

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
JOINT BOARD OF EDUCATION AND
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING**

**LOVONYA DEJEAN MIDDLE SCHOOL
MULTI-PURPOSE ROOM
3400 MACDONALD AVENUE
RICHMOND, CA 94805**

JULY 28, 2010

6:00 – 7:20 PM

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION MEETING**

JULY 28, 2010

7:30 PM

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.k12.ca.us/board/packets/index.htm>

VIEWING AND LISTENING TO 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 tapes 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 meeting times for tonight are as follows:

- | | |
|---------|---|
| 5:00 PM | The Board will convene at 5:00 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. |
| 6:00 PM | Joint Meeting of the Board of Education and Citizens' Bond Oversight Committee |
| 7:20 PM | Break |
| 7:30 PM | The Board will reconvene in open session to address the regular agenda. |

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

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
JOINT BOARD OF EDUCATION AND
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING
MEETING AGENDA**

JULY 28, 2010

6:00 – 7:20 PM

A. OPENING PROCEDURES

A.1 Welcome and Meeting Procedures

A.2 Roll Call

B. DISCUSSION ITEMS

* **B.1 Nystrom Project**

* **B.2 Qualified School Construction Bonds Update**

* **B.3 Citizens' Bond Oversight Committee / Board Communication**

* **B.4 Engineering Officer's Update**

C. PUBLIC AND COMMITTEE COMMUNICATIONS

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

C.1 Public Comment

Public Comment for items not on the agenda. Public comment on agenda items shall be at the time of consideration of the items.

D. ADJOURNMENT

The public may address items which are marked with an asterisk (*).

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION MEETING
MEETING AGENDA
JULY 28, 2010
7:30 PM**

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 7, 2010**

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 of the Board of Education to accept the grants/awards/agreements as detailed dated July 28, 2010.

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 28, 2010. 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 C.3 Approval of Fund-Raising Activities**

Comment:
The planned fund-raising events for the 2010-11 school year are summarized dated July 28, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve the contracts for services as detailed dated July 28, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

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

Comment:
Summaries of Payroll and Vendor Warrants issued during the month of June 2010:

Total of payroll warrants:	\$14,520,318
Total of vendor warrants:	20,891,119

Recommendation:
Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted above

***CI C.6 Resolution No. 15-1011 Child Development Contract #CSPP-0055**

Comment:

This contract is between the California Department of Education and the West Contra Costa Unified School District. By approving this resolution, the District will receive funds to be used for Child Development Services, for the State Preschool Program. This contract is for the fiscal year 2010/11, and is ongoing funding for the West Contra Costa Unified School District.

Recommendation:

Recommend approval of this resolution

Fiscal Impact:

Funding for State Preschool Program

***CI C.7 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this District provide supervision and evaluation for students seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher at no cost to the district.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed dated July 28, 2010.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.8 Notices of Completion: Bid J068182 Richmond High School Security Camera Project, J068228 Portola Middle School Portable Building Demolition and Site Work, W068181 Various Site Play Yard Improvements, J068229 Portola Middle School Reconditioning of Existing Electrical Switchboard**

Comment:

Substantial completion notices have been received for: Bid J068182, Bid J068228, Bid W068181, and Bid J068229.

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:

Walsh Electronics Systems Technology J068182 Richmond HS Security Camera Project.
Bohm Environmental J068228 Portola MS Portable Building Demo and Site Work.

Goldspring International W068181 Site Play Yard improvements at Collins, Coronado, Hanna Ranch, Highland, Peres, and Stege.
Del Monte Electric Co. Inc. J068229 Portola Middle School Reconditioning of Existing Electrical Switchboard.

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

***CI C.9 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 C.10 Certificated Provisional Internship Permit (PIP) Request(s)**

Comment:

The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to hire an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully credentialed teacher cannot be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.11 2010 Consolidated Application for Funding Categorical Aid Programs, Part I**

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.

Part I is submitted each June and serves as the District's application for categorical funding for the following academic year for both public and non-public schools. This report includes information about Title I Program Improvement schools. Expulsion, suspension, and truancy data are also included.

A copy of the 345 page document is available for review at the front desk of the Administration Building, 1108 Bissell Avenue, Richmond, CA 94801.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***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 as noted

Fiscal Impact:

Total for this action: \$461,754. Funding sources as noted

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

Comment:

Staff is seeking ratification of change orders on the following current District construction projects: Adams Middle School Site Improvements (Emergency Repair Project); and Dover Elementary School Reconstruction. 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.

