

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
MEETING AGENDA  
SEPTEMBER 17, 2014**

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**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](http://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.

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**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.

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**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.

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"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 Presentation of Student Board Representative from El Cerrito High School**
- B.5 Report/Ratification of Closed Session**
- \* **B.6 Agenda Review and Adoption** (Public Comment)
- \* **B.7 Minutes:** September 3, 2014
- \* **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 Acceptance of Donations**

Comment:

The District has received donations as summarized, dated September 17, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

\*CI **C.2 Approval of Fund-Raising Activities**

Comment:

The planned fund-raising events for the 2014-15 school year is summarized, dated September 17, 2014.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

**\*CI C.3 Summary of Payroll and Vendor Warrant Reports**

Comment:

The summaries of Payroll and Vendor Warrants issued during the month of August 2014 are provided.

Total of payroll warrants (August 2014):	\$ 10,299,922
Total of vendor warrants (August 2014):	\$ 21,990,489

Recommendation:

Recommend approval of the payroll and vendor warrant reports

Fiscal Impact:

As noted above

**\*CI C.4 Notice of Completion: Bid 1541223-03 Shannon Elementary Miscellaneous Repairs**

Comment:

Substantial completion notice has been received for: Bid 1541223-03

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:

Hung Construction Builders, Bid 1541223-03 Shannon Elementary Miscellaneous Repairs.

Recommendation:

Recommend approval of this notice of completion

Fiscal Impact:

None

**\*CI C.5 Bond Finance Team for Potential Bond Issuance 2015**

Comment:

In anticipation of issuing new money general obligation bonds in 2015, staff is requesting that the Board appoint a Bond Finance Team. The Bond Finance Team is recommended as follows:

Bond Counsel: Nixon Peabody  
Sr. Manager, Underwriting: Piper Jafray  
Co-Manager, Underwriting: Backstrom, McCarley, Berry & Co., Stifel  
Financial Advisors: KNN Public Finance  
Disclosure Council: Nixon Peabody

Recommendation:  
Recommend Approval

Fiscal Impact:  
None

**\*CI C.6 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.7 Approve the following New Job Descriptions: School Community Outreach Worker, and School Community Outreach Worker, Bilingual**

Comment:  
These positions and the background for these positions are generated from recommendations by the WCCUSD Strategic Plan. The School Community Outreach Workers and School Community Outreach Workers, Bilingual will play an instrumental role in fostering community partnerships to develop a full service community school district. These positions also will support the Director of Community Engagement to coordinate community and district resources to engage families in the educational process such that all students have equitable opportunities for learning and are prepared for post K-12 success. These positions follow the WCCUSD Strategic Plan.

The District has met all Education Code and contractual requirements in negotiating the job classifications, job descriptions and commensurate salaries with the union.

Recommendation:  
Recommend Approval

Fiscal Impact:  
Included in 2014-2015 budget

**\*CI C.8 Revisions to Board Policies 6162.5 “Student Assessment”, 6162.51 “Standardized Testing and Reporting Program”, and 6162.54 “Test Integrity/Test Preparation”**

Comment:  
California Department of Education has recommended revisions to Board Policies to reflect the name changes of student testing programs.

Recommendation:  
That the Board approve the revisions to Board Policies

Fiscal Impact:

None

**\*CI C.9 Board Policy 3513.3 “Tobacco-Free Schools”**

Comment:

California Department of Education has recommended local school districts to revise their Board Policy 3513.3 to address the growing concerns with e-cigarettes and/or nicotine delivery devices across the county.

Recommendation:

That the Board approve the revisions to Board Policies

Fiscal Impact:

None

**\*CI C.10 Resolution No. 30-1415: Hispanic Heritage Month, September 15, 2014 – October 15, 2014**

Comment:

The West Contra Costa Unified School District applauds the many contributions made by the Hispanic population and recognizes September 15 - October 15, 2014 as Hispanic Heritage Month.

Recommendation:

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.

