

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
JULY 24, 2013**

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 tapes 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: July 10, 2013

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 24, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

***CI C.2 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve the following contracts for services as detailed, dated July 24, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contracts summary

***CI C.3 Annual Renewal of Continuing Services**

Comment:

Permission is requested of the Board of Education to approve the following contracts for services as detailed, dated July 24, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per contracts summary

***CI C.4 Disposal of Obsolete and Damaged District Personal Property for the School Year 2013-14**

Comment:

Per Board Policy BP 3279 Sale and Disposal of Books, Equipment and Supplies (Personal Property) and Administrative Regulation AR 3270 the Governing Board recognizes that the District may own personal property which is unusable, obsolete, or no longer needed by the district. The Purchasing Department shall arrange for the sale or disposal of District personal property in accordance with Board policy and the requirements of state law.

Recommendation:

Recommend Approval

Fiscal Impact:

No cost to the District

***CI C.5 Procurement Contracts for the School Year 2013-14**

Comment:

Under Public Contract Code Section 20118 (K-12) our District is able to utilize the following procurement contracts which have been publicly bid, or negotiated for the use by other public entities. These contracts will be utilized during the school year 2013-14. The contracts will allow the District to procure classroom and teacher materials and supplies, along with computers, equipment, and services at a discounted rate saving the District time and money.

Alameda County Corporate Purchasing Agreement
Alameda County Office of Education Cooperative Purchasing Program
Apple Computer, Inc
Val Verde USD Bid #09/10-001 (Southwest School and Office Supplies)
California Multiple Award Schedules (CMAS)
CalSave
County of Los Angeles #43469
Microsoft Academic SLP #SLP-07-70-0025G
National Joint Powers Alliance (NJPA)
NJPA Emergency Response Equipment #032509-CDWG
School Specialty California Educational Resource Program Contract #V-4
Toshiba America Business Solutions, Inc. (TABS) Glendale USD Contract #P-12
The Cooperative Purchasing Network (TCPN)
US Communities Government Purchasing Alliance
Western States Contracting Alliance (WSCA) Master Agreement #A63307 (Dell)
Western States Contracting Alliance (WSCA) Agreement #7-08-70-13 (Cisco)
Western States Contracting Alliance (WSCA) Agreement #S1523 (Sprint)

Recommendation:

Recommend approval to utilize the above contracts

Fiscal Impact:

None

***CI C.6 Routine Personnel Changes – Classified**

Comment:

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

Recommendation:

Approve Classified Personnel Changes

Fiscal Impact:

None

***CI C.7 Acceptance of Contracts for Placement of Student Teachers**

Comment:

Teachers in this district provide supervision and evaluation for student teachers seeking credentials to teach in California public school classrooms. These arrangements are made between the institution of higher education and the individual classroom teacher.

Staff requests approval from the Board of Education to accept Contracts for Placement of Student Teachers as detailed on the attached sheet dated July 24, 2013.

Recommendation:

Recommend Approval

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: \$2,740,015. Funding sources Measure J Bond and Measure D-2010 Bond.

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

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Ellerhorst ES Restroom Repairs; Lincoln ES Restroom Repairs; New Gompers & LPS Richmond Schools; Portola MS Demolition of Existing Campus. 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:

Total ratification and approval by this action: (\$11,570.00)

***CI C.10 Approve Measure J and D 2010, Measure E 2012, Bond Program Budget Expenditure Authorization**

Comment:

The District needs to update the Bond Program Budget to accommodate updated anticipated project costs, based on recently received bids and updated construction estimates. Projects and budgets were presented to the Facilities Subcommittee on June 11, 2013 and July 9, 2013. Motions were approved to send the budgets to the full Board for approval. The expenditure authorization worksheet provided includes these proposed adjustments.

Several other current construction estimates exceed the approved project budgets; therefore an ongoing reconciliation will be needed as projects are bid, closed out, and/or additional expenditures are incurred.

Recommendation:

Approve Measure J and D 2010, Measure E. 2013, Bond Program budget expenditure authorization.

Fiscal Impact:

Updated budgets for Measure J and D 2010, Measure E 2012 Bond Program.

***CI C.11 Ratification of Staff Awarded Contract: Kennedy HS Kitchen Flooring**

Comment:

HMR Architects has prepared plans and specifications for the project. Scope of work includes preparation of the concrete slab surface with moisture vapor reducer and the installation of the epoxy flooring finish system.

The District conducted a public bid process for the project. Bids were received on July 2, 2013. One contractor submitted a bid as follows: The Thompson Construction Group, Inc. \$59,440. The apparent low bidder is The Thompson Construction Group, Inc.

Recommendation:

Ratify the award to The Thompson Construction Group, Inc.