Recommendation:

Ratify negotiated change orders as noted

Fiscal Impact:

Total ratification and approval by this action: \$55,203.75

***CI C.14 Juan Crespi Jr. High Emergency Repair Program Roofing Repair Contract Award**

Comment:

The District has received funding from the State Emergency Repair Program (“ERP”) to repair seriously deteriorated roofing systems on buildings and walkways, replacement of the 500 Wing roof, and replacement of ceilings at building hallways at the Crespi Jr. High site.

HY Architects prepared bid documents for the State-approved project. The District conducted a public bid process for the project. Bids were opened on July 15, 2010. Twelve Contractors submitted bids. They are as follows: IMR Contractors \$715,000; ERA Construction \$683,000; Goldspring \$652,927; Amana Engineering \$625,000; Western Roofing \$549,179; Kendrige Builders \$537,000; Fidelity Roof \$532,000; Albay Construction \$521,000; Pioneer Construction \$398,000.

Subsequent to the bid opening, and within the timeframes allowed by the Public Contract Code, the apparent low bidder withdrew their bid citing mathematical error in preparation of the bid. The District has accepted the withdrawal. Therefore, the lowest responsive bidder is Albay Construction at \$521,000.

Recommendation: Award contract to lowest responsive, responsible bidder

Fiscal Impact:

\$521,000. Funded from the Emergency Repair Program (“ERP”)

***CI C.15 Kennedy High School Field Building and Field Lighting Project Rejection of Bids & Authorization for Staff to Rebid the Project**

Comment:

This project will provide for field lighting for athletic events and team practices at the George Harris Field and Kennedy High School. In addition, this project includes a permanent building for restrooms, concessions, equipment storage and support spaces for the field area. This project will provide high quality facilities for community use.

Powell and Partners Architects completed plans and specifications for the project. The District conducted a public bid of the project. Bids were opened on June 10, 2010. Six Contractors submitted bids. They were as follows: John Plane Construction \$1,605,046; KMS, Inc. \$1,424,808; JDS Builders \$1,358,000; S&H Construction \$890,000; and CA Professional Builders \$829,500.

After opening the bids, the District received information that field lighting levels needed to be higher than designed in order to ensure similar light levels to our other current field lighting projects. Considering this information, it is appropriate that the District redesign the project and rebid. Therefore it is recommended that the Board take action at this time to reject all bids and authorize staff to rebid the project after making changes to the design.

Recommendation:

Reject all bids and authorize staff to rebid project with changes as noted above

Fiscal Impact:

Not known at this time, funded from the Measure J Bond

***CI C.16 Gompers Continuation High Campus Modulars Approval of Lease**

Comment:

The Gompers Continuation High School is located in the modular building campus formerly occupied by the Leadership Public Schools Charter High School (“LPS”). This group of buildings is located at 8th and Chanslor on District property adjacent to the old Gompers site. The lease for the buildings was previously held by LPS and will expire in August of this year. The District has been paying for the use of the buildings by reimbursing LPS, the current leaseholder. It is appropriate at this time for the District to take over the lease of the buildings directly with Mobile Modular. The construction of the new permanent campus for Gompers Continuation High School is currently in the schematic design phase. It is anticipated that this project will be ready for occupancy in approximately 2 ½ years or less. District staff has negotiated a 2 year lease and we can extend on a monthly basis as needed. The building leases have been negotiated down almost 20% lower than the current rates, which reflect the age of the buildings. The buildings will still be under Mobile Modular warranty and service. The lease includes a restroom building, one standard 24 x 40 building used for administration, and 5-24 x 60 classroom buildings, each containing two classrooms. The total lease cost per month is \$4,146. With a 24 month lease the total cost will be \$99,504. This campus is considered as a temporary housing campus, pending construction of the permanent Gompers buildings, and as such this project will be funded under the Bond Program.

Recommendation:

Approve modular building lease for Gompers Continuation High School

Fiscal Impact:

\$99,504 funded by the Measure J Bond - Gompers/LPS Project budget

***CI C.17 Richmond College Prep Charter Campus Modulars Award of Contract**

Comment:

The Richmond College Prep Charter (“RCP”) continues to expand their campus at the Nystrom site. The Board recently renewed the RCP Charter. As part of their equivalent facilities request RCP has indicated that they will need two additional classrooms to meet the next phase of enrollment. The District has been working with the school to locate the new classrooms and retained Interactive Resources to complete plans and specifications for new modular classrooms. The project plans, which will locate the new building at the rear of the existing Harbour Way Academy building, have been approved by the Division of State Architect. The District has received pricing on the modular buildings from Mobile Modular, in accordance with the pricing which was publically bid for the Portola Temp campus, on which this vendor was the lowest bidder among five modular building vendors.

