

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
APRIL 4, 2012**

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 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 **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 Gompers High School

B.5 Report/Ratification of Closed Session

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

* **B.7 Minutes: March 21, 2012**

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 Acceptance of Donations**

Comment:

The District has received donations as summarized, dated April 4, 2012. The estimated values for any non-cash donations are provided by the donor. Staff recommends acceptance of these donations.

Recommendation:

Recommend approval

Fiscal Impact:

As noted per donations summary

***CI C.2 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2011-12 school year are summarized, dated April 4, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

***CI C.3 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve the following contracts for services as detailed, dated April 4, 2012.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.4 Routine Personnel Changes - Certificated**

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

Recommendation:
For Information Only

Fiscal Impact:
None

***CI C.5 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 C.6 Six students from our district high schools will be participating on a 15 day college tour**

Comment:
Young Scholars Program is a college preparatory program. The students will be participating in a 15 day Historical Black College Tour. There will be 6 students and 1 adult participating.

Recommendation:
Recommend Approval

Fiscal Impact:
\$25,000.00 QEIA Funds

***CI C.7 Board Policy 6170.1 Transitional Kindergarten (TK)**

Comment:
Per state legislation, each Local Educational Agency (LEA) must have a Board Policy for Transitional Kindergarten. Board members reviewed the TK policy at the March 21 board meeting. The policy is now being submitted for approval.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.8 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: \$ 560,406.40. Funding sources as noted.

***CI C.9 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: De Anza HS Replacement Campus, Nystrom ES Multipurpose Room, King ES Construction and Demo and Verde ES Toilet Room Restoration. 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 Verde ES Toilet Room Restoration project is required by the Board, with special findings as noted, because these projects are 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 and approval by this action: \$284,657.42

***CI C.10 Acceptance of the 2010-2011 Financial Bond Audit Report**

Comment:

Crowe Horwath LLP has prepared the independent financial bond audit report. The Citizen Bond Oversight Committee recommended at their meeting on March 28, 2012, that the Financial Bond Audit Report would be presented to the Board of Education. The Financial Bond Audit Report may be viewed on the WCCUSD website and at the District Office, located at 1108 Bissell Avenue, Richmond, CA.

Recommendation:

Accept the financial bond audit report, for the year ending June 30, 2011.

Fiscal Impact:

None

***CI C.11 Approval of El Cerrito High School Stadium and Field Replacement Additional Design Fees**

Comment:

El Cerrito High School Stadium Replacement is one of the listed projects in Measure D-2010 Bond. The project was initiated with the scope and budget as identified under the project program for the Campus Replacement under Measure J bond. However, extensive soil and geotechnical issues, and increases in project scope have required substantial coordination and design modifications by WLC and its consultants. Fees will address these services for the additional scope.

Recommendation:

Approve Additional Design Fees proposed for El Cerrito High School Stadium and Field Replacement.

Fiscal Impact:

Total for this action: \$432,000. Funding source: Measure D-2010 Bond.

***CI C.12 Coronado Elementary School at Kennedy High School Portable Lease**

Comment:

West Contra Costa Unified School District requires the installation of DSA Approved Reconditioned Portable Classroom and support buildings for Coronado Elementary School at a site within the Kennedy High School campus. Each portable will provide for power connection, paging and intercom, and data systems. Additionally, it will provide fire alarm system components (smoke detector, pull station, horn, strobe, etc.) and intrusion alarm components for connection to the site's systems. The District has selected the proposed vendor based upon the cost for portable buildings delivered to the site with all design and engineering suitable for DSA approval as well as a warranty period of a minimum of three (3) years to repair and replace any defective system components. The term of the lease is anticipated to be sixty (60) months.

The District engaged in a public bid process for the project. Bids were opened on March 12, 2012. One vendor submitted a bid. The bid was from Mobile Modular for \$1,158,128. The apparent lowest bidder is Mobile Modular.

Recommendation:

Award contract to Mobile Modular

Fiscal Impact:

\$1,158,128. Funded from the Measure D-2010 Bond.