Fiscal Impact:

\$59,440

***CI C.12 Ratification of Staff Awarded Contract: Vista AHS and Bayview ES Restrooms Renovation**

Comment:

Sally Swanson Architects, Inc. has prepared plans and specifications for the project. Scope of work includes renovate of existing restrooms including removal and reinstallation of plumbing and electrical fixtures, HVAC grills/ exhaust fans, toilet partitions, access panels, and accessories. Work also includes refurbishing existing doors and trim, epoxy flooring, and re-glazing existing windows in addition to the removal and reinstalling of gypsum boards, tiles and electric hand dryers.

The District conducted a public bid process for the project. Bids were received on June 27, 2013. Three contractors submitted bids. They are as follows: AM Woo Construction, \$469,000; Streamline Builders, Inc. \$470,000; ERA Construction \$495,000. The apparent low bidder is AM Woo Construction, Inc.

Recommendation:

Ratify the award to AM Woo Construction, Inc.

Fiscal Impact:

\$469,000

***CI C.13 Agreement for Program, Project and Construction Management Services Between West Contra Costa Unified School District and SGI Construction Management (“Agreement”)**

Comment:

In July 2012, the District advertised a Request for Proposals for Program and Construction Management Services in local papers of general circulation and posted on the Facilities Planning and Construction website. In December 2012, the District’s Evaluation Committee met to evaluate six proposals to determine the firms that would be invited to interview. The Evaluation Committee evaluated the proposals and the top four scoring firms (“Firms”) were invited to interview with the District’s selection committee. The Firms were interviewed by the District’s Selection Committee on March 25, 2013. The Firms were evaluated based on their understanding of the requirements and needs of the District’s Capital Program as demonstrated by the Firms project teams. Firms were rated on the completeness of their understanding of the District’s Capital Program and their demonstrated ability to meet the District’s Capital Program needs.

Subsequent to the evaluation, the District’s Facilities Subcommittee of the Board of Education approved the Selection Committee’s recommendation to retain SGI Construction Management to perform

Program Management services. The Facilities Subcommittee further directed that SGI be retained to provide Construction Management services.

The Agreement provides for SGI to provide both Program and Construction Management services for projects that are a part of the District's Measures D and E Bond Program. SGI will be paid based on work completed on a per hour basis, per an agreed upon fee schedule, Exhibit "D" of the Agreement.

Recommendation:

Approve the Agreement for Program, Project and Construction Management Services between West Contra Costa Unified School District and SGI Construction Management for 2013 – 2018.

Fiscal Impact:

To Be Determined

***CI C.14 Bid and Award Schedule Update for Montalvin Manor Elementary School Classroom Building Addition**

Comment:

At the July 10, 2013 meeting the Board requested a representation of the schedule for bidding and awarding of the Montalvin Manor Elementary School Classroom Building Addition project. The Architect of Record reported that the project was approved by the Division of the State Architect (DSA) on July 10, 2013.

A milestone outline is provided for the Board's reference, as follows:

Bid Start	July 26, 2013
Bids Due	September 5, 2013
Notice of Award	October 7, 2013

Recommendation:

Approval to make the Montalvin addition a priority

***CI C.15 Organizational change that will create categorically funded Executive Director K-12 services position to provide leadership to the Linked Learning/College & Career initiative both within WCCUSD and in fulfilling our responsibilities under AB790**

Comment:

Last year in a competitive grant process, our District won designation as one of the AB790 districts charged with mentoring other school districts in moving toward the Linked Learning strategy for improving college and career readiness. In late June at the Linked Learning Summer Institute, we found out how large that commitment will be including hosting two experiential site visits for prospective districts, facilitating role alike meetings and seminars for teachers, administrators, district leaders, community members and elected officials, serving as "communications spokespersons and champions, within the AB790 Initiative and in related regional, statewide, and national work advancing the Linked Learning field," and participating in state and national conferences as presenters in at least two areas of expertise. With these increased responsibilities come increased funding from AB790, the new LCFF and a private grant.

Recommendation:
Recommend Approval

Fiscal Impact:
No impact to the General Fund; position is grant funded for 2013-14

***CI C.16 Approval of Board Member Travel**

Comment:

Board Bylaw 9250 stipulates members of the board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044). Board member Ramsey has expressed interest in attending the following:

- Ivy League Connection, July 7 – 9, Columbia University
- Ivy League Connection, July 11 – 13, Vanderbilt University
- IntegratED San Francisco, October 4 – 5, San Francisco
- CSBA Annual Education Conference, December 5 – 7, San Diego

Expenses including registration, travel and food are budgeted and there is sufficient funding within that budget.

Recommendation:
Recommend Approval

Fiscal Impact:
General Fund

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a “Request to Address the Board” form. Five minutes may be allowed for each subcommittee or group listed below:

- | | |
|--|--------------------------------|
| Academic Subcommittee | Public Employees Local 1 |
| Bayside Parent Teacher Association | Safety Committee |
| Citizens’ Bond Oversight Committee | School Supervisors Association |
| College and Career Readiness Academies | Technology Committee |
| Community Budget Advisory Committee | United Teachers of Richmond |
| Facilities Subcommittee | Youth Commission |
| Ivy League Connection | |

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

Comment:

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Howard Cohen recently passed away. Mr. Cohen served the District as Regional Superintendent for the years 2003 through 2006.

