

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

September 16, 2009

A. CLOSED SESSION

B. OPENING PROCEDURES

President Audrey Miles called the meeting to order at 5:30 PM. The Board recessed into Closed Session. President Miles called the Public Session to order at 6:45 PM.

B.1 Pledge of Allegiance

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

B.2 Welcome and Meeting Procedures

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

B.3 Roll Call

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

Staff Present: Ora Anderson, Director Special Education; Doris Avalos, Executive Director; Andre Bell, Senior Director Bond Finance; Yolanda Bulls, Assistant Principal DeAnza High School; Martin Coyne, Director Accounting/Audits; Steve Collins, SELPA Director; Susan Dunlap, Coordinator EL Support Services; Lisa Erwin, Sr. Director Fiscal; Bill Fay, Associate Superintendent for Operations; Erin Fleming, Director Classified Employees; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Marco Gonzales, Principal Downer Elementary; Wendell Greer, Associate Superintendent K-Adult; Bruce Harter, Superintendent; Debbie Haynie, Executive Assistant to the Superintendent; Nicole Joyner, Grant Writer; Harlan Kerr, Principal/Coordinator of Educational Services; Ken McDaniel, Electronics Supervisor; Joe Mayes, Maintenance Manager; Emily Millar, Director Employee Relations; Bev Morsony, Teacher Hercules High; Leticia Oregon, Interpreter; Lynn Potter, Coordinator State and Federal Programs; Nia Rashidchi, Assistant Superintendent Educational Services; Jessica Romeo, Assistant Superintendent for Human Resources; Bill Savidge, Engineering Officer; Marin Trujillo, Coordinator Community Engagement.

B.4 Presentation of Student Board Representative Imaobong (Ima) Etim, DeAnza High School

Ms. Etim spoke about activities with the opening of school at DeAnza.

B.5 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to approve an agreement with Kinsell, Newcomb, and DeDios to repurchase optional redemption rights for bonds from the 2000 election of Measure M Series A and B.

Motion: Mr. Medrano moved approval of the agreement with Kinsell, Newcomb, and DeDios. Mr. Ramsey seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and President Miles voted yes, Mr. Thurmond voted no, with no abstentions and no absences. Motion carried 4-1-0-0.

B.6 Agenda Review and Adoption

Item E. 3 was tabled at the request of the speaker.

MOTION: Mr. Medrano moved approval of the agenda with the tabling of item F.6 Benefit Cap for Board Members. Mr. Ramsey seconded. A roll call vote was taken with Ms. Kronenberg, Mr. Medrano, Mr. Ramsey and Mr. Thurmond and Student Representative Etim (advisory vote only) voting yes, President Miles voting no, with no abstentions and no absences. Motion carried 4-1-0-0.

B.7 Minutes: September 2, 2009

MOTION: Mr. Ramsey moved approval of the minutes of September 2, 2009. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Etim (advisory vote only) and President Miles voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

C. BUSINESS ITEMS

- C.1 Approval of Fund-Raising Activities**
This item was pulled for public comment.
- C.2 Grants/Awards/Agreements**
- C.3 Acceptance of Donations**
- C.4 Summary of Payroll and Vendor Warrant Reports**
- C.5 Notice of Completions: Bid J068161 Pinole Middle Demolition-Hazmat, J068115 Pinole Middle Utility Installation of Interim Kitchen, J068113 DeAnza HS Utilities, Gymnasium, And Site Work, J068124 Kennedy HS Painting of Exterior Walls, J068151 Dover Elementary, Site Work Phase II, E068178 Coronado Elementary Plumbing / Countertops, E068169 Coronado Fence & Gate Replacement, E068175 Coronado Elementary Ceiling Tile Replacement, E068153 Coronado Elementary Portable Replacement, J06810 Montalvin Elementary Trash Enclosure, J068118 Mira Vista Elementary Lower Play Yard Repair.**
- C.6 Award of Contract for Kennedy High School Gym Locker Hot Water System**
- C.7 Kennedy High School Restroom Renovations Project Award of Contract**
- C.8 Award of Contract for Ford Elementary School New Campus Project**
- C.9 Ratification of Staff Action Amending Approved Contract for Construction to Award Bid Alternate #1**
- C.10 Kennedy High School Fire Alarm Project Award of Contract**
- C.11 Pinole Middle School Building A Modernization Project Award of Contract**
This item was pulled for public comment.
- C.12 Ratification and Approval of Negotiated Change Orders**
This item was pulled for public comment.
- C.13 Ratification and Approval of Engineering Services Contracts**
- C.14 Addendum to the School Resource Officer Agreement**
- C.15 Agreement with Bay Area Community Resources, YMCA of the East Bay and Contra Costa County Health Services for School Based Health Center Coordinator Services**

