

Friday Memo
June 10, 2016

Upcoming Events – Bruce Harter

June 11: Pinole Valley Graduation Ceremony, Richmond Convention Center, 12:00 PM
June 11: Alternative Education Graduation Ceremony, Richmond Convention Center, 3:30 PM
June 11: Hercules High Graduation Ceremony, Hercules Football Field, 6:00 PM
June 13: Technology Committee, IT Center, 4:00 PM
June 13: Governance Subcommittee, Alvarado Room 1, 6:30 PM
June 15: Board of Education, DeJean, 6:30 PM
June 20: Summer School / Extended Learning Begins, various sites

Next Week's Board Meeting – Bruce Harter

Closed Session for Wednesday's June 15 meeting begins at **5:00 PM.**

WCCUSD Solar Power Purchase Agreement - Lisa LeBlanc

District staff has completed the selection process and identified Sun Power Corporation for the district-wide solar project. As described in the communication to the Board on May 6, 2016, the project will result in a significant annual savings to the District and involve several sites. The solar projects will be constructed over a one-year period and will include solar carports and outdoor shade structures. On June 15th, the Board will be asked to:

Adopt Board resolution to comply with the California Environmental Quality Act (CEQA) notice of exemption
Hold public hearing pursuant to government code 4217.12
Award Power Purchase Agreement (PPA) to Sun Power Corporation

Sun Power Corporation will be paying for all capital costs in connection with the project. The District will be responsible to pay \$200,000 for inspection and testing services.

Technology Infrastructure Upgrade at Bissell Avenue – Mary Phillips

The technology infrastructure at Bissell Avenue is in desperate need of an upgrade. The current switching and wireless equipment will not support the bandwidth necessary to perform bandwidth-intensive online tasks. The current equipment will also not support our new 10 Gb fiber network. We have created the necessary Bill of Materials and received competitive quotes. The funding for this project will come from General Funds. There will be a Consent Item addressing this at our next Board Meeting.

WCCUSD Verde Elementary School LED lighting retrofit project - Lisa LeBlanc

As reported to the Board in 2015, the District is eligible for funding from The California Clean Energy Jobs Act (Proposition 39) through 2018. Last year, the District completed five successful LED lighting projects at Collins, Grant, Hanna Ranch, Lake and Richmond High School. In 2016, the District has selected Verde ES and Kennedy HS for LED lighting based upon current energy use and maintenance repair need. On June 15, 2016, staff is recommending that a contract be awarded to ReGreen Corporation for Verde ES for the LED lighting retrofit project.

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The Kennedy HS LED project will be on an upcoming agenda. On the June 15, 2016 action agenda, the board will be asked to:

1. Adopt Board resolution to comply with the California Environmental Quality Act (CEQA) notice of exemption.
2. Hold public hearing pursuant to government code 4217.12
3. Award Contract to ReGreen Corporation in the amount of \$82,111.34

Update on Pinole Valley High – Lisa LeBlanc

Pinole Valley High School construction contract was awarded to Lathrop Construction on April 14, 2016 in the amount of \$129,894,002. On June 1st, Lathrop Construction was issued a Notice to Proceed on June 15, 2016. June 15th begins the start the of the 30 month construction period with a contract completion date of December 15, 2018. On June 7, 2016 district staff meet with the City of Pinole to update them on the project. On June 8, 2016 the district received final approval of all construction documents from the Division of the State Architect Office (DSA). Over the next several weeks Lathrop Construction and the District's project team will mobilize on site and begin construction activities.