Steve Cederborg, School Psychologist, served the District from 2001 through 2005 when he retired. Mr. Cederborg continued working part time after retirement until his recent passing.

Our thoughts go out to the family and friends in the loss of their loved one.

Recommendation:

For Information Only

Fiscal Impact:

None

E. PUBLIC AND COMMITTEE COMMUNICATIONS

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

* **E.1 Superintendent's Report**

* **E.2 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.

F. ACTION ITEMS

* **F.1 45 Day Budget Revision – 2013-14**

Comment:

E.C. 42127(i)(4) states that, "Not later than 45 days after the Governor signs the annual Budget Act, the school district shall make available for public review any revisions in revenues and expenditures that is made to its budget to reflect the funding made available by that Budget Act."

The 2013-14 budget for the State was adopted Friday, June 14, 2013; many of the legislative trailer bill packages to enact provisions of the budget have now been passed (as of July 12). Included in the budget adoption is a new funding model that is a landmark change to school district funding within the State of California. The new funding model is called the Local Control Funding Formula (LCFF) and the new accountability program is called Local Control Accountability Program (LCAP). While there is a State adopted budget there is still an enormous amount of work to be done at the State level to implement the new funding and accountability model. Due to the timing constraints and legislative process, the Board adopted an annual budget using the general operational and revenue assumptions that are within the District's current programs, Board Direction and activities, and the 2012-13 State law relating to school revenues. The School Board now has an obligation to adopt a revised budget. This revision reflects the best information the District has at this time, and will be subject to change as more information is provided by the State for the implementation of the new LCFF and LCAP programs.

An Executive Summary including a budget for estimated revenues and expenses for 2013-14 will be delivered under separate cover and is available on the Districts website as well as on the front counter of the District Office.

Recommendation:

Adopt the 45 day budget revision

Fiscal Impact:

See Executive Summary

- * **F.2 Resolution No. 16-1314: Request to the Contra Costa County Board of Supervisors to establish tax rates for Measure 2010 D and 2012 Measure E General Obligation (GO) bonds expected to be sold during the fiscal year and to levy taxes for 2000 Measure M, 2002 Measure D, and 2005 Measure J outstanding bonds**

Comment:

The District currently has bonds outstanding under six separate voter approved General Obligation (GO) bond authorizations. Each bond authorization has its own tax rate target based on the tax rate statement presented to voters at the time of election. Due to the unprecedented decline in tax base in 2009/2010 and 2010/2011, there have been tax rate concerns for three existing bond authorizations: the 2000 Measure M, 2002 Measure D, and 2005 Measure J. Despite the tax base declines, District Board of Education has made it a priority to maintain tax rates at or below the targeted levels to the extent possible consistent with the principles of prudent debt management. Through a number of proactive initiatives over the last several years, the District has been able to be at or below the tax targets for every single authorization in every single year.

In early July, the County Assessor released preliminary assessed values for 2013/2014. The information we received from the County Assessor indicated that the assessed valuation for the District decreased by approximately 5.90% between 2012/2013 and 2013/2014. The decrease in assessed value is driven by a significant decrease in the tax base for the City of Richmond. The fire at the Chevron refinery is one of the factors which led to the decrease in assessed value for the City of Richmond.

The District is requesting that the county set the 2013/2014 tax rates at the targeted levels of \$55.60 per \$100,000 in assessed value for 2000 Measure M bonds, \$60.00 per \$100,000 in assessed value for 2002 Measure D bonds, \$60.00 per \$100,000 of assessed value for 2005 Measure J bonds. The District plans to

issue its first series of 2012 Measure E bonds and its second series of 2010 Measure D bonds in late September or early October. The District desires to structure these bonds to achieve the 2013/2014 tax rate of \$48.00 per \$100,000 of assessed value. The District is requesting that the county set the tax rate at \$48.00 per \$100,000 for the 2010 Measure D and 2012 Measure E bonds.

The 1998 Measure D bonds will continue to be well below the target maximum rate. Last year, the tax rate was \$8.70 per \$100,000 of assessed value which is below the target tax rate of \$26.40.

Recommendation:

Approval of Resolution No. 16-1314 requesting the Contra Costa County Board of Supervisors set tax rates for the District's GO bonds.

Fiscal Impact:

Establish rates for debt service payments

G. DISCUSSION ITEMS

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 – Monday, August 12, 2013

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 24, 2013

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

- a. WCCUSD v. Orrick
- b. Palmer and Pollack v. WCCUSD
- c. American Standards Properties v. WCCUSD

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION
[Government Code Section 54956.9(b)]

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. 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

6. PUBLIC EMPLOYEE APPOINTMENT

Elementary Principal
K-8 Principal
High School Principal
Coordinator Educational Services

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

8. STUDENT DISCIPLINE (Education Code Section 35146)

Expulsions

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

Certificated / Classified Employee Dismissal

10. REPORT OF CLOSED SESSION ACTIONS