

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
JULY 8, 2015**

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 recordings 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 Report/Ratification of Closed Session**
- * **B.5 Agenda Review and Adoption** (Public Comment)
- * **B.6 Minutes:** June 15, 2015; June 17, 2015; June 24, 2015
- * **B.7 Request to Address the Board – Dr. Fatima Alleyne**
- * **B.8 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 agendized, but may refer these to staff for response and/or placement on future agendas.

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 Grants/Awards/Agreements**

Comment:

Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed, dated July 8, 2015.

Recommendation:

Recommend Approval

As noted per grants summary

Fiscal Impact:

*CI **C.2 Acceptance of Donations**

Comment:

The District has received donations as summarized, dated July 8, 2015. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per donations summary

***CI C.3 Approval of Fund-Raising Activities**

Comment:
The planned fund-raising events for the 2015-16 school year are summarized, dated July 8, 2015.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Adoption of Resolution Nos. 15-1516, 16-1516 and 17-1516: Replacement of Outdated Warrants**

Comment:
Government Code Section 298029(c) allows the governing board, by resolution, to order replacement checks be issued for warrants that are stale dated. This resolution authorizes the issuance of checks to replace the outdated warrants for Margaret Maher, Rebecca Ridenour and Maria Laarni Ivey. Staff recommends replacement of the stale dated warrants.

Recommendation:
Recommend approval to replace the outdated warrants.

Fiscal Impact:
None

***CI C.5 Revised Board Policy (BP) 3100 - Budget**

Comment:
The Business Services Department is requesting a revision to Board Policy 3100 to align the budget process with the Local Control Accountability Plan (LCAP) per Education Code 42127 along with various edits recommended by the California School Board Association since 2011.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.6 Resolution Nos. 01-1516 through 14-1516: Board of Education Annual Resolutions for the 2015-2016 School Year**

Comment:

Approval is recommended of the Board of Education Annual Resolutions Nos. 01-1516 through 14-1516 for the 2015-2016 school year.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.7 Routine Personnel Changes - Certificated**

Comment:

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

Recommendation:

Ratify and Approve Certificated Personnel Changes

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

Fiscal Impact:

Total for this action: \$240,034. Funding sources are Bond Fund.

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

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Valley View ES Interim Campus; El Cerrito HS Stadium; De Anza HS Linked Learning; Dover ES Ph2 Parking and Site Improvements; Kennedy HS Digital Fab Lab; Sylvester Greenwood Academy & LPS. 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 accordance with Public Contract Code 20118.4, the Board, by 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:

\$281,671.55 Funded from Bond Fund

***CI C.10 Alvarado Adult Restroom Remodel Award of Contract**

Comment:

Architects MA prepared the plans and specifications for the project. The scope of work includes: remodeling an existing storage room (which was originally constructed as a kitchen) into fully-accessible male and female multi-accommodation restrooms. The proposed remodel shall require concrete floor slab removal and replacement as well as new non-load bearing wood stud wall construction. The remodel shall also include new floor, wall, and ceiling finishes, new partitions, new exhaust ventilation, new plumbing piping & fixtures, and new electrical power & lighting systems.

The District conducted a public bid process for the project. Bids were opened on July 1, 2015. Three contractors submitted a bid, A&E Emaar Company \$183,500; ERA Construction \$188,425; Streamline Builders \$267,900. Total bid is the sum of base bid and unit pricing. This benefits the District by locking in unit pricing to be used in negotiating future change orders. The apparent lowest responsive, responsible bidder is A&E Emaar Company.

The contract award is only associated with the lump sum base bid: A&E Emaar Company \$177,500; ERA Construction \$185,000; Streamline Builders \$265,000.

Recommendation:

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

Fiscal Impact:

Funded from Fund 40.

***CI C.11 Approval of Amendment 1 to Memorandum of Understanding with City of El Cerrito (“MOU”)**

Comment:

The construction at Korematsu Middle School project included the installation of a new storm water line that required crossing through the Castro Park ball field. The work at the field was completed in September 2014, however, the resulting field conditions were inconsistent, creating a safety concern. The District and the City agreed to improve the playing surface and environment. On March 3, 2015, the

Board ratified the MOU to design, manage and contribute \$200,000.00 for the renovation project of the athletic field located at Castro Park. The City received two bids on May 5, 2015 and the lowest bid exceeded the project budget and Engineer's Base Bid Estimate.