MOTION: Mr. Ramsey moved approval of the Consent Items C.2 – C.10, C.13 – C.15. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond, Student Representative Etim (advisory vote only) and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 Mexican Independence Day 2009

Co-chairs of the Multilingual District Advisory Committee, Raul Morales and Maria Placencia, provided background information about the committee and Hispanic Heritage Month. Students from Dover and Downer Elementary Schools performed traditional dances in cultural costumes.

Public Comment: None

Board Comment:

Mr. Medrano thanked the students for their performance and gave background regarding the history of Mexico's independence.

Mr. Ramsey thanked the families and schools for the opportunity to celebrate the diverse community.

Mr. Thurmond thanked the students for dancing so well and helping with the celebration. He congratulated families, teachers and staff who put the presentation together.

Ms. Kronenberg saluted the dancers for their artistic and academic pursuit. She also acknowledged the students' teachers for their work.

Ms. Miles said this is a wonderful way to see how teachers and parents are partners in education as parents volunteered their time to teach the dances and support the students.

D.2 Standing Reports

Community Budget Advisory Committee - Charles Cowens recapped the August 27 meeting where parcel tax oversight and the latest developments in the state budget were discussed and a proposed calendar was developed. He announced that the next meeting will be Thursday, September 24, 6:30 PM at the Alvarado Adult School.

Public Employees Union Local One – Richard Leung spoke about dedicated members having to pay premiums for health benefits.

Youth Commission – Mr. Thurmond announced the upcoming meeting scheduled for Tuesday, September 22, 6:30 PM at the RYSE Youth Center in Richmond. He recognized Ms. Briana, DeAnza student, who has been an active participant with the planning work of the Youth Commission.

Safety Committee – Mr. Thurmond announced that the Safety Committee will meet at Mira Vista School on September 23, 6:00 PM. A tour will be provided and discussion will include review of the district cell phone policy.

Academic Subcommittee – Ms. Rashidchi said that the next meeting will be held September 23 at Vista Hills, 6:30 PM.

Mr. Thurmond referred to comments made by Local One representatives about use of district vehicles for personal use, asking Superintendent Harter to look into the matter.

Facilities Subcommittee – Mr. Medrano reported on the committee's recent meeting and discussion of digital cameras, plans for Coronado, opening date for Helms, and other topics.

Ivy League Connection – Ms. Kronenberg spoke of students visiting college fairs in the area and meeting admissions officers. She continued by saying that 135 students planned to go to Sacramento for college presentations. Mr. Ramsey spoke about additional college information nights coming to the district. Mr. Medrano asked how high schools receive notice about the various information nights at other campuses and whether the local newspaper would publish the information. Mr. Ramsey responded.

Ms. Kronenberg commented about district vehicles for personal use, as well as job descriptions and input from employees. She asked for a discussion to look at how jobs will be done by fewer people, determining what is required for each position.

D.3 Report on School Based Health Centers

Mr. Greer, with assistance of students and health coordinators, provided a presentation about the health centers on the six comprehensive high school campuses which serve 30 percent of district students. Mr. Greer also acknowledged partnerships with the YMCA, Kaiser Permanente, Doctors' Hospital, Planned Parenthood, BACR, county health services and high school coordinators at each high school.

