

**West Contra Costa Unified School District  
Minutes of the Board of Education Meeting  
Lovonya DeJean Middle School  
3400 McDonald Avenue  
Richmond, CA 94805**

**July 30, 2008**

**A. CLOSED SESSION**

**B. OPENING PROCEDURES**

President Karen Pfeifer called the meeting to order at 6:21 PM. The Board recessed into Closed Session. President Pfeifer called the Public Session to order at 6:37 PM.

**B.1 Pledge of Allegiance**

President Pfeifer led those in attendance in the pledge of allegiance.

**B.2 Welcome and Meeting Procedures**

President Pfeifer offered welcome and instructions to the public regarding the meeting.

**B.3 Roll Call**

**Board Members Present:** Madeline Kronenberg (arrived at 6:42 PM), Audrey Miles, President Pfeifer, Charles Ramsey

**Board Members Absent:** Dave Brown

**Staff Present:** Adrienne Blalock, Director of Bond Facilities; Martin Coyne, Director Accounting/Audits; Jeff Edmison, Associate Superintendent for Operations; Paul Ehara, Director of Communications; Sheri Gamba, Associate Superintendent for Business Services; Wendell Greer, Associate Superintendent K-Adult Schools; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary to the Superintendent; Lance Jackson, Bond Manager; Ken McDaniel, Interim Electronics; Sandy Price, Principal Adult Education; Raul Ramirez, Assistant Principal Adult Education; Nia Rashidchi, Assistant Superintendent for Educational Services; Jessica Romeo, Assistant Superintendent for Human Resources; Bill Savidge, District Engineering Officer; Tim Shaw, Director Adult Education; Jim Trombley, Vice Principal Adult Education.

**B.4 Report/Ratification of Closed Session**

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to appoint the following administrators for 2008-09:

Andre Bell – Senior Director of Business Services (Bond), Interim  
Lisa Erwin – Senior Director of Business Services  
Pamala Blake – Director of Adult and Alternative Education, Interim  
Gabriel Chilcott – Assistant Principal, Pinole Valley High School  
Jennifer Crowell – Interim Assistant Principal, Middle College High  
Markell McCain – Assistant Principal, North Campus

**MOTION:** Mr. Ramsey moved to ratify the vote taken in Closed Session to appoint administrators. Ms. Miles seconded. Ms. Miles, Mr. Ramsey and President Pfeifer voted yes, with Mr. Brown and Ms. Kronenberg absent and no abstentions. Motion carried 3-0-0-2.

**B.5 Agenda Review and Adoption**

**MOTION:** Mr. Ramsey moved to approve and adopt the agenda. Ms. Miles seconded. Ms. Miles, Mr. Ramsey and President Pfeifer voted yes, with Mr. Brown and Ms. Kronenberg absent and no abstentions. Motion carried 3-0-0-2.

(Ms. Kronenberg arrived at 6:42 PM)

**B.6 Board Minutes: July 9, 2008**

**MOTION: Mr. Ramsey moved to approve the minutes of July 9, 2008. Ms. Kronenberg seconded. Ms. Miles, Ms. Kronenberg, Mr. Ramsey and President Pfeifer voted yes, with Mr. Brown absent and no abstentions. Motion carried 4-0-0-1.**

**C. AWARDS, RECOGNITIONS, AND REPORTS**

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

Mr. Tim Shaw and Mr. Raul Ramirez acknowledged the adult education staff involved in the citizenship classes, thanking them for their dedication. Ninety-nine students achieved U.S. citizenship through classes provided by the Adult Education program. The new citizens present were recognized with a certificate and poster.

**Board Comment:**

Mr. Ramsey commended these adults for their dedication and hard work and for being an example to others.

Ms. Kronenberg congratulated those who successfully completed the adult education program, acknowledging their hard work, often after working a full time job. She continued by acknowledging Mr. Shaw for his service to adult education and the district.

Ms. Miles said she was very proud of the new citizens who worked hard and have not taken learning for granted, and urged them to register to vote and take part in the upcoming election.

President Pfeifer thanked everyone for coming to the meeting and allowing the Board to honor and recognize the new citizens.

A brief recess was taken.

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

Sue Pricco provided an update to the Board saying the committee is hoping to host their meetings at the various school sites to promote better public outreach. The committee appointed a new vice chair, Mr. Rich Lee. Orientation for new committee members will be forthcoming.

Mr. Robert Brower was asked to report on a meeting he attended as a volunteer. He said he was invited to attend the July 22<sup>nd</sup> meeting of the audit committee of the CBOC and commented on the modernization of 17 elementary schools under the Measure M bond program, and problems that arose due to a fraudulent geotechnical report. He discussed losses and delay damages suffered to the district as a result.