Recommendation:

Ratify and approve contracts.

Fiscal Impact:

Total for this action: \$172,337.00. 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: Harding ES Ext. Repairs and Roofing; Helms MS Sports Field & Landscaping; Olinda ES Fire Alarm Replacement; Shannon ES Fire Alarm Replacement; Korematsu MS (Portola) New School; Pinole MS New Playfields; El Cerrito HS Stadium. 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.

Recommendation:

Approve negotiated Change Orders as noted

Fiscal Impact:

Total approval by this action: \$172,329.86

**\*CI C.13 Ratification of Staff Awarded Contract: Component 7: Building 10 Linked Learning**

Comment:

DLM Architects has prepared plans and specifications for the project. Scope of work includes: construction of a new Building 10 Linked Learning classroom and maintenance building, miscellaneous site work including, but not limited to, landscaping, artificial turf playfields and playground equipment.

The District conducted a public bid process for the project. Bids were opened on September 9, 2014. Six contractors submitted bids, C. Overaa & Company \$15,872,164 (bid withdrawal); BHM Construction, Inc. \$17,817,795; S.J. Amoroso Construction Company Inc. \$18,278,367; Landmark Construction \$18,651,689; Alten Construction \$18,752,480; Roebbelen Contracting Inc. \$18,951,295.80. Total bid is the sum of base bid and unit pricing. The apparent lowest responsive, responsible bidder is BHM Construction, Inc.

Determining the award is based on two components; the lump sum base bid and unit cost multiplied by quantities to be determined in the field. This benefits the District by locking in unit pricing to be used in negotiating future change orders. The contract award is only associated with the lump sum base bid.

Recommendation:

Ratify the award to the lowest responsive, responsible bidder, at the expiration of the bid protest period.

Fiscal Impact:

Funded from Bond Fund

**\*CI C.14 Ratification of Staff Awarded Contract: Information Technology Center**

Comment:

Alana Buick & Bers has prepared plans and specifications for the project. Scope of work includes: removal and replacement of existing mechanical and rooftop equipment; demolition and removal of existing screen wall; removal of existing roof inclusive of gutters and rain water leaders; installation of new roof, inclusive of new gutters, rain water leaders, and mechanical platforms and curbs; installation of new prefabricated screen wall system.

The District conducted a public bid process for the project. Bids were opened on September 4, 2014. Seven contractors submitted bids; JUV, Inc., \$767,000; Cal Pacific Construction, Inc., \$779,071 (non-responsive); Western Roofing Service, \$784,301; John Pope Construction, Inc, \$795,008 (non-responsive); Stronger Building Services, \$850,004; BEST Contracting Services, Inc., \$925,530; CF Contracting, Inc., \$1,284,000. Total bid is the sum of base bid and unit pricing. The apparent lowest responsive, responsible bidder is JUV, Inc.

Determining the award is based on two components; the lump sum base bid and unit cost multiplied by quantities to be determined in the field. This benefits the District by locking in unit pricing to be used in negotiating future change orders. The contract award is only associated with the lump sum base bid.

Recommendation:

Ratify the award to the lowest responsive, responsible bidder at the expiration of the bid protest period.

Fiscal Impact:

Funded from Bond Fund

**\*CI C.15 Valley View Elementary School Portable Lease**

Comment:

As a part of the new Valley View Elementary School construction project, the District will lease twenty-six DSA Approved Reconditioned Portable Classroom buildings for the temporary campus.

The District issued an RFP and received proposals on September 10<sup>th</sup>, 2014. One vendor provided a proposal, Mobile Modular \$1,623,275.19. The apparent lowest responsive, responsible vendor is Mobile Modular.

Recommendation:

Award contract to the lowest responsive, responsible vendor.

Fiscal Impact:

Funding source Bond Funded

**\*CI C.16 Citizens' Bond Oversight Committee (CBOC) Appointment: Margaret Browne**

Comment:

City of Richmond Mayor, Gayle McLaughlin, has forwarded a recommendation that Margaret Browne be the Richmond City Council's appointee on the West Contra Costa Unified School District Citizens Bond Oversight Committee.

