WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION MEETING AGENDA JUNE 25, 2014

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: <u>http://www.kcrt.com</u> 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 at5:30 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.

B. OPENING PROCEDURES

- **B.1** Pledge of Allegiance
- **B.2** Welcome and Meeting Procedures
- B.3 Roll Call

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- B.4 Report/Ratification of Closed Session
- **B.5** Agenda Review and Adoption (Public Comment)
- * **B.6 Minutes:** June 11, 2014
- * B.7 Request to Address the Board Supervisor John Gioia
- * B.8 Request to Address the Board Mr. Anton Jungherr
- * B.9 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 June 25, 2014.

<u>Recommendation</u>: Recommend Approval

<u>Fiscal Impact</u>: As noted per grants summary

*CI C.2 Contracts

Comment:

Permission is requested of the Board of Education to approve the contracts as detailed, dated June 25, 2014.

<u>Recommendation</u>: 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 contracts for services as detailed, dated June 25, 2014.

<u>Recommendation</u>: Recommend Approval

Fiscal Impact: As noted per contracts summary

*CI C.4 Notice of Completion: Bid 2101101-16 Helms Middle School Sports Fields & Landscaping

Comment:

Substantial completion notice has been received for: Bid 2101101-16

Major construction projects are subject to acceptance by the governing board before a Notice of Completion can be processed, and final payment of the contract made. (BP 7470)

Staff recommends acceptance of the work completed by the following contractor:

Robert A. Bothman, Inc., Bid 2101101-16 Helms Middle School Sports Fields & Landscaping.

<u>Recommendation</u>: Recommend approval of this notice of completion

Fiscal Impact: None

*CI C.5 Notification of Claims Rejected – Personal Injury

Comment:

The District has received claims requesting compensation for personal injury. The District's risk management firm has investigated the claims and is requesting the School Board to ratify the authorized claims rejections.

<u>Recommendation</u>: Ratify the rejection of claims. Fiscal Impact: None

*CI C.6 Notification of Claim Rejected - Property

Comment:

The District has received a claim requesting compensation for property damage. The District's risk management firm has investigated the claim and is requesting the School Board to ratify the authorized claim rejection.

<u>Recommendation</u>: Ratify the rejection of claim

Fiscal Impact: None

*CI C.7 Community Budget Advisory Committee Amended Member Ratification

Comment:

The Community Budget Advisory Committee (CBAC) met on April 24, 2014. This is an amendment to reflect the expiration of terms for Ken Ryan and Mary Flanagan, whose terms expire on June 30, 2014 and the addition of Elizabeth Bundschu-Mooney to fill the Teacher position. The committee roster is subject to ratification by the School Board at a regular Board of Education meeting. Pending ratification, below is a complete list of the committee members and term dates. The CBAC is currently seeking a member for the Classified position.

COMMUNITY BUDGET ADVISORY COMMITTEE - MEMBERS			
MEMBER NAME	MEMBER TYPE	VOTING STATUS	TERM ENDING
Juan Martinez	Business Leader	Voting	June 30, 2015
Sonia Bustamonte	Parent	Voting	June 30, 2015
Ken Ryan *	Community Member	Voting	June 30, 2016
Elizabeth Bundschu-Mooney	Teacher	Voting	June 30, 2016
VACANT	Classified	Voting	December 31, 2014
Paul Shatswell	Principal	Voting	December 31, 2014
Eduardo Martinez, Chair	Community Member	Voting	December 31, 2014
Antonio Medrano	Community Member Alternate	Voting	December 31, 2014
Fatima Alleyne	Parent Alternate	Voting	June 31, 2015
Mariam Alam	Community Member/Parent Alternate	Voting	June 30, 2015
Todd Groves	Board	Non-Voting	
Sheri Gamba	Pusipose Services	Non Voting	
	Business Services	Non-Voting	
Germaine Quiter	Business Services	Non-Voting	

*New term effective July 1, 2014

<u>Recommendation</u>: Recommend Approval

Fiscal Impact: None

*CI C.8 Community Budget Advisory Committee (CBAC Report)

Comment:

On April 24, 2014, the Community Budget Advisory Committee approved a resolution concerning the 2013-2014 Parcel Tax Expenditures and Scope of Measure D, finding that the expenditures budgeted for Fiscal Year 2013-2014 are within the stated purposes for Measure D funds. The Committee has requested this resolution be presented to the Board.

<u>Recommendation</u>: For Information Only

Fiscal Impact: None

*CI C.9 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.