Public Comment:
None

Board Comment:

Mr. Ramsey congratulated everyone and acknowledged past President Karen Pfeifer's work to see these health centers have permanent homes on the school campuses.

Mr. Medrano thanked the students for their presentations and applauded both students and adults working in centers.

Ms. Kronenberg acknowledged the miracle of helping students who need assistance to be able, strong and successful.

Ms. Thurmond thanked coordinators, directors, as well as their partners, who helped with the numerous student contacts. He spoke of health needs and student leaders making it possible for services to be provided.

Ms. Miles thanked those who presented and spoke about the correlation between health wellness and student success.

Mr. Thurmond asked about medical reimbursement and federally qualified reimbursement rates. The speakers responded.

Mr. Ramsey asked about serving Spanish speaking students. Mr. Greer responded.

Ms. Imaobong Etim, Student Board Representative, left the meeting.

D.4 Report on the Advanced Placement Program in West Contra Costa Unified School District

Mr. Greer presented Doris Avalos, Executive Director, who spoke about the Advanced Placement program. Nicole Joyner, AP grant coordinator, spoke about the AP program and courses taught at comprehensive high schools.

Public Comment: None

Board Comment:

Mr. Medrano asked which schools received discounts for AP exams. Mr. Greer responded by saying that the AP Grant complements district funds enabling all schools to work together toward the same advantages.

Ms. Kronenberg asked for descriptions of College Ed and SpringBoard. Mr. Greer responded.

Mr. Thurmond asked where the needs exist and commended Mr. Medrano's advocacy for AP classes. Mr. Greer responded that current funding has made a solid impact with the six year grant and the district will continue to seek further funding and ways to supplement costs of exam fees for students.

Mr. Ramsey thanked everyone for their hard work as it changes the culture and helps focus on college.

President Miles asked questions about the increased number of students taking AP exams and the passage rate. Mr. Greer responded with information saying that one aspect is to increase passage rates while also exposing students to the exams.

D.5 In Memory of Members of the School Community

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

E. PUBLIC AND COMMITTEE COMMUNICATIONS

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

E.1 Superintendent's Report

Dr. Harter provided a report of events in district schools.

E.2 WCCUSD Public Comment

Barbara Lea, Othree Christian, Gina Rodriguez, Colleen Guenza, Pam Porter, Steven Lane, Mike Wasilchin, Bob Van Bibber, Walter Marshall, Marcus Mitchell, Robert Studdiford, Christina Slamon

E.3 Request to Address the Board – Hagit Habash, M.D.

This item was pulled at the request of the speaker.

F. ACTION ITEMS

C.1 Approval of Fund Raising Activities

Public Comment: None

MOTION: Mr. Ramsey moved approval of Item C.1 Approval of Fund Raising Activities. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

C.11 Pinole Middle School Building A Modernization Project Award of Contract

Public Comment: Dorothy Fox, Glen Fox, Rhonda Harris, McKinley Ross

Board Comment:

President Miles asked Mr. Fay to explain the subcontractor bidding process. Mr. Fay responded.

Mr. Medrano spoke about an upcoming local capacity builders meeting and that this topic would be brought for a full discussion.

Mr. Ramsey spoke about the public contract code and bid protests.

Mr. Fay commented about a conversation with the subcontractor and his commitment to provide a copy of the general contractor bid requirements.

Mr. Ramsey asked about any bid protest for this particular issue. Mr. Savidge clarified the standing of a subcontractor and business relationships between general contractors and subcontractors.

Mr. Thurmond spoke about building relations with subcontractors and local contractors. He asked Ms. Fox to restate her complaint. She provided further information.

President Miles asked that Mr. Fay and Ms. Fox meet to discuss and address concerns.

Mr. Thurmond asked for clarity on how the program works for local participation of contractors. Mr. Fay and Mr. Savidge responded with information.

Ms. Kronenberg asked for explanation of the good faith effort clause. Mr. Savidge responded.

President Miles asked staff to seek a legal opinion on how to change the process which may be determined ineffective.

Mr. Thurmond supported seeking a legal opinion and commented on the City of Richmond's guidelines for local participation.

