

**West Contra Costa Unified School District
Minutes of the Board of Education Meeting
Richmond Convention Center Auditorium
403 Convention Center Plaza
February 11, 2009**

A. OPENING PROCEDURES

President Audrey Miles called the meeting to order at 6:34 PM.

A.1 Pledge of Allegiance

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

A.2 Welcome and Meeting Procedures

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

A.3 Roll Call

Board Members Present: Madeline Kronenberg, Antonio Medrano, Audrey Miles, Charles Ramsey, Tony Thurmond

Staff Present: André Bell, Executive Director Business Services; Pat Calvert, Director, Human Resources, Certificated; Steve Collins, SELPA Director; Martin Coyne, Director Accounting/Audits; Susan Dunlap, English Learner Services Coordinator; Otilia Espinoza, Interpreter; Erin Fleming, Director Human Resources, Classified; Luis Freese, Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Bill Fay, Associate Superintendent for Operations; David Johnston, Director of Business Services; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Joe Mayes, Maintenance Supervisor; Ken McDaniel, Electronics Supervisor; Elmer Meredith, Electronics Technician; Nia Rashidchi, Assistant Superintendent Educational Services; Jessica Romeo, Assistant Superintendent for Human Resources; Phyllis Rosen, Legal Assistant; Bill Savidge, District Engineering Officer; Marin Trujillo, Director Community Engagement.

B. ACTION ITEMS

B.1 Resolution 67-0809: School Closure Consolidation Recommendation

Superintendent Harter presented a historical and financial overview of the district's school closure process and staff recommendations for 2009-10 and 2010-11.

Public Comment:

Antwon Cloird, Mike Ali, Jason Ross, Otheree Christian, Onevoice Teis Lundegaard, Jovanka Beckles, Olajuwon Thornton, Patricia Ponce, Alexandra Campbell-Jones, Abel Pineda, Linda Salinas, Norma Bautista, Michael Wasilchin, Ian Bader, Noemi Santos-Santiago, Christi Thomas, Rick Alexander, Pat Thomas, Jim Rogers, Pixie Hayward Schickele, Charles Cowens, Equis, Joni Hiramoto, Eric Swabeck, Margaret Browne, Diane Brown, Eduardo Martinez, Mercedes Rodrigo, Lewis Whilden, Kathleen Erwin, Pedro Navarro, Jocelyn Taboada, Maria Urebe, Mario Wyon, Kristyn Jones, Richard Leung, Lisa Davis, Peg Dabel, Bob Kastner, Blake Holtzclaw, Marcus Mitchell, Shannon Elementary Students, Malaika Parker, Bobby Killough, Wendy Gonzalez, Shakima Hilton, Preciosa Roberts.

Mary Horton, Mayor of the City of Pinole, spoke in favor of keeping Shannon Elementary School open. Councilmember Debbie Long spoke about Pinole's long, ongoing partnership with and support of the District and asked that the decision to close Shannon Elementary School be postponed.

Board Comment:

Mr. Ramsey expressed thanks to the City of Richmond for reaching out to the schools and spoke of the commitment and passion of the voters for public education. He said he is committed to supporting the school closure plan although he hopes one less school would be closed.

Ms. Kronenberg praised the cities for coming together at Mr. Thurmond's suggestion and said she would be in favor of moving Shannon to the deferral list.

Mr. Thurmond asked for information regarding the City of Pinole's plan to provide support.

Mayor Horton responded she did not have information yet as the item is agendaized for their meeting on February 17.

Mr. Thurmond asked for an update regarding efforts by the City of San Pablo to save Lake Elementary School.

Genoveva Calloway, Vice Mayor of the City of San Pablo, said the item is agendaized for a city council meeting on February 17.

Mr. Thurmond asked for guidance from staff on how this would proceed if there is support from the cities for Lake and Shannon.

Superintendent Harter discussed keeping both Lake and Shannon on the closure list, and that if cities came forth with a commitment of funds, the Board could bring this back at the March 4 meeting.

Mr. Medrano asked for more information regarding support for Shannon from Pinole.

Mayor Horton clarified that Pinole has yet to meet and draw an agreement. She said the city council expressed interest and support although she could not provide an amount at this time. She asked what amount the district would be looking for.

Superintendent Harter indicated the District would be looking for \$300,000 for each school for two years in order to keep the schools open that are on the recommended list for 2009-2010.

Mayor Horton inquired about the contribution of only \$1.5 million by the city of Richmond.