Bond Project Budget Increases – Lisa LeBlanc

On June 15, 2016, staff is requesting bond program budget increases for Greenwood/LPS, Pinole Valley High School and the District's technology initiative. Bond Program staff are being more deliberate regarding increases to project budgets and adhering to better business practices. The past practice included single contract board expenditure approvals and/or budget increases which created some difficulty in reconciling past project budgets. The format and method proposed for Board approval on the June 15th, allows a more transparent view of project budget increases and will demonstrate costs and anticipated costs in excess of budget. The Sylvester Greenwood Academy/LPS budget increase of \$1.35M takes into consideration the total anticipated change orders and encumbrances to finalize the project. The Board approved the budget increase of \$32.3M for Pinole Valley High School at the time of the bid and the June 15, 2016 board request formalizes the increase in the preferred format. The increase to district technology represents adding purchases for common core, i.e. laptops, carts, overhead projectors and document cameras. These items were previously presented to the Technology Subcommittee and Board; however, there was no formal budget approval for these purchases.

WCCUSD Food Services Kicks off Summer Feeding program 2016 with a Leaders Serving Lunch event - Lisa LeBlanc

On June 9, 2016 WCCUSD Food Services launched its Seamless Summer Meal Program with a barbecue lunch served by community, state and federal leaders with an emphasis on California grown, a farmers market with fresh produce giveaways, nutrition activities for the children from the Contra Costa Health Services, book giveaways by the Richmond library, Contra Costa Housing Agency and more, all at no charge to children 18 years of age and younger.

The Summer Meal Program serves children in low-income communities who participate in free and reduced feeding programs during the school year. Since these programs end when school ends, the Summer Meal Program helps fill that hunger gap ensuring that children continue to receive nutritious meals during the summer.

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Hunger is one of the most severe roadblocks to the learning process. Lack of nutrition during the summer months sets a cycle for poor performance once school begins again and makes children more prone to illness and other health issues.

WCCUSD summer feeding sites give more than food — they encourage reading, offer exercise programs, nutrition education and give children something to look forward to. The Summer Feeding Kick Off was an event to create awareness for the Summer Meal Program in West Contra Costa.

WCCUSD Food Services wishes to thank the leaders and community partners who came out to support our Seamless Summer Feeding Program kickoff event June 9th at our Nutrition Center.

For more information on this invaluable summer program go to www.wccusd.net Food services department or call WCCUSD Food Services at 510-307-4580



Berkeley Global Campus Community Working Group Approves Negotiating Parameters – Marcus Walton

At the Berkeley Global Campus Community Working Group (CWG) meeting on June 9, general parameters for negotiating a legally binding agreement with UC Berkeley were approved. For your information, I voted against the parameters (see attached), which were voted on in their entirety. My main concern is with No. 3 on the list which seeks to prohibit “side agreements” on issues being covered in the compact or that could undermine the goals of the working group.

The District has a long-standing relationship with UC Berkeley. Many of our current partnerships are explicitly described in the working group’s education subcommittee recommendations as areas for growth. Expanding programs to serve students would be an issue covered in the CWG negotiations. If the District were to engage in any new discussions (whether new programs and services or expanding existing opportunities for students), it could be perceived that the District is negotiating separately with UC.

While the discussion indicated the majority of CWG members would not interfere with the District's ongoing relationship with Cal, there was some desire expressed to have District agreements with UC Berkeley reviewed by the CWG before they are signed. Despite my vote, I did share that the District would attempt to work with the CWG’s negotiating team by keeping its members informed, to the greatest extent possible, about any ongoing partnerships and new discussions involving UC Berkeley.

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The group also appointed 12 people to serve on the negotiation team representing the CWG. They are:

| | |
|----------------|-------------------|
| Bill Lindsay | Kyra Worthy |
| Amanda Elliott | Tammeil Gilkerson |
| Joel Mackey | Margaret Hanlon |
| Jane Fischberg | Edith Pastrano |
| Tamisha Walker | La Marla Stevens |
| Donnell Jones | Kevin van Buskirk |

Please let me know if you have any questions or concerns.