<u>Recommendation</u>: Approve Classified Personnel Changes

Fiscal Impact: None

*CI C.10 Revised School Calendar 2014-2015

Comment:

The 2014-2015 School Calendar is adjusted to reflect two days of Common Core Training. Back to School Night at the High Schools has been adjusted as not to conflict with Rosh Hashanah. Human Resources has discussed the change with the high schools to ensure the date move would not have a negative impact on the sites.

<u>Recommendation</u>: Recommend Approval

Fiscal Impact: None

*CI C.11 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.

<u>Recommendation</u>: Ratify and approve contracts

<u>Fiscal Impact</u>: Total for this action: \$498,953. Funding sources are Bond Fund and Fund 40.

*CI C.12 Approval of Negotiated Change Orders

Comment:

Staff is seeking approval of Change Orders on the following current District construction projects: Kennedy HS Science Wing Renovation; Dover ES Building 'A' Camera Replacement; Gompers/LPS New Schools. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board approval 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 approving 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.

<u>Recommendation</u>: Approve negotiated Change Orders as noted

<u>Fiscal Impact</u>: Total approval by this action: \$91,163.36

*CI C.13 Approval of Additional Program Management Expense

Comment:

The District's Bond Measures have been managed by the Seville Group ("SGI"). This company has provided Program Management services which include design management, cost tracking, fiscal controls, network administration, document control, invoice processing, multi-year project budgeting and tracking, bid phase management, contract management, website management, reception, and coordination services of all of the District's construction projects. These program management services are essential to the functioning of the District's Bond Program.

District staff has negotiated a fee for services with a staffing plan prepared by SGI to maintain current levels of service for the Bond Program Management through the end of the calendar year.

Recommendation:

Approve additional Program Management expense for Seville Group, Inc.

Fiscal Impact:

Total for this action: \$2,305,695. Funding source is Bond Fund.

*CI C.14 Ratification of Staff Awarded Contract: Harding Elementary School Exterior Repairs and Select Roofing Replacement Project

Comment:

Grossmann Design Group has prepared plans and specifications for the project. Scope of work includes exterior wall repairs, window repairs, door repairs, refurbishing interior attic roof access, and minor associated roof system repairs.

The District conducted a public bid process for the project. Bid was opened on June 11, 2014. One contractor submitted a bid, Best Contracting Services, Inc. \$918,600. The lowest responsive, responsible bidder is Best Contracting Services, Inc.

<u>Recommendation</u>: Ratify the award to the lowest responsive, responsible bidder: Best Contracting Services.

Fiscal Impact: \$918,600 Funded from Bond Fund.

*CI C.15 Ohlone Elementary School Security ACS/IDS/SVS Project Rejection of All Bids

Comment:

This project would provide installation of all the security devices and connectivity required to provide fully functioning access control, security video, and intrusion detection systems for Ohlone Elementary School's new buildings and Interim Housing.

Security By Design completed plans and specifications for the project. The District conducted a public bid of the project. Bids were opened on June 11th, 2014. Two Contractors submitted bids. They were as follows: Electronic Innovations, \$588,416.54; and Ojo Technology, \$739,567.57.

After opening the bids, the District received a bid protest and subsequent to that information regarding the project schedule and scope.

Recommendation: Reject all bids

<u>Fiscal Impact</u>: Not known at this time. Funded from the Bond Fund.

*CI C.16 Ratification of Technology Equipment & Services for Ohlone Elementary RFP Dated 4/28/2014

Comment:

The District prepared plans and specifications for technology equipment and services for Ohlone Elementary School, 1616 Pheasant Drive, Hercules, 94547. The scope of work included providing and configuring switches, VoIP phones, mounting wireless access points and "rack and stack" services.

The District solicited competitive bids for the project. The RFP was advertised on April 28, 2014 and closed

May 12, 2014. AEKO Consulting was the only company that submitted a bid. Their bid was \$344,959.65.

The only responsive, responsible bid was from AEKO Consulting.

Recommendation:

Ratify the award to the only responsive, responsible bidder: AEKO Consulting

Fiscal Impact:

\$344,959.65 Funded from Bond Measure E.

*CI C.17 CBOC Appointment Date

Comment:

At the January 8, 2014 meeting, the Board appointed Peter Chau as Supervisor's Gioia's representative to the CBOC. Shortly after the appointment, Mr. Chau informed the CBOC that he would not be available to begin service until April 2014.

<u>Recommendation</u>: That the Board approve the starting date for Mr. Chau as April 23, 2014.

