

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
SPECIAL MEETING AGENDA  
JULY 23, 2012**

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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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**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 6:00 PM.** The Board will convene at **5:45 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 6:00 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 Report/Ratification of Closed Session**

**\* B.5 Agenda Review and Adoption (Public Comment)**

**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 Adoption of Resolution No. 16-1213: In support of Office of Public School Construction applications for Modernization and New Construction state funding**

Comment:

The District is proceeding with a number of applications for state funding from the Office of Public School Construction (“OPSC”). This resolution is in support of all of the District’s applications for modernization or new construction funding and also updates the District staff who will be authorized representatives to complete and sign applications for submission to Office of Public School Construction (OPSC).

Recommendation:

Adopt Resolution No. 16-1213: In support of Office of Public School Construction applications for Modernization, New Construction, and updating Authorized Representatives for the District

Fiscal Impact:

None. Approval of this resolution will support OPSC funding applications which will provide state funding to the District’s Bond Program.

**\*CI C.2 Harding Elementary School Foundation Ventilation Repairs Project Award of Contract**

Comment:

Harding Elementary School foundation ventilation has been identified to need repairs. Grossmann Design Group has prepared plans and specifications for the project. Significant work includes the cleaning of the existing crawl space, which includes abatement of mold; and furnishing and installing a new vapor barrier and dehumidification system.

The District engaged in a public bid process for the project. Bids were opened on July 12, 2012. Three contractors submitted bids. They are as follows: Saboo, Inc., \$59,000; Grand Construction, \$76,900; and A&E Emaar Company, \$82,800.

Recommendation:

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

Fiscal Impact:

Funded from the Measure D-2010 Bond

**\*CI C.3 New Gompers High School and Leadership Public School Award of Contract**

Comment:

Soils removal and site work have been completed at the Gompers High School site, making way for the construction of the new Leadership Public School (“LPS”) campus and the new Gompers Continuation High School campus. HMC has prepared plans and specifications for the project. The project consists of two separate campuses on one site, a new shared gym, and site work.

The District conducted a public bid process for the project. Bids were received on July 10, 2012. Six contractors submitted bids. They are as follows: McCarthy Building Companies, Inc., \$53,365,000; Lathrop Construction Associates, Inc., \$53,887,350; Arntz Builders, Inc., \$54,852,764; Roebbelen Contracting, Inc., \$ 57,192,913; Alten Construction, Inc., \$58,416,669; and S.J. Amoroso Construction Co., Inc., \$58,712,000. McCarthy Building Companies, Inc. has withdrawn its bid due to a clerical mathematical error. The apparent lowest responsive, responsible bidder is Lathrop Construction Associates, Inc.

Recommendation:

Award contract to Lathrop Construction Associates, Inc.

Fiscal Impact:

\$53,887,350. Funded from the Measure J Bond.

**\*CI C.4 Ratification of Staff Awarded Contract: Ellerhorst Elementary School Re-roof Project**

Comment:

As part of the planned maintenance projects for various school sites in the District, Ellerhorst Elementary School has been identified to need re-roofing. Significant work includes all construction necessary for the removal of the existing roofing system and re-roofing of specified areas of the roof. Grossmann Design Group has prepared plans and specifications for the project.

In consideration of the need to complete the work expeditiously, the Superintendent’s designee authorized award of contract to the lowest responsive, responsible bidder: Alcal Specialty Contracting, \$1,576,270.

The Education Code requires the Board to ratify this award action by the Superintendent’s designee.

Recommendation:

Ratify staff awarded contract as noted

Fiscal Impact:

\$1,576,270. Funded from the Measure J Bond.

**\*CI C.5 Ratification of Staff Awarded Contract: Richmond High School Emergency Lighting Replacement Project**

Comment:

The Operations Division has initiated planned maintenance projects at various school sites. It has been determined that Richmond High School's emergency lighting is in need of replacement. HMR has prepared plans and specifications for the project. Scope of work includes all construction related to the demolition and removal of the existing emergency lighting system, and the installation of the new system throughout specified areas of the site.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of contract for the project to the lowest responsive, responsible bidder: ERA Construction, \$285,000.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

Recommendation:

Ratify staff awarded contract as noted

Fiscal Impact:

\$285,000. Project will be funded from the Measure J Bond.

**D. ACTION ITEMS**

**\* D.1 Parcel Tax Survey**

Comment:

At the July 2, 2012 meeting, the Board authorized the Superintendent to enter into a contract with Godbe Research to conduct a random sample survey regarding a possible November parcel tax measure. The Attorney General has determined that a school district may legally expend district funds to conduct surveys to assess the potential support and opposition to a measure, the public's awareness of the district's financial needs, and the overall feasibility of developing a measure that could win voter approval.

