

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
JULY 30, 2008**

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:

http://www.wccusd.net/board/APM_index.shtml

VIEWING AND LISTENING TO THE BOARD MEETINGS:

Radio: Regularly scheduled Board meetings are broadcast live over Radio Station KECG 88.1 and 97.7 FM.

Television: Regular Board meetings are also broadcast by the City of Pinole on PCTV Channel 26 and HCTV Channel 25, and the Hercules city cable channel 28.

Audio tapes of Board meetings are kept on file in the Communications Office, Room 215, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1132). The Board of Education would like to acknowledge the City of Pinole for their generosity 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 **6:15 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (see Exhibit A). The Board will then adjourn to closed session in the Faculty Lounge and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

"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 Board Minutes: July 9, 2008**

C. AWARDS, RECOGNITIONS, AND REPORTS

* **C.1 Recognition of New Citizens from the West Contra Costa Adult Education Citizenship Classes**

Comment:

For the school year 2007-08, through our West Contra Costa Adult Education Citizenship Classes, students were instructed in US History, American Government and Basic English. With the support of these classes we are pleased to announce that 99 adult students passed the “Naturalization Interview” and thus became US Citizens.

Recommendation: For Information Only

Fiscal Impact: None

* **C.2 Citizens’ Bond Oversight Committee Report**

Comment:

The Citizens’ Bond Oversight Committee Chairperson, Sue Pricco, will provide an update to the Board.

Recommendation: For Information Only

Fiscal Impact: None

* **C.3 Actuarial Study on Health Benefits**

Comment:

The District commissioned an actuarial study on postretirement health care benefits. A representative with Nicolay Consulting Group will present the Actuarial Valuation of Postretirement Health Benefits as of July 1, 2008, with results rolled back to July 1, 2007, for implementation of GASB 45.

Recommendation: For Information Only

Fiscal Impact: The present value of future postretirement healthcare benefits is \$727,669,242. The present value of postretirement healthcare benefits prior to July 1, 2008 (GASB 45 liability) is \$495,877,303.

The District’s 2007-08 Normal Cost (actuarial present value of benefits earned in the 2007-08 school year) is \$19,604,336. First year amortization under GASB 45 of the actuarial accrued unfunded liability for previously earned benefits of \$495,877,303 over 30 years would create an additional required annual

contribution of \$19,382,646. The total Annual Required Contribution for 2007/08 under GASB 45 would be \$38,986,982. Estimated pay-as-you-go expense is \$15,589,728.

Implementation of GASB 45 is required for the school year as of July 1, 2007.

* **C.4 Preliminary Draft Report on Student Demographics**

Comment:

The West Contra Costa Unified School District requested proposals from qualified firms and individuals to provide demographic services to WCCUSD for the preparation of a ten year student demographic study. Davis Demographics was selected to prepare the reports.

A representative from Davis Demographics will present a preliminary report of student demographics by high school attendance area.

Recommendation: For Information Only

Fiscal Impact: None

* **C.5 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. Robert Griffin, former Assistant Superintendent for Richmond Unified School District, passed away on July 7. Dr. Griffin worked for the district from 1954 until he retired in 1983. He served as a Principal at Stege Elementary School, Assistant Superintendent Elementary Education, and Assistant Superintendent Special Services.

The El Cerrito community is mourning the loss of Jamal Jawad. Jamal loved kids, and everything he did around the Jawad children's school years involved all kids: coaching, cooking, over-night field trips, school fundraisers, and safety monitoring at Portola and ECHS, with special attention given to at risk young men, encouraging them to stay in school.

In 2006 Jamal was awarded the Juvenile Justice Commission Award for Outstanding Service/Contribution by a Community Volunteer and the PTSA Honorary Service Award for recognition of outstanding service to children and youth. His final act for youth of El Cerrito High was a \$1,000.00 scholarship to be awarded to at risk young men of El Cerrito in order to encourage them to go to college.

The celebration of his life will be August 16 at 4:00 PM at the El Cerrito Community Center, on Moeser just below Portola.

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

Recommendation: For Information Only

Fiscal Impact: None

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

* **D.1 Superintendent's Report**

* **D.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.

E. ACTION ITEMS

None

F. DISCUSSION ITEMS

* **F.1 Board Policy Section 5000 – Students**

Comment:

The Board Policy manual has become out of date over the last few years. In order to bring it up to date, the Superintendent's Cabinet has been bringing sections of the manual to the Board for approval.

The first stage of the process is to bring to the Board a section of the Board Policies for first reading. At that time, the Board provides feedback and suggestions for revision. Next, policies are distributed widely to the various stakeholder groups for feedback and input. The Superintendent's Cabinet reviews the feedback and incorporates it into the various policies as appropriate. Once that has been completed, the policy section will come back to the Board for adoption. As each section is approved, the adopted items become the policies of the Board of Education. Once adopted, the Superintendent's staff will develop and disseminate for feedback the appropriate administrative regulations to support the policies.