Fiscal Impact: None

*CI C.18 Approval of Board Members 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 members have expressed interest in attending the following:

- Evaluating Impact Summit, Portland, OR, June 20, 2014
- Big Bang 13 Learning Conference, Las Vegas, August 6-8, 2014
- California School Boards Association Annual Conference, San Francisco, December 14-16, 2014

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

<u>Recommendation</u>: Recommend Approval

<u>Fiscal Impact</u>: General Fund, estimated cost \$6,500.00

D. AWARDS, RECOGNITIONS, AND REPORTS

* D.1 Richmond Writes Poetry Contest

Comment:

The Richmond Writes Poetry Contest began in 2010 and is sponsored by the Richmond Arts & Culture Commission (RACC). The 2014 theme for this competition was tied to a new mural called **Richmond Identities: Extraordinary Lives/Ordinary People.** This mural was installed in June 2013 on the Senior Center wall at 2525 Macdonald Avenue near Civic Center Plaza. The mural's content came from stories told by the people of Richmond, and includes all aspects of our diverse community. The *Richmond Writes!* Poetry contest builds on this theme, inviting students to tell their own stories about their own identities.

RACC in coordination with West Contra Costa Unified School District opened this poetry contest to any school located in Richmond, or any student who resides in Richmond.

WCCUSD and non-public school teachers were invited to attend a workshop prior to the contest. Both elementary and secondary teachers were invited to learn the art of writing Haiku and given strategies on how to teach the students to become creative writers. The submission deadline was February 10 and the awards were presented on April 11thth at the Richmond City Chambers during National Poetry Month.

Winning poets from Ford, Highland, Washington, Wilson, DeJean and Kennedy were honored during a ceremony at the Richmond City Chambers amongst family, friends, city, and district officials.

A brief report on the contest will be shared and WCCUSD student poets will be celebrated.

<u>Recommendation</u>: Report and recognition

Fiscal Impact: None

D.2 Title I Academic Achievement Award

Comment:

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Richmond College Prep is one of the District's independent charter schools that serves a population of student in Richmond's Iron Triangle. Student performance at the school has continually improved and in 2013, it was the highest performing elementary school in the area. As a result, the California Department of Education has recognized Richmond College Prep as a Title I Achievement Award winner for 2014.

Recommendation:

That the Board recognize the outstanding performance of Richmond College Prep.

Fiscal Impact: None

* D.3 Masterplan for English Learners Initial Review

Comment:

West Contra Costa Unified School District is developing a new Masterplan for English Learners. Professor Jose Lopez and staff will present the draft masterplan to the Board of Education for initial review.

The plan will include information in the following areas: Identification, Assessment and Program Placement, Instructional Programs, Monitoring of Student Progress, Reclassification, Staffing and Professional Development, Parent and Community Involvement, and Evaluation and Accountability.

After tonight's initial review, the Masterplan for English Learners will be brought back to the July 9 Board of Education meeting for approval.

<u>Recommendation</u>: For Information Only

Fiscal Impact: None

* D.4 Update on SBAC Testing

Comment:

The Assessment Office staff will be updating the Board on the status of SBAC testing which includes; overview of administration, school participation and feedback from the field.

<u>Recommendation</u>: For Information Only

Fiscal Impact: None

E. COMMITTEE COMMUNICATIONS

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

* E.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 Bayside Parent Teacher Association Citizens' Bond Oversight Committee College and Career Readiness Academies Community Budget Advisory Committee Facilities Subcommittee Ivy League Connection Public Employees Local 1 Safety and School Climate Committee School Supervisors Association Technology Subcommittee United Teachers of Richmond West Contra Costa Administrators Association Youth Commission

* E.2 Superintendent's Report

* E.3 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.

Mr. James Edward began work with the District in 1994 as a concrete mason and held the position of Maintenance Supervisor for the last eight years.

Ms. Leslie Good taught kindergarten teacher at Ellerhorst Elementary School since 1997. She started her career with the District in 1978 teaching at Del Mar Elementary.

Mr. Andrew Melvin Gooden founded the Gooden College Connection in 1993 and was responsible for guiding the youth of Richmond and El Cerrito to attend some of the most prestigious colleges in the nation.