In an effort to keep the schedule of completing the work this summer the city has requested an amendment to the MOU that will increase the District's contribution by \$50,000. The MOU will allow the City to award the project and negotiate the scope of services to meet the intent of the project design. Project improvements include: replacement of irrigation system, grading, new sod, landscaping, and fencing. The field will be used by the students of Korematsu for their athletic programs during the school day.

Recommendation:

Approve Amendment 1 to Memorandum of Understanding.

Fiscal Impact:

\$50,000. Funded by MRAD.

***CI C.12 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 April 1, 2015 through June 30, 2015.

Recommendation:

Recommend Approval

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Recognition of Parent University**

Comment:

We would like to recognize and congratulate the parents that have graduated from the Parent University Program this school year. The seven-week Parent University program teaches parents how to navigate the school system and support their children's long term academic success. Parent University was implemented at Dover, Bayview, DeAnza, Lake, Montalvin, Nystrom, Riverside, Verde, and Wilson; nearly 300 parent graduates completed the program. We commend them for their dedication and commitment.

Recommendation:

For Information Only

Fiscal Impact:

None

E. COMMITTEE COMMUNICATIONS

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

* **E.1 Superintendent’s Report**

F. ACTION ITEMS

* **F.1 Meeting Dates for 2015-2016**

Comment:

Board Policy 9100 requires that the Board set the calendar of meetings for the calendar year at its December organizational meeting. Yet for planning and communication purposes, it would be unwise to wait until December each year to set the meeting dates for the first few months of the new calendar year. While the Board would certainly have the authority to change meeting dates, as it does at any time, it is important to establish dates for the calendar year 2015.

The recommended are as follows:

2015	July 8 & 21
	August 12
	September 2 & 16
	September 30 – Joint Meeting with CBOC
	October 7 & 21
	November 4 & 18
	December 9
2016	January 6 & 20
	February 10
	February 24 – Joint Meeting with CBOC
	March 2 & 23
	April 13 & 27
	May 11 & 25
	June 15 & 29

Recommendation:

Recommend Approval

Fiscal Impact:

None

G. DISCUSSION ITEMS

* **G.1 WCCUSD Role in Richmond Promise**

Comment:

On July 29, 2014, the Richmond City Council approved the [Environmental and Community Investment Agreement \(ECIA\)](#). The ECIA is an agreement between the City of Richmond and the Chevron Corporation to provide \$90 million to the Richmond community over the next ten years. The City made the Richmond Promise a centerpiece of its agreement, with \$35 million of total ECIA funds allocated to the Promise. This funding is intended to provide direct support to Richmond students, with

supplemental administration provided in kind by community partners. The initial \$35 million will be part of a larger financial growth and fundraising strategy to continue to support eligible Richmond students with scholarship awards in perpetuity. The goal is to develop an endowment of at least \$150 million.

City of Richmond staff have developed a draft strategic plan and has scheduled two community stakeholder forums to get community feedback. Many of the initiatives included in the strategic plan are in the WCCUSD LCAP plan, but others are not.

Recommendation:

That the Board discuss the Richmond Promise initiative and give staff direction around the next steps.

Fiscal Impact:

None

* **G.2 Temporary/Substitute Personnel - New Board Policy 4121**

Comment:

This new board policy is recommended by the California School Board Association. The policy will outline the hiring, classification, salary, benefits, paid sick leave, release, and reemployment of temporary, as well as, substitute employees. This policy will also ensure the districts compliance with AB 1552 which requires districts to grant paid sick leave to all employees who work 30 or more days per year which includes temporary and substitute employees.

It is presented tonight as a discussion item and will be brought back at the next board meeting for final action.

Recommendation:

Board to review new Board Policy 4121 and provide suggestions for revision.

Fiscal Impact:

None

* **G.3 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
- Construction Status Reports

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 – Tuesday, July 21, 2015

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

July 8, 2015

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Section 54956.8)

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
[Government Code Section 54956.9(d)(1)]

California Charter School Association v. WCCUSD

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE TO LITIGATION
[Government Code Section 54956.9(d)(2) or (d)(3)]

Five cases

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION/INITIATION OF LITIGATION
[Government Code Section 54956.9(d)(4)]

5. LIABILITY CLAIMS (Government Code Section 54956.95)

6. 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

7. PUBLIC EMPLOYEE APPOINTMENT

High School Assistant Principal
Middle School Assistant Principal
Elementary Principal

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

9. STUDENT DISCIPLINE (Education Code Section 35146)

Expulsions

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

11. REPORT OF CLOSED SESSION ACTIONS