

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

**October 19, 2011**

**A. CLOSED SESSION**

**B. OPENING PROCEDURES**

President Charles Ramsey called the meeting to order at 5:00 P.M. The Board recessed into Closed Session. President Ramsey called the Public Session to order at 6:27 P.M.

**B.1 Pledge of Allegiance**

President Ramsey led the pledge of allegiance.

**B.2 Welcome and Meeting Procedures**

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

**B.3 Roll Call**

**Board Members Present:** Madeline Kronenberg, Antonio Medrano, Elaine Merriweather, Charles Ramsey, Tony Thurmond

**Staff Present:** Magdy Abdalla, Director Facilities Construction; Steve Collins SELPA Director; Lisa Erwin, Executive Director Fiscal Services; Otilia Espinoza, Interpreter; Bill Fay, Associate Superintendent for Operations; Luis Freese, Executive Director Maintenance and Operations; Sheri Gamba, Associate Superintendent for Business Services; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Joshua Herrera, Electronics Technician; David Johnston, Director of General Services; Joe Mayes, Maintenance Manager; Nia Rashidchi, Assistant Superintendent Educational Services; Ann Reinlagen, Assistant Superintendent Human Resources; Marin Trujillo, Coordinator Community Engagement

**B.4 Presentation of Student Board Representative from John F. Kennedy High School**

Ms. Claudia Campos provided a report of activities at Kennedy High School.

**B.5 Report/Ratification of Closed Session**

Superintendent Harter asked the Board to ratify the action taken in Closed Session regarding the October 19, 2011 recommendation to approve expulsion cases #001, #002 and #003.

**Motion: Mr. Medrano moved to ratify the action taken in Closed Session regarding the recommendations of October 19, 2011 for expulsion cases #001 #002, and #003. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano and President Ramsey voted yes, with Ms. Merriweather and Mr. Thurmond abstaining and no absences. Motion carried 3-0-2-0.**

Superintendent Harter asked the Board to ratify the action taken in Closed Session regarding administrative appointments:

Mr. Madgy Abdalla, District Engineering Officer  
Ms. Patricia Evans, Interim Principal at Grant

**Motion: Mr. Medrano moved to ratify the action taken in Closed Session regarding the approval of the administrative appointments. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano and President Ramsey voted yes, with Ms. Merriweather and Mr. Thurmond abstaining and no absences. Motion carried 3-0-2-0.**

Superintendent Harter asked the Board to ratify the vote taken in Closed Session to approve the Superintendent's goals for the school year 2011-2012 and extend his contract by one year.

**MOTION: Mr. Medrano moved to ratify approval of the vote taken in Closed Session to approve the Superintendent's goals for the school year 2011-2012 and extend his contract by one year through 2015. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather Mr. Thurmond and President Ramsey voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.**

**B.6 Agenda Review and Adoption**

President Ramsey requested that the F items be moved to follow B.7 in order to accommodate the audience.

**MOTION: Mr. Medrano moved approval of the agenda, with moving the F items to follow item B.7. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Tony Thurmond, Student Representative Claudia Campos (advisory vote only), and President Ramsey voted yes with no abstentions no absences. Motion carried 5-0-0-0.**

**B.7 Minutes: October 4, 2011**

**MOTION: Ms. Kronenberg moved approval of the Minutes of October 4, 2011. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond and Student Representative Claudia Campos (advisory vote only), and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.1 Approval of Wilson Elementary School Master Plan**

Mr. Fay introduced architect Andrew Butt of Interactive Resources who presented the proposed plan for the new facility on the Wilson site.

**Public Comment:**

Maria Venegas, Estela DePaz, Cindia Quintana, Rachel Brainerd

**Board Comment:**

President Ramsey thanked the Facilities Subcommittee for the recommendation of this plan and encouraged the families and committee to continue to work toward this opportunity as funding comes available. He spoke about the Wilson and Valley View sites both in the process for final design development. Mr. Ramsey also spoke in support of an alternate site for students and teachers during construction.