President Miles clarified that the Richmond schools were only on the list for 2010-2011.

President Miles commented that while the Board will continue to look for additional funding, the timeline requires a decision of which schools must close by February 11.

Mr. Ramsey proposed amending the resolution to allow Shannon to remain open for 2010 and 2011, and longer if an external source of funding is found.

Mr. Thurmond asked questions about other schools on the closure list. He said he believes a middle school should be built in El Cerrito, but asked how the full inclusion program currently at Castro would be replicated.

Steve Collins described the proposed plan to house the full inclusion at Fairmont Elementary, and the preschool program at Mira Vista.

Mr. Thurmond said he received comments from the public expressing concern about the size of the Castro site and asked for staff comment.

Mr. Savidge explained that the Castro site meets California Department of Education standards for a 600 student middle school with no impact to the Cameron school or recreational facilities.

President Miles asked for information on the total acreage.

Mr. Savidge responded that the total block and city park area, also owned by the District, is about 9 acres and that the buildable area measures approximately 4.5 acres.

Mr. Medrano asked for further clarification.

Mr. Savidge clarified that there are no plans to build on Castro Park and it is anticipated that students will use the park facilities during the day.

Mr. Medrano raised the issue of the 900-1200 minimum enrollment requirement established for middle schools.

Mr. Savidge clarified the plans to rebuild Portola at Castro were made prior to the school consolidation process.

Mr. Thurmond asked the Board to consider that the families of any school that is closed be given as many transfer options as possible.

Ms. Kronenberg moved to amend the resolution to move Shannon Elementary School to the second year with the caveat that if there is any external source of funding found that list would be eliminated. Mr. Medrano seconded.

Mr. Ramsey offered language to amend the resolution that Shannon Elementary would remain open for 2010-2011 and for longer if another external source of funding becomes available.

Superintendent Harter asked for clarification on the motion that there would be no source of funding for Shannon for 2010-2011 as there is for Olinda, Grant and Kennedy.

Mr. Ramsey responded that the source of funding would be the District.

President Miles commented that during these difficult times the Board is committed to finding other revenue sources.

Mr. Ramsey asked Superintendent Harter to clarify the motion.

Superintendent Harter said he understood that the motion would be to adopt the closure resolution as presented with the change that Shannon Elementary would now stay open as Olinda, Grant and Kennedy would remain open to 2010-2011, and would close for 2011-2012 unless there is external funding.

MOTION: Ms. Kronenberg moved to adopt Resolution 67-0809 amended to read that Shannon Elementary would remain open to 2010-2011, and would close for the 2011-12 school year unless there is external funding. Mr. Medrano seconded. A roll call vote was conducted. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes, Mr. Thurmond voted no, with no abstentions. Motion carried 4-1-0-0.

At 8:59 PM President Miles called for a brief recess. The board reconvened at 9:11 PM.

B.2 Temporary Relocation of Portola Middle School

Bill Savidge presented a staff report on the two major options for temporary relocation of the Portola Middle School.

Board Comment:

President Miles asked about the possibility of re-evaluating the 1C standard requirements.

Mr. Savidge responded that staff could review the standards at any time under direction from the Board.

President Miles spoke about the importance of not impacting other bond projects.

Mr. Savidge commented on considering the overall scope – how projects are scoped out and configured.

Mr. Ramsey spoke about fairness and the fact that the 1C standard has been used in all District bond projects so far.

Mr. Thurmond asked whether the City of El Cerrito would be providing support for the project.

Ms. Miles indicated that Mayor Sandy Potter would be addressing the Board on this matter.

Public Comment:

Miné Ternar Kal, Kathleen Erwin, Joni Hiramoto, Karen Franklin, Matt Ariniega, Joanna Pace, Mike Peritz.

Sandy Potter, Mayor, City of El Cerrito, provided a summary of the many ways El Cerrito has supported the District and its operations not only within the city but also throughout the district, including improvements made to the Portola campus. She said the city supports the rebuilding of a middle school in El Cerrito and said that if the Board decides to temporarily relocate Portola the city council's preference is to place the campus on the lower playing field. She discussed continuing use of the Portola Middle School gym.

Board Comment:

Mr. Thurmond asked about the El Cerrito's ability to be flexible regarding the use of the proceeds on the sale of the Portola property.

Ms. Potter responded with comments on the restrictions placed by the state, but said that the redevelopment agency is interested in exploring all possibilities.

Superintendent Harter clarified that the restrictions on sale and lease are the same in terms of the requirement to pay down the debt, but that the District along with the City of Richmond are looking for a change in the law.

