his staff to seek a waiver from Education Code section 47605(b) so that the Board is not required to grant or deny the pending charter school petitions, including a public hearing regarding the waiver at a special meeting on December 3, 2014.

Recommendation:

That the Board adopt Resolution No. 37-1415: Resolution Directing Superintendent and Staff to Seek a Waiver of Education Code section 47605(b) from the State Board of Education

Fiscal Impact:

To Be Determined

B. OPENING PROCEDURES - CONTINUED

* **B.8 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.

D. AWARDS, RECOGNITIONS, AND REPORTS

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
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 Local 21
Technology Subcommittee
United Teachers of Richmond
West Contra Costa Administrators Association
Youth Commission

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

* **E.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.

Dr. William Rhea served in the capacity as physician for the El Cerrito High football games. His generous and kind spirit was felt by both students and employees of the District. He will be remembered for his work at Oakland Children's Hospital and East Bay Pediatrics.

Ms. Mia Morel retired from Special Education earlier this year. She began teaching in 1991 and worked at Collins, the Harmon Center and most recently at Peres Elementary School.

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

Recommendation:

For Information Only

Fiscal Impact:

None

F. ACTION ITEMS - CONTINUED

* **F.2 Amended Resolution No. 38-1415: Credential Assignment Options**

Comment:

This declaration has been amended from the May 28, 2014 agenda to reflect current needs of the District.

Pursuant to California Code of Regulations Section 80026 (e)(1) of Title 5, pertaining to Declaration of Need for Fully Qualified Educators by a school district shall be adopted by the governing board in a regularly-scheduled, public meeting of the board. The entire Declaration of Need for Fully Qualified Educators shall be included in the board agenda, and shall not be adopted by the board as a part of a consent calendar.

The board and the public must have the opportunity to see the number of Emergency and Limited Assignment permits that the district reasonably expects to request in each category and to understand the

reasons for such requests. This resolution will provide the District with assignment options of a temporary nature when a teacher with an appropriate credential is not available to the District.

The options are only available to teachers who hold a current basic credential.

Recommendation:

Recommend Approval

Fiscal Impact:

None

* **F.3 Resolution 29–1415: Resolution directing certain actions in connection with the Continuing Disclosure Obligations of the West Contra Costa Unified School District under its General Obligation Bond Program**

Comment:

The proposed Resolution would enable District staff to make a voluntary filing with the Securities and Exchange Commission under its 2014 Mandatory Continuing Disclosure Compliance Program (the “MCDC Program”). The SEC has announced that public agencies who have not made all of their complete continuing disclosure filings respecting their outstanding bond issues in full and on time will have a one-time opportunity to self-report any and all shortfalls. The deadline for filing is December 1, 2014. District staff has directed Disclosure Counsel, Nixon Peabody LLP and the District’s Dissemination Agent, KNN Public Finance, to research any shortfalls under the District’s General Obligation Bond Program that might be encompassed by the MCDC Program, and their combined report is included as Exhibit A to the Resolution. While not all of the listed shortfalls are considered “material” by Disclosure Counsel and the District, staff believes that the most conservative approach is to report all perceived shortfalls, despite materiality. The SEC has provided that public agencies who file complete reports under the MCDC Program will not incur any fines or penalties. The Resolution also directs District staff to work with Disclosure Counsel to develop policies and procedures intended to improve future compliance with the District’s continuing disclosure obligations.

Recommendation:

Approval of Resolution No. 29-1415 directing certain actions in connection with the Continuing Disclosure Obligations of the West Contra Costa Unified School District under its General Obligation Bond Program

Fiscal Impact:

None

* **F.4 Resolution No. 32-1415 Authorizing the Issuance and Sale of its General Obligation Refunding Bonds, 2014 Series A, in an Aggregate Principal Amount not to Exceed \$135,000,000, Including Bond Subject to the Compounding of Interest, and Approving Certain Other Matters Relating to Said Bonds**

Comment:

The District’s financing team, including KNN Public Finance, the District’s financial advisor, and Piper Jaffray & Co., Stifel Nicolaus and Backstrom McCarley Berry & Co. LLC (collectively, the “Underwriters”), and Nixon Peabody LLP, have prepared documentation for the purpose of permitting the

District to issue its 2010 Series C Bonds and its 2012 Series B Bonds. The 2010 Series C Bonds will be issued pursuant to an authorization approved by 62.6% of the eligible voters of the District at an election on June 8, 2010, known as Measure D. The District has previously issued and sold \$140,000,000 in aggregate principal amount of bonds under Measure D, and the 2010 Series C Bonds will represent the fourth series of bonds issued under Measure D. The 2012 Series B Bonds will be issued pursuant to an authorization approved by 64.4% of the eligible voters of the District at an election on November 6, 2012, known as Measure E. The District has previously issued and sold \$85,000,000 in aggregate principal amount of bonds under Measure E, and the 2012 Series B Bonds will represent the second series of bonds issued under Measure E. The proceeds of the Bonds will be used for projects authorized under the measure.