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

<u>Recommendation</u>: For Information Only

Fiscal Impact: None

F. ACTION ITEMS

* F.1 Approval of the Local Control Accountability Plan

Comment:

In 2013, Governor Brown signed bills that created the Local Control Funding Formula – the greatest change to public school finance in 40 years. Part of that law requires that all districts create a Local Control Accountability Plan to engage communities in determining how the additional funds will be spent and how the district will be accountable to creating a position impact for the neediest students. In January and February the District held six community meetings that involved more than 600 people in reviewing how the District Plan Report and LCAP could come together and better serve students. The Board held two workshop sessions on the LCAP in February and March. The District Local Control Accountability Committee was created by Board action in January and the committee members were appointed in March. That committee held four meetings in March, April and May to review a draft of the LCAP which was updated throughout the process. The plan has been updated after the two public hearings on May 28, 2014 and June 11, 2014.

Recommendation:

That the Board approve the 2014-15 District Local Control Accountability Plan.

Fiscal Impact:

LCFF brings substantial resources to the district over 8 years including an estimated \$24 million for

2014-15.

* F.2 Budget for 2014-15

Comment:

The District budget will be presented in accordance with Education Code 52062, which aligns the budget with the Local Control Accountability Plan (LCAP). Staff presented a report on the budget for 2014-15 at the June 11, 2014 Board meeting as a part of the public hearing.

<u>Recommendation</u>: Recommend Approval

Fiscal Impact: Adopted budget for 2014-15

F.3 Resolution No. 86-1314 Authorizing the Issuance and Sale of its General Obligation Refunding Bonds, 2014 Series A, in an Aggregate Principal Amount not to Exceed \$100,000,000, Including Bond Subject to the Compounding of Interest, and Approving Certain Other Matters Relating to Said Bonds

Comment:

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At the direction of staff, the District's financing team, including KNN Public Finance, Piper Jaffray & Co. and Backstrom McCarley Berry & Co. LLC, and Nixon Peabody LLC, have prepared documentation for the purpose of permitting the District to refinance certain of its currently outstanding bonds (its General Obligation Bonds, Election of 2002, Series C, and its General Obligation Bonds, Election of 2005, Series A). The proposed refunding would have the effect of reducing the burden on District taxpayers in accordance with the Board's Refunding Policy, adopted on April 24, 2013, generating a minimum of \$1,000,000 in total present value savings and a minimum of \$100,000 of savings on an annual basis, and helping the District maintain its tax rates under these authorizations at levels promised to the taxpayers. In order to accomplish this, it is necessary to preserve the District's option to issue its refunding bonds in the form of Convertible Capital Appreciation Bonds as well as Current Interest Bonds. Such a structure requires the Board, in turn, to comply with the provisions of Assembly Bill 182, comprising portions of Section 15146 of the Education Code ("A.B. 182"). A.B. 182 requires certain special disclosures, which are reflected in Exhibit D to this Resolution, and it also requires that the Resolution and those disclosures be submitted to the Board first as an information item, which was accomplished on June 11, 2014, at a regularly scheduled Board meeting, and acted upon at the next consecutive regularly scheduled Board meeting of June 25, 2014.

In addition to the Resolution, the documents considered for action are: Contract of Purchase, which is a document under which the Underwriters would agree to purchase Bonds, following approval, marketing and pricing; Escrow Agreement, under which the net proceeds of the Refunding Bonds would be held and invested until the first call date of the refunded bonds; Preliminary Official Statement, which is the disclosure document prepared for the District, describing the Bond issue, the refunding, the tax profile and other financial and operating information concerning the District; and Continuing Disclosure Agreement, whereby the District agrees to provide ongoing financial and operating information to the municipal marketplace after the issuance of the Refunding Bonds.

Recommendation:

To adopt the Resolution and accompanying documents.

Fiscal Impact:

Potential savings to taxpayers reducing debt service by over \$12,000,000.

G. DISCUSSION ITEMS

* G.1 Project Status Report

Comment:

The following are provided for review of Facilities Planning and Construction in the District's Bond Program and are for information regarding an individual project:

• Gompers/Leadership

<u>Recommendation:</u> 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 – July 9, 2014

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 **<u>Open Session</u>** will resume at the end of the <u>**Closed Session**</u> in the Multi-Purpose Room at approximately 6:30 PM.

EXHIBIT A

(Government Code Section 54954.5) CLOSED SESSION AGENDA

June 25, 2014

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. AC, a minor, by and through his Guardian, Ad Litem, Crystal McNeal
- **3. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED/POTENTIAL LITIGATION** [Government Code Section 54956.9(b)]

Five 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

Agenda Item: A

- c. Unrepresented Employees - Confidential and Management
- 6. PUBLIC EMPLOYEE APPOINTMENT Elementary Principal Assistant Principal Director

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)
- 10. REPORT OF CLOSED SESSION ACTIONS