Mr. Thurmond thanked the Wilson community for their enthusiasm and said that he appreciated the speakers' questions. He suggested that they might participate on the Citizens' Bond Oversight Committee (CBOC) to watch how construction and planning take place.

Mr. Medrano spoke in both Spanish and English to those in the audience urging volunteers to participate on the CBOC and Youth Commission.

**MOTION: Ms. Kronenberg moved approval of the Wilson Elementary School Master Plan. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond and Student Representative Claudia Campos (advisory vote only), and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.2 Public Hearing and Adoption, Initial Bargaining Proposal of West Contra Costa Unified School District for the 2011-2012 labor negotiations with Public Employees Union, Local 1**

Ms. Reinhagen asked the Board to consider the sunshining of initial bargaining proposals with a public hearing followed by approval regarding the Local One agreement.

President Ramsey opened the public hearing.

**Public Comment:**

Scott Brown

President Ramsey closed the public hearing.

**Board Comment:**

None

**MOTION: Ms. Kronenberg moved approval of the Initial Bargaining Proposal of West Contra Costa Unified School District for the 2011-2012 labor negotiations with Public Employees Union Local 1. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Claudia Campos (advisory vote only), and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.3 Public Hearing and Adoption, Initial Bargaining Proposal of School Supervisors Association for 2011-2012**

President Ramsey opened the public hearing.

**Public Comment:**  
Sandra Falk

President Ramsey closed the public hearing.

**Board Comments:**  
None

**MOTION: Mr. Medrano moved approval of the Initial Bargaining Proposal of School Supervisors Association for 2011-2012. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Claudia Campos (advisory vote only), and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.4 Public Hearing and Adoption, Initial Bargaining Proposal of West Contra Costa Unified School District for the 2011-2012 labor negotiations with the School Supervisors Association (SSA)**

Ms. Reinhagen asked the Board to consider the sunshining of initial bargaining proposals regarding salary with a public hearing followed by approval for the School Supervisors Association (SSA) agreement.

President Ramsey opened the public hearing.

**Public Comment:**  
None

President Ramsey closed the public hearing.

**Board Comments:**  
None

**MOTION: Mr. Medrano moved approval of the Initial Bargaining Proposal of West Contra Costa Unified School District for the 2011-2012 labor negotiations with the School Supervisors Association (SSA). Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Claudia Campos (advisory vote only), and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**F.5 Special Education Annual Service Plan Revision and Public Hearing**

Mr. Collins provided information regarding the annual service plan requirement to provide services to students up to age 22 who have not received a diploma by age 18 and who are in county jail. He said that a contract with the County Office of Education and Contra Costa SELPA will provide services.

**Public Comment:**  
None

**Board Comment:**  
None

**MOTION: Mr. Medrano moved approval Special Education Annual Service Plan Revision. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Claudia Campos (advisory vote only), and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**C. BUSINESS ITEMS**