Recommendation:

Approve contract for modular building purchase

Fiscal Impact:

\$92,452.83 funded by the Measure J Bond, Richmond College Prep Charter budget

***CI C.18 Modularity Award of Contract: Richmond College Prep Charter Campus and Valley View Elementary Replacement**

Comment:

There are two schools which require modular building purchase:

1. The Richmond College Prep Charter (“RCP”) continues to expand their campus at the Nystrom site. The Board recently renewed the RCP Charter. As part of their equivalent facilities request RCP has indicated they will need two additional classrooms to meet the next phase of enrollment. The District has been working with the school to locate the new classrooms and retain Interactive Resources to complete plans and specifications for new modular classrooms. The project plans, which locate the new building at the rear of the existing Harbour Way Academy building, have been approved by the Division of State Architect.
2. Valley View Elementary School has a modular building which became severely deteriorated due to water damage. It was unusable as a classroom and the building has been removed by the District pending replacement. HMR Architects is preparing plans and specifications for DSA approval. The new modular will be placed in the same location as the previous building on campus.

The District has received pricing on the modular buildings from Mobile Modular, in accordance with the pricing which was publically bid for the Portola Temp campus, on which this vendor was the lowest bidder among five modular building vendors.

Recommendation:

Approve contract for modular building purchase

Fiscal Impact:

\$92,453. Funded by the Measure J Bond, Richmond College Prep Charter budget.

\$31,621. Funded by the Special Reserve for Capital Facilities Fund 40.

***CI C.19 Portola Middle School Temporary Housing Rain/Shade Structure Award of Contract**

Comment:

The temporary campus at Portola Middle School is nearing completion. The campus has a lunch shelter system adjacent to the temporary kitchen. However, it is clear that an additional outdoor shelter will be needed in order to accommodate the number of students on campus. The site will be without a large multi-purpose/cafeteria space for a year or more and this will provide appropriate outdoor gathering space for students. It is proposed to provide an additional temporary rain/shade shelter using a modular, pre-approved system with PVC-coated fabric covering on the playground area. This will provide both sun and rain protection. It is proposed to install a system totaling 30’ wide x 40’ long x 12’ high.

The District has received a “piggyback” contract price for providing and installing the shade structure. The piggyback contract is an award from the San Joaquin County Office of Education dated October 23, 2007, to the USA Shade & Fabric Structures, Inc. This contract has been updated annually to reflect current pricing. The pricing for the product and installation is in accordance with this contract. The West Contra Costa Unified School District is a named additional district in the piggyback contract. The total cost for providing and installing the system is \$56,155.95.

Recommendation:

Award contract to USA Shade & Fabric Structures, Inc. under the terms and conditions of the San Joaquin County Office of Education piggyback contract

Fiscal Impact:

\$56,155.95 funded from the Measure J Bond

***CI C.20 Approve Purchase of Maintenance Equipment for Helms and El Cerrito High Projects**

Comment:

The District's Bond Program includes provisions for providing maintenance equipment for new building systems. The Helms Middle School project and the El Cerrito High School project require maintenance equipment at this time. These items will allow maintenance of the ECHS Theater and all areas of Helms campus. District staff and the Bond team prepared a public bid process. Two vendors provided pricing. They are as follows:

Toyota Material Handling: Electric boom lift, JLG Lifts, Electric Cart Carrier and trailer, \$75,994.
Advance: Rider Sweeper, \$29,042.

Recommendation:

Approve purchase of maintenance equipment for projects as noted

Fiscal Impact:

\$105,036 funded by the Measure J Bond from Helms Middle School and El Cerrito High School project budgets

***CI C.21 Approval of Program and Construction Management Services for Additional Projects and Staffing**

Comment:

The District's Bond Program is managed primarily by Seville Group ("SGP"). This includes individual project construction management and program management services. Not all projects in the Measure J program are currently under contract and it is appropriate at this time to approve construction management services for two projects which are beginning constructed. For the Nystrom Multi-Purpose Building project the services are through August 2011 and include a full time on-site construction manager and a half-time project engineer. The Restroom Wall Cracks repair project is a limited duration half-time position contract through November 2010. In addition, SGI provides staffing for program management for estimating, scheduling, document control, network support services, and administrative staff. The proposed program management services and personnel costs are for the 2010/2011 fiscal year and include reimbursable expenses of approximately \$30,000/month for the Facilities Operations Center. The program management budget is included in the overall District budget for the program and each project budget carries a share of the program management costs.