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

Ms. Gamba introduced Mr. Doug Tokerude, representative with Nicolay Consulting Group, who presented the actuarial study on retiree medical benefits.

**Board Comment:**

Mr. Ramsey asked how many of the 20 largest districts have implemented the GASB 45 accounting procedure and how many have contributed the amount of money necessary to fully fund the liability. Mr. Tokerude responded. Mr. Ramsey continued by asking about the consequences since the district does not have funds to do this.

Ms. Gamba explained that it is the duty of the Chief Financial Officer to inform the Board of any information that will become part of the financial statements and that this information was provided because the actuarial will be used in upcoming financial statements to be presented in September.

**Public Comment:**

None

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

Ms. Gamba introduced Greg Davis and Scott Torlucchi from Davis Demographics and Planning, to provide a report on student demographics. Mr. Davis provided information regarding projections used to understand trends, recommending that data be kept up to date to be accurate in projecting growth or decline over next ten years.

**Public Comment:**

None

**Board Comment:**

President Pfeifer thanked Mr. Davis for his report and asked for digital copies of the final report when available.

**C.5 In Memory of Members of the School Community**

Superintendent Harter recognized contributions of members of the school community who have passed away.

**Board Comment:**

President Pfeifer remembered Jamal Jawad and his work relating to high school campus safety.

**D. PUBLIC AND COMMITTEE COMMUNICATIONS**

**D.2 Superintendent's Report**

Superintendent Harter provided a report of events in district schools.

**D.1 WCCUSD Public Comment**

Al Kirkman spoke about creating a level playing field for all students giving every student opportunity. He continued by asking for equal representation for all employees. Mr. Kirkman commented about a replacement for Mr. Ramos who recently left Richmond High School.

**E. ACTION ITEMS**

None

**F. DISCUSSION ITEMS**

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

Superintendent Harter said that the policies are presented as part of the public record, seeking input and comment. They will be brought back for adoption at a future meeting.

**Public Comment:**

Robert Brower spoke about a legislative body making changes to rules by providing old text with strike through for comparison to a new policy. He provided board members with the existing policy and pointed out differences in the proposed policy regarding school attendance boundaries. He asked the Board to reject the new board policy 5116.

**Board Comment:**

President Pfeifer asked questions about a section regarding truancy and district procedures. Superintendent Harter provided clarification.

**G. BUSINESS ITEMS**

**Motion:** Mr. Ramsey made a motion to pull items G. 12 and G.17 for separate discussion and vote. Ms. Kronenberg seconded. Ms. Miles, Ms. Kronenberg, Mr. Ramsey and President Pfeifer voted yes, with Mr. Brown absent and no abstentions. Motion carried 4-0-0-1.

**Consent Items**

- G.1 Contracted Services**
- G.2 Grants/Awards/Agreements**
- G.3 Acceptance of Donations**
- G.4 Approval of Fund-Raising Activities**
- G.5 Adoption of Resolution No. 20-0809: Replacement of Outdated Warrants**
- G.6 Agreements for Nonpublic, Nonsectarian School/Agency Services**
- G.7 Certificated Personnel Changes**
- G.8 Routine Personnel Changes - Classified**
- G.9 Approve Job Description: Help Desk Technician**
- G.10 Notification of Claims Rejected**
- G.11 Ratification and Approval of Negotiated Change Orders**

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

This item was pulled for separate discussion and vote.

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

Mr. Edmison read a revision to this item into the record as follows (*changes in italics*):

**Background information:** 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 *conducted a public bid for this project. Bids were received on July 29, 2008. Six Contractors submitted bids. Two bidders were judged non-responsive. The four responsive bids were as follows: Top Grade Construction \$163,000; Galedrige Construction \$151,827; OC Jones Son \$194,100; and Bruce Carone Paving \$364,475. The lowest responsive, responsible bidder is Galedrige at \$151,827.*

*This item is being presented prior to the expiration of the five working day Bid Protest period. In consideration of this timing, and in order to expedite the project, the Board's action will be to authorize staff to issue the Notice of Award effective at the end of the Bid Protest period to the lowest responsive, responsible bidder. This award by staff will then be brought back for ratification at a future meeting.*

**Recommendation:** *Authorize staff to issue Notice of Award upon successful completion of the Bid Protest period.*

**Fiscal Impact:** \$ 151,827. Emergency Repair Program Funds

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

Mr. Edmison read a revision to this item into the record as follows (*changes in italics*):