- C.1 Grants/Awards/Agreements**
- C.2 Acceptance of Donations**

- C.3 Approval of Fund-Raising Activities**
- C.4 Contracted Services**
- C.5 Summary of Payroll and Vendor Warrant Reports**
- C.6 Notice of Completions: Bid J068280 Kennedy High School Admin Interiors Renovations, Bid J068278 Crespi Middle School Fire Restoration Project, Bid J068289 Collins Elementary School Portable Site Package, Bid J068281 Madera Elementary School Portable Site Package, Bid J068282 Mira Vista Elementary School Portables Site Package, Bid J068290 Collins Elementary School Parking & Driveway Improvements**
- C.7 Notification of Claims Rejected**
- C.8 CalPERS Retiree Health Care Vesting Resolutions – United Teachers of Richmond – for those retiring prior to July 1, 2010/Resolutions #26-1112, #27-1112**
- C.9 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – United Teachers of Richmond/Resolutions #28-1112, #29-1112**
- C.10 CalPERS Retiree Health Care Vesting Resolutions – Local 1 - for those retiring prior to July 1, 2010 Resolutions #30-1112, #31-1112**  
Ms. Gamba noted a revision read into the record regarding Resolution No. 31-1112 striking the sentence referring to Blue Shield based on the request of the CalPers organization.
- C.11 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – Local One/Resolutions #32-1112, #33-1112, #34-1112, #35-1112**
- C.12 CalPERS Retiree Health Care Vesting Resolutions – West Contra Costa Administrators Association - for those retiring prior to July 1, 2010/Resolutions #36-1112, #37-1112**  
Ms. Gamba noted a revision read into the record regarding Resolution No. 37-1112 striking the sentence referring to Blue Shield based on the request of the CalPers organization.
- C.13 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – West Contra Costa Association of Administrators/Resolutions #38-1112, #39-1112, #40-1112, #41-1112, #42-1112**
- C.14 CalPERS Retiree Health Care Vesting Resolutions – School Supervisor Association - for those retiring prior to July 1, 2010/Resolutions #43-1112, #44-1112**  
Ms. Gamba noted a revision read into the record regarding Resolution No. 44-1112 striking the sentence referring to Blue Shield based on the request of the CalPers organization.
- C.15 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – School Supervisors Association/Resolutions #45-1112, #46-1112, #47-1112, #48-1112**
- C.16 CalPERS Retiree Health Care Vesting Resolutions – Classified Management (unrepresented) - for those retiring prior to July 1, 2010/Resolutions #49-1112, #50-1112, #51-1112**  
Ms. Gamba noted a revision read into the record regarding Resolution No. 50-1112 striking the sentence referring to Blue Shield based on the request of the CalPers organization.
- C.17 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – Classified Management (unrepresented)/Resolutions #52-1112, #53-1112, #54-1112, #55-1112**
- C.18 CalPERS Retiree Health Care Vesting Resolutions – Certificated Management (unrepresented) - for those retiring prior to July 1, 2010/Resolutions #56-1112, #57-1112**  
Ms. Gamba noted a revision read into the record regarding Resolution No. 57-1112 striking the sentence referring to Blue Shield based on the request of the CalPers organization.
- C.19 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – Certificated Management (unrepresented)/Resolutions #58-1112, #59-1112, #60-1112, #61-1112**
- C.20 CalPERS Retiree Health Care Vesting Resolutions – Confidential (unrepresented) - for those retiring prior to July 1, 2010/Resolutions #63-1112, #64-1112**  
Ms. Gamba noted a revision read into the record regarding Resolution No. 64-1112 striking the sentence referring to Blue Shield based on the request of the CalPers organization.
- C.21 CalPERS Future Retiree Health Care Vesting Resolutions for those retiring July 1, 2010 or later – Confidential (unrepresented)/Resolutions #65-1112, #66-1112, #67-1112, #68-1112**
- C.22 Routine Personnel Changes - Certificated**
- C.23 Acceptance of Contracts for Placement of Student Teachers**
- C.24 Ratification and Approval of Engineering Services Contracts**  
This item was pulled for comment.
- C.25 Ratification and Approval of Negotiated Change Orders**
- C.26 Approval of updated District Standards for Middle School Renovations and Reconstructions**
- C.27 Approval of awards of Ford Elementary School Furniture contract**  
Mr. Fay read the following revision into the record:

The new construction of the Main Building at Ford Elementary School is nearly complete. The next step for the District is to purchase new furniture for the school. The District has prepared preliminary furnishing criteria with classroom

configurations, specialty spaces including computer labs, special education, admin furnishings, offices and staff work areas.

The District engaged in a public bid process, using its preliminary furnishing criteria, to select the vendor for this contract. Public bids were opened on October 6, 2011. Three vendors submitted proposals. They are as follows: Sierra School Equipment Co., \$401,335.98; Young Office Solutions, \$393,458.67; Contrax, \$343,256.21.