The following documents are provided:

- Resolution authorizing issuance of the Bonds
- Contract of Purchase with underwriters
- Preliminary Official Statement

In order to accomplish the District's present construction and modernization program without significant delays, it is necessary to preserve the District's option to issue bonds with maturities longer than thirty years. Such a structure requires the Board, in turn, to comply with the provisions of Assembly Bill 182, comprising portions of Section 15146 of the Education Code ("A.B. 182"). A.B. 182 requires certain special disclosures, which are reflected in Exhibit D to this Resolution, and it also requires that the Resolution and those disclosures be submitted to the Board first as an information item at a regularly scheduled Board meeting, which occurred on October 15, 2014 and acted upon at the next consecutive regularly scheduled Board meeting.

The financing team will present to the Board the financing plan, an explanation of the necessity for bonds with maturities longer than thirty years, the information covered by this Resolution in compliance with A.B. 182 and describe the function of each of the provided documents.

Recommendation:

Approval of Resolution 32-1415 authorizing the issuance and sale of its General Obligation Refunding Bonds, 2014 Series A, and approving certain other matters relating to said Bonds.

Fiscal Impact:

\$135,000,000 Bond proceeds, when issued.

* **F.5 Public Hearing on the Governing Board's Proposed Adoption of Resolution No. 36-1415 To Convey An Easement to Contra Costa County at the Riverside Elementary School Site, as Authorized by Sections 17556 *et seq.*, of the Education Code**

Comment:

Contra Costa County ("County") has requested that the District convey an easement for certain portions of the Riverside Elementary School Site for the pedestrian overcrossing proposed to be constructed in connection with the redesign of the San Pablo Dam Road interchange on I-80 ("Easement"). The District engaged a valuation consultant to determine the fair market value of the Easement which was determined to be \$133,500 ("FMV"). The County has agreed to pay the FMV for the Easement.

On September 17, 2014, the Board adopted Resolution No. 28-1415, declaring the Board's intent to convey the Easement. Thereafter, on October 13, 2014, the District published and posted Public Notice of this Public Hearing in accordance with Education Code § 17558. Education Code § 17559 requires that the District's Governing Board hold a public hearing prior to consideration of Resolution No. 36-1415 in order to receive any public comment or protest. Following the conduct of the Public Hearing, the Board must adopt Resolution No. 36-1415, by two-thirds of its members, in order to execute the deed to convey the Easement.

Recommendation:

Recommend the Board conduct a Public Hearing to obtain comments from taxpayers, parents and the public in general regarding the conveyance of the Easement to the County.

Fiscal Impact:

No fiscal impact or implications are associated with this matter

G. DISCUSSION ITEMS

*** G.1 General Obligation Bond/Post-Issuance Tax Compliance Procedures –AR 7214**

Comment:

The purpose of this Administrative Regulation is to establish Post-Issuance Tax Compliance Procedures to assist the District in complying with its federal tax obligations for the tax-exempt bonds that have been issued on its behalf. In many districts this procedure is adopted as a resolution. However, staff believes that by placing this directly into the Administrative Regulations, under the Board Policy #7214 for General Obligation Bonds, the procedure will be more visible on an ongoing basis to both staff and members of the public.

Recommendation:

Information – Administrative Regulations are attached to existing Board Policies

Fiscal Impact:

None

*** G.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

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 – December 10, 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 (*).

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

November 12, 2014

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

[Government Code Section 54956.9(d)(1)]

- a. Palmer and Pollack v. WCCUSD
- b. California Charter School Association v. WCCUSD

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE TO LITIGATION

[Government Code Section 54956.9(d)(2) or (d)(3)]

Two cases

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION/INITIATION OF LITIGATION

[Government Code Section 54956.9(d)(4)]

One case

5. LIABILITY CLAIMS (Government Code Section 54956.95)

6. 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

7. PUBLIC EMPLOYEE APPOINTMENT

Executive Director
Internal Auditor

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

Superintendent's Evaluation

9. STUDENT DISCIPLINE (Education Code Section 35146)

Expulsions

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

11. REPORT OF CLOSED SESSION ACTIONS