Recommendation: Board to review Board Policy Section 5000 and provide suggestions for revision.

Fiscal Impact: None

G. 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.

***CI G.1 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve the following contracts for services as detailed dated July 30, 2008.

Recommendation: Recommend Approval

Fiscal Impact: As noted per contracts summary

***CI G.2 Grants/Awards/Agreements**

Comment:

Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed dated July 30, 2008.

Recommendation: Recommend Approval

Fiscal Impact: As noted per grants summary

***CI G.3 Acceptance of Donations**

Comment:

The District has received donations as summarized dated July 30, 2008. The estimated values for any non-cash donations are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary

***CI G.4 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2008-09 school year are summarized, dated July 30, 2008.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

***CI G.5 Adoption of Resolution No. 20-0809: Replacement of Outdated Warrants**

Comment:

Government Code Section 29802(c) allows the governing board, by resolution, to order a replacement check be issued for a warrant that is stale dated. This resolution authorizes the issuance of a check to replace the outdated warrant for Eunice Williams. Staff recommends replacement of the stale dated warrant.

Recommendation: Recommend approval to replace the outdated warrant

Fiscal Impact: No impact

***CI G.6 Agreements for Nonpublic, Nonsectarian School/Agency Services**

Comment:

Permission is requested of the Board of Education to approve the Master Contracts between the District and the additional named agency for nonpublic, nonsectarian school/agency services for the period of June 25, 2008 through June 30, 2009.

Non Public Agency

Ed Support Services

Recommendation: Recommend Approval

Fiscal Impact: \$5,500.00 - Non-LCI (No budgetary impact; included in previously approved Master Contract for services.)

***CI G.7 Certificated Personnel Changes**

Comment:

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

Recommendation: Recommend Approval

Fiscal Impact: None

***CI G.8 Routine Personnel Changes – Classified**

Comment:

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

Recommendation: For Information Only

Fiscal Impact: None

***CI G.9 Approve Job Description: Help Desk Technician**

Comment:

Part of the restructuring plan for Information Technology Systems includes creating a Help Desk Technician. A proposed job description is provided.

Recommendation: Recommend Approval

Fiscal Impact: To be determined

***CI G.10 Notification of Claims Rejected**

Comment:

The District has received claims requesting compensation for personal injury and property damage. The District's risk management firm has investigated the claims and is requesting the School Board to ratify the authorized claim rejections.

Recommendation: Ratify the rejection of claims

Fiscal Impact: None

***CI G.11 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Warehouse Elevator, El Cerrito HS Admin/Theater, Cameron School Roofing, and Pinole Middle School New Gym/Classroom Building projects. 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 Warehouse Elevator project is required by the Board, with special findings as noted below, because it 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 approving and 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 by this action: \$423,835.

***CI G.12 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified 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: \$322,079. Funding sources as noted.

***CI G.13 Emergency Repair Program (ERP) – Pinole Valley High School Paving Award of Contract**

Comment:

The State Allocation Board has approved the paving project at Pinole Valley High School under the Emergency Repair Program application. The scope of work is repair and improvements to the front

parking area to include removal of existing asphalt and replacement of new asphalt and striping. Plans and specifications have been prepared by the Seville Group (SGI).

The District is currently conducting a public bidding process for the project. Bids are due on July 29, 2008. Staff will bring a recommendation for award to the meeting of July 30, 2008.

Recommendation: Award contract to the lowest responsive, responsible bidder.

Fiscal Impact: \$ _____. Emergency Repair Program Funds

***CI G.14 Pinole Valley High School Access Compliance Restrooms Project Award of Contract**

Comment:

As part of completing the construction of the Pinole Valley High School Track and Field project, the District relocated modulars from the track area to a new small school area within the main campus. The Division of State Architect (“DSA”) required the District to complete basic access compliance projects on the campus as a part of this project. This work must now be completed by the District prior to any other work on the site in order to close out the original modular relocation project. The work included in this project is renovation of a minimum of one men’s and one women’s student/staff restroom on campus. This will provide a basic handicapped compliance upgrade to this site as required by DSA. The student restrooms adjacent to the multi-purpose rooms and the staff restrooms in the administration building will be upgraded as a part of this work. In addition to providing full handicapped accessibility, the restrooms will be fully upgraded with new fixtures and finishes to meet the District’s standards.

Beverly Prior Architects has prepared plans and specifications for the Pinole Valley Modular Relocation project, and this Access Compliance Restrooms project portion of the main work. The District is currently conducting a public bid process for this project. Bids will be received on July 25, 2008. Staff will bring a recommendation for award to the meeting of July 30, 2008.

Recommendation: Award contract to lowest responsive, responsible bidder.