**Recommendation:** Contrax has been deemed nonresponsive and staff recommends the approval of the contract for Ford Elementary School Main Building furniture, setup and installation to Young Office Solutions.

**Fiscal Impact:** \$393,458.67, funded by the Measure J Bond, under the Ford Elementary School Furniture and Equipment Budget.

**C.28 Approval of Valley View Elementary School Architectural fees**

This item was pulled for comment.

**C.29 Approval of contract for Furniture, set up and installation at Nystrom Elementary School Multipurpose Building**

**C.30 Williams Lawsuit Complaints Quarterly Report**

**C.31 Citizens' Bond Oversight Committee (CBOC) Appointments by Public Employees Union, Local One**

**C.32 Bond Litigation Expenses: Resolution No. 69-1112**

**C.33 Board Policy 3100 – Revision**

**C.34 NCLB Supplemental Educational Services (SES) Tutoring Contracts**

**MOTION:** Mr. Medrano moved approval of Consent Items C.1 – C.23, C.25 – C.27, and C.29-C.34. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, Student Representative Claudia Campos (advisory vote only), and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.

**D. AWARDS, RECOGNITIONS, AND REPORTS**

**D.1 Standing Reports**

**School Supervisors Association.** Sandra Falk spoke about her sixty years committed to the district and serving employees. She spoke of the commitment and contributions by employees who live in the community and priorities of the Board as it concerns bargaining.

**Citizens Bond Oversight Committee.** Robert Studdiford announced that the next meeting is planned for October 26<sup>th</sup> where discussion will include the project management staff, project update reports and capital assets management plan.

**Safety Committee.** Mr. Thurmond announced the next meeting for November 9, 6:00 p.m. at El Cerrito High. Discussion will include lights and gates on campuses.

**Youth Commission.** Mr. Thurmond announced the next meeting for October 24, 6:00 p.m. at the RYSE Center to discuss the youth perspective to a reduction of bullying.

**Community Budget Advisory Committee.** Ms. Gamba announced a special Board meeting on October 26 in lieu of the regular committee meeting.

**Academic Subcommittee.** Ms. Rashidchi spoke about the last meeting where discussion included preschool/transitional kindergarten and a summer school update. The next meeting, the first Academic Townhall Meeting, will be November 8, 6:30 p.m. at Helms.

**Facilities Subcommittee.** Mr. Medrano reported on the October meeting and the committee's recommendation to the Board regarding the Wilson master plan and approval of the adoption of the middle school education standards. The next meeting will be held November 15, 4:00 at the Facilities Operations Center.

**Ivy League Connection.** Mr. Ramsey spoke about a recent dinner with Vanderbilt University and their partnership opportunities with the students of the District and an upcoming admissions night with Brown University. Ms. Kronenberg will accompany three students to Brown University in November to attend the Women in Leadership

program. Cornell University will host its Bay Area information session at El Cerrito High. A Yale representative visited DeAnza to talk with District counselors about the substance of recommendation letters. President Ramsey concluded by saying that the Ivy League Connection has been certified as a finalist for the Golden Bell award from the California School Boards Association.

**D.2 In Memory of Members of the School Community**

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

**Public Comment:**

None

**Board Comment:**

None

**E. PUBLIC AND COMMITTEE COMMUNICATIONS**

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

**E.1 Superintendent's Report**

Superintendent Harter provided a report of activities in the District.

**E.2 Request to Address the Board – Marshall Walker Jr. Heart Screening Foundation**

Mr. Stanley Marshall spoke about the need for heart screening of student athletes to detect heart conditions. He urged the District to take advantage of the screening opportunity.

**E.3 WCCUSD Public Comment**

Sandra Falk

**F. ACTION ITEMS**

**F.1 Approval of Wilson Elementary School Master Plan**

This item was moved to follow consent items.

**F.2 Public Hearing and Adoption, Initial Bargaining Proposal of West Contra Costa Unified School District for the 2011-2012 labor negotiations with Public Employees Union, Local 1**

This item was moved to follow consent items.