There are three specific proposals recommended for approval under this action:

Nystrom Multi-Purpose Building Construction Management:	\$428,188
Restroom Wall Cracks Repair Project:	\$ 39,984
Program Management Services/General Condition Reimbursable:	\$1,255,247

Recommendation:

Approve contracts for construction management on additional projects as noted and for Program Management staffing as noted

Fiscal Impact:

\$1,723,419 funded by the Measure J Bond, from project budgets as noted and program management budget

***CI C.22 Inspector of Record Contracts for Bond Program Projects 2010-2011**

Comment:

Every construction project in the District approved by the Division of State Architect (“DSA”) is required to have on-site, continuous inspection in order to ensure compliance with the approved plans and specifications. These inspectors are certified by DSA, approved by the Architect of Record, and are hired by the District. The District currently has 5 inspectors under contract. In addition to our regular inspection team, the District has a master inspector, Steve Cayson/Production Technical Services who coordinates all of the work of the project inspectors, coordinates District inspection needs with DSA, and is responsible for coordination of District utilities for the projects. In addition, staffing for individual projects may include more than one inspector or a Class 1 with full responsibility supervising a Class 2 or 3 inspector. It is appropriate to approve contracts with these individuals for the upcoming year in order to ensure continuity on the projects. These costs are budgeted for each project in the District’s Bond Program. The inspectors, project assignments, and contract amounts are as follows:

Mark Eriksen, Class 1: Ford, King Reconstruction Projects, \$16,466/month. \$197,600/year;
Kris Gilbert, Class 1: Dover, Pinole Middle, and Nystrom Multi-Purpose, \$16,466/month, \$197,000/year;
A.J. Washington, Class3 w/Welding Certifications: DeAnza Main Campus, \$14,733/month,
\$176,800/year;
Brad Williamson, Class 3: Richmond HS ERP, Nystrom Multi-Purpose, Kennedy HS projects,
\$13,000/month, \$156,000/year.

Steve Cayson, Class 1, Master Inspector, Supervision of all inspectors: DeAnza Main Campus. Utilities and services coordination with PG&E, EBMUD, Sanitary Districts for all projects. \$21,880/month, \$262,560/year.

Recommendation:

Approve Inspector of Record Contracts

Fiscal Impact:

\$990,560 funded by the Measure J Bond, from individual project budgets as noted above

***CI C.23 Measure D 2010 Bond Program Oversight**

Comment:

Proposition 39, approved by California voters in the November 6, 2000, general election, provides that the Governing Board of a school district may pursue the authorization and issuance of bonds by 55 percent vote of the electorate. As a result of the passage of Proposition 39, language was added to the Education Code requiring school districts passing a bond designated as a Proposition 39 bond election to establish a Citizens' Oversight Committee ("Committee") to actively review and report on the use of bond proceeds whenever the district passes a Proposition 39 bond.

When a Proposition 39 bond is passed, the Board shall establish a Committee to actively review and report on the use of bond proceeds to ensure they are spent only on school and classroom improvements and not for any other purpose. The Committee shall be established within sixty (60) days of the date that the Board enters the election results in its minutes.

At the June 23, 2010, regular meeting of the CBOC, unanimous action was taken to recommend the addition of the oversight for the Measure D 2010 bond program, to the prevue of the existing responsibilities. Staff recognizes the valuable service and commitment that the committee provides for the benefit of the community and the district and supports their recommendation.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.24 Citizens' Bond Oversight committee (CBOC) appointments: Jason Gallia to represent Contra Costa Building Trades Council and Re-appointment of Marcus Mitchell representing Public Employees Union Local 1**

Comment:

The current appointee from the Contra Costa Building Trades Council, Robert Sewall, has completed two consecutive terms on the CBOC. The Council has recommended Jason Gallia as their new member of the CBOC.

The current appointee from Public Employees Union Local 1 is Marcus Mitchell. Mr. Mitchell has served one term, which expires in July 2010. It appropriate at this time to appoint Mr. Mitchell to a second two-year term.

Recommendation:

Approve appointments as noted

Fiscal Impact:

None

***CI C.25 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, 2010 through June 30, 2010.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.26 Resolution No. 17-1011: In Support of the California Jobs Budget**

Comment:

In this legislative session, Assembly Speaker John A. Pérez has authored the California Jobs Budget, which takes a different approach toward resolving the state's budget deficit, focused on creating and saving jobs, while closing the deficit. The California Jobs Budget includes a \$10.1 billion jobs and economic stability fund that will protect against the loss of the 430,000 jobs threatened under other proposals. The Speaker is asking the Board to support this legislation and its intent to alleviate the financial stress that schools are experiencing.