Recommendation:

Approve appointment as noted

Fiscal Impact:

None

**\*CI C.17 Firewall for WCCUSD - RFP Dated 7/21/2014**

Comment:

The District prepared plans and specifications for two ASA 5585 Firewalls and associated services. The scope of work included providing the district with equipment and installing and configuring the devices.

The District solicited competitive bids for the project. The RFP was advertised on July 21, 2014 and closed August 22, 2014. Six companies submitted bids. One company, CDWG, was deemed nonresponsive as their equipment list was incorrect. Of the five remaining, their bids are as follows: NWN \$575,851.30; DecoTech \$599,776.34; AEKO \$640,768.53; PTI Solutions \$702,123.96 and Development Group \$724,221.02.

Recommendation:

Ratify the award to the lowest responsive, responsible bidder: NWN

Fiscal Impact:

\$575,851.30, funded from Bond Fund

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

**\* D.1 Summer of Innovation 2014-15 Grantees**

Comment:

The new 2014 Summer of Innovation contest has created a WCCUSD pathway where innovative ideas can truly become a reality. WCCUSD classified and certificated staff members or teams were able to submit, during the 2014 summer, fantastic ideas in the areas of communication, collaboration, Common Core, or building classroom culture.

There were multiple submittals, and we will celebrate our 2014-15 Summer of Innovation grantees.

Recommendation:

Information and celebration

Fiscal Impact:

Up to \$30,000 (in Common Core and LCFF monies)



\* **D.2 Local Control Accountability Plan (LCAP) Actions/Services Report #1**

Comment:

The Local Control Accountability Plan represents the District’s comprehensive plan of actions, services, and expenditures that support schools to ensure students become college and career ready, able to make life choices with productive outcomes.

Staff will provide information to the Board four times throughout the year, sharing information on the LCAP actions and services being carried out. This will be the first report.

Recommendation:

Report

Fiscal Impact:

None

\* **D.3 Report Update 2013/14 – Food Service Department**

Comment:

Barbara Jellison, Director of the Food Services Department, will provide a report and acknowledge the report presented to the Board at the August 13 meeting by the students working with the Urban Nutrition Institute.

The Food Services Department of the West Contra Costa Unified School District served over 1,210,000 breakfasts, 3,500,000 lunches and 675,000 after school suppers to its students during the 2013/2014 school year through the support of the National School Meal Program.

In our District’s elementary schools 69% of our students participate in our meal programs; our middle schools have a participation of 59% and at our high schools the participation is 41%. The Food Service Department offers a breakfast program at 13 of the secondary sites and 24 elementary sites.

In addition to the school year activities the Food Services Department plays a critical role in ensuring that many children get enough to eat during summer months through its Summer Feeding Program. This summer’s program provided over 335,000 nutritious meals to children age 18 and below.

The Food Service Department of WCCUSD also hosts the District’s coordinated school health council that reinforces health literacy through health education, physical education and activity, health services, nutrition services, psychological and counseling services, health promotion for staff, a safe and healthy school environment, and parent/guardian and community involvement.

Recommendation:

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	Public Employees Local 1
Citizens’ Bond Oversight Committee	Safety and School Climate Committee
College and Career Readiness Academies	Technology Subcommittee
Community Budget Advisory Committee	United Teachers of Richmond
Facilities Subcommittee	Youth Commission
Ivy League Connection	

\* **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.

Lawrence (Larry) Chapman began working for the District in 1949, retiring in 1982. He was the principal at Kennedy and Richmond High Schools.

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

Recommendation:

For Information Only

Fiscal Impact:

None

**F. ACTION ITEMS**

\* **F.1 Approval of the 2013-2014 Unaudited Actuals Financial Report**

Comment:

By September 15 of each year, the District must file the Unaudited Actuals Financial Report for the prior year with the Contra Costa County Office of Education and the California Department of Education. This report reflects the financial activities of the District by major object of revenue and expense for each fund operated in the district.