***CI C.13 Kennedy High School Science Classrooms Portable Lease**

Comment:

West Contra Costa Unified School District requires the installation of DSA Approved Reconditioned Portable Science Classrooms and support buildings at a site within the Kennedy High School campus. Each portable will provide for power connection, paging and intercom, and data systems. Additionally, it will provide fire alarm system components (smoke detector, pull station, horn, strobe, etc.) and intrusion alarm components for connection to the site's systems. The District has selected the proposed vendor based upon the cost for portable buildings delivered to the site with all design and engineering suitable for DSA approval as well as a warranty period of a minimum of three (3) years to repair and replace any defective system components. The term of the lease is anticipated to be twenty-four (24) months.

The District engaged in a public bid process for the project. Bids were opened on March 13, 2012. One vendor submitted a bid. The bid was from Mobile Modular for \$752,568. The apparent lowest bidder is Mobile Modular.

Recommendation:

Award contract to Mobile Modular

Fiscal Impact:

\$752,568. Funded from the Measure J Bond.

***CI C.14 Multipurpose Room Audio-Visual Project at Helms MS**

Comment:

The scope of work for this project consist of the installation of audiovisual systems at Helms Middle School's Multipurpose Room, including, but not limited to, loudspeaker system, portable AV rack with mixing board, operation mode plate, self-powered stage monitors, wireless RF Hearing Assistance System, and wireless microphone channels.

The District engaged in a public bid process for the project. Bids were opened on March 20, 2012. Three contractors submitted bids. They are as follows: Triumph Construction Group, \$58,890; ERA Construction, \$67,570; AM Woo Construction, Inc., \$78,200. The apparent lowest bidder is Triumph Construction group.

Recommendation:

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact:

\$58,890. Funded from the Measure D Bond.

***CI C.15 Multipurpose Room Audio-Visual Project at Pinole MS**

Comment:

The scope of work for this project consist of the installation of audiovisual systems at Pinole Middle School's Multipurpose Room, including, but not limited to, loudspeaker system, portable AV rack with mixing board, operation mode plate, self-powered stage monitors, wireless RF hearing assistance system, and wireless microphone channels.

The District engaged in a public bid process for the project. Bids were opened on March 20, 2012. Four contractors submitted bids. They are as follows: Point One Electrical Systems, \$71,722.34; ABG Group, \$72,400; AM Woo Construction, Inc., \$80,800; ERA Construction, Inc., \$85,800. The apparent lowest bidder is Point One Electrical Systems.

Recommendation:

Award contract to the lowest responsive, responsible bidder after the expiration of the protest period.

Fiscal Impact:

\$71,722.34. Funded from the Measure D-2010 Bond.

***CI C.16 Nystrom Elementary School Portable Lease**

Comment:

West Contra Costa Unified School District requires the installation of DSA Approved Reconditioned Portable Classrooms and support buildings at a City of Richmond site adjacent to the Nystrom Elementary School Site. Each portable will provide for power connection, paging and intercom, and data systems. Additionally, it will provide fire alarm system components (smoke detector, pull station, horn, strobe, etc.) and intrusion alarm components for connection to the site's systems. Furthermore, one portable classroom shall be provided to the Leadership Public School temporary campus, which is located on the same city block. The District has selected the proposed vendor based upon the cost for portable buildings delivered to the site with all design and engineering suitable for DSA approval as well as a warranty period of a minimum of three (3) years to repair and replace any defective system components. The term of the lease is anticipated to be thirty (30) months.

The District engaged in a public bid process for the project. Bids were opened on December 19, 2011. Two vendors submitted bids. They are as follows: Mobile Modular, \$637,288; William Scottsman, \$889,662. The apparent lowest bidder is Mobile Modular.

Recommendation:

Award contract to the lowest responsive, responsible bidder

Fiscal Impact:

\$637,288. Funded from the Measure J Bond.

***CI C.17 Nystrom Elementary School Temporary Campus Site Work Project Award of Contract**

Comment:

As part of the preparation for the Modernization of Nystrom Elementary School's main classroom building, the District is preparing a temporary campus adjacent to the school, on City of Richmond

property. Scope of the project will include grading and paving of the site, installation of requisite utility infrastructures, receiving and connecting of portable classroom, administration, and support buildings. Removal of potentially contaminated soil is also within the project scope.