**F.3 Public Hearing and Adoption, Initial Bargaining Proposal of School Supervisors Association for 2011-2012**

This item was moved to follow consent items.

**F.4 Public Hearing and Adoption, Initial Bargaining Proposal of West Contra Costa Unified School District for the 2011-2012 labor negotiations with the School Supervisors Association (SSA)**

This item was moved to follow consent items.

**F.5 Special Education Annual Service Plan Revision and Public Hearing**

This item was moved to follow consent items.

Ms. Campos left the meeting for the evening.

**C.24 Ratification and Approval of Engineering Services Contracts**

Mr. Ramsey asked for information regarding the HMC project on the Gompers site. Mr. Fay spoke about the foundation system for the project with the proposed driven pile system. He continued to discuss the site conditions and a work plan in the approval stage with Department of Toxic Substance and Compounds as well as the current construction schedule and projected cash flow. Mr. Fay introduced Cheryl Lentini of HMC and Beverly Prior Architects who spoke about the geotechnical data collected and the building demolition that revealed a previously undetected well and fuel tank.

Peter Conley, geotechnical expert with Ninyo & Moore Engineering, spoke about exploratory probes to further investigate the site. Mr. Ramsey asked additional questions. Staff and the consultants present responded.

Ms. Kronenberg asked questions about a second review of the plans by the state and the timeline for the District's eligibility for Qualified School Construction Bond (QSCB) funds. Ms. Lentini continued to provide further information about the Department of State Architects review and the California Geotechnical Study review. Mr. Thurmond asked about scenarios that reviewers might find. Mr. Conley responded. Tom Swayze, of Cornerstone Structural Engineering, spoke about negligible impacts to design schedules.

President Ramsey asked Dave Olson of KNN Public Finance for his opinion about the risks of a delayed project and the extension of the QSCB funding. Mr. Olson said his expectation was that they will be able to keep more or less on the current schedule for bond sales.

Mr. Adam Murphy, Construction Administrator for HMC Architects, spoke about the thoroughness of the planning team and responses to review queries. Mr. Ramsey asked Mr. Abdalla for his opinion and assurances. Mr. Abdalla spoke about the proactive team.

Ms. Kronenberg asked questions about the proposed bond conference call with investors. Ms. Gamba said she had scheduled conference calls with investors that resulted in the delay of the posting of the Preliminary Official Statement (POS) and timeline in advance of November bond sale. Ms. Gamba suggested that they could be rescheduled with investors for next week. Mr. Olson and Mr. Scott Henry of E.J. De La Rosa & Company, said this should be accomplished by the November timeframe.

**MOTION: Mr. Medrano moved approval of Ratification and Approval of Engineering Services Contracts. Ms. Kronenberg seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**C.28 Approval of awards of Valley View Elementary School architectural fees**

Mr. Ramsey offered congratulation for moving the project forward.

**Public Comment:**

None

**Board Comment:**

None

**MOTION: Ms. Kronenberg moved approval of the awards of Valley View Elementary School architectural fees. Mr. Medrano seconded. Ms. Kronenberg, Mr. Medrano, Ms. Merriweather, Mr. Thurmond, and President Ramsey voted yes with no abstentions and no absences. Motion carried 5-0-0-0.**

**G. DISCUSSION ITEMS**

None

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

None

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

Ms. Kronenberg spoke about the Academic Subcommittee meeting and the early learning challenge grant for the preschool program. Ms. Merriweather announced that the Governor had signed this bill into legislation.

Ms. Merriweather announced October 15 – November 16 as anti-bullying month. She spoke about the screening of the film *Not in Our Town* at DeJean on October 20<sup>th</sup>. She concluded by saying that the District is addressing the serious concern about bullying.

President Ramsey adjourned the meeting in memory of Regina Hutton.

**J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING**

Lovonya DeJean Middle School – November 2, 2011

**K. ADJOURNMENT**

President Ramsey adjourned the meeting at 8:28 P.M.

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

<b>MK</b> Approved 11/2/11
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