Recommendation:

Approve Resolution No. 17-1011: In Support of the California Jobs Budget

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

D.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
Community Budget Advisory Committee
Facilities Subcommittee
Ivy League Connection
Safety Committee
Special Education Citizens Advisory Committee
Youth Commission

Public Employees Local 1
School Supervisors Association
United Teachers of Richmond
West Contra Costa Administrators Association

* **D.2 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.

Mr. Wilfredo Salta recently passed away in the Philippines. He started teaching in the District in 2001 and taught most recently at Hercules Middle High School. Services were held in the Philippines.

Mrs. Laverne Dyes passed away on June 30, 2010. She worked in the District for over thirty years before her retirement in 2000. She will be remembered for her participation in the Career Opportunity Program (COP), a teaching program that trained low income paraprofessionals in education to eventually become classroom teachers.

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

Recommendation:

For Information Only

Fiscal Impact:

None

E. PUBLIC AND COMMITTEE COMMUNICATIONS

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

* **E.1 Superintendent's Report**

* **E.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 agendaized, but may refer these to staff for response and/or placement on future agendas.

F. ACTION ITEMS

* **F.1 Authorize a Parcel Tax Election Resolution No. 16-1011**

Comment:

By statute the per pupil revenue limit for 2010-11 should be \$6,390 but due to the financial crisis and the Legislature's inability to fund public education in California, West Contra Costa Unified School District will receive only \$4,951. The total loss of revenue to WCCUSD is nearly \$40 million. The Board has

demonstrated financial stewardship in making expenditure reductions including closing schools, capping employee health benefits, requiring employees to take furlough days, raising class sizes, and reducing or eliminating many programs that had served the students of the District. In adopting a budget for 2010-11, the Board used several one-time funding sources such as the Federal Stimulus money to keep essential programs and services. Yet, the District faces a deficit of \$3.2 million for 2010-11 and huge program and service reductions for 2011-12.

At the June 22, 2010 meeting, the Board authorized a contract with Godbe Research to perform a random sample survey to aid in determining the degree to which the community is willing to support a possible local measure that would help in replacing the vast amount of state funding that has been lost due the State's revenue shortfall. At the July 7, 2010 meeting, Bryan Godbe from Godbe Research presented the results of that survey. The survey results show the voters are willing to support a small parcel tax that would help the District continue to fund key programs and services to get through the current financial hardship.

Recommendation:

That the Board approve ballot language and Resolution No. 16-1011 authorizing a parcel tax measure on the November 2010 ballot

Fiscal Impact:

Provide \$9.8 million each year for 5 years for programs and services to students

* **F.2 Refund 2002 Measure "D" Bonds by using the proceeds from Measure "J" Series "D" Bond**

Comment:

The District received authorization to issue \$300 million in general obligation bonds on March 5, 2002. The District issued the full amount of the authorization in four series. The overall debt service structure on the bonds issued under the 2002 Measure D authorization, as originally structured, escalates at 4.2%, on average, and has not changed since the issuance of Series D Bonds in October 2005. Since that time, the Measure D tax rates have gone from \$48.70 to \$44.20 to \$48.40 to \$58.10 per \$100,000 of AV (Assess Valuation). The maximum tax rate target on the 2002 bonds was \$60 per \$100,000 of AV. Preliminary tax base figures from the County indicate that AVs will decline by 7.7% in tax year 2010-11. Based on the preliminary AV provided by the County, the District Staff believes that the Measure D could be in excess of \$65.00 per \$100,000 of AV. District Staff would use an amount of \$1,600,000 from the recent Measure "J" Series "D" bond sale to refund 2002 Measure "D" bonds. This will allow the District to keep the 2010 – 11 tax rates below the tax rate target of \$60 per \$100,000.

Recommendation:

Approve proceeds from Measure "J" Series "D" to refund 2002 Measure "D" bonds in an amount not to exceed \$1,600,000 and authorize the Superintendent and the Associate Superintendent for Business Services to execute and deliver any certificates, notices, agreements or other documents that they may deem necessary in order to accomplish the refunding of such 2002 Measure "D" bonds.

Fiscal Impact:

Savings for taxpayers to be determined

G. DISCUSSION ITEMS

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 – August 18, 2010

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 **7:30 PM.**

EXHIBIT A

(Government Code Section 54954.5)
CLOSED SESSION AGENDA

July 28, 2010

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
[Government Code Section 54956.9(a)]

1. Srago v. WCCUSD
2. WCCUD v. Orrick
3. Signature at Anchor Cove 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)

Four cases

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

Administrative Appointments for 2010 – 2011

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