Interactive Resources has prepared plans and specifications for the project. The District conducted a public bid process for the project. Bids were opened on March 1, 2012. Five Contractors submitted bids. One of the bidders submitted their bids without a signed acknowledgement of all addenda and was rejected as non-responsive. The apparent low bidder subsequently submitted a withdrawal letter due to a mathematical error in its bid. The second contractor claimed a mathematical error by their listed sub-contractor, but, was willing to honor their bid, but, needed to substitute said sub-contractor. Given this situation it is appropriate for the District to reject all bids and rebid the project.

Recommendation:

Reject all bids and direct staff to rebid the project

Fiscal Impact:

Not known at this time. Funded by the Measure J Bond, under the Nystrom Elementary School Modernization Project budget.

***CI C.18 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 January 1, 2012 through March 31, 2012.

Recommendation:

Recommend Approval

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Recognition of John Iwawaki for his 100th Escape Club Camping Trip**

Comment:

For the last twelve years, DeJean teacher John Iwawaki has been leading overnight camping trips for students to places like Yosemite, Mt. Diablo State Park, Monterey Bay Aquarium, SF Zoo, Golden Gate Bridge, Fort Point, Marine Mammal Center, Angel Island, Whale Watching in Monterey, Sledding in the Sierras, Año Nuevo State Park, Slide Ranch, Alamere Falls in Pt. Reyes National Seashore, Yosemite National Park, Albany Bowl, Oakland Ice Center. The work is underwritten by grants and service clubs such as the Richmond Rotary. The idea behind the trips, which are all taken outside of school time, is to broaden the student's understanding of nature, empower them to work in teams and experience the world in ways that they have not before.

Recommendation:

Recognition Only

Fiscal Impact:

None to the District General Fund

* **D.2 Budget Update**

Comment:

Associate Superintendent Business Services will provide an update on the budget.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.3 Closing the Achievement Gap Update**

Comment:

The Board would like to have an ongoing conversation about closing the achievement gap and moving all students to high levels of achievement. Staff will give an overview of relevant District-wide programs and data, as well as share effective classroom practices and protocols.

Recommendation:

Board to continue the conversation about closing the achievement gap

Fiscal Impact:

None

* **D.4 Board Priority on Middle School Mathematics - It All Adds Up**

Comment:

At the January Board retreat, the Board identified improving middle school mathematics as a priority for 2012. The Board named three strands as part of that priority: 1) Improve communication flow and data analysis to improve student math achievement; 2) Improve programmatic content; and 3) Increase student success through summer and extended day initiatives that are nurturing, challenging, inclusive and safe (physically and socially). Since the Board retreat, district staff have designed activities and timelines to reach the objectives that the Board had established. That work has been presented to the Board's Academic Subcommittee and shared with middle and high school teachers from throughout the district. The plan was updated after those meetings and is ready for Board review.

Recommendation:

That the Board review the plan for implementing the Board priority on middle school mathematics – “It All Adds Up.”

Fiscal Impact:

Budgeted for 2011-12

* **D.5 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	Safety Committee
Bayside Parent Teacher Association	Select Committee on High Schools
Citizens’ Bond Oversight Committee	Youth Commission
Community Budget Advisory Committee	Public Employees Local 1
Facilities Subcommittee	School Supervisors Association
Ivy League Connection	United Teachers of Richmond
Linked Learning – Multiple Pathways	

* **D.6 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.

In 1975, Ms. Ann Marie Orozco began working with the District. Ms. Orozco worked at Chavez Elementary for many years until her retirement in 2008.

Ms. Annie Soo worked for twenty years in District schools including Roosevelt Junior High, El Cerrito High and Harry Ells High teaching English, journalism, and serving as newspaper and yearbook advisors.

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

G. DISCUSSION ITEMS

*** G.1 Project Status Report**

Comment:

The following are provided for review of Facilities Planning and Construction in the District's Bond Program and for information regarding individual projects:

- Engineering Officer's Report – Verbal Presentation
- Construction Status Reports – Current Construction Projects

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 – April 25, 2012

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

April 4, 2012

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

- a. WCCUSD v. Orrick
- b. Srago 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

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

Expulsions

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

Certificated / Classified Employee Dismissal

10. REPORT OF CLOSED SESSION ACTIONS