Staff will present an overview of the financial activity and its impact on the ending balance.

Included in the Unaudited Actuals is a Summary of the General Fund and all Funds. The complete Unaudited Actuals Financial Report will be delivered under separate cover.

Recommendation:

Staff requests approval to file this report with the County Superintendent

Fiscal Impact:

Year-end closing

\* **F.2 Resolution of Intent to Convey an Easement to Contra Costa County for a Pedestrian Bridge at Riverside Elementary School**

Comment:

The City of San Pablo, working with the Contra Costa Transportation Authority, engaged in a major redesign of the San Pablo Dam Road interchange on I-80. The work for the redesign of this busy, and very congested, interchange extends all the way from the El Portal Exit to the Barrett Avenue off-ramp. As part of the redesign, the Barrett Avenue off-ramp will be eliminated and a new frontage road is proposed for access to Barrett. This frontage road will extend from the San Pablo Dam Road interchange and will require the demolition and reconstruction of the pedestrian overcrossing which currently lands on Amador Street opposite Riverside Elementary School. During consideration of options for the reconstruction of the pedestrian overcrossing, it was determined that one appropriate design would be to have the landing be on the school side of Amador Street. This would mean that students and parents of Riverside School would not have to cross Amador Street and would mean an increase in student pedestrian safety.

In 2008 the Contra Costa Transportation Authority conducted a community meeting and meetings with Riverside staff to review the proposed configuration. District staff reviewed the proposal. A presentation was made to the Facilities Subcommittee of the Board and at the September 25, 2008 meeting; the Board of Education approved a letter of concurrence which allows the project to move forward for review under the California Environmental Quality Act (“CEQA”). The letter incorporated staff concerns regarding mitigation of impacts and commits the parties to a planning process which will help to ensure an appropriate, safe, and aesthetic design.

The West Contra Costa School District (“District”) owns real property located at 1300 Amador St. San Pablo, Ca 94806, known as Riverside Elementary School (“School Site”). As part of Contra Costa County’s (“County”) I-80 San Pablo Dam Road Interchange Improvement Project, County intends to construct, among other improvements, a new Riverside Avenue pedestrian overcrossing (“POC”) which will be slightly north of the existing POC and will extend over Amador Street onto the School Site. The County anticipates the Project will significantly improve pedestrian/bicycle traffic by enhancing operations and safety within the interchange area.

The County has requested that the District convey an easement for certain portions of the School Site for the POC. The District does not need the easement area for classroom buildings or educational purposes. The District’s Governing Board needs to adopt Resolution No. 28-1415, by two-thirds of its members, to declare its intent to convey the easement.

Recommendation:

Approve Resolution No. 28-1415: A Resolution of the Governing Board of the West Contra Costa Unified School District Declaring Its Intention to Convey an Easement to Contra Costa County at the Riverside Elementary School Site.

Fiscal Impact:

No fiscal impact or implications associated with the approval of these documents

**G. DISCUSSION ITEMS**

\* **G.1 BP 5141.52 Suicide Prevention Policy**

Comment:

The District recognizes that suicide is a major cause of death among youth. The District would like to have a policy in place to establish procedures to be followed when a suicide attempt, threat or disclosure is reported and to provide students, parents/guardians and staff with education that helps them recognize the warning signs of severe emotional distress and take preventive measures to help potentially suicidal students.

Recommendation:

For Discussion Only

Fiscal Impact:

None

\* **G.2 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 – October 1, 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 **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**

**September 17, 2014**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

[Government Code Section 54956.9(d)(1)]

- a. Palmer and Pollack v. WCCUSD
- b. 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)]

Six 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**

Associate Superintendent of Facilities, Maintenance, Operations, and Bond Program  
Instructional Specialist

**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**