During the same period of time, a community political action committee, For the Children of West County contracted with Godbe Research to conduct a separate survey regarding both a parcel tax and a bond measure for the November ballot.

Bryan Godbe will describe the process for implementing the District sponsored survey and provide the Board with the results of the survey. At the August 1, 2012 meeting, the Board will need to determine whether to place a measure on the November ballot.

Recommendation:

That the Board review the survey results and provide direction for a November ballot measure for a bond measure, a parcel tax, both a bond and a parcel tax or neither a bond nor a parcel tax.

Fiscal Impact:

Up to \$32,000 as authorized by the Board on July 2, 2012.

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

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

Lovonya DeJean Middle School – August 1, 2012

**G. 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 **6:00 PM**.

**EXHIBIT A**

(Government Code Section 54954.5)  
CLOSED SESSION AGENDA

**July 23, 2012**

**1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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

- a. WCCUSD v. Orrick
- b. Srago 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**

**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**

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** July 23, 2012

**From:** Bill Fay  
Associate Superintendent for Operations

**Agenda Item:** CI C.1

**Subject:** Adoption of Resolution No. 16-1213 in support of Office of Public School Construction applications for Modernization and New Construction state funding.

**Background Information:**

The District is proceeding with a number of applications for state funding from the Office of Public School Construction ("OPSC"). This resolution is in support of all of the District's applications for modernization or new construction funding and also updates the District staff who will be authorized representatives to complete and sign applications for submission to Office of Public School Construction (OPSC).

**Recommendation:**

Adopt Resolution No. 16-1213 in support of Office of Public School Construction applications for Modernization, New Construction, and updating Authorized Representatives for the District.

**Fiscal Impact:** None. Approval of this resolution will support OPSC funding applications which will provide state funding to the District's Bond Program.

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_



**BOARD OF EDUCATION  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

**Resolution No. 16-1213**

**SUPPORT OF APPLICATIONS FOR ELIGIBILITY DETERMINATION AND FUNDING  
AUTHORIZATION TO SIGN APPLICATIONS AND ASSOCIATED DOCUMENTS**

**WHEREAS**, the West Contra Costa Unified School District intends to file applications for funding under the School Facility Program as provided in Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et seq., of the Education Code; and

**WHEREAS**, a condition of processing the various applications under the School Facility Program is a resolution in support of those applications from the West Contra Costa Unified School District Board of Education and signatures of the West Contra Costa Unified School District Administration; and

**WHEREAS**, the West Contra Costa Unified School District wishes to submit applications for eligibility determination and funding for programs including, but not limited to, modernization, new construction, career technical education, joint use, charter school, overcrowding relief grant, and any other State or Federal facility funding programs, as applicable;

**THEREFORE, BE IT HEREBY RESOLVED**, that the West Contra Costa Unified School District Board of Education is in support of necessary applications under the School Facility Program and any other State or Federal facility funding programs and that the individuals identified below are authorized to sign all documents and papers associated with the applications for funding:

1. William Fay, Associate Superintendent for Operations
2. Magdy Abdalla, District Engineering Officer

**ENACTED** this 23<sup>rd</sup> day of July, 2012, by the Governing Board of the West Contra Costa Unified School District by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Charles Ramsey, President of the Governing Board

ATTEST:

\_\_\_\_\_  
Antonio Medrano, Clerk of the Governing Board

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education

**Meeting Date:** July 23, 2012

**From:** Bill Fay  
Associate Superintendent for Operations

**Agenda Item:** CI C.2

**Subject:** Harding Elementary School Foundation Ventilation Repairs Project Award of Contract

**Background Information:**

Harding Elementary School foundation ventilation has been identified to need repairs. Grossmann Design Group has prepared plans and specifications for the project. Significant work includes the cleaning of the existing crawl space, which includes abatement of mold; and furnishing and installing a new vapor barrier and dehumidification system.

The District engaged in a public bid process for the project. Bids were opened on July 12, 2012. Three contractors submitted bids. They are as follows: Saboo, Inc., \$59,000; Grand Construction, \$76,900; and A&E Emaar Company, \$82,800.