**Background Information:** 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 conducted a public bid for the project. Bids were opened on July 24, 2007. Seven contractors submitted bids. They are as follows: Euro Style Management \$193,000; Riverview Construction \$254,777; AJF Builders \$218,821; ERA Construction \$166,550; Kel Tec Builders \$158,750; NS Construction \$230,500; and JMA Construction \$223,000. The lowest responsive, responsible bidder is Kel Tec Construction at \$158,750.*

*This item is being presented prior to the expiration of the five working day Bid Protest period. In consideration of this timing, and in order to expedite the project, the Board's action will be to authorize staff to issue the Notice of Award effective at the end of the Bid Protest period to the lowest responsive, responsible bidder. This award by staff will then be brought back for ratification at a future meeting.*

**Recommendation:** *Authorize staff to issue Notice of Award upon successful completion of the Bid Protest period.*

**Fiscal Impact:** \$158,750. Project is funded from the Measure J Bond.

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

Mr. Edmison read a revision to this item into the record as follows (*changes in italics*):

**Background Information:** The first step in the reconstruction of the Martin Luther King Jr. Elementary School is to demolish the existing community center building (the last vestige of 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 begin.

Quattrochi Kwok Architects has prepared plans and specifications for the Reconstruction of King Elementary School project and this Demolition, Sitework & Temporary Playground project portion of the main work. *The District conducted a public bid process for this project. Bids were received on July 30, 2008. Four Contractors submitted bids. They are as follows: Bay Cities Paving and Grading \$461,000; Ghilotti Brothers \$628,235; Evans Brothers \$850,224; and, Tri Valley Excavating \$545,700. The lowest responsive, responsible bidder is Bay Cities Paving and Grading at \$461,000. This bid is approximately \$90,000 under budget.*

*This item is being presented prior to the expiration of the five working day Bid Protest period. In consideration of this timing, and in order to expedite the project, the Board's action will be to authorize staff to issue the Notice of Award effective at the end of the Bid Protest period to the lowest responsive, responsible bidder. This award by staff will then be brought back for ratification at a future meeting.*

**Recommendation:** *Authorize staff to issue Notice of Award upon successful completion of the Bid Protest period.*

**Fiscal Impact:** *\$461,000. Funded from the Measure J Bond.*

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

**G.17 Approval of Updated Measure J Program Budget with Adjusted Allocations and Revenues**  
This item was pulled for separate discussion and vote.

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

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

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

**MOTION:** Mr. Ramsey moved approval of the Consent Items 1 – 11, 13 – 16 and 18 – 20. Ms. Kronenberg seconded. Ms. Miles, Ms. Kronenberg, Mr. Ramsey and President Pfeifer voted yes, with Mr. Brown absent and no abstentions. Motion carried 4-0-0-1.

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

**Board Comment:**

Mr. Ramsey asked questions about the scope of services and reasoning for not giving other companies opportunity to perform geotechnical work.

**MOTION:** Mr. Ramsey moved approval of item G. 12 Ratification and Approval of Engineering Services Contracts. Ms. Kronenberg seconded. Ms. Miles, Ms. Kronenberg, Mr. Ramsey and President Pfeifer voted yes, with Mr. Brown absent and no abstentions. Motion carried 4-0-0-1.

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

**Board Comment:**

Mr. Ramsey asked for further explanation of additional state revenue and modifications. Mr. Savidge provided details for filing of hardship application for Portola Middle School.

**MOTION:** Mr. Ramsey moved approval of item G. 17 Approval of Updated Measure J Program Budget with Adjusted allocations and Revenues. Ms. Kronenberg second. Ms. Miles, Ms. Kronenberg, Mr. Ramsey and President Pfeifer voted yes, with Mr. Brown absent and no abstentions. Motion carried 4-0-0-1.

**H. UNFINISHED REQUESTS TO ADDRESS THE BOARD**

None

**I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT**

Mr. Ramsey provided an update on Ivy League students at the University of Pennsylvania. He continued to say that Princeton's journalism program is interested in our district and may send representatives to visit.

Ms. Kronenberg thanked Mr. Ramsey for taking the time to go to the east coast and visit campuses. She concluded by saying that summer school has ended and hopes everyone enjoys the summer.

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING – August 20, 2008**

**K. ADJOURNMENT**

President Pfeifer adjourned the meeting at 8:32 PM.

*Motion vote count order: Yes-No-Abstain-Absent*

BH:dh

<p><i>MK</i></p> <hr/> <p>Approved</p>
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