Public Records Log – Marcus Walton

Included in this week’s memo is the log of public records requests received by the district. If you have any questions, please contact me.

memorandum

to: Richmond Community Working Group for Berkeley Global Campus

from: Julian Gross

date: May 24, 2016

re: *Community Working Group – Negotiations*

I am providing legal assistance to the Raise Up Richmond Coalition regarding the University of California's community benefits approach for the buildout of the Berkeley Global Campus ("BGC"). The Raise Up Richmond Coalition includes the Richmond ACCE; the Contra Costa Interfaith Supporting Community Organization; the American Federation of State, County, and Municipal Employees, Local 3299; the Safe Return Project; and other local stakeholders, including several members of the Richmond Community Working Group ("CWG"). Congratulations to the CWG for completing the initial phase of its work, and releasing its Recommendations Report in April 2016.

This memorandum sets forth Raise Up Richmond's initial proposals for a process for negotiation of legally binding agreements between CWG members and U.C. Berkeley.¹ Such agreements should set forth specifics regarding implementation of agreed community benefits to be delivered in build-out of the Berkeley Global Campus, as discussed in the Recommendations Report.

Our shared goal is to come to a legally-binding agreement or set of agreements (i) that all CWG members and U.C. Berkeley can endorse; (ii) that detail a set of specific commitments regarding community benefits in the BGC buildout, derived from the CWG's Recommendations Report; and (iii) that will be a key cornerstone in a long-term partnership between U.C. Berkeley and the Richmond community. My understanding is that U.C. Berkeley has agreed in principle to that goal.

Following are initial proposals for discussion regarding negotiation parameters, aimed at assisting the CWG and U.C. Berkeley in developing a process that can enable efficient and productive negotiations, with credibility, transparency, and inclusiveness.

¹ References to U.C. Berkeley in this memo include Lawrence Berkeley National Laboratory (Berkeley Lab) in applicable contexts.

Parameters for negotiation. Raise Up Richmond proposes that CWG members and U.C. Berkeley agree to the following parameters in upcoming negotiations:

1. Maintain confidentiality. CWG members and U.C. Berkeley should keep confidential the various parties' comments at table in negotiations, and refrain from recounting such comments to the media. Parties may discuss formal proposals, their own positions, and possible compromises, with their own members or constituents. However, such discussions should not include attribution of other parties' positions, arguments, or comments.

2. Independence of CWG. Given that CWG members are negotiating across the table from U.C. Berkeley, the CWG needs to meet and operate independently of U.C. Berkeley. The City has agreed to provide staff to facilitate meeting schedules, distribution of agendas, and so forth. Obviously, CWG members should not share with U.C. Berkeley the content of CWG meetings, except through the agreed negotiation process.

3. No side negotiations. On topics that are being addressed in negotiations, individual CWG members and U.C. Berkeley will refrain from negotiating independent agreements, outside the negotiation process. This principle is aimed at ensuring credibility and meaningfulness of the negotiations between the CWG members and U.C. Berkeley. CWG members and the negotiating team should be able to convene at their own discretion, and in confidence.

4. Final agreements will be legally binding. Agreements coming out of this process may be known as Community Benefits Agreements, a "Compact," or other appropriate titles. The important points are that the ultimate agreements are detailed enough to constitute meaningful commitments, and that they are enforceable by U.C. Berkeley and by individual members of the CWG. All parties to negotiations should agree that this is our shared goal.

5. Shared goal of unanimous CWG member endorsement. The CWG has maintained an excellent working relationship between a wide range of stakeholders. The goal of negotiations should be to settle on a slate of community benefits commitments that works for U.C. Berkeley and all CWG members, set forth in one or more legally binding agreements. At the end of the negotiation process, no CWG member can be compelled to become a party to a legally binding agreement that it does not support – nor should any CWG member be pressured to do so. For this reason, a voting process is inappropriate for CWG positions in these negotiations. All parties should work together closely to try to find agreement that will maximize support from CWG members and U.C. Berkeley.