Fiscal Impact: \$ _____. Project is funded from the Measure J Bond.

***CI G.15 King Elementary Demolition, Sitework, and Temporary Playground Project Award of Contract**

Comment:

The first step in the reconstruction of Martin Luther King Jr. Elementary School is to demolish the existing community center building (a vestige of the original Pullman School), grade and prepare the site, and to construct a temporary playground for the school to use during construction. After completing this project, the work on the new school will be begin.

Quattrochi Kwok Architects has prepared plans and specifications for the Reconstruction of King Elementary School project, and this Demolition, Sitework and Temporary Playground project portion of the main work. The District is currently conducting a public bidding process for the project. Bids are due on July 29, 2008. Staff will bring a recommendation for award to the meeting of July 30, 2008.

Recommendation: Award contract to lowest responsive, responsible bidder.

Fiscal Impact: \$ _____. Funded from the Measure J Bond.

***CI G.16 Construction Access, Right of Use, and Restoration License Agreement with the City of Richmond for a Temporary Playground at King Elementary School.**

Comment:

The reconstruction of King Elementary School will be on the school's existing playground area. The school will remain in session in the two remaining buildings on the site. This is a cost-effective approach which mitigates the need for interim housing for students. However, it is necessary to provide for a temporary playground area. The City of Richmond has agreed to allow the District to use the portion of the M.L. King Park adjacent to the school as a temporary playground during construction. The proposed agreement with the City of Richmond provides for a legal framework to allow construction, use, and restoration of the site. The agreement is attached and has been prepared by District's legal counsel. It is currently being reviewed and will be set for approval by the City of Richmond.

Recommendation: Approve Construction Access, Right of Use and Restoration License Agreement with City of Richmond.

Fiscal Impact: Not known exactly at this time. Project budget includes funds for temporary playground construction and restoration. Project is funded from the Measure J Bond.

***CI G.17 Approval of Updated Measure J Program Budget with Adjusted Allocations and Revenues**

Comment:

Ongoing adjustments to project funding allocations and adjustments for revenues received are incorporated into the District's Measure J Bond Program budget. The Bond Team reconciles project expenditures on a monthly basis and these adjustments need to be incorporated into the program budget. In addition, as projects are bid out, there may need to be adjustments to account for project bids that are over budget. The Measure J Program budget included with this item contains a number of reconciliation elements including allowance for the Richmond HS Bleachers project bid adjustment, final projects to complete sitework and repairs at Mira Vista and Verde, and revenue adjustments reflecting Measure D interest earnings to date. This adjusted budget was reviewed and recommended for approval by the Board's Facilities Subcommittee.

Recommendation: Approve updated Measure J Program budget.

Fiscal Impact: Adjustments as noted in project budgets.

***CI G.18 State Approved Course List/A-22 Course Approval**

Comment:

Every year the Adult Ed program must submit for board approval their state approved course list in order to receive revenue for ADA generated by these classes.

Recommendation: Recommend Approval

Fiscal Impact: None

***CI G.19 Resolution No. 18-0809: Designation of Senior Management Positions**

Comment:

Education Code Section 45100.5 allows a school district to designate certain positions as senior management of the classified service. By adopting this resolution, the governing board of the West Contra Costa Unified School District designates the following positions as senior management of the classified service:

Associate Superintendent for Operations
Assistant Superintendent for Human Resources
Associate Superintendent for Business Services
Director of Communications

Recommendation: Recommend Approval of Resolution No. 18-0809

Fiscal Impact: None

***CI G.20 Citizens' Bond Oversight Committee Appointment**

Comment:

The following appointment has been made to the Citizens' Bond Oversight Committee:

Mr. Kirk Ferreira, representing Board President Karen Pfeifer

Recommendation: Recommend Approval

Fiscal Impact: None

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

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – August 20, 2008

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 (*).

BH:pr

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 30, 2008

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

1. Negotiators: Associate Superintendent of Operations/Jeff Edmison
2. Property: 2600 Moraga Road, San Pablo, CA. Price and all terms of agreement.
3. Property: Land located on either side of Lexington Avenue between Stockton Avenue and Eureka Street in El Cerrito, CA. Price and all terms of agreement.
4. Property: 1021 Navellier Street, El Cerrito, CA. Price and all terms of agreement.
5. Property: 230 Harbour Way South, Richmond, CA. Price and all terms of agreement.

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

[Government Code Section 54956.9(a)]

1. WCCUSD v. Charles T. Bryant & Associates (CTBA)
2. WCCUSD v. RDS Architects
3. Lumagbas et al. v. WCCUSD et al.
4. S.H. 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

The following administrative appointments will be reported for the 2008-2009 school year:

Assistant Principal
Senior Director of Fiscal Services
Director of Adult and Alternative Education

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

- a. Expulsions

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

10. REPORT OF CLOSED SESSION ACTIONS