**Recommendation:**

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

**Fiscal Impact:** Funded from the Measure D-2010 Bond.

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** July 23, 2012

**From:** Bill Fay **Agenda Item:** CI C.3  
Associate Superintendent for Operations

**Subject:** New Gompers High School and Leadership Public School Award of Contract

**Background Information:**

Soils removal and site work have been completed at the Gompers High School site, making way for the construction of the new Leadership Public School ("LPS") campus and the new Gompers Continuation High School campus. HMC has prepared plans and specifications for the project. The project consists of two separate campuses on one site, a new shared gym, and site work.

The District conducted a public bid process for the project. Bids were received on July 10, 2012. Six contractors submitted bids. They are as follows: McCarthy Building Companies, Inc., \$53,365,000; Lathrop Construction Associates, Inc., \$53,887,350; Arntz Builders, Inc., \$54,852,764; Roebbelen Contracting, Inc., \$ 57,192,913; Alten Construction, Inc., \$58,416,669; and S.J. Amoroso Construction Co., Inc., \$58,712,000. McCarthy Building Companies, Inc. has withdrawn its bid due to a clerical mathematical error. The apparent lowest responsive, responsible bidder is Lathrop Construction Associates, Inc.

**Recommendation:** Award contract to Lathrop Construction Associates, Inc.

**Fiscal Impact:** \$53,887,350. Funded from the Measure J Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

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**To:** Board of Education **Meeting Date:** July 23, 2012  
**From:** Bill Fay **Agenda Item:** CI C.4  
Associate Superintendent for Operations  
**Subject:** Ratification of Staff Awarded Contract: Ellerhorst Elementary School Re-roof Project

**Background Information:**

As part of the planned maintenance projects for various school sites in the District, Ellerhorst Elementary School has been identified to need re-roofing. Significant work includes all construction necessary for the removal of the existing roofing system and re-roofing of specified areas of the roof. Grossmann Design Group has prepared plans and specifications for the project.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of contract to the lowest responsive, responsible bidder: Alcal Specialty Contracting, \$1,576,270.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

**Recommendation:**

Ratify staff awarded contract as noted.

**Fiscal Impact:** \$1,576,270. Funded from the Measure J Bond.

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
1108 Bissell Avenue  
Richmond, California 94801-3135  
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

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**To:** Board of Education **Meeting Date:** July 23, 2012  
**From:** Bill Fay **Agenda Item:** CI C.5  
Associate Superintendent for Operations  
**Subject:** Ratification of Staff Awarded Contract: Richmond High School Emergency Lighting Replacement Project

**Background information:**

The Operations Division has initiated planned maintenance projects at various school sites. It has been determined that Richmond High School's emergency lighting is in need of replacement. HMR has prepared plans and specifications for the project. Scope of work includes all construction related to the demolition and removal of the existing emergency lighting system, and the installation of the new system throughout specified areas of the site.

In consideration of the need to complete the work expeditiously, the Superintendent's designee authorized award of contract for the project to the lowest responsive, responsible bidder: ERA Construction, \$285,000.

The Education Code requires the Board to ratify this award action by the Superintendent's designee.

**Recommendation:**

Ratify staff awarded contract as noted.

**Fiscal Impact: \$285,000.** Project will be funded from the Measure J Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Tabled \_\_\_\_\_

West Contra Costa Unified School District  
1108 Bissell Avenue  
Richmond, California 94801  
Office of the Superintendent

**ITEM REQUIRING ATTENTION---BOARD OF EDUCATION**

**To:** Board of Education

**Meeting Date:** July 23, 2012

**From:** Bruce Harter  
Superintendent

**Agenda Item:** D.1

**Subject:** Parcel Tax Survey

**Background Information:**

At the July 2, 2012 meeting, the Board authorized the Superintendent to enter into a contract with Godbe Research to conduct a random sample survey regarding a possible November parcel tax measure. The Attorney General has determined that a school district may legally expend district funds to conduct surveys to assess the potential support and opposition to a measure, the public's awareness of the district's financial needs, and the overall feasibility of developing a measure that could win voter approval.

During the same period of time, a community political action committee, For the Children of West County contracted with Godbe Research to conduct a separate survey regarding both a parcel tax and a bond measure for the November ballot.

Bryan Godbe will describe the process for implementing the District sponsored survey and provide the Board will the results of the survey. At the August 1, 2012 meeting, the Board will need to determine whether to place a measure on the November ballot.

**Recommendation:**

That the Board review the survey results and provide direction for a November ballot measure for a bond measure, a parcel tax, both a bond and a parcel tax or neither a bond nor a parcel tax.

**Fiscal Impact:** Up to \$32,000 as authorized by the Board on July 2, 2012.

**DISPOSITION BY BOARD OF EDUCATION**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Tabled \_\_\_\_\_