6. CWG negotiation team. The CWG will need to designate a negotiating team, tasked with advancing the CWG's interests in negotiation with U.C. Berkeley. Team members should be prepared to attend multiple, lengthy negotiation sessions, in addition to spending extensive time preparing for negotiation sessions, reviewing drafts, and reporting to the full CWG and the community on the progress of negotiations.

7. Negotiation session attendees. In order to keep negotiation sessions workable, attendance at sessions must be limited. Each negotiation team member should be permitted to bring a small number of observers, as well as legal counsel, if desired.

I recommend that at the CWG's upcoming meeting, the CWG discuss the above proposals, as well as additional logistical details, and come out of the meeting with a framework for negotiations to propose to U.C. Berkeley. In addition, the CWG should designate its negotiation team, and engage in preliminary discussions regarding how the negotiation team will get direction from the full CWG.

Raise Up Richmond looks forward to working with U.C. Berkeley, the City of Richmond, and all CWG members to negotiate comprehensive, legally-binding agreements that implement the CWG's recommendations, and taking the next step toward a long-term partnership for the betterment of the Richmond community.

Public Records Request Log 2015-2016
Week Ending June 9, 2016

| | Date of Receipt | Requestor | Requested Records/Information | Current Status |
|-----|------------------------|---|--|--|
| 32 | 10/12/15 | Fatima Alleyne | Lozano Smith Attorneys / All Invoices, Contracts and Expenses paid beginning January 1, 2014 – December 31, 2014 | Available documents ready for review |
| 38 | 10/16/15 | Fatima Alleyne | Parcel Tax Measure D for 2012-2013 School Year / All financial and bank statements, invoices, receipts and salaries | Available documents ready for review |
| 40 | 10/23/15 | Fatima Alleyne | Parcel Tax Measure D for 2009-2010 School Year / All financial and bank statements, invoices, receipts and salaries | Available documents ready for review |
| 41 | 10/26/15 | Fatima Alleyne | Parcel Tax Measure D for 2008-2009 School Year / All financial and bank statements, invoices, receipts and salaries | Available documents ready for review |
| 43 | 11/1/15 | Fatima Alleyne | All Contracts, Invoices and Expenditures for Legal services paid by the District for the 2013-14 School Year | Available documents ready for review |
| 48 | 11/10/15 | Fatima Alleyne | Job Descriptions for all Superintendents' positions | Available documents ready for review |
| 56 | 11/30/15 | Fatima Alleyne | 2015-16 Legal Services Contracts / Lozano Smith Attorneys- Ramsey & Ehrlich- Bragg Coffin Lewis & Trapp-and Swanson & McNamara | Available documents ready for review |
| 57 | 11/30/15 | Fatima Alleyne | Superintendent's Contract and 2014-15 and 2015-16 Goals | Available documents ready for review |
| 108 | 5/23/16 | Elliot Haspel Education Matters | WCCUSD "Academic Excellence" Mailers / Questions | 6/3/16 Response sent via email COMPLETED |
| 109 | 5/25/16 | Nicolas Roman Chamberlin Associates | Sylvester Greenwood Academy School Project – EIR and CEQA Reports/Documents | Gathering records |
| 111 | 5/31/16 | Patricia-Anne Watt | WCCUSD & Caliber Schools / Documents and/or Minutes regarding the sale of Adams Middle School | 6/9/16 Letter/information sent COMPLETED |
| 112 | 5/31/16 | Terry Smith Bay Area Builders Exchange | Lake Elementary-Exterior Painting Project / Pre-Bid Meeting Sign-In sheet | 6/7/16 Information sent via email COMPLETED |
| 113 | 6/2/16 | Michael Schoenfeld Murphy Austin Adams Schoenfeld LLP | Portola Middle School Project / Various records and documents | Acknowledgement letter sent 6/9/16 Letter of Extension sent |
| 114 | *5/20/16 | Lillian Chen Public Counsel | Madera Middle School / For 2014-15 and 2015-16 School Year – Suspensions, Expulsions and Transfers | Gathering/Reviewing Records |