Further discussion ensued.

Ms. Romeo offered a point of order for clarification regarding the item on the agenda and discussion of an item not agendaized.

Mr. Medrano asked public speakers to attend the upcoming local capacity builders meeting.

MOTION: Mr. Thurmond moved to table item C. 11 Pinole Middle School Building A Modernization Project Award of Contract. The motion failed for the lack of a second.

MOTION: Mr. Ramsey moved approval of Item C.11 Pinole Middle School Building A Modernization Project Award of Contract. Mr. Medrano seconded. A roll call vote was taken with Ms. Kronenberg, Mr. Medrano, and Mr. Ramsey voting yes, Mr. Thurmond and President Miles voting no, with no abstentions and no absences. Motion carried 3-2-0-0.

C.12 Ratification and Approval of Negotiated Change Orders

Public Comment: None

Board Comment: None

MOTION: Mr. Ramsey moved approval of Item C.12 Ratification and Approval of Negotiated Change Orders. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.1 Approval of the 2008-09 Unaudited Actuals Financial Report

Ms. Gamba provided a presentation of information.

Public Comment: None

Board Comment: None

Motion: Mr. Medrano moved approval of the 2008-09 Unaudited Actuals Financial Report. Mr. Ramsey seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.2 Resolution No. 29-0910, Adoption of Gann Limit, 2008-09 and 2009-10

Ms. Gamba provided a presentation of information.

Public Comment: None

Board Comment: None

Motion: Mr. Ramsey moved approval of Resolution No. 29-0910, Adoption of Gann Limit, 2008-09 and 2009-10. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.3 Approval of Agreement with School Supervisors Association SSA / AB1200 Public Disclosure of Collective Bargaining Agreement with the SSA

Ms. Romeo provided a presentation of information.

Public Comment: Sandra Falk, Robert Studdiford

Board Comment:

Mr. Thurmond acknowledged the remarks of Ms. Falk and members of SSA during these difficult times. President Miles acknowledged the sacrifice of district employees.

Motion: Mr. Ramsey moved approval of the Approval of Agreement with School Supervisors Association SSA / AB1200 Public Disclosure of Collective Bargaining Agreement with the SSA. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.4 Approval of Agreement with West Contra Costa Administrators' Association WCCAA / AB1200 Public Disclosure of Collective Bargaining Agreement with the WCCAA

Ms. Romeo provided a presentation of information.

Public Comment: Robert Studdiford

Board Comment:

Mr. Ramsey asked for clarification for family coverage under this agreement. Ms. Romeo clarified the tiered benefit rate, elimination of vision coverage and the reduced work year. She will provide additional information to Board members.

Motion: Mr. Ramsey moved approval of the Approval of Agreement with West Contra Costa Administrators' Association WCCAA / AB1200 Public Disclosure of Collective Bargaining Agreement with the WCCAA. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.5 Reduced Work Year for Unrepresented Management, Cabinet and Confidential Employees

Ms. Romeo provided a presentation of information.

Public Comment: None

Board Comment: None

Motion: Mr. Ramsey moved approval of Reduced Work Year for Unrepresented Management, Cabinet and Confidential Employees. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Mr. Ramsey, Mr. Thurmond and President Miles voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F.6 Benefit Cap for Board Members

This item was tabled.

DISCUSSION ITEMS

None

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

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Ramsey spoke about his daughters' beginning high school and middle school this year.

Mr. Medrano announced upcoming events in the communtiy. He also spoke about his grandchildren inviting him to visit their school in Arizona.

Ms. Kronenberg announced Elementary Back to School night on Thursday, September 17, 2009. She also spoke about Ivy League students going to Sacramento.

Mr. Thurmond encouraged participation at Back to School Night, and announced an upcoming town hall meeting at St. Mark's Church regarding immigration reform.

President Miles announced the next Board meeting to be held on October 7, 2009.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – October 7, 2009

K. ADJOURNMENT

President Miles adjourned the meeting at 10:29 PM.

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

BH:dh