Mr. Ramsey spoke against using the gymnasium at Portola for safety concerns and said the El Cerrito High School was the better option because the additional costs needed for the lower pad at Portola would take away from planned projects in other cities.

Mr. Medrano expressed concern about utilizing the gym for safety reasons.

Ms. Kronenberg said that there has not been a change in information in the last three years and that no expert came to the Board and said we needed to move the students out of Portola, and so she did not understand the present impetus to dislodge the students.

Mr. Ramsey said it was important to look at impact to students and he expressed a preference for using a campus that already existed with full services and an opportunity for GATE students. He said he agrees with Ms. Kronenberg in that nothing staff has presented shows we are putting students at risk.

President Miles said that since 2005, there was always an indication that Portola had seismic issues and the concern remains the safety of the students at Portola. She said she wants to expedite the move to a temporary campus and she would vote against anything that would endanger existing Measure J projects.

Mr. Thurmond said the arguments to pursue relocation at El Cerrito High School were more sound and cost effective and asked for staff to provide information regarding timelines for such a move.

Mr. Savidge spoke about the possible delays due to environmental impact review challenges.

President Miles asked about the budget for the lower pad option.

Mr. Savidge clarified this was only an early estimate and that a more accurate cost estimate could take 4-6 weeks. He said that the cost could be higher than the current \$3.7 million estimate. He spoke about the ability to be flexible in some areas to stay within the current budget to rebuild Portola.

Mr. Thurmond inquired about obtaining an exemption under CEQA for the El Cerrito High School option.

Mr. Savidge said he believed the situation would not fall within the categorical exemption. He said there is a possibility of a limited review because a full environmental impact review was already done and that would eliminate some steps.

Ms. Kronenberg inquired about a timeline for completing the environmental impact review and how long a challenge would take.

Mr. Savidge responded approximately six months from now and said that a challenge would take longer.

Mr. Medrano inquired whether the fact this was only a temporary location made a difference.

Mr. Savidge clarified that any action that was classified as a project with an environmental impact would be subject to a challenge, even if only temporary.

Mr. Medrano asked whether there was strong objection from the City of El Cerrito and the neighborhood to relocating the students to El Cerrito High School.

Mr. Savidge said there have been objections at the site committee meetings and from city council members.

Mr. Thurmond asked whether there might be a "hardship" exception.

Mr. Savidge said that he did not believe this situation qualified as an "emergency" under CEQA.

MOTION: Mr. Medrano moved that the temporary location for Portola be at the El Cerrito High School site and that the portables there be used as a temporary campus until a new campus at Castro is built. Mr. Thurmond seconded.

Mr. Ramsey said this was the most logical choice and one that he could support and defend even though he would not vote in favor of it because nothing regarding seismic data has changed in the past three years.

Mr. Thurmond asked to restate the motion.

Mr. Medrano moved that the Portola students be moved to the portables that are now at El Cerrito High School and, if possible in collaboration with both faculties, have common use of the gym and some classrooms and for the advanced students moving up.

Mr. Thurmond asked Mr. Savidge if the same environmental impact requirements exist if more students were sharing the same building space.

Mr. Savidge said the threshold requirement under CEQA is based on the number of students added to site.

A roll call vote was conducted. Mr. Medrano, Mr. Thurmond and President Miles voted yes, Ms. Kronenberg and Mr. Ramsey voted no. Motion carried 3-2-0-0.

Board Comment:

Mr. Thurmond said he wanted to state publicly that he has consistently said the District should not sell any schools, which is why he voted no earlier on the criteria and on tonight's school closure item. He said he implored the Board to hold off on any action to sell a campus in order to consider all options.

Ms. Kronenberg thanked everyone who worked so very hard on the closure process and said the Board came to a good decision.

Mr. Medrano announced the Expanding Your Horizons Conference at Contra Costa College, Friday March 20, 2009.

Mr. Ramsey said he concurred with Mr. Thurmond about vigilance in preserving facilities.

President Miles said that tonight was hard for all and not what the Board wanted to do. She expressed a firm commitment that Board members continue to work to find other funding sources to support schools.

Mr. Medrano said he will provide information to the Board on the community benefits package from the City of Richmond deal worked out with Chevron that included money for building trades and academies.

C. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – March 4, 2009

D. ADJOURNMENT

President Miles adjourned the meeting at 10:47 PM.

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

BH:pr

<i>AAM</i>
Approved 3-4-09